

# City of Capitola Agenda

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



## CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, FEBRUARY 28, 2019

7:00 PM

CITY COUNCIL CHAMBERS  
420 CAPITOLA AVENUE, CAPITOLA, CA 95010

### REGULAR MEETING OF THE CAPITOLA CITY COUNCIL

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

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

**1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

**2. PRESENTATIONS**

*Presentations are limited to eight minutes.*

A. Update from Santa Cruz METRO

**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. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS**

- A. Appointment and Swearing in of New Standby Council Members  
RECOMMENDED ACTION: Approve and issue Oath of Office to standby council members.
- B. Appointments to the Architectural and Site Committee, the Commission on the Environment and the Area Agency on Aging Advisory Council.  
RECOMMENDED ACTION: Make appointments.

**8. CONSENT CALENDAR**

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

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

- A. Consider the February 14, 2019, City Council Regular Meeting Minutes  
RECOMMENDED ACTION: Approve minutes.
- B. Planning Commission Action Minutes  
RECOMMENDED ACTION: Receive minutes.
- C. Approval of City Check Registers Dated January 4, January 11, January 18 and January 25, 2019  
RECOMMENDED ACTION: Approve check registers.
- D. Second Reading of an Ordinance Amending Municipal Code Title 10 Vehicles and Traffic Pertaining to Bicycles and Personal Transportation Devices  
RECOMMENDED ACTION: Approve an Ordinance amending Municipal Code Title 10 Vehicles and Traffic to amend Chapter 10.04 General Provisions; repeal Chapter 10.44 Bicycles; and adopt Chapter 10.44 Bicycles and Personal Transportation Devices.

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- E. Second Reading of an Ordinance Amending Chapters 2.04, 2.08 and 6.14 Pertaining to the Appointment and Duties of the City Treasurer  
RECOMMENDED ACTION: Approve an Ordinance amending Municipal Code Chapters 2.04, 2.08 and 6.14.

**9. GENERAL GOVERNMENT / PUBLIC HEARINGS**

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

- A. Consider Contract with Central Fire Protection District for Lifeguard Training  
RECOMMENDED ACTION: Authorize the City Manager to sign a one-year contract for \$15,000 between Central Fire Protection District and the City of Capitola to perform lifeguard testing and training services commencing March 2019.
- B. Mid-Year Budget Report  
RECOMMENDED ACTION: Receive Mid-Year Budget Report, amend the Fiscal Year 2018-19 Budget based on the attached budget amendment request, authorize the staff changes, and provide direction to staff.
- C. Consider a Resolution Ratifying a State Division of Boating and Waterways Grant Application for the Capitola Jetty and Flume Rehabilitation Project  
RECOMMENDED ACTION: Consider ratification and approval of a resolution authorizing a grant application to the California State Park Division of Boating and Waterways for the Capitola Beach Flume and Jetty Rehabilitation Project.

**10. ADJOURNMENT**

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

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

**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](http://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.

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**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](http://www.cityofcapitola.org) by clicking on the Home Page link "**Meeting Agendas/Videos**." Archived meetings can be viewed from the website at anytime.





## CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 28, 2019

FROM: City Manager Department  
SUBJECT: Update from Santa Cruz METRO

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BACKGROUND/DISCUSSION: The Santa Cruz Metropolitan Transit District, or METRO, provides public transportation services for Santa Cruz County. COE/General Manager Alex Clifford will provide his annual overview on the agency.

Report Prepared By: Linda Fridy  
City Clerk

**Reviewed and Forwarded by:**

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

Jamie Goldstein, City Manager

2/22/2019



## CAPITOLA CITY COUNCIL AGENDA REPORT

**MEETING OF FEBRUARY 28, 2019**

FROM: City Manager Department

SUBJECT: Appointment and Swearing-In of New Standby Council Members

**RECOMMENDED ACTION:** Approve nominations and issue Oath of Office to standby council members.

**BACKGROUND/DISCUSSION:** California Government Code allows the city council to appoint up to three standby city council members per council position. These standby members would serve as city council persons in the event that elected council members are unavailable in an emergency as defined in the California Emergency Services Act.

Capitola council members have traditionally chosen one standby member each. Recently elected Council Member Yvette Brooks selected Michael Termini and Council Member Sam Storey chose Bruce Arthur. These nominations must be approved by the City Council, and then the city clerk will issue the oath of office to the new standby members.

The following standby members remain in place:

- Troy (TJ) Welch for Ed Bottorff
- Nathan Cross for Jacques Bertrand
- Marilyn Warter for Kristen Petersen

Report Prepared By: Linda Fridy  
City Clerk

**Reviewed and Forwarded by:**

Jamie Goldstein, City Manager

2/22/2019



# CAPITOLA CITY COUNCIL AGENDA REPORT

**MEETING OF FEBRUARY 28, 2019**

FROM: City Manager Department

SUBJECT: Appointments to Architectural and Site Committee, Commission on the Environment, and Area Agency on Aging Advisory Council

RECOMMENDED ACTION: Make appointments.

## BACKGROUND/DISCUSSION

*Architecture and Site Committee:* Daniel Gomez and Daniel Townsend of Fuse Architecture have served as the alternate architects for the Architecture and Site Committee and have requested to be reappointed by the mayor.

*Commission on the Environment:* Following the appointment of most members of the Commission on the Environment at the January 10, 2019, City Council meeting, the city clerk extended recruitment for Council Member Storey's remaining appointment. Meredith Keet applied (Attachment 1) and was interviewed by Council Member Storey, who indicated he wishes to appoint her.

*Area Agency on Aging Advisory Council:* On January 13, 2019, Stephanie Harlan resigned as the City's representative to the Area Agency on Aging Advisory Council. The vacancy was posted as required by the Maddy Act with a due date of February 13. During that time, Mayor Bertrand expressed interest in serving as the representative. Alternate Carolyn Sigstedt has continued in that position and also offered to move into the representative position. No other applications were received.

## ATTACHMENTS:

1. Keet COE app

Report Prepared By: Linda Fridy  
City Clerk

COE and Arch & Site Appointments  
February 28, 2019

**Reviewed and Forwarded by:**



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Jamie Goldstein, City Manager

2/22/2019



# CITY of CAPITOLA BOARDS AND COMMISSIONS APPLICATION

Application for:

- Art & Cultural Commission  
*[Artist; Arts Professional; At Large Member]*  
*Please circle category above*
- Architectural & Site Committee  
*[Architect; Landscape Architect; Historian]*  
*Please circle category above*
- Finance Advisory Committee  
*[Business Representative; At Large Member]*  
*Please circle category above*
- Planning Commission
- Commission on the Environment
- Other Committee Commission on the Environment
- Historical Museum Board
- Check if applying as youth member to any board

Name: Keet Meredith  
Last First

Residential Neighborhood: Pleasure Point

Occupation: Business owner Capitola Village, The Zero Shop

Describe your qualifications and interest in serving on this Board/Commission/Committee: I'm launching a business in Capitola Village with a focus on zero waste, sustainability & with the mission of empowering every individual to consider their impact on the environment in the daily choices they make. I was born and raised in Santa Cruz and, after travelling around the world, am passionate about helping the environment in my own community & beyond.  
(Use additional paper, if necessary)

**Please Note:** Appointment to this position may require you to file a conflict of interest disclosure statement with the City Clerk. This information is a public record and these statements are available to the public on request.

1/24/19  
Date

Meredith Keet  
Signature of Applicant

Mail or Deliver Application to:  
Capitola City Hall  
Attn: City Clerk  
420 Capitola Avenue, Capitola, CA 95010

All information contained in this page of the application is public data and will be made available for public review and copying for anyone requesting it, and may be posted on the website of the City of Capitola. All information in this page will be provided to the Capitola City Council in a public forum and will be reviewed in public. It will therefore be part of the public record.

Attachment: Keet COE app (COE and Arch & Site Appointments)



## CAPITOLA CITY COUNCIL AGENDA REPORT

**MEETING OF FEBRUARY 28, 2019**

FROM: City Manager Department

SUBJECT: Consider the February 14, 2019, City Council Regular Meeting Minutes

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RECOMMENDED ACTION: Approve minutes.

DISCUSSION: Attached for City Council review and approval are the minutes of the regular meeting of February 14, 2019.

ATTACHMENTS:

1. 2-14 draft minutes

Report Prepared By: Linda Fridy  
City Clerk

**Reviewed and Forwarded by:**

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Jamie Goldstein, City Manager

2/22/2019

**DRAFT  
CAPITOLA CITY COUNCIL  
REGULAR MEETING MINUTES  
THURSDAY, FEBRUARY 14, 2019**

**CALL TO ORDER AND ROLL CALL**

Mayor Bertrand called the meeting to order at 6 p.m.

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

No members of the public were present and the Council adjourned to the City Manager's Office with the following item to be discussed in Closed Session:

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Gov't. Code § 54956.9(d)(2).  
(two potential cases)

**REGULAR MEETING OF THE CAPITOLA CITY COUNCIL - 7 PM**

**1. PLEDGE OF ALLEGIANCE**

**2. PRESENTATIONS**

**A. Update from the Soquel Union Elementary School District Regarding Bond-Funded Projects**

Superintendent Scott Turnbull, Business Official Michelle Kennedy and Facility Manager Jim Dupree presented the update on projects funded by the November 2016 passage of a \$42 million bond. Mr. Turnbull thanked the community for the 72 percent voter approval to replace aging-out classrooms. The goal is to finish all projects by August 2019 and it looks likely the district will make the deadline.

Ms. Kennedy explained 33 new classrooms will replace 39 portables, some as old as 40 years. About 30 percent of the bond funds, \$12.5 million, will go to improvements at New Brighton Middle School including a new art studio and woodshop, dance and weight room, and locker rooms. Mr. Dupree gave an overview and shared images of the projects. Updates include sliding white boards and TVs in each classroom. They confirmed that the district will hold a community open house once the facilities are open.

**3. REPORT ON CLOSED SESSION**

Deputy City Attorney Reed Gallogly said the Council received reports on two items and took no reportable action.

**4. ADDITIONAL MATERIALS**

A. Item 9.A – Two public comment emails

B. Item 9.C – Five public comment emails

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

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES  
February 14, 2019

**6. PUBLIC COMMENTS**

Gary Arnold spoke about his concerns regarding AMBAG.

Victorious Alexander expressed concern about County Board of Supervisors actions.

Jason Shepardson, a resident who recently opened his physical therapy business in the Village, introduced himself.

**7. CITY COUNCIL / STAFF COMMENTS**

Mayor Bertrand attended a 2020 census kickoff, which is encouraging participation to ensure accurate counts and funding based on those figures.

City Manager Jamie Goldstein reported that three cadets passed the mid-point at the Police Academy.

**8. CONSENT CALENDAR**

<b>MOTION:</b>	<b>APPROVE AS RECOMMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristen Petersen, Vice Mayor
<b>SECONDER:</b>	Sam Storey, Council Member
<b>AYES:</b>	Brooks, Bottorff, Storey, Petersen, Bertrand

- A. Consider the January 14, 2019, Special Meeting and January 24, 2019, Regular City Council Meeting Minutes  
RECOMMENDED ACTION: Approve minutes.
- B. Authorize the City to Sell Surplus Vehicles  
RECOMMENDED ACTION: Declare one Public Works vehicle and two Police Department vehicles as surplus property and authorize their sale/trade.
- C. Consider a Resolution Allowing the State to Release City Sales Tax Information to New Tax Audit Contractor HdL  
RECOMMENDED ACTION: Approve the **Resolution No. 4140** authorizing the examination of sales, use, and transactions tax records.

**9. GENERAL GOVERNMENT / PUBLIC HEARINGS**

- A. Continue Discussion of an Ordinance Amending Municipal Code Title 10 Vehicles and Traffic Pertaining to Bicycles and Personal Transportation Devices  
RECOMMENDED ACTION: Approve first reading of an Ordinance amending Municipal Code Title 10 Vehicles and Traffic to amend Chapter 10.04 General Provisions; repeal Chapter 10.44 Bicycles; and adopt Chapter 10.44 Bicycles and Personal Transportation Devices.

Community Development Director Katie Herlihy presented the staff report. The draft ordinance has been revised to address Council and community concerns about bicycle use on sidewalks. It prohibits bikes and personal transportation devices on sidewalks, but does allow children under age 10 to ride bikes on sidewalks outside the Village in the direction of traffic. The ordinance defines the Village boundaries using the same borders as for skateboard use.



CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES  
February 14, 2019

Council Member Storey confirmed that children can walk their bikes on sidewalks in areas where riding is prohibited.

There was no public comment.

<b>MOTION:</b>	<b>APPROVE FIRST READING AS RECOMMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ed Bottorff, Council Member
<b>SECONDER:</b>	Sam Storey, Council Member
<b>AYES:</b>	Brooks, Bottorff, Storey, Petersen, Bertrand

- B. Introduce an Ordinance Amending Chapters 2.04, 2.08 and 6.14 Pertaining to the Appointment and Duties of the City Treasurer  
RECOMMENDED ACTION: Approve the first reading of an Ordinance amending Municipal Code Chapters 2.04, 2.08 and 6.14.

City Clerk Linda Fridy presented the staff report. The proposed ordinance has municipal code amendments based on previous City Council direction to allow the city manager to nominate the finance director as treasurer and the City Council to approve the appointment.

There was no public comment.

<b>MOTION:</b>	<b>APPROVE FIRST READING AS RECOMMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ed Bottorff, Council Member
<b>SECONDER:</b>	Yvette Brooks, Council Member
<b>AYES:</b>	Brooks, Bottorff, Storey, Petersen, Bertrand

- C. Review Central Village Decorative Lighting  
RECOMMENDED ACTION: Receive public input, discuss the current holiday lighting in the Village, and provide direction to staff.

Public Works Director Steve Jesberg presented the staff report. He noted the City's role in Village decoration has been to hang the lights and decorations purchased by local businesses

Council Member Storey asked if there was a formal agreement with the Capitola Village and Wharf Business Improvement Area (BIA), and staff responded for many years there has been informal cooperation. Director Jesberg also explained that the "permanent" rope lighting is expected to last through year and will be in use for the life of the lights, not just in the winter holidays.

In public comment, business owner Carin Hanna noted there were BIA board members present and spoke to the question of permanent lighting. She explained there has long been a desire to have the palm trees lit throughout the year. The City purchased a trial ring light, but it was not sufficient, smaller twinkle lights are frequently vandalized, and in-ground lighting is quite expensive. The rope lights are affordable, durable, and help light the sidewalks.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES  
February 14, 2019

The Capitola Candy Company owner said the BIA was told the warm light tried in other beach towns makes them look "muddy." He has not heard visitors complain about the lighting.

Josh Fisher, Left Coast Sausage Works and resident, echoed concerns about longevity of previous lights and would like to see the rope lights expanded.

Council Member Bottorff noted that following the installation of the rope lights there was a lot of public discussion. Social media discussion appears the majority of area residents disapprove. He served as a liaison with the BIA and the issue was never voted on by the BIA board. He brought forth the issue to determine how much control the City has over the Village appearance, and noted enhancements are to be funded by the new transient occupancy tax (TOT). Is this permanent light the look that the City wants? He would like to see a policy or ordinance.

Council Member Brooks said she appreciates efforts to improve the Village, but feels direction is needed before any expansion and future TOT use. She would support keeping the lights until a process created.

Council Member Petersen also does not favor immediate removal of the lights and supports collaboration. She does not want to over-regulate decoration of the businesses' private property.

Council Member Storey noted this discussion would not have come up if there were not complaints. He supports an ongoing partnership with the BIA and a process that only addresses lights and other decorations in public spaces for the look and feel of the community. He added that variety and newness is often attractive to visitors.

Mayor Bertrand would support a formal process for a partnership.

Council Member Bottorff made a motion:

- Leave current lights up for comparison with other options
- Install no additional lights on other trees
- Install at city expense on one tree soft rope lights as comparison
- Direct staff for to create a policy on Village enhancements on public property
- Encourage the BIA to enlist a new Council representative

City Manager Goldstein suggested a policy similar to that for special events, with initial Council approval for new efforts and staff-level approval if there are no changes. Removal of lights would be addressed when a policy is adopted.

Council Member Brooks said the trial lights should be paid from TOT, but staff noted it is a small cost and more expeditious to take from the City's budget.

An amendment to allow for a few trial types of lighting was accepted, with the trials determined by the Public Works Department for optimal comparison. Council also agreed that the existing lights will be maintained during the policy development and trial period. Council Member Petersen asked that options for different colors or adjusted brightness be considered if they are available.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES  
February 14, 2019

<b>MOTION:</b>	<b>DIRECT STAFF TO:</b>
	1. LEAVE CURRENT LIGHTS UP FOR COMPARISON
	2. INSTALL NO ADDITIONAL LIGHTS ON OTHER TREES
	3. INSTALL COMPARISON LIGHTS AT CITY EXPENSE
	4. DEVELOP A POLICY ON VILLAGE ENHANCEMENTS ON PUBLIC PROPERTY
	5. ENCOURAGE THE BIA TO ENLIST A NEW COUNCIL MEMBER REPRESENTATIVE
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ed Bottorff, Council Member
<b>SECONDER:</b>	Sam Storey, Council Member
<b>AYES:</b>	Brooks, Bottorff, Storey, Petersen, Bertrand

D. Consider an Agreement with the Santa Cruz County Regional Transportation Commission for Bicycle Wayfinding Signage  
RECOMMENDED ACTION: Consider approval of a memorandum of understanding with the Santa Cruz County Regional Transportation Commission for installation and maintenance of regional bicycle route signage within the City of Capitola.

Director Jesberg presented the staff report, explaining and offering images of the proposed “destination” and “confirmation” signs. He noted the City worked with the Santa Cruz County Regional Transportation Commission (RTC) to reduce the number of signs and visual clutter.

Anais Schenk of the RTC explained the signage is important to bicyclists just as it is to drivers, but has differing placement needs. She noted cell phone navigation while riding is not safe. In response to Council Member Storey’s question, she explained the RTC developed preferred routes through the County to access key destinations by the safest routes. Council Member Storey expressed concern about safety on East Cliff Drive and Monterey Avenue. Director Jesberg said Cliff is safer than Wharf and noted there are not many options.

Ms. Schenk said the only existing signage is for the Pacific Coast Route, and some of those will be replaced based on evaluations to give riders more direction before intersections. Future review is always an option.

There was no public comment.

Council Member Storey does not support adding more signs to the community or the preferred routes.

Council Member Bottorff supports efforts to create a more bicycle friendly community across the county. Mayor Bertrand also agreed with the county efforts.

Attachment: 2-14 draft minutes (Approval of City Council Minutes)

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES  
February 14, 2019

<b>MOTION:</b>	<b>APPROVE THE MEMORANDUM OF UNDERSTANDING AS RECOMMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Ed Bottorff, Council Member
<b>SECONDER:</b>	Kristen Petersen, Vice Mayor
<b>AYES:</b>	Yvette Brooks, Ed Bottorff, Kristen Petersen, Jacques Bertrand
<b>NAYS:</b>	Sam Storey

**10. ADJOURNMENT**

The meeting adjourned at 8:36 p.m.

\_\_\_\_\_  
Jacques Bertrand, Mayor

ATTEST:

\_\_\_\_\_  
Linda Fridy, City Clerk

DRAFT

Attachment: 2-14 draft minutes (Approval of City Council Minutes)



## CAPITOLA CITY COUNCIL AGENDA REPORT

**MEETING OF FEBRUARY 28, 2019**

FROM: City Manager Department

SUBJECT: Planning Commission Action Minutes

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RECOMMENDED ACTION: Receive minutes.

DISCUSSION: Attached for Council review are the action minutes of the February 7, 2019, Planning Commission special and regular meetings.

ATTACHMENTS:

1. 2-7-19 Action planning
2. 2-7-19 special Action planning

Report Prepared By: Chloe Woodmansee  
Records Coordinator

**Reviewed and Forwarded by:**

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Jamie Goldstein, City Manager

2/22/2019



**ACTION MINUTES  
CAPITOLA PLANNING COMMISSION MEETING  
THURSDAY, FEBRUARY 7, 2019  
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

**1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

**A. Swearing- in of new Planning Commissioners**

**RESULT:** Swore-in Commissioners Christiansen, Routh, and Welch

**2. NEW BUSINESS**

**A. Election of Chair and Vice Chair**

MOTION: Nominate Commissioner Welch as Commission Chair.

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

MOTION: Nominate Commissioner Newman as Commission Vice-Chair.

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

**B. Commission and Appointments**

**1. Art & Cultural Commission**

MOTION: Select Commissioner Christiansen as the Planning Commission's appointee to the Art and Cultural Commission.

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

**3. ORAL COMMUNICATIONS**

- A. Additions and Deletions to Agenda**
- B. Public Comments - none**
- C. Commission Comments**
- D. Staff Comments**

**4. APPROVAL OF MINUTES**

Attachment: 2-7-19 Action planning (PC minutes)

**A. Planning Commission - Regular Meeting - Dec 6, 2018 7:00 PM**

**RESULT:** APPROVED  
**MOVER:** Ed Newman  
**SECONDER:** TJ Welch  
**AYES:** Newman, Welch  
**ABSTAINED:** Christiansen, Routh, Wilk

**5. CONSENT CALENDAR**

**A. 210 Esplanade #19-0007 APN: 035-221-08 & 035-221-09**

Sign Permit for wall sign and projecting sign for the Capitola Hotel located in the CV (Central Village) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Bhavana and Dharmesh Patel

Representative: FUSE Architects Inc., Filed: 01/04/19

MOTION: Approve the Sign Permit.

**RESULT:** APPROVED  
**MOVER:** Peter Wilk  
**SECONDER:** Mick Routh  
**AYES:** Newman, Routh, Welch, Wilk  
**RECUSED:** Christiansen

**B. 1730 42nd Avenue #18-0604 APN: 034-121-14**

Design Permit for demolition of existing home and construction of a new two-story, single-family home located within the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: Troy Obrero & Lori Giver

Representative: Kurt Useldinger, Architect, Filed: 11.26.18

**C. 607 Oak Drive #19-0006 APN: 035-073-06**

Design Permit for the demolition of an existing single-story residence and construction of a new two-story home located in the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Dave Shehan

Representative: Robin Alaga, Filed: January 4, 2019

MOTION: Approve the Design Permits and Coastal Development Permits for Item 5.B and 5.C

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

**6. PUBLIC HEARINGS**

**A. 211 Monterey Avenue #18-0641 APN: 035-185-19**

Conceptual review of a proposed Design Permit to demolish an existing duplex and build a three-story 3,720 square-foot duplex with a variance to the on-site

Attachment: 2-7-19 Action planning (PC minutes)

parking and open space requirement located within the C-V (Central Village) zoning district.  
 This project is in the Coastal Zone and does not require a Coastal Development Permit  
 Environmental Determination: Categorical Exemption  
 Owner: Maor Katz  
 Representative: Dennis Norton, filed: 12.21.2018

**RESULT: REVIEWED PROJECT CONCEPT, PROVIDED DIRECTION**

**B. 718 Capitola Avenue #18-0487 APN: 036-062-11**

Design Permit for a 120-square-foot accessory structure at the rear of an existing commercial structure with a Variance for the required side yard setback located in the AR (Automatic Review) overlay and CN (Neighborhood Commercial) zoning district.  
 This project is in the Coastal Zone but does not require a Coastal Development Permit  
 Environmental Determination: Categorical Exemption  
 Property Owner: Bruce Canepa  
 Representative: Manuel Monjaraz, Filed: 09.14.2018

MOTION: Approve Design Permit and Variance.

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

**C. Update to General Plan Land Use Element and Land Use Map**

General Plan Update to Land Use Element and Land Use Map.  
 The Land Use Map includes properties in the Coastal Zone.  
 Environmental Determination: An Addendum to the General Plan Environmental Impact Report has been drafted and circulated for 60-day public review.  
 Property: City-wide  
 Representative: Katie Herlihy, Community Development Director

MOTION: Provide a positive recommendation to City Council, accepting the red-lined changes indicating that density in a mixed use or commercial zone will be regulated through FAR rather than the dwelling units per acre and denying the inclusion of the Capitola Theater Site wording.

