



AGENDA COVER
Regular Joint Meeting of the
CAPITOLA CITY COUNCIL/
REDEVELOPMENT AGENCY
MEETING DATE: THURSDAY, MARCH 10, 2011

CITY COUNCIL CHAMBERS: 420 CAPITOLA AVENUE, CAPITOLA

CLOSED SESSION JOINT CITY COUNCIL/REDEVELOPMENT AGENCY REGULAR MEETING	5:00 P.M. 7:00 P.M.
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Elected Officials

Dennis Norton, Mayor
Michael Termini, Vice Mayor
Stephanie Harlan, Council Member
Kirby Nicol, Council Member
Sam Storey, Council Member

Jacques Bertrand, City Treasurer

City Staff Members

Jamie Goldstein, City Manager
John G. Barisone, City Attorney
Pamela Greeninger, City Clerk
Mike Card, Chief of Police
Derek Johnson,
Community Development Director
Steven Jesberg, Public Works Director

Notice regarding City Council/Redevelopment Agency Meetings: The Capitola City Council and Redevelopment Agency meet jointly on the 2nd and 4th Thursday of each month at 7:00 p.m., in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The City Council/Redevelopment Agency Agenda and the complete agenda packet are available on the Internet at the City's website: www.ci.capitola.ca.us. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola.

Agenda Document Review: The complete agenda packet is available at City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. Need more information? Contact the City Clerk's office at 831-475-7300.

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

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

Televised Meetings: City Council/Redevelopment Agency meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed at 12:00 Noon on the Saturday following the meetings 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.ci.capitola.ca.us by clicking on the Home Page link "**View Capitola Meeting Live On-Line.**" Archived meetings can be viewed from the website at anytime.

It is the intent of the City Council to adjourn by 11:30 p.m.



AGENDA

Regular Joint Meeting of the CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY Thursday, March 10, 2011

5:00 P.M - CLOSED SESSION - CITY MANAGER'S OFFICE

An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council/Redevelopment Agency Directors on closed session items only.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9a)

Talbert vs. City of Capitola, et al [U.S. District Court Case No. C 10-03113 JW (N.D. Cal.)]

Surf and Sand, LLC vs. City of Capitola, et al (Surf & Sand Mobile Home Park) [Superior Court of the State of California for County of Santa Cruz, Case #CV 167716]

Surf and Sand, LLC vs. City of Capitola, et al (Surf & Sand Mobile Home Park) [U.S. District Court N.D., Case No. C09-05542 RS (Judge Richard Seeborg)]

Los Altos/El Granada Investors vs. City of Capitola, et al (Castle Mobile Estates) [U.S. District Court N.D., Case No. CV 04-05138 JF (Judge Jeremy Fogel)]

Vieira Enterprises, Inc. vs. City of Capitola (Cabrillo Mobile Estates)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9:
One Case: Vieira Enterprises, Inc. vs. City of Capitola (Cabrillo Mobile Estates)

The City is in receipt of a December 30, 2010, Fair Return rent increase application for Cabrillo Mobilehome Park, which claims that if it is not granted in its entirety, the City will be liable for the unconstitutional taking of Mr. Vieira's property and further claims that the City's past enforcement of its rent control ordinance has already functioned to effect such a taking.

REGULAR JOINT MEETING OF THE CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY

ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members/Directors Harlan, Termini, Nicol, Storey,
and Mayor/Chairperson Norton

*** * * PRESENTATIONS * * ***

Introduction of Ryan Farotte, Police Reserve Officer

Presentation of the first Capitola Green Building Award
to John Hofacre for building his home
located at 1375 49th Avenue
pursuant to the City's Green Building Program
with a total of 97 Points

Santa Cruz Public Libraries JPA Board Report
by Teresa Landers, Director of Libraries

1. REPORT ON CLOSED SESSION

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

Oral Communications allows time for members of the Public to address the City Council/Redevelopment Agency 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.

C. Staff Comments

D. City Council/RDA Director/Treasurer Comments/Committee Reports

City Council Members/Redevelopment Agency Directors/City Treasurer may comment on matters of a general nature or identify issues for staff response or future council/RDA consideration. Council Members/RDA Directors/Committee Representatives may present oral updates from standing committees at this time.

- 1) Presentation of the 2010 Capitola Art & Cultural Commission Annual Report. Staff recommendation: receive report.

E. Committee Appointments

Council Members/RDA Directors/Committee Representatives may present oral updates from standing committees at this time. Committee appointments may also be made by the City Council/Redevelopment Agency at this time.

2. ORAL COMMUNICATIONS - Continued

F. Approval of Check Register Reports

- 1) City: Approval of City Check Register Reports dated February 18 and February 25, 2011
- 2) RDA: Approval of Redevelopment Agency Check Register Reports dated February 18 and March 2, 2011

3. **CONSENT CALENDAR**

All matters listed under "Consent Calendar" are considered by the City Council/ Redevelopment Agency to be routine and 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 Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following "Other Business."

- A. Approve Reading by Title of all Ordinances and Resolutions and declare that said Titles which appear on the Public Agenda shall be determined to have been read by Title and Further Reading Waived.
- B. City/RDA: Approve City Council/Redevelopment Agency Minutes of the Joint Regular Meeting of February 10, 2011, the Special Joint Budgeting Principles Session of February 17, 2011, and the Adjourned Closed Session Meeting of the City Council of February 28, 2011.
- C. Receive Planning Commission Action Minutes for the Regular Meeting of March 3, 2011.
- D. Approve Administrative Policy for Digital Reading Device Purchasing.
- E. Approve Administrative Policy for Electronic Communications during Open Public Meetings subject to The Brown Act.

4. **PUBLIC HEARINGS – None**

5. **OTHER BUSINESS**

- A. Consideration of SB 444 (Evans) regarding mobilehome park resident surveys and AB 579 (Monning) regarding mobilehome park litigation fees. Staff recommendation: Council direction.

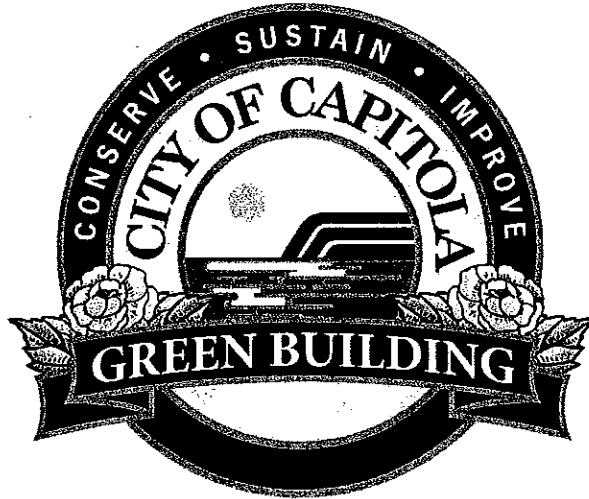
5. OTHER BUSINESS - Continued

- B. City of Capitola Greenhouse Gas Emissions Inventory 2005 Baseline Report. Staff recommendation: receive report.
- C. Village Pay by Space Pay Station Project. Staff recommendation: adopt resolution amending the FY2010/11 budget and approve a contract with Cale Parking Systems in the amount of \$181,571.27 for the purchase and installation of fourteen Pay By Space Pay Stations along the Esplanade and Monterey Avenue.
- D. Rispin Property Hazard Abatement. Staff recommendation: adopt resolution by 4/5 vote declaring an emergency condition exists, accept Notice of Summary Abatement Order to Abate Dangerous Building and Grounds, and approve Notice of Exemption from CEQA for the Rispin Mansion Property Rehabilitation Project.
- E. Approve a sole source contract with Anderson Brulé Architects, Inc., for planning and architectural design services in the amount of \$550,000 for the Capitola Library.
- F. Resolution Amending the FY2010/11 budget in the amount of \$2,586,270 for 2011 City of Capitola/Redevelopment Agency Cooperation Agreement Specified Programs and Projects. Staff recommendation: adopt resolution.

<i>AT THIS POINT, ITEMS REMOVED FROM CONSENT CALENDAR WILL BE CONSIDERED</i>
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6. COUNCIL/RDA DIRECTOR/STAFF COMMUNICATIONS**7. ADJOURNMENT**

Adjourn to the next Joint Regular Meeting of the City Council/Redevelopment Agency to be held on Thursday, March 24, 2011, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.



Green Building Award

The City of Capitola hereby recognizes and commends

JOHN HOFACRE

for his efforts toward building a better environment for the citizens of Capitola by constructing his home located at 1375 49th Avenue, Capitola ~ Assessor's Parcel Number 034-065-29 pursuant to the City of Capitola's Green Building Program and Capitola Municipal Code Chapter 17.10 with a total of 97 points.

The Mayor and City Council of the City of Capitola are proud to present the First Green Building Award to John Hofacre on this 10th day of March, 2011.

Dennis R. Norton, Mayor

A handwritten signature in black ink, appearing to be "Mark Wheeler".

Mark Wheeler, Building Official



PRESENTATION

CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: CITY MANAGER'S DEPARTMENT

DATE: MARCH 2, 2011

SUBJECT: LIBRARY JPA STATUS UPDATE

Recommended Action: Receive report.

DISCUSSION

Teresa Landers, Director of Libraries, will be giving a status update on the Library JPA.

ATTACHMENT

3-5 Year Strategic Plan for 2010-2015

Report Prepared By: Liz Nichols
Executive Assistant to the City Manager

**Reviewed and Forwarded
by the City Manager** _____

Santa Cruz Public Libraries A City-County System

3-5 Year Strategic Plan 2010-2015

Connect, Inspire, Inform



Library Joint Powers Board

Barbara Gorson, Chair, Citizenmember
Leigh Poitingner, Vice-Chair, Citizenmember
Katherine Beiers, Santa Cruz City Council
Nancy Gerdt, Citizenmember
Ellen Pirie, Santa Cruz County Board of Supervisors
Jim Reed, Scotts Valley City Council
Mike Rotkin, Santa Cruz City Council
Mark Stone, Santa Cruz County Board of Supervisors
Sam Storey, Capitola City Council



Message from the Chair of the Library Joint Powers Board

Given the significant challenges the Library System is currently facing, it is more critical than ever that we develop a solid strategic plan which defines our purpose, guiding principles, and service priorities and key objectives for the future. We are very fortunate that our community loves and uses its libraries and I am thankful that we received so many valuable comments from community members over the past six months. I am confident that we will meet our challenges and find opportunities to continue to rethink and improve library services. It will take all of us -- Library Board members, Library Staff, and our Community -- to reach our goals. With your help, the Santa Cruz Public Libraries will remain front and center in our community; connecting, inspiring, informing, and improving the quality of all our lives.

Barbara Gorson
Chair
Library Joint Powers Board



Message from the Library Director

This is an exciting time for libraries across the country. Most, like Santa Cruz, are facing the most challenging financial situation they and their communities have ever faced. Yet, it is also a time of opportunity. It is a time to reexamine all we do, find ways to be more responsive to our communities' needs, and provide service in new and relevant ways. Every day we impact lives and the community; from the toddler with her first board book to the unemployed worker who applies for a job using library computers.

While we can't plan our way out of a recession, a strategic plan can provide direction. By understanding our purpose, vision, mission, values, and goals, we create a framework within which the governing board and staff can operate and make decisions. During the planning process we strove to involve the community as much as possible. I am confident we will survive this difficult phase and come out the other end stronger for it. We are facing much change and my hope is that this plan will help us face the threats and recognize and take advantage of the opportunities.

Teresa Landers
Library Director

The Strategic Planning Process

This strategic plan was developed during August 2009-March 2010. A steering committee representing various segments of the community was selected to lead the process with input from the Library Joint Powers Board, library staff, and the community at large.



Committee:

Staff:	Teresa Landers Emily Galli Janis O'Driscoll	Diane Cowen Merritt Taylor
JPB:	Barbara Gorson Nancy Gerdt Leigh Poitinger (alternate)	Katherine Beiers Sam Storey
Community:	Bill Tysseling, Santa Cruz Chamber of Commerce Theresa Rouse, Santa Cruz County Office of Education Mary K. Simpson, Friends of the Library Mac-i Crowell, Teen Advisory Board Julia Rogers, UCSC and South County	

Volunteers:

Becky Barrett	James Bourne	Ann Brucken
Ann Bunn	Darshana Croskrey	Judy D'Alessandro
Ron D'Alessandro	Gwen and Tim Clark	Nancy Drainkard
Susan Samuels Drake	Taffy Everets	Jack Farr
Renee Fleming	Glenda Hastings	Tracey Hawes
Dorrie Kennedy	Jackie Keogh	Mike Keogh
Mary Klassen	Darby Kremers	Dawn LeClair
Sylvia Lee	Paul Machlis	Carole McPherson
Teall Messer	Jerri Milgilacutti	Stacy Mitchell
Michele Mosher	Molly Ording	Matt Pond
Tracy Pond	Lise Quintara	Marilyn Robertson
Rene Roland	Renee Rothman	Paula Sarkar
Ernie Tavella	Phyllis Taylor	Valerie Tudor
Debra Van Bruggen	Elizabeth Walch	Ronnie Zamora
Martha Zentner		

Special thanks to Sandi Imperio for layout and design.

The Process

TOWN HALLS

Eleven town halls were led by the library director. These were held in the communities served by each of the ten branches and a special bilingual one. This also served as an opportunity for the new library director, who arrived in July 2009, to get to know the communities and for them to get to know her through an informal “meet and greet” held before each session.

FOCUS GROUPS

Special focus groups were conducted with the library director and various members of the steering committee meeting with senior citizens, homeschooling families, the homeless, Bonny Doon community members, and the business community. Library staff participated in two sessions and engaged in a values exercise.

SURVEYS

A survey was administered in the library branches, online and at grocery stores throughout the county service area during 4 Saturdays in January and February. Over 2500 responses were received.

DIRECTOR’S BLOG

The Library director maintained a blog which invited comments. A web page devoted to the strategic plan was kept updated with data as it was received and included an opportunity to submit comments. Over 50 comments were received.

ENVIRONMENTAL SCAN

An environmental scan was conducted to glean local and library demographic and statistical data deemed useful to inform the planning process. This data also included comparisons with similar libraries in California and throughout the United States and a review of national library trends.



At the town halls and focus groups people were asked about strengths, weaknesses, threats, and opportunities.

The clearest message from the community was support for a free library system open to all. Being able to borrow items throughout the system and free computer access were also consistently mentioned as strengths. Friendly helpful staff was also identified as a major strength.

STRENGTHS

The most glaring weakness identified was the dearth of hours the libraries are open and the overall lack of adequate and consistent funding, with dependence on the now unreliable sales and property taxes. Opinions varied greatly on the best response, but it was clear that difficult decisions would need to be made to ensure a financially sustainable library system.

WEAKNESSES

The need for better marketing and establishment of a clear brand were also identified as weaknesses; resulting in the public not necessarily understanding all the services the library has to offer.

The biggest threats identified were the uncertain financial future and the perception that libraries have become luxuries rather than necessities.

THREATS

There were many who see the financial difficulties as an opportunity to look at everything anew and reshape the system by identifying efficiencies and changes that will better position the library to survive financially and remain relevant.

OPPORTUNITIES

Specific opportunities identified included building partnerships in the community to improve financial and other support, making better use of local talent, and putting a focus on the library as a center for community learning and interaction.





At the town halls and in the survey, participants were asked to prioritize services.

The top responses were remarkably consistent throughout the system.

- Reading, Viewing and Listening for Pleasure was number one for both the survey and the town halls
- Lifelong Learning was number 3 for both the survey and the town halls
- Create Young Readers was in the top 4 for both; even in town hall sessions with no young parents
- Connect with the Online World ranked 5 for the survey and 6 for the town halls
- Visit a Comfortable Place was number 8 for the survey and 4 for the town halls
- Finding and Evaluating Information and Reference Services were higher priorities on the survey than in the town halls.
- Homework Help was a high priority for youth under 18 and for the Latino community according to the survey and number 6 in the town halls.

All this information is reflected in this plan. The plan includes a statement of purpose, vision and mission statements, shared values, guiding principles, and six strategic directions with accompanying objectives. Goals and specific action steps are included in a separate document and will be continually evaluated and developed as the plan progresses with input from appropriate stakeholders.

"Reading, Viewing and
Listening for Pleasure"
was number one

By the Numbers

Resources Available to the Community

- 10 branch libraries plus Outreach Services
- 1 bookmobile with over 17 distinct stops
- 1 virtual branch (website)
- New Scotts Valley branch scheduled to open April 2011
- SCPL facilities open 206 hours per week in FY2009/2010
- Collection of 516,167 items
- Staff: 97.42 full time equivalents in FY2009/2010
- Volunteers: 550 active volunteers contributed 14,378 hours in fiscal year 2008-2009
- 152 public Internet access computers



Services Provided to the Community

In fiscal year 2008-2009 at SCPL, there were:

- 2,221,819 loans to customers
- 1,285,407 visits to the library
- 342,661 Web visits from outside the library
- 299,473 information requests
- 126,147 registered borrowers
- 1,994 programs attended by 41,219 people



Santa Cruz County

Over the past decade, Santa Cruz County's population has been growing at about 1/2% per year. Santa Cruz county is growing less than half as fast as California overall. The county population is projected to increase 6.5% by 2020, to a total of 286,500.

The demographics are expected to change slightly, The Latino population is expected to reach 42% from a current level of 36% by the year 2020. The proportion of young people to seniors shifted from 2001-2009 with a 3.1% reduction in the number of children under the age of 14 and a 1.3% increase in the number of adults over the age of 45. As the Baby Boomers move into their 60's in increasing numbers, it is likely that the shift will continue.

The proportion of
young people to
seniors shifted



Since early literacy was a high priority for the community, the decrease in the number of children could have important implications for the library system, as could the increased Latino population. A growing population of seniors will create a greater demand for popular reading and lifelong learning materials and programs. As the baby boomers age it is likely they will be more computer proficient than the current population of seniors, yet will still remain very book focused, whereas the younger population will most likely have a very different perspective. This could result in a difficult clash in priorities for the library, but is not expected to make a big difference in the next 3-5 years.

Comparison with Other Libraries

Comparisons are made with three libraries with a similar county structure and service population (209,000), in California. National comparisons are with public county libraries with a population of 100,000-250,000. State and national comparisons are made based on the availability of the particular statistic.

- Reference transactions per capita are 1.59 with the national mean at 1.05 and a high of 9.72.
- Holdings per capita are 2.79 volumes with the national mean at 2.70 and a high of 5.82.
- The mean for open hours per branch is 25.5 and the median is 26.5. Santa Cruz is 20.4. 60% of our branches do not meet minimum state and federal branch standards for open hours and staffing
- Library visits per capita is 5.18 with the national mean at 4.92 and a high of 19.75.
- Circulation per registration is 33.37 while the national mean for libraries of 100,000 to 250,000 service population is 8.10, with the highest being 49.17.
- The population served per FTE staff is lower than the California mean (2,945). Santa Cruz is 1,778
- Circulation per capita is 10.40. This places SCPL among the top 15% of state libraries and is significantly above the California mean of 5.78.
- Material expenditures per capita are \$4.71 which is just above the national mean of \$4.68. The upper quartile is \$6.32 and the median is \$4.09
- The national mean for expenditures on salaries is 49.9% with a high of 76.9%. SCPL is at 65%.

Note: Source of most data is 2007/2008 fiscal year



SCPL: Change for the Future

Libraries throughout the United States are facing many challenges and an uncertain future. Libraries, like any organization, need to evolve to stay relevant to their customers. A review of the literature identified five trends. SCPL is committed to monitoring these trends and incorporating the value added aspects of these as SCPL looks to the future and its own evolution. These trends are described below with a few concrete examples.



1. Patrons get service at the level **THEY** want:

- **Self service:** Check out own materials, pick up own holds, check in materials and get a receipt, place own holds, edit own account (change address, pin, etc), pay fines online or at self checkout station, add subject headings (tags) to catalog, RSS feeds about new materials, etc.
- **Single point of service:** Reduce customer service desks so that customers receive service at initial point of contact. Requires a change in service philosophy and staffing.
- **Layered service:** Library staff is aware of patron's needs and delivers service in accordance with that need not with what staff *thinks* the patron needs.

2. Rebranding and marketing

- Establish the library as a relevant resource in the modern world through services provided and better marketing of those services.
- Draw innovative ideas from the retail model for merchandising library materials.
- Market the Library's story so that library materials, programs, and services are more visible and the ways the Library connects, inspires, and informs to transform lives and change communities is made clear.

3. Libraries as Local

- Libraries have the ability to provide local content that is unavailable elsewhere (e.g. newspaper indexing, digitizing local historical photographs).
- Increased opportunities for library staff to take their skills outside to the community (e.g. story time at school free breakfast programs).

4. Remote delivery of services

- Is part of self service issue
- E-books
- Downloadable audio and video
- Online book clubs
- Podcasts, RSS feeds
- Web based pathfinders and other ways of helping public navigate the web (recommended sites)
- Community information
- Online payment of fees

5. User involvement

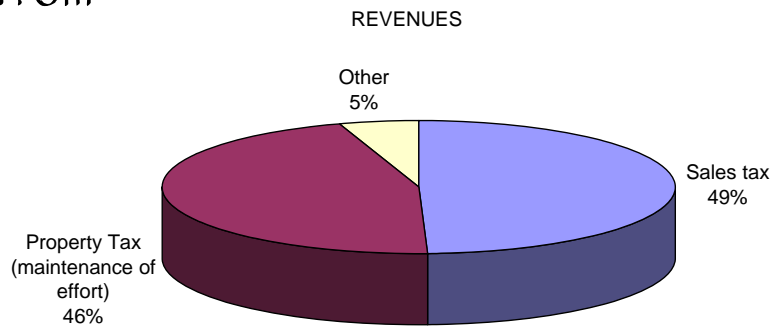
- Use of social media- e.g. Twitter, Facebook
- Creation of new content- user defined subject headings in the library's catalog
- Wikis



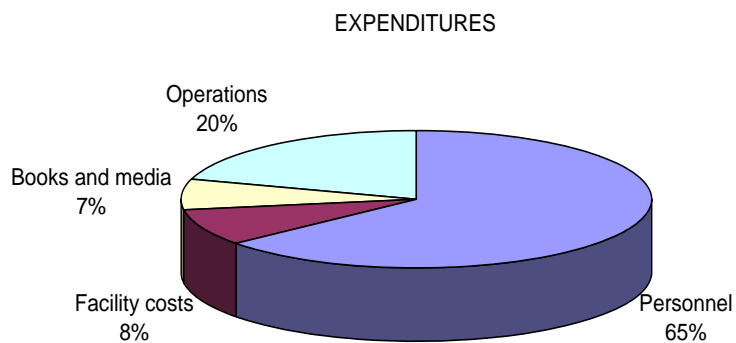
SCPL looks to the future

SCPL Funding FY 2009-2010

Where it
comes from



Where the
funding goes



Purpose

Connect,
Inspire,
Inform



The Santa Cruz Public Libraries enhance Santa Cruz County's quality of life by providing vibrant physical and virtual public spaces where people connect, discover and engage the mind. All ages have the opportunity to nurture their love of reading, find diverse and relevant resources for entertainment and enrichment, and strengthen community networks.

Mission

Vision

Transform
lives &
strengthen
communities



The strategic planning process is the first step in defining SCPL's activities for the next 3-5 years. The statement of purpose defines who we are and what we perceive to be our role in the community. We see SCPL as a place for the community to connect with knowledge, information (both physical and virtual), and with each other. SCPL is a place to find inspiration whether you are a pre-schooler just learning to love reading or a senior who is exploring something for the first or hundredth time. SCPL is also dedicated to informing the community through a variety of formats and in ways that are customer driven.

The vision describes what we hope to be. Automation will free staff from the more routine and physical tasks. This will change the focus from checking out physical materials to providing more personalized service in innovative ways.

The mission statement describes how we are going to achieve the vision.

This plan outlines how SCPL plans to fulfill its purpose, vision and mission.

SCPL Values and Guiding Principles

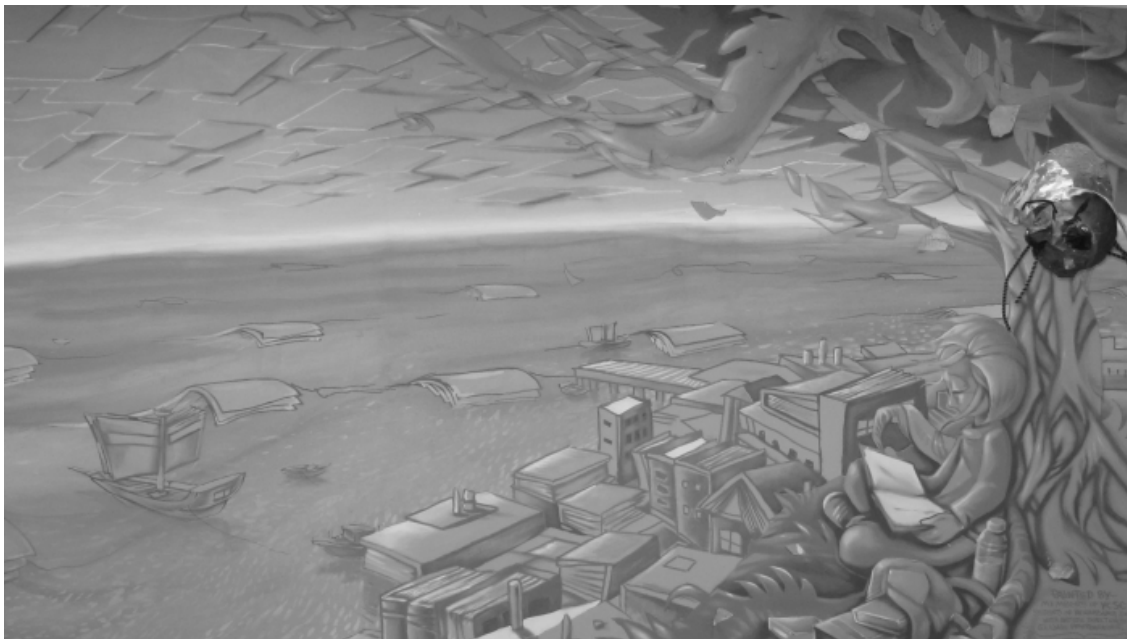
The Staff and Library Joint Powers Board embrace these values:

- Innovation
- Open Communication
- Excellent Governance
- Respect
- Teamwork
- Efficiency
- Humor and Fun



And adopt these Guiding Principles to convert these values into actions:

- We are **customer** driven.
- We commit to **continuous improvement** and learning.
- We strive for **financial sustainability** and responsible stewardship.
- We seek **transparency**.
- We create a **welcoming environment** for people of all cultures.
- We seek **partnerships**.
- We add value to the community's **quality of life**.
- We are dedicated to **intellectual freedom** and the individual's **right to privacy**.



Strategic Directions

READING, VIEWING, AND LISTENING FOR PLEASURE

People of all ages will find materials for personal enrichment when and where they want them, and they will have the help they need to make choices from among the options.

- Children in Santa Cruz County will enter school ready to read, write, listen, and learn.
- All ages will have materials, programs, and displays that reflect current community interests and provide pleasurable reading, viewing, and listening experiences that help them reach their personal literacy goals.
- People of all ages will have friendly support and intuitive access to the materials and resources they want.



LIFELONG LEARNING

People of all ages will have access to the resources and tools they need to explore areas of personal interest and to pursue their own path of self directed learning.

- People will have access to a relevant collection of resources in diverse formats for all ages.
- Library users will have access to innovative and successful programming which reflects the cultural, educational and informational needs of the diverse communities served by SCPL and which will help learners of all ages to achieve their goals.
- People will have access to innovative technology and the tools necessary to find, evaluate and use information and resources to meet their learning needs.

COMMUNITY CONNECTIONS

The community will engage and collaborate with the Library through a variety of dynamic platforms which are responsive to the changing needs of the community and utilize up to date technology.

- The Library will initiate and nurture partnerships with the public, private, and nonprofit sectors in Santa Cruz County for the mutual benefit of the partners, the Library, and the community.
- People will strengthen their ties with each other, the community and the library. SCPL will increase its visibility in social networking venues.
- The community will recognize the value of SCPL in improving their lives and will recognize SCPL as an asset to their community.
- Volunteers will be used effectively

A WELCOMING PLACE

People of all ages and backgrounds will find safe, comfortable, welcoming and customer-focused physical and virtual spaces which reflect the character of the community and which deliver a 21st century library experience.

- People of all ages find their branch (physical and virtual) to be a welcoming place.
- People of all ages will define the level of service they need and want.

FINANCIAL SUSTAINABILITY

The library's infrastructure supports people's access to quality services and programs.

- SCPL maintains a healthy and stable financial position.
- There is adequate, stable, and diverse funding to finance ongoing operations, key strategic initiatives, and capital projects.
- Services of a defined level and quality are consistently delivered, based on revenue projections and a supportive organizational and operating structure.
- The Library operates efficiently and focuses on continual improvement.



ORGANIZATIONAL READINESS

The organization has a well trained workforce available to fulfill the mission of the Library system today and in the future.

- Staff receives adequate training to do their jobs effectively.
- SCPL is committed to developing current library staff to become tomorrow's library leaders.
- Employees have the skills to execute change and are committed to change and continual improvement.
- A customer driven service philosophy guides staff training and development.



Santa Cruz Public Libraries

Aptos

7695 Soquel Drive
Aptos, CA
95003-3899
831-420-5309

Capitola

2005 Wharf Road
Capitola, CA
95010-2002
831-420-5329

La Selva Beach

316 Estrella Avenue
La Selva Beach, CA
95076-1724
831-420-5349

Bookmobile & Outreach

831-420-5650
831-420-5651

Central

224 Church Street
Santa Cruz, CA
95060-3873
831-420-5700

Live Oak

2380 Portola Drive
Santa Cruz, CA
95062-4203
831-420-5359

Boulder Creek

13390 West Park Avenue
Boulder Creek, CA
95006-9301
831-420-5319

Felton

6299 Gushee
Box 56
Felton, CA
95018-9140
831-420-5339

Scotts Valley

230-D Mount Hermon Rd
Kings Village
Shopping Center
Scotts Valley, CA
95066-4304
831-420-5369

Branciforte

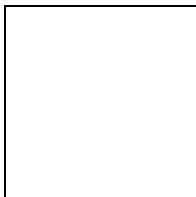
230 Gault Street
Santa Cruz, CA
95062-2599
831-420-6330

Garfield Park

705 Woodrow Avenue
Santa Cruz, CA
95060-5950
831-420-6344

For more information and details on the process
and data gathered for this plan, go to the library's
web site: www.santacruzpl.org.





**Santa Cruz Public Libraries
Administration
& System Services**

117 Union Street
Santa Cruz, CA 95060-3707

831-420-5600

www.santacruzpl.org



Item #: 2.D.1)

CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: CAPITOLA ART & CULTURAL COMMISSION
DATE: MARCH 1, 2011
SUBJECT: PRESENTATION OF THE 2010 CAPITOLA ART & CULTURAL COMMISSION
ANNUAL REPORT

Recommended Action: Receive report.

DISCUSSION

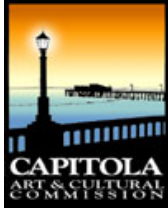
According to Capitola Municipal Code Section 2.56.050, each year the Art & Cultural Commission is required to offer an assessment on the Commission's annual goals, plans and objectives. Commission Chair Mike Termini and staff will present the Art & Cultural Commission's Annual Report to the City Council. A verbal presentation will be offered, followed by any questions Council Members may have regarding the report.

ATTACHMENT

2010 Capitola Art & Cultural Commission Annual Report

Report Prepared By: Kelly Barreto, Administrative Assistant
to the Art & Cultural Commission

**Reviewed and Forwarded
By City Manager:** _____



Capitola Art & Cultural Commission
420 Capitola Avenue
Capitola, CA 95010
831-475-7300

CAPITOLA ART & CULTURAL COMMISSION

ANNUAL REPORT 2010-2011

Background:

The Capitola Art & Cultural Commission's purpose is to advise the City Council as to the allocation of public funds for the support and encouragement of existing and new programs in the arts; acquire by purchase, gift or otherwise, works of art subject to City Council approval; initiate, sponsor or direct special programs which will enhance the cultural climate of the City; establish close liaison with other commissions and civic organizations in order to foster public interest in the arts; and implement the Art & Cultural Master Plan.

There are seven members of the commission. Each serves a term of two years. The commission is composed of the following: One (1) City Council Member; One (1) Planning Commissioner; One (1) Artist or Arts Organization Representative Member; One (1) Arts Professional Member and Five (5) "At-Large" Members. Appointments are made by the City Council. The commission is staffed by a ¼ time administrative assistant.

The Art & Cultural Commission meetings are on the 2nd Tuesday of the month.

Commission Members for 2010 included: Debbie Hale, Roy Johnson, Joyce Murphy, Karen Nevis, Dennis Norton, Jenny Shelton, Marsha Taffett, Mike Termini and James Wallace.

Yearly Highlights-2010:

Events & Entertainment:

Twilight Concerts: The Art & Cultural Commission organized the 26th Annual Twilight Concerts Series. This annual series offers 11 free concerts in Capitola Village on Wednesday evenings during the summer months. The concerts attract between 1,500-3,000 attendees to each of the free, family friendly events. Every concert is sponsored by a private donor in the amount of \$1,200. Bands were paid between \$1000 and \$1400 depending on the number of members. A sound engineer provides services for these events. Promotion of the concerts includes the distribution of over 8,000 postcards, as well as press releases to the local newspapers. The concerts are also advertised on the City's website and Channel 8 scroll.

Twilight Event Evaluation: The addition of the Commission table/t-shirt sales area was a welcome change to the event set up, offering concert goers and band members an easy way to locate the main information center and volunteers or staff. This staff table also requires the addition of an extra staff person to watch the shirts/money box, decreasing the "roaming" patrols of the beach and park. Additional feedback: Well trained Public Works staff employees are very helpful in understanding the timing and duties of the bathroom maintenance, etc. Frank from Public Works was a very valuable member of the successful teamwork that supported the success of the event series.

Planned/Considered Changes:

- Storage area for the Commissions' band water bottles, t-shirts, tables and lights, etc.
- Increase in Police presents at some of the larger events.
- Continue to increase the amount of marketing and exposure offered to sponsors
- Increase staffing to 3 Commissioners/volunteers for each concert
- Assigned duties/areas for each staff person to patrol
- Well marked Staff t-shirts or vests for staffing

Movies at the Beach: Organized the 6th annual Movies at the Beach event. The free "Movies on the Beach" events occurred four times last year and regularly attracts 400-800 attendees per event. The movies are sponsored by private donors in the amount of \$1,000 each. The cost of hiring a projectionist and rental of the movies generally runs between \$950 and \$1000. The movies are promoted on the postcard, as well as the City website and scroll.

Movie Event Evaluation: Two of the four movies in 2010 were held during the Labor Day/Begonia Festival weekend. These events were considered a joint venture. This joint arrangement was offered a few years ago after the Commission was no longer able to offer grant funds for funding the Begonia Festival events. The goal was to offer assistance to the Begonia Festival in securing sponsorship for the events. The Begonia Festival movie events were promoted in all of the Festivals promotional material, as well as on the Commission promo postcards. The events were staffed by Begonia Festival volunteers and the Commission staff person. In 2010 the Commission was able to arrange one of the movie sponsors, but was not able to secure the additional sponsor, as planned. The Festival was asked to pay for the cost of the movie (that was not sponsored). Other challenges have been the effect of the weather/wind on the installation of the screen. The final movie event was cancelled due to windy conditions.

Planned/Considered Changes:

- Relocating screen to bandstand area, offering more of a buffer from the wind.
- Retain the same arrangements with Public Works, but extending the hours to include assisting with the break-down of the popcorn machine, lights and tables.
- Begonia Festival will organize and secure movies during the festival, decreasing the number of events to two movies on August 26 and September 9, 2011

Sunday Jazz and Art at the Beach: The Art & Cultural Commission organized Sunday Jazz and Art at the Beach Events. This event takes place on six Sundays during the summer months. This event is free to attend. The Sunday Art and Music at the Beach program continues to be coordinated by Leslie Fellows. Several artists display and sell their arts. Artists pay for booth rentals, and the funds are used to pay the program coordinator which makes the event cost neutral to the City. The addition of live Jazz music during the Art at the Beach event in 2010 also required securing sponsors for the music costs.

Jazz and Art at the Beach Evaluation: Live Jazz bands were added this last year. Securing of the sponsors seemed difficult. Each Jazz group received \$600 performance, with the exception of Jacqui Naylor (\$1200), who was covered by a separate sponsor (Peter Dwares and Dwares Mercantile).

Planned/Considered Changes:

- Decreasing the amount paid to bands to \$400
- Decreasing the sponsors amount
- Securing sponsorship earlier in the season
- Commissioners to secure sponsorship, staff to coordinate bands, and event coordinator Leslie Fellows to supervise events.

Community Enrichment:

- Children's Art Event for the Art & Wine Festival. The Staff, volunteers and the commissioners coordinated an art activity booth for children. This weekend long event attracted over 500 children. The children were offered opportunities to experiment with bubbles, modeling clay, chalk drawings, kelp prints, as well as a tent maze and a train station.
- Children's Art Event for the Begonia Festival. Staff coordinated art event for over 300 children. Offered children an opportunity to create an art piece (colorful pinwheel) to take home.

Public Art Project & Improvements:

In 2004, the City Council approved the implementation of a Public Arts Fee. The purpose was to ensure that 2% of the cost of eligible municipal capital improvement, renovation, or restoration projects funded in whole or in part by the City of Capitola, or any private, non-residential development project with a total building permit valuation of \$250,000 or more be set aside for the acquisition of works of art to be displayed in or about public places within the City. For a private development, there is an "in lieu" option to contribute 1% of the total budget of the project to the Public Arts Program. Fees collected are placed in a restricted Public Arts fund.

The following is a list of projects funded in 2010 by the Public Art Fund:

- Wharf Road Mural Public Art Project – The Art & Cultural Commission Coordinated the installation of a mural on the retaining wall located on Wharf Road. Artist Jon Ton was hired to apply acrylic paintings in Capitola Beach/Wharf theme.

Goals for 2011:**Events & Entertainment:**

- Twilight Concerts: The Art & Cultural Commission to coordinate and conduct the 27th annual concert series by offering 11 free concerts in Capitola Village on Wednesday evenings during the summer months.
- Movies at the Beach event: The Art & Cultural Commission to coordinate the 7th annual event to offer 2 free movies on the beach.
- Art and Jazz at the Beach event: The Art & Cultural Commission to coordinate art and music at the beach on 6 Sundays during the summer months. Several artists will display and sell their arts, and live Jazz music will be offered during all the events. Costs for musicians would be covered by sponsorships.

Community Enrichment:

- Children's Art Event for the Art & Wine Festival
- Children's Art Event for the Begonia Festival

Currently in progress or being researched:

- 41st Avenue Median Public Art Sculptures

Future Public Art Projects Ideas List:

- Jetty Statue
- Art Walk Maps
- Info Kiosk at Esplanade Park
- Public art rules- requiring places to put space for their art in new projects
- Rotating exhibits administered by the commission
- Bronze Sculptures
- Art on bus shelters/ transfer center/ benches
- Temporary Art (i.e., banners in Chicago)
- Buy the carousel



CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: FINANCE DEPARTMENT

DATE: March 3, 2011

SUBJECT: APPROVAL OF CITY CHECK REGISTER REPORTS

Recommended Action: By motion and roll call vote, that the City Council approve the attached Check Register Reports for February 18 and February 25, 2011.

DISCUSSION

The attached Check Registers for:

Date	Starting Check #	Ending Check #	Total Checks	Amount
2/18/11	65519	65588	70	\$178,163.61
2/25/11	65589	65653	65	\$174,853.83
Payroll 2/25/11				\$167,719.42
Total				\$520,736.86

The check register of 2/10/11 ended with check #65518.

Wires issued, and a brief description of the expenditure:

Date	Issued to:	Dept.	Purpose	Amount
2/25/11	PERS Payment	CM	CALPERS - Payroll Contr. for 2/25/11 payroll	\$44,034.68

Following is a list of checks issued for more than \$10,000.00, and a brief description of the expenditure:

Check	Issued to:	Dept.	Purpose	Amount
65574	Robert A. Bothman	PW	Cap Rd Traffic Calming Proj, thru Jan2011	\$121,833.98
65592	Atchison, Barisone & Condotti	CM	Jan 2011 Legal Services	\$11,130.00
65597	CalPERS Health Inc	CM	Employee Health Ins, Employee funded	\$47,477.12
65608	Endeman, Lincoln, Turek & Heater	CM	Dec MHP Legal Issues	\$49,264.58

On March 28, 2002, Council adopted Ordinance 838, which amended the City Municipal Code as follows:

“3.28.010 Auditing. All claims for salaries and wages of officers and employees and payroll-related withholdings, assessments, and attachments against the treasury of the City and all other claims for payment may be audited and allowed by the City Manager or his/her designee prior to payment thereof.”

“3.28.050 Approval. All claims against the City treasury are to be allowed for payment by the City Manager or his/her designee and are to be presented to the City Council as an informational item as part of their regularly scheduled meetings after their issuance for ratification.”

RESOLUTION NO. 2683 On September 22, 1994, Resolution No. 2683 was passed and adopted by the City Council. This resolution includes the following text:

Be it hereby resolved by the City Council of the City of Capitola that the City Manager is authorized, as cash shortages arise, to make temporary cash loans between and among the General Fund and all other City funds except the Redevelopment Agency; Special Assessment District funds; and The Village and Beach Parking Fund; and

Be it further resolved that such interfund loans shall be repaid by the borrowing fund to the lending fund as soon as, in the opinion of the City Manager, it is fiscally prudent to do so; and

Be it further resolved that the City Manager shall report to the City Council at its next regularly scheduled meeting, the amounts of such Interfund loans actually made; the funds from which and to which such Interfund loans were made; and the anticipated date the loans will be repaid.

The bank statement reconciliation has not been completed for the month. Bank reconciliation is completed and reported in conjunction with the monthly Treasurer's report. All checks on these registers have been deducted from the corresponding fund's cash balance. Interfund loans are not recorded on the financial records on a regular basis, except at year-end for financial reporting purposes.

There are several significant timing issues that create cash flow shortages:

- Triple flip delay of Sales Tax from monthly to December and April (~\$500,000/2x year)
- Worker's Compensation premiums are paid annually in July (\$473,220)
- Self Insurance/Liability is an annual payment due in July (\$52,270)
- Police Communication JPA annual payment (\$459,500), paid quarterly

As of 3/3/11 the total cash available is \$4,604,231. The General Operating Fund has a cash balance of \$701,197. Internal Service Funds (#2210 through #2214) were created for City budget purposes and are reclassified for financial reporting into the General Fund. The Compensated Absences Fund (#2216) has a positive cash balance of \$23,479. The Capital Improvement Projects has a positive cash balance of \$2,992,466. By Council direction the Emergency Reserves Fund (#1020) may not participate in cash loans.

For cash flow purposes these funds are available to the General Fund. A consolidation of these cash balances results in a cash position of \$4,604,231.

The following table shows the funds that are consolidated:

CASH POSITION - CITY OF CAPITOLA 3/3/11		
	Temporary <u>Loans</u>	<u>Net Balance</u>
General Fund		701,197
Worker's Comp. Ins. Fund		9,259
Self Insurance Liability Fund		221,077
Stores Fund		19,143
Information Technology Fund		151,326
Equipment Replacement		332,538
Compensated Absences Fund		23,479
Contingency Reserve Fund		-
Public Employee Retirement - PERS		153,489
Open Space Fund		256
Capital Improvement Projects		2,992,466
TOTAL GENERAL FUND & COUNCIL DESIGNATED FUNDS		<u>4,604,231</u>

On a fiscal year basis the City's annual budget balances expenditures and revenue in the General Fund. Due to the timing of revenue receipts, during most of the fiscal year General Fund expenditures will outpace revenue.

To resolve this cash flow issue, in July of this fiscal year a \$1,247,152 loan from Contingency Reserve was transferred to the General Fund. The Contingency Reserve was established to "provide a prudent level of financial resources to protect against temporary revenue shortfalls or unanticipated operating costs, and/or to meet short-term cash flow requirements."

Although it is anticipated the Contingency Reserve loan will be sufficient to provide operational cash in the General Fund, in some fiscal years the General Fund may borrow additional funds from Internal Service Funds, particularly in November and December prior to the receipt of Property Tax revenue.

It is anticipated the Contingency Reserve loan to General Fund will be repaid by June 30, 2011.

ATTACHMENTS

Check Registers for February 18 and February 25, 2011.

Report Prepared By: Linda Benko
AP Clerk

Reviewed and Forwarded
by City Manager:

Checks dated 2/18/11 numbered 65519 to 65588 for a total of \$178,163.61 have been reviewed and authorized for distribution by the City Manager and City Treasurer.

As of 2/18/11 the unaudited cash balance is \$1,904.333

CASH POSITION - CITY OF CAPITOLA 2/18/11

	Temporary <u>Loans</u>	<u>Net Balance</u>
General Fund		391,917
Worker's Comp. Ins. Fund		9,259
Self Insurance Liability Fund		226,761
Stores Fund		19,402
Information Technology Fund		154,638
Equipment Replacement		332,538
Compensated Absences Fund		23,479
Contingency Reserve Fund		-
Public Employee Retirement - PERS		153,616
Open Space Fund		256
Capital Improvement Projects		592,466
TOTAL GENERAL FUND & COUNCIL DESIGNATED FUNDS		<u>1,904,333</u>

On a fiscal year basis the City's annual budget balances expenditures and revenue in the General Fund. Due to the timing of revenue receipts, during most of the fiscal year General Fund expenditures will outpace revenue.