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

**7. DIRECTOR'S REPORT**

**8. COMMISSION COMMUNICATIONS**

**9. ADJOURNMENT**

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Chloé Woodmansee, Clerk to the Commission

Attachment: 2-7-19 Action planning (PC minutes)





**ACTION MINUTES  
CAPITOLA PLANNING COMMISSION - SPECIAL MEETING  
THURSDAY, FEBRUARY 7, 2019  
6:30 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

- 1. ROLL CALL AND PLEDGE OF ALLEGIANCE**
- 2. TRAINING**
  - A. Brown Act Training**

**RESULT: RECEIVED TRAINING**

**2. ADJOURNMENT**

\_\_\_\_\_  
Chloé Woodmansee, Clerk to the Commission

Attachment: 2-7-19 special Action planning (PC minutes)



## CAPITOLA CITY COUNCIL AGENDA REPORT

**MEETING OF FEBRUARY 28, 2019**

FROM: Finance Department

SUBJECT: Approval of City Check Registers Dated January 4, January 11, January 18 and January 25, 2019

**RECOMMENDED ACTION:** Approve check registers.

<b>Account: City Main</b>				
<b>Date</b>	<b>Starting Check #</b>	<b>Ending Check #</b>	<b>Payment Count</b>	<b>Amount</b>
1/4/2019	91407	91465	67	\$201,697.48
1/11/2019	91466	91518	60	\$316,185.02
1/18/2019	91519	91519	1	\$8,228.68
1/25/2019	91520	91630	115	\$239,851.78

The main account check register dated December 21, 2018, ended with check #91406.

<b>Account: Library</b>				
<b>Date</b>	<b>Starting Check #</b>	<b>Ending Check #</b>	<b>Payment Count</b>	<b>Amount</b>
1/4/2019	98	100	3	\$4,390
1/25/2019	101	102	2	\$329,242.60

The library account check register dated December 21, 2018, ended with check #97.

<b>Account: Payroll</b>				
<b>Date</b>	<b>Starting Check #</b>	<b>Ending Check #</b>	<b>Payment Count</b>	<b>Amount</b>
12/28/2018	5481	5481	1	\$2,919.87
1/4/2019	5482	5485	92	\$169,634.28
1/18/2019	5486	5488	89	\$163,222.70

The payroll account check register dated December 21, 2018, ended with check #5480.

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

<b>Check</b>	<b>Issued to</b>	<b>Dept</b>	<b>Description</b>	<b>Amount</b>
91446	PG&E	PW	Monthly utilities	\$14,263.80
EFT 715	Internal Revenue Service	FN	Federal taxes and Medicare PPE 12/21/18	\$24,823.81

Approval of City Check Registers  
February 28, 2019

EFT 717	CalPERS Health Insurance	FN	January health insurance	\$61,904.98
91468	Atchison Barisone Condotti & Kovacevich	CM	December legal services	\$18,220.78
91509	U.S. Bank	FN	Pac Cove facility lease	\$12,255.72
91513	Visit Santa Cruz County	FN	October – December tourism marketing district remittance	\$54,406.69
91518	ICMA	FN	Employee 457 contributions PPE 12/15/18 & PPE 12/29/18	\$55,896.83
EFT 721	CalPERS Member Services	FN	PERS contributions PPE 12/15/18	\$48,578.29
EFT 723	CalPERS Member Services	FN	PERS contributions PPE 12/29/18	\$47,549.85
EFT 725	Internal Revenue Service	FN	Federal taxes & Medicare PPE 12/29/18	\$29,072.73
91574	Kimley Horn and Associates	PW	Park Avenue sidewalk improvements, roundabout design, Brommer Street construction documents	\$14,489.30
91592	PG&E	PW	Monthly utilities	\$14,951.04
91613	South Bay Regional Training	PD	Police academy for new hires	\$10,089
EFT 729	Internal Revenue Service	FN	Federal taxes & Medicare PPE 1/12/19	\$26,133.67
EFT 731	CalPERS Member Services	FN	PERS contributions PPE 1/12/19	\$48,525.99
101	Noll and Tam Architects	PW	Library cost reduction, landscape revision, reimbursable expense	\$46,762.95
102	Otto Construction Inc.	PW	Library bonds, fencing, demolition, SWPP installation, tree removal, mobilization	\$282,479.65

ATTACHMENTS:

1. 1/4/19 City Check Register
2. 1/11/19 City Check Register
3. 1/18/19 City Check Register
4. 1/25/19 City Check Register

Report Prepared By: Maura Herlihy  
Account Technician

Approval of City Check Registers  
February 28, 2019

**Reviewed and Forwarded by:**



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Jamie Goldstein, City Manager

2/22/2019

City main account checks dated January 4, 2019, numbered 91407 to 91465 plus 8 EFTs, totaling \$201,697.48, plus 3 library account checks, totaling \$4,390, plus 5 payroll checks and 87 EFTs, totaling \$169,634.28, for a grand total of \$375,721.76, have been reviewed and authorized for distribution by the City Manager.

As of January 4, 2019, the unaudited cash balance is \$4,173,764.71.


**CASH POSITION - CITY OF CAPITOLA 1/04/19**

	Net Balance
General Fund	(\$173,273.20)
Payroll Payables	\$241,450.54
Contingency Reserve Fund	\$2,036,345.66
Facilities Reserve Fund	\$404,433.06
Capital Improvement Fund	\$1,192,068.75
Stores Fund	\$40,193.58
Information Technology Fund	\$109,315.02
Equipment Replacement	\$246,311.91
Self-Insurance Liability Fund	(\$20,443.78)
Workers' Comp. Ins. Fund	\$79,234.29
Compensated Absences Fund	\$18,128.88
<b>TOTAL UNASSIGNED GENERAL FUNDS</b>	<b>\$4,173,764.71</b>

The Emergency Reserve Fund balance is \$1,344,205.54 (not included above).

The PERS Contingency Fund balance is \$815,855.98 (not included above).

The Library Fund balance is \$2,602,896.94 (not included above).

  
\_\_\_\_\_  
Jamie Goldstein, City Manager

  
\_\_\_\_\_  
Date

Attachment: 1/4/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 4, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91407	12/31/2018		Reissued	WELLS FARGO BANK	\$7,187.10
	Invoice	Date	Description		Amount
	WF120318	12/03/2018	November credit card purchases		\$7,187.10
			Purchases over \$500 threshold:		
			Message archiver	\$524.00	
			Vostro 3568 laptops	\$1,581.62	
			Academy for City Manager	\$575.00	
			Academy for Council member	\$575.00	
			1000 - General Fund	\$2,220.73	
			1310 - Gas Tax	\$2,343.40	
			2210 - ISF - Stores Fund	\$10.32	
			2211 - ISF - Info Tech	\$2,612.65	
91408	01/04/2019			A TOOL SHED	\$220.00
	Invoice	Date	Description		Amount
	1321513-5	12/19/2018	Esplanade bathroom sewer camera rental		\$220.00
91409	01/04/2019			ADT SECURITY SERVICES INC.	\$88.57
	Invoice	Date	Description		Amount
	ADT122918	12/29/2018	Security services corp. yard & museum		\$88.57
91410	01/04/2019			AFLAC	\$1,705.46
	Invoice	Date	Description		Amount
	682348	12/31/2018	December supplemental insurance		\$1,705.46
			1001 - Payroll Payables		
91411	01/04/2019			ALTEC	\$577.91
	Invoice	Date	Description		Amount
	50340192	12/21/2018	Bucket truck inspection/certification, supplies		\$577.91
91412	01/04/2019			ALVAREZ TECHNOLOGY GROUP INC	\$7,540.00
	Invoice	Date	Description		Amount
	49567	12/24/2018	After hours IT support		\$200.00
	49666	01/02/2019	IT support for February, antivirus		\$7,340.00
			2211 - ISF - Information Technology		
91413	01/04/2019			ARCHIVES & ARCHITECTURE LLC	\$260.00
	Invoice	Date	Description		Amount
	A&A112818	11/28/2018	#17-029 210 Central Ave. standards review		\$260.00

Attachment: 1/4/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 4, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91414	01/04/2019			AUTOMATION TEST ASSOCIATES	\$40.00
	Invoice	Date	Description		Amount
	46918	12/31/2018	December wharf meter reading 1311 - Wharf		\$40.00
91415	01/04/2019			BAY AREA BARRICADE SERVICE INC.	\$305.92
	Invoice	Date	Description		Amount
	0359706	12/14/2018	8" ceramic white pavement markers (6)		\$305.92
91416	01/04/2019			BEAR ELECTRICAL SOLUTIONS INC.	\$2,562.00
	Invoice	Date	Description		Amount
	7283	11/30/2018	November traffic signal maintenance - response		\$1,946.00
	7204	11/30/2018	November traffic signal maintenance - routine 1310 - Gas Tax		\$616.00
91417	01/04/2019			BEN NOBLE URBAN AND REGIONAL PLANNING	\$540.00
	Invoice	Date	Description		Amount
	1207	12/17/2018	General plan map amendment 1313 - General Plan Update and Maint		\$540.00
91418	01/04/2019			BOBBY'S PIT STOP INC.	\$410.15
	Invoice	Date	Description		Amount
	0361846	01/02/2019	2016 Ford ignition coil replaced		\$410.15
91419	01/04/2019			CalChamber	\$206.86
	Invoice	Date	Description		Amount
	11273076	12/20/2018	2019 labor law posters 2210 - ISF - Stores Fund		\$206.86
91420	01/04/2019			CALIFORNIA LAW ENFORCEMENT ASSOCIATION	\$490.00
	Invoice	Date	Description		Amount
	CLEA012019	01/01/2019	January POA long term disability 1000 - General Fund (\$24.50) 1001 - Payroll Payables \$514.50		\$490.00
91421	01/04/2019			CAPITOLA PEACE OFFICERS ASSOCIATION	\$1,673.50
	Invoice	Date	Description		Amount
	POA121518	12/15/2018	POA & gym dues PPE 12/15/18 1001 - Payroll Payables		\$1,673.50
91422	01/04/2019			CHRIS MACIAS	\$292.12
	Invoice	Date	Description		Amount
	CM111718	11/17/2018	Macias pesticide license mileage reimbursement		\$292.12

Attachment: 1/4/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 4, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91423	01/04/2019			CITIES ASSOCIATION OF SANTA CLARA COUNTY	\$3,049.64
	Invoice	Date	Description		Amount
	1039	01/03/2019	Cities association membership		\$3,049.64
91424	01/04/2019			CLEAN BUILDING MAINTENANCE CO.	\$3,719.13
	Invoice	Date	Description		Amount
	21370	12/31/2018	December janitorial services		\$3,719.13
			1000 - General Fund	\$3,453.63	
			1311 - Wharf	\$265.50	
91425	01/04/2019			CPS	\$423.50
	Invoice	Date	Description		Amount
	SOP47992	12/20/2018	Law enforcement exams		\$423.50
91426	01/04/2019			CRIMINAL JUSTICE COUNCIL OF SCC	\$1,500.00
	Invoice	Date	Description		Amount
	CJC123118	12/31/2018	FY18-19 contribution for two representatives		\$1,500.00
91427	01/04/2019			D & G SANITATION	\$252.65
	Invoice	Date	Description		Amount
	256316	12/31/2018	Skate park portable toilets		\$252.65
91428	01/04/2019			ECS IMAGING INC.	\$6,559.60
	Invoice	Date	Description		Amount
	13690	12/17/2018	Laserfiche cloud users, quick fields, ScanConnect, support 2211 - ISF - Information Technology		\$6,559.60
91429	01/04/2019			EWING IRRIGATION	\$143.74
	Invoice	Date	Description		Amount
	6643219	12/11/2018	Garbage cans (3)		\$143.74
91430	01/04/2019			EXTREME TOWING	\$225.00
	Invoice	Date	Description		Amount
	013491	12/12/2018	Ford F150 towed		\$225.00
91431	01/04/2019			FIRST SECURITY	\$356.42
	Invoice	Date	Description		Amount
	576746	12/21/2018	January skate park patrol service		\$356.42
91432	01/04/2019			FIRST SECURITY	\$382.50
	Invoice	Date	Description		Amount
	576747	12/21/2018	January Esplanade patrol service		\$382.50

Attachment: 1/4/19 City Check Register (Approval of City Check Registers)



# City Checks Issued January 4, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91433	01/04/2019			FLYERS ENERGY LLC	\$1,605.99
	Invoice	Date	Description		Amount
	18-825612	12/27/2018	369 gallons gasoline		\$1,207.89
	18-822054	12/20/2018	3 gallons gasoline		\$10.39
	18-822056	12/20/2018	106 gallons diesel		\$387.71
91434	01/04/2019			GRANITE ROCK COMPANY	\$583.80
	Invoice	Date	Description		Amount
	1148208	12/22/2018	Bumper strips (30)		\$583.80
91435	01/04/2019			HOLLISTER HONDA	\$91.49
	Invoice	Date	Description		Amount
	227840	12/20/2018	2012 Honda NC700XC modify battery		\$91.49
91436	01/04/2019			HOME DEPOT CREDIT SERVICES	\$664.60
	Invoice	Date	Description		Amount
	6630366	12/28/2018	Chisel, tools, batteries, ear phones, lightning cable		\$126.79
	6030210	12/28/2018	DeWalt battery		\$107.42
	0011541	12/24/2018	Gloves		\$10.82
	4512689	12/20/2018	Esplanade sea wall hardware		\$22.59
	5615176	12/19/2018	Bolts, nuts, washers		\$95.11
	4615252	12/20/2018	Batteries, garbage pickers		\$78.04
	4044531	12/20/2018	Common board, anchor kit		\$69.52
	3011308	12/21/2018	Bucket, head lamp, batteries		\$46.80
	8064828	12/26/2018	Cutoff discs		\$43.06
	6610187	12/28/2018	Cutoff discs		\$64.45
91437	01/04/2019			KIMLEY HORN AND ASSOCIATES INC	\$9,472.60
	Invoice	Date	Description		Amount
	12624515	11/30/2018	Roundabout design		\$1,842.60
	12624555	11/30/2018	Jewel box traffic control, city council presentation		\$1,300.00
	12586026	11/30/2018	Brommer St. construction docs, public outreach, data gathering		\$4,020.00
	12687700	11/30/2018	Park Ave. sidewalks		\$2,310.00
			1000 - General Fund	\$1,300.00	
			1200 - Capital Improvement Fund	\$4,152.60	
			1309 - RTC Streets	\$4,020.00	
91438	01/04/2019			LESLIE CHAVEZ	\$640.00
	Invoice	Date	Description		Amount
	16	12/14/2018	BIA website admin. & consulting		\$640.00
			1321 - BIA - Capitola Village-Wharf BIA		

Attachment: 1/4/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 4, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91439	01/04/2019			LIUNA PENSION FUND	\$979.20
	Invoice	Date	Description		Amount
	DL1061	12/31/2018	December LIUNA dues 1001 - Payroll Payables		\$979.20
91440	01/04/2019			MADELINE C HORN	\$390.00
	Invoice	Date	Description		Amount
	027	12/19/2018	Museum cataloging & organizing		\$390.00
91441	01/04/2019			MID COUNTY AUTO SUPPLY	\$124.35
	Invoice	Date	Description		Amount
	MID-108374	12/31/2018	Carbide cutter, ball burr, sandpaper		\$63.40
	MID-78684	12/06/2018	Air filter		\$19.25
	MID-106077	12/28/2018	Cutoff wheels		\$41.70
91442	01/04/2019			MISSION LINEN SUPPLY	\$381.79
	Invoice	Date	Description		Amount
	508854672	12/17/2018	Community Center mats and mops		\$72.71
	508872508	12/19/2018	Uniform cleaning, mats, towels		\$121.42
	508921276	12/26/2018	Uniform cleaning, towels		\$95.44
	508921275	12/26/2018	Shop uniform cleaning, towels		\$46.11
	508872507	12/19/2018	Shop uniform cleaning, towels		\$46.11
91443	01/04/2019			MONTEREY BAY AIR RESOURCES DISTRICT	\$408.00
	Invoice	Date	Description		Amount
	2012-121918	12/19/2018	Corp. yard gasoline dispenser permit		\$408.00
91444	01/04/2019			NICHOLS CONSULTING ENGINEERS CHTD	\$8,805.00
	Invoice	Date	Description		Amount
	303085505	01/03/2019	Park Ave. geotechnical investigation, slope repair design 1200 - Capital Improvement Fund		\$8,805.00
91445	01/04/2019			O'REILLY AUTO PARTS	\$94.93
	Invoice	Date	Description		Amount
	2763-423080	01/22/3118	Sanding discs		\$94.93

Attachment: 1/4/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 4, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91446	01/04/2019			PACIFIC GAS & ELECTRIC	\$14,263.80
	Invoice	Date	Description		Amount
	PGE102218-acct5	10/22/2018	Pac cove parking lot utilities credit		(\$1,042.14)
	PGE112018-acct5	11/20/2018	Pac cove parking lot utilities credit		\$754.98
	PGE121918-acct5	12/19/2018	Pac cove parking lot utilities		\$681.05
	PGE121918-acct9	12/19/2018	Monthly gas & electricity		\$13,869.91
			1000 - General Fund	\$4,839.22	
			1300 - SLESF - Supl Law Enfc	\$201.01	
			1310 - Gas Tax	\$7,489.45	
			1311 - Wharf	\$1,734.12	
91447	01/04/2019			PALACE OFFICE SUPPLIES	\$85.35
	Invoice	Date	Description		Amount
	9565793-0	12/31/2018	Museum supplies		\$12.16
	513219-0	12/20/2018	Paper		\$17.24
	513987-0	01/03/2019	Wrist & mouse pad rest		\$30.63
	9566747-0	01/04/2019	Museum envelopes		\$15.54
	9566746-0	01/04/2019	Museum banker box		\$9.78
			1000 - General Fund	\$68.11	
			2210 - ISF - Stores Fund	\$17.24	
91448	01/04/2019			PARKMOBILE LLC	\$907.44
	Invoice	Date	Description		Amount
	SI5043	11/30/2018	Paystation stickers		\$907.44
91449	01/04/2019			PERFORMANCE PAINTING CO.	\$1,970.00
	Invoice	Date	Description		Amount
	978599	12/27/2018	City Hall painting		\$1,970.00
			1025 - Facilities Reserve Fund		
91450	01/04/2019			PETERSON CATERPILLAR	\$152.52
	Invoice	Date	Description		Amount
	PC080167122	12/04/2018	CAT 926M parts		\$152.52
91451	01/04/2019			PRAXAIR DISTRIBUTION INC.	\$118.50
	Invoice	Date	Description		Amount
	86774156	12/21/2018	Acetylene rental		\$118.50
91452	01/04/2019			PREFERRED BENEFIT INSURANCE ADMIN.	\$5,405.50
	Invoice	Date	Description		Amount
	EIA26507	12/31/2018	December dental & vision insurance		\$5,405.50
			1001 - Payroll Payables		

Attachment: 1/4/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 4, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91453	01/04/2019			ROBIN WOODMAN	\$525.00
	Invoice	Date	Description		Amount
	Woodman010319	01/03/2019	ICC education reimbursement		\$525.00
91454	01/04/2019			ROYAL WHOLESALE ELECTRIC	\$52.73
	Invoice	Date	Description		Amount
	7719-638981	12/21/2018	Street lights		\$52.73
91455	01/04/2019			SARA CLEVINGER	\$500.00
	Invoice	Date	Description		Amount
	6	11/15/2018	BIA consulting services 1321 - BIA - Capitola Village-Wharf BIA		\$500.00
91456	01/04/2019			SARAH RYAN	\$572.11
	Invoice	Date	Description		Amount
	SR122118	12/07/2018	Supervisor training meals, mileage 12/3 - 12/7		\$303.00
	SR122118-2	12/14/2018	Supervisor training mileage & meals 12/10 - 12/14		\$269.11
91457	01/04/2019			SPECTRUM BUSINESS	\$3,680.67
	Invoice	Date	Description		Amount
	0000178121918	12/19/2018	Monthly internet service		\$3,680.67
			1000 - General Fund	\$1,389.86	
			2211 - ISF - Info Tech	\$2,290.81	
91458	01/04/2019			SPRINT	\$3,018.21
	Invoice	Date	Description		Amount
	788070596-015	10/29/2018	Sprint October cell phone charges		\$3,018.21
91459	01/04/2019			STATE STEEL COMPANY	\$1,473.49
	Invoice	Date	Description		Amount
	125105	12/19/2018	Steel		\$1,473.49
91460	01/04/2019			T MOBILE	\$344.31
	Invoice	Date	Description		Amount
	TM123118	12/31/2018	Monthly cell phone usage		\$344.31
91461	01/04/2019			UNITED WAY OF SANTA CRUZ COUNTY	\$30.00
	Invoice	Date	Description		Amount
	UWDEC2018	12/31/2018	December United Way contributions 1001 - Payroll Payables		\$30.00

Attachment: 1/4/19 City Check Register (Approval of City Check Registers)



# City Checks Issued January 4, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91462	01/04/2019			UPEC LIUNA LOCAL 792	\$1,255.50
	Invoice	Date	Description		Amount
	UPEC122018	12/31/2018	December UPEC dues 1001 - Payroll Payables		\$1,255.50
91463	01/04/2019			VAVRINEK TRINE DAY AND COMPANY LLP	\$5,150.00
	Invoice	Date	Description		Amount
	VT18625	12/18/2018	Audit & CAFR preparation final invoice		\$5,150.00
91464	01/04/2019			WEBER HAYES & ASSOCIATES INC.	\$480.00
	Invoice	Date	Description		Amount
	11939	12/17/2018	#17-019 4015 Capitola Rd. Sears review		\$480.00
91465	01/04/2019			Laurie Hill	\$64.55
	Invoice	Date	Description		Amount
	2019-00000495	12/31/2018	Plein Air supplies reimbursement		\$64.55
Type Check Totals:					\$105,003.20
<u>EFT</u>					
713	12/26/2018		12/31/2018	DISCOVERY BENEFITS	\$135.00
	Invoice	Date	Description		Amount
	0000949441-IN	11/30/2018	November COBRA and FSA		\$135.00
714	12/24/2018		12/31/2018	EMPLOYMENT DEVELOPMENT DEPT	\$7,089.79
	Invoice	Date	Description		Amount
	1-734-036-288	12/24/2018	State taxes PPE 12/21/18 1001 - Payroll Payables		\$7,089.79
715	12/24/2018		12/31/2018	INTERNAL REVENUE SERVICE	\$24,823.81
	Invoice	Date	Description		Amount
	2019-00000483	12/24/2018	Federal taxes & Medicare PPE 12/21/18 1001 - Payroll Payables		\$24,823.81
716	12/24/2018		12/31/2018	STATE DISBURSEMENT UNIT	\$1,232.76
	Invoice	Date	Description		Amount
	23A7OCG6657	12/24/2018	Employee garnishments PPE 12/21/18 1001 - Payroll Payables		\$1,232.76
717	01/04/2019			CalPERS Health Insurance	\$61,904.98
	Invoice	Date	Description		Amount
	1001234783	01/04/2019	January health insurance		\$61,904.98
			1000 - General Fund	\$2,617.84	
			1001 - Payroll Payables	\$59,287.14	

Attachment: 1/4/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 4, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
718	01/02/2019			INTERNAL REVENUE SERVICE	\$1,075.17
	Invoice	Date	Description		Amount
	80728247	01/02/2019	Federal taxes & Medicare EE final paycheck 12/28/18 1001 - Payroll Payables		\$1,075.17
719	01/03/2019			EMPLOYMENT DEVELOPMENT DEPT	\$158.64
	Invoice	Date	Description		Amount
	0-991-009-600	01/03/2019	State taxes EE final paycheck 12/28/18 1001 - Payroll Payables		\$158.64
720	01/04/2019			ADP LLC	\$274.13
	Invoice	Date	Description		Amount
	527148309	01/04/2019	ez Labor processing charges 2211 - ISF - Information Technology		\$274.13
Type EFT Totals:					\$96,694.28

Library - Library

Check

98	01/04/2019			BOGARD CONSTRUCTION INC.	\$2,080.00
	Invoice	Date	Description		Amount
	160707-28	12/31/2018	Library project management, site camera 1360 - Library Fund		\$2,080.00
99	01/04/2019			JAMES P ALLEN	\$1,890.00
	Invoice	Date	Description		Amount
	123119	12/31/2018	Library consulting arborist services 1360 - Library Fund		\$1,890.00
100	01/04/2019			PHIL ALLEGRI ELECTRIC INC.	\$420.00
	Invoice	Date	Description		Amount
	24833	12/27/2018	Library generator disconnected 1360 - Library Fund		\$420.00
Type Check Totals:					\$4,390.00

Attachment: 1/4/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 4, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
<b>CITY - Main City Totals</b>				<b>Counts:</b>	<b>Totals:</b>
Checks				59	\$105,003.20
EFTs				8	\$96,694.28
All				67	\$201,697.48
<b>Library - Library Totals</b>					
Checks				3	\$4,390.00
EFTs				0	\$0.00
All				3	\$4,390.00
<b>WELLS - Payroll Totals</b>					
Checks				5	\$6,043.81
EFTs				87	\$163,590.47
All				92	\$169,634.28
<b>Grand Totals:</b>					
Checks				67	\$115,437.01
EFTs				95	\$260,284.75
All				162	\$375,721.76

Attachment: 1/4/19 City Check Register (Approval of City Check Registers)


City Main account checks dated January 11, 2019, numbered 91466 to 91518 plus 7 EFTs, totaling \$316,185.02, have been review and authorized for distribution by the City Manager.