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It is anticipated the Contingency Reserve loan to General Fund will be repaid by June 30, 2011.



Jamie Goldstein, City Manager

2/18/11
Date



Jacques J.J. Bertrand, City Treasurer

2-19-11
Date

City Checks Issued 2/18/11

From Payment Date: 2/18/2011 - To Payment Date: 2/18/2011

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65519	02/18/2011	Open			ALLSAFE LOCK COMPANY	\$73.37
	Invoice		Date	Description		Amount
	41730		01/03/2011	NB Gym door lock		\$73.37
65520	02/18/2011	Open			ARITCHITA, WIND, C.	\$280.80
	Invoice		Date	Description		Amount
	2011-00000488		02/11/2011	Winter Instructor Payments 2011		\$280.80
65521	02/18/2011	Open			B & B SMALL ENGINE REPAIR	\$340.91
	Invoice		Date	Description		Amount
	234566		01/24/2011	Battery Tender, PD Motorcycle		\$283.19
	234404		01/21/2011	Cover, PD Motorcycle		\$57.72
65522	02/18/2011	Open			BANK OF AMERICA	\$3,120.00
	Invoice		Date	Description		Amount
	20110206		02/06/2011	Jan 2011 credit card charges		\$3,120.00
				Fund 2211, IT=\$1564.30		
65523	02/18/2011	Open			BARRETT, SHARON	\$117.00
	Invoice		Date	Description		Amount
	2011-00000489		02/11/2011	Winter Instructor Payments 2011		\$117.00
65524	02/18/2011	Open			BARTLETT, GERRY	\$1,696.50
	Invoice		Date	Description		Amount
	2011-00000490		02/11/2011	Winter Instructor Payments 2011		\$1,696.50
65525	02/18/2011	Open			BAY AVENUE SENIOR HOUSING, LP	\$1,025.00
	Invoice		Date	Description		Amount
	BASAPA#9		02/03/2011	HOME Loan Draw #9-Fund 1370		\$1,025.00
65526	02/18/2011	Open			BETZ, SHERRI	\$3,142.10
	Invoice		Date	Description		Amount
	2011-00000491		02/11/2011	Winter Instructor Payments 2011		\$3,142.10
65527	02/18/2011	Open			BIG CREEK LUMBER	\$536.19
	Invoice		Date	Description		Amount
	2942316		01/05/2011	PacCove Fence		\$536.19
65528	02/18/2011	Open			BRESLIN-KESSLER, PAUL	\$2,614.30
	Invoice		Date	Description		Amount
	2011-00000492		02/11/2011	Winter Instructor Payments 2011		\$2,614.30
65529	02/18/2011	Open			CARDIFF PEST CONTROL	\$150.00
	Invoice		Date	Description		Amount
	0042405		02/07/2011	Rodent Control, PD		\$150.00
65530	02/18/2011	Open			CLARK, DAVE	\$595.40
	Invoice		Date	Description		Amount
	2011-00000493		02/11/2011	Winter Instructor Payments 2011		\$595.40

City Checks Issued 2/18/11

From Payment Date: 2/18/2011 - To Payment Date: 2/18/2011

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65531	02/18/2011 Invoice 1132834	Open	Date 01/25/2011	Description Cleaning supplies-PW	CLEAN SOURCE	\$1,164.47
65532	02/18/2011 Invoice 1063	Open	Date 01/31/2011	Description Jan11 Urban Watch/First Flush	COASTAL WATERSHED COUNCIL	\$2,200.00
65533	02/18/2011 Invoice 58530	Open	Date 02/04/2011	Description Rec Brochure mailing-Spring	COMPLETE MAILING SERVICE INC	\$1,657.30
65534	02/18/2011 Invoice 60094-Jan2011	Open	Date 01/31/2011	Description Drinking Water, All Sites, Jan 2011	CRYSTAL SPRINGS WATER CO.	\$179.06
65535	02/18/2011 Invoice 2011-00000495	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	DICKS, CHUCK	\$321.10
65536	02/18/2011 Invoice 3300 3303	Open	Date 01/24/2011 01/24/2011	Description 1/3/11 Service Call, City Hall Elevator 1/5/11 Service Call	ELEVATOR SERVICE COMPANY, INC.	\$388.50
65537	02/18/2011 Invoice 2011-00000497	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	EVANS, PAT	\$321.10
65538	02/18/2011 Invoice 27875339	Open	Date 01/28/2011	Description Irrigation Supplies	EWING IRRIGATION	\$41.33
65539	02/18/2011 Invoice 2011-00000498	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	FITZGERALD, AIMEE	\$169.00
65540	02/18/2011 Invoice I11-009907	Open	Date 01/21/2011	Description Gun box-PD	FORENSICS SOURCE/SAFARILAND	\$92.37
65541	02/18/2011 Invoice 2011-00000499	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	FRANCA, CLAUDIO	\$468.00
65542	02/18/2011 Invoice 2011-00000496	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	GEDDES, SESE EGAN	\$521.95
65543	02/18/2011 Invoice 2011-00000500	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	HILL, CAROL	\$364.00

City Checks Issued 2/18/11

From Payment Date: 2/18/2011 - To Payment Date: 2/18/2011

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65544	02/18/2011 Invoice 2011-00000494	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	HITES, ALISA, DAWN	\$260.00 Amount \$260.00
65545	02/18/2011 Invoice 2011-00000501	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	INK, BRUCE	\$568.10 Amount \$568.10
65546	02/18/2011 Invoice 1094	Open	Date 02/04/2011	Description Locate Water Leak	JIMMIE SMITH PLUMBING, INC.	\$200.00 Amount \$200.00
65547	02/18/2011 Invoice 2011-00000502	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	JIN, SANG UN	\$210.60 Amount \$210.60
65548	02/18/2011 Invoice 2011-00000503	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	JOHANNA, ANOUK	\$764.40 Amount \$764.40
65549	02/18/2011 Invoice 2011-00000504	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	KAPLAN, PHIL	\$894.40 Amount \$894.40
65550	02/18/2011 Invoice 2011-00000505	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	KINNAMON, LORRAINE	\$229.45 Amount \$229.45
65551	02/18/2011 Invoice 204028 203765	Open	Date 01/29/2011 01/21/2011	Description Tires for John Deere Loader Tires, 4 each, mounted and balanced	LLOYD'S TIRE SERVICE INC.	\$2,698.15 Amount \$2,610.15 \$88.00
65552	02/18/2011 Invoice 2011-00000506	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	MARRUJO, SANDY	\$321.10 Amount \$321.10
65553	02/18/2011 Invoice 2011-00000507	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	MATTERN, MARK	\$299.00 Amount \$299.00
65554	02/18/2011 Invoice 2011-00000508	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	MCCUTCHEN, SUELLEN	\$286.00 Amount \$286.00
65555	02/18/2011 Invoice 2011-00000509	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	MCDOWELL, KEVIN	\$118.95 Amount \$118.95
65556	02/18/2011 Invoice 2011-00000510	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	MCLAUGHLIN, MARY	\$1,201.20 Amount \$1,201.20

City Checks Issued 2/18/11

From Payment Date: 2/18/2011 - To Payment Date: 2/18/2011

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65557	02/18/2011	Open			MID-COUNTY AUTO SUPPLY	\$415.05
	Invoice		Date	Description		Amount
	249745		01/20/2011	Sweeper Parts-Fund 1310, Gas Tax		\$27.34
	250090		01/24/2011	Auto Parts, PD071		\$380.01
	249797		01/21/2011	Auto Parts, PD041		\$7.70
65558	02/18/2011	Open			MITCHELL, JEANI	\$923.65
	Invoice		Date	Description		Amount
	2011-00000511		02/11/2011	Winter Instructor Payments 2011		\$923.65
65559	02/18/2011	Open			MONTEREY PENINSULA ENGINEERIN	\$5,172.36
	Invoice		Date	Description		Amount
	10-35		01/10/2011	Repair Water Line, Install Hydrant		\$5,172.36
				Fund 1310, Gas Tax		
65560	02/18/2011	Open			MORRISSEY, YOSHIE	\$243.10
	Invoice		Date	Description		Amount
	2011-00000512		02/11/2011	Winter Instructor Payments 2011		\$243.10
65561	02/18/2011	Open			MURPHY, COLLEEN, ELLEN	\$271.70
	Invoice		Date	Description		Amount
	2011-00000513		02/11/2011	Winter Instructor Payments 2011		\$271.70
65562	02/18/2011	Open			OFFUTT, MELISSA	\$362.70
	Invoice		Date	Description		Amount
	2011-00000514		02/11/2011	Winter Instructor Payments 2011		\$362.70
65563	02/18/2011	Open			ORCHARD SUPPLY HARDWARE	\$124.53
	Invoice		Date	Description		Amount
	6015-3528372		01/24/2011	Corp Yd Misc.		\$10.91
	6011-9287692		01/25/2011	Sprayer		\$7.61
	6012-8182604		01/25/2011	Saw Blades		\$13.09
	6013-9878536		01/25/2011	Paint		\$26.18
	9011-9288279		01/27/2011	Painting supplies		\$17.61
	6008-4768535		01/26/2011	Equipment Maint, Corp Yard		\$49.13
65564	02/18/2011	Open			OUTDOOR WORLD	\$1,732.52
	Invoice		Date	Description		Amount
	29455		01/10/2011	PW Uniform Purchases		\$1,732.52
65565	02/18/2011	Open			PACIFIC VETERINARY SPECIALISTS II	\$59.00
	Invoice		Date	Description		Amount
	182524		01/20/2011	Animal Control Exp		\$59.00
65566	02/18/2011	Open			PALACE ART & OFFICE SUPPLIES	\$254.60
	Invoice		Date	Description		Amount
	889136		02/01/2011	Office Supplies, City Hall-Fund 2210		\$21.83
	888660		01/28/2011	Notebooks, General Plan		\$770.05
	889858		02/04/2011	Vacuum for evidence		\$54.06
	889922		02/04/2011	paper-PD		\$46.87
	889697		02/03/2011	Office supplies-PD		\$64.91
	C888660		02/03/2011	Return Notebooks, Planning Dept		(\$770.05)
	8585978		02/02/2011	Display Supplies, Museum		\$66.93

City Checks Issued 2/18/11

From Payment Date: 2/18/2011 - To Payment Date: 2/18/2011

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65567	02/18/2011 Invoice 2011-00000515	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	PANARO, YVONNE	\$812.50
65568	02/18/2011 Invoice 2011-00000516	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	PAXSON, JENNIFER	\$118.95
65569	02/18/2011 Invoice PAPAReg-3-3-11	Open	Date 02/09/2011	PESTICIDE APPLICATORS PROF ASSOC. Description Training Registration, PW		\$320.00
65570	02/18/2011 Invoice 2011-00000517	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	POT, TRENISE	\$977.60
65571	02/18/2011 Invoice 38627730	Open	Date 01/20/2011	Description Gases, Corp Yd	PRAXAIR DISTRIBUTION INC.	\$56.19
65572	02/18/2011 Invoice 5486186 5486799	Open	Date 01/25/2011 01/26/2011	Description Tools-Corp Yd Corp Yd Misc.	ProBUILD COMPANY LLC	\$65.69
65573	02/18/2011 Invoice 10110718	Open	Date 12/24/2010	Description Parking and Congestion Traffic Analysis N Fund 1316, Parking Reserve Fund	RBF CONSULTING	\$6,635.75
65574	02/18/2011 Invoice TWO-2 THREE	Open	Date 12/06/2010 02/15/2011	Description Cap Rd Traffic Calming, thru Nov2010 Cap Rd Traffic Calming thru Jan2011 Fund 1200, CIP	ROBERT A. BOTHMAN INC.	\$121,833.98
65575	02/18/2011 Invoice 2011-00000521	Open	Date 02/15/2011	Description Sports Officials February 10 to 19 2011	ROM, HILLEL	\$112.50
65576	02/18/2011 Invoice 2011-00000518	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	STEVENS, CLAUDIA	\$239.20
65577	02/18/2011 Invoice 39700	Open	Date 01/25/2011	Description Uniform Purchase, Ryan Farotte	SUMMIT UNIFORM CORP	\$839.04
65578	02/18/2011 Invoice 2011-00000519	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	SWEET, KATHERINE	\$328.90

City Checks Issued 2/18/11

From Payment Date: 2/18/2011 - To Payment Date: 2/18/2011

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65579	02/18/2011 Invoice si1236846	Open	Date 01/19/2011	Description X26 return-PD	TASER INTERNATIONAL	\$710.14
65580	02/18/2011 Invoice 3917-15337	Open	Date 01/31/2011	Description Reg#1031174210-Website Hosting	THE INTERNET CONNECTION INC. - G	\$150.00
65581	02/18/2011 Invoice Thill-Jan4 2011-00000522	Open	Date 02/10/2011 02/15/2011	Description Sports Officials Jan 29 to Feb 8 2011 Sports Officials February 10 to 19 2011	THILL, WENDY	\$160.00
65582	02/18/2011 Invoice 13287	Open	Date 02/09/2011	Description Feb2011 Admin fee, Flex Plan	TLC ADMINISTRATORS, INC.	\$175.00
65583	02/18/2011 Invoice 2011-00000520	Open	Date 02/11/2011	Description Winter Instructor Payments 2011	WALBRIDGE, BREIGE	\$491.40
65584	02/18/2011 Invoice Walter-Jan4	Open	Date 02/10/2011	Description Sports Officials Jan 29 to Feb 8 2011	WALTER, ERIK	\$72.00
65585	02/18/2011 Invoice T8427	Open	Date 02/01/2011	Description Jan 2011 K-9 Training	WITMER-TYSON IMPORTS INC.	\$500.00
65586	02/18/2011 Invoice 127639	Open	Date 01/12/2011	Description No skateboarding signs Fund 1310, Gas Tax	ZUMAR INDUSTRIES INC.	\$94.46
65587	02/18/2011 Invoice 100283	Open	Date 02/10/2011	Description Refund Fee for BL	Lioux, Mary	\$50.00
65588	02/18/2011 Invoice 011211	Open	Date 01/12/2011	Description Water Off-Set for Capitola Road Fund 1200, CIP	SOQUEL CREEK WATER DISTRICT	\$4,230.00

Check Totals:

Count

70

Total \$178,163.61

Checks dated 2/25/11 numbered 65589 to 65653 for a total of \$174,853.83 have been reviewed and authorized for distribution by the City Manager and City Treasurer.

As of 2/25/11 the unaudited cash balance is \$2,049,072

CASH POSITION - CITY OF CAPITOLA 2/25/11

	Temporary <u>Loans</u>	<u>Net Balance</u>
General Fund		543,504
Worker's Comp. Ins. Fund		9,259
Self Insurance Liability Fund		221,077
Stores Fund		19,143
Information Technology Fund		153,860
Equipment Replacement		332,538
Compensated Absences Fund		23,479
Contingency Reserve Fund		-
Public Employee Retirement - PERS		153,489
Open Space Fund		256
Capital Improvement Projects		592,466
TOTAL GENERAL FUND & COUNCIL DESIGNATED FUNDS		<u>2,049,072</u>

On a fiscal year basis the City's annual budget balances expenditures and revenue in the General Fund. Due to the timing of revenue receipts, during most of the fiscal year General Fund expenditures will outpace revenue.

To resolve this cash flow issue, in July of this fiscal year a \$1,247,152 loan from Contingency Reserve was transferred to the General Fund. The Contingency Reserve was established to "provide a prudent level of financial resources to protect against temporary revenue shortfalls or unanticipated operating costs, and/or to meet short-term cash flow requirements."

Although it is anticipated the Contingency Reserve loan will be sufficient to provide operational cash in the General Fund, in some fiscal years the General Fund may borrow additional funds from Internal Service Funds, particularly in November and December prior to the receipt of Property Tax revenue.

It is anticipated the Contingency Reserve loan to General Fund will be repaid by June 30, 2011.



Jamie Goldstein, City Manager

2/25/11

Date



Jacques J.J. Bertrand, City Treasurer

3-1-11

Date

City of Capitola
City Checks Issued 2/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65589	02/25/2011 Invoice 41555-394&387	Open	Date 02/05/2011	Description Qtrly Alarm Monitoring, PD	ADT SECURITY SERVICES, INC.	\$256.41
65590	02/25/2011 Invoice 8401	Open	Date 01/19/2011	Description HeartStart AED, Rec Center	AED Professionals	\$1,359.99
65591	02/25/2011 Invoice Feb2011 PDFeb2011	Open	Date 02/01/2011 02/01/2011	Description Long Distance, Feb 2011 Long Distance, PD, Feb 2011	AT&T	\$19.15
65592	02/25/2011 Invoice 1040-001Jan11	Open	Date 01/31/2011	Description Jan 2011 Legal Services	ATCHISON, BARISONE, & CONDOTTI	\$11,130.00
65593	02/25/2011 Invoice 2657	Open	Date 02/18/2011	Description Feb11 Landscape Maint fee, Pac Cove Mf	BACK TO EDEN LANDSCAPING INC.	\$575.00
65594	02/25/2011 Invoice 1720416 1720677 1721625	Open	Date 01/26/2011 01/26/2011 01/27/2011	Description Museum Display Museum Display Museum Display	BAY PHOTO LAB	\$1,565.38
65595	02/25/2011 Invoice 2943842	Open	Date 02/02/2011	Description Benches,Jade St	BIG CREEK LUMBER	\$253.99
65596	02/25/2011 Invoice 832029	Open	Date 02/07/2011	Description Fingerprint Appts, 3 ea.	CA DEPARTMENT OF JUSTICE	\$96.00
65597	02/25/2011 Invoice 0806-000Mar2011	Open	Date 02/18/2011	Description Mar 2011Employee Health Ins Employee Funded	CalPERS Health Insurance	\$47,477.12
65598	02/25/2011 Invoice POA2-25-11	Open	Date 02/23/2011	Description POA Dues, Employee Funded	CAPITOLA PEACE OFFICERS ASSOC.	\$620.71
65599	02/25/2011 Invoice 17179	Open	Date 01/28/2011	Description Recreation Brochure Production & Distr.	CASEY PRINTING	\$4,168.25
65600	02/25/2011 Invoice Jan 2011	Open	Date 02/01/2011	Description Animal Control Exp, Jan2011	CHANTICLEER VET HOSPITAL	\$811.40

City of Capitola
City Checks Issued 2/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65601	02/25/2011 Invoice 198562-Mar11	Open	Date 02/11/2011	Description Feb-Mar2011 Internet Service Fund 2211, IT	Charter Communications	\$129.99
65602	02/25/2011 Invoice 1132834-01	Open	Date 01/28/2011	Description Doggie Bags	CLEAN SOURCE	\$245.81
65603	02/25/2011 Invoice 1431	Open	Date 09/30/2010	Description Q2 FY10/11 PEG Fees Fund 1320, PEG	COMMUNITY TELEVISION OF SCC	\$4,919.68
65604	02/25/2011 Invoice 47108035	Open	Date 01/28/2011	Description Feb 2011 Internet Access Fund 2211, IT	COVAD COMMUNICATIONS	\$500.41
65605	02/25/2011 Invoice 0950612	Open	Date 01/27/2011	Description OSHA Penalty for PD HVAC	DEPT OF INDUSTRIAL RELATIONS	\$100.00
65606	02/25/2011 Invoice 70774 70773 70833 70832 70720 70721	Open	Date 01/27/2011 01/27/2011 02/04/2011 02/04/2011 01/20/2011 01/20/2011	Description 457 Gal Gas 125 Gal Diesel 150 Gal Diesel 575 Gal Gas 564 Gal Gas 100 Gal Diesel	DEVCO OIL INC.	\$6,841.91
65607	02/25/2011 Invoice Q42010UI	Open	Date 02/08/2011	Description CA Unemployment Ins, Q4 CY2010 ID932 Fund 2213, Self Ins Liability	EMPLOYMENT DEVELOPMENT DEPT	\$5,684.00
65608	02/25/2011 Invoice 291531 291497	Open	Date 01/31/2011 01/31/2011	Description Dec Surf & Sand Legal Issues Dec 2010 Legal Services, El Granada Inve	ENDEMAN, LINCOLN, TUREK & HEATE	\$49,264.58
65609	02/25/2011 Invoice 37876	Open	Date 01/31/2011	Description 6 EPO live search	ENTERSECT CORP	\$25.50
65610	02/25/2011 Invoice 291142	Open	Date 02/01/2011	Description Haines Directory, 12 month lease	HAINES & COMPANY, INC.	\$375.20
65611	02/25/2011 Invoice DomainName	Open	Date 02/02/2011	Description Reimb Domain Name Registration, BIA fur Fund 1321, BIA	HARRINGTON, DEDE	\$62.50

City of Capitola
City Checks Issued 2/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65612	02/25/2011	Open			HOWARD, CHARLIE	\$1,360.00
	Invoice		Date	Description		Amount
	02/07-02/11/11		02/21/2011	FY 10/11 In-House Mechanic		\$660.00
	02/14-02/18/11		02/21/2011	FY 10/11 In-House Mechanic		\$700.00
65613	02/25/2011	Open			ICMA RETIREMENT TRUST 457	\$6,257.50
	Invoice		Date	Description		Amount
	ICMA2-25-11		02/23/2011	Retirement Acct Contr, Employee Funded		\$6,257.50
65614	02/25/2011	Open			KING'S PAINT AND PAPER, INC.	\$242.34
	Invoice		Date	Description		Amount
	A132613		02/01/2011	Graffiti Paint		\$96.42
	A133013		02/08/2011	Teak Oil		\$145.92
65615	02/25/2011	Open			LABOR READY SOUTHWEST INC.	\$1,856.44
	Invoice		Date	Description		Amount
	53001559		01/28/2011	Temporary Staff - PW		\$913.85
	53191559		02/04/2011	Temporary Staff - PW		\$942.59
65616	02/25/2011	Open			LAUTZENHISER'S STATIONERY, INC.	\$910.58
	Invoice		Date	Description		Amount
	9644		01/31/2011	Minutes Books & Official Stationery		\$910.58
65617	02/25/2011	Open			LEAGUE OF CALIFORNIA CITIES	\$150.00
	Invoice		Date	Description		Amount
	2011Dues		02/01/2011	Annual Dues, Greeninger		\$150.00
65618	02/25/2011	Open			LIUNA PENSION FUND	\$506.00
	Invoice		Date	Description		Amount
	LIUNA2-25-11		02/23/2011	Pension Contribution, Employee Funded		\$506.00
65619	02/25/2011	Open			LLOYD'S TIRE SERVICE INC.	\$759.53
	Invoice		Date	Description		Amount
	204147		02/01/2011	Sweeper Tires-Fund 1310, Gas Tax		\$759.53
65620	02/25/2011	Open			MID-COUNTY AUTO SUPPLY	\$281.00
	Invoice		Date	Description		Amount
	250497		01/27/2011	Auto Parts, F-250		\$37.90
	250448		01/27/2011	Auto Parts, F-250		\$36.27
	251079		02/02/2011	Auto Parts, Bobcat Loader		\$55.68
	251074		02/02/2011	Auto Parts, all vehicles		\$10.82
	251153		02/03/2011	Auto Parts, Bobcat Loader		\$3.10
	251139		02/03/2011	Auto Parts, John Deere Loader		\$53.16
	251261		02/04/2011	Auto Parts, all vehicles		\$38.65
	250945		02/01/2011	Auto Parts, John Deere Loader		\$45.42
65621	02/25/2011	Open			NATIONAL CRIME PREVENTION COUN	\$141.37
	Invoice		Date	Description		Amount
	133156		01/28/2011	Crayons-PD		\$141.37

City of Capitola
City Checks Issued 2/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65622	02/25/2011	Open			NORTH BAY FORD	\$26.30
	Invoice		Date	Description		Amount
	218351		02/01/2011	Auto PartsPD-81		\$12.83
	218517		02/09/2011	Auto Parts		\$13.47
65623	02/25/2011	Open			ORCHARD SUPPLY HARDWARE	\$353.14
	Invoice		Date	Description		Amount
	6009-0931784		02/02/2011	Misc.		\$8.73
	6012-1213866		02/04/2011	Polishing Supplies		\$44.33
	6007-4766843		02/04/2011	Misc.		\$46.55
	6007-4766863		02/04/2011	Plants		\$17.44
	6009-4792701		02/07/2011	Cable Ties		\$26.84
	6011-1210905		02/08/2011	Polish		\$10.37
	6012-7824810		02/08/2011	Misc.		\$7.84
	6012-7824820		02/08/2011	Misc.		\$57.36
	6013-9870708		02/08/2011	Plumbing Supplies		\$24.52
	6013-3120773		02/09/2011	Misc.		\$48.52
	6009-9873401		02/09/2011	Rock		\$19.63
	6013-3120801		02/09/2011	Misc.		\$15.28
	6015-3529785		02/07/2011	Auto Parts		\$14.20
	6015-3529369		02/04/2011	Auto Parts		\$11.53
65624	02/25/2011	Open			PACIFIC MONARCH	\$850.00
	Invoice		Date	Description		Amount
	38660		02/11/2011	Deposit, JG Bus for Regionals, Jul 21, 201		\$400.00
	38661		02/11/2011	Deposit, JG Bus for Regionals, Jul 21, 201		\$450.00
65625	02/25/2011	Open			PACIFIC PRODUCTS AND SERVICES,	\$525.49
	Invoice		Date	Description		Amount
	12881		01/26/2011	Aluminum Channel		\$525.49
65626	02/25/2011	Open			PALACE ART & OFFICE SUPPLIES	\$404.67
	Invoice		Date	Description		Amount
	888886		01/31/2011	Office supplies		\$14.81
	889780		02/03/2011	Office Supplies		\$134.59
	889920		02/04/2011	Office Supplies		\$35.39
	889987		02/04/2011	Office Supplies		\$38.23
	889987-1		02/04/2011	Office Supplies		\$55.47
	889905		02/04/2011	Office Supplies		\$5.01
	8589735		02/10/2011	Office Supplies, Planning		\$81.87
	890180-1		02/10/2011	Office Supplies		\$8.28
	890180		02/10/2011	Office Supplies		\$16.56
	8588675		02/08/2011	Office Supplies-Museum		\$14.46
				Fund 2210, Stores=\$258.14		
65627	02/25/2011	Open			PAPE MACHINERY	\$51.11
	Invoice		Date	Description		Amount
	6586132		02/09/2011	Auto Parts		\$51.11
65628	02/25/2011	Open			ProBUILD COMPANY LLC	\$96.25
	Invoice		Date	Description		Amount
	5490646		02/08/2011	Door Hinges		\$58.84
	5488514		02/01/2011	Bench Repair		\$37.41

City of Capitola
City Checks Issued 2/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65629	02/25/2011	Open			RBF CONSULTING	\$4,573.00
	Invoice		Date	Description		Amount
	10120722		01/28/2011	Parking and Congestion Traffic Analysis		\$4,573.00
				Fund 1316, Parking Reserve		
65630	02/25/2011	Open			REAL COLOR	\$678.90
	Invoice		Date	Description		Amount
	18903		02/09/2011	Museum Display Item		\$678.90
65631	02/25/2011	Open			RED SHIFT INTERNET SERVICES	\$65.17
	Invoice		Date	Description		Amount
	1426716		02/01/2011	Feb 2011 Internet Access		\$65.17
				Fund 2211, IT		
65632	02/25/2011	Open			REHAB SPECIALISTS, INC.	\$237.36
	Invoice		Date	Description		Amount
	417206		01/14/2011	Irao power toggle, footrest X 2		\$90.16
	416877		01/12/2011	Irao, Wheelchair seat cover		\$147.20
65633	02/25/2011	Open			REPUBLIC ITS INC.	\$3,991.59
	Invoice		Date	Description		Amount
	98667		02/01/2011	Traffic Signal Repair 1/15/11, 41st Ave		\$3,991.59
				Fund 1310, Gas Tax		
65634	02/25/2011	Open			ROBERT DEACON	\$2,010.13
	Invoice		Date	Description		Amount
	Mar2011 Rent		02/10/2011	Mar2011 Rent, Annex		\$2,010.13
65635	02/25/2011	Open			ROTHBARD, TODD	\$975.00
	Invoice		Date	Description		Amount
	106108		02/09/2011	Filing Fees, Detainer		\$475.00
	106107		02/09/2011	Filing Fees, Legal Expenses		\$500.00
65636	02/25/2011	Open			SANTA CRUZ COUNTY CORRECTIONS	\$679.32
	Invoice		Date	Description		Amount
	Jan 2011		02/08/2011	Jan 2011 Booking Fees		\$679.32
65637	02/25/2011	Open			SCC INFORMATION SERVICES	\$2,444.61
	Invoice		Date	Description		Amount
	R224-Q4		01/26/2011	Q4 CY2010 Radio Shop Charges		\$1,941.83
	SCAN-Feb11		02/02/2011	SCAN Charges, Feb2011		\$502.78
65638	02/25/2011	Open			SCC OFFICE OF EDUCATION	\$90.00
	Invoice		Date	Description		Amount
	11124		02/01/2011	Fingerprinting, New Hires - PD		\$90.00
65639	02/25/2011	Open			SENTINEL PRINTERS, INC.	\$325.22
	Invoice		Date	Description		Amount
	291976		02/01/2011	Business Cards, New Council Members		\$325.22
65640	02/25/2011	Open			STAPLES	\$1.26
	Invoice		Date	Description		Amount
	10280X		02/10/2011	Computer Supplies, IT		\$1.26
				Fund 2210, Stores		

City of Capitola
City Checks Issued 2/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65641	02/25/2011	Open			SWIFT, CAROLYN	\$258.14
	Invoice		Date	Description		Amount
	Ancestry11		02/18/2011	Subscription Renewal, Ancestry.com, Mus		\$155.40
	110645711040		02/18/2011	Reimb Item purch, Museum Display		\$102.74
65642	02/25/2011	Open			SWIFT, STEVE	\$239.63
	Invoice		Date	Description		Amount
	CHS-870144-1		02/18/2011	Reimb Central Home Supply Museum Sup		\$29.63
	Plastic		02/18/2011	Reimb Museum Display Exp		\$210.00
65643	02/25/2011	Open			THE HARTFORD -PRIORITY ACCOUNT	\$1,818.59
	Invoice		Date	Description		Amount
	5272856-5		02/18/2011	Mar 2011 Life & Disability Ins		\$1,818.59
65644	02/25/2011	Open			TMT ENTERPRISES, INC.	\$904.10
	Invoice		Date	Description		Amount
	51807		01/29/2011	Candlestick Mix Grass Seed		\$904.10
65645	02/25/2011	Open			TOTLCOM	\$75.00
	Invoice		Date	Description		Amount
	200237		01/31/2011	Remote Programming		\$75.00
				Fund 2211, IT		
65646	02/25/2011	Open			TRIPOLI, LINDA, A.	\$1,575.00
	Invoice		Date	Description		Amount
	2147		01/22/2011	General Legal Counseling, Nov 2010		\$1,575.00
65647	02/25/2011	Open			UNITED PARCEL SERVICE	\$25.67
	Invoice		Date	Description		Amount
	954791061		02/05/2011	Weekly shipping-PD		\$25.67
65648	02/25/2011	Open			UPEC LIUNA LOCAL 792	\$1,687.50
	Invoice		Date	Description		Amount
	UPEC2-25-11		02/23/2011	Union Dues, Feb 2011, Employee Funded		\$1,687.50
65649	02/25/2011	Open			US BANK	\$250.06
	Invoice		Date	Description		Amount
	170574404		02/16/2011	C4540 copier lease, PD		\$250.06
65650	02/25/2011	Open			VERIZON WIRELESS-ACCT#572015861	\$63.88
	Invoice		Date	Description		Amount
	0947052459		02/03/2011	FEB2011 Access Charges		\$63.88
65651	02/25/2011	Open			County of Santa Clara Office of the Sheri	\$480.00
	Invoice		Date	Description		Amount
	1800026910		02/02/2011	Jan 2011 training, range use		\$480.00
65652	02/25/2011	Open			Department of Motor Vehicles, Bike Reg.	\$15.00
	Invoice		Date	Description		Amount
	2011-00000525		02/16/2011	Bike license renewal stickers		\$15.00
65653	02/25/2011	Open			SafetyBeltSafe U.S.A.	\$135.00
	Invoice		Date	Description		Amount
	2011-00000523		02/16/2011	Membership Tracie		\$135.00

Check Totals: Count 65 Total \$174,853.83



Item #: 2.F.2)

CAPITOLA REDEVELOPMENT AGENCY AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: FINANCE DEPARTMENT

DATE: March 3, 2011

SUBJECT: APPROVAL OF RDA CHECK REGISTER REPORTS

Recommended Action: By motion and roll call vote, that the RDA Board approve the Check Register Reports dated February 18 and March 2, 2011 as submitted.

DISCUSSION

The attached Check Registers for the referenced dates:

Date	Starting Check #	Ending Check #	Total Checks	Amount
2/18/11	2905	2909	5	\$114,128.35
3/2/11	2910	2910	1	2,586,270.00

The prior RDA check register report of February 4, 2011 ended with check number 2904.

The following checks were issued for more than \$10,000.00:

Check	Issued to:	Dept.	Purpose	Amount
2907	Capitola City Treasurer	CM	Dec 2010 Co-Op Agreement	\$105,160.98
2910	Capitola City Treasurer	CM	RDA Reso 2011-2	\$2,586,270.00

As of 3/3/11 the unaudited cash balance in the RDA account is \$1,503,487.35 allocated as follows:

RDA Operating Fund	\$562,463.13
RDA Low/Mod Housing Fund	\$941,004.22

ATTACHMENTS

Check Register Reports dated:
February 18 and March 2, 2011

Report Prepared By: Linda Benko
AP Clerk

Reviewed and Forwarded
By Executive Director:


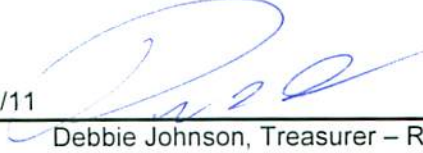
City of Capitola
RDA Checks Issued 2/18/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
2905	02/18/2011	Open			BANK OF AMERICA	\$990.00
	Invoice		Date	Description		Amount
	20110206RDA		02/06/2011	CA RDA Assoc., Conf Reg, Johnson & Foste		\$990.00
2906	02/18/2011	Open			BEST BEST & KRIEGER LLP	\$1,408.68
	Invoice		Date	Description		Amount
	645613		02/04/2011	Legal Opinion on Redevelopment Issues		\$1,408.68
2907	02/18/2011	Open			CAPITOLA CITY TREASURER	\$105,160.98
	Invoice		Date	Description		Amount
	Dec2010		01/11/2011	City Co-Op Agreement, Dec 2010		\$105,153.28
	DeclI		02/09/2011	City Co-Op Agreement, DeclI		\$7.70
2908	02/18/2011	Open			MUNISERVICES, LLC	\$1,109.69
	Invoice		Date	Description		Amount
	23961		01/28/2011	Q3 2010 Sales Tax Reporting		\$1,109.69
2909	02/18/2011	Open			SANTA CRUZ COUNTY CONFEREN	\$5,459.00
	Invoice		Date	Description		Amount
	9622		01/31/2011	Q3 FY10/11 Cultural Tourism		\$5,459.00
Check Totals:				Count	5	Total \$114,128.35

The attached checks have been printed and released under the RDA Executive Director's approval. Included are checks numbered 2905 to 2909 totaling \$114,128.35 and dated 2/18/11.

These checks has been reviewed and authorized for distribution.

The unaudited cash balance in the RDA account as of 2/18/11 is \$4,085,725.19

		
Jamie Goldstein, City Manager	Debbie Johnson, Treasurer – RDA	
Date	2/18/11	Date
		2/18/11

City of Capitola
Payment Register

2-Mar-11

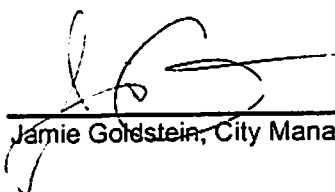

Check Number	Invoice Date	Status	Description	Payee Name	Transaction Amount
2910	03/02/2011	Open	RDA Reso 2011-2	CAPITOLA CITY TREASURER	\$2,586,270.00
Check Totals:				Count 1	Total \$2,586,270.00

The attached check has been printed and released under the RDA Executive Director's approval. Included is check numbered 2910 for \$2,586,270.00 and dated 3/2/11.

This check has been reviewed and authorized for distribution.

The unaudited cash balance in the RDA account as of 3/2/11 is \$1,503,487.35 allocated as follows:

RDA Operating Fund	\$562,483.13
RDA Low/Mod Housing Fund	\$941,004.22

	3/2/11		3/2/11
Jamie Goldstein, City Manager	Date	Debbie Johnson, Treasurer – RDA	Date

45



Item #: **3.B.**

CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: OFFICE OF THE CITY CLERK/RDA SECRETARY

DATE: MARCH 1, 2011

SUBJECT: **CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY MINUTE APPROVAL**
MINUTES OF THE JOINT REGULAR MEETING OF FEBRUARY 10, 2011, THE
SPECIAL JOINT BUDGETING PRINCIPLES SESSION OF FEBRUARY 17, 2011, AND
THE ADJOURNED CLOSED SESSION MEETING OF THE CITY COUNCIL OF
FEBRUARY 28, 2011

Recommended Action: By motion, that the City Council/Redevelopment Agency Directors approve the subject minutes as submitted.

DISCUSSION

Attached for City Council/Redevelopment Agency review and approval are the subject minutes.

ATTACHMENTS

Minutes of February 10, 27, and 28, 2011

Report Prepared By: Pamela Greeninger, MMC
City Clerk/RDA Secretary

Reviewed and Forwarded by
City Manager/Executive Director: _____

**CITY OF CAPITOLA
CITY COUNCIL/REDEVELOPMENT AGENCY**

February 10, 2011
Capitola, California

MINUTES OF A REGULAR JOINT MEETING

5:30 P.M - CLOSED SESSION - CITY MANAGER'S OFFICE

At 5:34 p.m. in the City Hall Council Chambers, Mayor/Chairperson Norton noted that all Council Members/Redevelopment Agency Directors were present. Mayor/Chairperson Norton made an announcement regarding the items to be discussed in Closed Session, as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9a)

Talbert vs. City of Capitola, et al. [U.S. District Court Case No. C 10-03113 JW (N.D. Cal.)]

Surf and Sand, LLC vs. City of Capitola, et al. (Surf & Sand Mobile Home Park)
[Superior Court of the State of California for County of Santa Cruz, Case #CV 167716]

Surf and Sand, LLC vs. City of Capitola, et al. (Surf & Sand Mobile Home Park)
[U.S. District Court N.D., Case No. C09-05542 RS (Judge Richard Seeborg)]

Los Altos/El Granada Investors vs. City of Capitola, et al. (Castle Mobile Estates)
[U.S. District Court N.D., Case No. CV 04-05138 JF (Judge Jeremy Fogel)]

Vieira Enterprises, Inc., vs. City of Capitola (Cabrillo Mobile Estates)

City of Capitola vs. Soquel Union Elementary School District
Santa Cruz Superior Court Case #167649

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9:
One Case: Vieira Enterprises, Inc., vs. City of Capitola (Cabrillo Mobile Estates)
The City is in receipt of a December 30, 2010, Fair Return rent increase application for Cabrillo Mobilehome Park, which claims that if it is not granted in its entirety, the City will be liable for the unconstitutional taking of Mr. Vieira's property and further claims that the City's past enforcement of its rent control ordinance has already functioned to effect such a taking.

Mayor/Chairperson Norton noted there was no one in the audience; therefore, the City Council/Redevelopment Agency recessed at 5:34 p.m. to the Closed Session in the City Manager's Office.

REGULAR JOINT MEETING OF THE CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY

Mayor/Chairperson Norton called the Regular Joint Meeting of the Capitola City Council/Redevelopment Agency to order at 7:08 p.m. on Thursday, February 10, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

ROLL CALL AND PLEDGE OF ALLEGIANCE

PRESENT: Council Members/Directors Stephanie Harlan, Michael Termini, Kirby Nicol, Sam Storey, and Mayor/Chairperson Dennis Norton

ABSENT: None

OTHERS: City Treasurer Jacques Bertrand and Redevelopment Agency Treasurer Debbie Johnson

STAFF: Acting City Manager/Community Development Director/Deputy Executive Director Derek Johnson, City Attorney/Agency General Counsel John G. Barisone, Public Works Director Steve Jesberg, Police Captain Tom Held, Assistant to the City Manager Lisa Murphy, and City Clerk/Secretary Pamela Greeninger

*** * * PRESENTATIONS * * ***

**Presentation by Julie Boudreau, Education and Outreach Coordinator
for Hospice of Santa Cruz County [330-30]**

Julie Boudreau, Hospice representative, spoke about the various Hospice programs, including End-of-Life Care, Grief Support and their Transitions Program. Utilizing a PowerPoint Presentation, she focused on providing information to the Council about the services provided by their medical social workers in the Transitions Program. They are available to help people diagnosed with a life-limiting illness by facilitating conversations, helping to create a plan, assisting with advance directives, and linking individuals to community resources.

**Presentation by Carrie Stevens, Program Manager
for Big Brothers Big Sisters [330-30]**

Carrie Stevens thanked the Council for the opportunity to discuss the services Big Brothers Big Sisters provide. She discussed their mission, which is to assist children and youth to achieve their highest potential by offering quality mentoring relationships. Ms. Stevens said their organization has been serving the community for over 27 years. She discussed the rigorous background check that volunteers must go through to become a mentor, and the process for matching adult volunteers with children between the ages of 7 and 14. She also said training materials are provided to the parents, volunteers and children participating in the program, and there is no cost for their services. Ms. Stevens shared a story about a Capitola boy who benefited from this program.

1. REPORT ON CLOSED SESSION [520-25]

City Attorney/Agency Counsel Barisone reported that the City Council/RDA Directors convened in Closed Session at approximately 5:35 p.m. in the City Manager's office, to discuss those items listed on the posted agenda. All members were present, as were City Manager/Executive Director Goldstein, Community Development/Deputy Executive Director Johnson. City Attorney/Agency Counsel Barisone identified the cases of existing litigation that were discussed as follows:

Conference with Legal Counsel – Existing Litigation

- Surf and Sand, LLC vs. City of Capitola, et al. (Surf & Sand Mobile Home Park)
[Superior Court of the State of California for County of Santa Cruz, Case #CV 167716]
- Surf and Sand, LLC vs. City of Capitola, et al. (Surf & Sand Mobile Home Park)
[U.S. District Court N.D., Case No. C09-05542 RS (Judge Richard Seeborg)]
- Los Altos/El Granada Investors vs. City of Capitola, et al. (Castle Mobile Estates)
[U.S. District Court N.D., Case No. CV 04-05138 JF (Judge Jeremy Fogel)]
- Vieira Enterprises, Inc., vs. City of Capitola (Cabrillo Mobile Estates)

Conference with Legal Counsel pertaining to one case of Anticipated Litigation - Vieira Enterprises, Inc., vs. City of Capitola (Cabrillo Mobile Estates)

City Attorney/Agency Counsel Barisone reported that members received status updates and discussed all of the city's existing rent control litigation and threatened rent control litigation matters. Following discussion, direction was given to legal counsel by the city council pertaining to ongoing defense and negotiation of those cases. No reportable action was taken in Closed Session.

1. REPORT ON CLOSED SESSION (Continued)

City Attorney Barisone reported that the Council heard briefly from Community Development Director Johnson regarding the ongoing implementation of the settlement of the Capitola vs. Soquel Union Elementary School District litigation. A status report was provided; no reportable action was taken in Closed Session.

Due to time constraints, there was no discussion regarding the Talbert vs. City of Capitola matter, which was agendized.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

1) Mayor Norton noted that a revised resolution was submitted for Item 5.A., pertaining to the City's Bicycle Transportation Plan.

2) City Clerk Greeninger commented on the Additional Material Agenda Report pertaining to a correction to RDA Item 5.G. on the Minutes of the Joint Regular Meeting of January 13, 2011. Staff's recommendation is to approve the minutes with the corrected language.

3) Mayor Norton announced that he would like to reorder Item 5.B. regarding the Rod & Custom Car Show Special Event Permit immediately following action on the Consent Calendar. Council Member Termini asked why that item was not on the consent calendar with the other two special event requests. Public Works Director Jesberg said that was at the request of the applicant as there was an additional request.

B. Public Comments

Margaret Kinstler announced that she was attending tonight's meeting representing the Capitola Village Residents' Association (CVRA).

C. Staff Comments

Community Development Director Johnson discussed the continuation of the Rispin Mansion item at the last meeting and his discussion with the Redevelopment Agency's special legal counsel. He commented on actions being taken by other Redevelopment Agencies pertaining to committing funds for Redevelopment Agency projects, and he said staff would be returning at the next meeting with a report from the RDA counsel and the Rispin Mansion item.

D. City Council/RDA Directors/Treasurer Comments/Committee Reports

1) City Treasurer Bertrand said the Finance Advisory Committee met in January and would be meeting again next week on Tuesday, February 15, at 6 p.m. in the City Hall Community Room. He reported that the committee will be scheduling an offsite meeting.