As of January 11, 2019, the unaudited cash balance is \$3,959,055.89.

**CASH POSITION - CITY OF CAPITOLA 1/11/19**

	<u>Net Balance</u>
General Fund	(\$196,372.61)
Payroll Payables	\$49,903.50
Contingency Reserve Fund	\$2,036,345.66
Facilities Reserve Fund	\$404,433.06
Capital Improvement Fund	\$1,192,068.75
Stores Fund	\$40,193.58
Information Technology Fund	\$109,252.65
Equipment Replacement	\$246,311.91
Self-Insurance Liability Fund	(\$20,443.78)
Workers' Comp. Ins. Fund	\$79,234.29
Compensated Absences Fund	\$18,128.88
<b>TOTAL UNASSIGNED GENERAL FUNDS</b>	<u><u>\$3,959,055.89</u></u>

The Emergency Reserve Fund balance is \$1,344,205.54 (not included a  
The PERS Contingency Fund balance is \$815,855.98 (not included above  
The Library Fund balance is \$2,603,121.94 (not included above).

  
\_\_\_\_\_  
Jamie Goldstein, City Manager

1/15/19  
\_\_\_\_\_  
Date

Attachment: 1/11/19 City Check Register (Approval of City Check Registers)



# City Checks Issued January 11, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91466	01/11/2019			AIR FILTER/CONTROL	\$297.43
	Invoice	Date	Description		Amount
	497830	12/19/2018	Wharf air filters and V-belts for HVAC 1311 - Wharf		\$297.43
91467	01/11/2019			ALWAYS UNDER PRESSURE	\$332.58
	Invoice	Date	Description		Amount
	88957	01/02/2019	Sewer repair supplies		\$332.58
91468	01/11/2019			ATCHISON BARISONE CONDOTTI & KOVACEVICH	\$18,220.78
	Invoice	Date	Description		Amount
	ABCK010819	01/08/2019	December city attorney services		\$18,220.78
91469	01/11/2019			BAY PHOTO LAB	\$47.09
	Invoice	Date	Description		Amount
	13846699	01/04/2019	Photo prints for museum		\$47.09
91470	01/11/2019			BELLOWS PLUMBING HEATING & SEWER	\$1,066.50
	Invoice	Date	Description		Amount
	81262	12/11/2018	Hydrojet drains at Jade Street park		\$1,066.50
91471	01/11/2019			CALE AMERICA INC.	\$155.64
	Invoice	Date	Description		Amount
	152479	12/27/2018	Card reader for pay station		\$155.64
91472	01/11/2019			CALIFORNIA COAST UNIFORM COMPANY	\$223.79
	Invoice	Date	Description		Amount
	6790	12/18/2018	Volunteer uniform alterations		\$32.00
	6789	12/18/2018	Dally uniform alterations		\$9.00
	6647	11/02/2018	Uniform name bars		\$182.79
91473	01/11/2019			CHIEF SUPPLY	\$233.29
	Invoice	Date	Description		Amount
	137929	12/19/2018	Flares		\$233.29
91474	01/11/2019			CRYSTAL SPRINGS WATER CO.	\$181.50
	Invoice	Date	Description		Amount
	CSW123118	12/31/2018	December drinking water		\$181.50
91475	01/11/2019			Division of the State Architect	\$218.00
	Invoice	Date	Description		Amount
	DSA123118	12/31/2018	October - December disability access & education fee		\$218.00

Attachment: 1/11/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 11, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91476	01/11/2019			EXTREME TOWING	\$450.00
	Invoice	Date	Description		Amount
	013512	12/13/2018	2011 Chevy Tahoe towed		\$225.00
	013507	12/11/2018	2014 Ford Explorer towed		\$225.00
91477	01/11/2019			FBINAA Member Services	\$240.00
	Invoice	Date	Description		Amount
	FBINAA010719	01/04/2019	2019 FBINAA membership dues - McManus		\$120.00
	FBINAA010618	01/04/2019	2019 FBINAA membership dues - Sloma		\$120.00
91478	01/11/2019			FERGUSON ENTERPRISES INC.	\$356.57
	Invoice	Date	Description		Amount
	6409932	12/13/2018	Augers, cable, penlight, hex wrench		\$63.92
	6409932-1	12/14/2018	Augers, cable		\$292.65
91479	01/11/2019			FIRST SECURITY	\$344.93
	Invoice	Date	Description		Amount
	576754	12/21/2018	January patrol for Jade St. park		\$344.93
91480	01/11/2019			HOME DEPOT CREDIT SERVICES	\$340.52
	Invoice	Date	Description		Amount
	0065754	01/03/2019	Wall plates		\$1.52
	0513316	01/03/2019	Screws		\$9.62
	0525181	01/03/2019	Extension cord, hammer		\$67.75
	1012245	01/02/2019	Patch repair cloth, gloves, adhesive, buckets, concrete supplies		\$76.32
	1513251	01/02/2019	Pliers, wire		\$85.65
	9621322	01/04/2019	Parking meter repair supplies		\$99.66
91481	01/11/2019			HUMBOLDT PETROLEUM LLC	\$52.00
	Invoice	Date	Description		Amount
	087980	12/15/2018	December car wash service		\$26.00
	088016	12/31/2018	December car wash service		\$26.00
91482	01/11/2019			KBA Docusys Inc.	\$357.53
	Invoice	Date	Description		Amount
	INV744332	01/02/2019	Recreation & City Hall copier charges		\$85.31
	INV744333	01/02/2019	City Hall copier charges		\$272.22
			1000 - General Fund	\$6.16	
			2211 - ISF - Information	\$351.37	
91483	01/11/2019			KINGS PAINT AND PAPER INC.	\$79.95
	Invoice	Date	Description		Amount
	A0277557	01/04/2019	Parking meter paint		\$79.95

Attachment: 1/11/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 11, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91484	01/11/2019			LANGUAGE LINE SERVICES INC	\$32.90
	Invoice	Date	Description		Amount
	4479530	12/31/2018	Interpretation and translation services		\$32.90
91485	01/11/2019			LEAGUE OF CALIFORNIA CITIES	\$150.00
	Invoice	Date	Description		Amount
	8219	01/01/2019	League of CA cities membership		\$150.00
91486	01/11/2019			MACKAY METERS INC	\$211.84
	Invoice	Date	Description		Amount
	1052425	12/31/2018	December parking meter & credit card fees		\$211.84
91487	01/11/2019			MALLORY SAFETY AND SUPPLY	\$298.25
	Invoice	Date	Description		Amount
	4574950	01/03/2019	Safety vests, overalls, safety glasses		\$298.25
91488	01/11/2019			MASTER CLEANERS	\$710.96
	Invoice	Date	Description		Amount
	MC123118	12/31/2018	December uniform cleaning		\$710.96
91489	01/11/2019			MBS BUSINESS SYSTEMS	\$778.84
	Invoice	Date	Description		Amount
	350719	12/30/2018	PD copier charges		\$778.84
91490	01/11/2019			MISSION LINEN SUPPLY	\$260.41
	Invoice	Date	Description		Amount
	508901261	12/24/2018	Police Department mat service		\$51.57
	508943952	12/31/2018	Community Center mats and mops		\$78.06
	508959897	01/02/2019	PW linen service, mats, towels		\$130.78
91491	01/11/2019			NELSON MEMBRENO	\$726.00
	Invoice	Date	Description		Amount
	NM010719	01/07/2019	Building inspector training reimbursements		\$726.00
91492	01/11/2019			OFFICESUPPLY.COM	\$935.25
	Invoice	Date	Description		Amount
	3186172	01/03/2019	Desk, chairs		\$935.25
91493	01/11/2019			PALACE OFFICE SUPPLIES	\$119.51
	Invoice	Date	Description		Amount
	9564164-0	12/26/2018	Foamboard, calendar		\$24.13
	513432-1	12/31/2018	White board		\$75.53
	513432-0	12/26/2018	Dry erase marker		\$19.85

Attachment: 1/11/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 11, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91494	01/11/2019			PHOENIX GROUP INFORMATION SYSTEMS	\$2,335.68
	Invoice	Date	Description		Amount
	112018070	12/14/2018	November citation processing		\$2,335.68
91495	01/11/2019			ROBERT M PATTERSON	\$450.00
	Invoice	Date	Description		Amount
	RMP120618	12/27/2018	Parking citation hearings		\$450.00
91496	01/11/2019			ROSS RECREATION EQUIP CO INC.	\$8,765.55
	Invoice	Date	Description		Amount
	113990	11/09/2018	Esplanade public art surfacing material and installation 1315 - Public Art Fee Fund		\$8,765.55
91497	01/11/2019			ROYAL WHOLESALE ELECTRIC	\$71.97
	Invoice	Date	Description		Amount
	7719-638915	12/28/2018	Community Center electrical supplies		\$71.97
91498	01/11/2019			SANTA CRUZ COUNTY INFORMATION SERVICES	\$633.68
	Invoice	Date	Description		Amount
	SCC122718	12/27/2018	January open query scan charges		\$633.68
91499	01/11/2019			SANTA CRUZ MUNICIPAL UTILITIES	\$196.43
	Invoice	Date	Description		Amount
	SCMU122818	12/28/2018	December water service for medians		\$196.43
91500	01/11/2019			SERVPRO OF SANTA CRUZ	\$170.31
	Invoice	Date	Description		Amount
	7189	12/26/2018	Biohazard cleaning service		\$170.31
91501	01/11/2019			SESAC	\$438.00
	Invoice	Date	Description		Amount
	10250348	12/12/2018	2019 music performances license		\$438.00
91502	01/11/2019			SILICON VALLEY MONTEREY BAY COUNCIL BSA	\$460.00
	Invoice	Date	Description		Amount
	1205118	12/05/2018	Explorer youth & adult registration fees		\$460.00
91503	01/11/2019			SIRCHIE	\$178.38
	Invoice	Date	Description		Amount
	0376472-IN	12/11/2018	Evidence supplies		\$178.38

Attachment: 1/11/19 City Check Register (Approval of City Check Registers)



# City Checks Issued January 11, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91504	01/11/2019			SOQUEL CREEK WATER DISTRICT	\$4,222.46
	Invoice	Date	Description		Amount
	SCWD122718	12/31/2018	December water usage and irrigation fees		\$4,222.46
			1000 - General Fund	\$3,719.00	
			1311 - Wharf	\$503.46	
91505	01/11/2019			SOUTH BAY REGIONAL TRAINING	\$650.00
	Invoice	Date	Description		Amount
	219328	12/17/2018	Field training officer fees for Anderson & Sandretti		\$280.00
	219343	12/20/2018	Supervisory course fee S. Ryan		\$370.00
91506	01/11/2019			STAPLES ADVANTAGE	\$290.91
	Invoice	Date	Description		Amount
	8052541334	12/15/2018	Binders, pens, cleaning supplies		\$268.36
	8052628450	12/22/2018	Face mask		\$22.55
91507	01/11/2019			STATE WATER RESOURCES CONTROL BOARD	\$1,638.00
	Invoice	Date	Description		Amount
	WD-0150766	12/28/2018	FY18/19 annual permit fee		\$1,638.00
91508	01/11/2019			SUPPLYWORKS	\$2,551.51
	Invoice	Date	Description		Amount
	469219406	12/14/2018	Public restroom supplies		\$2,721.39
	466494317	11/28/2018	Returned touch free dispensers		(\$169.88)
91509	01/11/2019			U.S. BANK	\$12,255.72
	Invoice	Date	Description		Amount
	62749	01/01/2019	Pac Cove facility lease interet #CIEDB-BC15-103		\$12,255.72
			1421 - Pac Cove Park		
91510	01/11/2019			UNITED STATES POSTAL SERVICE	\$5,250.00
	Invoice	Date	Description		Amount
	CM4057	01/09/2019	Postage for spring brochure (permit 200)		\$5,250.00
91511	01/11/2019			US BANK PARS Acct 6746022400	\$355.99
	Invoice	Date	Description		Amount
	PARS122118	12/21/2018	PARS contributions PPE 12/15/18		\$355.99
			1001 - Payroll Payables		
91512	01/11/2019			US BANK PARS Acct 6746022400	\$260.10
	Invoice	Date	Description		Amount
	PARS010419	12/29/2018	PARS contributions PPE 12/29/18		\$260.10
			1001 - Payroll Payables		

Attachment: 1/11/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 11, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91513	01/11/2019			VISIT SANTA CRUZ COUNTY	\$54,406.69
	Invoice	Date	Description		Amount
	TMD123118	12/31/2018	October - December tourism marketing district remittance		\$54,406.69
91514	01/11/2019			WHEELCHAIRS OF SAN MATEO & TECH	\$1,492.26
	Invoice	Date	Description		Amount
	00039508	11/07/2018	Wheelchair spoke and hand rims		\$816.98
	00010731	12/18/2018	Wheelchair wheel spoke for Valdez		\$675.28
91515	01/11/2019			ZEE MEDICAL SERVICE CO.	\$75.41
	Invoice	Date	Description		Amount
	66583676	12/18/2018	Police first aid supplies		\$75.41
91516	01/11/2019			Kathi Howard	\$214.98
	Invoice	Date	Description		Amount
	KH120818	12/27/2018	Reimbursement for PD decorations		\$214.98
91517	01/11/2019			Kitty Fields	\$39.60
	Invoice	Date	Description		Amount
	2003487.002	01/03/2019	Guided meditation class refund		\$39.60
91518	1/11/2019			ICMA Retirement Trust 457	\$55,896.83
	Invoice	Date	Description		Amount
	41723119	12/15/2018	457 contribusionts PPE 12/15/18		\$6,900.97
	41723130	12/28/2018	457 contributions employee final check		\$17,812.17
	41723135	12/29/2018	457 contributions PPE 12/29/18		\$31,183.69
			1001 - Payroll Payables		
Type Check Totals:					\$180,722.52

Attachment: 1/11/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 11, 2019

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
<b>EFT</b>					
721	01/07/2019			CalPERS Member Services Division	\$48,578.29
	Invoice	Date	Description		Amount
	1001236214-17	01/07/2019	PERS contributions PPE 12/15/18		\$48,578.29
			1000 - General Fund	(\$0.23)	
			1001 - Payroll Payables	\$48,578.52	
722	01/07/2019			STATE DISBURSEMENT UNIT	\$1,232.76
	Invoice	Date	Description		Amount
	HM5GW6N6657	01/07/2019	Employee garnishments PPE 12/29/18		\$1,232.76
			1001 - Payroll Payables		
723	01/08/2019			CalPERS Member Services Division	\$47,549.85
	Invoice	Date	Description		Amount
	1001236296	01/08/2019	PERS contributions PPE 12/29/18		\$47,549.85
			1000 - General Fund	(\$0.23)	
			1001 - Payroll Payables	\$47,550.08	
724	01/08/2019			EMPLOYMENT DEVELOPMENT DEPT	\$8,600.03
	Invoice	Date	Description		Amount
	1-552-235-328	01/08/2019	State taxes PPE 12/29/18		\$8,600.03
			1001 - Payroll Payables		
725	01/08/2019			INTERNAL REVENUE SERVICE	\$29,072.73
	Invoice	Date	Description		Amount
	72784388	01/08/2019	Federal taxes & Medicare PPE 12/29/18		\$29,072.73
			1001 - Payroll Payables		
726	01/11/2019			WELLS FARGO BANK	\$405.12
	Invoice	Date	Description		Amount
	WF011119	01/11/2019	January client analysis charges		\$405.12
727	01/10/2019			INTERNAL REVENUE SERVICE	\$23.72
	Invoice	Date	Description		Amount
	53116905	01/10/2019	Balance due on 4th quarter 941		\$23.72

Type EFT Totals: \$135,462.50

CITY - Main City Totals	Counts:	Totals:
Checks	53	\$180,722.52
EFTs	7	\$135,462.50
All	60	\$316,185.02

Attachment: 1/11/19 City Check Register (Approval of City Check Registers)

City Main account check dated January 18, 2019, numbered 91519, totaling \$8,228.68, plus 3 Payroll account checks and 89 efts, totaling \$163,222.70, for a grand total of \$171,451.38, have been review and authorized for distribution by the City Manager.

As of January 18, 2019, the unaudited cash balance is \$4,048,919.51.

**CASH POSITION - CITY OF CAPITOLA 1/18/19**

	<u>Net Balance</u>
General Fund	(\$228,145.60)
Payroll Payables	\$172,967.71
Contingency Reserve Fund	\$2,036,345.66
Facilities Reserve Fund	\$404,433.06
Capital Improvement Fund	\$1,192,068.75
Stores Fund	\$40,193.58
Information Technology Fund	\$107,825.05
Equipment Replacement	\$246,311.91
Self-Insurance Liability Fund	(\$20,443.78)
Workers' Comp. Ins. Fund	\$79,234.29
Compensated Absences Fund	\$18,128.88
<b>TOTAL UNASSIGNED GENERAL FUNDS</b>	<u><u>\$4,048,919.51</u></u>

The Emergency Reserve Fund balance is \$1,344,205.54 (not included above).  
The PERS Contingency Fund balance is \$815,855.98 (not included above).  
The Library Fund balance is \$2,612,811.60 (not included above).

  
\_\_\_\_\_  
Jamie Goldstein, City Manager

1/28/19  
\_\_\_\_\_  
Date

Attachment: 1/18/19 City Check Register (Approval of City Check Registers)



# City Checks Issued January 18, 2018 - AP COPY

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
91519	01/17/2019			WELLS FARGO BANK	\$8,228.68
	Invoice	Date	Description		Amount
	WF010319	12/31/2018	December credit card charges		\$8,228.68
			Purchases over \$500 threshold:		
			California Police Chiefs Association membership	\$675.00	
			Bulletin boards	\$523.43	
			Computer monitors	\$599.68	
			Employee holiday party	\$1,524.00	
			1000 - General Fund	\$6,801.08	
			2211 - ISF - Information Technology	\$1,427.60	

Type Check Totals: \$8,228.68

CITY - Mail	Counts:	Totals:
Checks	1	\$8,228.68
EFTs	0	\$0.00
All	1	\$8,228.68

WELLS - Payroll Totals	Counts:	Totals:
Checks	3	\$2,774.17
EFTs	86	\$160,448.53
All	89	\$163,222.70

Grand Totals:	Counts:	Totals:
Checks	4	\$11,002.85
EFTs	86	\$160,448.53
All	90	\$171,451.38

Attachment: 1/18/19 City Check Register (Approval of City Check Registers)

City Main account check dated January 25, 2019, numbered 91520 to 91630 and 4 EFTs, totaling \$239,851.78, plus 2 Library account checks, totaling \$329,242.60, for a grand total of \$569,094.38, have been review and authorized for distribution by the City Manager.

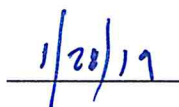
As of January 25, 2019, the unaudited cash balance is \$4,590,695.00.

**CASH POSITION - CITY OF CAPITOLA 1/25/19**

	<u>Net Balance</u>
General Fund	\$441,840.14
Payroll Payables	\$72,360.70
Contingency Reserve Fund	\$2,036,345.66
Facilities Reserve Fund	\$404,433.06
Capital Improvement Fund	\$1,173,225.95
Stores Fund	\$36,594.04
Information Technology Fund	\$102,664.15
Equipment Replacement	\$246,311.91
Self-Insurance Liability Fund	(\$20,443.78)
Workers' Comp. Ins. Fund	\$79,234.29
Compensated Absences Fund	\$18,128.88
<b>TOTAL UNASSIGNED GENERAL FUNDS</b>	<u><u>\$4,590,695.00</u></u>

The Emergency Reserve Fund balance is \$1,344,205.54 (not included above).  
The PERS Contingency Fund balance is \$815,855.98 (not included above).  
The Library Fund balance is \$2,283,569.00 (not included above).

  
\_\_\_\_\_  
Jamie Goldstein, City Manager

  
\_\_\_\_\_  
Date

Attachment: 1/25/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91520	01/25/2019	Open			ABSOLUTE AUTO GLASS INC.	\$495.00
	Invoice		Date	Description		Amount
	W057973		01/08/2019	Ford F250 back glass installed		\$495.00
91521	01/25/2019	Open			ADAMS ASHBY GROUP INC	\$1,140.00
	Invoice		Date	Description		Amount
	2525		01/01/2019	2018 CDBG grant application 1350 - CDBG Grants		\$1,140.00
91522	01/25/2019	Open			ADVENTURE OUT LLC	\$1,000.00
	Invoice		Date	Description		Amount
	1993702		01/15/2019	Kids surf camp deposit		\$500.00
	1993700		01/12/2019	Survival clinic deposit		\$500.00
91523	01/25/2019	Open			ALLSAFE LOCK COMPANY	\$49.54
	Invoice		Date	Description		Amount
	51234		01/23/2019	Junior guard keys		\$29.30
	51229		01/15/2019	Triflon, keys		\$20.24
91524	01/25/2019	Open			APEX ADVENTURES INC.	\$1,500.00
	Invoice		Date	Description		Amount
	071919-C		01/17/2019	Camp Capitola program ropes course		\$1,500.00
91525	01/25/2019	Open			AQUA NATURAL SOLUTIONS	\$1,142.87
	Invoice		Date	Description		Amount
	4544		01/14/2019	Wharf microbe lift sludge away 1311 - Wharf		\$1,142.87
91526	01/25/2019	Open			ARCHIVES & ARCHITECTURE LLC	\$715.00
	Invoice		Date	Description		Amount
	1844		01/16/2019	#17-0291 605 Capitola Ave. standards review		\$715.00
91527	01/25/2019	Open			ASCAP	\$357.00
	Invoice		Date	Description		Amount
	100005152225		01/01/2019	2019 music license fee		\$357.00
91528	01/25/2019	Open			AT&T	\$9.12
	Invoice		Date	Description		Amount
	ATT010119		01/01/2019	Monthly long distance charges		\$9.12
				1000 - General Fund	\$4.48	
				2211 - ISF - Info Tech	\$4.64	

Attachment: 1/25/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91529	01/25/2019	Open			AVENU MUNISERVICES	\$5,477.78
	Invoice		Date	Description		Amount
	INV06-004965		01/18/2019	Quarterly sales tax auditing services		\$5,439.37
	INV06-004966		01/18/2019	Quarterly district sales tax auditing services		\$38.41
91530	01/25/2019	Open			AXCIENT	\$250.00
	Invoice		Date	Description		Amount
	INV00163001		11/30/2018	November AppAssure storage		\$125.00
	INV00166294		12/31/2018	December AppAssure storage 2211 - ISF - Info Tech		\$125.00
91531	01/25/2019	Open			B & B SMALL ENGINE REPAIR	\$507.02
	Invoice		Date	Description		Amount
	411250		01/14/2019	Hedger repairs, rope, pruner		\$312.65
	410092		12/18/2018	Chainsaw repair		\$194.37
91532	01/25/2019	Open			BATTERIES PLUS	\$27.24
	Invoice		Date	Description		Amount
	9229275		12/11/2018	Parking meter battery		\$27.24
91533	01/25/2019	Open			BAY AREA BARRICADE SERVICE INC.	\$1,966.03
	Invoice		Date	Description		Amount
	0359461		01/07/2019	Safety cones		\$1,966.03
91534	01/25/2019	Open			BAY AREA POLYGRAPH	\$300.00
	Invoice		Date	Description		Amount
	865		01/20/2019	Police officer polygraph		\$300.00
91535	01/25/2019	Open			BAY PHOTO LAB	\$77.04
	Invoice		Date	Description		Amount
	13916506		01/23/2019	Museum prints and mounting supplies		\$77.04
91536	01/25/2019	Open			BEAR ELECTRICAL SOLUTIONS INC.	\$9,570.00
	Invoice		Date	Description		Amount
	7430		01/14/2019	Street pole replaced (insurance reimbursable)		\$8,610.00
	7380		12/30/2018	December traffic signal maintenance - routine		\$616.00
	7443		12/30/2018	December traffic signal maintenance - response		\$344.00
91537	01/25/2019	Open			BIOBAG AMERICAS INC.	\$2,555.95
	Invoice		Date	Description		Amount
	461627		01/09/2019	Dog waste bags		\$2,555.95