2) Council Member Termini said several members of the General Plan Advisory Committee have contacted him about the GPAC discussing housing matters.

3) Council Member Nicol commented on a conversation he had with a resident who asked him if the council had ever considered fencing off a section of Jade Street Park between the children's playground and softball field for a dog park. He would like staff to look at that possibility. Council Member Termini would like to include the possibility of a small portion of the beach for dogs.

2. ORAL COMMUNICATIONS (Continued)

4) Council Member Harlan reported on the Sanitation District meeting and discussed the Aptos transmission main project.

5) Council Member Storey reminded everyone that the Library JPA will meet next Monday, February 14, at 6:30 p.m. in the Santa Cruz City Hall Council Chambers regarding four proposals. He said Capitola is not included on the list for library closures.

6) Mayor Norton said he would like staff to look into rent increases for Pacific Cove Mobile Home Park residents who are not permanent residents. He would like staff to return with a report on what alternatives the city has in taking care of those rents.

7) Marilyn Garrett requested that the WiFi in the Council Chambers be disconnected.

E. Committee Appointments1) **Nomination of City Representative to serve on the Santa Cruz County Hazardous Materials Advisory Commission. [430-50]**

Gene Benson provided a brief report on the Hazardous Materials Advisory Commission, informing the Council that it has been relatively inactive during the past few years. He expressed his interest in continuing to serve on the commission as the city's representative.

ACTION: Council Member Termini moved, seconded by Council Member Harlan, to nominate Gene Benson to continue to serve as the City's representative on the County of Santa Cruz Hazardous Materials Advisory Commission and directed staff to forward the City Council's nomination to Mark Stone, Chairperson of the Board of Supervisors, who will make the appointment. The motion carried unanimously.

Council Member Harlan asked Mr. Benson to be sure to come to a council meeting to report any matters affecting Capitola. Mayor Norton suggested he provide an annual report to the council. Mr. Benson said he would be happy to do so.

F. Approval of Check Register Reports1) **City: Approval of City Check Register Reports for January 21 and January 28, 2011 [300-10]**

Staff responded to questions pertaining to several checks prior to the following action being taken:

ACTION: Council Member Termini moved, seconded by Council Member Nicol, to approve the Check Register Reports dated January 21 and 28, 2011, including checks numbered 65309 through 65358 in the amount of \$156,378.16, and checks numbered 65359 through 65404 in the amount of \$46,247.42, respectively; and payroll disbursements for the January 28, 2011, payroll in the amount of \$177,367.24, for a Grand Total of \$379,992.82, as submitted. The motion carried on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

2) **RDA: Approval of Redevelopment Agency Check Register Report dated January 21, 2011 [760-25]**

ACTION: Director Harlan moved, seconded by Director Termini, to approve the Check Register Report dated January 21, 2011, including checks numbered 2896 through 2899 in the amount of \$175,899.84, as submitted. The motion carried on the following vote: AYES: Directors Harlan, Termini, Nicol, Storey, and Chairperson Norton. NOES: None. ABSENT: None. ABSTAIN: None.

3. CONSENT CALENDAR

Mayor/Chairperson Norton asked if there were any items on the Consent Calendar that members of the public or city council wished to pull for separate discussion. No items were pulled.

CONSENT CALENDAR ACTION: Council Member/Director Termini moved, seconded by Council Member/Director Harlan, to approve the Consent Calendar as recommended, noting the recommended correction to the Minutes of the January 13, 2011, meeting. The motion carried on the following vote: AYES: Council Members/Directors Harlan, Termini, Nicol, Storey, and Mayor/Chairperson Norton. NOES: None. ABSENT: None. ABSTAIN: None.

A. Approve Reading by Title of all Ordinances and Resolutions and declare that said Titles which appear on the Public Agenda shall be determined to have been read by Title and Further Reading Waived.

ACTION: The City Council unanimously approved the reading by title of all Ordinances and Resolutions and declared that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

B. City/RDA: Approve City Council/Redevelopment Agency Minutes of the Joint Regular Meetings of January 13 and January 27, 2011.

ACTION: Council Member/Director Termini moved, seconded by Council Member/Director Harlan, to approve the City Council/Redevelopment Agency Minutes of the Joint Regular Meeting of January 13, 2011 with the correction to Item 5.G. on Page 11852 pertaining to adoption of Agency Resolution No. 2011-1 as proposed, and approve the Minutes of January 27, 2011, as submitted. The motion carried on the following vote: AYES: Council Members/Directors Harlan, Termini, Nicol, Storey, and Mayor/Chairperson Norton. NOES: None. ABSENT: None. ABSTAIN: None.

C. Receive Planning Commission Action Minutes for the Regular Meeting of February 3, 2011. [740-50]

ACTION: Council Member Termini moved, seconded by Council Member Harlan, to receive the Planning Commission Action Minutes for the Regular Meeting of February 3, 2011, as submitted. The motion carried on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

D. RDA: Receive RDA Treasurer's Report for the quarter ended December 31, 2010 (Unaudited). [760-25]

ACTION: Director Termini moved, seconded by Director Harlan, to accept the RDA Treasurer's Report for the quarter ended December 31, 2010 (Unaudited), as submitted. The motion carried on the following vote: AYES: Directors Harlan, Termini, Nicol, Storey, and Chairperson Norton. NOES: None. ABSENT: None. ABSTAIN: None.

E. Approve request from the Capitola-Soquel Chamber of Commerce for a Special Event Permit for the 6th Annual Vintage Motorcycle Show "Bikes on the Bay" with DJ Music to be held on Sunday, June 26, 2011, from 9:00 a.m. to 4:00 p.m. at the Capitola Mall; and approve grant for permit fees in the Amount of \$150. [1050-70]

ACTION: Council Member Termini moved, seconded by Council Member Harlan, to approve the recommended action, as follows:

- 1) Approved the Special Event Permit, including all other permits, for the 6th Annual Vintage Motorcycle Show to be held on Sunday, June 26, 2011, from 9 AM to 4 PM at Capitola Mall and authorized the Capitola Police Department to issue said permits; and

3. E. CONSENT CALENDAR (Continued)

- 2) Approved a grant in the amount of \$150 for permit fees.

The motion carried on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

- F. **Approve request from the Capitola-Soquel Chamber of Commerce for a Special Event Permit, Encroachment Permit and Entertainment Permit for the 29th Annual Art & Wine Festival in Capitola Village and live music in Esplanade Park on Saturday and Sunday, September 10 and 11, 2011; and approve grant for permits and Police and Public Works Department fees in the amount of \$2,303. [1050-70]**

ACTION: Council Member Termini moved, seconded by Council Member Harlan, to approve the recommended action, as follows:

- 1) Approved the Special Event Permit, including all other permits, for the 29th Annual Capitola Art & Wine Festival to be held on Saturday and Sunday, September 10 and 11, 2011, and authorized the Capitola Police Department to issue said permits; and
- 2) Approved a grant in the amount of \$2,303.00 for permits and Public Works fees.

The motion carried on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

- G. **Approve Special Event Permit Request by the Capitola Art & Cultural Commission for the 2011 Twilight Concert Series at the Bandstand in Esplanade Park on 11 Wednesday evenings from 6:00 p.m. to 8:00 p.m., and the hanging of a banner prior to each concert. [1050-70]**

ACTION: Council Member Termini moved, seconded by Council Member Harlan, to approve the recommended action, as follows:

- 1) Approved the Special Event Permit for the 2011 Twilight Concert Series and authorized the Capitola Police Department to issue said permit;
- 2) Authorized Public Works to hang the event banner on the Monday preceding each concert.

The motion carried on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

The City Council then dealt with Other Business Item 5.B., which had been reordered:

5. OTHER BUSINESS

- B. **Request from the Capitola Public Safety and Community Service Foundation for approval of a Special Event Permit for the 6th Annual Capitola Rod & Custom Classic Car Show in Capitola Village on Saturday and Sunday, June 11 and 12, 2011, and approval of a grant in the amount of \$1,406. Staff recommendation: approve Special Event Permit and a Grant in the amount of \$1,406 for Permit Fees. [1050-70]**

Bruce Clark, representing the Capitola Public Safety & Community Service Foundation said that there was a concern expressed from the Capitola Village and Wharf Business Improvement Area regarding the new request for a Beer Garden at the event.

5. B. OTHER BUSINESS (Reordered Item - Continued)

Mr. Clark informed the Council that the Foundation has abandoned their request to sell beer in the parking lot of 109 San Jose Avenue; however, they would still retain their VIP area at Esplanade Park. He said this event is one of the Foundation's major fundraisers. People can sign up for the car show from the website at www.Capitolacarshow.com

Mayor Norton opened this item to the public. No one spoke.

ACTION: Council Member Nicol moved, seconded by Council Member Storey, to approve the Special Event Permit for the 6th Annual Capitola Rod and Custom Classic Car Show to be held in Capitola Village on Saturday and Sunday, June 11 and 12, 2011, including approval of an Encroachment Permit, an Entertainment Permit, authorization to serve beer and wine to select guests and sponsors (VIP's) on the City's property located in Esplanade Park behind the Bandstand during the event, to hang banners prior to the event; and approved a grant in the amount of \$1,406.00 for permit fees.

The motion carried on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

4. PUBLIC HEARINGS

A. Public Hearing on Project Application #10-104, 100-200 Kennedy Drive, to consider Appeal of a Planning Commission approval for a Master Use Permit for an existing industrial property in the IP (Industrial Park) Zoning District; APN: 036-031-01; Filed: 12/15/10; Property Owner: John McCoy. Presentation: Community Development Department. [730-10: 100-200 Kennedy Drive, Project Application #10-104]

Senior Planner Bane summarized the written agenda report and conditions of approval made by the Planning Commission utilizing a PowerPoint Presentation. He responded to questions of council members and reviewed the four options contained under recommended action in the agenda report.

Council Member Termini said he appealed this application as it relates to a Master Use Permit for the property. He would prefer each individual new use proposed for the building, which is adjacent to a residential neighborhood, be brought to the Planning Commission so that the neighbors would have an opportunity to voice their concerns, if any. He is very much in favor of the applications and proposed uses that came before the Planning Commission, including Pelican Ranch Winery and the micro-brewery.

Council Member Harlan said Mr. McCoy's letter addressed permit fees, and she would like staff to address that matter.

There was discussion regarding the gate adjacent to Mr. McCoy and Mr. Vieira's property. City Attorney Barisone said the gate issue is between the private property owners, and he would advise not making a condition regarding the gate.

Mayor Norton opened this item up to the applicant at 8:09 p.m.

John McCoy, owner of 100-200 Kennedy Drive, commented on the synergy created by small food businesses. He said the city has control over the uses with a Master Use Permit. He expressed the need for this type of business in Capitola, and he urged the council to approve the Master Use Permit for the property.

4. A. PUBLIC HEARINGS (Continued)

Following the applicants comments, Mayor Norton opened the hearing for public comments at 8:12 p.m.

Phil Cruz, owner and operator of Pelican Ranch Winery with his wife Peggy, commented on their business at this location. He said they are members of the Santa Cruz Mountain Wine Association, the Capitola Soquel Chamber of Commerce, and they participate in the Capitola Art & Wine Festival.

John Benedetti, Director of **Think Local First** and co-owner of Sante Arcangeli Family Wines & Sante Adairius Rustic Ales, said he is hoping to move his family's brewery business near the Pelican Ranch Winery in Capitola. He commented on the history of his family's local business and believes the Kenney Drive location would meet their needs. Mr. Benedetti said their lease is contingent upon approval of the conditional use permit, and he encouraged the council to approve the Master Use Permit.

Karl Heiman, Co-chair of **Think Local First** and owner of Caffè Pergolesi and Mr. Toots Coffee House, said he was at tonight's meeting to fight for small businesses. He said the council should consider what is best for the community and the economic conditions of Capitola. As a local businessman, he urged the council to deny the appeal and move forward.

Eric Gil, Board Member of **Think Local First** and owner of Sock Shop & Shoe Co. in Santa Cruz, said he has known John Benedetti for many years, and he believes John's business would be a perfect match for this location and would benefit the local economy. Not only will his business bring a great product to Capitola, but it will also offer jobs to local residents. Mr. Gil urged the council to approve this use permit.

Mark Crain, homeowner on Bay Avenue since 1991, spoke in favor of denial of the appeal and requested that the council approve the Planning Commission decision. He said the city has many controls within the Master Use Permit for regulating potential uses.

Frederick Coquelin, resident of Cabrillo Mobile Home Park, said that the people in the park agree with the proposed businesses of the winery and brewery. Tonight he has heard about a bakery use. Mr. Coquelin supports council approval of the 3 businesses. He also commented on the gate issue, saying he would like to see the gate closed at night.

Marilyn Garrett commented that there is a huge cell tower near that location. She expressed her concern about businesses being located near the tower.

Manuel Vieira, an owner of Cabrillo Mobile Home Park, commented on the use of Mr. McCoy's property as it relates to weekend traffic. He asked the council to keep in mind this is an Industrial Park, which is normally open Monday through Friday and closed on weekends. Mr. Vieira suggested the council approve Option 2, Denial of the Master Use Permit.

Mayor Norton closed the public hearing at 8:41 p.m.

Senior Planner Bane and Community Development Director Johnson responded to numerous questions of council members.

There was considerable council discussion prior to the following action being taken:

4. A. PUBLIC HEARINGS (Continued)

ACTION: Council Member Termini moved, seconded by Council Member Harlan, to approve Option 4 to deny the Master Conditional Use Permit, but to approve Conditional Use Permits for the uses discussed at the Planning Commission, including a small winery with retail sales and a tasting room (Pelican Ranch Winery), one small micro-brewery with retail sales and a tasting room (Santa Adairius Rustic Ales), and one small bakery or food producer with retail sales and a tasting room, subject to the Conditions and Findings provided in Attachment 7 of the Agenda Report, and with the following added conditions:

- 1) That the gate be closed after business hours, by 9 p.m.,
- 2) That signage be placed on Mr. McCoy's property at the entrance to the mobile home park stating, "**Not a Through-Street – Resident Traffic Only**," and
- 3) Staff review of enhanced landscaping.

The motion carried on the following vote: AYES: Council Members Harlan, Termini, and Storey. NOES: Council Member Nicol and Mayor Norton. ABSENT: None. ABSTAIN: None.

B. Public Hearing to consider Ordinance on SmartMeters. Presentation: Public Works Department. [565-30]

Public Works Director Jesberg summarized the written agenda report, providing background on the city's prior action pertaining to SmartMeters, discussing Assemblymember Huffman's bill, AB37, and the draft urgency ordinance prepared for council consideration should they wish to adopt it.

There was discussion regarding the urgency of the ordinance and the vote needed to pass an urgency ordinance, which is a 4/5 vote.

Mayor Norton opened the public hearing at 9:32 p.m.

The following individuals voiced their opposition and concerns regarding the installation of SmartMeters, and urged the council to adopt the urgency ordinance:

Kathy Dominguez, Capitola resident

Marilyn Garrett, Aptos resident

Karen Nevis, Capitola resident

Mike Boyd, Soquel resident & President of CALifornians for Renewal Energy, Inc., (CARE), said he would like the council to add language to the ordinance to be able to red tag units that are not UL approved.

Kim Tenella thanked everyone for their concerns and efforts and submitted written information to council members

Edna Williams expressed concern about the rubber-stamping of the SmartMeters by the CPUC.

Professor Glen Chase (*Note: An email from Mr. Chase is included in the record.*)

The City Council also heard from Hunter Stern, Business Representative for International Brotherhood of Electrical Workers (IBEW) Local Union 1245, expressing their support of the continued installation of the SmartMeters. He commented on the work their members do and their interest in reducing greenhouse emissions. Mr. Stern also stated that his members have a right to work in a safe environment, and he expressed concerns regarding members being threatened while doing their job installing SmartMeters. He thanked the council for the opportunity to speak to this issue and urged them not to vote on the proposed ordinance. (*Note: An email from Mr. Stern is included in the record.*)

4. B. PUBLIC HEARINGS (Continued)

Carla Rodriguez-Lomax, representative of PG&E, was available for questions. She encouraged Capitola residents to attend meetings being held at their education centers each month. She also said people could call their SmartMeter help line at 1-866-743-0263.

Mayor Norton closed the public hearing at 10:18 p.m.

In response to a comment from Mike Boyd, Council Member Termini asked if anyone knew whether there is a UL sticker on SmartMeters. Michael Herz, EMF Program Manager for PG&E, said he had a meter in his car, and he would get it. He mentioned that they have FCC approval. Council Member Termini said he would be extremely concerned if these meters are not UL (Underwriters Laboratory) approved. Council Member Termini did not find a UL label on the SmartMeter.

There was a great deal of discussion by council members regarding this item prior to taking the following actions:

ACTION: Council Member Storey moved, seconded by Council Member Harlan, to adopt **Urgency Ordinance No. 952, An Uncodified Ordinance Adopted as an Urgency Measure Imposing a Temporary Moratorium on the Installation of PG&E SmartMeters and related equipment in, along, across, upon, under and over the Public Streets and other Places within the City of Capitola**, until AB 37 is enacted.

Under discussion of the motion, Council Member Termini asked what impacts adoption of this ordinance would have on staff time.

Community Development Director Johnson said there would be staff time involved in enforcing the ordinance.

City Attorney Barisone said he would not be enforcing the ordinance unless he received specific direction to do so. He indicated that the city would incur substantial attorneys' fees in an attempt to enforce this ordinance.

The motion carried on the following vote: AYES: Council Members Harlan, Termini, Storey, and Mayor Norton. NOES: Council Member Nicol. ABSENT: None. ABSTAIN: None.

Council Member Harlan then moved, seconded by Council Member Storey, to authorize the Mayor to send a letter of support to Assembly Member Bill Monning for Assembly Bill 37 (Huffman) amending the California Public Utilities Code to include an opt-out provision in the California Public Utilities Code for customers who do not want a SmartMeter, including the ability to remove SmartMeters already installed and informing them of the urgency ordinance adopted by the City Council.

The motion carried unanimously.

5. OTHER BUSINESS

A. Approval of the draft Bicycle Transportation Plan. Staff recommendation: approve the draft Bicycle Transportation Plan, adopt Resolution authorizing the submittal of the Bicycle Transportation Account Grant Application for FY 2011-2012, and approve a Notice of Exemption pursuant to Sections 15301 and 15304 of the California Environmental Quality Act. [770-05]

5. A. OTHER BUSINESS (Continued)

Community Development Director Johnson introduced Ariana Green.

Ariana thanked the city for the opportunity to work on the city's Bicycle Transportation Plan. She brought to the Council's attention a change to the revised resolution; that being the reference to "State Department of Transportation" should be changed to "Santa Cruz County Regional Transportation Commission" for being responsible for certification of the plan. Utilizing a PowerPoint Presentation, she reviewed the plan and then responded to questions of council members.

Council members commented on the proposed Bicycle Transportation Plan and discussed the rail trail, the Tiki Cab business, projects recommended for grant funding, share the road signs, a Soquel Creek bicycle path, clearly defined bike lanes leading to New Brighton Middle School, etc.

Council discussion was followed by this action:

ACTION: Council Member Termini moved, seconded by Council Member Harlan, to adopt the revised resolution with replacement of words, "State Department of Transportation" with "Santa Cruz County Regional Transportation Commission," thereby adopting **Resolution No. 3853, Resolution Adopting the Capitola Bicycle Transportation Plan, approving the Notice of Exemption, Authorizing the Submittal of a Bicycle Transportation (BTA) Grant Application for \$147,500 for the Purchase and Installation of Video Detection Systems and Bicycle Parking, and Authorizing and Directing the City Manager to Submit the Plan to the Santa Cruz County Regional Transportation Commission for Certification.** The motion carried on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

B. Request from the Capitola Public Safety and Community Service Foundation for approval of a Special Event Permit for the 6th Annual Capitola Rod & Custom Classic Car Show in Capitola Village on Saturday and Sunday, June 11 and 12, 2011, and approval of a grant in the amount of \$1,406. Staff recommendation: approve Special Event Permit and a Grant in the amount of \$1,406 for Permit Fees. [1050-70]

NOTE: This item was reordered. See discussion and action following Consent Calendar Item 3.G. on Pages 11869 and 11870.

6. COUNCIL/RDA DIRECTORS/STAFF COMMUNICATIONS

Mayor Norton reminded everyone that the speed limit in Capitola is 25 miles per hour and to "Shop Local."

7. ADJOURNMENT

The City Council/Redevelopment Agency adjourned at 11:22 p.m. to a Special Meeting to be held on Thursday, February 17, 2011, at 6:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

ATTEST: _____, MMC
Pamela Greeninger, City Clerk

Dennis R. Norton, Mayor

**CITY OF CAPITOLA
CITY COUNCIL/REDEVELOPMENT AGENCY**

February 17, 2011
Capitola, California

MINUTES OF A SPECIAL JOINT MEETING

5:00 P.M - CLOSED SESSION - CITY MANAGER'S OFFICE

At 5:00 p.m. in the City Hall Council Chambers, Mayor/Chairperson Norton noted that all Council Members/Redevelopment Agency Directors, with the exception of Council Member/Director Harlan, were present for the announcement. City Clerk Greeninger announced that Council Member/Director Harlan was attending a Sanitation District meeting and would be a little late. Mayor/Chairperson Norton made an announcement regarding the items to be discussed in Closed Session, as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9a)

Surf and Sand, LLC vs. City of Capitola, et al (Surf & Sand Mobile Home Park)
[Superior Court of the State of California for County of Santa Cruz, Case #CV 167716]

Surf and Sand, LLC vs. City of Capitola, et al (Surf & Sand Mobile Home Park)
[U.S. District Court N.D., Case No. C09-05542 RS (Judge Richard Seeborg)]

Los Altos/El Granada Investors vs. City of Capitola, et al (Castle Mobile Estates)
[U.S. District Court N.D., Case No. CV 04-05138 JF (Judge Jeremy Fogel)]

Vieira Enterprises, Inc. vs. City of Capitola (Cabrillo Mobile Estates)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9:
One Case: Vieira Enterprises, Inc. vs. City of Capitola (Cabrillo Mobile Estates)
The City is in receipt of a December 30, 2010, Fair Return rent increase application for Cabrillo Mobilehome Park, which claims that if it is not granted in its entirety, the City will be liable for the unconstitutional taking of Mr. Vieira's property and further claims that the City's past enforcement of its rent control ordinance has already functioned to effect such a taking.

Mayor/Chairperson Norton noted that there was no one in the audience; therefore, the City Council/Redevelopment Agency recessed at 5:01 p.m. to the Closed Session in the City Manager's Office.

7:00 P.M. – OPEN SESSION

Mayor/Chairperson Norton called the Special Joint Budgeting Principles Session of the Capitola City Council/Redevelopment Agency to order at 7:10 p.m. on Thursday, February 17, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

ROLL CALL AND PLEDGE OF ALLEGIANCE

PRESENT: Council Members/Directors Stephanie Harlan, Michael Termini, Kirby Nicol, Sam Storey, and Mayor/Chairperson Dennis Norton

ABSENT: City Treasurer Jacques Bertrand and Redevelopment Agency Treasurer Debbie Johnson

STAFF: City Manager/Executive Director Jamie Goldstein, City Attorney/General Counsel John G. Barisone, Community Development Director/Deputy Executive Director Derek Johnson, Public Works Director Steve Jesberg, Police Captain Tom Held, Assistant to the City Manager Lisa Murphy, and City Clerk/Secretary Pamela Greeninger

2. ORAL COMMUNICATIONS

A. Report on Closed Session [520-25]

City Manager/Executive Director Goldstein reported that the items discussed in closed session were those listed on the Closed Session agenda. At the briefing this evening, the members received an update from the City Manager, Community Development Director Derek Johnson, City Attorney John Barisone and Deputy City Attorney George Kovacevich pertaining to those items. No reportable action was taken.

B. Gary Richard Arnold expressed concern regarding AMBAG (the Association of Monterey Bay Area Governments). He commented on Fusion Centers and his concern about losing local control. He submitted two DVDs pertaining to Fusion Centers and Shadow Government.

C. Police Captain Tom Held announced that he had the honor of attending an awards ceremony at the Santa Cruz County Sheriff's Department on February 17, 2011, where four members of the Capitola Police Department were recognized for their participation in a homicide investigation. He said the four officers receiving recognition were Cliff Sloma, detective Marquis Booth, Guillermo Vazquez and Sarah Ryan. Mayor Norton suggested Captain Held schedule recognition of the officers at the next City Council meeting.

D. Council Member Harlan said the Sanitation District will be participating in Earth Day activities on Saturday, April 16, 2011, at San Lorenzo Park. They will be encouraging people not to put grease or medication down the drain and will be providing activities for children.

E. Council Member Storey updated the council on the Library JPA meeting held on Monday, February 14. The board was considering various models, one which would have included closing some of the library branches. The board unanimously decided to defer any decision on any of the 4 proposed models. They appointed a subcommittee to work on an alternative way to provide sustainability of the library, to help it move into the 21st century, and to save the current branch libraries. The subcommittee consists of the Chair of Library JPA Board, Barbara Gorson, Supervisor Ellen Pirie, City of Santa Cruz council member David Terrazas, and himself. He announced that there would be a meeting of the subcommittee in the Community Room at Capitola City Hall on Monday, February 21, at 2 pm.

Mayor Norton thanked Council Member Storey for his participation on the Library JPA. Council Member Storey said he is honored to be selected to work on the subcommittee. He hopes they can come up with a compromise.

Council Member Harlan said it is difficult to reopen a library after it is closed, and she hopes the libraries will remain open.

F. Council Member Nicol reported the Santa Cruz County Regional Transportation Commission is moving forward on the rail line acquisition. He said the property could close by the end of April or May.

G. City Manager Goldstein thanked the council for their understanding and support while he has been out of the office after having hip replacement surgery. He also wished to acknowledge and thank Public Works Director Steve Jesberg, Community Development Director Derek Johnson, Chief of Police Mike Card, and Assistant to the City Manager Lisa Murphy, who stepped up during that period to cover for him.

3. BUSINESS

A. Introduction by City Manager/RDA Executive Director [330-05]

City Manager Goldstein provided a brief introduction to the meeting utilizing a PowerPoint Presentation. He explained the former annual goal-setting process and his interest in combining and integrating the goal-setting process with the budget process.

B. Review by City Manager of Prior Year's Goals and Status [120-10]

City Manager Goldstein then reviewed the goals that were approved for 2010 and the status of each as detailed in the written Agenda Report. The goals included Pacific Cove Mobile Home Park's long-term use, filling the Gottschalk's space at Capitola Mall and fostering economic development throughout the city, a McGregor Drive property use study made, Jade Street Park concerns resolved in a manner that will best preserve the City's interest in the property, a location for new Capitola Branch Library determined, and the use of Rispin property resolved.

Following the city manager's presentation, Council Member Nicol commented that there was another goal – resolution regarding mobile home park litigation. Mayor Norton said that is the top priority for the council this year.

Council Member Harlan discussed building a convenience store at the McGregor Drive property, which would service campers at New Brighton State Beach.

C. Mid-Year 2010/2011 Fiscal Year Budget Financial Report. [330-05 FY2010/11] Staff recommendation: adopt resolution accepting report and amending FY 2010/11 City Budgets.

City Manager Goldstein complimented Assistant to the City Manager Murphy for working on this mid-year report and for presenting it to the Finance Advisory Committee. He provided a summary of the revenues and expenditures thus far this year.

City Manager Goldstein discussed the options for resolving the shortfall and said staff's recommendation would be a PERS fund balance transfer of \$215,000. The other option involves reductions in budgeted areas, including slurry seals, the Esplanade retaining wall, contingency and emergency reserves, and the equipment replacement fund.

Mayor Norton asked if the Finance Advisory Committee had a recommendation pertaining to the mid-year report and the option to take. They did not.

Assistant to the City Manager Murphy responded to questions of council members/directors pertaining to the options to resolve the shortfall.

ACTION: Council Member Nicol moved, seconded by Council Member Termini, to adopt **Resolution No. 3854, Resolution Accepting the fiscal Year 2010-2011 Mid-Year Budget Report and Amending the 2010-2011 City Budgets Accordingly**, as submitted.

Under discussion of the motion, Robert Begun, Chair of the Finance Advisory Committee, informed the council that the reason the Finance Advisory Committee did not make a recommendation on the mid-year report was that the members did not receive the report until the time of the meeting. He also expressed concern about the rate of expenditure and cash flow.

City Manager Goldstein responded and explained staff's recommendation.

3. C. BUSINESS (Continued)

Mayor Norton asked about the Esplanade retaining wall for \$65,000. He asked if it would be the Sanitation District's responsibility. Public Works Director Jesberg said he would check into that.

Mayor Norton also commented that the Recreation Department is operating \$20,000 below budget.

Council Member Termini stated that Capitola has the best Recreation program in the world. He said the Recreation supervisor, Elise, and her staff do an excellent job.

The motion to adopt the resolution carried on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

D. City Manager presentation on Budgeting Principles. [330-05 FY2011/12] Staff recommendation: adopt Budgeting Principles for the 2011/12 Fiscal Year.

Utilizing a PowerPoint Presentation City Manager Goldstein summarized the written agenda report. He explained the importance of early input from the City Council in the budgeting process, as a great deal of staff time is put into preparing the budget. He said that even with the economy as it is, Capitola is in a good position with Whole Foods opening, Target committed to Capitola Mall, and the Fairfield Marriott Inn being built and set to open this year.

City Manager Goldstein identified three broad categories for budget principles, including: 1) Fiscal policy principles, 2) Public services principles, and 3) Public Improvement principles for the consideration of the council.

Council Member Nicol commented that the city does not have much control on revenue, but it does have control over expenditures. He suggested starting with revenue projections and then going from there to determine expenditures.

There was considerable discussion of the budgeting principles prior to the following action being taken:

ACTION: Council Member Termini moved, seconded by Council Member Harlan, to approve the amended Budget Principles and Programs presented by the staff.

Under discussion of the motion, Council Member Storey expressed concerns and said he would want to hear from department heads relative to their priorities. He is not sure how staff can evaluate whether these principles are completed.

There was additional discussion regarding investigating options to develop a skate park or a dog park and interest in including ADA access or pedestrian safety projects throughout the city.

Council Member Termini said, based on discussion of the motion, an amendment to the motion is necessary to separate Public Improvement Principles from Public Improvement Possibilities.

Council Member Harlan suggested adding the word "pedestrian" to "Improve pedestrian/ADA access in the City.

Council Member Nicol suggested adding, "Support the Capitola Library."

3. D. BUSINESS (Continued)

Mayor Norton suggested combining the skate park and dog park to say, “Explore options to develop a skate park and dog park.”

Council Member Harlan accepted the amendment to the motion regarding the adoption of the following Budget Principles:

Overall Purpose: Develop projects and programs to maintain and enhance the quality of life in Capitola

Fiscal Policy Principles

- ⊙ Maintain a balanced budget without depleting reserves or selling assets solely for the purpose of balancing the budget
- ⊙ Support economic development programs along 41st Avenue, in the Village, and in other commercial areas
- ⊙ Maintain responsible levels of fees for service throughout the city organization

Public Services Principles

- ⊙ Maintain a transparent, efficient government by ensuring programs are in place that insure public access to city officials and staff, financial reports, project data, and other information
- ⊙ Recognize the high priority the community puts on public safety by funding a fully-budgeted and staffed Police Department
- ⊙ Recognize and continue to support Capitola’s rich art and cultural programs

Public Improvement Principles

- ⊙ Continue to maintain the City infrastructure by providing maximum funding for the pavement management system throughout the city
- ⊙ Ensure programs are in place to judiciously respond to development projects on the Rispin, McGregor and other public and private properties
- ⊙ Maintain and improve Capitola’s natural recreation resources and support sustainable programs that keep Capitola government and the community green

Public Improvement Possibilities

- Support the Capitola Library
- Explore options to develop a skate park and dog park
- Improve pedestrian/ADA access in the City

The motion carried on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

4. **ADJOURNMENT**

The City Council/Redevelopment Agency adjourned at 8:45 p.m. to its next Regular Meeting to be held on Thursday, February 24, 2011, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

ATTEST: _____, MMC
Pamela Greeninger, City Clerk

Dennis R. Norton, Mayor

CAPITOLA CITY COUNCIL

February 28, 2011
Capitola, California

MINUTES OF AN ADJOURNED CLOSED SESSION MEETING

Mayor Norton called the Adjourned Closed Session Meeting of the Capitola City Council to order at 12:35 p.m. on Monday, February 28, 2011, in the City Hall Community Room, 420 Capitola Avenue, Capitola, California.

PRESENT: Council Members Stephanie Harlan, Michael Termini, Kirby Nicol, Sam Storey, and Mayor Dennis Norton

ABSENT: None

STAFF: City Manager Jamie Goldstein, Community Development Director Derek Johnson, City Attorney John G. Barisone, Deputy City Attorney George Kovacevich, and City Clerk Pamela Greeninger (*for announcement regarding Closed Session only*).

CLOSED SESSION [520-25/570-40]

Mayor Norton announced that the City Council would continue discussion of those items from its February 24, 2011, Closed Session Meeting as posted on the Notice of Adjournment dated 2/25/11 and the Adjourned Closed Session Meeting Agenda. He said the City Council will meet with its Legal Counsel in Closed Session in the City Manager's office on the following matters:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9a)

Talbert vs. City of Capitola, et al. [U.S. District Court Case No. C 10-03113 JW (N.D. Cal.)]

Surf and Sand, LLC vs. City of Capitola, et al. (Surf & Sand Mobile Home Park) [Superior Court of the State of California for County of Santa Cruz, Case #CV 167716]

Surf and Sand, LLC vs. City of Capitola, et al. (Surf & Sand Mobile Home Park) [U.S. District Court N.D., Case No. C09-05542 RS (Judge Richard Seeborg)]

Los Altos/El Granada Investors vs. City of Capitola, et al. (Castle Mobile Estates) [U.S. District Court N.D., Case No. CV 04-05138 JF (Judge Jeremy Fogel)]

Vieira Enterprises, Inc., vs. City of Capitola (Cabrillo Mobile Estates)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9: One Case: Vieira Enterprises, Inc. vs. City of Capitola (Cabrillo Mobile Estates)

The City is in receipt of a December 30, 2010, Fair Return rent increase application for Cabrillo Mobilehome Park, which claims that if it is not granted in its entirety, the City will be liable for the unconstitutional taking of Mr. Vieira's property and further claims that the City's past enforcement of its rent control ordinance has already functioned to effect such a taking.

Mayor Norton noted that there was no one in the audience; therefore, the City Council recessed at 12:36 p.m. to the Closed Session in the City Manager's Office.

NOTE: Council Member Harlan left the Closed Session meeting at 1:35 p.m. to go to work.

REPORT ON CLOSED SESSION [520-25]

The City Council received an update from City Attorney Barisone, Deputy City Attorney George Kovacevich and City Manager Goldstein pertaining to the two pending Surf and Sand lawsuits and the pending Los Altos/El Granada (Castle Mobile Estates) lawsuit list on the Closed Session Agenda. After council discussion staff was provided direction with regard to their continued defense on behalf of the City. The City Council took no reportable action in Closed Session.

The City Council also received an update from City Manager Goldstein regarding the anticipated litigation between Vieira Enterprises, Inc., vs. City of Capitola (Cabrillo Mobile Estates).

There was no discussion regarding the Talbert vs. City of Capitola matter in Closed Session.

ADJOURNMENT

The City Council adjourned at approximately 2:00 p.m. to its next Regular Meeting to be held on Thursday, March 10, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Dennis R. Norton, Mayor

ATTEST: _____, MMC
Pamela Greeninger, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED BY THE CITY COUNCIL ON 3/10/2011



Item #: **3.C.**

CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: COMMUNITY DEVELOPMENT DIRECTOR

DATE: MARCH 4, 2011

SUBJECT: PLANNING COMMISSION ACTION MINUTES OF MARCH 3, 2011

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners Graves, Newman, Routh, Smith and Chairperson Ortiz

Staff: Community Development Director Johnson
Senior Planner Bane

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda: **DELETED 4930 CLIFF DRIVE**

B. Public Comments: **NONE**

C. Commission Comments: **Commissioner Newman indicated that the GPAC held its first meeting and that a workshop was scheduled for March 19, 2011 from 9:00-12:00 at 4420 Jade Street at the Capitola Community Center.**

D. Staff Comments: **NONE**

3. APPROVAL OF MINUTES

A. January 20, 2011 Regular Planning Commission Meeting

a. Commissioner Graves' recommendations regarding the disposition of RDA funds should be reflected in the minutes.

COMMISSONER NEWMAN MOVED THE MINUTES WITH COMMISSIONER ROUTH SECONDED.

B. February 3, 2011 Joint Meeting of the Planning Commission and the Traffic and Parking Commission

COMMISSIONER NEWMAN MOVED THE MINUTES WITH COMMISSIONER ROUTH SECONDED. COMMISSIONER GRAVES ABSTAINED AS HE LIVED TOO CLOSE TO THE PROPOSED PARKING STRUCTURE AND WAS PRECLUDED FROM PARTICIPATING IN THE DISCUSSION.

4. CONSENT CALENDAR

A. 5040 GARNET STREET

#11-010

APN: 034-043-04

Coastal Permit and Design Permit to demolish a single-family residence and construct a new two-story single-family residence in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Duncan & Judith Scollon, filed 1/26/11

Representative: Derek Van Alstine

COMMISSIONER SMITH RECUSED HERSELF BECAUSE SHE LIVES WITHIN 300' OF THE PROPOSED DEVELOPMENT.

APPROVED 4-0 WITH AN ADDITIONAL CONDITION. COMMISSIONER SMITH RECUSED.

9. The applicant shall include the planting of a new tree in the front yard as part of the approved landscape plan.

B. 4930 CLIFF DRIVE

#11-007

APN: 034-052-17

Coastal Permit and Design Permit to stabilize an existing foundation and extend a deck for a single-family residence in the CV (Central Village) Zoning District.

This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: Leslie A Paulides, filed 1/19/11

Representative: Ifland Engineers, Jon Ifland

PROJECT APPLICATION #11-007 WAS CONTINUED TO THE APRIL 7, 2011 PLANNING COMMISSION MEETING

MOTION PASSED 5-0

5. PUBLIC HEARINGS

A. 119 CENTRAL AVENUE

#11-011

APN: 036-112-04

Design Permit for a remodel and minor addition to an existing two-story single-family residence in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Greg & Dawn Harms, filed 1/26/11

Representative: Derek Van Alstine

A MOTION WAS MADE BY COMMISSIONER GRAVES AND SECONDED BY COMMISSIONER NEWMAN TO CONTINUE THE HEARING TO APRIL 7, 2011 AND FOR THE APPLICANT TO REDESIGN THE PROPOSED REAR DECK TO LIMIT THE SIZE, REQUESTED THAT UTILITIES BE CONSOLIDATED TO ONE METER, OBTAIN AN OPINION OF THE DAMAGED HISTORIC CHIMNEY CURRENTLY REPLACED WITH A STACK, ADDRESS WHETHER THE CHIMNEY SHOULD BE RETURNED TO BRICK, AND A NOTE TO RETAIN EXISTING LANDSCAPING.

MOTION PASSED 5-0

B. 1955 41st AVENUE

#11-008

APN: 034-261-15, 53

Conditional Use Permit for a restaurant use with outdoor seating and the sale and dispensing of alcoholic beverages for consumption upon the premises in the CC (Community Commercial) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: JFG Capitola Winfield Partners, filed 1/14/11

Representative: FHA Architects

A MOTION WAS MADE BY COMMISSIONER GRAVES AND SECONDED BY COMMISSIONER NEWMAN TO APPROVE APPLICATION #11-008, ADDING A SPECIAL CONDITION REGARDING REFUSE AND DIRECTION TO STAFF TO WORK WITH THE CLIENT TO MODIFY THE EXTERIOR PLANTER AS PART OF THE OUTDOOR SEATING AREA.

APPROVED 5-0

6. DIRECTOR'S REPORT Community Development Director Johnson updated the Commission on various planning issues, including the Rispin Mansion, the library project, the General Plan and code enforcement.

7. COMMISSION COMMUNICATIONS Commissioner asked about a monthly update from the CDD. Chairperson Ortiz requested information about construction sign regulations.

8. ADJOURNMENT

The Planning Commission adjourned to a Regular Meeting to be held on Thursday, April 7, 2011 at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.



Item #: **3.D.**

CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: CITY MANAGER'S DEPARTMENT

DATE: FEBRUARY 28, 2011

SUBJECT: APPROVE ADMINISTRATIVE POLICY: DIGITAL READING DEVICE PURCHASING POLICY

Recommended Action: By motion and roll call vote, that the City Council approve the Administrative Policy: Digital Reading Device Purchasing Policy.

BACKGROUND

The Council received a report analyzing the financial savings and environmental impacts of transitioning from paper agendas to electronic devices for City Council and Planning Commission meeting agenda packets at a council meeting held on January 13, 2011. The City Council directed staff to prepare a digital reading device purchasing policy to be brought back for approval at a future council meeting.

DISCUSSION

The draft Digital Reading Device Purchasing Policy allows for authorized individuals who agree to go paperless for two years up to \$250 for the purchase of a digital reading device. Recipients would be eligible for a new stipend every 2-years to update technology. The reimbursement amount is intended to cover that portion of the individual's costs related to City business, and not off-set the entire cost of a device. City staff will provide technical support for hardware/software options on a City-approved list.

If the individual decides not to continue to receive the agendas electronically prior to the expiration of the 2 years, then that individual would be responsible for reimbursing the City a prorated share of the \$250 based on a depreciation schedule as determined by the City Manager.

FISCAL IMPACT

The City Council authorized the Department Heads, the Planning Commissioners and the Council Members to be eligible for the reimbursement of up to \$250 towards the purchase of a digital reading device. Assuming 15 eligible recipients, the cost to reimburse would be \$3,375. Annual direct and indirect savings, assuming 2-year stipend cycle would be \$3,880.

ATTACHMENT – Draft Policy

Report Prepared By: Lisa G. Murphy
Assist. to the City Manager

**Reviewed and Forwarded
by City Manager:** _____



ADMINISTRATIVE POLICY

Number: V-10
Issued: 03/10/11
Jurisdiction: City Council

Digital Reading Device Purchasing Policy

I. PURPOSE

The purpose of this policy is to provide for the establishment of a digital reading device reimbursement program.

II. POLICY

The City has a goal to reduce waste generated from the City by 75% and to seek opportunities to reduce environmental impacts. A significant source of waste is the paper generated by the City in the production of City Council and Planning Commission agenda packets. It is estimated the City prints up to 84,000 pages for Council packets and 8,000 pages for Planning Commission packets per year. To reduce the amount of paper generated by the City for those meetings the City will now produce the Agendas digitally to be viewed on digital reading devices.

The City will reimburse authorized individuals who agree to go paperless for two years up to \$250 for the purchase of a digital reading device. Recipients would be eligible for a new stipend every 2-years to update technology. The reimbursement amount is intended to cover that portion of the individual's costs related to City business, and not off-set the entire cost of a device.

III. DEFINITIONS

Digital Reading Device is an all encompassing term used to identify computers that are portable and allow for an individual to access documents electronically. The Device also allows for authorized users to access city email, calendar and the internet.

IV. PROCEDURE

The following is a list of eligible members to be reimbursed for their purchase of a digital reading device: City Council Members, Planning Commissioners, City Manager and Department Heads. Any others are subject to approval by the City Manager.

- a. Individuals who receive a reimbursement must agree to receive all agenda and related materials electronically for a minimum of two years.
- b. The digital reading device will be personally owned and under the responsibility of the Authorized Individuals. As the digital device is personally owned by the Authorized Individual, the Authorized Individual may use the digital reading device for both business and personal purposes, as needed.
- c. Those positions approved to receive a reimbursement shall be responsible for purchasing their own device.
- d. If an authorized user should determine they would no longer wish to receive the documents electronically prior to the expiration of the two year time limit, that person will be responsible for reimbursing the City for a prorated portion of the original reimbursement amount based on a depreciation schedule as determined by the City Manager.
- e. City staff shall only provide technical support for hardware/software options on the City-approved list. Such a list shall be maintained by the City Manager.

- f. Non-Exempt employees shall not use the digital reading device for city business during non working hours without prior approval from their supervisor.

This policy was approved by the City Council at its meeting of March 10, 2011, and is authorized by:

Jamie Goldstein, City Manager

JG/lgm

CITY OF CAPITOLA

REIMBURSEMENT REQUEST FOR A DIGITAL READING DEVICE

PROCESS FOR REIMBURSEMENT FOR A DIGITAL READING DEVICE:

1. Complete and sign Section A of this form.
2. Council Members & Planning Commissioners: Submit this form with your receipt for the purchase of a digital reading device.
3. City Employees: Obtain City Manager's approval under Section B of this form prior to purchasing a digital reading device.

Section A – Agreement to Terms and Conditions:

Employee/Council Member/Planning Commissioner Name: _____

Title: _____

In order to be eligible to receive a reimbursement of \$250 towards the purchase of a digital reading device I agree to receive all City & RDA related agenda's and agenda related materials electronically for a minimum of two years. If for any reason I decide to no longer receive all agenda's and agenda related materials prior to the expiration of the two years, then I will reimburse the city an amount determined by the City Manager.

Requester's signature: _____ Date: _____

FOR CITY EMPLOYEES ONLY

Section B - Request to have a Digital Reading Device

☐ Approved ☐ Not approved

City Manager's Signature: _____ Date: _____



Item #: **3.E.**

CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: CITY MANAGER'S DEPARTMENT

DATE: FEBRUARY 28, 2011

SUBJECT: APPROVE ADMINISTRATIVE POLICY: ELECTRONIC COMMUNICATIONS
DURING OPEN PUBLIC MEETINGS SUBJECT TO THE BROWN ACT

Recommended Action: By motion and roll call vote, that the City Council approve the Administrative Policy: Electronic Communications During Open Public Meetings Subject to the Brown Act.

BACKGROUND

Use of electronic media is necessary and useful for City Council, Board, Commission, and Committee members in order to improve communication and efficiently perform their City duties. The purpose of this policy is to insure the proper use of electronic media by the City Council, Board, Commission and Committee members during meetings subject to the Brown Act, comply with applicable laws concerning hearings and deliberating procedures, particularly regarding information received at a public hearing or meeting, and to insure completeness of the administrative record of such meetings.

DISCUSSION

Many members of the various boards, commissions, committees and members of the City Council (members) own electronic devices which allow communications during meetings subject to the Brown Act. This policy details how members will ensure compliance with the Brown Act. The policy specifically does not permit members to receive and send email or text messages during a meeting subject to the Brown Act. If a member should receive an electronic communication during a meeting the member must immediately report the communication so that it may become part of the public record. This prohibition does not apply to email or text messages from the City Clerk, or to family members, family care givers, or other urgent personal or business matters that do not address City business.

FISCAL IMPACT

No fiscal impact.

ATTACHMENT – Draft Policy

Report Prepared By: Lisa G. Murphy
Assist. to the City Manager

**Reviewed and Forwarded
by City Manager:** _____



ADMINISTRATIVE POLICY

Number: V-11
Issued: 03/10/11
Jurisdiction: City Council

Electronic Communications During Open Public Meetings Subject to the Brown Act

I. PURPOSE

Use of electronic media is necessary and useful for City Council, Board, Commission, and Committee members in order to improve communication and efficiently perform their City duties. The purpose of this policy is to insure the proper use of electronic media by the City Council, Board, Commission and Committee members during meetings subject to the Brown Act, comply with applicable laws concerning hearings and deliberating procedures, including due process, particularly regarding information received at a public hearing or meeting, and to insure completeness of the administrative record of such meetings.

II. DEFINITIONS

- a. Electronic Communication System Devices -- products designed to electronically process, transmit, or store information such as computers, phones, cell and smart phones, printers, modems, data files, tablet computers, readers and email.
- b. E-Communication -- electronic text or visual communication and attachments distributed via e-mail, websites, instant messaging, text messaging, twitter, or comparable services.

III. PROCEDURE

- a. **Distribution of Agenda Packets:** The distribution of agenda packets to City Council, Board, Commission and Committee members may be in hardcopy or through electronic media. City Council, Board, Commission and Committee members may also access agendas and agenda packets via Electronic Communication System Devices to view during public hearings and public meetings.
- b. **Use of E-Communications During Meetings:** During City Council, Board, Commission and Committee meetings noticed and open to the public pursuant to the Brown Act, the use of Electronic Communication System Devices by members to access the internet or to receive and send email or text messages, is not permitted. This prohibition shall not apply to email or text messages from the City Clerk, or to family members, family care givers, or other urgent personal or business matters that do not address City business.
- c. If a member of a committee or board inadvertently receives or transmits an e-communication during a meeting subject to the Brown Act, in violation of III.b, the receipt of such information shall be immediately disclosed, and the e-communication shall become a part of the public record.

This policy was approved by the City Council at its meeting of March 10, 2011, and is authorized by:

Jamie Goldstein, City Manager

JG/lgm



Item #: **5.A.**

CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: CITY MANAGER'S DEPARTMENT
DATE: FEBRUARY 28, 2011
SUBJECT: CONSIDERATION OF LEGISLATIVE BILLS AB 579 & SB 444

Recommended Action: Council Direction regarding Assembly Bill No. 579 regarding mobilehome park litigation fees and Senate Bill No. 444 regarding mobilehome park resident surveys.

BACKGROUND

Council Member Harlan requested staff to place on the agenda for Council consideration Assembly Bill 579 and Senate Bill 444.

DISCUSSION

Senate Bill No. 444 was introduced on February 24, 2011 by Senator Evans (attachment 1). This bill will amend Government Code Section 66427.5 relating to land use. Currently, the Subdivision Map Act requires the subdivider of a rental mobilehome park to obtain a survey of support of the residents of the mobilehome park for the proposed conversion and submit the results to the local agency. This bill would clarify that the local agency is required to consider the results of the survey in making its decision to approve, conditionally approve, or disapprove the map; that the local agency is authorized to disapprove the map if it finds that the results of the survey have not demonstrated adequate resident support.

Assembly Bill No. 579 was introduced on February 16, 2011 by Assemblymember Monning (attachment 2). This bill will amend Sections 1021.5 and 1036 and add Section 425.20 to the Code of Civil Procedure and to amend Section 800 of the Government Code relating to mobilehome parks. This legislation would allow local government agencies to recover attorney's fees if they successfully defended their mobilehome rent control ordinance. This bill would also provide the courts with a special motion to dismiss proceedings that have no reasonable basis.

Both bills have been referred to their respective committees. AB 579 is scheduled to be heard on March 18.

FISCAL IMPACT

No fiscal impact

ATTACHMENTS

1. Senate Bill No. 444
2. Assembly Bill No. 579

Report Prepared By: Lisa G. Murphy
Assist. to the City Manager

**Reviewed and Forwarded
by City Manager:** _____

SENATE BILL

No. 444

Introduced by Senator Evans
(Principal coauthor: Assembly Member Williams)
(Coauthors: Assembly Members Allen and Furutani)

February 16, 2011

An act to amend Section 66427.5 of the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

SB 444, as introduced, Evans. Land use: subdivisions: rental mobilehome park conversion.

The Subdivision Map Act requires a subdivider, at the time of filing a tentative or parcel snap for a subdivision to be created from the conversion of a rental mobilehome park to resident ownership, to avoid the economic displacement of all nonpurchasing residents by following specified requirements relating to the conversion, including the requirement that the subdivider obtain a survey of support of residents of the mobilehome park for the proposed conversion, the requirement that the results of the survey be submitted to the local agency for consideration, as specified, and the requirement that the subdivider be subject to a hearing by the legislative body or advisory agency that is authorized to approve, conditionally approve, or disapprove the map.

This bill would clarify that the local agency is required to consider the results of the survey in making its decision to approve, conditionally approve, or disapprove the map; that the agency is authorized to disapprove the map if it finds that the results of the survey have not demonstrated adequate resident support; and that, with respect to mitigation of economic displacement of all nonpurchasing residents, the scope of the hearing is limited to compliance with these provisions of the act.

This bill would find and declare that the changes made by this act do not constitute a change in, and are declaratory of, existing law, and would state the intent of the Legislature to clarify the intent of certain provisions of the subdivision map.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows

1 SECTION 1. Section 66427.5 of the Government Code is
2 amended to read:

3 66427.5. At the time of filing a tentative or parcel map for a
4 subdivision to be created from the conversion of a rental
5 mobilehome park to resident ownership, the subdivider shall avoid
6 the economic displacement of all nonpurchasing residents in the
7 following manner:

8 (a) The subdivider shall offer each existing tenant an option to
9 either purchase his or her condominium or subdivided unit, which
10 is to be created by the conversion of the park to resident ownership,
11 or to continue residency as a tenant.

12 (b) The subdivider shall file a report on the impact of the
13 conversion upon residents of the mobilehome park to be converted
14 to resident owned subdivided interest.

15 (c) The subdivider shall make a copy of the report available to
16 each resident of the mobilehome park at least 15 days prior to the
17 hearing on the map by the advisory agency or, if there is no
18 advisory agency, by the legislative body.

19 (d) (1) The subdivider shall obtain a survey of support of
20 residents of the mobilehome park for the proposed conversion.

21 (2) The survey of support shall be conducted in accordance with
22 an agreement between the subdivider and a resident homeowners'
23 association, if any, that is independent of the subdivider or
24 mobilehome park owner.

25 (3) The survey shall be obtained pursuant to a written ballot.

26 (4) The survey shall be conducted so that each occupied
27 mobilehome space has one vote.

28 (5) The results of the survey shall be submitted to the local
29 agency upon the filing of the tentative or parcel map, to be
30 considered as part of the subdivision reap hearing prescribed by
31 *in the agency's decision as to whether to approve,*

1 conditionally approve, or disapprove the map, and the agency may
2 disapprove the map if it finds that the results of the survey have
3 not demonstrated adequate resident support.

4 (e) The subdivider shall be subject to a hearing by a legislative
5 body or advisory agency, which that is authorized by local
6 ordinance to approve, conditionally approve, or disapprove the
7 map.4-lie With respect to mitigation of economic displacement of
8 all nonpurchasing residents, the scope of the hearing shall be
9 limited to the issue of compliance with this section. *Nothing in*
10 *this section shall be construed to relieve the subdivider or the local*
11 *agency from complying with other applicable state or local laws,*
12 *including, but not limited to, Chapter 4 (commencing with Section*
13 *66473) of this division.*

14 (f) The subdivider shall be required to avoid the economic
15 displacement of all nonpurchasing residents in accordance with
16 the following:

17 (1) As to nonpurchasing residents who are not lower income
18 households, as defined in Section 50079.5 of the Health and Safety
19 Code, the monthly rent, including any applicable fees or charges
20 for use of any preconversion amenities, may increase from the
21 preconversion rent to market levels, as defined in an appraisal
22 conducted in accordance with nationally recognized professional
23 appraisal standards, in equal annual increases over a four-year
24 period.

25 (2) As to nonpurchasing residents who are lower income
26 households, as defined in Section 50079.5 of the Health and Safety
27 Code, the monthly rent, including any applicable fees or charges
28 for use of any preconversion amenities, may increase from the
29 preconversion rent by an amount equal to the average monthly
30 increase in rent in the four years immediately preceding the
31 conversion, except that in no event shall the monthly rent be
32 increased by an amount greater than the average monthly
33 percentage increase in the Consumer Price Index for the most
34 recently reported period.

35 SEC. 2. (a) The Legislature finds and declares that the
36 amendments to Section 66427.5 of the Government Code made
37 by this act do not constitute a change in, but rather are declaratory
38 of, existing law.

39 (b) It is the intent of the Legislature to do both of the following:

- 1 (1) Clarify that the legislative intent underpinning paragraphs
2 (1) and (5) of subdivision (d) of Section 66427.5 of the Government
3 Code has been, and continues to be, to require a local agency to
4 consider, in making the decision to approve, conditionally approve,
5 or disapprove the tentative or parcel map, the level of resident
6 support for the proposed conversion, and that those provisions
7 authorize the agency, at its discretion, to disapprove the map, if it
8 finds that the results of the survey have not demonstrated adequate
9 resident support.
- 10 (2) Clarify that subdivision (e) of Section 66427.5 of the
11 Government Code is not intended to relieve the subdivider or the
12 local agency from the requirement of complying with other
13 applicable state or local laws, including, but not limited to, Chapter
14 4 (commencing with Section 66473) of Division 2 of Title 7 of
15 the Government Code.

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CALIFORNIA LEGISLATURE--2011--12 REGULAR SESSION

ASSEMBLY BILL

No. 579

Introduced by Assembly Member Monning

February 16, 2011

An act to amend Sections 1021.5 and 1036 of, and to add Section 425.20 to, the Code of Civil Procedure, and to amend Section 800 of the Government Code, relating to mobilehome parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 579, as introduced, Monning. Mobilehome parks: liability: attorney's fees.

Existing law permits a court to award attorney's fees to a successful party in an action that has resulted in the enforcement of an important right affecting public interest, but does not allow an award of attorney's fees in favor of public entities, except in limited circumstances. Existing law requires the court to determine and award a successful plaintiff in an inverse condemnation proceeding certain costs, disbursements, expenses, and fees, as provided. Existing law permits a complainant to collect specified attorney's fees in a civil action to appeal or review an administrative proceeding where the proceeding was the result of arbitrary or capricious action or conduct by the public entity or officer.

This bill would permit the award of attorney's fees and, in some cases, other litigation expenses, to a local governmental entity in an action brought by the owner of a mobilehome park to challenge the validity or application of a local ordinance, rule, regulation, or initiative measure that regulates space rent or is intended to benefit or protect residents in a mobilehome park, if the local governmental entity is determined to be the prevailing party.

Existing law provides that a cause of action against a person arising from the person's right of petition or free speech is subject to a special motion to strike, unless the court determines there is a probability that the plaintiff will prevail on the claim.

This bill would also subject certain causes of action against a local government regarding mobilehome parks to a special motion to strike. The motion would apply to a cause of action that challenges the validity or application of a local ordinance, rule, regulation, or initiative measure that regulates space rent, as specified, or a cause of action that challenges a local government's application or enforcement of any statute that is intended to benefit or protect residents in a mobilehome park, unless the court determines that the plaintiff has established that there is a probability that the plaintiff will prevail on the claim.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Many local jurisdictions, in an effort to preserve and support
4 affordable housing options, and to protect the investments of all
5 mobilehome owners, *have* adopted mobilehome rent ordinances
6 to protect mobilehome owners from excessive rent increases.
7 Various state statutes also require local jurisdictions to review and S
rule upon park owner applications to close or convert rental
9 mobilehome parks and to ensure that proper mitigation is provided
10 to all mobilehome owners who may be displaced from their
11 mobilehome parks due to its closure or conversion.

12 (b) Under current law, cities and counties that successfully
13 defend their mobilehome rent ordinances, their administrative
14 decisions under their ordinances, and their decisions on park owner
15 closure and conversion applications must bear the costs of their
16 legal defense, even if they win. On the other hand, pursuant to
17 several current state statutes that this bill amends, they must pay
18 the other side's attorney's fees if they prevail under these statutes
19 that allow them to challenge mobilehome rent ordinances, local
20 administrative decisions under those ordinances, and local
21 administrative decisions on park owner applications to close and
22 convert rental mobilehome parks.

1 (c) There has been a disturbing increase in lawsuits brought by
2 mobilehome park owners challenging the adoption and retention
3 of local mobilehome ordinances, challenging local administrative
4 decisions under those ordinances, and challenging local decisions
5 on mobilehome park owner applications to close and convert rental
6 mobilehome parks. These lawsuits often have little likelihood of
7 success, involve excessive, unnecessary, and expensive discovery
8 procedures and, in many instances, cause local jurisdictions to
9 abandon the above protections of mobilehome owners because of
10 the great expense of defending against these lawsuits regardless
11 of the local jurisdictions chances of prevailing. These
12 circumstances have caused these lawsuits to have a chilling effect
13 on local jurisdictions' willingness and ability to continue to
14 preserve and support affordable housing in mobilehome parks,
15 and to protect the investments of all mobilehome owners, through
16 the adoption and retention of mobilehome rent ordinances, and
17 through the proper enforcement of both these ordinances and the
18 state statutes regarding the closure and conversion of rental] 9
mobilehome parks.

20 (d) It is in the public interest to encourage cities to continue to
21 adopt and retain these local ordinances and continue to properly
22 enforce both these mobilehome park rent ordinances and state
23 statutes regulating the closure and conversion of rental mobilehome
24 parks. To this end, the provisions enacted by this measure shall be
25 construed broadly.

26 . SEC. 2. Section 425.20 is added to the Code of Civil Procedure,
27 to read:

28 425.20. (a) (1) The following causes of action shall be subject
29 to a special motion to strike, unless the court determines that the
30 plaintiff has established that there is a probability that the plaintiff
31 will prevail on the claim:

32 (A) A cause of action brought by the owner of a mobilehome
33 park, as defined in Section 798.4 of the Civil Code, to challenge
34 the validity or application of an ordinance, rule, regulation, or
35 initiative measure adopted by any local governmental entity that
36 regulates space rent, or is otherwise intended to benefit or protect
37 residents in the park.

38 (B) A cause of action that challenges a local government's
39 application or enforcement of any state statute that is intended to
40 benefit or protect residents in the mobilehome park.

1 (2) In making its determination, the court shall consider the
2 pleadings and supporting and opposing affidavits stating the facts
3 upon which the liability or defense is based.

4 (3) If the court determines that the plaintiff has established a
5 probability that he or she will prevail on the claim, neither that
6 determination nor the fact of that determination shall be admissible
7 in evidence at any later stage of the case, or in any subsequent
8 action, and no burden of proof or degree of proof otherwise
9 applicable shall be affected by that determination in any later stage
10 of the case or in any subsequent proceeding.

11 (b) In any action subject to subdivision (a), a prevailing
12 defendant on a special motion to strike shall be entitled to recover
13 his or her attorney's fees and costs. If the court finds that a special
14 motion to strike is frivolous or is solely intended to cause
15 unnecessary delay, the court shall award costs and reasonable
16 attorney's fees to a plaintiff prevailing on the motion, pursuant to
17 Section 128.5.

18 (c) The special motion may be filed within 60 days of the service
19 of the complaint or, in the court's discretion, at any later time upon
20 terms it deems proper. The motion shall be scheduled by the clerk
21 of the court for a hearing not more than 30 days after the service
22 of the motion unless the docket conditions of the court require a
23 later hearing. .

24 (d) All discovery proceedings in the action shall be stayed upon
25 the filing of a notice of motion made pursuant to this section. The
26 stay of discovery shall remain in effect until notice of entry of the
27 order ruling on the motion. The court, on noticed motion and for
28 good cause shown, may order that specified discovery be conducted
29 notwithstanding this subdivision.

30 (e) For purposes of this section, the following apply:

31 (1) "Complaint" includes a cross-complaint or a petition.

32 (2) "Plaintiff" includes a cross-complainant or a petitioner.

33 (3) "Defendant" includes a cross-defendant or a respondent.

34 (f) An order granting or denying a special motion to strike shall
35 be appealable under Section 904.1.

36 SEC. 3. Section 1021.5 of the Code of Civil Procedure is
37 amended to read:

38 1021.5. (a) Upon motion, a court may award
39 attorney's fees to a successful party against one or more opposing
40 parties in any action which has resulted in the enforcement of an

1 important right affecting the public interest if: (a) (1) a significant
2 benefit, whether pecuniary or nonpecuniary, has been conferred
3 on the general public or a large class of persons, _____ (b) (2) the
4 necessity and financial burden of private enforcement, or of
5 enforcement by one public entity against another public entity, are
6 such as to make the award appropriate, and (c) such (3) *the* fees
7 should not in the interest of justice be paid out of the recovery, if
8 any. With respect to ____ *Except as provided in subdivision (c), in*
9 actions involving public entities, this section applies to allowances
10 against, but not in favor of, public entities, and no claim shall be
11 required to be filed therefor, unless one or more successful parties
12 and one or more opposing parties are public entities, in which case
13 no claim shall be required to be filed therefor under Part 3
14 (commencing with Section 900) of Division 3.6 of Title 1 of the
15 Government Code.

16 Attorneys'

17 *(b) Attorney's fees awarded to a public entity pursuant to this*
18 section shall not be increased or decreased by a multiplier based
19 upon extrinsic circumstances, as discussed in *Serrano v. Priest*, 20
20 Cal. 3d 25; 49.

21 *(c) In an action brought by the owner of a mobilehome park,*
22 *as defined in Section 798.4 of the Civil Code, to challenge the*
23 *validity or application of an ordinance, rule, regulation, or*
24 *initiative measure adopted by any local governmental entity that*
25 *regulates space rent, or is otherwise intended to benefit or protect*
26 *residents in the park, or is an action that challenges a local*
27 *government's application or enforcement of any state statute that*
28 *is intended to benefit or protect residents in the park, if the local*
29 *governmental entity is determined to be the prevailing party in the*
30 *action, or in the defense against the action, meets the criteria of*
31 *subdivision (a), the court shall award attorney's fees to the local*
32 *governmental entity.*

33 SEC. 4. Section 1036 of the Code of Civil Procedure is
34 amended to read:

35 *1036. (a) In any inverse condemnation proceeding, the court*
36 *rendering judgment for the plaintiff by awarding compensation,*
37 *or the attorney representing the public entity who effects a*
38 *settlement of that proceeding, shall determine and award or allow*
39 *to the plaintiff, as apart of that judgment or settlement, a sum that*
40 *will, in the opinion of the court, reimburse the plaintiff's reasonable*

1 costs, disbursements, and expenses, including reasonable attorney,
2 appraisal, and engineering fees, actually incurred because of that
3 proceeding in the trial court or in any appellate proceeding in which
4 the plaintiff prevails on any issue in that proceeding.

5 **(b)** *In an inverse condemnation proceeding brought by the owner*
6 *of a mobilehome park, as defined in Section 798.4 of the Civil*
7 *Code, to challenge the validity or application of an ordinance,*
8 *rule, regulation, or initiative measure adopted by any local*
9 *governmental entity which regulates space rent, or is otherwise*
10 *intended to benefit or protect residents in the park; or is an inverse*
11 *condemnation proceeding that challenges a local government's*
12 *application or enforcement of any state statute that is intended to*
13 *benefit or protect residents in the park, if the local governmental*
14 *entity is determined to be the prevailing party and the action meets*
15 *the criteria of subdivision (a), the court shall award attorney's*
16 *fees to the local governmental entity.*

17 SEC. 5. Section 800 of the Government Code is amended to
18 read:

19 800. (a) In any civil action to appeal or review the award,
20 finding, or other determination of any administrative proceeding
21 under this code or under any other provision of state law, except
22 actions resulting from actions of the California Victim
23 Compensation and Government Claims Board, if it is shown that
24 the award, finding, or other determination of the proceeding was
25 the result of arbitrary or capricious action or conduct by a public
26 entity or an officer thereof in his or her official capacity, the
27 complainant if he or she prevails in the civil action may collect
28 from the public entity reasonable attorney's fees, computed at one
29 hundred dollars (\$100) per hour, but not to exceed seven thousand
30 five hundred dollars (\$7,500), if he or she is personally obligated
31 to pay the fees in addition to any other relief granted or other costs
32 awarded.

33 (b) This section is ancillary only, and shall not be construed to
34 create a new cause of action.

35 (c) The refusal by a public entity or officer thereof to admit
36 liability pursuant to a contract of insurance shall not be considered
37 arbitrary or capricious action or conduct within the meaning of
38 this section.

39 (d) *In any civil action brought by the owner of a mobilehome*
40 *park, as defined in Section 798.4 of the Civil Code, pursuant to*

1 *this section, to challenge the validity or application of an*
2 *ordinance, rule, regulation, or initiative measure adopted by any*
3 *local governmental entity that regulates space rent, or is otherwise*
4 *intended to benefit or protect residents in the park, if the local*
5 *governmental entity is determined to be the prevailing party, the b*
court shall award attorney's fees and other litigation expenses to 7 the
local governmental entity.

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CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: MARCH 2, 2011

SUBJECT: RECEIVE AND FILE CITY OF CAPITOLA GREENHOUSE GAS EMISSIONS INVENTORY
2005 BASELINE REPORT

Recommended Action: That the City Council receive and file the Capitola Greenhouse Gas Emissions Inventory 2005 Baseline Report prepared by the Association of Monterey Bay Area Governments (AMBAG) Energy Watch Program.

BACKGROUND

AMBAG's Energy Watch Program has prepared the attached Green House Gas Emissions Inventory Report. This report quantifies the City of Capitola's Green House Gas (GHG) emissions and provides a 2005 baseline for use in the development of the City's Climate Action Plan. A short presentation on the report will be provided by Elisabeth Bertrand Russell, Special Projects Manager, AMBAG Energy Watch and Charlie Buck, special Project Associate.

DISCUSSION

The Energy Watch Program was created as a partnership between AMBAG and the Pacific Gas and Electric Company (PG&E) as a program to address the need for climate action planning for jurisdictions in the tri-county AMBAG region. A Climate Action Plan (CAP) is a local strategy to reduce GHG emissions from the community and government operations. Before a jurisdiction can draft a CAP it must first quantify its GHG emissions in a logical, organized fashion that identifies sources and relative magnitudes of emissions to inform the climate action planning process. The GHG inventory is a detailed report of emissions from the City of Capitola occurring in the year 2005. This year has been widely accepted as the baseline year by which all future GHG emissions reductions (or increases) should be measured. With the Baseline Report now complete Capitola can begin work on the development of its Climate Action Plan. The CAP will be a part of the larger General Plan Update process to be developed over the next several years by the City's planning staff and through contract with Design, Community & Environment (DC&E).

FINDINGS

This inventory provides a baseline against which the City can set reductions targets and quantify emissions reductions. A long-term target such as the year 2020 or 2035 is necessary in keeping with state legislation; however, setting near-term targets along the way can facilitate additional support and accountability, and help ensure continued momentum around the community's local climate protection efforts. To monitor the effectiveness of its program, the City may want to consider a plan to re-inventory its emissions at regular time intervals. Capitola will utilize this Emissions Inventory as a working document that will likely be modified and revised as the City moves forward with the development of the Climate Action Plan and as more detailed analysis of greenhouse gases become available.

FISCAL IMPACT

The GHG Emissions Inventory Report was prepared by AMBAG's Energy Watch Program at no charge to the City of Capitola.

ATTACHMENTS

1. Green House Gas Emissions Inventory 2005 Baseline Report

Report Prepared By: David Foster
CDD Project Manager

Reviewed and Forwarded
By City Manager: _____

City of Capitola

Greenhouse Gas Emissions Inventory

2005 Baseline Report



Narrative Report

Produced by the Association of Monterey Bay Area Governments
Energy Watch Program
In Collaboration with Pacific Gas and Electric Company and
ICLEI-Local Governments for Sustainability USA

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1. Introduction

The tri-county region served by the Association of Monterey Bay Area Governments (AMBAG) is made up of 21 unique local jurisdictions within Monterey, San Benito, and Santa Cruz counties. Each jurisdiction has its own unique set of resources and challenges, reflective of demographics, major industries, and geographic location. In 2009 and the years leading up to it, many jurisdictions had expressed a desire to address the issue of climate change and greenhouse gases in the region; however, due to budgetary and staffing constraints, most local governments lacked the ability and expertise to act on their own.

In order to address this need, AMBAG Energy Watch designed a three phase program (see below for explanation) to assist jurisdictions with what has become known as “climate action planning.” A climate action plan (CAP) is a local strategy implemented by a jurisdiction to reduce GHG emissions from their community and government operations through a variety of measure which will be discussed later in this document. Before a jurisdiction can draft a CAP, however, it must first quantify its GHG emissions in a logical, organized fashion that identifies sources and relative magnitudes of emissions to inform the climate action planning process. The product of this quantification exercise is called a greenhouse gas inventory. The following GHG inventory is a detailed report of emissions from the City of Capitola occurring in the year 2005. This year has been widely accepted as the baseline year, by which all future GHG emission reductions (or increases) should be measured against.

In developing a program to address AMBAG jurisdictions’ climate action planning processes, AMBAG Energy Watch had the following goals:

- Work together as a region to establish a baseline local government operations greenhouse gas inventory for 100% of the jurisdictions within the AMBAG region by December, 2009 (Three of these jurisdictions already had reporting systems in place prior to the development of this program)
- Establish a baseline community-wide greenhouse gas inventory for 100% of AMBAG jurisdictions by December, 2010. Two jurisdictions had reporting systems in place prior to the development of this program
- Build capacity within jurisdictions by training staff to gather and condition source data, calculate emissions, and complete the official reporting template for the California Air Resources Board (CARB)
- Build capacity within jurisdictions so that local government staff can complete future updates of their GHG inventories
- Provide green job training at a very high skill level to graduate students so that they will be better able to serve the region and the state as professionals upon graduation

- Complete the work at no charge to any of the participating jurisdictions
- Take advantage of economies of scale for cost-effectiveness by working with all jurisdictions simultaneously

This report quantifies GHG emissions from the community of Capitola. The overall results can be seen in detail in Chapter 3. Chapter 4 provides an in-depth look at GHG emissions from the City of Capitola's government operations. While the community-scale inventory quantifies *total* emissions (including those from government operations), the local government operations inventory “zooms in” on those emissions occurring as a result of the City's government operations alone. Thus, the two emissions figures contained in chapters 3 and 4 cannot be summed to reach the “total” GHG emissions.

1.1. AMBAG Energy Watch and Climate Action Planning

The AMBAG Energy Watch program is a local government partnership between AMBAG and the Pacific Gas and Electric Company (PG&E). The goal of Energy Watch is to promote energy efficiency and climate action planning throughout the tri-county region. The program has served the many diverse communities in the AMBAG territory through various programs including:

- Direct installation of energy efficiency measures in municipal buildings, non-profit organizations, school districts, and the hospitality industry
- Municipal Customized Retrofit Program
- American Recovery and Reinvestment Act (ARRA) Energy Efficiency and Conservation Block Grant (EECBG) Technical Assistance to jurisdictions
- Free home energy surveys to residents
- Direct installation programs for just-above low income households through Middle Income Direct Install (MIDI) program
- CO₂ emissions calculations for residents
- Baseline GHG emissions inventories and trainings for jurisdictions
- Free installation of computer power management software in jurisdictions and school districts
- Sponsorship of energy efficiency and climate action planning education and training programs
- Maintains Central Coast Green Building Directory

AMBAG Energy Watch developed and is currently implementing a three phase program to address the need for climate action planning assistance for jurisdictions in the AMBAG region. Phase 1 was completed in the Fall of 2009, and this document represents the culmination of Phases 1 and 2. The full program is as follows:

Phase 1: Local Government Operations GHG Inventory (July-December, 2009)

In Phase 1, AMBAG Energy Watch paired local jurisdictional staff with graduate level interns from CSUMB and the Monterey Institute of International Studies in order to complete each jurisdiction's local government operations inventory according to the California Air Resource Board's (CARB) Local Government Operations Protocol. ICLEI provided a series of classes to train interns and local government staff on the GHG inventory procedure. AMBAG staff managed the intern team and ensured accuracy throughout the process.

Phase 2: Community-Wide GHG Inventory (July-December, 2010)

In Phase 2, AMBAG Energy Watch worked with PG&E's Green Communities program to host a single, full day training session in Monterey with ICLEI staff leading the instruction. Local government planning staff came together for the training. In the absence of a CARB approved community-wide GHG protocol, AMBAG Energy Watch chose to use ICLEI's IEAP methodology. ICLEI has been a primary advisor to CARB in the development of GHG protocols. This document combines the findings of both Phase 1 and Phase 2 into a single report.

Phase 3: Climate Action Plan Development (August 2011- June 2012, projected)

The third phase of AMBAG Energy Watch's climate action planning program will again bring together local jurisdictional staff and graduate level interns, as well as training modules provided by ICLEI. The goal of this phase is to develop a CAP draft for each of the participating AMBAG jurisdictions. By going through the climate action planning process together, jurisdictions can ensure comparability and consistency among individual CAP's, allowing jurisdictions to develop emissions reductions strategies both individually and as a region.

1.2. Climate Action Planning for the City of Capitola

Capitola is a small (1.6 square mile) seaside community, located along Monterey Bay in Santa Cruz County. With a population of 10,015 persons residing in 5,478 dwellings Capitola has a fairly high population density of 6,220 persons per square mile. With the City's current General Plan, adopted in 1989, now past its twenty-year planning horizon Capitola is embarking on an update of its General Plan. The update process will simultaneously involve the completion of the related Environmental Impact Report an update of the Local Coastal Plan and Zoning Code and the development of the City's first Climate Action Plan.

This Greenhouse Gas Emissions Inventory will serve as a baseline for the development of Capitola's General Plan and separate Climate Action Plan to ensure that these documents meet the requirements of AB 32 and SB 375. Capitola will utilize this Emissions Inventory as a working document that will likely be modified and revised as the City moves forward with the development of its Climate Action Plan and as more detailed analysis of greenhouse gases become available.

1.3. Climate Change Background

Naturally occurring gases dispersed in the atmosphere determine the Earth's climate by trapping solar radiation. This phenomenon is known as the greenhouse effect. Overwhelming evidence suggests that human activities are increasing the concentration of greenhouse gases, most notably the burning of fossil fuels for transportation and electricity generation which introduces large amounts of carbon dioxide and other gases into the atmosphere. Collectively, these gases intensify the natural greenhouse effect, causing global average surface temperature to rise, which is in turn expected to affect global climate patterns and cause climate change.

The impacts of climate change are likely to be far reaching and felt in very different ways throughout the globe. Potential impacts facing the AMBAG region include sea level rise, shifts in precipitation patterns, and further constraints on resources such as water and viable farm land. Globally, scientists also expect changing temperatures to result in more frequent and damaging storms accompanied by flooding and landslides, summer water shortages as a result of reduced snow pack, and disruption of ecosystems, habitats and agricultural activities.

1.4. California Legislation

In 2006, California passed the Global Warming Solutions Act (AB 32) which charged the California Air Resources Board (CARB) with implementing a comprehensive statewide program to reduce greenhouse gas emissions. AB 32 established the following greenhouse gas emissions reduction targets for the state of California:

- 2000 levels by 2010
- 1990 levels by 2020
- 80% below 1990 levels by 2050

Additionally, the passage of SB 375 in 2008 enhances California's ability to reach its AB 32 goals by promoting good planning with the goal of more sustainable communities. According to the Office of the Governor, "SB 375 provides emissions-reducing goals for which regions can plan, integrates disjointed planning activities, and provides incentives for local governments and developers to follow new conscientiously-planned growth patterns."¹ SB 375 requires CARB to develop regional greenhouse gas emission reduction targets for passenger vehicles. CARB established targets for 2020 and 2035 for each region covered by one of the State's 18 metropolitan planning organizations (MPOs).

AMBAG and SB 375

In August, 2010, CARB determined that the GHG target for the AMBAG region would be a 13% increase in *per capita* GHG emissions from light trucks passenger vehicles by 2020 and a 14% increase by 2035. This number was based purely on AMBAG's business as usual (BAU) scenario for emissions growth. By issuing no emissions reduction target to

¹ Office of the Governor. "Senate Bill 375: Redesigning Communities to Reduce Greenhouse Gases." Fact Sheet. <http://gov.ca.gov/fact-sheet/10707/>

the AMBAG region, CARB's decision allows a 13% and 14% *increase* in per capita light passenger vehicle emissions within the AMBAG region from 2005 to 2020 and 2035, respectively. In response, the AMBAG board of directors held a special meeting on August 23, 2010 to discuss setting a more stringent GHG reduction target in order to demonstrate further leadership in climate change mitigation. The board agreed upon a 0% increase in per capita emissions from light trucks and autos by 2020 and a 5% reduction below BAU emissions levels by 2035. Thus, instead of allowing GHG emissions from transportation in the AMBAG region to *increase*, the board voted to keep emissions levels *flat* from 2005 to 2020 and to reduce per capita emissions by 5% from 2005 levels by 2035.

1.5. Climate Change Mitigation Activities in California

In 2005, the State of California responded to growing concerns over the effects of climate change by adopting a comprehensive approach to addressing emissions in the public and private sectors. This approach was officially initiated with the passage of the Global Warming Solutions Act of 2006 (AB 32), which required the state to reduce its greenhouse gas emissions to 1990 levels by 2020. It also required the California Air Resources Board (CARB) to regularly inventory emissions at the state level and to create a plan for reducing these emissions. The bill authorized ARB to adopt and enforce regulations targeted at greenhouse gas emissions reductions in the public and private sectors.

The resulting AB 32 Scoping Plan was adopted by CARB in December 2008. It established the following measures that the State will take to meet the greenhouse gas emissions reduction targets:

- Develop a California cap-and-trade program
- Expand energy efficiency programs
- Establish and seek to achieve reduction targets for transportation-related GHG emissions
- Support implementation of a high-speed rail system
- Expand the use of green building practices
- Increase waste diversion, composting, and commercial recycling toward zero-waste
- Continue water efficiency programs and use cleaner energy sources to move and treat water
- Implement the Million Solar Roofs Programs
- Achieve a statewide renewable energy mix of 33 percent
- Develop and adopt the low-carbon fuel standard
- Implement vehicle efficiency measures for light-, medium-, and heavy-duty vehicles
- Adopt measures to reduce high global warming potential gases
- Reduce methane emissions at landfills
- Preserve forest sequestration and encourage the use of forest biomass for sustainable energy generation
- Capture of methane through use of manure digester systems at dairies
- Encourage more efficient land use planning

Other measures taken by the state have included mandating stronger vehicle emissions standards (AB 1493, 2002), establishing a low-carbon fuel standard (EO # S-01-07, 2007), mandating a climate adaptation plan for the state (S-EO # 13-08, 2008), establishing a Green Collar Job Council, and establishing a renewable energy portfolio standard for power generation or purchase in the state. In addition to the above-mentioned measures, the state has also made a number of changes that will potentially have large effects on local governments:

- SB 97 (2007) required the Office of Planning and Research to create greenhouse gas planning guidelines for the California Environmental Quality Act (CEQA). In addition, CARB is tasked with creating energy-use and transportation thresholds in CEQA reviews, which may require local governments to account for greenhouse gas emissions when reviewing project applications.
- AB 811 (2007) authorized all local governments in California to establish special districts that can be used to finance solar or other renewable energy improvements to homes and businesses in their jurisdiction.
- SB 732 (2008) established a Strategic Growth Council charged with coordinating policies across state agencies to support a unified vision for land use development in the state. This vision will serve as a reference point for local land use policies.

2. Methodology

2.1. Greenhouse Gas Emissions Inventory Protocols

The first step towards achieving tangible greenhouse gas emissions reductions requires identifying baseline levels and sources of emissions. As local governments continue to develop and implement greenhouse gas mitigation efforts, the need for a standardized approach to quantify these emissions is essential. Given this, Capitola staff used the International Local Government GHG Emissions Analysis Protocol (IEAP) to inventory the City's community emissions and the Local Government Operations Protocol (LGOP) to inventory GHG emissions from Capitola operations and buildings (which is evaluated as a subsector of the community inventory).

2.1.1. Community Emissions Protocol

The IEAP, developed by ICLEI, provides an easily implementable set of guidelines to assist local governments in quantifying greenhouse gas emissions from both their internal operations and from the whole community within their geopolitical boundaries. Staff used this protocol to inventory Capitola's community emissions. ICLEI began development of the IEAP with the inception of its Cities for Climate Protection Campaign in 1993, and recently formalized an official version to establish a common GHG emissions inventory protocol for all local governments worldwide.²

2.1.2. Local Government Operations Protocol

In 2008, ICLEI, the California Air Resources Board (CARB), and the California Climate Action Registry (CCAR) released the LGOP to serve as a national appendix to the IEAP.³ The LGOP serves as the national standard for quantifying and reporting greenhouse emissions from local government operations. The purpose of the LGOP is to provide the principles, approach, methodology, and procedures needed to develop a local government operations greenhouse gas emissions inventory. City staff used this protocol to conduct the local government emissions inventory specifically. While the State of California does not currently require local governments to inventory and report their emissions, an emissions inventory is a critical first step for the City to develop internal emissions reduction strategies and track future progress.

² ICLEI is currently working with the California Air Resources Board (CARB) and the California Climate Action Registry (CCAR) to leverage the IEAP to establish a community GHG protocol specific to California local governments.

³ CARB adopted the LGOP in 2008.

2.2. Quantifying Greenhouse Gases Emissions

2.2.1. Establishing a Base Year

A primary aspect of the emissions inventory process is the requirement to select a base year with which to compare current emissions. While the State's AB 32 emissions reduction goals establish a 1990 base year for the State, most local governments lack comprehensive data from that time period and would be unsuccessful in conducting an accurate inventory for that year. Due to this, the majority of municipalities currently in the emissions inventory process opt to use 2005 as the base year due to the availability of accurate and complete data. Similar to these jurisdictions, Capitola's greenhouse gas emissions inventory utilizes 2005 as its base year.

2.2.2. Establishing Boundaries

Community: Geopolitical Boundary

Setting an organizational boundary for greenhouse gas emissions accounting and reporting is an important step in the inventory process. Capitola's community inventory assesses emissions resulting from activities taking place within the City's geopolitical boundary. The IEAP defines geopolitical boundary as that "consisting of the physical area or region over which the local government has jurisdictional authority." Activities that occur within this boundary can be, for the most part, controlled or influenced by Capitola's policies and educational programs. Although the City may have limited influence over the level of emissions from some activities, it is important that every effort be made to compile a complete analysis of all activities that result in greenhouse gas emissions.

Government: Organizational Boundaries

According to the LGOP, a government can use two approaches to define its organizational boundary for reporting greenhouse gas emissions: activities and operations that the jurisdiction controls operationally and activities and operations that the jurisdiction controls financially. Staff estimated Capitola's municipal emissions based on activities and facilities that the City maintains operational control.

2.2.3. Emission Types

The IEAP and LGOP recommend assessing emissions from the six internationally recognized greenhouse gases regulated under the Kyoto Protocol as listed in Table 1. However, quantifying emissions beyond the three primary GHGs (CO₂, CH₄, and N₂O) can be difficult. Therefore, ICLEI has developed a means for local governments to produce a simplified inventory that includes the three primary GHGs yet is still in accordance with the IEAP and LGOP methodology. This inventory uses the ICLEI three GHG methodology.

Table 1: Greenhouse Gases

Greenhouse Gas	Chemical Formula	Global Warming Potential
Carbon Dioxide	CO ₂	1
Methane	CH ₄	21
Nitrous Oxide	N ₂ O	310
Hydrofluorocarbons	Various	43-11,700
Perfluorocarbons	Various	6,500-9,000
Sulfur Hexafluoride	SF ₆	23,900

2.2.4. Quantification Methods

Greenhouse gas emissions can be quantified in two ways and both methods were used to generate this inventory:

- Measurement-based methodologies refer to the direct measurement of greenhouse gas emissions (from a monitoring system) emitted from a flue of a power plant, wastewater treatment plant, landfill, or industrial facility.⁴
- Calculation-based methodologies calculate emissions using activity data and emission factors. To calculate emissions accordingly, the basic equation below is used: *Activity Data × Emission Factor = Emissions*

Activity data refer to the relevant measurement of energy use or other greenhouse gas-generating processes such as fuel consumption by fuel type, metered annual electricity consumption, and annual vehicle miles traveled. Please see appendices for a detailed listing of the activity data used in composing this inventory.

Known emission factors are used to convert energy usage or other activity data into associated emissions quantities. They are usually expressed in terms of emissions per unit of activity data (e.g. lbs CO₂/kWh of electricity). Table 2 demonstrates an example of common emission calculations that use this formula. Please see appendices for details on the emissions factors used in this inventory.

Table 2: Basic Emissions Calculations

Activity Data	Emissions Factor	Emissions
Electricity Consumption (kWh)	CO ₂ emitted/kWh	CO ₂ emitted
Natural Gas Consumption (therms)	CO ₂ emitted/therm	CO ₂ emitted
Gasoline/Diesel Consumption (gallons)	CO ₂ emitted /gallon	CO ₂ emitted
Vehicle Miles Traveled	CH ₄ , N ₂ O emitted/mile	CH ₄ , N ₂ O emitted

⁴ Capitola's community inventory includes emissions data provided by the Monterey Bay Unified Air Pollution Control District that was gathered through direct measurement of emissions from various commercial and industrial entities in the City.

2.2.5. CACP 2009 Software

To facilitate community efforts to reduce greenhouse gas emissions, ICLEI developed the Clean Air and Climate Protection 2009 (CACP 2009) software package in partnership with the National Association of Clean Air Agencies (NACAA) and the U.S. Environmental Protection Agency (EPA). CACP 2009 is designed for compatibility with the LGOP and determines emissions by combining activity data (energy consumption, waste generation, etc.) with verified emission factors.⁵

Greenhouse gas emissions are aggregated and reported in terms of equivalent carbon dioxide units, or CO₂e. This standard is based on the Global Warming Potential (GWP) of each gas, which is a measure of the amount of warming a greenhouse gas may cause, measured against the amount of warming caused by carbon dioxide. Converting all emissions to equivalent carbon dioxide units allows for the consideration of different greenhouse gases in comparable terms. For example, methane is twenty-one times more powerful than carbon dioxide on a per weight basis in its capacity to trap heat, so the CACP software converts one metric ton of methane emissions to 21 metric tons of carbon dioxide equivalents. See Table 1 for the GWPs of the commonly occurring greenhouse gases.

The CACP software has been and continues to be used by over 600 U.S. local governments to reduce their greenhouse gas emissions. However, it is worth noting that, although the software provides governments with a sophisticated and useful tool, calculating emissions from energy use with precision is difficult. The model depends upon numerous assumptions, and it is limited by the quantity and quality of available data. With this in mind, it is useful to think of any specific number generated by the model as an approximation of reality, rather than an exact value.

2.3. Evaluating Emissions

There are several important concepts involved in the analysis of emissions arising from many different sources and chemical/mechanical processes throughout the community. Those not touched on already are explored below.

2.3.1. Emissions by Scope

For both community and government operations, emissions sources are categorized according to where they fall relative to the geopolitical boundary of the community, or the operational boundaries of the government. Emissions sources are categorized as direct or indirect emissions--Scope 1, Scope 2, or Scope 3. One of the most important reasons for using the scopes framework for reporting greenhouse gas emissions at the local level is to prevent double counting for major categories such as electricity use and waste disposal.

⁵ The emission factors and quantification methods employed by the CACP software are consistent with national and international inventory standards established by the Intergovernmental Panel on Climate Change (1996 Revised IPCC Guidelines for the Preparation of National Inventories) the U.S. Voluntary Greenhouse Gas Reporting Guidelines (EIA form 1605), and the Local Government Operations Protocol (LGOP).