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# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91538	01/25/2019	Open			BOBBY'S PIT STOP INC.	\$366.75
	Invoice		Date	Description		Amount
	0362061		01/15/2019	Smog inspection 2006 Ford F550		\$40.75
	0362068		01/16/2019	2011 Toyota Camry smog		\$40.75
	0362076		01/16/2019	2011 Toyota Camry smog inspection		\$40.75
	0362060		01/15/2019	2008 Ford F250 smog inspection		\$40.75
	0362051		01/15/2019	1997 Ford Aerostar van smog inspection		\$40.75
	0362030		01/14/2019	2006 Honda Civic smog inspection		\$40.75
	0361915		01/07/2019	2007 Ford Ranger pickup smog inspection		\$40.75
	0361963		01/09/2019	2011 Ford F250 smog inspection		\$40.75
	0361939		01/08/2019	2004 Ford F250 smog inspection		\$40.75
91539	01/25/2019	Open			C AND N TRACTORS	\$1,273.36
	Invoice		Date	Description		Amount
	17509W		01/14/2019	Beach rake		\$1,273.36
				1310 - Gas Tax		
91540	01/25/2019	Open			CA DEPARTMENT OF JUSTICE	\$64.00
	Invoice		Date	Description		Amount
	349007		01/04/2019	Fingerprinting applications		\$64.00
91541	01/25/2019	Open			CA DEPARTMENT OF TRANSPORTATION	\$3,010.85
	Invoice		Date	Description		Amount
	SL190466		01/15/2019	Quarterly signals and lighting billing		\$3,010.85
				1310 - Gas Tax		
91542	01/25/2019	Open			CADILLAC DESIGNS INC.	\$493.16
	Invoice		Date	Description		Amount
	8204		01/23/2019	Riparian signs		\$493.16
91543	01/25/2019	Open			CALE AMERICA INC.	\$3,650.90
	Invoice		Date	Description		Amount
	152542		12/31/2018	December active meters		\$1,829.00
	152470		12/21/2018	Paystation light bar, gasket, plug		\$1,433.31
	152820		12/31/2018	Re-key paystation locks		\$388.59
91544	01/25/2019	Open			CALIFORNIA POLICE CHIEFS ASSOCIATION	\$551.00
	Invoice		Date	Description		Amount
	12077		01/07/2019	Role of the Chief class for A. Dally		\$551.00

Attachment: 1/25/19 City Check Register (Approval of City Check Registers)



# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91545	01/25/2019	Open			CAPITOLA PEACE OFFICERS ASSOCIATION	\$3,246.00
	Invoice		Date	Description		Amount
	POA11219		01/12/2019	POA and gym dues PPE 12/29 & 1/12/19 1001 - Payroll Payables		\$3,246.00
91546	01/25/2019	Open			CAPITOLA SELF STORAGE	\$600.00
	Invoice		Date	Description		Amount
	38679		01/16/2019	Museum unit #2823 semi-annual rent		\$600.00
91547	01/25/2019	Open			CARIN HANNA	\$6,270.36
	Invoice		Date	Description		Amount
	CH011419		01/14/2019	BIA holiday advertising & events reimbursement 1321 - BIA - Capitola Village-Wharf BIA		\$6,270.36
91548	01/25/2019	Open			CASA OF SANTA CRUZ COUNTY	\$150.00
	Invoice		Date	Description		Amount
	CASA011119		01/11/2019	BIA window decoration contest winner 1321 - BIA - Capitola Village-Wharf BIA		\$150.00
91549	01/25/2019	Open			CITY CLERKS ASSOCIATION OF CALIFORNIA	\$170.00
	Invoice		Date	Description		Amount
	103		12/22/2018	Membership renewal - Aluffi		\$40.00
	87		12/22/2018	Membership renewal - Fridy		\$90.00
	52		12/22/2018	Membership renewal - Woodmansee		\$40.00
91550	01/25/2019	Open			CLEAN BUILDING MAINTENANCE CO.	\$3,719.13
	Invoice		Date	Description		Amount
	20933		10/31/2018	October janitorial services		\$3,719.13
				1000 - General Fund	\$3,453.63	
				1311 - Wharf	\$265.50	
91551	01/25/2019	Open			COMMUNITY TELEVISION OF SANTA CRUZ COUNTY	\$385.00
	Invoice		Date	Description		Amount
	2603		01/16/2019	December televised meetings		\$385.00
91552	01/25/2019	Open			EARTHWORKS PAVING CONTRACTORS INC	\$7,221.00
	Invoice		Date	Description		Amount
	EW011519		01/15/2019	38th Ave. sidewalk project retention release 1200 - Capital Improvement Fund		\$7,221.00
91553	01/25/2019	Open			EMERGENCY VEHICLE SPECIALISTS INC.	\$200.00
	Invoice		Date	Description		Amount
	9396		01/10/2019	Chevy Tahoe ignition wire repairs		\$200.00

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# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91554	01/25/2019	Open			ESMERALDA GONZALEZ	\$108.99
	Invoice		Date	Description		Amount
	EG010919		01/09/2019	Microwave		\$108.99
91555	01/25/2019	Open			EWING IRRIGATION	\$1,025.28
	Invoice		Date	Description		Amount
	6714431		01/04/2019	Aluminum reachers (5)		\$72.15
	6714430		01/04/2019	PVC coupling, knee pads, slip fix repair		\$27.37
	6710283		01/03/2019	Shovel, pruners, primer, PVC couplings, elbows, unions		\$248.72
	6752481		01/15/2019	Swivel, bushing, teflon tape		\$6.71
	6752480		01/15/2019	Trash collection tools (20)		\$364.30
	6752479		01/15/2019	Basketball nets (10), base material		\$306.03
				1000 - General Fund	\$776.56	
				1311 - Wharf	\$248.72	
91556	01/25/2019	Open			EXTREME TOWING	\$225.00
	Invoice		Date	Description		Amount
	013543		01/08/2019	Tow for case 19c-00036		\$225.00
91557	01/25/2019	Open			FASTENAL COMPANY	\$176.30
	Invoice		Date	Description		Amount
	CASAT51252		01/16/2019	Hardware		\$7.96
	CASAT51263		01/17/2019	Hardware		\$8.73
	CASAT51225		01/15/2019	Fleet supplies		\$104.97
	CASAT51180		01/10/2019	Shop safety supplies		\$54.64
91558	01/25/2019	Open			FEDERAL EXPRESS	\$85.79
	Invoice		Date	Description		Amount
	1-773-25658		01/08/2019	Shipping charges		\$85.79
91559	01/25/2019	Open			FERGUSON ENTERPRISES INC.	\$877.85
	Invoice		Date	Description		Amount
	6431838		01/04/2019	Autofeed assembly		\$149.97
	6394741		12/07/2018	Supplies		\$727.88
91560	01/25/2019	Open			FIRST SECURITY	\$356.42
	Invoice		Date	Description		Amount
	579153		01/21/2019	February skate park patrol service		\$356.42
91561	01/25/2019	Open			FIRST SECURITY	\$382.50
	Invoice		Date	Description		Amount
	579154		01/21/2019	February Esplanade park patrol service		\$382.50

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# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91562	01/25/2019	Open			FLYERS ENERGY LLC	\$1,736.54
	Invoice		Date	Description		Amount
	19-828113		01/02/2019	90 gallons diesel		\$335.35
	19-828111		01/02/2019	405 gallons gasoline		\$1,401.19
91563	01/25/2019	Open			GARDAWORLD	\$203.42
	Invoice		Date	Description		Amount
	10453979		01/01/2019	January armored car service		\$203.42
91564	01/25/2019	Open			GLADWELL GOVERNMENT SERVICES INC.	\$250.00
	Invoice		Date	Description		Amount
	4022		01/04/2019	Records retention legal review		\$250.00
91565	01/25/2019	Open			GRANICUS LLC	\$1,190.70
	Invoice		Date	Description		Amount
	107483		01/01/2019	January legislative management software 1320 - PEG - Public Education and Govt		\$1,190.70
91566	01/25/2019	Open			HOLLISTER HONDA	\$2.80
	Invoice		Date	Description		Amount
	227840tax		01/07/2019	Sales tax on 2012 Honda battery modifications		\$2.80

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# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91567	01/25/2019	Open			HOME DEPOT CREDIT SERVICES	\$1,068.36
	Invoice		Date	Description		Amount
	9070850		12/05/2018	Gloves, electrical tape		\$18.07
	9611723		01/14/2019	Shovels		\$58.52
	9633083		01/14/2019	Flat brushes, pylam roller cover		\$25.96
	3371021		01/10/2019	Epoxy syringe		\$6.15
	5525610		01/08/2019	Masking tape		\$57.98
	2013139		01/11/2019	Nylon rope		\$32.78
	4012888		01/09/2019	Plug kit w/ drill bit, anchor kit, ez toggles		\$41.41
	1063535		12/13/2018	Batteries		\$23.80
	8052006		12/06/2018	Lifeguard room lights		\$26.51
	6633633		11/28/2018	Pressure washer nozzles		\$32.52
	7033203		12/07/2018	Batteries, wire connectors, wire stripper/cutter		\$50.81
	8633274		01/15/2019	Sign tools		\$161.01
	8032182		01/15/2019	Bucket, tarp, hammar, chaulk		\$54.89
	7067242		01/16/2019	Tape, cement		\$6.78
	7013534		01/16/2019	Tamping bar, shovel, drill tip, chisel		\$113.23
	6646155		01/17/2019	Drill bits, hammer drill		\$231.04
	6633593		01/17/2019	Hedge sheers		\$21.67
	6633565		01/17/2019	Flange		\$41.73
	9622450		01/14/2019	Sandpaper		\$4.85
	6611900		01/17/2019	Washers, bolts		\$27.19
	6032371		01/17/2019	Screws, metal plate		\$2.56
	0033049		01/23/2019	Trigger clamp, epoxy syringe		\$28.90
91568	01/25/2019	Open			ICMA RETIREMENT TRUST 457	\$6,185.06
	Invoice		Date	Description		Amount
	41727103		01/18/2019	Employee 457 contributions PPE 1/12/19 1001 - Payroll Payables		\$6,185.06
91569	01/25/2019	Open			INTERNATIONAL CODE COUNCIL	\$325.00
	Invoice		Date	Description		Amount
	3217814		01/07/2019	Annual membership - Woodman		\$325.00
91570	01/25/2019	Open			INTERSTATE ALL BATTERY CENTER	\$147.48
	Invoice		Date	Description		Amount
	572570		01/09/2019	Batteries		\$147.48
91571	01/25/2019	Open			JIM MALBERG	\$370.91
	Invoice		Date	Description		Amount
	JM011119		01/11/2019	CSMFO conference expenses		\$370.91

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# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91572	01/25/2019	Open			KBA Document Solutions LLC	\$35.02
	Invoice		Date	Description		Amount
	INV748199		01/11/2019	Copier usage charges		\$29.52
	INV747779		01/10/2019	Recreation copier usage		\$5.50
				1000 - General Fund	\$5.50	
				2211 - ISF - Info Tech	\$29.52	
91573	01/25/2019	Open			KENDRA DOSENBACH	\$234.00
	Invoice		Date	Description		Amount
	KD011619		01/16/2019	Winter instructor payment		\$234.00
91574	01/25/2019	Open			KIMLEY HORN AND ASSOCIATES INC	\$14,489.30
	Invoice		Date	Description		Amount
	12945967		12/31/2018	Park Ave. sidewalk improvements		\$9,165.00
	12887976		12/31/2018	Roundabout design		\$2,456.80
	12917244		12/31/2018	Brommer street prepare construction documents		\$2,867.50
				1200 - Capital Imp Fund	\$11,621.80	
				1309 - RTC Streets	\$2,867.50	
91575	01/25/2019	Open			KINGS PAINT AND PAPER INC.	\$48.61
	Invoice		Date	Description		Amount
	A0275056		10/30/2018	Pay station paint		\$48.61
91576	01/25/2019	Open			KRISTEN PETERSEN	\$189.00
	Invoice		Date	Description		Amount
	KP011819		01/18/2019	League of Cities policy committee meeting expenses		\$189.00
91577	01/25/2019	Open			LABORMAX STAFFING	\$459.40
	Invoice		Date	Description		Amount
	26-102464		01/18/2019	Seasonal labor		\$459.40
91578	01/25/2019	Open			LESLIE CHAVEZ	\$360.00
	Invoice		Date	Description		Amount
	17		01/18/2019	BIA consulting		\$360.00
				1321 - BIA - Capitola Village-Wharf BIA		
91579	01/25/2019	Open			LIFE INSURANCE CO OF NORTH AMERICA-CIGNA	\$2,380.66
	Invoice		Date	Description		Amount
	CIGNA122018		12/30/2018	December life, LTD, STD, AD&D insurance		\$2,380.66
				1000 - General Fund	(\$0.12)	
				1001 - Payroll Payables	\$2,380.78	

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# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91580	01/25/2019	Open			LLOYDS TIRE SERVICE	\$45.32
	Invoice		Date	Description		Amount
	314705		01/10/2019	Tire mounting and balancing		\$45.32
91581	01/25/2019	Open			MALLORY SAFETY AND SUPPLY LLC	\$56.60
	Invoice		Date	Description		Amount
	4575928		01/04/2019	Surveyor vests		\$56.60
91582	01/25/2019	Open			MAR-KEN K-9 TRAINING CENTER	\$240.00
	Invoice		Date	Description		Amount
	0001-19		01/15/2019	January K-9 training		\$240.00
91583	01/25/2019	Open			MARGARET DRISCOLL	\$770.00
	Invoice		Date	Description		Amount
	201		01/18/2019	Recreation logo design		\$770.00
91584	01/25/2019	Open			MID COUNTY AUTO SUPPLY	\$101.40
	Invoice		Date	Description		Amount
	MID-132626		01/17/2019	Paint brush, paint		\$50.53
	MID-126968		01/14/2019	Filters		\$18.42
	MID-127157		01/14/2019	Filters		\$20.55
	MID-111710		01/03/2019	Paint pens		\$11.90
91585	01/25/2019	Open			MILLER'S TRANSFER & STORAGE CO.	\$152.95
	Invoice		Date	Description		Amount
	90705		01/05/2019	January record storage		\$152.95
91586	01/25/2019	Open			MISSION LINEN SUPPLY	\$506.74
	Invoice		Date	Description		Amount
	508989538		01/07/2019	Mat service		\$55.23
	509019134		01/09/2019	Uniform cleaning, towels		\$106.88
	509059117		01/16/2019	Shop uniform cleaning, towels		\$49.50
	509019133		01/09/2019	Shop uniform cleaning and towels		\$49.50
	508959896		01/02/2019	Shop uniform cleaning, towels		\$49.50
	508884874		12/19/2018	Shop uniform service		\$68.13
	509059118		01/16/2019	Corp Yard linen service		\$128.00
91587	01/25/2019	Open			MISSION PRINTERS	\$282.12
	Invoice		Date	Description		Amount
	58432		01/17/2019	Business cards for account clerk		\$47.34
	58416		01/14/2019	Window envelopes (1,500)		\$234.78
				1000 - General Fund	\$47.34	
				2210 - ISF - Stores Fund	\$234.78	

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# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91588	01/25/2019	Open			NANCY HOWELLS	\$27.30
	Invoice		Date	Description		Amount
	NH12219		01/22/2019	Instructor payment		\$27.30
91589	01/25/2019	Open			NORTH BAY FORD	\$472.30
	Invoice		Date	Description		Amount
	270169		01/03/2019	Door handle assembly		\$25.04
	270194		01/07/2019	Ford F350 latch		\$141.87
	270234		01/08/2019	2014 Ford Explorer weatherstripping		\$155.09
	270217		01/08/2019	Moulding, radiator hose, thermostat assembly		\$150.30
91590	01/25/2019	Open			NUZ Inc. dba GOOD TIMES	\$550.00
	Invoice		Date	Description		Amount
	2018-297471		10/24/2018	Display ad plein air		\$550.00
91591	01/25/2019	Open			O'REILLY AUTO PARTS	\$137.46
	Invoice		Date	Description		Amount
	2763-426642		01/17/2019	Filters		\$36.80
	2763-426506		01/16/2019	Wiper fluid, diesel exhaust fluid		\$82.74
	2763-426449		01/16/2019	Oil filter		\$17.92
91592	01/25/2019	Open			PACIFIC GAS & ELECTRIC	\$14,951.04
	Invoice		Date	Description		Amount
	PGE011819-acct9		01/18/2019	Monthly gas & electricity		\$14,951.04
				1000 - General Fund	\$4,987.06	
				1300 - SLESF - Supl Law	\$320.25	
				1310 - Gas Tax	\$7,698.07	
				1311 - Wharf	\$1,945.66	

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# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91593	01/25/2019	Open			PALACE OFFICE SUPPLIES	\$1,027.22
	Invoice		Date	Description		Amount
	514598-0		01/08/2019	Toner, paper, pens, calendar		\$154.95
	9568357-0		01/09/2019	Foam core		\$4.35
	515912-0		01/15/2019	Calendar		\$25.85
	9572376-0		01/23/2019	Museum adhesive		\$52.84
	516223-0		01/18/2019	Name plates		\$52.10
	516444-0		01/17/2019	Binders		\$84.10
	9571769-0		01/21/2019	Foam board, chip board		\$13.80
	515447-0		01/14/2019	Daters (3)		\$231.84
	9572363-0		01/23/2019	Scissor, key tags, laminating sheets		\$26.14
	516550-0		01/21/2019	Awards, document cover, colored paper		\$124.50
	515589-0		01/16/2019	Receptionist name plate		\$13.03
	515313-0		01/11/2019	Office supplies		\$30.20
	514746-0		01/09/2019	Paper, steno books, hand sanitizer, tissues		\$207.38
	516782-0		01/22/2019	Glue stick		\$6.14
				1000 - General Fund	\$467.56	
				2210 - ISF - Stores Fund	\$559.66	
91594	01/25/2019	Open			PEAK COMMUNICATIONS	\$2,928.45
	Invoice		Date	Description		Amount
	11272018C		11/27/2018	Corp. yard network cabling upgrade		\$2,928.45
				2211 - ISF - Information Technology		
91595	01/25/2019	Open			PET PALS DISCOUNT PET SUPPLIES	\$414.89
	Invoice		Date	Description		Amount
	2023276		11/17/2018	K-9 supplies		\$234.20
	2048973		01/08/2019	K-9 supplies		\$180.69
91596	01/25/2019	Open			PITNEY BOWES	\$2,349.10
	Invoice		Date	Description		Amount
	PB012019		01/20/2019	City Hall postage meter rental and refill		\$2,349.10
				2210 - ISF - Stores Fund		
91597	01/25/2019	Open			PRAXAIR DISTRIBUTION INC.	\$1,415.41
	Invoice		Date	Description		Amount
	86853770		12/28/2018	Magnetic drill		\$1,072.11
	86840011		12/27/2018	Cutter kit		\$215.45
	86995375		01/04/2019	Cutter		\$127.85

Attachment: 1/25/19 City Check Register (Approval of City Check Registers)

# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91598	01/25/2019	Open			PREFERRED BENEFIT INSURANCE ADMIN.	\$5,282.80
	Invoice		Date	Description		Amount
	EIA26856		01/01/2019	January dental & vision insurance		\$5,282.80
				1000 - General Fund	\$14.20	
				1001 - Payroll Payables	\$5,268.60	
91599	01/25/2019	Open			R & S ERECTION OF MONTEREY BAY	\$797.80
	Invoice		Date	Description		Amount
	COMM4406		01/15/2019	Shop door repair		\$797.80
91600	01/25/2019	Open			RADICAL MOVEMENT FACTORY	\$650.00
	Invoice		Date	Description		Amount
	005		01/17/2019	Empowered women day camp		\$650.00
91601	01/25/2019	Open			ROYAL WHOLESALE ELECTRIC	\$186.32
	Invoice		Date	Description		Amount
	7719-639298		01/02/2019	Light switch plates		\$7.41
	7719-639767		01/14/2019	Screwdriver set		\$38.75
	7719-639565		01/09/2019	Street light parts		\$121.02
	7719-638944		12/20/2018	Gloves		\$19.14
91602	01/25/2019	Open			SALINAS VALLEY SOLID WASTE AUTHORITY	\$5,000.00
	Invoice		Date	Description		Amount
	2018-19-8		01/15/2019	Central coast recycling media coalition contribution		\$5,000.00
91603	01/25/2019	Open			SAN LORENZO LUMBER	\$113.06
	Invoice		Date	Description		Amount
	55-0426569		01/18/2019	Screws		\$37.57
	55-0426567		01/18/2019	Lumber		\$75.49
91604	01/25/2019	Open			SANTA CRUZ COUNTY AUDITOR-CONTROLLER	\$4,071.00
	Invoice		Date	Description		Amount
	SCAUD123118		12/31/2018	December citation processing		\$4,071.00
91605	01/25/2019	Open			SANTA CRUZ MUSEUM OF NATURAL HISTORY	\$80.00
	Invoice		Date	Description		Amount
	10328253		01/08/2019	Field trip to natural history museum		\$80.00
91606	01/25/2019	Open			SANTA CRUZ OCCUPATIONAL MEDICAL CENTER	\$159.00
	Invoice		Date	Description		Amount
	I-22305		12/31/2018	New employee physical, drug screen		\$159.00

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# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91607	01/25/2019	Open			SANTA CRUZ SENTINEL	\$164.80
	Invoice		Date	Description		Amount
	0001167874		12/31/2018	CDBG application public hearing notice		\$164.80
91608	01/25/2019	Open			SANTA CRUZ SPCA	\$150.00
	Invoice		Date	Description		Amount
	SPCA11119		01/11/2019	BIA window decoration winner 1321 - BIA - Capitola Village-Wharf BIA		\$150.00
91609	01/25/2019	Open			SERVPRO OF SANTA CRUZ	\$148.08
	Invoice		Date	Description		Amount
	33		01/21/2019	Biohazard cleanup vehicle #181		\$148.08
91610	01/25/2019	Open			SHARON LACY	\$182.00
	Invoice		Date	Description		Amount
	SL12219		01/22/2019	Instructor payment		\$182.00
91611	01/25/2019	Open			SIMPKINS FAMILY SWIM COMPLEX	\$135.00
	Invoice		Date	Description		Amount
	1006273.042		01/09/2019	Recreation swim class		\$135.00
91612	01/25/2019	Open			SOQUEL NURSERY GROWERS INC.	\$23.49
	Invoice		Date	Description		Amount
	0000347832		01/07/2019	Plants		\$23.49
91613	01/25/2019	Open			SOUTH BAY REGIONAL TRAINING	\$10,089.00
	Invoice		Date	Description		Amount
	219370		01/08/2019	Basic academy for new officers		\$10,089.00
91614	01/25/2019	Open			SPECTRUM BUSINESS	\$3,239.56
	Invoice		Date	Description		Amount
	0000178011919		01/19/2019	January internet service		\$3,239.56
				1000 - General Fund	\$1,291.27	
				2211 - ISF - Info Tech	\$1,948.29	
91615	01/25/2019	Open			STACI BUTCHER	\$60.44
	Invoice		Date	Description		Amount
	SB012219		01/17/2019	Camp accreditation mileage reimbursement		\$60.44
91616	01/25/2019	Open			STATE STEEL COMPANY	\$227.24
	Invoice		Date	Description		Amount
	125152		01/12/2019	Steel		\$227.24

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# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91617	01/25/2019	Open			SUESS INSURANCE AGENCY INC.	\$575.00
	Invoice		Date	Description		Amount
	190155		01/16/2019	BIA sip n' stroll event insurance 1321 - BIA - Capitola Village-Wharf BIA		\$575.00
91618	01/25/2019	Open			SUPPLYWORKS	\$2,439.31
	Invoice		Date	Description		Amount
	473178325		01/15/2019	Cleaning & restroom supplies		\$1,687.06
	471543553		01/04/2019	Cleaning & restroom supplies		\$752.25
91619	01/25/2019	Open			TERESA MCINERNEY	\$195.00
	Invoice		Date	Description		Amount
	TM12219		01/22/2019	Instructor payment		\$195.00
91620	01/25/2019	Open			THE PAINTED CORK LLC	\$253.50
	Invoice		Date	Description		Amount
	PC12219		01/22/2019	Instructor payment		\$253.50
91621	01/25/2019	Open			TIMES PUBLISHING GROUP INC.	\$650.00
	Invoice		Date	Description		Amount
	11851		11/20/2018	BIA advertising 1321 - BIA - Capitola Village-Wharf BIA		\$650.00
91622	01/25/2019	Open			UNITED STATES LIFESAVING ASSOCIATION	\$30.00
	Invoice		Date	Description		Amount
	300015556		01/08/2019	Associate membership		\$30.00
91623	01/25/2019	Open			UNITED STATES POSTAL SERVICE	\$1,400.00
	Invoice		Date	Description		Amount
	USPS010919		01/09/2019	Bulk permit #7013 winter newsletter		\$1,400.00
91624	01/25/2019	Open			US BANK EQUIPMENT FINANCE	\$103.56
	Invoice		Date	Description		Amount
	374800324		01/03/2019	Recreation copier lease		\$103.56
91625	01/25/2019	Open			US BANK EQUIPMENT FINANCE	\$481.80
	Invoice		Date	Description		Amount
	374800365		01/03/2019	Copier leases		\$481.80
				1000 - General Fund	\$25.80	
				2210 - ISF - Stores Fund	\$456.00	