Community Scope Definitions

The Scopes framework identifies three emissions scopes for community emissions:

- **Scope 1:** All direct emissions from sources located within the geopolitical boundary of the local government.
- **Scope 2:** Indirect emissions associated with the consumption of purchased or acquired electricity, steam, heating, and cooling. Scope 2 emissions occur as a result of activities that take place within the geopolitical boundary of the local government, but that occur at sources located outside of the government's jurisdiction.
- **Scope 3:** All other indirect or embodied emissions not covered in Scope 2 that occur as a result of activity within the geopolitical boundary.

Scope 1 and Scope 2 sources are the most essential components of a community greenhouse gas analysis as these sources are typically the most significant in scale, and are most easily impacted by local policy making.

Local Government Scope Definitions

Similar to the community framework, the municipal scopes are divided into three main categories:

- **Scope 1:** Direct emissions from sources within a local government's organizational boundaries that the local government owns or controls.
- **Scope 2:** Indirect emissions associated with the consumption of purchased or acquired electricity, steam, heating, and cooling. Scope 2 emissions occur as a result of activities that take place within the organizational boundaries of the reporting entity, but that occur at sources owned or controlled by another entity.
- **Scope 3:** All other indirect emissions not covered in Scope 2, such as emissions from up-stream and downstream activities that occur as a result of activities within the operational boundaries of the local government, emissions resulting from the extraction of and production of purchased materials and fuels, contracted services, and waste disposal.

As with the community inventory, Scope 1 and Scope 2 sources are the most essential components of a local government greenhouse gas analysis because these sources are usually significant in scale and are directly under the control of local governments. Local governments typically have indirect control over Scope 3 emissions. For example, solid waste generated from municipal operations is included as Scope 3 because of the unique circumstances in which emissions are generated – emissions from waste are generated over time as the waste decomposes and not directly in the base year.

2.3.2. Emissions by Sector

In addition to categorizing emissions by scope, this inventory examines emissions by sector. Many local governments find a sector-based analysis more relevant to policy making and project management, as it assists in formulating sector-specific reduction measures and climate action plan components. This inventory evaluates community and municipal emissions by sectors listed in Table 3.

Table 3: Community and Municipal Sectors

Community	Municipal
Residential	Buildings
Commercial / Industrial	Streetlights
Transportation	Vehicle Fleet
Waste	Employee Commute
	Water / Sewage
	Waste

3. Community Emissions Inventory Results

3.1. Emissions by Scope

There are numerous items that can be included in a community scale emissions inventory, as demonstrated in Table 4 below. This inventory includes Scope 1, Scope 2, and Scope 3 sources from the following sectors:

- Residential
- Commercial / Industrial
- Transportation
- Solid Waste

Table 4: Scopes and Sectors Included in Capitola Community Inventory

Sector	Scope 1	Scope 2	Scope 3
Residential	Natural Gas	Electricity	
Commercial / Industrial	Natural Gas & Point Source Emissions	Electricity	
Transportation	Gasoline & Diesel		
Waste			Future Emissions from 2005 Waste

Including all scopes, the community of Capitola emitted approximately 76,020 metric tons⁶ of CO₂e in the year 2005. As shown in Table 5 and illustrated in Figure 1 below, Scope 1 emissions are by far the largest (74.2 percent) with Scope 2 (23 percent) and Scope 3 (2.8 percent) constituting the remainder.

⁶ All emissions estimated using EMFAC 2007 and ICLEI's Clean Air and Climate Protection Software developed by Torrie Smith Associates Inc.

Figure 1: Community GHG Emissions by Scope

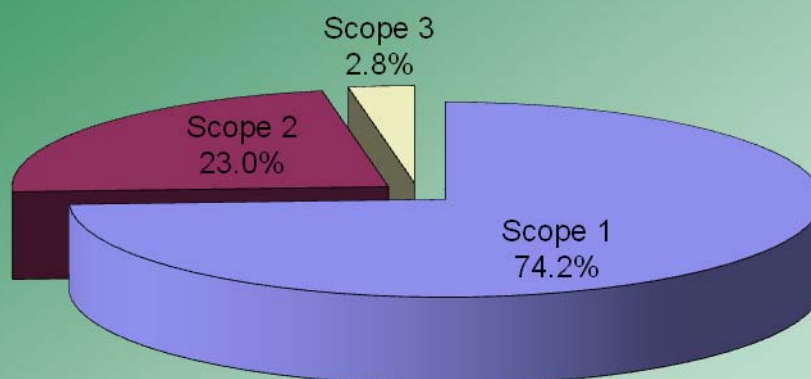


Table 5: Community GHG Emissions per Sector per Scope (metric tons CO₂e)

Sector	Scope 1	Scope 2	Scope 3	TOTAL
Residential	10,637	4,953		15,590
Commercial / Industrial	5,029	12,535		17,564
Transportation	40,716			40,716
Waste	0		2,150	2,150
TOTAL	56,382	17,488	2,150	76,020
Percentage of Total CO₂e	74.2%	23.0%	2.8%	100.0%

As shown in Table 6 and Figure 2 below, the largest percentage of Scope 1 emissions came from the Transportation Sector (72.2 percent). The Transportation Sector emissions are the result of diesel and gasoline use on local roads and on the State highways located within Capitola City limits. Natural gas combustion within the City of Capitola's jurisdictional boundaries constituted 8.9 percent of Scope 1 emissions. The remainder of Scope 1 emissions was caused by natural gas consumption in Capitola homes (Residential Sector) (18.9 percent).

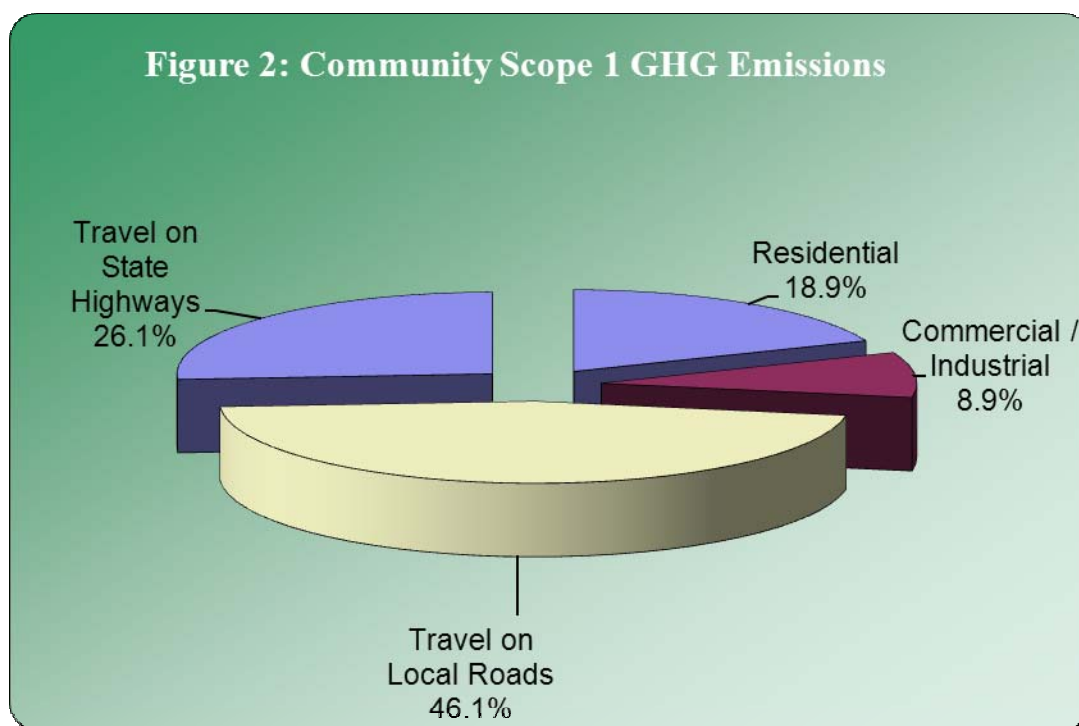


Table 6: Community Scope 1 GHG Emissions (metric tons CO₂e)

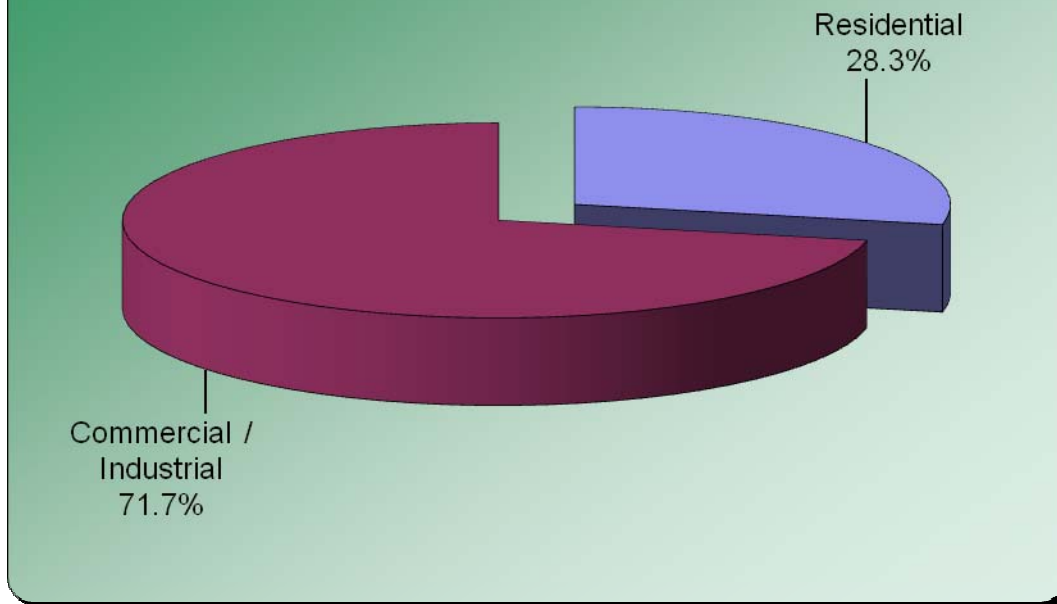
Scope 1 Emissions By Sector	Residential	Commercial / Industrial	Travel on Local Roads	Travel on State Highways	TOTAL
CO ₂ e (metric tons)	10,637	5,029	26,011	14,705	56,382
% of Total CO ₂ e	18.9%	8.9%	46.1%	26.1%	100%
MMBtu	199,992	94,549	N/A	N/A	294,541

Nearly 72 percent of 2005 Scope 2 emissions was generated by the Commercial / Industrial Sector (Table 7 and Figure 3 below). 28.3 percent of Capitola's Scope 2 emissions came from electricity consumption in the Residential Sector. As noted above in the general description of Scope 2 parameters, the actual emissions from these activities were generated outside of Capitola City boundaries—in this case, at the source of electricity generation.

Table 7: Community Scope 2 GHG Emissions (metric tons CO₂e)

Scope 2 Emissions By Sector	Residential	Commercial / Industrial	TOTAL
CO ₂ e (metric tons)	4,953	12,535	17,488
% of Total CO ₂ e	28.3%	71.7%	100%
MMBtu	199,992	162,514	362,506

Figure 3: Community Scope 2 GHG Emissions



The remaining portion of emissions included in the City of Capitola 2005 community inventory fall under the category of Scope 3. All emissions in this category are an estimate of future emissions over the lifecycle decomposition of waste and alternative daily cover (ADC) sent to landfills in the base year (2005).⁷

3.2. Emissions by Sector

As noted above, the community of Capitola, across all scopes, emitted approximately 76,020 metric tons of CO₂e in the year 2005. In addition to viewing these data through the lens of the various scopes, we can also focus specifically on each sector, with scopes aggregated by sector. As shown in Figure 4 and Table 8 below, emissions from the Transportation Sector (same gasoline and diesel sources as that listed under Scope 1 above) were by far the largest sources of community emissions (54 percent). Electricity and natural gas usage within the Commercial/ Industrial Sector accounted for 23 percent of total community emissions, and electricity and natural gas consumption within the Residential Sector caused 20 percent of the City's overall emissions. The remaining 3 percent of emissions came from waste generated by Capitola's residents and businesses in 2005 (Scope 3 Sector). See below for further detail on each sector.

⁷ Later in the report there is more detail on emissions from the waste sector.

Figure 4: Community GHG Emissions by Sector

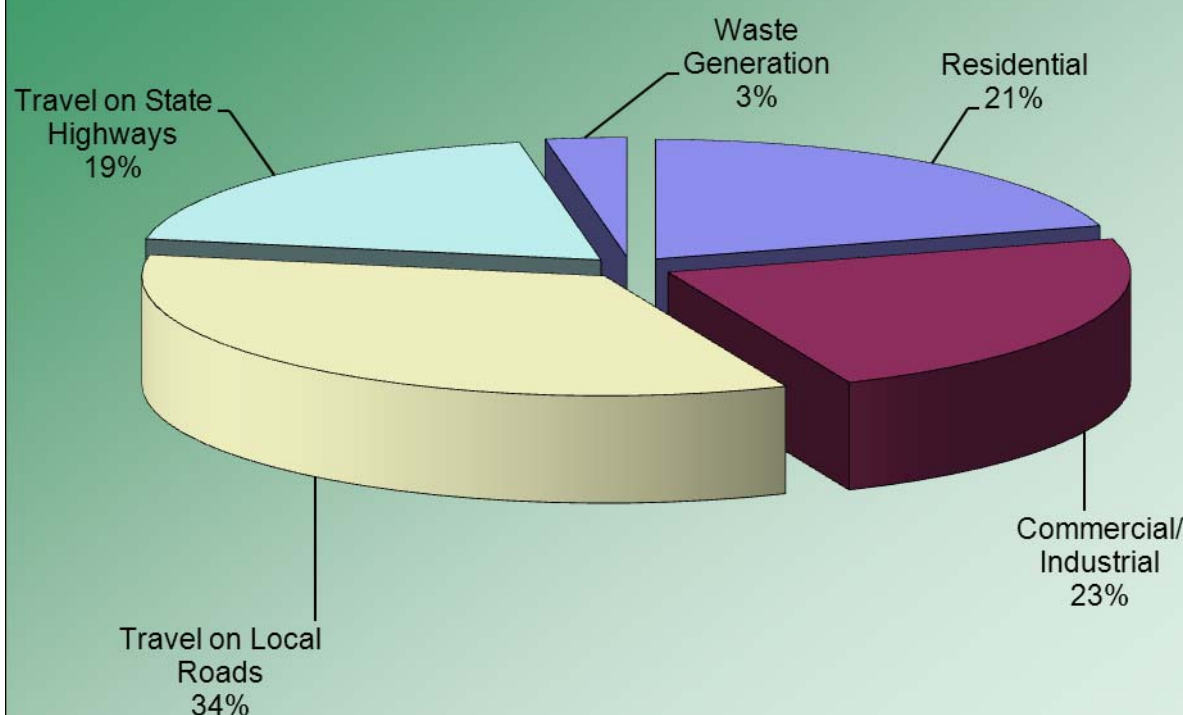


Table 8: Community GHG Emissions by Sector (metric tons CO₂e)

2005 Community Emissions by Sector	Residential	Commercial/ Industrial	Travel on Local Roads	Travel on State Highways	Waste Generation	TOTAL
CO ₂ e (metric tons)	15,590	17,564	26,011	14,705	2,150	76,020
% of Total CO ₂ e	21%	23%	34%	19%	3%	100%

3.2.1. Residential

As shown in Table 8, Capitola's Residential Sector generated an estimated 15,590 metric tons of CO₂e in 2005. This estimate was calculated using 2005 electricity and natural gas consumption data provided by PG&E, and only includes consumption through residential buildings. Data on residential equipment usage, such as lawnmowers or on-site electricity generation, is not included in this inventory. GHG emissions associated with residential transportation and residential waste generation are included separately in the Transportation and Waste Sector emissions totals.

Table 9 provides information on residential emissions on a per household basis. Capitola households generated 3 metric tons of GHG emissions in 2005. Per household emissions can be a useful metric for measuring progress in reducing greenhouse gases and for comparing one's emissions with neighboring cities and against regional and national averages.

Table 9: Capitola 2005 Greenhouse Gas Emissions per Household

Number of Occupied Housing Units	5,387
Total Residential GHG Emissions (metric tons CO₂e)	15,590
Residential GHG Emissions/Household (metric tons CO₂e)	2.9

Figure 5 and Table 10 illustrate the breakdown of residential GHG emissions by fuel type. Over 68 percent of residential GHG emissions were generated from the use of natural gas. Natural gas is typically used in residences as a fuel for home heating, water heating and cooking. Approximately 32 percent of residential GHG emissions were generated through electricity provided by PG&E.

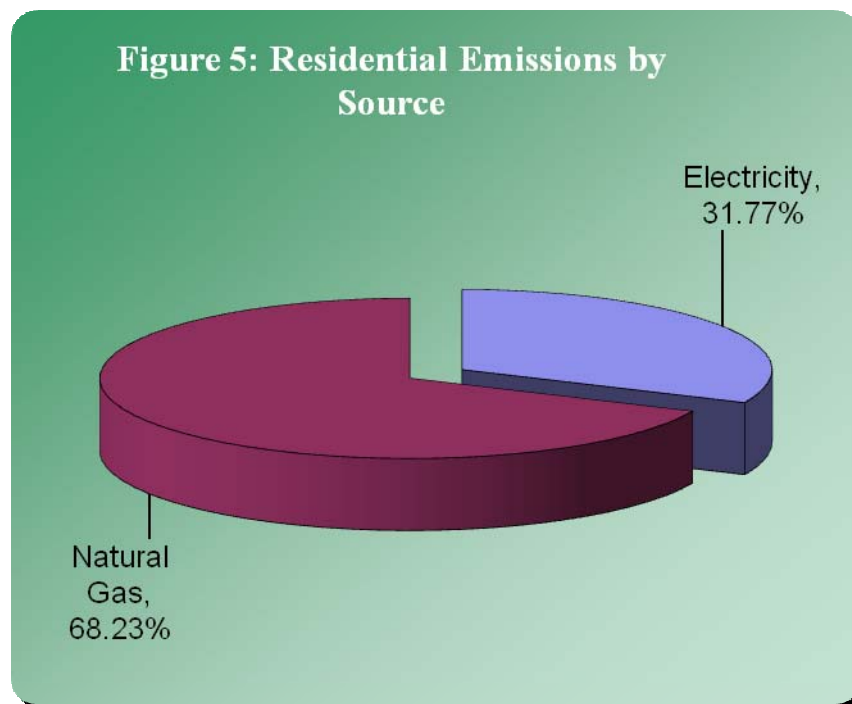


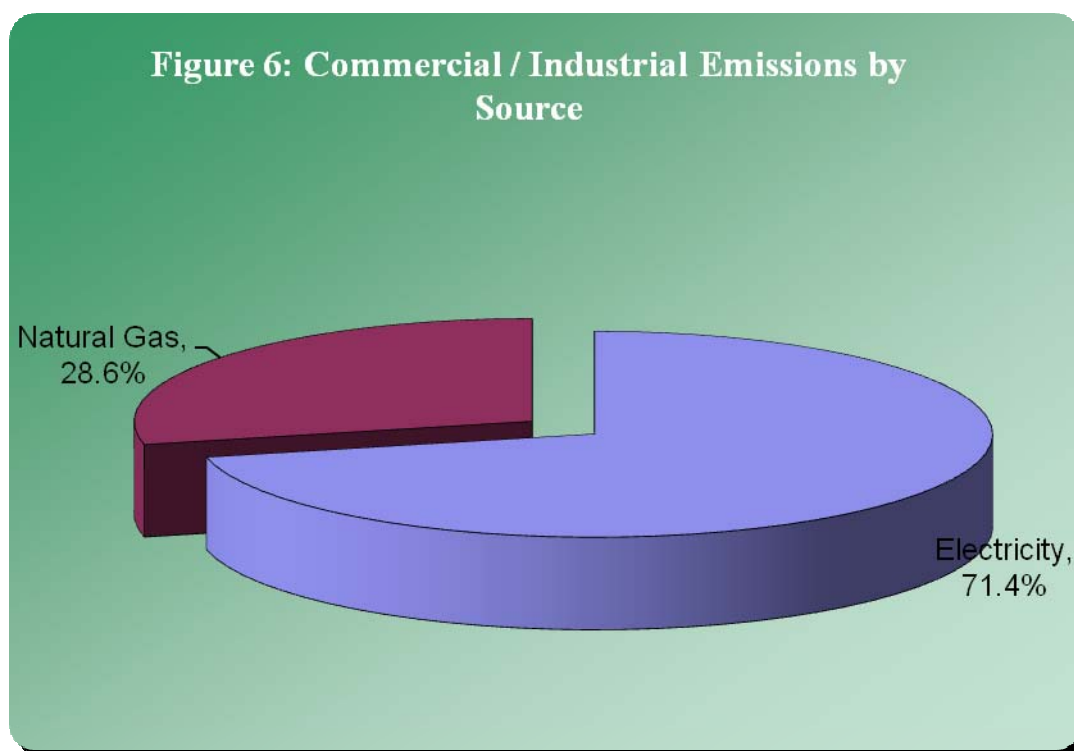
Table 10: Residential Emissions by Source

Residential Emission Sources 2005	Electricity	Natural Gas	TOTAL
MTCO₂e	4,953	10,637	15,590
% of Total CO₂e	31.77%	68.23%	100.00%
MMBtu	75,580	199,992	275,572

3.2.2. Commercial / Industrial

As mentioned previously, Capitola's businesses and industries generated 23 percent of community-wide GHG emissions in 2005, or 17,564 metric tons of CO₂e. PG&E was not able to provide a breakdown between commercial and industrial electricity and natural gas consumption due to the California Public Utilities Commission (CPUC) 15/15 rule.⁸

These calculations take into account electricity and natural gas provided by PG&E, and estimates for direct access (DA) electricity provided directly to industries by other utilities.⁹ The DA figures included in this inventory were derived from ICLEI's estimation methodology and draws on data and information from PG&E and the California Energy Commission (CEC).¹⁰



⁸ The 15/15 Rule was adopted by the CPUC in the Direct Access Proceeding (CPUC Decision 97-10-031) to protect customer confidentiality. If the number of customers in the compiled data is below 15, or if a single customer's load is more than 15 percent of the total data, categories must be combined before the information is released.

⁹ Direct Access electricity refers to electricity purchased directly by industries from power generation facilities, which is then delivered through the transmission lines of public or private utility.

¹⁰ The CEC provided an estimate on 2005 DA electricity consumption within Santa Cruz County at large. The countywide DA consumption figures provided by the CEC were used to estimate the proportion of DA electricity consumed within the City of Capitola. It is important to note that the direct access data included in the inventory may not be comprehensive given that it is primarily based on regional estimates.

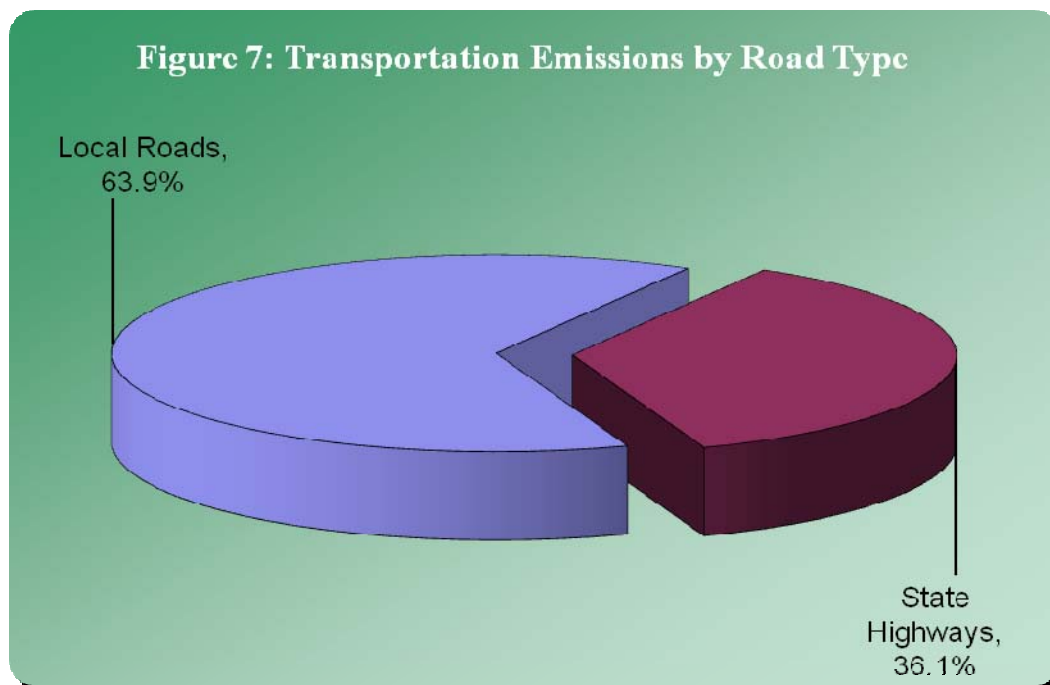
Table 11: Commercial / Industrial Emissions by Source

Commercial / Industrial Emission Sources 2005	Electricity	Natural Gas	TOTAL
CO ₂ e (metric tons)	12,535	5,029	17,564
Percentage of Total	71.4%	28.6%	100%
MMBtu	162,514	94,549	257,063

3.2.3. Transportation

As shown previously in Figure 4 and Table 8, Capitola's Transportation Sector accounted for 40,716 metric tons CO₂e, or 54 percent, of the City's 2005 GHG emissions. The Transportation Sector analysis includes emissions from all vehicle use within Capitola's City boundaries (whether on local roads or State highways passing through Capitola's jurisdiction).

Figure 7 and Table 12, show that just over 36 percent of Capitola's 2005 transportation-related greenhouse gas emissions were generated from VMT¹¹ on state highways located within City boundaries,¹¹ while approximately 64 percent was generated from vehicles on local roads.¹²



¹¹ AMBAG staff allocated VMT from state highways to individual jurisdictions by summing the VMT from each highway segment that runs through the City's geographic boundary. A potentially more accurate methodology for allocating highway VMT to each city would be to perform an origin-destination study in order to filter out VMT attributable to vehicles passing through Capitola while en route to other destinations ("pass-through" miles). To date, funding has not been provided for such studies.

¹² Emissions factors from CARB's EMFAC 2007 Software were used to calculate emissions from transportation. ICLEI normally uses their own CACP software for this, which utilizes national averages; however, EMFAC uses emissions factors unique and accurate to each *county*. See Appendix D for further information on Transportation Sector methods, emissions factors, etc.

Table 12: Transportation Emissions by Road Type

Transportation Road Type Emissions Sources 2005	Local Roads	State Highways	TOTAL
CO ₂ e (metric tons)	26,011	14,705	40,716
Percentage of Total CO ₂ e	63.9%	36.1%	100%

Emissions from the air travel of Capitola residents were not included in the Transportation Sector analysis. Please see Appendix D for more detail on methods and emissions factors used in calculating emissions from the Transportation Sector.

3.2.4. Waste

As noted above in Figure 4 and Table 8, the Waste Sector constituted 3 percent of total 2005 emissions for the community of Capitola, or 2,150 metric tonnes CO₂e. Emissions from the Waste Sector are an estimate of methane generation from the anaerobic decomposition of organic wastes (such as paper, food scraps, plant debris, wood, etc.) that are deposited in a landfill.

The waste generation emissions included in this report are the estimated future emissions of waste or ADC that was sent to any landfill by Capitola residents or businesses in the base year 2005. These emissions are considered Scope 3 because they are not generated in the base year, but will result from the decomposition of the 2005 waste over the full 100+ year cycle of its decomposition.

Waste generation emissions figures are the product of a modeling exercise that estimates the future emissions that will result over the full decomposition of the organic waste and ADC sent to any landfill in the base year 2005. The model used to run this estimation is based on the U.S. EPA Waste Reduction Model (WARM). In order to estimate the relative quantities of various types of waste included in the general disposal figures obtained from California's Department of Resources Recycling and Recovery (CalRecycle), waste characterization figures were utilized from the 2004 California Waste Characterization Study.¹³

There is a possibility of double-counting between the scope 1 waste emissions quantified by the jurisdiction in which the destination landfill resides and the scope 3 emissions quantified by the jurisdiction from which the waste originates. However, because it is assumed that waste will not begin to generate methane until 6 months after it is deposited in a landfill, and because only a small portion of the waste will decompose in the first year, the margin of error is acceptable.

Both waste greenhouse gas emission sources are included because they enable policy development addressing both landfill gas management and waste diversion. Transportation emissions generated from the collection, transfer and disposal of solid waste are included in Transportation Sector GHG emissions.

¹³ <http://www.ciwmb.ca.gov/Publications/default.asp?pubid=1097>

3.3. Per Capita Emissions

Per capita emissions can be a useful metric for measuring progress in reducing greenhouse gases and for comparing one community's emissions with neighboring cities and against regional and national averages. That said, due to differences in emission inventory methods, it can be difficult to get a directly comparable per capita emissions number, and one must be cognizant of this margin of error when comparing figures. Furthermore, it should be noted that the City of Capitola is not a "full-service" community; wastewater treatment and other services utilized by residents of Capitola are handled at facilities located in other jurisdictions. A certain percentage of the emissions generated by these facilities which are outside of Capitola are a result of activities taking place *inside* Capitola. While the City recognizes this fact, such emissions are not counted in this inventory due to a lack of existing methodologies to address these sources of emissions. Such emissions would fall under Scope 3, much like those associated with Waste Generation.

As detailed in Table 13, dividing total community GHG emissions by population yields a result of 8 metric tons of CO_{2e} per capita. It is important to understand that this number is not the same as the carbon footprint of the average individual living in Capitola (which would include lifecycle emissions, emissions resulting from air travel, etc.).

Table 13: Capitola 2005 Greenhouse Gas Emissions per Capita

Estimated 2005 Population	9,918
Community GHG Emissions (metric tons CO _{2e})	76,020
GHG Emissions / Resident (metric tons CO _{2e})	8

3.4. Community Emissions Forecast

To illustrate the potential emissions growth based on projected trends in energy use, driving habits, job growth, and population growth from the baseline year going forward, AMBAG conducted an emissions forecast for the year 2020. Under a business-as-usual scenario, the City of Capitola's emissions will grow by approximately 8 percent by the year 2020, from 76,020 to 82,020 metric tons CO_{2e}. Figure 8 and Table 14 below show the results of the forecast. All data used in this forecast can be found in AMBAG's Monterey Bay Area 2008 Regional Forecast, available at www.ambag.org.

Figure 8: Emissions Forecast for 2020

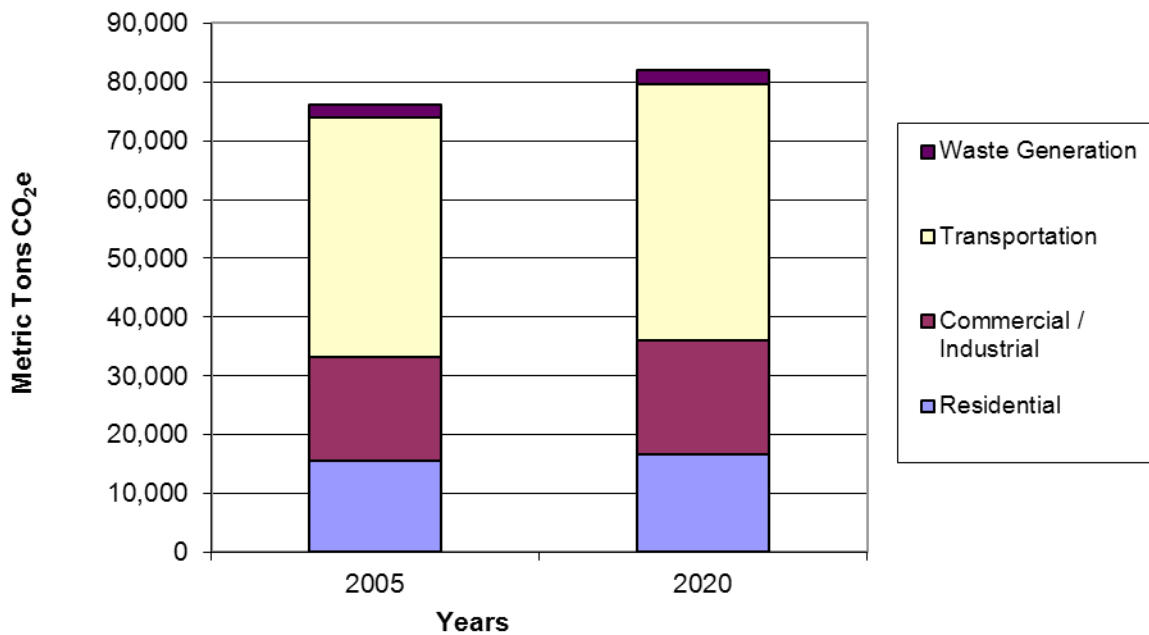


Table 14: Community Emissions Growth Projections by Sector

2005 Community Emissions Growth Forecast by Sector	2005	2020	Annual Growth Rate	Percent Change from 2005 to 2020
Residential	15,590	16,678	0.0045	7%
Commercial / Industrial	17,564	19,466	0.0069	11%
Transportation	40,716	43,558	0.0045	7%
Waste Generation	2,150	2,318	0.0050	8%
TOTAL	76,020	82,020	--	8%

3.4.1. Residential

For the Residential Sector, a housing projection for the City of Capitola conducted by AMBAG estimated that Capitola's housing units numbered 5,387 in 2005, and will be 5,763 in 2020. Based on these housing projections, staff estimated average annual compound growth in energy demand to be 0.45 percent annually.

3.4.2. Commercial / Industrial

Analysis contained within California Energy Demand 2008-2018: Staff Revised Forecast¹⁴, a report by the California Energy Commission (CEC), shows that commercial floor space and the number of jobs have closely tracked the growth in energy use in the Commercial Sector. Using job growth projections for the City of Capitola from AMBAG, it was calculated that the average annual growth in energy use in the Commercial Sector between 2005 and 2020 will be 0.69 percent.¹⁵

3.4.3. Transportation

For the Transportation Sector, projected growth in vehicle miles traveled (VMT) was estimated using housing projections for the City of Capitola.¹⁶ Housing is an indicator of VMT growth, since housing is the primary factor in generating trips in transportation modeling. Furthermore, other forecasting methodologies, including the use of CARB's EMFAC model, would only be accurate on a County level. Applying a single county-wide growth figure to each individual jurisdiction within a county would yield inaccurate forecasts, since some communities will grow much faster than others. Thus it is estimated that Transportation Sector emissions will increase by 0.45 percent annually through 2020.

When quantifying emissions from the Transportation Sector in a community's GHG inventory, the question of which emissions should be included and which should not creates the need for some nuance in such an inventory. When attributing any source of emissions to a particular jurisdiction, one must always consider whether or not that source can be affected by public policies enacted at the local jurisdiction's level. In the case of emissions from transportation, it is clear that a local agency can influence both the number of trips taken by its community members, as well as the length of those trips; however, it is not so clear that a local government can *directly* affect a change in the number of cars on the state highways running through its city limits. Reducing the number of vehicle-miles traveled (VMT) on state highways, such as Highway 1, will require coordination at a regional and state-wide level, since no single city or county jurisdiction can affect significant change in the use of these roads.

3.4.4. Solid Waste

As with the Residential Sector, population is the primary determinate for growth in emissions pertaining to solid waste generation. Therefore, the average annual population growth rate for 2005 to 2020 (0.5 percent, as calculated from AMBAG population projections) was used to estimate future emissions from solid waste generation.

¹⁴ <http://www.energy.ca.gov/2007publications/CEC-200-2007-015/CEC-200-2007-015-SF2.PDF>

¹⁵ See Appendix F for more detail.

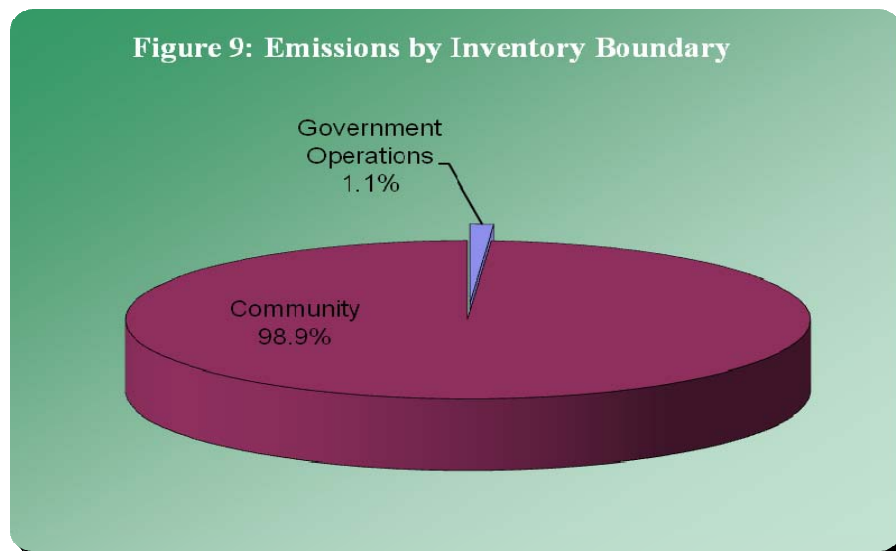
¹⁶ The recently passed federal Corporate Average Fuel Economy standards and the state of California's pending tailpipe emission standards could significantly reduce the demand for transportation fuel in Capitola. An analysis of potential fuel savings from these measures at a scale that would be useful for the purpose of this report has not been conducted, nor would such an analysis produce a true business-as-usual estimation. Regardless of future changes in the emissions of vehicles on the road as a result of state or federal rulemaking, emissions from the Transportation Sector will continue to be largely determined by growth in vehicle-miles-traveled (VMT).

4. Government Operations Emissions Inventory Results

This chapter provides a detailed description of City of Capitola's emissions from government operations in 2005, rolling up and comparing emissions across sectors and sources as appropriate. This chapter also provides details on the greenhouse gas emissions from each sector, including a breakdown of emissions types and, where possible, an analysis of emissions by department. This information identifies more specific sources of emissions (such as a particular building) that can help staff and policymakers in City of Capitola to best target emissions reduction activities in the future.

For a report of emissions by scope, and a detailed description of the methodology and emission factors used in calculating the emissions from City of Capitola's operations, please see Appendix I: LGOP Standard Report.

In 2005, City of Capitola's direct emissions, emissions from electricity consumption and select indirect sources totaled 838 metric tons of CO₂e.¹⁷ In this report, this number is the basis for comparing emissions across sectors and sources (fuel types), and is the aggregate of all emissions estimates used in this inventory. The City government's emissions comprise approximately 1.1 percent of the total quantified GHG emissions in Capitola's overall community, as illustrated in Figure 9 below.



¹⁷ This number represents a roll-up of emissions, and is not intended to represent a complete picture of emissions from City of Capitola's operations. This roll-up number should not be used for comparison with other local government roll-up numbers without a detailed analysis of the basis for this total. See section 2.3.2 for more detail.

4.1 Summary by Sector

Reporting emissions by sector provides a useful way to understand the sources of jurisdiction's emissions. By better understanding the relative scale of emissions from each of the sectors, the City of Capitola can more effectively focus emissions reductions strategies to achieve the greatest emissions reductions.¹⁸

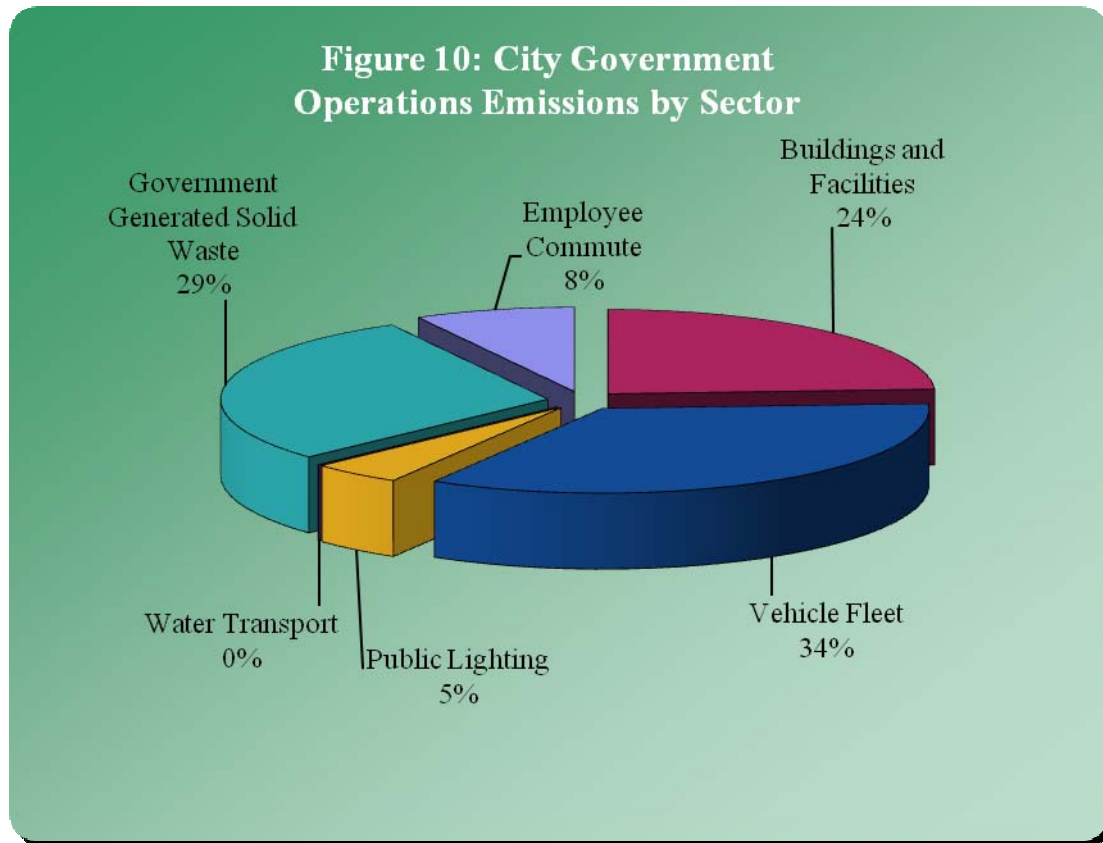


Table 15: 2005 Capitola Government Operations Emissions by Sector

Sector	Greenhouse Gas Emissions (metric tons CO ₂ e)
Buildings and Facilities	202
Vehicle Fleet	288
Public Lighting	37
Water Transport	0.10
Government Generated Solid Waste	244
Employee Commute	66
TOTAL	838

¹⁸ The sectors with the largest scale of emissions do not necessarily represent the best opportunity for emissions reductions. Cost, administration, and other concerns may affect the City of Capitola's ability to reduce emissions from any one sector.

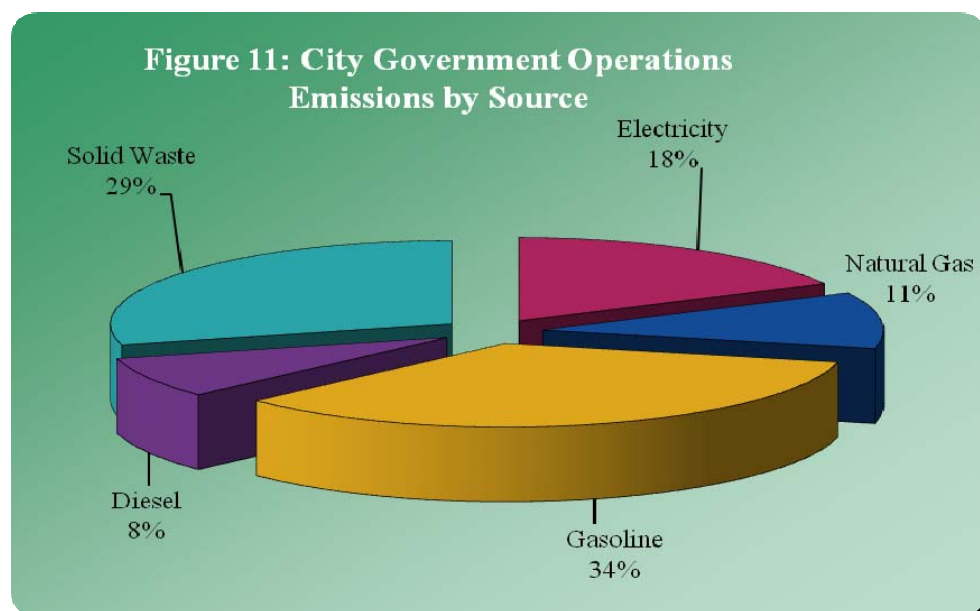
As shown in Figure 10, the vehicle fleet was the largest emitter (288 metric tons CO₂e) in 2005. Emissions from government generated solid waste produced the second highest quantity of emissions, resulting in 244 metric tons of CO₂e. The City of Capitola's buildings and facilities produced 202 metric tons of CO₂e of total emissions with the remainder coming from public lighting and water transport.

4.2 Summary by Source

When considering how to reduce emissions, it is helpful to look not only at which sectors are generating emissions, but also at the specific raw resources and materials (gasoline, diesel, electricity, natural gas, solid waste, etc.) whose use and generation directly result in the release of greenhouse gases. This analysis can help target resource management in a way that will successfully reduce greenhouse gas emissions. Table 16 and Figure 11 provide a summary of the City of Capitola's government operations 2005 greenhouse gas emissions by fuel type or material.