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# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
91626	01/25/2019	Open			US BANK EQUIPMENT FINANCE	\$288.85
	Invoice		Date	Description		Amount
	374800530		01/03/2019	PD copier lease		\$288.85
91627	01/25/2019	Open			WILDMIND SCIENCE LEARNING	\$495.00
	Invoice		Date	Description		Amount
	27081		01/16/2019	Bay Area Wild educational program		\$495.00
91628	01/25/2019	Open			Kimberly Menninger	\$500.00
	Invoice		Date	Description		Amount
	KM011519		01/15/2019	#18-141 205 El Salto Dr. tree deposit refund		\$500.00
91629	01/25/2019	Open			Krystle Robinson	\$50.00
	Invoice		Date	Description		Amount
	2003508.002		01/23/2019	Class refund		\$50.00
91630	01/25/2019	Open			Mick Routh	\$250.00
	Invoice		Date	Description		Amount
	MR011319		01/13/2019	Digital reading device reimbursement		\$250.00
Type Check Totals:						\$156,325.40
<u>EFT</u>						
728	01/22/2019	Open			STATE DISBURSEMENT UNIT	\$1,232.76
	Invoice		Date	Description		Amount
	IOVVG4M6657		01/22/2019	Employee garnishments PPE 1/12/19 1001 - Payroll Payables		\$1,232.76
729	01/23/2019	Open			INTERNAL REVENUE SERVICE	\$26,133.67
	Invoice		Date	Description		Amount
	81070738		01/23/2019	Federal taxes & Medicare PPE 1/12/19 1001 - Payroll Payables		\$26,133.67
730	01/23/2019	Open			EMPLOYMENT DEVELOPMENT DEPT	\$7,633.96
	Invoice		Date	Description		Amount
	1-232-590-656		01/23/2019	State taxes PPE 1/12/19 1001 - Payroll Payables		\$7,633.96
731	01/24/2019	Open			CalPERS Member Services Division	\$48,525.99
	Invoice		Date	Description		Amount
	1001246915		01/24/2019	PERS contributions PPE 1/12/19 1000 - General Fund (\$0.19) 1001 - Payroll Payables		\$48,525.99
Type EFT Totals:						\$83,526.38

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# City Checks Issued January 25, 2018

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
Library - Library						
<u>Check</u>						
101	01/25/2019	Open			NOLL AND TAM ARCHITECTS	\$46,762.95
	Invoice		Date	Description		Amount
	0058080		12/31/2018	Library cost reduction, landscape revision, reimbursable expense 1360 - Library Fund		\$46,762.95
102	01/25/2019	Open			OTTO CONSTRUCTION INC.	\$282,479.65
	Invoice		Date	Description		Amount
	12980		11/30/2018	Library bonds, fencing, demo work, SWPP installation		\$130,796.00
	13015		12/31/2018	Library tree removal, mobilization, temporary fence 1360 - Library Fund		\$151,683.65
Type Check Totals:						\$329,242.60

CITY - Main City Totals	Counts:	Totals:
Checks	111	\$156,325.40
EFTs	4	\$83,526.38
All	115	\$239,851.78
Library - Library Totals		
Checks	2	\$329,242.60
EFTs	0	\$0.00
All	2	\$329,242.60
Grand Totals:		
Checks	113	\$485,568.00
EFTs	4	\$83,526.38
All	117	\$569,094.38

Attachment: 1/25/19 City Check Register (Approval of City Check Registers)



# CAPITOLA CITY COUNCIL AGENDA REPORT

**MEETING OF FEBRUARY 28, 2019**

FROM: Community Development

SUBJECT: Second Reading of an Ordinance Amending Municipal Code Title 10 Vehicles and Traffic Pertaining to Bicycles and Personal Transportation Devices

**RECOMMENDED ACTION:** Approve an Ordinance amending Municipal Code Title 10 Vehicles and Traffic to amend Chapter 10.04 General Provisions; repeal Chapter 10.44 Bicycles; and adopt Chapter 10.44 Bicycles and Personal Transportation Devices.

**BACKGROUND/DISCUSSION:** On January 24, 2019, the City Council reviewed the first draft ordinance to update Chapter 10.04 "General Provisions" and Chapter 10.44 "Bicycles and Personal Transportation Device." City Council requested staff return with revisions allowing children under the age of 10 to ride bicycles on the sidewalk except within the Village. Council also raised concern for proposed language in section 10.44.050 which required cyclists to ride single file.

On February 14, 2019, the City Council adopted the first reading of the ordinances with two modifications. Section 10.44.030 of the ordinance was amended to prohibit bicycles and personal transportation devices on sidewalks with an exception for areas outside the Village for children under the age of 10 riding in the same direction as adjacent traffic. The boundary of the Village is the same boundary in which skateboarding is prohibited. Also, section 10.44.050 was updated to clarify that bicycles operating within a roadway are subject to California Vehicle Code Section 21208.

Report Prepared By: Katie Herlihy  
Community Development Director

**Reviewed and Forwarded by:**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF CAPITOLA  
AMENDING CAPITOLA MUNICIPAL CODE BY AMENDING CHAPTER 10.04 "GENERAL  
PROVISIONS" AND REPEALING CHAPTER 10.44 "BICYCLES" AND ADOPTING  
CHAPTER 10.44 "BICYCLES AND PERSONAL TRANSPORTATION DEVICES" TO  
UPDATE BICYCLE AND PERSONAL TRANSPORTATION DEVICE STANDARDS AND  
AUTHORIZE SHARED MOBILITY OPERATORS**

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

**Section 1:** Chapter 10.04 "GENERAL PROVISIONS" of the Capitola Municipal Code is hereby amended to read as follows:

"Chapter 10.04  
GENERAL PROVISIONS

Sections:

- 10.04.010 Definitions.
- 10.04.020 Authority of police and fire department officials.
- 10.04.030 Persons other than officials not to direct traffic.
- 10.04.040 Obedience to police or authorized officers.
- 10.04.050 Obedience to traffic provisions.
- 10.04.060 Traffic regulations apply to persons riding bicycles ~~or animals~~.
- ~~10.04.070—Bicycles prohibited on sidewalks.~~
- ~~10.04.080—Operation of devices on sidewalks.~~
- ~~10.04.090—Impoundment of bicycles.~~
- ~~10.04.070400~~ Obstruction or interference with police or authorized officers.
- ~~10.04.080410~~ Public employees to obey traffic regulations.
- ~~10.04.090420~~ Exemption of certain vehicles.
- ~~10.04.100430~~ Report of damage to property.
- ~~10.04.110440~~ Penalty for violation.
- 10.04.010 Definitions.

Second Reading Bicycle and Personal Transportation Devices (PTD) Ordinance  
February 28, 2019

The following words and phrases when used in this title shall for the purpose of this title have the meanings respectively ascribed to them in this section:

A. Motor Vehicle Code Definitions to be Used. Whenever any words or phrases used in this title are defined, but are defined in the Vehicle Code of the state and amendment thereto, such definitions shall apply.

B. "Bicycle" means ~~a light vehicle without a motor, having two wheels, handlebars and a seat or seats, and propelled by the operator~~ a device upon which a person may ride, propelled exclusively by human power through a belt, chain, or gears, and having one or more wheels.

C. "Central traffic district" means all streets and portions of streets within the area described as follows: all that area bounded by The Bay of Monterey on the South Wharf Road on the west, Cherry Avenue on the north and Monterey Avenue on the east.

D. "Coach" means any motor bus, motor coach, trackless trolley, or passenger stage used as a common carrier of passengers.

E. "Council" means the council of the city of Capitola.

F. "Curb" means the lateral boundary of the roadway whether such curb is marked by the curbing construction, or not so marked; the word "curb" as used in this title shall not include the line dividing the roadway of a street from parking strips in the center of a street, nor from tracks or rights-of-way of public utility companies.

G. "Devices moved by human power" includes any device with or without wheels not included in the definition of "vehicle" as defined in this section, including but not limited to roller skates and devices using roller skates, coasters, wagons, scooters, sleds, unicycles, which are propelled by the person using same. This definition does not include a device which is necessary to assist a person to travel upon the sidewalks, such as wheelchairs and walkers.

H. "Divisional island" means a raised island located in the roadway and separating opposing or conflicting streams of traffic.

~~I. "Holidays," within the meaning of this title, are the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the first Monday in September, the eleventh day of November, the twenty-fifth day of December, and Thanksgiving Day. If the first day of January, twenty-second day of February, the thirtieth day of May, the fourth day of July, the eleventh day of November or the twenty-fifth day of December falls on a Sunday, the Monday following is a holiday.~~

I. "Loading zone" means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

J. "Official time standard," whenever certain hours are named in this title, they mean standard time or daylight saving time as may be in current use in this city.

K. "Parking meter" means a mechanical device installed within or upon the curb or sidewalk area, immediately adjacent to a parking space for the purpose of controlling the period of time occupancy of such parking meter space by any vehicle.



Second Reading Bicycle and Personal Transportation Devices (PTD) Ordinance  
February 28, 2019

- L. "Park" means to stand or leave standing any vehicle, whether occupied or not, otherwise than temporarily for the purpose and while actually engaged in loading or unloading of passengers or materials.
- M. "Parkway" means that portion of a street other than a roadway or a sidewalk.
- N. "Passenger loading zone" means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.
- O. "Pedestrians" means any person afoot.
- P. "Police officer" means every officer of the police department of this city or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.
- Q. "Stop," when required, means complete cessation of movement.
- R. "Stop or stand" when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer or official traffic-control device.
- S. "Vehicle code" means the vehicle code of the state.
- T. "Median strip" means a strip of ground dividing a street, roadway or highway into lanes according to the direction of travel which may be raised, nonlandscaped, paved, planted, or otherwise landscaped.
- U. "Roundabout" means a piece of ground located within the intersection of two or more streets, roadways or highways around which vehicular traffic streams for the purpose of continuing through the intersection or moving from one of the intersection's streets onto another of the intersection's streets, which may be raised, circular shaped, nonlandscaped, paved, planted, or otherwise landscaped. (Ord. 993 § 1, 2014; Ord. 245 § 1, 1964; Ord. 204 § 1, 1963)

10.04.020 Authority of police and fire department officials.

Officers of the police department and such officers as are assigned by the chief of police are authorized to direct all traffic by voices, hand, audible or other signal in conformance with traffic laws, except that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department or members of the fire department may direct traffic as conditions may require, notwithstanding the provisions to the contrary contained in this title or the Vehicle Code. (Ord. 204 § 2, 1963)

10.04.030 Persons other than officials not to direct traffic.

No person other than an officer of the police department or members of the fire department or a person authorized by the chief of police or a person authorized by law shall direct or attempt to direct traffic by voice, hand or other signal, except that persons may operate, when and provided in this title, any mechanical pushbutton signal erected by order of the superintendent of streets. (Ord. 204 § 2.1, 1963)

10.04.040 Obedience to police or authorized officers.

No person shall fail or refuse to comply with or to perform any act forbidden by the lawful order, signal, or direction of a traffic or police officer, or a member of the fire department, or a person authorized by the chief of police or by law. (Ord. 204 § 2.2, 1963)



Second Reading Bicycle and Personal Transportation Devices (PTD) Ordinance  
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10.04.050 Obedience to traffic provisions.

See Section 1.01.090 A2. (Ord. 758 § 2, 1993; Ord. 204 § 2.3, 1963)

10.04.060 Traffic regulations apply to persons riding bicycles ~~or animals~~.

Every person riding a bicycle ~~or riding or driving an animal~~ upon a highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this title, except those provisions which by their very nature can have no application. (Ord. 204 § 2.4, 1963)

~~10.04.070 Bicycles prohibited on sidewalks.~~

~~A. No one may operate a bicycle upon a sidewalk.~~

~~B. No one may operate a bicycle on the Riverview Path from Macdonald Lane to Stockton Avenue. (Ord. 697, 1990; Ord. 245 § 2, 1964; Ord. 204 § 2.4A, 1963)~~

~~10.04.080 Operation of devices on sidewalks.~~

~~The city council may prohibit the operation, upon any sidewalk, of devices operated by human power. (Ord. 245 § 2, 1964; Ord. 204 § 2.4B, 1963)~~

~~10.04.090 Impoundment of bicycles.~~

~~The police chief or any police officer may impound and retain possession of any bicycle or devices moved by human power for a period of not more than six months if such bicycle or device is moved by human power and has been in operation in violation of Sections 10.04.070 and 10.04.080. (Ord. 245 § 2, 1964; Ord. 204 § 2.4C, 1963)~~

10.04.070~~100~~ Obstruction or interference with police or authorized officers.

No person shall interfere with or obstruct in any way any police officer or other officer or employee of this city in their enforcement of the provisions of this title. The removal, obliteration or concealment of any chalk mark or other distinguishing mark used by any police officer or other employee or officer of this city in connection with the enforcement of the parking regulations of this title while, if done for the purpose of evading the provisions of this title, constitute such interference or obstruction. (Ord. 204 § 2.5, 1963)

10.04.080~~110~~ Public employees to obey traffic regulations.

The provisions of this title shall apply to the operator of any vehicle owned by or used in the service of the United States government, this state, any county or city, and it is unlawful for any operator to violate any of the provisions of this title except as otherwise permitted in this title or by the Vehicle Code. (Ord. 204 § 2.6, 1963)

10.04.090~~120~~ Exemption of certain vehicles.

A. The provisions of this title regulating the operation, parking and standing of vehicle shall not apply to vehicles operated by the police or fire department, any public ambulance or any public utility vehicle or any private ambulance, which public utility vehicle or private ambulance has qualified as an authorized emergency vehicle, when any vehicle mentioned in this section is operated in the manner specified by the Vehicle Code in response to an emergency call.

B. The foregoing exemptions shall not, however, relieve the operator of any such vehicle from obligation to exercise due care for the safety of others or of the consequences of his or her willful disregard of the safety of others.

Second Reading Bicycle and Personal Transportation Devices (PTD) Ordinance  
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C. The provisions of this title regulating the parking or standing of vehicles shall not apply to any vehicle of a city department or public utility while necessarily in use for construction or repair work or any vehicle owned or operated by the United States Post Office Department while in use for the collection, transportation or delivery of United States Mail. (Ord. 204 § 2.7, 1963)

10.04.100130 Report of damage to property.

A. The operator of a vehicle ~~or the person in charge of any animal~~ involved in any accident resulting in damage to any property publicly owned or owned by a public utility, including but not limited to any fire hydrant, parking meter, lighting post, telephone pole, electric light or power pole, or resulting in damage to any tree, traffic-control device or other property of a like nature located in or along any street, shall within twenty-four hours after such accident make a written report of such accident to the police department of this city.

B. Every such report shall state the time when and the place where the accident took place, the name and address of the person owning and of the person operating or in charge of such vehicle ~~or animal~~, the license number of every such vehicle, and shall briefly describe the property damage in such accident.

C. The operator of any vehicle involved in an accident shall not be subject to the requirements or penalties of this section if during the time he or she is physically incapable of making a report, but in such event he or she shall make a report as required in subsection A of this section within twenty-four hours after regaining ability to make such report. (Ord. 204 § 2.8, 1963)

10.04.110140 Penalty for violation.

Violations of the provisions of this title for which a civil penalty is not provided by Vehicle Code Section 40200(a) shall constitute infractions. (Ord. 758 § 3, 1993; Ord. 204 § 14, 1963)"

**Section 2: Bicycles.** Chapter 10.44 "BICYCLES" of the Capitola Municipal Code is hereby repealed and a new Chapter 10.44 "BICYCLES AND PERSONAL TRANSPORTATION DEVICES" is hereby adopted to read as follows:

"Chapter 10.44

BICYCLES AND PERSONAL TRANSPORTATION DEVICES

Sections:

- 10.44.010 Definitions.
- 10.44.020 State authority.
- 10.44.030 Bicycles and PTDs prohibited on sidewalks.
- 10.44.040 Operation of Bicycles and PTDs on Municipal Pathways not within the roadway.
- 10.44.050 Group operation.
- 10.44.060 Bicycle and PDT Parking.
- 10.44.070 Bicycle parking prohibited.
- 10.44.080 Racing and trick riding.
- 10.44.090 Placing of bicycle racks.
- 10.44.100 Passengers.

Second Reading Bicycle and Personal Transportation Devices (PTD) Ordinance  
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- 10.44.110 Entering public right-of-way.
- 10.44.120 Tampering
- 10.44.130 Fees
- 10.44.140 Shared Mobility Services.
- 10.44.150 Removal and Impoundment.
- 10.44.160 Enforcement.
- 10.44.170 Exception for police enforcement activities.

10.44.010 DEFINITIONS.

A. A “Bicycle” is a device upon which a person may ride, propelled exclusively by human power through a belt, chain, or gears, and having one or more wheels.

B. A “Bike Share Operator” means an individual or a public, private, or nonprofit entity that manages a bike share program authorized by the City of Capitola.

C. A “Bike Share Program” means a system of self-service shared bikes for hire in the city of Capitola operated by a bike share operator that offers to users a pool of at least ten self-service shared bikes for use in the public right-of-way or on public property in the City of Capitola.

D. A “Motorized Scooter Share Operator” means an individual or a public, private, or nonprofit entity that manages a motorized scooter share program authorized by the City of Capitola.

E. A “Parkway” means that portion of a street other than a roadway or sidewalk.

F. A “Pedestrian” means any person afoot.

G. A “Personal Transportation Device” or “PTD” means an electric bicycle as defined by California Vehicle Code Section 406(b) and a motorized scooter as defined by California Vehicle Code Section 407.5, both of which are capable of transporting persons from one place to another at a maximum speed of not more than 20 miles per hour. “PTD” does not include a moped as defined in California Vehicle Code Section 406(a), a gas-powered motorized scooter as defined in California Vehicle Code Section 407.5(b), or a motorized skateboard as referenced in California Vehicle Code Section 21968.

H. A “Shared Bike” is a bicycle, tricycle, quadricycle or similar device with any number of wheels that is propelled by a motor with any type of power source and/or by humans, that is designed to be shared by unrelated members of the public and that can be locked or secured from unauthorized use without being locked or secured to a bicycle rack or other object. This includes motorized bicycles or mopeds, as defined in Section 406 of the California Vehicle Code.

I. A “Shared Mobility Device” means a bicycle or personal transportation device available to the public through a shared mobility service.

I. “Shared Mobility Services” means bicycle or personal transportation device share program available to the public, including motorized scooter share programs and bike share programs, authorized by the City of Capitola.

10.44.020 STATE AUTHORITY.

Reference is made by this section to California Vehicle Code Division 11, Chapter 1, Article 4 relating to laws applicable to bicycle use and equipment, including helmets, and by such

Second Reading Bicycle and Personal Transportation Devices (PTD) Ordinance  
February 28, 2019

reference any and all statutes relating to the operation of bicycles are incorporated into this chapter. Every person operating a bicycle or a PTD on a roadway has all the rights and is subject to all the duties applicable to the driver of a vehicle, by the laws of this state or by the ordinances of this city except those provisions of laws and ordinances which by their nature can have no application, and except as otherwise provided in this chapter.

~~10.44.030 BICYCLES AND PTD PROHIBITED ON SIDEWALKS.~~

~~A. No person shall ride a bicycle or PTD upon a sidewalk.~~

~~B. In accordance with California Vehicle Code Section 21235(g), the operator of a bicycle or PTD shall not operate the bicycle or PTD upon any sidewalk except as may be necessary to enter or leave adjacent property.~~

10.44.30 BICYCLES AND PTD ON SIDEWALKS.

- A. No person shall ride a PTD upon a sidewalk.
- B. No person shall ride a bicycle upon a sidewalk, except children under the age of ten may ride a bicycle on the sidewalk in the same direction as vehicular traffic in the lane adjacent to the sidewalk.
- C. Notwithstanding subsection B, no person, including children under the age of ten, shall ride a bicycle upon sidewalks in the following locations:
  - 1. Sidewalks located south of the Union Pacific Railroad corridor and between the eastern edge of Monterey Avenue and the western edge of Wharf Road,
  - 2. Wharf Road from the Union Pacific Railroad Corridor north to Capitola Road, and
  - 3. Cliff Drive from Stockton Avenue to Opal Cliff Drive.

10.44.040 OPERATION OF BICYCLES AND PTD ON MUNICIPAL PATHWAYS NOT WITHIN THE ROADWAY.

A. No person shall operate a bicycle or PTD on the Riverview Path from Macdonald Lane to Stockton Avenue. (Ord. 697, 1990; Ord. 245 § 2, 1964; Ord. 204 § 2.4A, 1963)

B. A bicycle or PTD may be operated on any municipal bicycle path or bikeway, unless the City of Capitola or the governing body of the public agency having jurisdiction over such path or bikeway prohibits such operation.

C. Any gasoline-powered transportation device shall not be operated on any municipal bicycle path or bikeway.

~~10.44.050 GROUP OPERATION.~~

~~No person or persons shall ride or operate bicycles or PTD's other than single file, except on paths or parts of a roadway set aside for the exclusive use of bicycles and PTDs.~~

10.44.050 BICYCLES IN ROADWAYS

See California Vehicle Code Section 21208 relating to laws applicable to bicycle operation within a roadway.

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10.44.060 BICYCLE AND PTD PARKING.

- A. All bicycles and PTDs shall be parked in a bicycle rack, PTD storage facility, or bicycle parking facility, such as a bicycle locker, except as allowed within B, C, and E of this Section.
- B. If a bicycle rack or bicycle parking facility is not available within 50 feet of a trip end, a bicycle or PTD may be parked on the sidewalk in compliance with all the following requirements, as applicable:
1. The device is locked in an upright position to an object fixed to the ground, such as a sign pole or light pole.
  2. In the Mixed-Use Village Zoning District, the sidewalk maintains five feet of clearance open for pedestrian circulation.
  3. In all areas of the City other than the Central Village zoning district, the sidewalk maintains four feet of clearance open for pedestrian circulation.
- C. A free locking bike shall be parked in a manner that complies with this section and not hazardous to pedestrians, vehicular traffic, or property.
- D. No person shall park, stand, or lock any bicycle or PTD to a street tree, planter box, or public bench located in the public right of way.

10.44.070 BICYCLE AND PTD PARKING PROHIBITED.

No person shall park a bicycle or PTD at any location which has been posted with signs prohibiting such parking.

10.44.080 RACING AND TRICK RIDING.

No person operating a bicycle or PTD upon a public highway or street shall participate in any unauthorized race, speed or endurance contest; provided, however, that the city may authorize bicycle or PTD racing and trick riding events.

10.44.090 PLACING OF BICYCLE AND PTD RACKS.

No person shall place or maintain on any public right-of-way a bicycle or PTD rack or contrivance used for the holding or parking of bicycles without first being issued a permit by the Public Works Department.

10.44.100 PASSENGERS.

- A. To operate a pedicab service within the city limits, a pedicab operator shall have a valid city business licenses and pedicab permit issued by the city.
- B. The city may issue an authorized pedicab service operator an encroachment permit for a pedicab stand through the Public Works Department.
- C. No person riding a bicycle or PTD shall carry another person on said bicycle or PTD unless such person or passenger is seated upon an individual seat or carrier with footrests separate from those intended to be used by the operator.

Second Reading Bicycle and Personal Transportation Devices (PTD) Ordinance  
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D. No person shall ride upon a bicycle or PTD as a passenger, unless he or she is seated upon an individual seat or carrier with footrests separate from those intended to be used by the operator.

10.44.110 ENTERING PUBLIC RIGHT-OF-WAY.

The operator of a bicycle or PTD, on approaching any public right-of-way when the view is obstructed, shall stop such bicycle or PTD immediately prior to entering upon such public right-of-way.

10.44.120 TAMPERING.

It is unlawful for any person to remove, alter or mutilate the serial number of any bicycle frame.

10.44.130 FEES.

The fees required to be paid pursuant to the provisions of this chapter shall be those fees established by resolution adopted by the city council.

10.44.140 SHARED MOBILITY SERVICES

- A. To operate a shared mobility service within the City limits, a bikeshare operator and/or scooter share operator shall have a valid city business license and a contract with the City.
- B. The city may authorize a bikeshare operator and/or scooter share operator to conduct shared mobility services within the city through a contract approved by the City Council.

10.44.150 REMOVAL AND IMPOUNDMENT.

- A. The city may impound and retain possession of any bicycle or PTD which has been in operation in violation of Chapter 10.44.
- B. The City may remove and impound any shared mobility device owned or controlled by a shared mobility service that is found in any public place within the city limits if the operator does not have a valid contract and business license with the city or is operated in violation of any provision of such contract or this Chapter.
- B. It shall be the duty of the city department authorizing the impound of a shared mobility device to notify the city's police department that such property is impounded. Such notification must include the following information: the owner of the shared mobility device where the ownership is ascertainable; the date of impoundment; and the location of impoundment.
- C. Once a department notifies the police department that a shared mobility device has been impounded, the city's police department will then issue notice of impoundment to the device's owner, if ascertainable. The notice shall include the date of the shared mobility device impoundment and location of its keeping, together with the information that before the owner or person in charge of the property shall be permitted to remove the same from the custody of the impounding department, evidence of identity and ownership shall be required together with the fees necessary to cover the costs for removal and impound. Such charges and costs shall be set in the City's fee schedule.