Table 16: 2005 Capitola Government Operations Emissions by Source

Source	Greenhouse Gas Emissions (metric tons CO ₂ e)
Electricity	148
Natural Gas	92
Gasoline	288
Diesel	66
Solid Waste	244
TOTAL	838



4.3 Summary of Energy-Related Costs

In addition to tracking energy consumption and generating estimates on emissions per sector, AMBAG has calculated the basic energy costs of various government operations. During 2005, the City of Capitola spent approximately \$182,966 on energy (e.g., electricity, natural gas, gasoline, and diesel) for its operations. 58 percent of these energy expenses (\$106,240) are the result of electricity and natural gas purchases from PG&E. The City of Capitola spent approximately \$76,726 on gasoline and diesel for the municipal fleet (42 percent of total costs). Beyond reducing harmful greenhouse gases, any future reductions in energy use will have the potential to reduce these costs, enabling The City of Capitola to reallocate limited funds toward other municipal services or create a revolving energy loan fund to support future climate protection activities.

Table 17: 2005 Capitola Energy Costs by Sector

Sector	Cost (\$)
Buildings and Facilities	\$82,825
Vehicle Fleet	\$76,726
Public Lighting	\$22,830
Water Transport	\$585
TOTAL	\$182,966

4.4 Detailed Sector Analyses

4.4.1 Buildings and Other Facilities

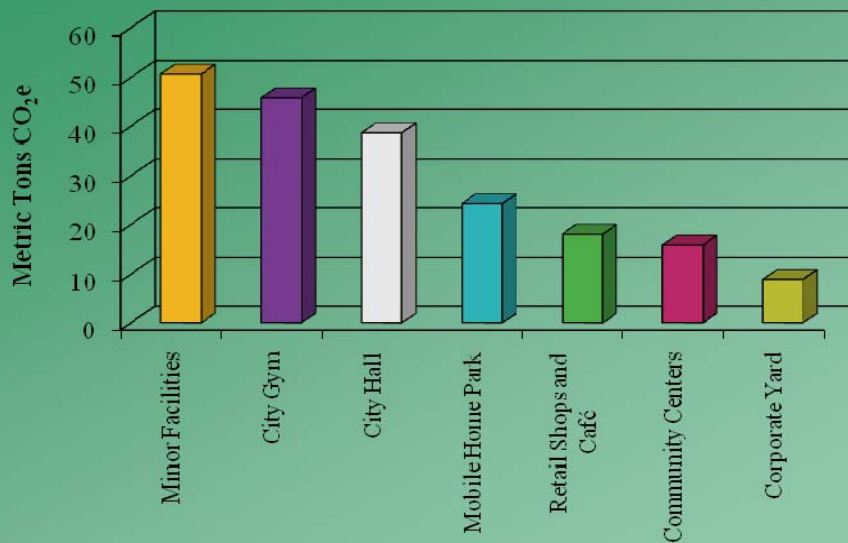
Through their use of energy for heating, cooling, lighting, and other purposes, buildings and other facilities operated by local governments constitute a significant amount of their greenhouse gas emissions. The City of Capitola operates 6 facilities, including City Hall, the city gym, and the mobile home park. Facility operations contribute to greenhouse gas emissions in two major ways. First, facilities consume electricity and fuels such as natural gas, and this consumption constitutes the majority of greenhouse gas emissions from facilities. In addition, fire suppression, air conditioning, and refrigeration equipment in buildings can emit hydrofluorocarbons (HFCs) and other greenhouse gases when these systems leak refrigerants or fire suppressants.

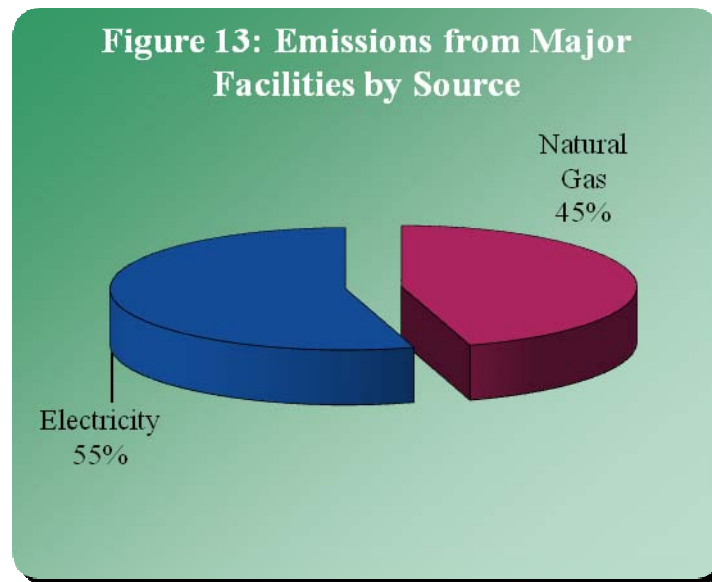
In 2005, the operation of the City of Capitola's facilities produced approximately 202 metric tons of CO₂e from the above sources. Table 18 shows estimated costs associated with the activities that generated these emissions, and Figure 12 depicts 2005 emissions per facility. Of total facility emissions, 55 percent came from the consumption of electricity, 45 percent came from the combustion of natural gas (see Figure 13). The City of Capitola spent approximately \$82,825 in 2005 on the fuels and electricity that were the cause of these emissions.

Table 18: Energy Use and Emissions from Major Facilities

Facility	Greenhouse Gas Emissions (metric tons CO ₂ e)	Percent Emissions of Total Facilities	Electricity Use (kWh)	Natural Gas Use (therms)	Cost (\$)
Minor Facilities	51	25%	61,468	6,946	\$17,747
City Gym	46	23%	48,389	6,574	\$15,038
City Hall	39	19%	134,440	1,608	\$20,915
Mobile Home Park	24	12%	108,560		\$6,598
Retail Shops and Café	18	9%	80,448		\$10,619
Community Centers	16	8%	30,652	1,673	\$6,736
Corporate Yard	9	4%	30,005	414	\$5,172
TOTAL	202	100%	493,962	17,215	\$82,825

Figure 12: Emissions from Major Facilities





4.4.2 Streetlights, Traffic Signals, and Other Public Lighting

Like most local governments, the City of Capitola operates a range of public lighting, from traffic signals and beach lighting and park lights. Electricity consumed in the operation of this infrastructure is a significant source of greenhouse gas emissions.

In 2005, public lighting in the City of Capitola consumed a total of 166,393 kilowatt hours of electricity, producing approximately 37 metric tons of CO₂e. Table 19 depicts 2005 emissions per lighting type and estimated electricity consumption and costs associated with the activities that generated these emissions. The City of Capitola spent approximately \$18,232 in 2005 on the fuels and electricity that were the cause of these emissions.

Table 19: Energy Use and Emissions from Public Lighting

Source	Greenhouse Gas Emissions (metric tons CO ₂ e)	Percent Emissions of Total Public Lighting	Electricity Use (kWh)	Cost (\$)
Traffic Signals/Controllers	13	34%	56,692	\$7,939
Streetlights	18	49%	81,752	\$10,085
Park Lighting	0	0%	268	\$202
Other Outdoor Lighting	6	17%	28,227	\$4,604
TOTAL	37	100%	166,939	\$22,830

4.4.3 Water Transport

This section addresses any equipment used for the distribution of water and stormwater.¹⁹ Typical systems included in this section are water pumps/lifts and sprinkler and other irrigation controls.²⁰ The City of Capitola operates a very small range of water transport equipment, including mainly sprinkler systems. Electricity consumption is the most significant source of greenhouse gas emissions from the operation of the City of Capitola's water transport equipment.

In 2005, the operation of the City of Capitola's water transport equipment produced approximately 0 metric tons of CO₂e from the above sources. Table 20 depicts 2005 emissions per equipment type and shows estimated activities and costs associated with the operation of this equipment. The City of Capitola spent approximately \$585 in 2005 on the fuels and electricity that were the cause of these emissions.

Table 20: Energy Use and Emissions from Water Transport Equipment

Source	Greenhouse Gas Emissions (metric tons CO ₂ e)	Percent Emissions of Total Water Transport Equipment	Electricity Use (kWh)	Cost (\$)
Irrigation / Sprinkler Systems	.10	100%	467	\$585
TOTAL	.10	100%	467	\$585

4.4.4 Vehicle Fleet and Mobile Equipment

The majority of local governments use vehicles and other mobile equipment as an integral part of their daily operations—from maintenance trucks used for parks and recreation to police cruisers and fire trucks. These vehicles and equipment burn gasoline, diesel, and other fuels, which results in greenhouse gas emissions. In addition, vehicles with air conditioning or refrigeration equipment use refrigerants that can leak from the vehicle. Emissions from vehicles and mobile equipment compose a significant portion of emissions within most local governments.

¹⁹ While equipment that transports water and stormwater may be managed separately in the City of Capitola's operations, the types of equipment are similar, and therefore the ways to reduce emissions from this equipment, are similar. For this reason, this section groups equipment used for transporting water and stormwater.

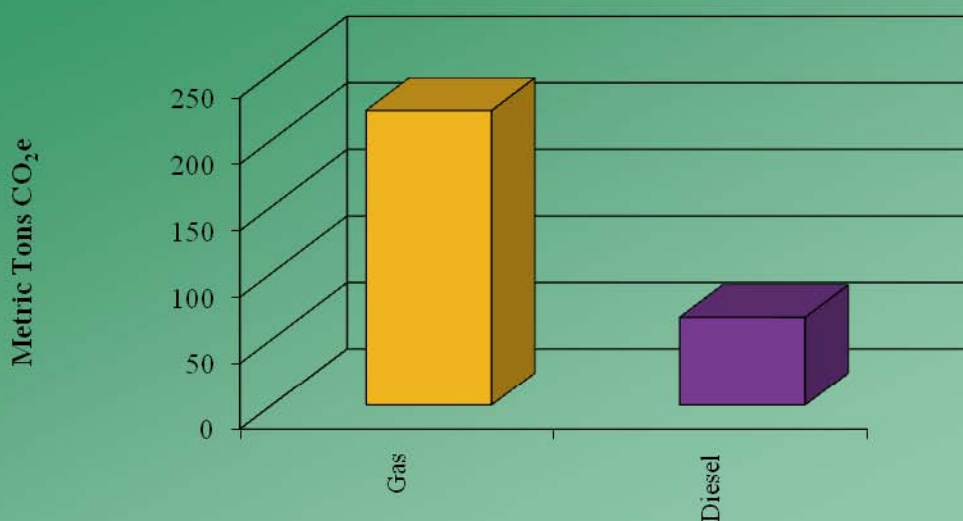
²⁰ This section does not include emissions from decomposition or processing of wastewater in wastewater treatment facilities.

Table 21: Fuel Use and Emissions from Vehicle Fleet and Mobile Equipment

Source	Greenhouse Gas Emissions (metric tons CO ₂ e)	Percent Emissions of Total Vehicle Fleet and Mobile Equipment	Gasoline Use (gallons)	Diesel Use (gallons)	Cost (\$)
Gas	222	77%	24,586		\$61,412
Diesel	66	23%		6,548	\$15,314
TOTAL	288	100%	24,586	6,548	\$76,726

In 2005, the City of Capitola operated a vehicle fleet which performed a number of essential services, from policing the streets to maintaining public grounds.

In 2005, the City of Capitola emitted approximately 288 metric tons of CO₂e as a result of the combustion of fuels to power the city's vehicle fleet. Table 21 shows estimated costs associated with the activities that generated these emissions, and Figure 14 depicts 2005 emissions per source. While it is recommended that emissions be measured by department, this data represents an aggregate number for the whole city. No information was available on the fuel consumption per department. Across all government operations, emissions from mobile sources represented 35 percent of all inventoried emissions from the City of Capitola's operations in 2005. Of total mobile emissions, 55 percent came from the consumption of gasoline, and 45 percent came from the combustion of diesel. The City of Capitola spent approximately \$76,726 in 2005 on the fuels that were the cause of these emissions.

Figure 14: Emissions from Mobile Sources

4.4.5 Government-Generated Solid Waste

Many local government operations generate solid waste, much of which is eventually sent to a landfill. Typical sources of waste in local government operations include paper and food waste from offices and facilities, construction waste from public works, and plant debris from parks departments. Organic materials in government-generated solid waste (including paper, food scraps, plant debris, textiles, wood waste, etc.) generate methane as they decay in the anaerobic environment of a landfill. An estimated 75 percent of this methane is routinely captured via landfill gas collection systems;²¹ however, a portion escapes into the atmosphere, contributing to the greenhouse effect. As such, estimating emissions from waste generated by government operations is an important component of a comprehensive emissions inventory.

Inventorying emissions from government-generated solid waste is considered optional by LGOP for two reasons. First, the emissions do not result at the point of waste generation (as with fuel combustion), but often in a landfill located outside of the City of Capitola's jurisdictional boundaries. In addition, the emissions are not generated in the same year that the waste is disposed, but over a lengthy decomposition period. Since inventorying these emissions is considered optional, LGOP does not provide guidance on recommended methods for quantifying these types of emissions. ICLEI therefore devised data collection and calculation methods based upon previous experience and national standards. See Appendix K for more information for more detail on quantifying emissions from government-generated solid waste.

It is estimated that the waste disposed by government facilities in 2005 will cumulatively produce 12 metric tons of methane gas, or 244 metric tons CO₂e. Please see Table 22 for a breakdown of emissions per facility.

Table 22: Emissions from Government-Generated Solid Waste

Source	Greenhouse Gas Emissions (metric tons CO ₂ e)	Percent Emissions of Total Government- Generated Solid Waste	Estimated Landfilled Waste (short tons)
Parks	151	61%	594
Village Area	38	16%	151
Corp Yard	32	13%	125
Community Center	11	5%	44
Rec Hall	3	1%	12
City Hall	2	1%	9
Pacific Cove Mobile Home Park	7	3%	27
TOTAL	244	100%	962

²¹ This is a default methane collection rate per LGOP. This rate can vary from 0 to 99 percent based upon the presence and extent of a landfill gas collection system at the landfill/s where the waste is disposed. Most commonly, captured methane gas is flared into the atmosphere, which converts the methane gas to CO₂ and effectively negates the global warming impact of the methane. Increasingly, landfill methane is being used to power gas-fired turbines as a carbon-neutral means of generating electricity.

4.4.6 Employee Commute

Fuel combustion from employees commuting to work is another important emissions source from the City of Capitola's operations. Similar to the city's vehicle fleet, personal employee vehicles use gasoline and other fuels which, when burned, generate greenhouse gas emissions. Emissions from employee commutes are considered optional to inventory by LGOP because the vehicles are owned and operated privately by the employees. However, LGOP encourages reporting these emissions because local governments can influence how their employees commute to work through incentives and commuting programs. For this reason, employee commute emissions were included in this report as an area where the City of Capitola could achieve significant reductions in greenhouse gases.

To calculate emissions, the City of Capitola administered a survey to all of its employees regarding their commute patterns and preferences. The results of the survey were then extrapolated to represent emissions from all employees. See Appendix J for a detailed description of the survey and methods used to calculate emissions.

In 2008, employees commuting in vehicles to and from their jobs at the City of Capitola emitted an estimated 66 metric tonnes of CO₂e. Table 23 shows estimated emissions and vehicle miles traveled for all City of Capitola employees.

Table 23: Emissions from Employee Commute

	Greenhouse Gas Emissions (metric tons CO ₂ e)	Estimated Vehicle Miles Traveled to Work	Average Estimated Vehicle Miles Traveled to Work
All Employees (Estimated)	66	168,185	2,336

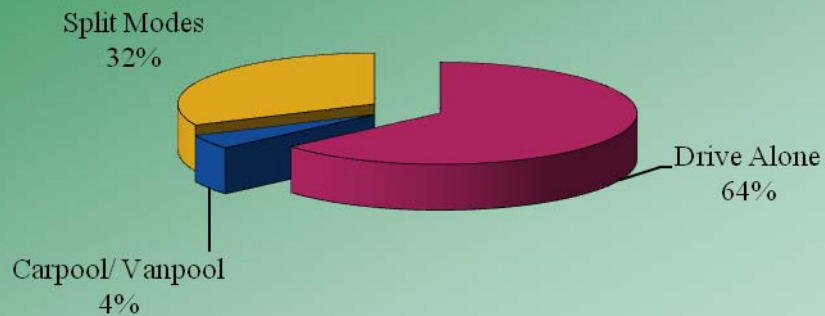
4.4.6.1 Employee Commute Indicators

In addition to estimating greenhouse gas emissions from employee commutes, other policy-relevant information that was extracted from the employee commute survey was examined—in this way the City of Capitola staff can develop the most effective policies to reduce emissions from employee commutes. These measures often have co-benefits including increased productivity, reduced commute times and costs, and improvement in the quality of life for employees. No extrapolation was done with the following data; analyses were done using data from survey respondents only.

Commute Modes

In 2005, the majority (63 percent) of respondents commuted to work driving alone. 5 percent of all respondents used some form of alternative transportation (bicycle, public transit, carpool, etc) to commute to work with carpool being the most used form of alternative transportation (5 percent of total respondents). Split methods, where driving alone part of the week is coupled by carpooling part of the week, was the only other form of commute reported by the City of Capitola employees, accounting for 32 percent of commuters. See Figure 15 for an analysis of the most common commute mode for employees who responded to the survey.

Figure 15: Employee Commute Modes

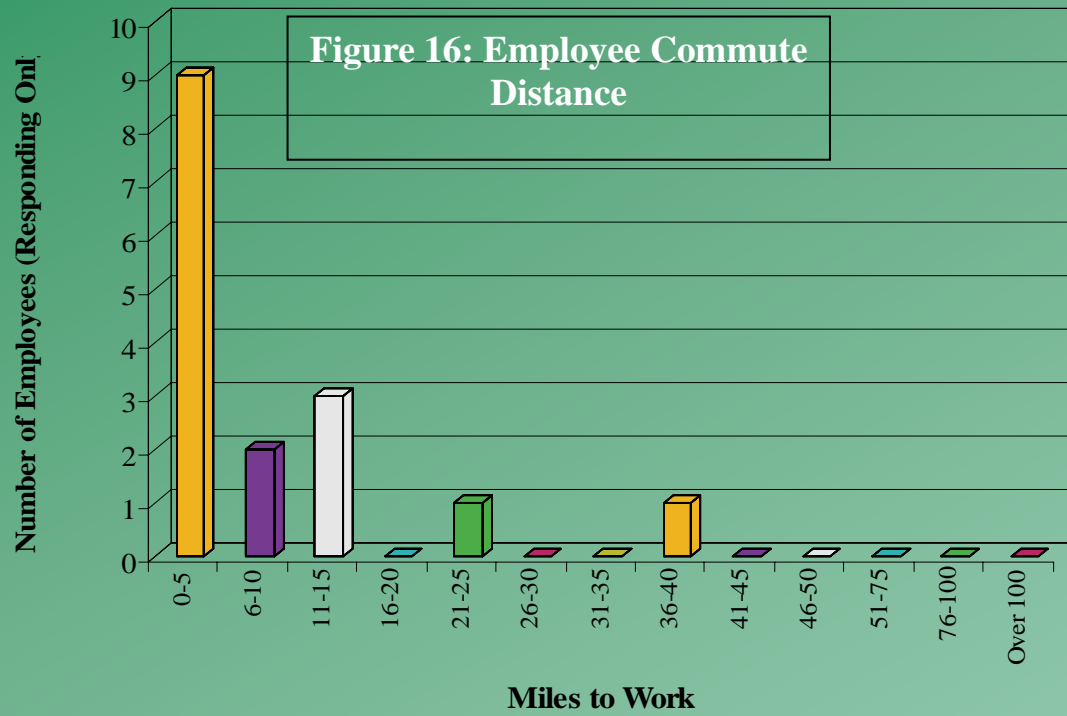


Commute Time and Costs

Table 24 shows the median time, cost, and distance of the City of Capitola’s employees’ commutes. Figure 16 shows that the majority of employees live within 5 miles, suggesting that there may be good opportunities for jurisdiction to promote effective carpooling, shuttle programs, or other alternative transit modes. Encouraging telecommuting and/or carpooling, if feasible, is also a viable option for the City of Capitola. By encouraging employees to take public transit through incentives, the City of Capitola could not only reduce greenhouse gas emissions, but save employees money and time in the process.

Table 24: Median Distance and Time to Work and Cost of Employee Commute

Median Time to Work (daily minutes)	Median Cost of Commute (weekly)	Median Distance To Work (daily miles)
10	\$10	5



5. Conclusion

The City of Capitola has taken steps toward reducing its impacts on the environment by quantifying its 2005 GHG emissions from local government operations and its community. Staff and policymakers have chosen to take a leadership role in addressing climate change, and this leadership will allow the City of Capitola to make informed decisions to create and implement innovative approaches to reduce its emissions.

This inventory provides an important foundation for the City of Capitola's comprehensive approach to reducing the greenhouse gas emissions in its community and from its own government operations. Specifically, this inventory serves to:

- Establish a baseline for setting emissions reductions targets.
- Identify the largest sources of communitywide emissions.
- Identify the largest sources of emissions from local government operations.

This greenhouse gas emissions inventory provides an emissions baseline against which the City of Capitola can set reductions targets and quantify emissions reductions. A greenhouse gas emissions reduction target represents the percentage by which the City of Capitola plans to reduce total greenhouse gas emissions throughout the community and its government operations below base year levels by a chosen future target year. A target provides an objective toward which to strive and against which to measure progress.

In selecting a target, it is important to strike a balance. The City of Capitola will want to give itself enough time to implement chosen emissions reduction measures. A long-term target such as the year 2020 or 2035 is necessary in keeping with state legislation; however, setting near-term targets along the way can facilitate additional support and accountability, and help to ensure continued momentum around the City of Capitola's local climate protection efforts. To monitor the effectiveness of its programs, the City of Capitola may want to consider a plan to re-inventory its emissions at regular time intervals.

With regard to emissions from the City's local government operations, it is recommended that the City of Capitola should begin to document emissions reduction measures that have been implemented since 2005 and should quantify the emissions benefits of these measures to demonstrate progress made to date. Examples include any retrofits to municipal facilities implemented through AMBAG Energy Watch, ARRA funding, or other programs; replacement of older, less efficient vehicles in the City's fleet; or any other efficiency measures which may have been taken since 2005.

6. Appendices

6.1. Appendix A - Detailed Community Greenhouse Gas Emissions in 2005

Sector	Emissions Source	Equiv CO ₂ (metric tons)	Equiv CO ₂ (%)	Data Source
Residential				
	Electricity	4,953.00766	7	PG&E
	Natural Gas	10,636.91789	14	PG&E
Subtotal Residential		15,589.92555	21	
Commercial/Industrial				
	Electricity	12535.26549	16	PG&E
	Natural Gas	5028.74555	7	PG&E
Subtotal Commercial		17564.01104	23	
Transportation				
Local Roads AVMT		26,010.77	34	AMBAG
State Highways AVMT		14,705.39	19	AMBAG
Subtotal Transportation		40,716.158	53	
Waste				
ADC		1.54	0	CIWMB
Total Waste Disposed (w/o ADC)		2,148.74	3	CIWMB
Subtotal Waste		2,150.28	3	
Grand Total		76,020	100	

6.2. Appendix B - Residential Sector Notes

Data Inputs:

Residential	Electricity Consumption	kWh	22,141,074
	Natural Gas Consumption	Therms	1,999,571

Data Sources:

All energy usage data provided by John Bohman and John Joseph at PG&E (GHGdatarequests@pge.com)

Notes:

AMBAG Housing Projections:

HOUSEHOLDS						
Year	2005	2010	2015	2020	2025	2030
City of Capitola	5,387	5,500	5,601	5,763	5,859	5,966
Santa Cruz County Total	102,872	105,509	107,496	110,143	112,040	113,865

6.3. Appendix C - Commercial / Industrial Sector Notes

Data Inputs:

Commercial	Electricity Consumption	kWh	38,752,790
	Natural Gas Consumption	Therms	945,324
Industrial	Electricity Consumption	kWh	N/A
	Natural Gas Consumption	Therms	N/A
	Industrial Electricity (Fails 15/15) ¹		
	Industrial Natural Gas (Fails 15/15)		Fail
Direct Access (see below for DA emission factor)	Electricity Direct Access (from PG&E)	kWh	N/A
	% DA County Estimate for Residential	%	0
	% DA County Estimate for Commercial and Industrial ⁴	%	32.88
	Estimated Direct Access Electricity Consumption	kWh	8,855,468
	Natural Gas DA from Industries	Therms	N/A

Data Sources:

1. Pacific Gas and Electric Company (PG&E): John Bohman and John Joseph, GHGDataRequests@pge.com
2. California Energy Commission (CEC): Andrea Gough, agough@energy.state.ca.us, (916) 654-4928
3. ICLEI: Direct access (DA) electricity usage estimates calculated by ICLEI

Notes:

Emissions Factors:

PG&E-specific emissions factors were used for known electricity usage.

Emissions from direct access electricity were calculated using CEC/CARB “California Grid Average” emissions factors.

6.4. Appendix D - Transportation Sector Notes

Data Inputs:

Transportation	Local Roads (VMT) ²	Annual VMT	146,855
	State Highway VMT ³	Annual VMT	83,025.78

Data Sources:

Local Roads: Caltrans Highway Performance Monitoring System

Highways: AMBAG model (see below)

Notes:

D.1 VMT Data Collection

2005 VMT data for local roads was provided by Caltrans' Highway Performance Monitoring System (HPMS) and distributed by AMBAG. Highway VMT was extrapolated from AMBAG's transportation model using a GIS-based methodology developed by Bhupendra Patel and Charlie Buck of AMBAG. Highway VMT was allocated to jurisdictions based on the total length of all road segments intersecting the geographic boundaries of each jurisdiction.

D.2 Emissions Calculations

In order to calculate emissions from the transportation sector, AMBAG Energy Watch staff used the EMFAC 2007 software's emissions factors to remain consistent with MPO's. This software incorporates myriad factors that are adjusted to reflect specific conditions within each county in California, making its emissions factors more locally accurate than national figures from the EPA.

The EMFAC software model allows users to manually adjust local settings such as fleet mix, humidity, traffic speeds, fuel mix, and many other factors in order to model county-wide emissions under variable future conditions. For purposes of this inventory, AMBAG Energy Watch staff ran the model for each of AMBAG's three counties (Monterey, Santa Cruz, and San Benito), leaving all CARB default values in place. Staff then used the EMFAC output to calculate local fleet mix and emissions factors for each vehicle type. Different emissions factors were calculated for CO₂ and CH₄. The total VMT (local roads and highways) was then distributed among the various EMFAC-defined vehicle types according to percentages derived from the EMFAC output. The appropriate emissions factor for each vehicle type was then applied for both greenhouse gases. Finally, global warming potentials were factored in and the total emissions from each vehicle type were summed to reach the total CO_{2e} emissions from transportation. This methodology was developed by Nesamani Kalandiyur at CARB and Charlie Buck at AMBAG Energy Watch.

6.5. Appendix E - Waste Sector Notes

Data Inputs:

Waste	Total Landfill Waste (See Waste Table)	Short Tons	11,769.39.
	Total Alternative Daily Cover (See Waste Table)	Short Tons	165.64.

Data Sources:

CalRecycle: Disposal Reporting System (DRS)

(<http://www.calrecycle.ca.gov/LGCentral/Reports/DRS/Destination/JurDspFa.aspx>)

Methods:

6.6. Appendix F - Forecast Tables

AMBAG Population Growth Projections:

TOTAL POPULATION					
JURISDICTION	2005	2010	2015	2020	Annual Growth Rate
Carmel-by-the-Sea	4,091	4,075	3,848	3,873	-0.36%
Del Rey Oaks	1,647	1,627	1,745	2,237	2.06%
Gonzales	8,399	10,831	13,304	15,969	4.38%
Greenfield	13,357	17,795	19,090	21,855	3.34%
King City	11,430	13,540	15,392	17,269	2.79%
Marina	19,051	24,551	26,658	29,274	2.91%
Monterey	30,467	30,106	30,092	30,278	-0.04%
Pacific Grove	15,528	15,530	15,550	15,550	.01%
Salinas	149,705	153,779	162,044	163,234	0.58%
Sand City	302	447	1,498	1,498	11.27%
Seaside	35,173	34,666	35,165	35,158	0.00%
Soledad	27,365	28,853	31,115	33,760	1.41%
Monterey Unincorporated	106,117	109,509	111,105	113,778	0.47%
Hollister	37,002	40,415	44,613	49,064	1.9%
San Juan Bautista	1,722	1,937	2,121	2,356	2.11%
San Benito Unincorporated	18,600	20,079	21,737	24,720	
Capitola	9,918	10,124	10,222	10,693	0.5%
City of Santa Cruz	56,421	58,919	62,480	63,265	0.77%
Scotts Valley	11,565	11,923	12,126	12,311	0.42%
Watsonville	49,571	51,903	54,857	56,544	0.88%
Santa Cruz Unincorporated	132,617	135,173	135,297	137,681	0.25%
TOTAL AMBAG REGION	740,048	775,782	810,059	840,367	0.85%

AMBAG Job Growth Projections:

TOTAL JOBS						
JURISDICTION	2000	2005	2010	2015	2020	Annual Growth Rate
Carmel-by-the-Sea		3,245	3,245	3,245	3,245	0%
Del Rey Oaks		354	360	377	395	0.73%
Gonzales		1,014	1,063	1,100	1,140	0.78%
Greenfield		962	1,008	1,045	1,230	1.65%
King City		2,859	2,923	3,047	3,186	0.72%
Marina		3,253	3,334	3,653	3,990	1.37%
Monterey		32,327	32,752	34,209	35,773	0.68%
Pacific Grove		6,936	7,058	7,406	7,586	0.6%
Salinas		49,141	49,872	52,135	54,230	0.66%
Sand City		2,219	2,366	2,629	2,933	1.88%
Seaside		6,840	7,360	7,792	8,462	1.43%
Soledad		5,501	5,868	5,890	6,008	0.59%
Monterey Unincorporated		78,459	79,221	81,082	82,882	0.37%
Hollister		10,527	10,898	11,393	12,056	0.91%
San Juan Bautista		210	220	233	248	1.11%
San Benito Unincorporated		6,173	6,262	6,465	6,745	0.59%
Capitola		8,128	8,042	8,571	9,008	0.69%
City of Santa Cruz		34,016	33,826	35,527	37,411	0.64%
Scotts Valley		8,944	8,840	9,287	9,749	0.58%
Watsonville		22,917	22,369	23,409	24,552	0.46%
Santa Cruz Unincorporated		42,317	41,992	44,008	46,150	0.58%
TOTAL AMBAG REGION		323,097	328,879	342,503	356,979	0.67%

6.7. Appendix G – Community Inventory Methodology

This appendix expands on the description of methodology provided in Section 2, describing in more detail the data sources and processes used to calculate emissions in the community inventory.

G.1 Overview of Inventory Contents and Approach

The community inventory describes emissions of the major greenhouse gases from the residential, commercial/industrial, transportation, solid waste, and wastewater sectors. As explained in Section 2, emissions are calculated by multiplying activity data—such as kilowatt hours or gallons of gasoline consumed—by emissions factors, which provide the quantity of emissions per unit of activity. Activity data is typically available from electric and gas utilities, planning and transportation agencies and air quality regulatory agencies. Emissions factors are drawn from a variety of sources, including the California Climate Action Registry, the Local Governments Operations Protocol, and air quality models produced by CARB.

In this inventory, all GHG emissions are converted into carbon dioxide equivalent units, or CO₂e, per guidance in the Local Government Operations Protocol (LGOP). The LGOP provides standard factors to convert various greenhouse gases into carbon dioxide equivalent units; these factors are known as Global Warming Potential factors, representing the ratio of the heat-trapping ability of each greenhouse gas relative to that of carbon dioxide.

The community inventory methodology is based on guidance from ICLEI’s draft International Local Government GHG Emissions Analysis Protocol (IEAP).

G.1.1 Emissions Sources Included and Excluded

In general, local jurisdictions should seek to measure all emissions of the six Kyoto Protocol greenhouse gases²² occurring within the jurisdictional boundaries. In practice, this level of detail may not be feasible for the local jurisdiction.

Local governments will often choose to exclude emissions sources that meet the following criteria:

- ***Below the significance threshold.*** In the ICLEI reporting standard, emissions sources can be excluded from the analysis (e.g. are “*de minimis*”) if, when combined, the excluded emissions total less than 5% of the total of the emissions from the Community or Government Inventory.²³
- ***Insufficient data or accepted standard methodology.*** The science is still evolving in many sectors, and accurate records or standards for measuring emissions are not always available. Examples include non-combustion industrial emissions sources or emissions from composting activities.
- ***Emissions largely located outside the jurisdiction’s boundaries.*** These types of emissions could include such sources as aviation departing from local airports or regional transit emissions.

In this inventory, the following emissions were below the significance threshold and were not included:

- SF₆, perfluorocarbons (PFCs), and hydrofluorocarbon (HFCs) emissions
- N₂O emissions from transportation
- Emissions of minor off-road sources (those not included in the table above)
- Stationary emissions from propane and diesel fuels
- Non-combustion industrial emissions sources

The following sources were excluded because they occurred largely outside the jurisdiction’s boundaries:

- Aviation

²² CO₂, CH₄, N₂O, SF₆, perfluorocarbons (PFCs) and hydrofluorocarbons (HFCs)

²³ Note: an inventory should include at least 95% of the emissions released by the government and community as a whole. Therefore, if a large number of small emissions sources occur within the jurisdiction, they cannot all be ignored.

- Rail
- Regional public transit

G.2 Emissions Forecast

This inventory includes a “business-as-usual” forecast to 2020, estimating emissions that will occur if no new emissions reduction policies are implemented. The forecast is based on household, population, and job projections from AMBAG’s *Monterey Bay Area 2008 Regional Forecast*. As a business-as-usual projection, the forecast does not take into account legislation or regulation currently under development, and relies on demographic data as the basis for estimating growth in each sector. The forecasting approach varies for each sector:

- Residential emissions are based on projected growth in local jurisdiction *households*.
- Commercial / industrial sector emissions are correlated with forecasted *job growth* in the local jurisdiction.
- Transportation emissions are based on projected growth rates in *regional vehicle miles traveled* associated with AMBAG’s Regional Transportation Plan 2030.
- Solid waste and wastewater emissions are correlated with forecasted *population* growth in the local jurisdiction.

G.3 The Built Environment: Residential, Commercial, and Industrial Sectors

Electricity and natural gas sold to Pacific Gas and Electric customers as bundled service (both energy generation and transmission/distribution) was provided by John Bohman and John Joseph at PG&E. Direct access electricity was estimated using ICLEI’s DA calculator, as PG&E does not track direct access purchases in its territory. Bundled PG&E electricity emissions were calculated in ICLEI’s CACP software using PG&E-specific emissions factors provided by the California Climate Action Registry. Direct access electricity consumption was calculated in CACP using CARB/CEC average emissions factors for California. All natural gas emissions were calculated in CACP with default emissions factors from the Local Government Operations Protocol.

G.4 Transportation

On-road transportation emissions were derived from local jurisdiction vehicle miles traveled (VMT) data and regional vehicle and travel characteristics. Observed 2005 VMT on non-state facilities (referred to in the inventory as “local roads”) was obtained from Caltrans’ Highway Performance Monitoring System reports. VMT on state highways in the local jurisdiction was derived from a GIS shapefile output from the AMBAG transportation model. For state highway segments that crossed jurisdictional boundaries, the segments were clipped in GIS and only the portion within the boundaries was accounted for. Since state highway VMT data is reported as *daily* VMT, these figures were multiplied by 365 to reach annual 2005 VMT.

The EMFAC2007 model developed by CARB was used to calculate emissions from these VMT figures. EMFAC defaults for each county include regionally-specific information on the mix of vehicle classes and model years, as well as ambient conditions and travel speeds that determine fuel efficiency. The model estimates carbon dioxide and methane emissions from these factors and inputted vehicle activity data.

For purposes of this inventory, AMBAG Energy Watch staff ran the model for each of AMBAG’s three counties (Monterey, Santa Cruz, and San Benito), leaving all CARB default values in place (including VMT). Staff then used the EMFAC output to calculate local fleet mix and emissions factors for each vehicle type. Different emissions factors were calculated for CO₂ and CH₄. The total VMT (local roads and highways) was then distributed among the various EMFAC-defined vehicle types according to percentages derived from the EMFAC output. The appropriate emissions factor for each vehicle type was then applied for both greenhouse gases. Finally, global warming potentials were

factored in and the total emissions from each vehicle type were summed to reach the total CO₂e emissions from transportation. This methodology was developed by Nesamani Kalandiyur at CARB, Bhupendra Patel at AMBAG and Charlie Buck at AMBAG Energy Watch.

G.5 Solid Waste

Community-generated solid waste emissions were calculated in CACP using waste disposal data obtained from the California Integrated Waste Management Board Disposal Reporting System, which records tonnages of municipal solid waste and alternative daily cover by local jurisdiction. Emissions were calculated using the same methodology as described in Appendix K for government-generated solid waste.

6.7. Appendix H – Local Government Operations Protocol

This inventory follows the standard outlined in the Local Government Operations Protocol, which was adopted in 2008 by CARB and serves as the national standard for quantifying and reporting greenhouse emissions from local government operations. This and the other inventories conducted for the AMBAG Regional Inventory Collaborative are the first to follow LGOP, representing a strong step toward standardizing how inventories are conducted and reported.

H.1 Local Government Operations Protocol

H.1.1 Background

In 2008, ICLEI, CARB, and the California Climate Action Registry (CCAR) released LGOP to serve as a U.S. supplement to the International Emissions Analysis Protocol. The purpose of LGOP is to provide the principles, approach, methodology, and procedures needed to develop a local government operations greenhouse gas emissions inventory. It leads participants through the process of accurately quantifying and reporting emissions, including providing calculation methodologies and reporting guidance. LGOP guidance is divided into three main parts: identifying emissions to be included in the inventory, quantifying emissions using best available estimation methods, and reporting emissions.

The overarching goal of LGOP is to allow local governments to develop emissions inventories using standards that are consistent, comparable, transparent, and recognized nationally, ultimately enabling the measurement of emissions over time. LGOP adopted five overarching accounting and reporting principles toward this end: relevance, completeness, consistency, transparency and accuracy. Methodologies that did not adhere to these principles were either left out of LGOP or included as Scope 3 emissions. LGOP was created solely to standardize how emissions inventories are conducted and reported; as such it represents a currently accepted standard for inventorying emissions but does not contain any legislative or program-specific requirements. Mandates by the State of California or any other legislative body, while possibly using LGOP as a standard, do not currently exist, and California local governments are not currently required to inventory their emissions. Program-specific requirements, such as ICLEI's Milestones or CCAR's reporting protocol, are addressed in LGOP but should not be confused with LGOP itself.

Also, while LGOP standardizes inventories from government operations, it does not seek to be a wholly accurate inventory of all emissions sources, as certain sources are currently excluded or otherwise impossible to accurately estimate. This and all emissions inventories therefore represent a best estimate of emissions using best available data and calculation methodologies; it does not provide a complete picture of all emissions resulting from City of Capitola's operations, and emissions estimates are subject to change as better data and calculation methodologies become available in the future.

H.1.2 Organizational Boundaries

Setting an organizational boundary for greenhouse gas emissions accounting and reporting is an important first step in the inventory process. The organizational boundary for the inventory determines which aspects of operations are included in the emissions inventory, and which are not. Under LGOP, two control approaches are used for reporting emissions: operational control or financial control. A local government has operational control over an operation if it has full authority to introduce and implement its operating policies at the operation. A local government has financial control if the operation is fully consolidated in financial accounts. If a local government has joint control over an operation, the contractual agreement will have to be examined to see who has authority over operating policies and implementation, and thus the responsibility to report emissions under operational control.²⁴ Local governments must choose which approach is the most applicable and apply this approach consistently throughout the inventory.

While both control approaches are acceptable, there may be some instances in which the choice may determine whether a source falls inside or outside of a local government's boundary. LGOP strongly encourages local governments to utilize operational control as the organization boundary for a government operations emissions inventory. Operational control is believed to most accurately represent the emissions sources that local governments can most directly influence, and this boundary is consistent with other environmental and air quality reporting program requirements. For this reason, all inventories in the AMBAG Regional Inventory Collaborative are being conducted according to the operational control framework.

H.1.3 Types of Emissions

The greenhouse gases inventoried in this report are described in Section 2.1. As described in LGOP, emissions from each of the greenhouse gases can come in a number of forms:

Stationary or mobile combustion: These are emissions resulting from on-site combustion of fuels (natural gas, diesel, gasoline, etc.) to generate heat, electricity, or to power vehicles and mobile equipment.

Purchased electricity: These are emissions produced by the generation of power from utilities outside of the Jurisdiction.

Fugitive emissions: Emissions that result from the unintentional release of greenhouse gases into the atmosphere (e.g., leaked refrigerants, methane from waste decomposition, etc.).

Process emissions: Emissions from physical or chemical processing of a material (e.g., wastewater treatment).

A1.4 Quantifying Emissions

Emissions can be quantified two ways:

Measurement-based methodologies refer to the direct measurement of greenhouse gas emissions (from a monitoring system) emitted from a flue of a power plant, wastewater treatment plant, landfill, or industrial facility. This

²⁴ Please see Local Government Operations Protocol for more detail on defining your organizational boundary: <http://www.icleiusa.org/programs/climate/ghg-protocol>

methodology is not generally available for most types of emissions and will only apply to a few local governments that have these monitoring systems.

The majority of the emissions recorded in the inventory can be and will be estimated using **calculation-based methodologies** to calculate their emissions using activity data and emission factors. To calculate emissions, the equation below is used:

Activity Data x Emission Factor = Emissions

Activity data refer to the relevant measurement of energy use or other greenhouse gas–generating processes such as fuel consumption by fuel type, metered annual energy consumption, and annual vehicle mileage by vehicle type. Emissions factors are calculated ratios relating emissions to a proxy measure of activity at an emissions source (e.g., CO₂ generated/kWh consumed). For a list of common emissions calculations see Table 2.2.

The guidelines in LGOP are meant to provide a common method for local governments to quantify and report greenhouse gas emissions by using comparable activity data and emissions factors. However, LGOP recognizes that local governments differ in how they collect data concerning their operations and that many are not able to meet the data needs of a given estimation method. Therefore, LGOP outlines both “recommended” and “alternative” methods to estimate emissions from a given source. In this system, recommended methods are the preferred method for estimating emissions, as they will result in the most accurate estimate for a given emission source. Alternative methods often require less intensive data collection, but are likely to be less accurate. This approach allows local governments to estimate emissions based on the data currently available to them. It also allows local governments that are unable to meet the recommended methods to begin developing internal systems to collect the data needed to meet these methods.

This inventory has used the recommended activity data and emissions factors wherever possible, using alternative methods where necessary. For details on the methodologies used for each sector, see Appendix B.

H.1.5 Reporting Emissions

H.1.5.1 Significance Thresholds

Within any local government’s own operations there will be emission sources that fall within Scope 1 and Scope 2 that are minimal in magnitude and difficult to accurately measure. Within the context of local government operations, emissions from leaked refrigerants, backup generators and other septic tanks may be common sources of these types of emissions. For these small, difficult to quantify emission sources, LGOP specifies that up to 5 percent of total emissions can be reported using estimation methods not outlined in LGOP.²⁵

25 In the context of registering emissions with an independent registry (such as the California Climate Action Registry), emissions that fall under the significance threshold are called *de minimis*. This term, however, is not used in LGOP and was not used in this inventory.

In this report, the following emissions fell under the significance threshold and were reported using best available methods:

Scope 1 fugitive emissions from leaked refrigerants from HV/AC and refrigeration equipment

Scope 1 fugitive emissions from leaked/deployed fire suppressants

Scope 1 CH₄ and N₂O emissions from vehicle fleet

Other emissions as appropriate

H.1.5.2 Units Used in Reporting Emissions

LGOP requires reporting of individual gas emissions, and this reporting is included in Appendix B. In this narrative report, emissions from all gases released by an emissions source (e.g., stationary combustion of natural gas in facilities) are combined and reported in metric tons of carbon dioxide equivalent (CO₂e). This standard is based on the global warming potential (GWP) of each gas, which is a measure of the amount of warming a greenhouse gas may cause, measured against the amount of warming caused by carbon dioxide. For the GWPs of reported greenhouse gases, see Table 2.1.

H.1.5.3 Information Items

Information items are emissions sources that, for a variety of reasons, are not included as Scope 1, 2, or 3 emissions in the inventory. In order to provide a more complete picture of emissions from Jurisdiction's operations, however, these emissions should be quantified and reported.

In this report, the following emissions are included as information items (emission quantities are reported in Appendix B):

Scope 1 CO₂ emissions from flared methane in landfill gas

Scope 1 CO₂ emissions from flared methane from biogas emitted during wastewater treatment

Scope 1 CO₂ emissions from biodiesel consumption to power vehicle fleet

Ozone depleting chemical used as refrigerants (most notably R-22 and halons)

A common emission that is categorized as an information item is carbon dioxide emissions caused by the combustion of biogenic fuels. Local governments will often burn fuels that are of biogenic origin (wood, landfill gas, organic solid waste, biofuels, etc.) to generate power. Common sources of biogenic emissions are the combustion of landfill gas from landfills or biogas from wastewater treatment plants, as well as the incineration of organic municipal solid waste at incinerators.

Carbon dioxide emissions from the combustion of biogenic fuels are not included in Scope 1 based on established international principles.²⁶ These principles indicate that biogenic fuels (e.g., wood, biodiesel), if left to decompose in the natural environment, would release CO₂ into the atmosphere, where it would then enter back into the natural carbon cycle. Therefore, when wood or another biogenic fuel is combusted, the resulting CO₂ emissions are akin to natural

26 Methane and nitrous oxide emissions from biogenic fuels are considered Scope 1 stationary combustion emissions and are included in the stationary combustion sections for the appropriate facilities.

emissions and should therefore not be considered as human activity-generated emissions. The CH₄ and N₂O emissions, however, would not have occurred naturally and are therefore included as Scope 1 emissions.

H.2 Baseline Years

Part of the local government operations emissions inventory process requires selecting a “performance datum” with which to compare current emissions, or a base year. Local governments should examine the range of data they have over time and select a year that has the most accurate and complete data for all key emission sources. It is also preferable to establish a base year several years in the past to be able to account for the emissions benefits of recent actions. A local government’s emissions inventory should comprise all greenhouse gas emissions occurring during a selected *calendar* year.

For the AMBAG Regional Inventory Collaborative, 2005 was chosen as the baseline year; the 1990 baseline year for California is usually difficult for most local governments to meet and would not produce the most accurate inventory. After setting a base year and conducting an emissions inventory for that year, local governments should make it a practice to complete a comprehensive emissions inventory on a regular basis to compare to the baseline year. Conducting an emissions inventory at least every five years is recommended.

6.11. Appendix I – Local Government Operations Standard Report

1. Local Government Profile

Jurisdiction Name:	Capitola				
Street Address:	420 Capitola Ave				
City, State, ZIP, Country:	Capitola, CA, 95010, USA				
Website Address:	www.ci.capitola.ca.us				
Size (sq. miles):					1.64
Population:					10,500
Annual Budget:					12,338,900
Employees (Full Time Equivalent):					74
Climate Zone:	CA Climate Zone 3*				
Annual Heating Degree Days*:	2413				
Annual Cooling Degree Days**:	274				
Lead Inventory Contact Name:	John Akeman				
Title:	Associate Planner				
Department:	Planning				
Email:	jakeman@ci.capitola.ca.us				
Phone Number:	831-475-7300 x250				

* www.energycodes.gov/implement/pdfs/climate_paper_review_draft_rev.pdf

** www7.ncdc.noaa.gov/CDO/CDODivisionalSelect.jsp#

Services Provided:

<input type="checkbox"/> Water treatment	<input type="checkbox"/> Mass transit (buses)	<input type="checkbox"/> Hospitals	<input type="checkbox"/> Natural gas utility
<input checked="" type="checkbox"/> Water distribution	<input type="checkbox"/> Mass transit (light rail)	<input type="checkbox"/> Airport	<input type="checkbox"/> Other (Specify below)
<input type="checkbox"/> Wastewater treatment	<input type="checkbox"/> Mass transit (ferries)	<input type="checkbox"/> Seaport/shipping terminal	
<input type="checkbox"/> Wastewater collection	<input type="checkbox"/> Schools (primary/secondary)	<input type="checkbox"/> Marina	
<input type="checkbox"/> Electric utility	<input type="checkbox"/> Schools (colleges/universities)	<input type="checkbox"/> Stadiums/sports venues	
<input checked="" type="checkbox"/> Fire Protection	<input type="checkbox"/> Solid waste collection	<input type="checkbox"/> Convention center	
<input checked="" type="checkbox"/> Police	<input type="checkbox"/> Solid waste disposal	<input checked="" type="checkbox"/> Street lighting and traffic signals	

Local Government Description:

Capitola is an intimate beach village tucked in a river valley in Santa Cruz County on the Monterey Bay. Located an hour away from San Jose and an hour and a half from San Francisco, Capitola enjoys a lively population full of tradition and an interesting history. The City's wharf and riverside areas remind one of a village in France or perhaps a Mediterranean coast in Italy. Capitola Village is located along a wide beach with a breathtaking view of Monterey Bay and is home to numerous craft galleries, boutiques and restaurants. It is here where the Begonia Festival takes place each Labor Day weekend, featuring flower-draped floats and the must-see sand castle contest. Each fall the village also hosts the Annual Capitola Art & Wine Festival, which brings in over 170 artists, 10 wineries and numerous food vendors. Other visitor attractions include the Capitola Historical Museum, Capitola Wharf, and the Capitola Mall.

2. GHG Inventory Details

Reporting Year:	2005
Protocol Used:	Local Government Operations Protocol, Version 1.0 (September 2008)
Control Approach:	Operational Control

GHG Emissions Summary (All Units in Metric Tons Unless Stated Otherwise)

Note: CO₂e totals listed here are summed totals of the estimated emissions of each inventoried gas based upon their global warming potentials (Appendix E of LGOP)

BUILDINGS & OTHER FACILITIES

SCOPE 1		CO ₂ e	CO ₂	CH ₄	N ₂ O	HFCs	PFCs	SF ₆
	Stationary Combustion	91.577	91.343	0.009	0.000			
	Fugitive Emissions							
	Total Direct Emissions from Buildings & Facilities	91.577	91.343	0.009	0.000	0.000	0.000	0.000
SCOPE 2		CO ₂ e	CO ₂	CH ₄	N ₂ O			
	Purchased Electricity	110.500	109.600	0.006	0.002			
	Purchased Steam							
	District Heating & Cooling							
	Total Indirect Emissions from Buildings & Facilities	110.500	109.600	0.006	0.002			

STREETLIGHTS AND TRAFFIC SIGNALS

SCOPE 2		CO ₂ e	CO ₂	CH ₄	N ₂ O			
	Purchased Electricity	37.345	37.040	0.002	0.001			
	Total Indirect Emissions from Streetlights and Traffic Signals	37.345	37.040	0.002	0.001			

WATER DELIVERY FACILITIES

SCOPE 1		CO ₂ e	CO ₂	CH ₄	N ₂ O	HFCs	PFCs	SF ₆
	Stationary Combustion	0.000	0.000	0.000	0.000			
	Total Direct Emissions from Water Delivery Facilities	0.000	0.000	0.000	0.000	0.000	0.000	0.000
SCOPE 2		CO ₂ e	CO ₂	CH ₄	N ₂ O			
	Purchased Electricity	0.104	0.104	0.000	0.000			
	Purchased Steam							
	District Heating & Cooling							
	Total Indirect Emissions from Water Delivery Facilities	0.104	0.104	0.000	0.000			

VEHICLE FLEET

SCOPE 1		CO ₂ e	CO ₂	CH ₄	N ₂ O	HFCs	PFCs	
	Mobile Combustion	288.374	282.905	0.012	0.017			
	Fugitive Emissions							
	Total Direct Emissions from Vehicle Fleet	288.374	282.905	0.012	0.017	0.000	0.000	

WASTE GENERATION

SCOPE 3		CO ₂ e						
	Waste All Facilities	243.568						

EMPLOYEE COMMUTE

SCOPE 3		CO ₂ e						
	Mobile Combustion	66.414						

Total Emissions

		CO ₂ e	CO ₂	CH ₄	N ₂ O	HFCs	PFCs	SF ₆
	SCOPE 1	379.951	374.247	0.020	0.017	0.000	0.000	0.000
	SCOPE 2	147.949	146.744	0.009	0.003	0.000	0.000	0.000
	SCOPE 3	309.981						
	INFORMATION ITEMS	0.000						

3. Activity Data Disclosure

BUILDINGS & OTHER FACILITIES (Chapter 6)

SCOPE 1

Stationary Combustion

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Natural Gas	CO ₂ e	Primary	Application of GWP to CH ₄ and N ₂ O calculations listed below; sum of three primary GHGs (CO ₂ , CH ₄ and N ₂ O.)	17,215	therms	PG&E
	CO ₂	Primary	Known fuel use	17,215	therms	PG&E
	CH ₄	Primary	Known fuel use	17,215	therms	PG&E
	N ₂ O	Primary	Known fuel use	17,215	therms	PG&E

SCOPE 2

Purchased Electricity

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Electricity	CO ₂ e	Primary	Application of GWP to CH ₄ and N ₂ O	493,962	kWh	PG&E
	CO ₂	Primary	Known Electricity Use	493,962	kWh	PG&E
	CH ₄	Primary	Known Electricity Use	493,962	kWh	PG&E
	N ₂ O	Primary	Known Electricity Use	493,962	kWh	PG&E

STREETLIGHTS AND TRAFFIC SIGNALS (Chapter 6.2)

SCOPE 2

Purchased Electricity

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Electricity	CO ₂ e	Primary	Application of GWP to CH ₄ and N ₂ O	166,939	kWh	PG&E
	CO ₂	Primary	Known Electricity Use	166,939	kWh	PG&E
	CH ₄	Primary	Known Electricity Use	166,939	kWh	PG&E
	N ₂ O	Primary	Known Electricity Use	166,939	kWh	PG&E

WATER DELIVERY FACILITIES (Chapter 6)

SCOPE 2

Purchased Electricity

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Electricity	CO ₂ e	Primary	Application of GWP to CH ₄ and N ₂ O calculations listed below; sum of three primary GHGs (CO ₂ , CH ₄ and N ₂ O.)	467	kWh	PG&E
	CO ₂	Primary	Known Electricity Use	467	kWh	PG&E
	CH ₄	Primary	Known Electricity Use	467	kWh	PG&E
	N ₂ O	Primary	Known Electricity Use	467	kWh	PG&E

VEHICLE FLEET (Chapter 7)

SCOPE 1

Mobile Combustion

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Gasoline	CO ₂ e	Primary	Application of GWP to CH ₄ and N ₂ O	24,586	gallons	Steve Jesberg, Public
	CO ₂	Alternate	fuel estimates	24,586	gallons	Steve Jesberg, Public
	CH ₄	Alternate	Aggregate annual fuel use and fuel type	24,586	gallons	Steve Jesberg, Public
	N ₂ O	Alternate	Aggregate annual fuel use and fuel type	24,586	gallons	Steve Jesberg, Public
Diesel	CO ₂ e	Primary	Application of GWP to CH ₄ and N ₂ O	6,548	gallons; miles	Steve Jesberg, Public
	CO ₂	Alternate	fuel estimates	6,548	gallons; miles	Steve Jesberg, Public
	CH ₄	Alternate	Aggregate annual fuel use and fuel type	6,548	miles; gallons	Steve Jesberg, Public
	N ₂ O	Alternate	Aggregate annual fuel use and fuel type	6,548	miles; gallons	Steve Jesberg, Public

WASTE GENERATION (Scope 3)

SCOPE 3

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Generated Waste	CH ₄	Alternate	Estimated waste weight based upon volume and number of containers	963	tons	Waste Management, Inc

EMPLOYEE COMMUTE (Scope 3)

SCOPE 3

Stationary Combustion

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Gasoline	CO ₂ e	Primary	Application of GWP to CH ₄ and N ₂ O	7,359	gallons	Online and paper surveys of all employees; see Appendix C of Narrative report for examples; Data in possession of John
	CO ₂	Alternate	Proxy Year Estimated Fuel Use-based upon daily vehicle miles traveled for all respondents extrapolated to represent all local government employees	7,359	gallons	Online and paper surveys of all employees; see Appendix C of Narrative report for examples; Data in possession of John
	CH ₄	Alternate	Proxy Year Estimated Fuel Use-based upon daily vehicle miles traveled for all respondents extrapolated to represent all local government employees	7,359	gallons	Online and paper surveys of all employees; see Appendix C of Narrative report for examples; Data in possession of John
	N ₂ O	Alternate	Proxy Year Estimated Fuel Use-based upon daily vehicle miles traveled for all respondents extrapolated to represent all local government employees	7,359	gallons	Online and paper surveys of all employees; see Appendix C of Narrative report for examples; Data in possession of John

4. Calculation Methodology Disclosure

BUILDINGS & OTHER FACILITIES (Chapter 6)

SCOPE 1

Stationary Combustion

Emissions	Source Name	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Natural Gas	CO ₂ e		Default	Various Global Warming Potentials (GWP)	LGOP v1 Table E.1
	CO ₂		Default	53.06 kg/MMBtu	LGOP v1 Table G.1
	CH ₄		Default	5 g/MMBtu	LGOP v1 Table G.3
	N ₂ O		Default	0.1 g/MMBtu	LGOP v1 Table G.3

SCOPE 2

Purchased Electricity

Emissions	Source Name	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Electricity	CO ₂ e		Default	Various Global Warming Potentials (GWP)	LGOP v1 Table E.1
	CO ₂		Default	489.2 lbs/MWh	PG&E (2005); LGOP v1 Table G.5
	CH ₄		Default	0.029 lbs/MWh	CA Grid Average (2004 proxy); LGOP v1 Table G.6
	N ₂ O		Default	0.011 lbs/MWh	CA Grid Average (2004 proxy); LGOP v1 Table G.6

STREETLIGHTS AND TRAFFIC SIGNALS (Chapter 6.2)

SCOPE 2

Purchased Electricity

Emissions	Source Name	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Electricity	CO ₂ e		Default	Various Global Warming Potentials (GWP)	LGOP v1 Table E.1
	CO ₂		Default	489.2 lbs/MWh	PG&E (2005); LGOP v1 Table G.5
	CH ₄		Default	0.029 lbs/MWh	CA Grid Average (2004 proxy); LGOP v1 Table G.6
	N ₂ O		Default	0.011 lbs/MWh	CA Grid Average (2004 proxy); LGOP v1 Table G.6

VEHICLE FLEET (Chapter 7)

SCOPE 1

Mobile Combustion

Emissions	Source Name	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Gasoline	CO ₂ e		Default	Various Global Warming Potentials (GWP)	LGOP v1 Table E.1
	CO ₂		Default	8.81 kg/gallon	LGOP v1 Table G.9
	CH ₄		Default	Varies by model year	LGOP v1 Table G.10; Table G.12 for other equipment
	N ₂ O		Default	Varies by model year	LGOP v1 Table G.10; Table G.12 for other equipment
Diesel	CO ₂ e		Default	Various Global Warming Potentials (GWP)	LGOP v1 Table E.1
	CO ₂		Default	10.15 kg/gallon	LGOP v1 Table G.9
	CH ₄		Default	Varies by model year	LGOP v1 Table G.10; Table G.12 for other equipment
	N ₂ O		Default	Varies by model year	LGOP v1 Table G.10; Table G.12 for other equipment

WASTE GENERATION (Scope 3)**SCOPE 3**

Emissions	Source Nam	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Generated Waste		CH ₄	Alternate	Varies by waste type	EPA Waste Reduction Model http://www.epa.gov/climatechange/wydc/waste/calculators/warm_home.html ; Public Administration waste characterization

EMPLOYEE COMMUTE (Scope 3)**SCOPE 3****Stationary Combustion**

Emissions	Source Nam	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Gasoline		CO ₂ e	Default	Various Global Warming Potentials (GWP)	LGOP v1 Table E.1
		CO ₂	Default	8.81 kg/gallon	LGOP v1 Table G.9
		CH ₄	Default	0.02990 g/mi (cars); .03451 g/mi (trucks)	LGOP v1 Table G.13
		N ₂ O	Default	.03413 g/mi (cars); .04935 g/mi (trucks)	LGOP v1 Table G.13
Diesel		CO ₂ e	Default	Various Global Warming Potentials (GWP)	LGOP v1 Table E.1
		CO ₂	Default	10.15 kg/gallon	LGOP v1 Table G.9
		CH ₄	Default	0.0005 g/mi (cars); .00098 g/mi (trucks)	LGOP v1 Table G.13
		N ₂ O	Default	.001 g/mi (cars); .00148 g/mi (trucks)	LGOP v1 Table G.13

6.11. Appendix J – Local Government Employee Commute Sector Notes

Emissions from employee commutes make up an important optional source of emissions from any local government's operations. The scale of emissions from employee commutes is often large in comparison with many other facets of local government operations, and local governments can affect how their employees get to and from work through a variety of incentives. For this reason, It is recommended estimating emissions from employee commutes as part of a complete government operations greenhouse gas emissions inventory.

To assist in the data collection process, AMBAG provided the City of Capitola with both an online and a paper copy of an employee commute survey.²⁷ The questions in the survey were aimed at finding three categories of information:

Activity data to calculate emissions from employee commute (vehicles miles traveled, vehicle type, vehicle model year) both current and in 2005.

Indicator data to help Jurisdiction understand how much time and money employees spend as they commute, as well as how many employees use alternative modes of transportation to get to work.

Policy data that will serve as guidance for Jurisdiction as it adopts policies aimed at reducing emissions from employee commutes. These questions asked employees for their interest in alternative modes of transportation as well as what policies would be most effective in allowing them to switch modes of transportation away from driving alone.

This section provides the emissions estimation methodology and both surveys. Individual survey results are in the possession of City of Capitola staff.

J.1 Methodology Summary

The methodology for estimating the employee commute emissions portion of the inventory is similar to the mobile emissions methodology outlined in the mobile emissions section of Appendix B. City of Capitola administered the employee commute survey to 35 current employees working for the City, and 29 employees responded to the survey (a response rate of 83 percent). The survey was administered in 2005 and current data was used as a proxy for 2005 data. Both full time and part-time employee data were included.

To calculate emissions, the survey collected the following information:

The number of days and number of miles employees drive alone to work (one-way) in an average week

The number of days they carpooled and how often they drove the carpool in an average week

The vehicle type of their vehicle and the type of fuel consumed

These weekly data were then converted into annual VMT estimates by the following equation:

Number of days driven to work/week x to-work commute distance x 2 x 48 weeks worked/year

Actual CO₂e emissions from respondents' vehicles were calculated by converting vehicle miles traveled per week by responding employees into annual fuel consumption by fuel type (gasoline, diesel). The VMT data collected were converted to fuel consumption estimates using fuel economy of each vehicle type.²⁸

AMBAG then extrapolated estimated fuel consumption to represent all 35 of City of Capitola's employees in 2005. This was a simple extrapolation, multiplying the estimated fuel consumption number by the appropriate factor to represent all current employees. For example, if 33.3 percent of employees responded, fuel consumption numbers were tripled to estimate fuel consumption for all employees. This is not a statistical analysis and no uncertainty has been calculated as there is uncertainty not only at the extrapolation point but also in the calculation of actual emissions. Therefore, the resulting calculated emissions should be seen as directional and not as statistically valid.

²⁷ The paper survey was administered only to employees that do not have access to a computer. The survey asked slightly different questions but was aimed at garnering the same emissions and policy-relevant data as the electronic survey.

²⁸ Fuel efficiency estimates from www.fueleconomy.gov, EPA *Green Fleets Guide* and other national sources.

J.2 Electronic Employee Commute Survey

1. Introduction

The purpose of this survey is to gather information on your commute to work so your employer can offer the best transportation options to you while reducing the City of Capitola's impact on the environment. The survey should take no more than 15 minutes.

Unless otherwise indicated, all questions refer to a ONE-WAY commute TO WORK only. Please do not include any traveling you do during work hours (meetings, site visits, etc). Any question with an asterisk (*) next to it requires an answer in order to proceed.

Please note that this survey is completely anonymous. We will not collect or report data on any individuals who respond to the survey.

Thank you very much.

2. Workplace

Please provide the following information regarding your workplace. Click "Next" at the bottom when finished or click "Prev" to go back.

*1. What local government do you currently work for?

County of Monterey
County of San Benito
County of Santa Cruz
Capitola
Carmel-by-the-Sea
Del Rey Oaks
Gonzales
Greenfield
Hollister
King City
Los Gatos
Marina
Monterey (City)
Pacific Grove
Salinas
San Juan Bautista
Sand City
Santa Cruz (City)
Scotts Valley
Seaside
Soledad
Watsonville

*2. What department do you work in?

2. Workplace

3. Commuter Background Information

Please provide the following information regarding your background. Click "Next" at the bottom when finished or click "Prev" to go back.

*1. What city/town do you live in?

*2. How many miles do you live from your place of work?

(please enter a whole number)

*3. How many minutes does your commute to work typically take?
(please enter a whole number)

*4. In a typical week, how much money do you spend on your ROUND TRIP commute?
(transit fees, gas, tolls, etc-please enter a number)

*5. If you drive to work, what type of vehicle do you usually drive?
Passenger Car
Light Truck/SUV/Pickup/Van
Heavy Truck
Motorcycle/Scooter

*6. What year is your vehicle?
(please enter a four digit year)

*7. What is the make and model of your vehicle?
(Examples: "Toyota Prius", "Dodge Dakota").

*8. What type of fuel does your vehicle use?
Gas
Diesel
Biodiesel (B20)
Biodeisel (B99 or B100)
Electric
Other (please specify-if Ethanol please indicate grade)

*9. What is the average fuel efficiency rating of your vehicle (mpg)? It is ok to estimate or guess.

4. Employment Information

Please provide the following information regarding your employment. Click "Next" at the bottom when finished or click "Prev" to go back.

*1. Do you typically travel to work between 6-9 am Monday-Friday?
Yes
No
If No, please specify what time of day you commute:

*2. Does your position allow you to have flexible hours or to telecommute?
Yes
No

*3. Are you a full time employee or part time employee?
Full
Part

5. Part Time Employees

Please provide the following information regarding your part time employment. Click "Next" at the bottom when finished or click "Prev" to go back.

*1. What is the average number of days you work per week?
(please enter a number)

5. Part Time Employees

6. Current Daily Commute

Please provide the following information regarding your current daily commute. Click "Next" at the bottom when finished or click "Prev" to go back.

*1. In a typical week, do you drive to work alone at least once?

Yes

No

7. Drive Alone

Click "Next" at the bottom when finished or click "Prev" to go back.

*1. How many DAYS a week do you drive alone to work?

(please enter a number)

*2. How many MILES PER DAY do you drive TO WORK ONLY?

(please enter a number)

7. Drive Alone

8. Carpool

Click "Next" at the bottom when finished or click "Prev" to go back.

*1. In a typical week, do you carpool to work at least once?

Yes

No

9. Carpool

*1. How many DAYS a week do you carpool?

(please enter a number)

*2. How many MILES do you drive TO WORK ONLY when you carpool?

(please enter a number)

3. How many PEOPLE are in your carpool?

(please enter a number)

*4. How many DAYS a week are you the driver of the carpool?

(please enter a number)

10. Public Transit

*1. In a typical week, do you take public transit to work at least once?

Yes

No

11. Public Transit

*1. How many DAYS a week do you take public transit TO WORK?

(please enter a number)

*2. What type of public transit do you take TO WORK?

11. Public Transit

12. Bike/Walk

*1. In a typical week, do you bike or walk to work at least once?

Yes

No

13. Bike/Walk

1. How many DAYS a week do you bike to work?

(please enter a number)

2. How many DAYS a week do you walk to work?
(please enter a number)

14. Telecommute

1. If you telecommute:
How many DAYS do you telecommute in a typical week?
(please enter a number)
If you do not telecommute, leave this question blank.

15. Commute in Base Year

Please provide the following information regarding your commute in 2005.

*1. Did you work for us in 2005?
Yes
No

16. Commute in Base Year

Please provide the following information regarding your commute in your base year.

*1. In 2005, did you typically commute by the same mode(s) as you do now?
Yes
No

17. Commute in Base Year

Please provide the following information regarding your commute change.

1. Why did you change your commute mode?

18. 2005 Daily Commute

Please provide the following information regarding your 2005 daily commute.

*1. In 2005, did you typically drive to work alone at least once a week?
Yes
No

19. Drive Alone

*1. In 2005, how many DAYS a week did you typically drive alone?
(please enter a number)

*2. In 2005, how many MILES a day did you typically drive TO WORK ONLY?
(please enter a number)

20. Carpool

*1. In 2005, did you carpool at least once in a typical week?
Yes
No

21. Carpool

*1. In 2005, how many DAYS did you typically carpool in a week?
(please enter a number)

*2. In 2005, how many MILES did you typically drive TO WORK when you carpooled?

(please enter a number)

*3. In 2005, how many DAYS in a typical week were you the driver of your carpool?
(please enter a number)

22. Public Transit

*1. In 2005, did you typically take public transit to work at least once a week?

Yes

No

23. Public Transit

*1. In 2005, how many days in a typical week did you take public transit TO WORK?
(please enter a number)

*2. In 2005, what type of public transit did you take TO WORK?

23. Public Transit

24. Bike/Walk

*1. In 2005, did you typically bike or walk to work at least once a week?

Yes

No

25. Bike/Walk

*1. In 2005, how many DAYS did you typically bike to work in a week?
(please enter a number)

*2. In 2005, how many DAYS did you typically walk to work in a week?
(please enter a number)

26. Telecommute

*1. If you telecommuted in 2005:

How many DAYS in a typical week in 2005 did you telecommute?
(please enter a number)

If you did not telecommute in 2005, leave this question blank.

26. Telecommute

27. Commute Preference Information

Please answer the following questions regarding your CURRENT commute.

*1. Why have you chosen your current commute mode?

*2. Would you consider taking any of the following transportation modes? (check all that apply):

Public Transportation

Carpooling

Vanpooling

Bicycling

Walking

Other (please specify)

*3. Is there a transit route that you would use to commute by public transit?

Yes

No

*4. If no to question 3, please explain why not.

*5. If you drive alone, which, if any, of the following benefits would encourage you to take alternative forms of transportation? (check all that apply)

Vanpool/carpool incentives
Pre-tax transit checks
Parking cash-out (reimbursement to give up your parking spot)
Improved transit options
Improved walking routes/conditions
Telecommuting option
Free/inexpensive shuttle
Free public transit benefit
Subsidizing bicycle purchase
Improved bike routes/conditions
Better information about my commute options
None of the above
Other (please specify)

28. Comments

*1. If you have other concerns or issues related to your commute, or if something we should know about was not captured in any survey questions, please describe below.

29. Thank You

Thank you for responding to this survey!. **Thank You**

J.3 Paper Employee Commute Survey

Capitola Employee Commute Survey

<Date>:

To all of our employees:

As you may be aware, <local government name> is actively working to reduce its impact on the environment and to improve the efficiency with which we use resources. As part of this effort, we are collecting information on our employee's commuting patterns and preferences. This will help us to better understand the impact that we all have on the environment, *and* to provide us with ways to make each of our commutes, as staff of <local government name>, easier and less expensive.

Please take 15 minutes to fill out this survey created by ICLEI-Local Governments for Sustainability. Please complete the survey by <due date> and return to <name> in the <department>.

This survey is completely anonymous. We will not be collecting or reporting any individual responses.

If you have any questions regarding the survey, please feel free to contact me at <phone number>.

Thank very much,

<Your name>

< City of Capitola > Employee Commute Survey

The purpose of this survey is to gather information on your commute to work so we can offer the best transportation choices to our employees while reducing our impact on the environment. Unless otherwise indicated, *all questions refer to a one-way commute to work only*. Please do not include any traveling you do during work hours (e.g. meetings, site visits, etc). *Asterisks (*) indicate questions that require an answer. This survey is completely anonymous-we will not collect or report data on any individuals.*

A. Commuter Background Information

1. About how many miles do you live from work? _____
2. What city/town do you live in? _____
- * 3. If you drive to work, what type of vehicle do you usually drive? (check one) *If you don't drive to work, skip to Section B.*
☐ Passenger Car ☐ Light Truck/SUV/Van ☐ Heavy truck
☐ Motorcycle/Scooter ☐ Other _____
- * 4. What year was your vehicle manufactured? _____
5. What is the make and model of your vehicle (e.g. Ford F150)? _____
- * 6. What type of fuel does your vehicle use? (if biodiesel or ethanol specify grade) _____
- * 7. What is the average fuel efficiency rating of your vehicle (mpg)? *(It is ok to estimate or guess.)* _____

B. Estimate Your Current Commute for a typical work week

1. Please enter below the number of days per week you use each type of commute mode and the number of miles you travel each day *to work only* in a typical week:

Commute Mode	Drive Alone	Carpool	Vanpool	Public Transit	Bike	Walk	Other (specify)
Days per week you travel <i>to work</i> by this mode (max 7)							
Miles Traveled <i>to work</i> per day in this mode							

2. How much does your *round trip* commute cost per week? \$ _____
3. How many minutes does your commute to work typically take? _____
4. *If you take public transit*, what transit agency do you use? _____
- * 5. *If you carpool to work*, how many days in a typical week are you the driver? _____
6. How many days do you telecommute in a typical week? _____

C. Employment Information (check one answer for each question)

1. Your Department: _____
2. Are you a full time or part time employee? ☐ Full ☐ Part
3. Do you typically travel to work between 6-9 am? ☐ Y ☐ N
4. Does your position allow you to have flexible hours or to telecommute? ☐ Y ☐ N

D. Your Commute in 2005

1. * Did you work for us in 2005? ☐ Y ☐ N
2. * If yes to Q.1, did you typically commute by the same mode(s) as you do now? ☐ Y ☐ N
- *

3. If no to Q.2, please enter the number of miles you traveled (*to work only*) in a typical week in 2005 below:

Commute Mode	Drive Alone	Carpool	Vanpool	Public Transit	Bike	Walk	Other
Days per Week (max 7)							
Miles Traveled to Work per Day							

If you commute differently now than in 2005, why did you change your commute mode?

E. Commute Preference Information

1. Why have you chosen your current commute mode? _____

2. Would you consider taking any of the following transportation modes?(check all that apply):

☐ Carpooling ☐ Vanpooling ☐ Bicycling
☐ Public transit ☐ Walking ☐ Other _____

3. Is there a transit route that would allow you to commute by public transit? ☐ Y ☐ N

4. If you drive alone, which, if any, of the following benefits would encourage you to take alternative forms of transportation? (check all that apply)

☐ Vanpool/carpool incentives ☐ Free/inexpensive shuttle

☐ Pre-tax transit checks ☐ Free public transit benefit

☐ Parking cash-out ☐ Subsidized bicycle purchase
(reimbursement to give up your parking spot)

☐ Improved transit options ☐ Improved bike routes/conditions

☐ Improved walking routes/conditions ☐ Better information about my commute options

☐ Telecommuting option ☐ Other _____

5. Other comments? _____

6.14. Appendix K – Government-Generated Solid Waste Methodology

Emissions from the waste sector are an estimate of methane generation that will result from the anaerobic decomposition of all organic waste sent to landfill in the base year. It is important to note that although these emissions are attributed to the inventory year in which the waste is generated, the emissions themselves will occur over the 100+ year timeframe that the waste will decompose. This frontloading of emissions is the approach taken by EPA's Waste Reduction Model (WARM). Attributing all future emissions to the year in which the waste was generated incorporates all emissions from actions taken during the inventory year into that year's greenhouse gas release. This facilitates comparisons of the impacts of actions taken between inventory years and between jurisdictions. It also simplifies the analysis of the impact of actions taken to reduce waste generation or divert it from landfills.

K.1 Estimating Waste Tonnages from City of Capitola's Operations

Like most local governments, City of Capitola does not directly track the amount of waste generated from its operations. Therefore, to estimate the amount of waste generated, AMBAG worked with Tri Cities Disposal, the hauler of waste for City of Capitola in 2005. The amount of waste was estimated by compiling pick-up accounts owned by City of Capitola. Garbage trucks do not weigh waste at each pick-up, therefore, it is not possible to directly track disposal figures in mass per facility. Mass of waste generation was estimated using volumetric container size (gallons, yards, etc.) data, along with pick-up frequency and average fill of containers. These data produced a comprehensive annual volumetric figure, which was then converted to mass using standard conversion factors supplied by the California Integrated Waste Management Board (CIWMB). Estimated waste *generation* was converted to final *disposal* (quantity sent to landfill) by applying average waste diversion percentages for each account. Where applicable, self-haul waste (waste brought directly from the local government to landfills) was included as part of this total.

K.2 Emissions Calculation Methods

As some types of waste (e.g., paper, plant debris, food scraps, etc.) generate methane within the anaerobic environment of a landfill and others do not (e.g., metal, glass, etc.), it is important to characterize the various components of the waste stream. Waste characterization for government-generated solid waste was estimated using the CIWMB's 2004 statewide waste characterization study.²⁹

Most landfills in the Bay Area capture methane emissions either for energy generation or for flaring. EPA estimates that 60 percent to 80 percent³⁰ of total methane emissions are recovered at the landfills to which City of Capitola sends its waste. Following the recommendation of LGOP, AMBAG adopted a 75 percent methane recovery factor.

29 CIWMB Waste Characterization Study-Public Administration Group available at <http://www.ciwmb.ca.gov/WasteChar/BizGrpCp.asps>.

30 AP 42, section 2.4 Municipal Solid Waste, 2.4-6, <http://www.epa.gov/ttn/chief/ap42/index.html>

Recycling and composting programs are reflected in the emissions calculations as reduced total tonnage of waste going to the landfills. The model, however, does not capture the associated emissions reductions in “upstream” energy use from recycling as part of the inventory.³¹ This is in-line with the “end-user” or “tailpipe” approach taken throughout the development of this inventory. It is important to note that, recycling and composting programs can have a significant impact on greenhouse gas emissions when a full lifecycle approach is taken. Manufacturing products with recycled materials avoids emissions from the energy that would have been used during extraction, transporting and processing of virgin material.

K.2.1 Methane Commitment Method

CO₂e emissions from waste disposal were calculated using the methane commitment method outlined in the EPA WARM model. This model has the following general formula:

$$\text{CO}_2\text{e} = W_t * (1-R)A$$

Where: W_t is the quantify of waste type “t”

R is the methane recovery factor,

A is the CO₂e emissions of methane per metric ton of waste at the disposal site (the methane factor)

While the WARM model often calculates upstream emissions, as well as carbon sequestration in the landfill, these dimensions of the model were omitted for this particular study for two reasons:

This inventory functions on an end-use analysis, rather than a life-cycle analysis, which would calculate upstream emissions), and this inventory solely identifies emissions sources, and no potential sequestration “sinks.”

³¹ “Upstream” emissions include emissions that may not occur in your jurisdiction resulting from manufacturing or harvesting virgin materials and transportation of them.

6.15. Appendix L – Conducting a Monitoring Inventory

The purpose of this appendix is to assist City of Capitola staff in conducting a monitoring inventory to measure progress against the baseline established in this inventory report. Conducting such an inventory allows a local government to assess how well it is progressing toward achieving its emissions reduction targets.

The Government Operations portion of this inventory was conducted by AMBAG in conjunction with John Akeman at City of Capitola, who served as the lead data gathering coordinator for the inventory. To facilitate a monitoring inventory, AMBAG has documented all of the raw data, data sources, and calculation methods used in this inventory. Future inventories should seek to replicate or improve upon the data and methods used in this inventory. Wherever possible, however, AMBAG strongly recommends institutionalizing internal data collection in order to be able to meet the recommended methods outlined in LGOP and IEAP, respectively.

L.1 ICLEI Tools for Local Governments

ICLEI has created a number of tools for City of Capitola to use to assist them in future monitoring inventories. These tools were designed specifically for the AMBAG Regional Inventory Collaborative, and comply with the methods outlined in LGOP and IEAP. These tools are designed to work in conjunction with IEAP (community inventory) and LGOP (local government operations inventory), which is, and will remain, the primary reference document for conducting a local government operations emissions inventory. These tools include:

- A “master data workbook” that contains most or all of the raw data (including emails), data sources, emissions calculations, data templates, notes on inclusions and exclusions, and reporting tools (charts and graphs and the excel version of LGOP/IEAP reporting tool).
- A copy of all electronic raw data, such as finance records or Excel spreadsheets.
- LGOP/IEAP reporting tool (included in the master data sheet and in Appendix B) that has all activity data, emissions factors, and methods used to calculate emissions for this inventory.
- Sector-specific instructions that discuss the types of emissions, emissions calculations methods, and data required to calculate emissions from each sector, as well as instructions for using the data collection tools and calculators in the master data sheet.
- The appendices in this report include detailed methodologies for calculating emissions from Scope 3 employee commute and government-generated solid waste, as well as two versions of the employee commute survey.

L.2 Relationship to Other Monterey Bay Area Local Government Inventories

While the emissions inventories for the participating local governments were conducted simultaneously using the same tools and inventory protocol (LGOP and IEAP), a GHG emissions inventory is based on data specific to each local government's operations and community activity. For this reason, data must be collected internally within each local government, and the availability of data (and thus emissions estimation methods) will vary between local governments, particularly for the local government operations inventories.

That said, local governments in the Monterey Bay Area may benefit by cooperating during the re-inventorying process. For example, by coordinating inventories, they may be able to hire a team of interns to collectively perform the inventories – saving money in the process (as with this initial inventory process). In addition, local staff may be able to learn from each other during the process or conduct group training sessions if necessary.

L.3 Improving Emissions Estimates

One of the benefits of the local government operations inventory is that local government staff can identify areas in their current data collection systems where data collection can be improved. For example, a local government may not directly track fuel consumption by each vehicle and instead will rely upon estimates based upon VMT or purchased fuel to calculate emissions. This affects both the accuracy of the emissions estimate and may have other implications for government operations as a whole.

During the inventory process, AMBAG and local government staff identified the following gaps in data that, if resolved, would allow City of Capitola to meet the recommended methods outlined in LGOP in future inventories.

- Direct tracking of refrigerants recharged into HVAC and refrigeration equipment
- Direct tracking of fire suppressants recharged into fire suppression equipment
- Cost of fuel consumption by individual vehicles
- Odometer readings of individual vehicles
- Refrigerants recharged into vehicles in the vehicle fleet

AMBAG encourages staff to review the areas of missing data and establish data collection systems for this data as part of normal operations. In this way, when staff are ready to re-inventory for a future year, they will have the proper data to make a more accurate emissions estimate.

L.4 Conducting the Inventory

The following approach is recommended for local governments that wish to conduct a monitoring inventory:

Step 1: Identify a Climate Steward

This steward will be responsible for the jurisdiction's climate actions as a whole and could serve as an AMBAG liaison in all future climate work. In the context of a monitoring inventory, the steward will be responsible for initiating discussions on a new inventory.

Step 2: Determine which Sectors to Inventory

There are many ways to determine which sectors apply to a local government's operations, but the easiest to review will be LGOP Standard Report, which is located both in Appendix B and in the master data sheet. This document clearly delineates which sectors will need to be inventoried within a local government's operations and which LGOP sectors do not apply to a jurisdiction.

Step 3: Gather Support: Identify Data Gathering Team and Leads

Coordination and acceptance among all participating departments is an important factor in coordinating a successful inventory. To that end, the inventory coordinator should work with the city administrator to identify all staff who will need to be part of the inventory. To facilitate this process, AMBAG has documented all people associated with the inventory in the master data sheet—these names are located in the final completed data form for each sector. Once this team has been identified, the inventory coordinator should hold a kickoff meeting with the administrator, all necessary staff, and relevant department heads which clearly communicates the priority of the inventory in relationship to competing demands. At this meeting, the roles of each person, including the inventory coordinator, should be established.

Step 4: Review Types of Emissions and Available Methodologies for Applicable Sectors

Local staff should then review LGOP and the instructions documents provided through this inventory to better understand the types of emissions for each sector (for example, within Mobile Emissions, CO₂ emissions and CH₄/N₂O emissions represent two different data requirements and emissions calculations methodologies). Each emissions type may have more than one possible estimation methodology, and it is important that the inventory coordinator understands all possible methodologies and be able to communicate this to all parties assisting in the data gathering.

Step 5: Review Methodologies Used for the 2005 Inventory to Determine Data to Collect

In order to duplicate or improve upon the methods used in this inventory, local staff should again review the methods used for this inventory—these methods are again located in Appendix B—and within the master data sheet. These methods reflect the data limitations for each local government (as many local governments could not obtain data necessary to meet the recommended methods in LGOP). Wherever possible, these methods should be duplicated or, if it is possible, replaced with the recommended methods outlined in LGOP. Using these methodologies, staff will determine what data needs to be collected and communicate this effectively to the data gathering team.

Step 6: Begin Data Collection

With the exception of electricity and natural gas for stationary sources, all data collection will be internal. To obtain stationary source energy consumption data, staff will need to contact the AMBAG representative to determine who the contact is for PG&E data (other utilities will need to be contacted directly).

Step 7: Use the Data Forms as a Resource During Data Gathering

A number of questions will come up during the data gathering process that may be difficult to answer. AMBAG has attempted to capture all of the questions that arose during the 2005 inventory and how they were addressed through the master data sheet. Within the master data sheet, staff should review the raw data, working data, and completed data

forms to review how raw data was converted to final data, and also to review any notes taken by AMBAG staff during the 2005 inventory process.

For example, reviewing the stationary sources PG&E data within the master data sheet will allow local staff to review how individual accounts were separated into each category and which counts may have been excluded from the inventory.

Step 8: Use Emissions Software to Calculate Emissions

AMBAG has provided the staff lead on the 2005 inventory with a backup of the software used to calculate many of the emissions included in this report. Staff should use this (or more current ICLEI software) to calculate emissions by inputting the activity data into the software. ICLEI staff and ICLEI trainings are available to assist local government staff in calculating emissions.

Step 9: Report Emissions

The master data sheet also contains the LGOP Standard Reporting Template, which is the template adopted by CARB as the official reporting template for government operations emissions inventory. This tool, as well as the charts and graphs tool provided by ICLEI can be used to report emissions from government operations. Also, local government staff should utilize this narrative report as guide for a narrative report if they so choose.

Step 10: Standardize and Compare to Base Year

Conducting a monitoring inventory is meant to serve as a measuring point against the baseline year represented in this report. In order to make a more accurate comparison, it is necessary to standardize emissions from stationary sources based upon heating and cooling degree days (staff can use a ratio of heating /cooling degree days to standardize across years).

In addition, it is important, when comparing emissions across years, to clearly understand where emissions levels may have changed due to a change in methodology or due to excluding an emissions source. For example, if the default method was used to estimate refrigerant leakage in 2005 (this method highly overestimates these emissions), and the recommended method was available in a monitoring year, this would appear as a dramatic reduction in these emissions even though actual leaked refrigerants may be similar to the base year. Changes such as these should not be seen as progress toward or away from an emissions reduction target, but emissions estimates should be adjusted to create as much of an apples-to-apples comparison as possible. If such an adjustment is not possible, staff should clearly note the change in methodology between years when comparing emissions.

6.16. Appendix M – Local Government Operations Inventory Credits and Acknowledgements

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6.15. Appendix N – Community-Wide Inventory Credits and Acknowledgements

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CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: DEPARTMENT OF PUBLIC WORKS

DATE: MARCH 2, 2011

SUBJECT: VILLAGE PAY BY SPACE PAY STATION PROJECT
APPROVAL OF BUDGET AMENDMENT RESOLUTION AND CONTRACT

Recommended Action: By motion and roll call vote take the following actions:

1. Adopt the proposed Resolution Amending the Fiscal Year 2010/2011 Budget to Transfer \$50,000 from the equipment replacement fund to the dedicated parking fund as a Temporary Loan for the purchase of fourteen Pay by Space Pay Stations along the Esplanade and Monterey Avenue, with the loan to be repaid in fiscal year 2011/12; and
 2. Approve a contract with Cale Parking Systems in the amount of \$181,571.27 for the purchase and installation of fourteen Pay by Space Pay Stations along the Esplanade and Monterey Avenue; and
 3. Approve an exemption from CEQA for the Village Pay Station Project.
-

BACKGROUND

On January 27, 2011, the City Council approved the selection of Cale Parking Systems for the Village Pay Station project and authorized the Public Works Director to finalize a contract for this work. Staff originally proposed a limited project with 7-10 pay stations deployed along the Esplanade. The City Council directed staff to increase the proposed area to include Monterey Avenue up to Capitola Avenue.

In working with Cale on this revised area it has been determined that fourteen pay stations will be necessary to properly service this area. Having a sufficient number of stations on the street is critical to having a successful implementation.

DISCUSSION

The map in Attachment 3 shows the proposed layout of stations along the street. The council may choose to change the implementation area to reduce the number of required pay stations. One such option would be to only use pay stations along the southern side of the Esplanade, including the triangle parking area, this reduced area would only require back to the originally estimated 7-10 pay stations at a cost that would not exceed \$130,000.

FISCAL IMPACT

Funding for the pay stations is coming from the Dedicated Parking Fund. The estimated fund balance in this account on June 2011 will be \$133,000. In order to fully fund this project with fourteen pay stations staff is recommending that the City Council authorize a temporary loan from the Equipment Replacement Fund to the Dedicated Parking Fund in the amount of \$50,000. A budget amendment resolution has been prepared for this loan with the loan being paid back as funding is available in fiscal year 2011-12.

CEQA

Section 15301 (c) of the CEQA Guidelines consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing highways and streets, sidewalks, gutters and bicycle and pedestrian trails, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of uses.

Section 15304 (h) of the CEQA Guidelines consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes such as the creation of bicycle lanes on existing rights-of-way.

Section 15061 (b) (3) provides that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Based on staff's review of these sections of the CEQA guidelines and the project description there are no reasonable foreseeable impacts as the pay stations and signage are being installed in existing developed paved areas in a dense urban environment. A Notice of Exemption included as Attachment 4 has been for Council's consideration and approval.