Second Reading Bicycle and Personal Transportation Devices (PTD) Ordinance  
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D. The owner of the impounded property, or the owner's agent, shall satisfy any and all city conditions or policies related to the impoundment of a shared mobility device prior to retrieval of the property.

E. The city may dispose of an impounded shared mobility device if the owner does not claim and pay any required fees after thirty calendar days from the date of its removal.

10.44.160 ENFORCEMENT.

A. Any violation of the provisions of this chapter shall be subject to the code enforcement process in Title 4, including the potential penalties for a violation.

B. Any administrative citation issued pursuant to this chapter shall be prima facie evidence that the violation occurred.

C. In addition to the remedies set forth in Subsections A-B, any person violating the provisions of this chapter shall be deemed to be guilty of an infraction.

10.44.170 EXCEPTION FOR POLICE ENFORCEMENT ACTIVITIES.

Nothing in this code shall preclude police officers from operating a bicycle, PTD, or shared mobility device, while acting within the scope of their duties, in any reasonable manner when it is for the purpose of taking enforcement action or carrying out the performance of their duties."

**Section 3. Effective Date.** This ordinance shall be in full force and effect thirty (30) days from the date of its adoption by the City Council.

This ordinance was introduced on the 24<sup>th</sup> day of January, 2019, passed a first reading on the 14<sup>th</sup> day of February, 2019, and was passed and adopted by the City Council of the City of Capitola on the 28<sup>th</sup> day of February, 2019, by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

APPROVED:

\_\_\_\_\_  
Jacques Bertrand, Mayor

ATTEST:

\_\_\_\_\_  
Linda Fridy, City Clerk



# CAPITOLA CITY COUNCIL AGENDA REPORT

**MEETING OF FEBRUARY 28, 2019**

FROM: City Manager Department

SUBJECT: Second Reading of an Ordinance Amending Chapters 2.04, 2.08 and 6.14  
Pertaining to the Appointment and Duties of the City Treasurer

**RECOMMENDED ACTION:** Approve an Ordinance amending Municipal Code Chapters 2.04, 2.08 and 6.14.

**BACKGROUND/DISCUSSION:** In the November 2018 General Municipal Election, Capitola voters approved Measure K changing the city treasurer from an elected to an appointed position, and with certification of the statement of vote in December 2018, the City Council enacted Ordinance No. 1025 to remove references to an elected treasurer.

At its January 10, 2019, meeting, City Council discussed what form the appointment process should take and reviewed related Municipal Code sections. The proposed ordinance changes code sections related to the treasurer, finance director, and city manager by codifying the nomination and appointment process for the treasurer and allowing the finance director to serve as treasurer. The proposed ordinance also eliminates a code section related to dog ownership that is superseded by the more recent microchipping ordinance.

The City Council passed its first reading of the ordinance at the meeting of February 14, 2019.

**FISCAL IMPACT:** The appointment of the finance director as city treasurer saves the City the \$3,000 annual elected city treasurer's salary.

Report Prepared By: Linda Fridy  
City Clerk

**Reviewed and Forwarded by:**

Jamie Goldstein, City Manager

2/22/2019

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF CAPITOLA  
AMENDING THE CAPITOLA MUNICIPAL CODE BY AMENDING CHAPTER 2.04  
“ADMINISTRATION,” CHAPTER 2.08 “CITY MANAGER” AND CHAPTER 6.14 “DOGS AND  
OTHER DOMESTICATED ANIMALS” TO ESTABLISH THE APPOINTMENT  
PROCEDURE FOR AND UPDATE DUTIES OF THE CITY TREASURER**

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

**Section 1:** Chapter 2.04 “Administration” of the Capitola Municipal Code is hereby amended to read as follows:

VIII. City Treasurer

2.04.350 Office created.

The office of city treasurer is created pursuant to Government Code Sections 41001 through 41007. (Ord. 375 (part), 1974)

2.04.360 Powers and duties.

The powers and duties of the city treasurer shall be as set forth in applicable Government Code sections. (Ord. 375 (part), 1974)

2.04.365 Appointment

The city manager shall nominate a city treasurer for consideration by the City Council, which may appoint the nominee with a majority vote.

XI. Director of Finance

2.04.600 Powers and duties.

The power and duties of the director of finance are as follows:

A. With respect to the city’s accounting and necessarily related matters, the director of finance shall act within the official and professional rules of his or her profession and may not be directed to act contrary to those rules.

B. The director of finance prepares, or supervises preparation of, the city and redevelopment agency’s annual financial report(s); oversees annual independent audits; and interfaces with independent auditor(s).

C. The director of finance conducts, directs and/or oversees all investigative and corrective accounting projects.

Treasurer Appointment Process Ordinance  
February 28, 2019

D. As requested ~~by them~~, the director of finance advises and consults with the city treasurer ~~and redevelopment agency treasurer~~ on accounting and financial matters relative to ~~their~~ his or her offices. The director of finance is not staff to ~~either~~ the city treasurer ~~or the redevelopment agency treasurer~~, but works closely with and assists ~~both officers~~ that office. The director of finance may serve as the city treasurer.

E. "Finance" and "financial" primarily refers to accounting, reporting and information management aspects of city/agency fiscal activities and procedures related to those activities. It does not include providing advice as to the social desirability of any proposed expenditure over another.

F. Pursuant to Government Code Section 37209, the director of finance shall have the powers and duties otherwise vested in the city clerk- under the Government Code Sections 37203, 37205, 37207, 37208, 40802 and 40804. (Ord. 830 § 1, 2001)

**Section 2:** Chapter 2.08 "City Manager" of the Capitola Municipal Code is hereby amended as follows:

2.08.100 Power of appointment and removal.

It shall be the duty of the city manager to, and he or she shall, appoint, remove, promote and demote any and all officers and employees of the city except the city attorney ~~and city treasurer~~, subject to all applicable personnel ordinances, rules and regulations.

**Section 3:** Chapter 6.14 "Dogs and Other Domesticated Animals" of the Capitola Municipal Code is hereby amended as follows:

"6.14.710 Transfer of guardianship – Notice required" is hereby removed.

**Section 4. Effective Date.** This ordinance shall be in full force and effect thirty (30) days from the date of its adoption by the City Council.

This ordinance was introduced on the 14<sup>th</sup> day of February, 2019, and it was passed and adopted by the City Council of the City of Capitola on the 28<sup>th</sup> day of February, 2019, by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**



## CAPITOLA CITY COUNCIL AGENDA REPORT

**MEETING OF FEBRUARY 28, 2019**

FROM: City Manager Department

SUBJECT: Consider a Contract with Central Fire Protection District for Lifeguard Training

**RECOMMENDED ACTION:** Authorize the City Manager to sign a one-year contract for \$12,085 between Central Fire Protection District and the City of Capitola to perform lifeguard testing and training services commencing March 2019.

**BACKGROUND:** The Capitola Junior Lifeguard Program has been a fixture at Capitola Beach for more than 35 years. The program has been run through the City's Recreation Department since its inception. The City's Police Department operated beach lifeguard services until 2012. The two programs were both run by the City; however, there was no integration between the programs.

In 2012, the City contracted with Santa Cruz Marine Safety Division (SCMSD) to operate beach lifeguard services. Capitola contracted with SCMSD due to its well-established training protocols, access to significant resources, and operations on nearby beaches. The current contract calls for SCMSD to provide beach lifeguard services for summer 2019.

After the City contracted for beach lifeguard services with SCMSD in 2012, the California Surf Lifesaving Association (CSLSA) became concerned that the City's Junior Lifeguard Program was not being managed by a lifeguard agency. To try to address this, beginning in 2014 Capitola began working with SCMSD to train the City's Junior Lifeguard instructors according to United States Lifesaving Association (USLA) standards. After the summer of 2016, SCMSD notified the City it would be unable to continue to provide training for the City's Junior Lifeguard Program instructors.

The City attempted to resolve the Junior Lifeguard training needs by bringing a beach captain on staff for summer 2017 and 2018. At the end of the 2018 season the beach captain resigned.

Staff analysis of this position lead to the decision to pursue a partnership with Central Fire Protection District (Central Fire) to train Junior Lifeguard Instructors as seasonal open water lifeguards according to USLA standards.

**DISCUSSION:** Under the proposed agreement, Central Fire will administer at least two 500-meter swim tests for Junior Guard instructor candidates to determine eligibility for employment as Capitola Lifeguard/Junior Guard instructor and coordinators. Central Fire will also provide training services for seasonal open water lifeguards according to USLA standard that will include at least 40 hours of course instruction in open water lifesaving and Title 22 First Aid or equivalent.

Consider Contract with Central Fire for Lifeguard Training  
February 28, 2019

City staff and Central Fire are working toward establishing a long-term partnership whereby Central Fire would provide the full range of lifeguard services on Capitola Beach beginning in 2020.

FISCAL IMPACT: The proposed contract from March to September 2019 is \$12,085. The mid-year budget report on this same agenda includes a transfer of \$15,000 from Recreation staffing to contract services to cover the proposed contract costs.

ATTACHMENTS:

1. Capitola Lifeguard Training Contract Summer

Report Prepared By: Nikki Bryant LeBlond  
Recreation Supervisor

**Reviewed and Forwarded by:**



Jamie Goldstein, City Manager

2/22/2019



## AGREEMENT FOR LIFEGUARD TRAINING SERVICES

This Agreement for Seasonal Open Water Lifeguard Training Services (this “Agreement”) shall be effective as of \_\_\_\_\_, 2019 and is made and entered into by and between the City of Capitola, a general law city and municipal corporation (“Capitola”) and the Central Fire Protection District of Santa Cruz County, a fire protection district created under the Fire Protection District Law of 1987 (the “District”), (hereinafter collectively referred to as “Parties” and individually as “Party”), both of which are public entities organized and existing under and by virtue of the laws of the State of California.

### RECITALS

WHEREAS, due to the Parties’ proximity to one another and similar organization, the Parties wish to cooperate in the provision of lifeguard training services;

WHEREAS, all employees of Parties performing services pursuant to this Agreement shall remain employees of their respective jurisdiction and no express or implied employment contract exists for the same as a result of this Agreement;

WHEREAS, this Agreement provides a cost-effective option for sharing said lifeguard training functions;

WHEREAS, it is the intent of the Parties that beginning in 2020, the District shall provide lifeguard services for Capitola Beach and training for junior lifeguard instructors for Capitola’s Junior Lifeguard Recreation program; subject to the terms of a potential future contract.

NOW THEREFORE, the Parties agree as follows:

**1. SERVICES.** Commencing \_\_\_\_\_, 2019, District shall provide Seasonal Open Water Lifeguard training services to Capitola’s Beach Lifeguard/Junior Lifeguard Instructors (hereinafter “Capitola Instructors”), pursuant to the terms and conditions hereinafter set forth.

**2. TERM.** The term of this Agreement will commence on \_\_\_\_\_, 2019 and terminate on October 31, 2019. The term of this Agreement may be extended annually, no later than November 1, by mutual agreement of the Parties evidenced in writing as an amendment to this Agreement.

**3. SCHEDULE.** The training services provided by District pursuant to this Agreement will be provided in accordance with the following schedule and at the following levels of service:

- A. Prior to June 17, 2019, District shall provide Seasonal Open Water Lifeguard training for up to 30 Capitola Instructors, which meets United States Lifesaving Association (USLA) standards.
- B. District shall administer no fewer than 2 testing opportunities for Capitola Instructors to meet the 500-meter ocean swim time of under 10 minutes as

required pursuant to USLA requirements, prior to June 1, 2019 and assist Capitola in administering additional testing after June 1 as needed.

- C. District shall provide training which complies with the requirements of Title 22 of the California Code of Regulations “First Aid and CPR Standards and Training for Public Safety Personnel” (“Title 22 First Aid”) (pursuant to 22 CCR 100005 et seq.), to Capitola Instructors.

4. TRAINING/LEVEL OF SERVICE. District shall provide training to Capitola Instructors that is consistent with USLA standards as outlined in Brewster, C. B. Ed. (2017) Open Water Lifesaving: The United States Lifesaving Association Manual, Third Edition. New York, NY Pearson.

5. EQUIPMENT. Capitola shall provide materials necessary to train lifeguards as mutually determined by Parties, a venue for training services and currently available City-owned lifeguard equipment. The District shall provide all other necessary training equipment.

6. COMPENSATION. For all lifeguard training services provided by the District pursuant to this Agreement, including all equipment used by the District in connection therewith and all expenses incurred by the District in connection therewith, Capitola shall pay the District a total of \$12,085. Upon the completion of services provided by District pursuant to this Agreement, District shall submit a \$12,085 invoice to Capitola. Within thirty days of its receipt of said invoice, Capitola shall satisfy the invoice in full in a single lump sum payment. Parties shall have the right to reopen this Agreement to negotiate an adjustment to the compensation herein should the costs to District to provide training services exceed current estimates. In the event of such cost increases, District representatives shall meet and confer with Capitola representatives before said increase in cost service goes into effect.

#### 7. EMPLOYMENT STATUS.

District Personnel: All training personnel hired and employed by District in connection with this Agreement, shall be and remain employees of District, and shall at all times be subject to the direct supervision and control of the District. District shall therefore have full responsibility for payment of all compensation to said personnel, including provision of benefits consistent with District policies and/or collective bargaining agreements. District shall further be responsible for all administrative employment matters concerning said personnel, including compliance with requirements for any and all applicable State and Federal income tax withholding, State and Federal unemployment and disability insurance withholding and contributions, social security tax withholding and contributions, worker’s compensation coverage obligations, wage and hours obligations, Immigration Reform and Control Act obligations, and any other administrative employment requirements. Nothing in this Agreement shall be intended or construed to create an express or implied employer-employee relationship between Capitola and any of the District personnel providing services pursuant to this Agreement. District acknowledges that as employer, it is and continues to be responsible for taking any necessary action, including disciplinary action, with respect to said personnel. As necessary, Capitola shall cooperate fully with District and provide the necessary assistance in reasonably investigating and supporting, through witnesses and documents, facts which may serve as the basis for District taking any disciplinary or corrective action.

Capitola Personnel: All personnel hired and employed by Capitola in connection with this Agreement, shall be and remain employees of Capitola, and shall at all times be subject to the direct supervision and control of Capitola. Capitola shall therefore have full responsibility for payment of all compensation to said personnel, including provision of benefits consistent with City of Capitola policies and/or collective bargaining agreements. Capitola shall further be responsible for all administrative employment matters concerning said personnel, including compliance with requirements for any and all applicable State and Federal income tax withholding, State and Federal unemployment and disability insurance withholding and contributions, social security tax withholding and contributions, worker's compensation coverage obligations, wage and hours obligations, Immigration Reform and Control Act obligations, and any other administrative employment requirements. Nothing in this Agreement shall be intended or construed to create an express or implied employer-employee relationship between District and any of the Capitola personnel trained pursuant to this Agreement. Capitola acknowledges that as employer, it is and continues to be responsible for taking any necessary action, including disciplinary action, with respect to said personnel. As necessary, District shall cooperate fully with Capitola and provide the necessary assistance in reasonably investigating and supporting, through witnesses and documents, facts which may serve as the basis for Capitola taking any disciplinary or corrective action.

**8. APPLICABLE STATUTES, ORDINANCES AND REGULATIONS.** In performing the training services required under this Agreement, District shall comply with and inform the public of applicable federal, state, and Capitola statutes, ordinances and regulations. Nothing in this Agreement shall be construed in any way to reduce or detract from the obligations of District employees to comply with the policies and procedures of District, including but not limited to all applicable personnel policies and procedures and/or collective bargaining agreements, and conflict of interest policies. District shall not be required to establish any policies, procedures, and rules and guidelines for lifeguard training services that are in conflict with or which are otherwise inappropriate under District's applicable policies and procedures.

**9. INSURANCE.** Each of the Parties, at its sole cost and expense, shall insure its activities in connection with this Agreement and obtain, keep in force and maintain, or be permissibly and legally self-insured, as follows:

- i. Commercial General Liability Insurance (contractual liability included) with minimum limits of \$1,000,000 per occurrence.
- ii. Business Automobile Liability Insurance for owned, scheduled, non-owned, or hired automobiles with a combined single liability limit of not less than \$1,000,000 per occurrence.
- iii. Worker's Compensation as required by California State law. Must include a waiver of subrogation.
- iv. The Parties may modify these requirements by mutual written consent, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

The coverages required shall not limit the liability of the Parties.

The coverages for each Party referred to under subsections i and ii shall include the other Party as an additional insured. Each Party upon the execution of this Agreement shall furnish the other Party with certificates of insurance evidencing compliance with all requirements. Certificates shall further provide for thirty (30) days (10 days for non-payment of premium) advance written notice to the other Party of any material modification, change, or cancellation of any of the above insurance coverages.

Each Party shall provide notice to the other Party prior to any insurance policy cancellation.

**10. INDEMNIFICATION.** Each Party (“Indemnitor”) agrees to defend, indemnify, and hold harmless the other Party, its respective officials, officers, employees, agents and volunteers (collectively “Indemnitees”) from any and all claims, demands, damages, liability, losses, expenses, attorneys, fees or costs (collectively “Claims”), which Indemnitee may sustain or incur or which may be imposed upon it, but only in proportion to and to the extent such Claims result from, arise out of, or in any manner are caused by Indemnitor’s negligent or intentional acts or omissions relating to this Agreement. For purposes of this provision none of the District personnel who provide services pursuant to this Agreement shall be construed to be, or considered, Capitola officers, employees or agents.

**11. TERMINATION WITHOUT CAUSE.** Each Party may terminate this Agreement, without cause, by giving written notice to the other Party. Such termination shall be effective sixty (60) days following receipt of written notice.

**12. TERMINATION FOR CAUSE.** Should any Party be in default of any covenant or condition hereof, the other Party may immediately terminate this Agreement for cause if the defaulting Party fails to cure the default within ten (10) calendar days of receiving a written notice of the default.

**13. NON-ASSIGNABILITY.** This Agreement shall not be assigned by either Party without first obtaining the express written consent of the other Party.

**14. NOTICES.** Any and all notices or other communications required or permitted by this Agreement or by law to be served on or given to the Parties shall be in writing and shall be deemed duly served and given when personally or electronically delivered to the Party to whom directed or in lieu of such personal or electronic service when deposited in the United States mail, postage paid to:

City of Capitola  
420 Capitola Ave  
Capitola CA 95010  
Attn: City Manager  
Telephone: (831) 475-7300

Central Fire Protection District  
 Administrative Division  
 930 17th Avenue  
 Santa Cruz, CA 95062  
 Attn: Fire Chief  
 Phone: (831) 479-6842

15. LEGAL REPRESENTATION AND ADVICE. Each Party shall rely upon and consult with its respective jurisdiction's legal counsel regarding legal matters or issues related to its employees' performance pursuant to this Agreement. In the event that a legal matter or issue relates to two or more employees of differing jurisdictions, said jurisdictions shall meet and confer on appropriate legal representation and apportionment of costs, if applicable, consistent with the Parties' obligation under Section 10 above, Indemnification. Notwithstanding the foregoing, no employee, officer or agent of any Party to this Agreement shall be considered an employee of the other Party to this Agreement for purposes of legal representation and advice.

16. ENTIRE AGREEMENT. The Parties agree that this Agreement constitutes the sole and only Agreement between them representing lifeguard and lifeguard management services and correctly sets forth their obligations and duties with respect to each other.

17. AMENDMENT. This Agreement may be amended only by written consent of the Parties.

18. SUBJECT HEADINGS. The subject headings of the paragraphs in this Agreement are included solely for the purposes of convenience and reference, and shall not be deemed to explain, modify, limit, amplify or aid in the meaning, construction or interpretation of any provision of this Agreement.

19. NO INTERPRETATION AGAINST DRAFTING. This Agreement has been negotiated at arm's length between the Parties hereto. Accordingly, any rule or law (including California Civil Code §1635 et seq.) or legal decision that would require interpretation of any ambiguities in this Agreement against the Party that has drafted the applicable provision, is not applicable and is waived. The provisions of this Agreement shall be interpreted in a reasonable manner to effect the purpose and intent of the Parties.

20. EXECUTE IN COUNTERPARTS. The Parties agree that there shall be two originals of this Agreement, which shall be identical in all respects, including form and substance. The Parties may execute this Agreement in two or more counterparts, which shall, in the aggregate, be deemed an original but all of which, together, shall constitute one and the same instrument.

21. GOVERNING LAW. This Agreement shall be construed in accordance with and governed by the laws of the State of California.

22. SEVERABILITY. The unenforceability, invalidity or illegality of any provision(s) of this Agreement shall not render the other provisions unenforceable, invalid or illegal.

The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives.

City of Capitola

By: \_\_\_\_\_

Name: Jamie Goldstein

Its: City Manager

Date: \_\_\_\_\_

Central Fire Protection District

By: \_\_\_\_\_

Name: Steven Hall

Its: Fire Chief

Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

Office of City Attorney

APPROVED AS TO FORM:

\_\_\_\_\_

Office of District Counsel

Attachment: Capitola Lifeguard Training Contract Summer (Consider Contract with Central Fire for Lifeguard Training)





# CAPITOLA CITY COUNCIL AGENDA REPORT

**MEETING OF FEBRUARY 28, 2019**

FROM: Finance Department  
SUBJECT: Mid-Year Budget Report

**RECOMMENDED ACTION:** Receive Mid-Year Budget Report, amend the Fiscal Year 2018-19 Budget based on the attached budget amendment request, authorize the staff changes, and provide direction to staff.

**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 match budget estimates. Due to the passage of Measure J, which increased the TOT rate from 10 percent to 12 percent, staff is recommending an increase of \$151,500 in TOT revenue, which includes \$56,000 of restricted revenues for local business groups and youth programs. However, while TOT revenues are projected to increase, other budgeted revenues are projected to decrease by \$139,000 making the net budget amendment related to General Fund revenues a net increase of only \$12,500.

General Fund expenditures are projected to end the year below budget. The mid-year budget adjustment includes a net decrease of approximately \$29,000 in expenditures based on current trends. These projections are based on the assumption the local economy will maintain steady performance, similar to what was experienced during the prior fiscal year.

**DISCUSSION:**

**Revenues:** General Fund revenues are projected to be above the original Fiscal Year (FY) 2018-19 Adopted Budget. This increase is due to higher TOT revenues resulting from the passage of Measure J. The increase will be offset by lower than anticipated revenues. The total TOT revenue increase of \$151,500, which consists of \$95,500 of unrestricted revenue and \$56,000 of restricted revenue for local business groups and youth programs, will be offset by revenue reductions of \$139,000 due to lower parking citations of \$70,000, planner cost recovery totaling \$48,000, and billing for the shared building official with Scotts Valley of \$21,000 due to the building official not starting until late August 2018.

**Sales Tax:** Sales tax revenues are approximately 9 percent higher through the first half of the

Mid-Year Budget Report  
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fiscal year compared to the same period in the prior year. However, staff believes this increase is primarily due to the California Department of Tax and Fee Administration (CDTFA) getting caught up on payments that should have been remitted to the City 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, the City received approximately \$250,000 more in sales tax revenue than anticipated, which coincides with the estimated amount that was due from the prior fiscal year. The adopted FY 2018-19 budget forecasted sales tax revenues to be flat. Staff believes this to still be the case and is not recommending any budget amendments to sales tax revenue.

Property Tax: The City's property tax collections have increased 5.5 percent over the prior fiscal year, which matches the FY 2018-19 budget. Property tax growth has been consistent for several years, which was anticipated when preparing the FY 2018-19 budget. Staff is not recommending any changes to the property tax revenue budget.

Transient Occupancy Tax (TOT): The City's TOT collections continue to grow at a modest rate following several years of strong growth. Receipts through December are 2.3 percent above the prior year, which is slightly higher than the budgeted increase of 1.5 percent for FY 2018-19. Additionally, voters approved Measure J last November which increased the TOT from 10 percent to 12 percent with portions of the increase restricted for local business groups and youth programs. Staff is recommending increases of \$95,500 for unrestricted General Fund TOT revenue and \$56,000 for restricted General Fund TOT revenue. The restricted TOT revenue will consist of \$30,000 dedicated for local business groups and \$26,000 for youth programs, which will be discussed in greater detail later in this staff report.

*Expenditures*: City Departments have consistently maintained expenditures within the adopted budget. Halfway through the fiscal year the General Fund has expended 52 percent of its budget. The City prepaid its CalPERS Unfunded Actuarial Pension Liability instead of making monthly payments, which put the personnel line item roughly \$608,000 higher at this time of year compared to where we expect personnel costs to end the year.

Account Classification	FY 2018-19 Budget	YTD Transactions	% Used	Prior Year YTD
Personnel	9,235,826	4,783,639	52	4,412,744
Contract services	2,838,000	1,557,994	58	1,500,785
Training & Memberships	126,850	45,126	36	55,365
Supplies	513,250	275,192	54	261,186
Grants and Subsidies	275,000	117,457	44	133,144
Capital outlay	15,000		0	7,121
Internal service fund	1,209,105	604,553	50	595,025
Other financing uses	1,733,843	866,922	50	1,658,453
<b>EXPENSE TOTALS</b>	<b>15,946,874</b>	<b>8,250,883</b>	<b>52%</b>	<b>8,623,822</b>

The proposed expenditure budget amendment results in a net decrease of expenditures totaling \$29,300 as detailed on the attachment to the staff report. Highlights include increasing Special

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Legal Services by \$50,000, and reducing Police Law Enforcement wages by \$110,000 and overtime by \$20,000. Additional amendments include increasing wages in the City Manager's office \$20,000 while reducing Contract Services for Information Services by \$21,000; decreasing wages in the Building Department \$24,100 while increasing Contract Services for building official services by the same \$24,100; increasing the City's participation in the Homeless Action Partnership by \$3,700 primarily due to inadvertently not including the City's costs for the bi-annual census; and decreasing wages in Recreation \$15,000 and increasing Contract Services by the same \$15,000 as part of the Central Fire District training for the Capitola Junior Lifeguard program.

The attached budget amendment proposes adjustments for the identified increases, as well as the reductions. The remaining adjustments are basically a realignment based on year-to-date activity.

Staffing Changes: Staff is proposing to fill the information systems specialist position, which has been vacant since January 2015. Support for City computer systems during this time has been contracted out to two different managed service providers. Staff does not believe the level of service provided by the contractors has been sufficient. By filling the position with a full-time employee, the City will have staff with direct experience to focus on Capitola's current technology needs and the ability to plan for the future. The cost of filling the information systems specialist position versus contracting the services is approximately \$12,000 annually. For the remainder of FY 2018-19, the cost difference will be covered by salary savings due to a vacancy during part of the year.

Local Business Groups: As previously mentioned, Capitola voters approved Measure J in November 2018, which increased the TOT from 10 percent to 12 percent effective January 1, 2019. The estimated increase in TOT revenue for the six-month remainder of FY 2018-19 is \$151,500. Measure J allocates 1.25 percent (\$95,500) of the increase to the general fund as unrestricted revenue, 0.40 percent (\$30,000) to local businesses, and 0.35 percent (\$26,000) to youth and early childhood education programs.

The Resolution of Intent that placed Measure J on the ballot stated that 0.40 percent of TOT revenues will be allocated "to local business groups split between the Capitola-Soquel Chamber of Commerce (Chamber) and the Capitola Village and Wharf Business Improvement Association (BIA) for marketing and community improvements."

Staff is seeking City Council direction regarding how to split the restricted TOT revenues between the two groups and how those revenues should be spent or allocated between marketing and community improvements. Additionally, staff would like to get input from Council on the type and frequency of reporting from local business groups on the expenditure of restricted TOT revenues.

The FY 2018-19 Budget included \$30,000 for the Capitola-Soquel Chamber of Commerce (Chamber) of which \$15,000 was paid during the first half of the fiscal year. During Council

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deliberations in June 2018, it was discussed that if Measure J passed, the new TOT revenue would supplant the \$30,000 general fund allocation to the Chamber.

Staff is recommending using at least \$15,000 of the \$30,000 of FY 2018-19 TOT revenue restricted for local businesses to pay the balance of the budgeted amount to the Chamber. In addition, the BIA has submitted a draft mid-year budget amendment increasing their total budget by approximately \$17,000. Staff is waiting for Council direction prior to bringing the BIA budget amendment before Council for approval.

Youth and Childhood Programs: Measure J also allocated 0.35 percent of TOT revenues exclusively to youth and early childhood programs, which is approximately \$26,000 for the remainder of FY 2018-19. The Adopted FY 2018-19 Budget included Council-awarded grants totaling \$ \$27,516 for youth and childhood education programs.

During Council deliberations in June 2018, it was discussed that if Measure J passed, the new TOT revenue would supplant the \$27,516 budgeted for youth and early childhood education grants. Year-to-date \$13,758 has been paid to the youth and childhood education programs. Staff is recommending using \$13,758 of the estimated \$26,000 in restricted TOT revenues to fund these grants for the remainder of the fiscal year.

If this strategy is approved, an estimated \$12,000 could be made available for additional youth and early childhood programs this fiscal year, or this balance can be carried over into the next fiscal year and added to the estimated \$54,000 of restricted TOT revenue in FY 2019-20. Staff is seeking direction regarding how these funds should be used. Options to consider include directing staff to develop internal City-sponsored youth and childhood projects or establishing a program to grant these funds to other entities.

Community Grant Program: The Adopted FY 2018-19 Budget included \$275,000 for Community Grants. In August 2018 Council awarded grants totaling \$240,914, and allocated \$10,000 into a Local Community Need account. At that time Council directed staff to return during the mid-year budget process to evaluate how best to use the remaining community grant funding.

Since the adoption of the FY 2018-19 Budget, regional issues around homelessness have increased. As a result, the County and other local cities have increased funding for various homeless efforts. Specifically, other cities have partnered with the County to implement an improved coordinated entry program. If Capitola participates in that program the City's contribution would be \$4,944 based on the previous cost-sharing formula.

In addition, regionally there is an effort to develop a comprehensive homeless implementation strategy, to evaluate, align, and improve the countywide response to the crisis of homelessness, which will cost approximately \$360,000. At this point, the County has authorized \$270,000 towards this effort, and the City of Scotts Valley another \$5,150. Staff believes the City of Santa Cruz and Watsonville will also likely participate in the effort.

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Allocating \$10,094 of the remaining Community Grant funding to support regional homeless efforts (\$4,944 for coordinated entry and \$5,150 for the regional strategic planning) would leave about \$14,000 available plus \$10,000 in the Local Community Need account.

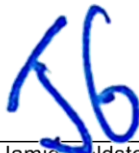
FISCAL IMPACT: The budget adjustment will increase the General Fund revenue budget by \$12,500, reduce the General Fund expenditure budget by \$29,300, and increase the ending General Fund balance by \$41,800. Additionally, the expenditure budget in the Information Technology Internal Service Fund will be reduced by \$21,000.

ATTACHMENTS:

1. Mid-year Budget Amendment

Report Prepared By: Jim Malberg  
Finance Director

**Reviewed and Forwarded by:**



---

Jamie Goldstein, City Manager

2/22/2019

MYE - Summary of Changes				
General Fund				
Incr / (Decr.)\$	Fund	Account	Purpose	
<b>Revenue</b>				
\$ 95,500.00	1000-00-00-000	3170.XXX	Transient Occupancy Tax	
\$ (70,000.00)	1000-20-21-000	3510.200	Fines & Forfeitures Pkg Citations	
\$ (28,000.00)	1000-40-40-000	3460.011	Comm Dev Planning Fee-Assist Plnr cost	
\$ (10,000.00)	1000-40-40-000	3460.012	Comm Dev Planning Fee-Director cost	
\$ (10,000.00)	1000-40-40-000	3460.046	Comm Dev Billing to Green Building	
\$ (21,000.00)	1000-40-41-000	3450.030	Building Fees Scotts Valley Bldg. Official Sharing	
\$ (43,500.00)				
<b>Restricted Revenues</b>				
\$ 30,000.00	1000-10-10-000	3170.300	TOT - Local Business Groups	
\$ 26,000.00	1000-10-18-000	3170.400	TOT - Youth Programs	
\$ 56,000.00				
\$ 12,500.00				
<b>Expenditures</b>				
\$ 8,700.00	1000-10-10-000	4305.002	CS-Gen/Admin SCC-Homeless Action Ptrnship	
\$ 20,000.00	1000-10-11-000	4110.000	Wages Permanent - City Manager	
\$ 50,000.00	1000-10-16-000	4320.102	CS-Legal Svcs Special Services	
\$ (110,000.00)	1000-20-20-000	4110.000	Wages Permanent - Law Enforcement	
\$ (20,000.00)	1000-20-20-000	4130.000	Overtime - Law Enforcement	
\$ (15,000.00)	1000-20-21-000	4110.000	Wages Permanent - Parking Enforcement	
\$ 25,000.00	1000-20-21-000	4120.100	Wages Temporary (hourly & seasonal) - Parking Enforcement	
\$ 31,000.00	1000-30-30-000	4220.000	Flex Credit - Public Works Streets	
\$ (10,000.00)	1000-30-32-000	4120.100	Wages Temporary (hourly & seasonal) - Fleet	
\$ 11,000.00	1000-30-32-000	4280.010	Employer Taxes Medicare - Fleet	
\$ (24,100.00)	1000-40-41-000	4110.000	Wages Permanent - Building	
\$ (10,000.00)	1000-40-41-000	4220.000	Flex Credit - Building	
\$ 24,100.00	1000-40-41-000	4305.900	CS-Gen/Admin Contracts - General - Building	
\$ (10,000.00)	1000-40-41-000	4360-150	CS-Bldg Svcs Bldg Plan Checks Outsourced - Building	
\$ (15,000.00)	1000-50-50-520	4120.100	Wages Temporary (hourly & seasonal) - Recreation Jr. Guards	
\$ 15,000.00	1000-50-50-520	4305.900	CS-Gen/Admin Contracts - General - Recreation Jr. Guards	
\$ (29,300.00)				
\$ 41,800.00				
\$ 41,800.00				
<b>Other Funds</b>				
\$ (21,000.00)	2211-00-00-000	4315.101	CS-Info Tech Contracts Info Tech Services - IT Internal Service Fund	

Attachment: Mid-year Budget Amendment (Mid-Year Budget Report)





## CAPITOLA CITY COUNCIL AGENDA REPORT

**MEETING OF FEBRUARY 28, 2019**

**FROM:** Public Works Department

**SUBJECT:** Consider a Resolution Ratifying a State Division of Boating and Waterways Grant Application for the Capitola Jetty and Flume Rehabilitation Project

**RECOMMENDED ACTION:** Consider ratification and approval of a resolution authorizing a grant application to the California State Park Division of Boating and Waterways for the Capitola Beach Flume and Jetty Rehabilitation Project.

**BACKGROUND:** With the help of funding from the 2016 Measure F sales tax, the Department of Public Works has been working on three important projects on Capitola's beach. These projects include rehabilitation of the wharf, flume, and jetty. In an effort to expand on this local funding, staff identified a California State Parks Division of Boating and Waterways (DBW) grant program as a potential funding match for the flume and jetty project, which have been combined into a single project. The grant program is for beach restoration and erosion control programs and projects. DBW staff have favorably reviewed the scope of the flume and jetty rehabilitation project and encouraged the submittal of a grant application.

**DISCUSSION:** Public Works staff completed the grant application and submitted it prior to the February 1, 2019, deadline. The grant program will match other local funds for a project. Staff applied for a grant award up to \$800,000, one-half of the total project cost. The grant requires a resolution approved by the City Council requesting grant funding be submitted by April 1, 2019. A draft resolution is attached for Council consideration.

Upon submission of the completed application, DBW informed staff that the funding cycle for the grant program will not be considered until adoption of the 2020-21 State budget in June 2020, and all costs paid for by the grant must occur after the grant award date. A copy of the grant application is included as Attachment 1.

This timing for the grant would necessitate delaying the project by one year. Originally staff planned to construct the project this current winter, but this was delayed due to the permit acquisition process taking significantly longer than anticipated. At this time the project has received permits from California Department of Fish and Wildlife and the Regional Water Quality Control Board but is waiting for permits from US Army Corps of Engineers and California Coastal Commission. The Army Corps permit is expected to be issued in March and the Coastal permit is scheduled to be approved at the April Coastal Commission meeting. The current schedule, based on issuances of necessary permits, is to begin construction in November 2019. In order to qualify for any grant funding, if a grant award is ultimately approved, construction

Division of Boats and Water Grant Raftification  
February 28, 2019

would need to be delayed until November 2020.

Staff has requested DBW evaluate the application to attempt to measure where it ranks among the other applications and whether the project will even be recommended for funding.

While rehabilitation of the flume and jetty is vital to maintaining Capitola Beach and implementation of the Soquel Creek Lagoon Management Plan, it is unlikely that either structure will fail if the project is delayed until 2020. On the other hand, completing a Measure F project soon would show the community that the voter-approved funding is being used as promised and in a timely manner.

Staff is continually looking for other grant programs to further augment the Measure F funds and has had conversations with various State agencies including State Parks Department and the Coastal Conservancy. Unfortunately, no other grant programs have been identified at this time.

FISCAL IMPACT: The grant award of an \$800,000 would offset current Measure F funds currently allocated to the project and would allow these funds to be reallocated to other Measure F uses.

ATTACHMENTS:

1. Division of Boating and Waterways Grant Application (PDF)

Report Prepared By: Steve Jesberg  
Public Works Director

**Reviewed and Forwarded by:**



Jamie Goldstein, City Manager

2/22/2019

Division of Boats and Water Grant Raftification  
February 28, 2019

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
AUTHORIZING SUBMITTAL OF A GRANT APPLICATION  
TO REQUEST FUNDING FROM THE CALIFORNIA STATE PARKS  
DIVISION OF BOATING AND WATERWAYS FOR THE  
CAPITOLA FLUME AND JETTY REHABILITATION PROJECT**

**WHEREAS**, the City of Capitola has the authority to construct, operate, and maintain the Capitola Flume and Jetty; and

**WHEREAS**, the City of Capitola is requesting up to a \$800,000 grant from the California State Parks Division of Boating and Waterways for the Capitola Flume and Jetty Rehabilitation Project; and

**WHEREAS**, the Capitola Flume and Jetty Project is vital to preserve and protect Capitola Beach, minimize economic losses caused by beach erosion, and maintain the recreational activities associated with Capitola Beach.

**NOW, THEREFORE, BE IT FUTHER RESOLVED**, that the City Council of the City of Capitola :

1. Requests funding up to \$800,00 pursuant and subject to all of the terms of the Shoreline Erosion Control Program Grant application; and
2. Certifies that the City of Capitola will make adequate provisions for operation and maintenance of the project; and
3. Authorizes and directs the Public Works Director to execute and submit any and all documents pertaining to the application, award agreements, amendments, and pay requests, which may be necessary and required for the project.

**I HEREBY CERTIFY** that the above and foregoing Resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 28th day of February 2019, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Jacques Bertrand, Mayor

ATTEST:

\_\_\_\_\_  
Linda Fridy, City Clerk

# CITY OF CAPITOLA

## 2019 Shoreline Erosion Control Grant Application



For:  
 Shoreline and Beach Grant Programs  
 Attn: Casey Caldwell, Project Manager  
 California State Parks  
 Division of Boating and Waterways  
 One Capitol Mall, Suite 500  
 Sacramento, California 95814



**CITY OF CAPITOLA**  
**420 CAPITOLA AVE.**  
**CAPITOLA, CA 95010**  
 (831) 475-7300 – Phone  
 (831) 479-8879 – Fax

[www.ci.capitola.ca.us](http://www.ci.capitola.ca.us)

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### ATTACHMENTS

- A. PROJECT PLANS
- B. COASTAL ENGINEERING ANALYSIS
- C. BIOLOGICAL TECHNICAL REPORT
- D. SOQUEL CREEK LAGOON MANAGEMENT PLAN ALTERNATIVE ANALYSIS
- E. PERMITS
- F. DPR PRIMARY RECORD REPORTS
- G. SAND TRANSPORT STUDY
- H. PUBLIC MEETING MATERIALS
- I. STATE LANDS COMMISSION LETTER
- J. CAPITOLA LOCAL HAZARD MITIGATION PLAN

Attachment: Division of Boating and Waterways Grant Application (Division of Boats and Water Grant Raffification)

## Section I: Applicant Information

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1. Provide the date this application is being completed
  - 1-30-2019
2. Legal name of the Applicant
  - City of Capitola
3. Type of public entity
  - City
4. Mailing address of the Applicant.
  - City of Capitola  
420 Capitola Ave  
Capitola, CA 95010
5. Provide contact information for the individual DBW should communicate with regarding this application, including their phone number and email address.

Primary Contact:  
Kailash Mozumder  
Public Works Project Manager  
[kmozumder@ci.capitola.ca.us](mailto:kmozumder@ci.capitola.ca.us)  
(831) 475-7300

Secondary Contact:  
Steven Jesberg  
Public Works Director  
[sjesberg@ci.capitola.ca.us](mailto:sjesberg@ci.capitola.ca.us)  
(831) 475-7300

## Section II: General Project Information

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*If this application is requesting funding for one phase of a larger overall project, provide information about the **larger overall project** for items in Section II.*

6. Name of the project.
  - Capitola Jetty and Flume Rehabilitation Project
7. If DBW has previously provided funding for any work on this project, provide the DBW agreement number and indicate when and how much funding was provided. Also provide amounts and dates for other prior State investments in this project.
  - N/A
8. Identify all public agencies that are involved or will be involved in the project. Explain each entity's role in the project, including its involvement in any previous phases of the project.
  - The City of Capitola is and will be the only party involved in the project including all phases of design, permitting and construction.



9. Provide a brief, high-level description of the overall project scope, including but not limited to this phase.

- According to the most recent Coastal Regional Sediment Management Plan, the City of Capitola's beaches receive the highest intensity of use in the region. The presence of this beach community is reliant on the coastal infrastructure that simultaneously provides protection against the elements of flooding and erosion while also creating a public window of access for recreation and enjoyment of the California coastline. The two pieces of crucial infrastructure are the Capitola jetty and flume that work in concert to allow for the implementation of the Soquel Creek Lagoon Management Plan to create the sandy shoreline and enhance the surrounding marine and freshwater habitats.

The City of Capitola's proposed Jetty and Flume Rehabilitation Project (Project) would restore the Capitola jetty and flume to their original, permitted configurations by repairing/replacing the elements that have deteriorated after decades of harsh marine exposure and increase their resiliency so as not to require maintenance for the next 20 years. The completion of the Project will ensure that this historic coastal venue will continue to build memories for the shared community for generations to come.

All construction work on the flume and jetty could occur concurrently. Flume repair is anticipated to occur in fall, and jetty repair is anticipated to occur during the lowest tides of the season but outside of large winter wave events. Total Project duration is anticipated to be 1 to 2 months if performed concurrently, or 3 to 4 months if performed sequentially. Work is anticipated to occur between October 2020 and May 2021.

10. Describe the history of this project up to the date of this grant application.

**Jetty:** The Capitola jetty (although the structure is actually a groin it has been and will continue to be referred to as the 'Jetty') is located at the eastern end of Capitola Beach. The jetty was constructed in 1968 to capture sand and form a stable beach near the mouth of Soquel Creek. The need for increased stabilization of the beach occurred in response to a decrease in the littoral flow from up-coast caused by construction of the Santa Cruz Yacht Harbor jetties (USACE 1966). The Capitola jetty, approximately 250 feet long and 50 feet wide jetty is orientated north-to south, and is located at the southeastern end of Capitola Beach. This jetty has successfully captured sand and provided a stable beach for many years (Moffatt & Nichol 2017). Based on assessments conducted by Moffatt & Nichol, the rock along the jetty has been dislodged by waves and the concrete core has become exposed. Maintenance is required to ensure the jetty continues to trap sand and allow for the continued management of the Soquel Creek Lagoon. A portion of the jetty is below the high tide line (HTL) and Mean High Water Line (MHWL) of Monterey Bay. All work is anticipated to be conducted using land-based equipment. Work near the head (bayside) of the

jetty would occur during low tide to avoid the need for in-water work. Work would be done from the top or western side of the jetty.

Rocks that have been displaced from the jetty would be retrieved using an excavator that traverses the length of the jetty on the top of the jetty. Rock work at the jetty head would only occur during low tide. Up to 380 cubic yards of additional rock, both armor rock and smaller underlayer rock, would be trucked in and placed at upland staging/laydown areas. Underlying rock would be placed on the jetty structure by the excavator bucket in areas where the concrete core of the jetty has become exposed. Armor rock would then be placed on the jetty using an excavator bucket or rock grapple to the elevation, slopes, and limits shown on the original plans.

**Flume:** The flume, originally built in the 1920s is a rectangular concrete structure, supported on piles on the Capitola Beach. The flume is approximately 225 feet long x 5 foot 2 inches wide x 4 foot 7 inches tall. It is orientated north-to-south on the beach and extends from the mouth of Soquel Creek (inlet) to Monterey Bay, (outlet). The inlet to the flume is located below the HTL and above the MHWL of Soquel Creek, but no work to the exterior surface of the flume at the inlet would occur. The proposed Project would include closure of the flume with flashboards, followed by repair of eroded concrete on the lower end (bayside) portion of the flume, including approximately 40 feet on the west side and 85 feet on the east side; installation of a fiberglass liner along the interior of the flume, and placement of five (5) cutoff walls along the flume. The proposed work would be the minimum amount necessary to allow continued safe and efficient operation of the flume. Plywood formwork would be placed along the damaged areas of concrete on 40 to 85 feet of the flume (bayside), and concrete would be pumped from a truck onshore through a standard pump hose. Concrete would be placed into forms with plastic sheeting lining the inside (formliners) of the forms, to prevent water passage through the timber formwork. Admixtures would be placed in the concrete to accelerate the chemical curing of the concrete. Forms would be left on the concrete, with formliners in place, to prevent leaching of concrete into water, until concrete has reached 90 percent of the 28-day mix strength. Once the concrete repairs on the (bayside) exterior of the flume are complete, a fiberglass liner would be placed by hand (“wet lay-up”) on the inside along the entire length of the flume. The cutoff walls, made of fiberglass sheets, or similar material, are 1.5 inches x 8 feet x 16 feet and would be placed at five (5) locations along the flume, at approximately 10, 20, 110, 165, and 195 feet from the inlet. The cutoff walls would reduce the potential for “piping” of the sand under the flume that creates buried voids and can cause sudden collapse of the beach (“sinkholes”), resulting in a significant collapse hazard to the public.

The flume structure and associated repair work will maintain the structure’s current use and there would be no deviation from the structure’s original configuration.

**11.** To the best of your agency's knowledge, has a DBW representative visited the project site in the last 10 years? If so, identify the visitor and the purpose of the visit.

- To the best of our knowledge, no representative from the DBW has visited the project site in the last 10 years.

**12.** Describe known public support for or opposition to the project, or indicate if none exists. If public meetings related to the project have occurred, attach copies of notices and meeting minutes. If public meetings are scheduled, indicate when and where they will occur, and attach any notices that have been made public.

- Public meetings were held in 2018 to review the rehabilitation plans for the Capitola Jett, Flume and Wharf (See Attachment I). During the public meeting and public outreach process members of the community provided overwhelming support to restore the existing jetty and flume to ensure the long-term persistence of Capitola Beach and all the public recreational opportunities it provides.

**13.** Describe each of the problems the project will address. For example, does the project protect public infrastructure, improve emergency access, protect recreational or ecological benefits, and/or address a different public health or safety issue?

- The primary purpose of the project is to restore and protect the jetty and flume to ensure their viability for future generations. These pieces of infrastructure work in unison to allow for creation and maintenance of Capitola beach, enhancement to Soquel Creek fisheries habitat, and protection of Capitola Village from storm surge and sea level rise. Capitola Beach is a primary visitor location that allows the public direct coastal access.

**14.** List the items of public infrastructure and public assets that this project will protect, including but not limited to buildings and roadways.

- Roadways – Cliff Drive – at risk arterial (sea wall and road)
- Bridges – Stockton Avenue Bridge
- Utilities – Sanitary Sewer Regional Pump station at Esplanade Park, Lawn Way Storm Drain Pump Station, Utility mains and lines for water, gas, electrical, storm drain and sewer.
- Esplanade Park – including the Bandstand, public restrooms, showers, children's climbing structure, Public Art
- Capitola Wharf
- Capitola Beach Sea Wall
- Capitola Beach Flume
- Capitola Beach Jetty

**15.** If this project site is located within one mile of a marine protected area, an area of special biological significance, a coastal sanctuary area, and/or an area with known regular surfing activity, please describe each location fitting this description, describe how your agency believes the project will affect each area, and explain the basis for that belief.

- Monterey Bay National Marine Sanctuary – The entire project falls within this protected marine area that stretches from Marin to Cambria. Due to the presence of the unique natural resources found at Capitola beach and the mouth of Soquel Creek a long-term management plan was developed in 1990. The goals of this project are largely driven by the implementation of the Soquel Creek Lagoon Management Plan which has been in place for more than 20 years. The local natural resource agencies are very familiar with the implementation of this guiding document and are supportive of the project as it allows for the long-term implementation of the management plan. Additional support for the project can be found in the Biological Technical Report for the Proposed Capitola Beach Flume and Jetty Rehabilitation Project prepared in 2018.
- Capitola Jetty Surf Break – The primary surfing location in Capitola is off the Capitola Jetty. The jetty surf break is a sheltered reef break that typically breaks just to the left of the jetty (<http://www.cityofcapitola.org/cityadministration/page/capitola-beach-and-surf-cameras>). The goal of the project is to maintain the existing Capitola jetty before it deteriorates and loses its functionality for both the surfing and beach going visitors. The project will not alter the shape, size or orientation of the jetty and no concern about altering this local surf break has been identified. The project has been given support by local surfers who are interested in maintaining the sandy beach and coastal community associated with this break.

**16.** If this project is located within one mile of reserved federal lands, including lands reserved for military, public, or tribal purposes, please describe that nearby location, describe how your agency believes the project will affect that area, and explain the basis for that belief.

- No

**17.** List all environmental reviews, permits, consistency determinations, and other approvals required to construct the project. Indicate the current status of each listed item.

- *California State Lands Commission* – a jurisdictional determination was provided stating that the sovereign title interest was historically transferred to the City of Capitola via the County of Santa Cruz (Sept 27, 2018).
- *Regional Water Quality Control Board* – 401 Water Quality Certification obtained August 2, 2018
- *California Department of Fish and Wildlife* – Streambed Alteration Agreement. A final Streambed Alteration Agreement and CEQA NOE were issued for this project (December 13, 2018).
- *California Coastal Commission* – Coastal Development Permit. Waiver issued for the Flume portion of the work (November 28, 2018). The permit for the jetty is anticipated in April, 2019.
  - *Monterey Bay National Marine Sanctuary* – process will be streamlined with Coastal Development Permit. Anticipated April, 2019.
- *U.S. Army Corps of Engineers* – Consultation letter, NEPA and 404 compliance anticipated Spring 2019.

- *U.S. Department of Fish and Wildlife* – ESA compliance to be completed as part of the Corps permit anticipated completion Spring 2019.
- *National Marine Fisheries Service* – Consultation letter anticipated Spring 2019.

**18.** Explain how all the property within the proposed project area is owned and operated. **The entire project area must be publicly owned throughout the project and for 20 years after project completion. This requirement applies to intellectual property created by studies.**

- The extent of the Capitola Jetty and Flume Rehabilitation Project area falls within the tide lands and submerged lands of Capitola Beach. California acquired ownership of all tide lands and submerged lands upon its admission to the United States in 1850. Capitola Beach was later granted to the County of Santa Cruz by the State Lands Commission (pursuant to chapter 687, statutes of 1935). These lands were subsequently transferred to the City of Capitola (pursuant to chapter 884, statutes of 1974).

**19.** Indicate whether any portion of the project area, or the area expected to be impacted by the project, is a recreational beach under control of the Department of Parks and Recreation.

- No portion of the project area, or the area expected to be impacted by the project are under control of the Department of Parks and Recreation.

**20.** Indicate whether this project has been authorized by Congress for federal financial participation. If it has, identify the source of the authorization.

- No

**21.** Provide a map of the project location. Include markers on the map to show all existing public access points to the shoreline that are located within the project area. Indicate whether each of these points provides access for physically handicapped shoreline visitors. If the project will create additional access points, identify where they will be created. If the project will include beach nourishment, show the constructed footprint and expected changes over time. (More than one map may be necessary to provide this information.)

- See figure C-101 in the project plans (Attachment A). Public access locations are found at break points along the sea wall and from the base of the wharf. These access locations can be utilized by the physically handicapped and aided further by the availability of a beach wheelchair.

**22.** To the best of your agency's knowledge, are any other construction projects planned within or near the boundaries of the littoral cell that may change the subject shoreline or access to it? If so, describe the projects and their expected impacts.

- None

**23.** Describe the impact the project is expected to have on public facilities, including parking areas and traffic, in and near the project area.



- There are no long-term impacts that have been identified or anticipated as a result of implementing the Capitola Jetty and Flume Rehabilitation Project. Temporary impacts include reduced access to the public areas during active construction.

More importantly the implementation of this project will protect several critical facilities identified in the [2013 City of Capitola Local Hazard Mitigation Plan](#). These critical facilities include; Stockton Avenue Bridge, Capitola Wharf, Capitola Beach Sea Wall, Cliff Drive – at risk arterial (sea wall and road), Capitola Pump Station at Esplanade Park, Lawn Way Storm Drain Pump Station, Capitola Beach Flume, and Capitola Beach Jetty.

**24.** Does this project protect, encourage, and/or create low-cost tourism and recreational opportunities? If so, describe them.

- Yes, the project provides protection to Capitola Village which serves as major tourist destination. Visitors to Capitola Village are able to enjoy access to the Monterey Bay Marine Sanctuary by visiting the beach, surfing, kayaking, fishing or simply walking on Capitola Wharf. In addition, Capitola Village provides coastal dining and shopping opportunities. The costs to access the beach, wharf, and surf is free. The cost of the coastal dining and shopping varies to a large range of economic levels. Without the project improvements, all tourist and recreational will be severely impacted and may eventually cease to exist.

**25.** Describe whether and how Applicant believes the project will impact nearby natural resources and residential uses, and explain the basis for that belief.

- The project improvements are a critical element for the implementation of the Soquel Creek Lagoon Management Plan, which focuses on protection and enhancement of the aquatic habitat of Soquel Creek which discharges into Monterey Bay through Capitola Beach. The management plan is key to summer enhancements which create a protected and vibrant fisheries habitat in Soquel Creek for Steelhead trout, a protected species, and other aquatic animals such as western pond turtle and a variety of other fish species. Regarding residential uses, Capitola Village is a mixed use area with an estimate 500 residential units that could be lost or severely impacted without the protection provided by the project.

**26.** If any diking, filling, or dredging requirements are associated with this project, explain why the activity is necessary, and what mitigation measures will be taken to minimize adverse environmental effects.

- The proposed Project has been designed to avoid and minimize direct and indirect impacts to the maximum extent practicable. To avoid and minimize potential environmental effects to biological resources (with additional focus on Endangered Species Act [ESA]-listed and Magnuson Stevensons Act [MSA]-managed species) that may occur during construction activities (i.e., related to water quality, noise, and other construction-related disturbances), the following



best management practices (BMPs) have been incorporated into the proposed Project. Avoidance and minimization measures and conditions previously established in the biological opinions of for the Soquel Creek Lagoon Berm Management Project produced by NMFS and USFWS (NMFS 2013; USFWS 2013) have been incorporated into the Project and have been supplemented with additional measures as identified below.

## Flume

1. Prior to the start of construction and in accordance with the project timeline, a Service-approved fishery biologist will survey the lagoon and flume entrance for tidewater goby, steelhead, and coho salmon that would become exposed, removed, or impacted in any way due to planned activity. The fishery biologist will have the authority to halt or delay construction activities if such activities are resulting in unintended or unanticipated impacts to special status and MSA-managed species and their habitat (NMFS 2013; USFWS 2013; D.W. ALLEY & Associates 2004).
2. A Service-approved fishery biologist will lead an on-site environmental training for work crews prior to the start of the proposed Project to protect surrounding biological resources. Any new crew members brought onto the job prior to Project commencement must undergo the environmental training before starting work on the Project.
3. A Service-approved fishery biologist will be present to monitor during all construction activities that have the potential to affect fish habitat in the lagoon/estuary. This activity includes, but is not limited to, repairs to the flume, jetty, and temporary placement of the contingency bypass (if necessary).
4. If the contingency bypass is instituted, a Service-approved fishery biologist will seine the vicinity of the lagoon periphery to be impacted by construction activities to remove all steelhead and tidewater gobies from the area, followed by installation of a block net to prevent fish from re-entering the impact zone. The block net will remain until the construction area is isolated by exclusionary walls of sandbags or other insert material.
5. The Service-approved fishery biologist will be present to rescue any fish remaining in isolated areas as areas are actively dewatered for construction purposes or flume isolation.6. Monitoring of lagoon water quality (i.e. temperature, dissolved oxygen, turbidity) shall be conducted concurrently with flume repair activities, by a Service-approved fishery biologist if the contingency bypass is installed prior to the facilitated natural breaching of the berm. If the sand berm has been breached prior to the onset of flume repair and the flume is completely isolated from streamflow and tidal inflow, then no water quality monitoring will be necessary.
6. The contractor implementing the proposed Project will exercise every reasonable precaution and BMPs to protect special status and MSA-managed species and their habitats from construction by-products and

- pollutants such as construction debris, chemicals, fuel, hydraulic fluid, fresh cement, saw-dust, or other deleterious materials.
7. A spill plan and appropriate spill control and clean-up materials (e.g., oil absorbent pads) shall be retained on site in case a fuel spill occurs. All construction vehicles and equipment shall be inspected before they are moved to the Project site, and shall not be moved to the site if leaking fluids that could result in spills of toxic materials. All construction vehicles and equipment used on site shall be well maintained and checked daily for fuel, oil, and hydraulic fluid leaks or other problems that could result in spills of toxic materials.
  8. Vehicle staging, cleaning, maintenance, refueling, and fuel storage shall take place in a vehicle staging area placed 100 feet or more from Soquel Creek and Lagoon and the mean higher high water (MHHW). The fueling area will be double lined. Daily monitoring will occur to ensure there are no leaks. Oil absorbing pads, drip pans, or similar devices will be placed beneath the equipment when staged overnight to catch any leakage.
  9. Once flume maintenance construction activities are complete, all temporary construction-related equipment and material will be removed from the site.
  10. During construction, all trash within the work site must be properly contained as to not leave the work site or affect biological resources in any way.
  11. A summary of the observed actions associated with the flume rehabilitation will be incorporated into a post-construction report provided to NMFS following the completion of Project activities.

### **Jetty**

1. Prior to the start of jetty rehabilitation activities, a Service-approved marine biologist will survey the area for species that may be removed and/relocated, including but not limited to, pinnipeds (seals or sea lions), fissipeds (sea otters), shorebirds, and other species that could make use of this man-made intertidal rocky reef structure. Species, with the exception to all marine mammals, observed within the work area will be flushed or relocated to suitable habitat outside of the action area to the extent feasible.
2. Specific protocol shall be followed with respect to marine mammals that implements measures to avoid exposure of marine mammals to construction disturbance and/or high sound levels that could result in Level B harassment. This protocol includes the following:
  - a. Marine mammal observations shall be conducted to determine use of the area by marine mammals before jetty repair operations begin. Observations could be conducted from the beach.
  - b. Pre-construction monitoring to update information on the animals' occurrence in and near the project area, their movement patterns, and their use of the site as a haul-out site.

- c. Construction-period biological monitoring to search for target marine mammal species and halt project activities that could result in injury or mortality to these species.
  - d. A Service-approved marine biologist will flush the area of any wildlife prior to the start of work each day and will be present to monitor during all work activities.
  - e. The marine biologist will have the authority to halt construction activities if such activities are resulting in unintended or unanticipated impacts to special status and MSA-managed species and their habitat.
3. For construction conducted within the nesting bird season (e.g. February 15 – September 15), a pre-construction nesting bird survey shall need to be conducted. No more than three days prior to initiation of construction activities, a qualified biologist shall conduct a nesting bird survey to determine if active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the work area, or within 300 feet of the work area. If active nests are found, construction activities within 300 feet of the nests (or as determined by the qualified biologist in consultation with CDFW) shall be postponed or halted, until the nest is vacated, the young have fledged, and/or there is no evidence of a second attempt at nesting. Bird surveys shall include inspection of rip-rap/rock jetty areas, inspection of rooftops for nesting western gulls, and inspection of any other areas within 300 feet of the work area where birds may be nesting.
  4. To the extent feasible, jetty rehabilitation work will be conducted at low tide when the work area is exposed, minimizing the contact of construction equipment with water. Movement and placement of clean rock material along the jetty will be done from the top of the jetty, or from the western side of the jetty on dry land.
  5. A Service-approved biologist will lead an on-site environmental training for work crews prior to the start of the proposed project to protect surrounding biological resources. Any new crew members brought onto the job prior to project commencement must undergo the environmental training before starting work on the project. Pre-construction training will involve discussion on the status and sensitivity of the target species in the area and the actions to be taken to avoid or minimize impacts in the event of a target species entering the work area.
  6. The contractor implementing the proposed Project will exercise every reasonable precaution and BMPs to protect marine biological resources from construction by-products and pollutants, such as construction debris, chemicals, fuel, hydraulic fluid, fresh cement, saw-dust, or other deleterious materials.
  7. All construction equipment must be checked at the beginning of each work day for leaks and functionality. If leaks occur within the work area the Corps, the permit holders, or the contractor must contain the spill and remove the affected soils/sediment immediately. If a spill occurs into a sensitive aquatic resource, NMFS must be notified immediately for

- consultation on clean-up procedures. BMPs, such as drip pans, shall be used to minimize this risk.
8. Vehicle staging, cleaning, maintenance, refueling, and fuel storage shall take place in a vehicle staging area placed 100 feet or more from Soquel Creek and Lagoon and the mean higher high water (MHHW). The fueling area will be double lined. Daily monitoring will occur to ensure there are no leaks. Oil absorbing pads, drip pans, or similar devices will be placed beneath the equipment staged overnight to catch any leakage.
  9. No vibratory hammers or similar equipment will be used for the proposed Project.
  10. Once jetty restoration activities are complete, all temporary construction-related equipment and material will be removed from the site.
  11. During construction, all trash within the work site must be properly contained as to not affect biological resources in any way.
  12. A summary of the observed actions associated with the jetty rehabilitation will be incorporated into a post-construction report provided to NMFS following the completion of project activities.
- 27.** If this project will construct a revetment, breakwater, groin, harbor channel, seawall, cliff retaining wall, or other similar structure that would alter natural shoreline processes, please describe the structure to be built and the anticipated impact of the structure on the shoreline.
- The project involves the restoration of a groin that has been in place since 1968. This structure has experienced considerable degradation since construction and its rehabilitation is necessary to ensure long term functionality. The project has been designed to maintain the existing shoreline infrastructure without altering their functionality. Due to these design goals no changes to the existing natural shoreline processes are anticipated. This conclusion is further justified by our Capitola Sand Transport Study developed by Moffatt and Nichols (December 20, 2017).
- 28.** Explain all steps that have been taken to ensure that this project will not duplicate or affect other existing or planned projects near the project area and within the littoral cell.
- According to the 2015 Coastal Regional Sediment Management Plan the Capitola Jetty is the only functioning groin within the Santa Cruz Littoral Cell (p73). This project does not duplicate any other projects in the region and no other projects are known to be planned by and adjacent jurisdictions.
- 29.** Explain how sea level rise may impact the effectiveness of this project, and what steps will be taken in the project design to account for possible sea level rise. In addition, explain how this project will help to solve the long-term issues within the littoral cell related to sea level rise.
- One of the primary needs for this project is to protect the coastal public resources from sea level rise by ensuring the flume and jetty are restored to their original design specifications which in turn allows Capitola beach to maintain maximum sand retention.

**30.** Indicate whether the proposed project appears in a Local Coastal Program plan that the California Coastal Commission has certified. If it has, provide a copy of the plan or a URL link to it, and identify the relevant page number(s).

- The City of Capitola has a Local Coastal Program that was certified by the California Coastal Commission in 1981. At the time the LCP was developed the Capitola jetty had been in place less than 15 years and was functioning as designed. It is noted in the LCP that the City of Capitola made a wise investment in developing a groin to protect the existing coastal dependent uses, structures and a public beach that was in danger from erosion. To address the risk of beach erosion the LCP includes the recommendation to add additional rock groins to protect existing development and public beaches (pages 53, 79 and 82).

**31.** Indicate whether the proposed project addresses recommendations contained in a final, published Coastal Regional Sediment Management Plan prepared in collaboration with the Coastal Sediment Management Workgroup (<https://www.parks.ca.gov/29337>). If it has, identify the Plan and page number(s).

- Capitola beach and Esplanade is identified as a Beach Erosion Concern Area (BECA 12) in the Coastal Regional Sediment Management Plan for the Santa Cruz Littoral Cell (pg. IV). Capitola Beach is also listed as the beach with the highest intensity of use within the plan area (pg. XVII) and lists a jetty as a recommended regional sediment management strategy.

The proposed project is described in section 8.12 “Capitola Beach and Esplanade” pages 207-208 and is identified as a Beach Erosion Concern Area (BECA 12) in the Coastal Regional Sediment Management Plan for the Santa Cruz Littoral Cell.

**32.** If any other shoreline protection projects costing over \$100,000 (including pre-construction costs) have occurred in the project area in the 10 years prior to the date of this Application, describe the projects and the results of those projects.

- No

### Section III: Grant Request and Project Information

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**33.** Identify the grant funding amount being requested from DBW in this application. In addition, indicate whether the Applicant would accept a lesser amount of funding if DBW cannot fully fund the project phase this year, and if so, the minimum amount of funding that would be useful for this project phase.

- The anticipated cost for this project is \$1,602,900. The City of Capitola has committed 50% of this amount from the City General Fund. Based on this commitment the grant funding request is for a matching \$800,000. A minimum grant award of \$200,000 is requested.

34. Identify the project phase to be funded through this grant; for example, feasibility study, design, or construction.

- Construction

35. Provide the expected start date and completion date for this phase of the project, and attach an estimated project schedule that includes all project phases.

- Design – October 2017 – June 2019
- Permitting – May 2018 – June 2019
- Construction – October 2020 – May 2021

36. Provide a list of estimated benefits (e.g. health and safety, storm damage reduction, ecological, recreational) for this phase of the project, and for the project as a whole, including any benefits that will be realized within the 10 years following completion of construction. Quantify these benefits to the extent possible, and if applicable, include estimated state, local, and county tax benefits. Separately list any benefits that cannot be quantified, including recreational benefits, protection of unquantifiable resources, and other environmental justice considerations.

- The City of Capitola’s Local Hazard Mitigation Plan identifies the following

Facility	Replacement Value
Stockton Avenue Bridge	\$7 million
Sea Wall	\$3 million
Cliff Drive	\$5 million
Capitola Sewer Pump Station	\$2 million
Lawn Way Storm Pump station	\$200,000
Flume & Jetty	\$5 million
<b>Total</b>	<b>\$22.2 million</b>

Immediate protection from storm damage of all these elements will be provided by the project.

Capitola Village provides the following tax revenues, all of which will be protected and preserved by the project.

Tax	Local revenue	State revenue	County revenue
Sales Tax	\$476,595	\$1,876,592	\$1,697,870
District Sales Tax	\$181,887	-	-
Property Tax	\$1,955,458	-	\$829,531
<b>Total</b>	<b>\$2,613,940</b>	<b>\$1,876,592</b>	<b>\$2,527,401</b>

37. Provide a list of estimated costs for this phase of the project, and for the project as a whole, including expected maintenance costs and any other required costs that will be realized within the 10 years following completion of construction. Identify the source(s) of funding that are expected to pay these costs, including costs that will be paid through



in-kind match provided by the project sponsor. Clearly explain all funding sources for the current project phase, including matching funds and proposed in-kind contributions. **DBW can only provide grants for projects that are or will be fully funded.** Quantify these costs to the extent possible, and if applicable, include contingency costs, permitting costs, inspection costs, and escalation costs. Separately list any costs that cannot be quantified. If quantified costs exceed the quantified benefits listed in response #36, please explain the Applicant’s rationale for proceeding with this project, accounting for unquantifiable benefits as Applicant considers appropriate.

- Proposed Project Budget:

Item	Expenses	Funding	
		City General Funds	Grant Funds
	Total cost		
Permitting	\$180,500	\$180,500	-
Design	\$162,400	\$162,400	-
Construction	\$1,220,000	\$420,000	\$800,000
Contingency	\$40,000	\$40,000	-
<b>Total</b>	<b>\$1,602,900</b>	<b>\$802,900</b>	<b>\$800,000</b>

**38.** Explain in no more than 100 words why your agency believes the benefits of this project exceed the costs of the project, including benefits and costs that will be realized over the 10 years following completion of construction.

- The expenditure of \$1.6 million for the Capitola Jetty and Flume Restoration Project will protect the public and private assets within Capitola Village for a least the next two decades. As shown above the public infrastructure being protected is \$22 million and the annual tax revenue is over \$2 million.

**39.** Identify potential alternatives to this project, **including the “no project” condition and managed retreat**, and explain why the proposed project was chosen over these alternatives.

The Soquel Creek Lagoon Management Plan (Management Plan) is the driving document for the City’s management of Capitola beach and the mouth of Soquel Creek. Maintaining the jetty and flume is critical to the implementation of the Management Plan. During the design and permitting phases of this proposed project as well as the implementation of the Management Plan multiple alternatives analysis have been performed. The two most recent alternatives analysis that were conducted were the Management Plan Alternatives Analysis and the Capitola Beach Jetty Rehabilitation – Coastal Engineering Analysis. The full text for these analysis are found in Attachments B and D and summarized below.

In the Management Plan Alternatives Analysis three alternatives were evaluated; 1). Implementation of the Soquel Creek Lagoon Management Plan Alternatives Analysis, 2). No Project, and 3). Permanently install the lagoon. Of the thee alternatives looked at the least environmentally damaging practicable alternative

(LEDPA) selected was the implementation of the management plan, which requires the upkeep of both the jetty and flume.

The Coastal Engineering Alternatives Analysis evaluated the following options; 1). No Project, 2). Beach Nourishment without jetty repair, 3). Wave Attenuators, and 4.) Repairs to Existing Jetty. The results of this effort resulted in support of the Alternative 4 – Repairs to Existing Jetty. This was selected due to the low environmental impact, long design life, cost efficiency, construction feasibility and ability of the project to perform the required function.

**40.** If this is a beach restoration or beach nourishment project, provide information on compatibility of the nourishment sand with the native sand (grain size, angularity, color, percent fines, etc.); what the expected rate of shoreline retreat and sand volume loss will be after the project is completed; how frequently Applicant believes the project site will need to be renourished, and what sources of sand and funding exist to supply and pay for future renourishments. Also indicate whether the project has the potential to make beneficial reuse of sediment that is expected to be obtained from a separate project.

- NA

**41.** Attach any studies, environmental reports, biological surveys, and designs that have been prepared for the project.

- Project Plans
- Coastal Engineering Analysis
- Biological Technical Report
- Soquel Creek Lagoon Management Plan Alternative Analysis
- Permits
- Historic reports – DPR Primary Records
- Sand Transport Study
- Public Meeting Materials
- State Lands Commission Letter
- Capitola Local Hazard Mitigation Plan

**42.** If Applicant has retained an outside engineer, designer, or other consultant for the project, provide contact information including individual's name, title, company, address, telephone, and email address.

**Engineering**

Brad Porter & Sam Tooley

Moffatt & Nichol

2185 N. California Blvd. Suite 500

Walnut Creek, CA 94596

[BPorter@moffattnichol.com](mailto:BPorter@moffattnichol.com) & [stooley@moffattnichol.com](mailto:stooley@moffattnichol.com)

925-944-5411

**Permitting**

Dave Wickens  
Dudek  
1630 San Pablo Avenue, Suite 300  
Oakland, CA 94612  
[dwickens@dudek.com](mailto:dwickens@dudek.com)  
510-601-2500

**Historical**

Leslie Dill  
Archives & Architecture, LLC  
PO Box 1332  
San Jose CA 95109  
[ldill@archistory.com](mailto:ldill@archistory.com)  
408.297.2684 office

**43.** Attach resolutions from all governing bodies that, through this Application, are formally requesting grant funding from DBW for this project phase. If resolutions are not yet available, indicate when DBW should expect to receive them. **DBW must receive all necessary resolutions by Monday, April 1.**

- A resolution will be considered by the Capitola City Council in February and transmitted to the DBW by no later than March 15, 2019.

**Section IV: Match Commitment**

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**44.** Indicate and list the amount and types of match Applicant proposes to provide for this project. If local personnel time will be used, include each individual’s title, hourly rate (straight time only), and expected hours worked.

City General Fund (Measure F funds) - 100% of match  
Personnel time will not be used for matching funds

**Section V: Signature**

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45. Type the following statement:  
“Under penalty of perjury, I hereby certify that I am an authorized representative of the Applicant, and that I have been authorized by the Applicant by resolution to execute this Application for DBW funding.”

\_\_\_\_\_  
Steven E. Jesberg  
Public Works Director:                      \_\_\_/\_\_\_/\_\_\_

Attachment: Division of Boating and Waterways Grant Application (Division of Boats and Water Grant Raffication)