ATTACHMENTS

1. Draft Budget Amendment Resolution
2. Contract with Cale Parking Systems
3. Notice of Exemption (Includes Pay Station Deployment Map - Phase 1 Area)

Report Prepared By: **Steven Jesberg**
 Public Works Director

Reviewed and Forwarded
By City Manager: _____

RESOLUTION NO. ____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
AMENDING THE FISCAL YEAR 2010/2011 BUDGET TO TRANSFER \$50,000 FROM
THE EQUIPMENT REPLACEMENT FUND TO THE PARKING RESERVE FUND
AS A TEMPORARY LOAN**

WHEREAS, the City Council has authorized the installation of Pay by Space Pay Stations in the Village along the Esplanade and Monterey Avenue to replace the existing single space parking meters; and

WHEREAS, the project area requires the installation of fourteen pay stations to replace 112 single space parking meters serving 117 parking spaces; and

WHEREAS, the cost of the fourteen pay stations is \$181,571.27; and

WHEREAS, funding for this project is budgeted in the Parking Reserve Fund which has a projected available funding level of \$134,000 for fiscal year 2010/11; and

WHEREAS, the Equipment Replacement Fund has a fund balance of \$300,000 which is not anticipated to be spent in fiscal year 2010/11.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola that the 2010/2011 fiscal year budget shall be amended to transfer \$50,000 from the Equipment Replacement Fund to the Parking Reserve Fund as a temporary loan to be repaid in the 2011/12 fiscal year.

BE IT FURTHER RESOLVED that the Finance Director is directed to record these changes into the City's accounting records in accordance with appropriate accounting practices.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 10th day of March, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Dennis R. Norton, Mayor

_____, MMC
Pamela Greeninger, City Clerk

AGREEMENT FOR PAY-by-SPACE PARKING STATIONS

THIS AGREEMENT (the “**Agreement**”) is made and entered into this ____ day of _____, 2011,
between

the

City of Capitola, CA

Address: 420 Capitola Ave.

Capitola, CA 95010

Phone: 831.475.7300

Fax: 831.479.8879

and

CALE PARKING SYSTEMS, USA, INC.

Address: CALE Parking Systems USA, Inc.

George Levey, President

13808 Monroes Business Park

Tampa, FL 33635

Phone: 813.405.3900

Fax: 813.405.3909

and for the benefit of:

THE MAYOR AND CITY COUNCIL OF BALTIMORE

for the supply of:

PAY by SPACE PARKING STATIONS AND ASSOCIATED MATERIALS

for the term of:

Term: 5 Years

Commencement Date:**Expiration Date:**

in accord with the terms and conditions of this Agreement and the attached Exhibits.

Contract Number: _____

Acknowledged: _____ Capitola Representative Initials

_____ CALE Representative Initials

AGREEMENT

THIS AGREEMENT (“Agreement”) is made and entered into this day of _____, 2011 (the “Effective Date”) by and between CALE PARKING SYSTEMS USA, INC., (hereinafter, “CALE”) and the CITY OF CAPITOLA, CALIFORNIA. (Hereinafter, “CITY”) for the benefit of City Council of CAPITOLA, CA (hereinafter, the “City”).

WHEREAS, The CITY, on behalf of the City, desires to purchase and operate Pay by Space parking stations; and

WHEREAS, CALE desires to supply, install and support such Pay by Space parking stations for the City of Capitola, CA;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

1. SCOPE OF WORK. CALE shall deliver and install parking pay station equipment and products and provide services to the City of CAPITOLA, CA in accordance with the terms of this Agreement and in the quantities as directed, from time to time, by the City.

1.1 Equipment. During the Term of this Agreement, the City shall be able to purchase CALE M104 Compact pay station (the “PBS Station”) units at a price of Twelve Thousand Four Hundred Fifty Dollars (\$12,450.00) each (the “Purchase Price”).

(a) Each PBS Station shall include the following features configured in a manner as agreed between the parties:

Price Chart Per Unit is as Follows:	
Base Price	\$7,165.00
Bill Note Acceptance	\$3,000.00
Receipt Printer	\$1,535.00
Light Bar – Motion Activated	\$ 400.00
Installation to prepared ground	\$ 200.00
Shipping	<u>\$ 150.00</u>
Total Cost Per Unit	\$12,450.00

The above pricing includes, training for enforcement, collections, 24/7 phone technical support for maintenance/troubleshooting and preventative maintenance. CALE Web Office training is included. First and Second call support is not included in this pricing, CALE, if needed, will dispatch a technician from Oakland. The ground preparation is not included.

(b) At the option of the City, CALE shall prepare the ground for purchased PBS Stations on a schedule mutually agreed by the parties and at an additional cost of Six Hundred Dollars (\$600.00) per PBS Station. The minimum order for this service is 10 meters. In the event the City decides, in its discretion, to prepare the ground itself, or through other means, then CALE, at no additional cost, shall deliver the PBS Station, fully operational and configured, to the site of installation, and in accord with the schedule for installation established with the City.

(c) If upgraded feature(s) are optional upgrades to the standard M104 model, the City shall have the opportunity to include the optional upgrade(s) in its future purchases pursuant to this

Agreement, but at an agreed increased purchase price commensurate with the increased cost to CALE of the upgrade(s). City shall not be required to accept any upgraded model and, as directed by the City, CALE shall continue to provide the PBS Station configured in the manner directed by the CITY consistent with the terms of this Agreement.

(d) The Purchase Price includes a PBS Station that is fully operational upon the completion of installation and includes the installation base and all associated hardware (including all anchors, bolts, plates, etc.,) necessary for installation of the PBS Station in locations specified by the City. Receipt paper is not included in the purchase price and must be purchased from CALE for the duration of the contract, and/or any extended warranty periods. Receipt paper will be sold to the City at a per roll cost of \$30, plus S&H. If custom artwork is desired on the receipts, a onetime fee for the customer proof will be applicable, and a minimum order of 100 rolls will be required by the City.

(e) ADA Compliance Controls and operating mechanisms shall be operable from the pedestrian access route with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate controls shall be no greater than five (5) pounds. The maximum height of the card reader, which is the highest point on the meter that the patron must interface with, will be at or below 54 inches.

(e) Spare Parts & Consumables. During the Term of this Agreement, CALE shall supply all spare parts and consumables (such as paper rolls and batteries) requested by the City at the price set forth in the attached **Exhibit 1**.

1.2 Software, Support and Communications.

(a) The Purchase Price also includes all hardware and software required for CITY to communicate with, program and monitor all of the supplied PBS Stations. Installation of a PBS Station shall not be considered complete until CALE has established wireless two-way communication between the PBS Station and the communications center. Two-way communication is to be provided by ATT wireless GPRS network or by WiFi communications. The City will need to decide on the form of communications it wants provided at the time of purchase.

(b) All desktop software shall be Windows XP compatible and able to be upgraded. All databases shall be year 2000 and ODBC compliant.

(c) In exchange for payment of the Subscription Fee (as defined below), CALE shall provide the CITY full access to the CALE Web Office (CWO) program and shall provide full support for all aspects of the CWO system. This “support” shall include:

1. Application use support, such as troubleshooting and problem correction, within twenty-four (24) hours of notification by the City;
2. Results of any research required by disputed transactions;
3. Passwords and system security as requested by the CITY;

4. Maintenance of a toll free support number and web-site for troubleshooting both software and hardware problems;
5. Monitoring of the CWO and CITY files and monthly reporting of error trends, such as, machine communication failures; and
6. Maintenance and regular updating of the CWO system software and hardware as required ensuring effective and secure CITY operations.

(d) Subscription Fee. During the Term of this Agreement, plus any extensions thereto (as provided in subparagraph 2.3 below) and for an additional period of five (5) years thereafter, the monthly Subscription Fee shall be fifty-five dollars (\$55.00) per installed PBS Station.

(e) All electronic (non-cash) revenues will be transmitted in batch mode nightly from each individual PBS Station to the centralized CALE back-office server. CALE's back office software (CWO) will then convert the files and data into a format compatible with the banking software of the clearinghouse specified by the CITY. The credit card information will then be sent in batch mode via the clearinghouse supplied software to the clearinghouse so that the information can be authorized and then deposited into the City's Parking Revenue account, as directed by the CITY. All transaction information will be saved in the clearinghouse's software and duplicate data will also remain in CWO files. CALE shall customize its software and hardware systems to interface with the City's preferred clearinghouse. .

(f) Transaction Performance and Security Standards. CALE's M104 Compact pay-by-space unit will complete a credit card authorization transaction in less than eighteen (18) seconds from receipt print request; Cash transactions will be completed within ten (8) seconds of a receipt print request. Results will be based on a statistical average of 100 transactions. CALE and each of its subcontractors will exercise an appropriate standard of due care for the management and processing of all data and the related information systems involved, as defined by the applicable Visa CISP specifications. CALE and each of its subcontractors will complete an annual system security audit. CALE will notify the CITY within one (1) business day of any system security breach involving CALE or its subcontractor systems. CALE and its subcontractors will provide their best efforts to format credit card data to minimize financial institution processing costs.

(g) Access to CITY/City data shall be secured, at a minimum, by password protection, and shall include multilevel access control. The CWO software shall maintain all data in a secure manner such that CITY employees, CALE employees and others will not have access to sensitive credit card information.

1.3 Training. CALE shall provide, at no additional cost, a minimum of eighty (8) hours of training at a designated CITY facility in order for staff to develop expertise in the maintenance and repair of the PBS Station and use of the supporting back-office software, including, but not limited to:

- a. Parts Installation
- b. Maintenance
- c. Troubleshooting repairs
- d. Operations – programming, inventory

- e. Collections
- f. Enforcement

2. TERM, PRICE GUARANTEE & RENEWAL OPTION.

- 2.1 Term. The term of this agreement is five (5) years from the Effective Date.
- 2.2 Price Guarantee. The Purchase Price of the PBS Station and the prices listed for spare parts and consumables on Exhibit 1 shall remain valid for the full term of this Agreement. CALE warrants that prices shown on this Agreement are complete, and that no additional charge of any type shall be added without the City's express written consent.
- 2.3 Renewal and Extension of the Term of the Agreement. At the expiration of the initial Term of this Agreement, the CITY shall have, in its sole discretion, the option of renewing and extending this Agreement for up to five (5) successive extended terms of one-year each. Notice of CITY's intent to exercise the option for any extended term shall be made, in writing, no later than thirty (30) days prior to the expiration of the initial or the then present extended term. All provisions of this Agreement shall apply to extended term except as provided in this subparagraph. After the initial Term of this Agreement, the Purchase Price of the PBS Station may be adjusted in accordance with CALE's direct cost increase or decrease of the PBS Station. In the event CALE desires a price increase at the beginning of any extended term, CALE must submit with their request proper and complete documentation showing said increase within thirty (30) days of the beginning of the extended term. No price increases shall exceed 5% of the Purchase Price of the preceding initial or extended term.

3. WARRANTY.

- 3.1 General Warranty. CALE guarantees and warrants, for a period of one (1) year from the date of installation, to repair and/or replace, at no additional cost to the CITY, any part or modular component determined to be defective in material or workmanship under normal use and service (the "General Warranty"). CITY shall cooperate with CALE in any effort to pursue a claim with the manufacturer of the defective part. The General Warranty period for each installed PBS meter shall begin on the date of that meter's installation, or for 13 months from the ship date, whichever is the shorter period. Shipping to CALE will be paid by the city and Shipping to the city will be paid by CALE.
- 3.2 Optional Extended Warranty.
- a. At the conclusion of the Additional First Year Warranty, provided in subparagraph 3.1 above, the CITY shall have the option, in its sole discretion, of extending this Additional Warranty at monthly charge per PBS Station/per month (the "Extended Warranty"). The monthly/per PBS station cost of this Extended Warranty shall be \$95/PBS/Month.
 - b. CITY's shall exercise this option only in writing, and in the absence of such written direction, CALE shall not be entitled to compensation for continuing maintenance efforts.

However, should CITY issue one written direction that all PBS stations shall continued to be covered by the Extended Warranty (at the expiration of its respective Additional Warranty), then there shall be no requirement for individual written notices for each individual PBS meter.

c. CITY may terminate, at any time and for any reason, the Extended Warranty for any or all PBS station(s); this termination shall be in writing and shall provide at least thirty (30) days notice of the intent to discontinue the Extended Warranty.

3.3. After the Warranty Period. Whether by expiration of the General Warranty, or by expiration or termination of the Extended Warranty Period, after the Additional and/or Extended Warranty terminates, CALE shall continue to provide to CITY the following for as long as any CALE PBS stations are installed in the City:

- a. Technical field support at an hourly rate of Forty Dollars (\$75.00) per hour, plus expenses;
- b. Replacements parts shall be provided at a discount of twenty percent (20%) off of list price; and

3.4 Payment and warranty provisions for replacement components shall apply from the date of installation of the component if relevant warranties for the particular meter are expired; otherwise, the replaced part will assume the remaining warranty life of the part replaced. If any replacement part/module is purchased by the CITY, the warranty for that particular part shall begin on the date of shipment.

4. **PURCHASE ORDERS.** Purchases under this Agreement shall be made by way of Purchase Orders issued by the CITY, from time to time during the term of this Agreement. The Purchase Order shall indicate the number of PBS Stations to be delivered and installed and a schedule for the installations.

5. **PAYMENT.** CALE shall invoice all monies due pursuant to this Agreement. CALE shall not invoice for the Purchase Price or Subscription Fee for any particular PBS Station until that station is shipped to the City. CALE's payment terms are net 30 days

6. **FREIGHT.** Price of PBS stations does include freight.

7. **TITLE.** Title, ownership and risk of loss for each PBS Station shall pass to City on the date each such PBS Station is delivered off of the truck and placed on City property, to await installation.

8. **TERMINATION.**

8.1. Termination for Default. Either party may terminate this Agreement for default upon five (5) days' written notice to the other if the other party has substantially failed to fulfill any of its obligations under this Agreement in a timely manner.

8.2 Termination for Convenience. The CITY may terminate this Agreement at its convenience and without cause upon thirty (30) days' written notice to CALE. Except as provided in this Agreement, in no event shall City be liable for costs incurred by or on behalf of CALE after the effective date of a notice of termination. Should the CITY terminate this Agreement for convenience, CALE shall then be entitled to recover only the costs it has expended up to the date of termination, but it shall not be entitled to any profit or overhead on the unearned portion of the

Agreement neither shall any other loss, cost, damage, expense or liability be claimed, requested or recovered.

9. **NOTICE.** A written notice is deemed served when a party sends the notice in an envelope addressed to the other party to this Agreement and deposits it with the U.S. Postal Service, first class mail, postage prepaid. For purposes of this Agreement, all notices to the CITY and/or City shall be addressed as follows:

City of Capitola
Attn: XXXX
XXXXXXX
Capitola, FL

All notices to CALE shall be addressed as follows:

CALE Parking Systems USA, Inc.
George Levey, President
13808 Monroes Business Park
Tampa, FL 33635

10. **SUBCONTRACTORS.** The City reserves the right to approve any changes to any of CALE's subcontractors, including but not limited to its wireless supplier (ATT). Approval will not be unreasonably withheld.

11. **LIMITATION ON LIABILITY.** CALE's aggregate liability for any and all claims, losses or expenses arising out of this, or out of any goods or services furnished under this Vendor Agreement, whether based in contract, negligence, strict liability, agency, warranty, trespass, indemnity or any other theory of liability, shall be limited to One Million Dollars (\$1,000,000). The warranties specified in this Agreement are exclusive and are in lieu of all other warranties, expressed or implied. In no event shall City or CITY be liable for consequential, incidental or special damages, including without limitation any delay damages, lost opportunity damages or lost profits, incurred by CALE and/or its affiliates, subcontractors, parents or employees in connection with this Agreement.

12. **INDEMNIFICATION.** CALE shall indemnify, defend, and hold harmless the CITY, and their respective elected/appointed officials, employees, agents, and volunteers from any and all claims, demands, suits, and actions, including attorney's fees and court costs, connected therewith, brought against the CITY and/or the City, and/or their respective elected/appointed officials, employees, agents, and volunteers, arising as a result of any direct or indirect, willful, or negligent act or omission of the CALE, its employees, agents, or volunteers, and/or in any way related to the equipment and software purchased pursuant to this Agreement, EXCEPT for activities caused by the sole negligent act or omission of the CITY, City, or their respective elected/appointed officials, employees, agents, and volunteers. The aforesaid obligation of indemnity shall be construed so as to extend to all legal, defense and investigation costs, as well as all other reasonable costs, expenses and liabilities incurred by the party indemnified, from and after the time at which the party indemnified receives notification (whether verbal or written) that a claim or demand is to be made or may be made. Except as may be otherwise provided by applicable law or any governmental authority, CITY's or City's right to indemnification under this section shall not be impaired or diminished by any act, omission, conduct, misconduct, negligence or default (other than gross negligence or willful misconduct) of the CITY or any employee or Agent of the City who contributed or may be alleged to have contributed thereto.

13. **INSURANCE.**

13.1 At all times during the performance of this Agreement, CALE shall maintain: (1) a commercial general liability insurance policy with a minimum per/occurrence coverage in the amount of One Million Dollars (\$1,000,000.00); (2) an automobile liability insurance policy in the minimum amount of One Million Dollars (\$1,000,000.00); (3) workers' compensation and employer's liability insurance; and, (4) if any licensed professional performs services under this Agreement, a professional liability insurance policy in the minimum amount of One Million Dollars (\$1,000,000.00) to cover any claims arising out of CALE's performance of services under this Agreement.

13.2 Insurance required by this Agreement shall apply separately to each insured against whom claim is made and/or lawsuit is brought, except with respect to the limits of the insurer's liability. To the extent of CALE's claimed negligence, insurance coverage shall be primary insurance as respects the City and the CITY, and their respective elected/appointed officials, employees, and agents. Any insurance and/or self-insurance maintained by the City or the CITY's, their respective elected/appointed officials, employees, or agents shall not contribute with the CALE's insurance or benefit CALE in any way. If the commercial general liability insurance referred to above is written on a Claims Made Form then, following termination of this Agreement, coverage shall survive for a period of not less than five years. Coverage shall also provide for a retroactive date of placement coinciding with the effective date of this Agreement

13.3 Coverage shall not be suspended, voided, canceled, reduced in coverage or in limits, except by the reduction of the applicable aggregate limit by claims paid, until after forty-five (45) days prior written notice has been given to the CITY. There will be an exception for non-payment of premium, which is ten (10) days notice of cancellation.

13.4 Insurance is to be placed with insurers with a Best's rating of no less than A:VII, or, if not rated with Best's with minimum surpluses the equivalent of Bests' surplus size VII and must be licensed/approved to do business in the State of Maryland.

13.5 CALE shall furnish the CITY with a Certificate of Insurance" with a copy of the additional insureds endorsement as verification that coverage is in force at least (10) days prior to the submission of the purchase order/contract to the Baltimore City Board of Estimates for approval. The City and the CITY reserve the right to require complete copies of insurance policies at any time.

13.6 Failure to obtain insurance coverage as required or failure to furnish Certificate(s) of Insurance as required may render the prospective Agreement null and void; provided, however, that no act or omission of the City or CITY shall in any way limit, modify or affect the obligations of Vendor under any provision of the prospective Agreement.

13.7 Waiver of Subrogation. None of CALE or the City shall be liable to any other for having caused or contributed to any occurrence which gives rise to a casualty or claim required to be insured under the prospective Agreement. All policies of insurance to be maintained by CALE shall provide that any loss shall be payable notwithstanding any act or omission of the City, CITY or CALE that might otherwise result in a forfeiture or disclaimer of such insurance by the carrier. The insurance carried by CALE shall provide for (i.e., consent to) the waiver of subrogation against the City and CITY.

14. INDEPENDENT CONTRACTOR / NO AGENCY. CALE shall be deemed at all times to be an independent Contractor and shall be wholly responsible for the manner in which CALE performs the services required of it by the terms of this Agreement. CALE shall be liable for its acts and omissions, and those of its employees and its agents. Nothing contained in this Agreement shall be construed to

constitute or create any employment, agency or partnership relationship with the CITY and/or City and CALE. Nothing contained in the RFP or in this Agreement shall be construed to constitute or create any employment or agency with the City or CITY. CALE is not, and shall not be, an agent or employee of the City or CITY. Direction from the CITY regarding any subject of this Agreement shall be construed as providing direction as to policy and the result of CALE's Work only and not as to the means or methods by which such a result is obtained.

15. CONFLICT OF INTEREST PROHIBITED. No employee, officer, director, partner or member of CALE, or immediate family member of any of the preceding, shall have served or will serve as an elected officer, an employee, or a City board, committee or commission member, who has directly or indirectly influence in the making and/or maintenance of this Agreement.

16. PROPERTY OF THE CITY. All of the data prepared, assembled, generated or maintained by CALE under this Agreement remains the exclusive property of the CITY and the CITY retains all rights. The software and back-office support mechanisms supplied pursuant to this Agreement shall remain the property of the CITY after the termination or expiration of this Agreement.

17. CONFIDENTIALITY OF INFORMATION. CALE understands and agrees that, in the performance of the services under this Agreement or in the contemplation thereof, CALE may have access to private or confidential information which may be owned or controlled by CITY and that such information may contain proprietary or confidential details, the disclosure of which to third parties may be damaging. CALE agrees that all information disclosed by the CITY or the City to CALE shall be held in confidence and used only in performance of the Agreement. CALE shall exercise the same standard of care to protect such information as a reasonably prudent consultant would use to protect its own proprietary data.

18. THIRD-PARTY BENEFICIARIES. The City is an express third-party beneficiary of this Agreement. Except the City, and as otherwise expressly provided in this Agreement, nothing in this Agreement shall operate to confer rights or benefits on persons or entities not party to this Agreement.

19. TAXES. Payment of any taxes, including Florida Sales and use Taxes, due as a result of this Agreement and/or the purchases contemplated by this Agreement shall be the obligation of the CITY, if applicable.

20. MISCELLANEOUS PROVISIONS.

20.1 Governing Law. This Agreement shall be deemed to have been executed in Florida. The formation, interpretation and performance of this Agreement shall be governed by the laws of the State of Florida. Any court action related to the formation, interpretation and performance of this Agreement shall be brought and maintained only in the Court of the City of Tampa, FL.

20.2 Amendments. The terms and conditions of this Agreement shall not be altered or otherwise modified except by a written amendment to this Agreement executed by the CITY and CALE and approved by the City of Capitola Council.

20.3 Severability. If any part of this Agreement or the application thereof is declared invalid for any reason, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision or application, and to this end the provisions of this Agreement are declared to be severable.

20.4 Waiver. Failure of the CITY and/or City to insist on strict performance of this Agreement and/or any obligation hereof shall not constitute a waiver of any of the provisions of this Agreement or a waiver of any other default by CALE.

20.5 Assignment. CALE may not assign this Agreement without the prior written consent of the City, except that CALE may assign its right to any money due or to become due hereunder.

20.6 Effect On Successors And Assigns. This Agreement shall be binding on and inure to the benefit of the heirs, executors, administrators, successors, and assigns of the parties hereto.

20.7 Section Headings. The sections and other headings of this Agreement are for convenience of reference only and shall be disregarded in the interpretation of this Agreement.

20.8 Entire Agreement. This Agreement, including all attachments and exhibits referenced herein, constitutes the entire agreement between the CITY and CALE.

20.9 Compliance with the Law. CALE shall comply with all Federal, State, and City laws, rules, regulations, and ordinances applicable to its activities and obligations under this Agreement.

20.10 Time of the Essence. CALE acknowledges that time is of the essence in regard to its performance under this Agreement.

20.11 Survival. The provisions of this Agreement shall survive the expiration or early termination of this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written, the corporate parties by their officers duly authorized.

ATTEST/WITNESS:

CITY of CAPITOLA PARKING:

By: _____

By: _____

Steven Jesberg, Executive Director
City of Capitola Parking Dept.

ATTEST/WITNESS:

CALE PARKING SYSTEMS, USA, INC.:

By: _____

By: _____ (SEAL)

Mr. George Levey, President

ATTEST/WITNESS:

**MAYOR AND CITY COUNCIL
OF City of CAPITOLA**

By: _____
Custodian of the City Seal

By: _____ (SEAL)
Jamie Goldstein, City Manager

Approved as to form and legal sufficiency this _____ day of _____, 2011.

City Solicitor

APPROVED BY THE BOARD OF ESTIMATES

By: _____ (Seal)

Date: _____, 2011

END OF DOCUMENT – 11 pages



NOTICE OF EXEMPTION

TO: CITY OF CAPITOLA CITY COUNCIL
 FROM: COMMUNITY DEVELOPMENT DEPARTMENT
 ATTACHMENT: PAY STATION DEPLOYMENT MAP – PHASE 1 AREA

Based on a preliminary review, the implementation of the Esplanade Pay Station installation will result only in projects and activities determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State Guidelines for the implementation of CEQA.

Case No.: N/A

Location: Urban Area Inside the Coastal Zone and Appeals Jurisdiction

Project Title: Esplanade Pay Stations

Project Description: The project includes the removal of 112 single space parking meters serving 117 parking spaces and replacing them with 14 Pay by Space Multi Space Pay Stations. The pay stations would serve public parking spaces along the Esplanade and Monterey Avenue from Stockton Street to Capitola Avenue. The new pay stations will be placed on existing sidewalk and will space evenly throughout the pay station service area. The project will also include new directional and informational signage related to the pay stations. All parking stalls will be numbered with a 3 or 4 digit numbers located both at the rear and front of each stall.

Exempt Status: (Check one)

☐ Ministerial

☐ Statutory

☒ **Categorical Exemption §15301 (c), 15304 (h), and no possibility of significant effect**

☐ Emergency Project

☐ No Possibility of Significant Effect

Cite specific CEQA Guideline Section: Sections §15301 (c), 15304 (h), and 15601 (b) (3)

Reasons to support exemption findings: Please see the attached impact discussion for the proposed amendment on the following pages.

Department Representative

Date

Note: A copy must be filed with the County Clerk of the Board after project approval and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

Date File of County Clerk

Impact Discussion

Section 15301 (c) of the CEQA Guidelines consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing highways and streets, sidewalks, gutters and bicycle and pedestrian trails, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of uses.

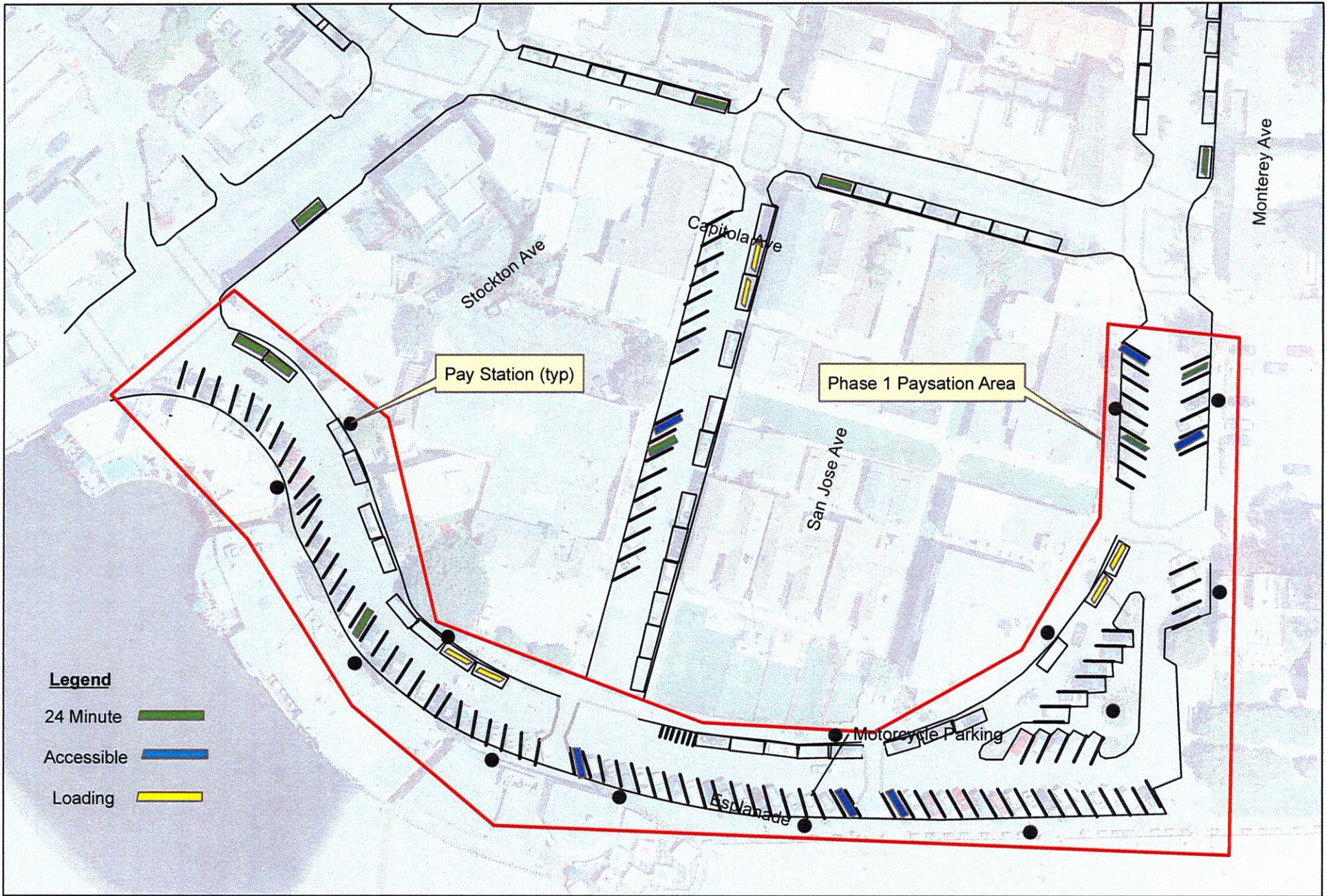
Section 15304 (h) of the CEQA Guidelines consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes such as the creation of bicycle lanes on existing rights-of-way.

Section 15061 (b) (3) provides that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.




Discussion:


The removal of 112 parking stations with 14 pay stations will provide a beneficial visual impact as it will remove 112 individual parking meters with just 14 pay stations that are similar in size. No utilities need to serve the pay stations as they are solar powered. No trees or mature landscaping is being removed as all of the improvements are being installed in paved areas. New directional and informational signage is being added to an as it is in a dense urban area surrounding by a regional mall, retail stores, and multi and single-family development.

Payment can be made electronically and with cash bills, instead of coins. The payment methods will reduce vehicle trips and greenhouse gas emissions. There are no reasonable foreseeable impacts as the pay stations and signage are being installed in existing developed paved areas in a dense urban environment.



Legend

- 24 Minute 
- Accessible 
- Loading 

012.25 50 Feet




Pay Station Deployment Map Phase 1 Area

City of Capitola



Item #: 5.D.

CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: DEPARTMENT OF PUBLIC WORKS

DATE: MARCH 3, 2011

SUBJECT: RISPIN PROPERTY
NOTICE TO ABATE DANGEROUS CONDITIONS AND
AUTHORIZATION TO SUSPEND PURCHASING POLICIES

Recommended Action: By motion and a roll call vote, take the following actions:

1. Accept the Notice and Summary Abatement Order to Abate Dangerous Buildings and Grounds from the City of Capitola Building Official; and
 2. Adopt a proposed resolution with a 4/5 majority that the Summary Abatement Order establishes an emergency condition under Public Contract Code Section 1102 and makes findings required under Public Contract Code 22050 allowing the suspension of the City's purchasing policies in order to allow the City to respond to this order, further authorizing the City Manager and City Attorney to execute contracts as necessary to abate all dangerous conditions at the site up to a total cost of \$1 million; and
 3. Approve a Notice of Exemption from CEQA for the Rispin Mansion Property Rehabilitation Project
-

BACKGROUND

In May 2009 there was a fire at the Rispin Mansion that caused significant damage including structural damage to the concrete exterior walls and the interior wall and floor framing. In response the fire, in order to secure the property, the Capitola Redevelopment Agency (RDA) authorized the installation of new security fencing, removal of all flammable material from the exterior areas, and installation of security lighting. This work was completed under the expectation that the Rispin Hotel project would soon begin and the structural hazards in the building and surrounding area would be abated with the project.

On February 24, 2011, the RDA Board of Directors denied a request by the Rispin Partners, LLC, to build a nine-room hotel on the Rispin Property. With no redevelopment project in the foreseeable future, the Capitola Building Official has determined the security measures taken in 2009 do not address long-term and immediate hazards on the property and has issued the Notice and Summary Abatement Order to Abate Dangerous Building and Grounds, included as Exhibit A to the draft resolution (Attachment 1).

Also on February 24, 2011, the City of Capitola and the Capitola Redevelopment Agency entered into a Cooperative Agreement under which the RDA provided \$1 million in funding to the City for a Rispin project.

DISCUSSION

The order to abate gives the RDA 30 days within which to pull a building permit and begin repairs on the Rispin building and grounds. In order to comply with this order, staff recommends the City suspend its standard purchasing policies and, pursuant to Public Contracts Code Sections 1102 and 22050, enter into the necessary repair contracts on an emergency basis without engaging in the protracted public bidding process that would otherwise be required. Because of the emergency nature of the contracts to be let in connection with this repair project, staff recommends Council approve this emergency contracting process by a four-fifths (4/5) majority.

City staff has prepared the scope of work included as Attachment 2. This work includes securing and stabilizing the existing mansion building, securing and stabilizing the existing pump house building, repairing the existing exterior stairways and pathways, repairing the existing reflecting pond, installing new iron security fencing and railings to protect the public and other related measures. This scope of work also includes hiring a team of professionals consisting of contractors, engineers, architects, inspectors, a project manager, and a biotic resource consultant to assist the City in meeting the demands of the abatement order. This scope of work will be completed at a cost less than the \$1 million provided by the RDA.

CEQA

The proposed demolition is categorically exempt under CEQA Guidelines Section 152301 – Class 1, Existing Facilities, which includes repair and maintenance of existing public or private structures, facilities, features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project consists of repair to an existing publicly-owned structure, and no new uses are proposed. The purpose is to repair and stabilize a historical structure to prevent collapse of the structure and eliminate safety hazards on the site. The repairs are consistent with the following examples provided in subsections (a) and (d) of CEQA Guidelines Section 152301:

- (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;
- (c) Existing highways and streets, sidewalks, and similar facilities (this includes road grading for the purpose of public safety);
- (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety.

A draft Notice has been prepared and is included as Attachment 3 for the City Council's consideration and approval.

FISCAL IMPACT

Under the terms of the City/RDA cooperative agreement the project will be funded by up to \$1 million provided by the RDA. A budget amendment resolution, included as Attachment 1, has been prepared to amend the 2010-11 City budget, amending the Capital Improvement Program to create a new project for the Rispin Mansion Rehabilitation and accepting unanticipated revenue of \$1 million from the Redevelopment Agency and authorizing the expenditures of \$1 million.

ATTACHMENTS

1. Draft Resolution (Including Exhibit A - Notice and Summary Abatement Order to Abate Dangerous Building and Grounds from Mark Wheeler, Capitola Building Official, dated March 1, 2011)
2. Rispin Mansion Hazard Elimination Project Scope of Work
3. Notice of Exemption

Report Prepared By: Steven Jesberg
Public Works Director

**Reviewed and Forwarded
by City Manager:** _____

R:\Agenda Staff Reports\2011 Agenda Reports\3-10-11\Rispin Hazard Abatement_Report.docx

RESOLUTION NO. ____**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
DECLARING THAT AN EMERGENCY CONDITION EXISTS
AS A RESULT OF THE RECEIPT OF AN ORDER TO ABATE A
HAZARDOUS CONDITION AT THE RISPIN MANSION PROPERTY**

WHEREAS, a May 28, 2009, fire significantly damaged the Rispin Mansion building and the Capitola Redevelopment Agency took immediate steps to secure the building; and

WHEREAS, despite efforts to secure the building, cold weather and significant precipitation has caused people to seek shelter and enter the building and there is continuing evidence of persons inhabiting the building; and

WHEREAS, significant precipitation and water from recent storms has entered the building because the roof was destroyed by the May 28, 2009 fire and this rainfall has the potential to undermine the structure posing a significant imminent hazard to both natural resources and adjacent property should the foundation or other portions of the structure fail; and

WHEREAS, on March 1, 2011 the Capitola Redevelopment Agency received the Notice and Summary Abatement Order to Abate Dangerous Buildings and Grounds from the City of Capitola Building Official included as Exhibit A to this resolution; and

WHEREAS, this order states that the Rispin premises are dangerous and currently pose an imminent life safety hazard requiring immediate correction and/or elimination under the provisions of Chapter 4.16 of the City of Capitola Municipal Code (Summary Abatement) and the International Property Maintenance Code; and

WHEREAS, the order further declares the areas in violation include, but are not limited to, the "Rispin Mansion" building, the water tower pump house structure, the on-site stairway and walkway systems and the onsite concrete walls and water features; and

WHEREAS, the order requires that within thirty (30) days of the date of the order, building permits shall be obtained and work commenced to eliminate the hazards detailed in the order, by repair or demolition; and

WHEREAS, the order further states that the work undertaken shall be the minimum level of work necessary to completely eliminate the conditions on the property which render the property imminently hazardous; and

WHEREAS, based on the findings in the Abatement Order substantial evidence in the record before this City Council establishes that an emergency condition exists on the Rispin Mansion Property as defined at California Public Contracts Code Section 1102; and

WHEREAS, pursuant to Public Contracts Code Section 22050 a governing body may in the case of an emergency, pursuant to a four-fifths vote, repair or replace a public facility, take any directly related and immediate action required by the emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola that the City Council hereby finds and declares that an emergency condition exists on the Rispin Mansion Property as defined at Public Contracts Code Section 1102, and that pursuant to Public Contracts Code Section 22050 (2), based on the facts and professional conclusions set forth in the afore-referenced Notice and Summary Abatement Order to Abate Dangerous Buildings and Grounds issued by the City of Capitola Building Official, the emergency must be addressed expeditiously on a timeline that will not permit a delay which would result from a competitive solicitation for bids, and that this action is therefore necessary to timely respond to and obey the abatement order.

BE IT FURTHER RESOLVED that City Manager is hereby authorized to order any action pursuant to this emergency finding pursuant to Public Contracts Code Section 22050 (2)(b)(1).

BE IT FURTHER RESOLVED that the City Manager shall report to the City Council at each subsequent regularly scheduled City Council meeting the progress made in addressing this emergency and the City Council must affirm the continuing work on this emergency with a four-fifths approval until such time as the emergency situation has been abated as determined by the Capitola Building Official pursuant to Public Contracts Code Section 22050 (3)(c)(1).

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 10th day of March, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DISQUALIFIED:

Dennis R. Norton, Mayor

ATTEST:

_____, MMC
Pamela Greeninger, City Clerk



EXHIBIT A

CITY OF CAPITOLA
420 CAPITOLA AVENUE
CAPITOLA, CALIFORNIA 95010
TELEPHONE/ TDD 831 475-7300
FAX 831 479-8879

NOTICE AND SUMMARY ABATEMENT ORDER TO ABATE DANGEROUS BUILDING & GROUNDS

March 1, 2011

To: City of Capitola Redevelopment Agency
420 Capitola Avenue
Capitola CA 95010

This Notice and Summary Abatement Order pertains to the structures and grounds at the premises known as 2000 Wharf Road, APN 035-371-01.

The following is a description of the conditions the undersigned has found in determining that the premises are dangerous and currently pose an imminent life safety hazard requiring immediate correction and/or elimination under the provisions of Chapter 4.16 of the City of Capitola Municipal Code (Summary Abatement) and the International Property Maintenance Code.

The subject property is so damaged, decayed and dilapidated to a point where partial or total structural collapse is likely in the foreseeable future. The areas in violation include, but are not limited to, the "Rispin Mansion" building, the water tower pump house structure, the on-site stairway and walkway systems and the onsite concrete walls and water features.

In addition, the accumulation of debris in the buildings and excessive on-site vegetation coupled with continued public access and the coming dry season creates the imminent potential for a fire conflagration that threatens the premises and contiguous properties, structures and their inhabitants.

Previous efforts to provide a safe condition by establishing security systems to prevent public access have not been effective and have not mitigated the life safety hazard to the public and to law enforcement and fire suppression officials who are regularly called upon to respond to the property.

Therefore, the following actions are to be taken:

Within thirty (30) days of the date of this order, building permits shall be obtained and work commenced to eliminate the hazards described above by repair or by demolition. The work undertaken in this regard shall be the minimum level of work necessary to completely eliminate the conditions on the property which render the property imminently hazardous.

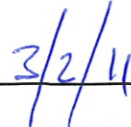
This order constitutes a summary abatement order issued pursuant to, and authorized by, Chapter 4.16 of the Capitola Municipal Code. This order is therefore final and is not appealable.



Mark Wheeler
Building Official

Received by 

Date



Rispin Mansion Hazard Elimination project

Scope of work

1. Mansion

- a. Construct temporary bracing for concrete walls
- b. Clear and remove all fire damaged material and broken concrete
- c. Construct iron fence around external stairways
- d. Store and reuse existing roof tiles
- e. Rebuild damaged floor structures as directed by engineer
- f. Rebuild damaged roof structures as directed by engineer
- g. Reroof entire structure using existing and new tile or replacement tiles
- h. Fill all exterior door and window openings
 - i. Steel, CMU, or concrete poured in place
- i. Install one steel doorway into structure (front door)
- j. Install interior safety lighting
- k. Install ventilation openings
- l. Construct context appropriate iron railings to code around portico balcony and back balcony
- m. Construct context appropriate iron fencing to prevent access down side stairway area and behind structure
- n. Install steel roll-up garage door
- o. Restucco and repaint exterior
- p. Underground electrical service

2. Site Repairs

- a. Install iron fencing protecting habitat areas
- b. Bring reflecting pond into compliance and operational
- c. Refurbish walkway around pond
- d. Refurbish stairway and install code compliant railings
- e. Abandon existing well
 - i. City to obtain permit
- f. Stabilize well house structure and construct iron fencing around entire structure with a single locked gate as necessary
- g. Refurbish pedestrian paths outside of conservation easement with combination DG/pavers.

3. Landscaping in public areas only (direction from Landscape Architect)
 - a. Remove all ivy from trees
 - b. Cut back ivy as directed from roadway at mansion level, around well house, and on bench area
 - c. Remove all weedy material
 - d. Establish irrigation service from Soquel Creek Water District (critical timing)
 - e. Restore landscaping on bench area
 - f. Install time and motion sensor vandal resistant solar lighting.
 - g. Remove cyclone fencing
 - h. Replace dead/dying landscape material.

Contracts (consultants)

1. Project Manager
 - a. Bryan Kerko (confirmed)
2. Building Inspector
 - a. Daniel Kostelec (confirmed)
3. Landscape Architect
 - a. Michael Arnone (confirmed)
4. Structural Engineer
 - a. Leonard Willis, Redwood Engineering (confirmed)
5. Civil Engineer
 - a. Joe Akers (confirmed)
6. Biotic monitor
 - a. Kathy Lyons, Biotic Resources Group
7. Environmental Review
 - a. Stephanie Strelow (confirmed)

Contractors

1. Garden City Construction
 - a. Jim Salata
2. Devcon Construction
 - a. Doug Maher
3. TBD



NOTICE OF EXEMPTION

DATE: MARCH 4, 2011

TO: COUNTY CLERK, COUNTY OF SANTA CRUZ

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

Based on a preliminary review of the project the following activity is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State Guidelines for the implementation of CEQA.

Case No.: N/A

Location: Urban Area Inside and Outside the Coastal Zone within the City of Capitola, 420 Capitola Ave, CA 95010

Project Title: Rispin Mansion Hazard Elimination Project

	Assessor's
Project Address: <u>2000 Wharf Road</u>	Parcel No.: <u>035-371-01</u>
Project Location: <u>City of: Capitola</u>	County of: <u>Santa Cruz</u>

Background: The proposed project consists of the repair, maintenance and stabilization of the historic Rispin Mansion. The Rispin Mansion site consists of approximately 6.5 acres of land located east of Wharf Road and north of Clares Street in the city of Capitola (see attached map). The Rispin Mansion site is bounded by Soquel Creek on the east, open space on the north, residential development on the south and Wharf Road, a library and residential development on the west.

The Rispin Mansion, owned by the City of Capitola, is a historic property that is listed in both the National and California Registers of Historic Places. The site includes the main building – the former summer residence of Henry Rispin during the 1920s – as well as, a former pond, water tower, and landscaped grounds. The structure was a private residence in the 1930s and purchased by the Order of Poor Clares in 1940. The building has been uninhabited since the late 1950s. The structure has been subject to damages, fires, and vandalism over the years. However, since that time, the structure's condition has further deteriorated and suffered additional vandalism.

On March 1, 2011, the City of Capitola Building Official issued an Abatement Order for the Rispin property due to identified dangerous conditions on the property that "currently pose an imminent life safety hazard requiring immediate correction and/or elimination" under the provisions of Chapter 4.16 of the City of Capitola Municipal Code and the International Property Maintenance Code. The Order states that the "subject property is so damaged, decayed and dilapidated to a point where partial or total structural collapse is likely in the foreseeable future." The areas in violation include, but are not

limited to, the “Rispin Mansion” building, the water tower pump house structure, the on-site stairway and walkway systems, and the onsite concrete walls and water features. In addition, the accumulation of debris in the buildings and excessive on-site vegetation coupled with continued unauthorized public access and the onset of the dry season creates the imminent potential for a fire that threatens the premises and contiguous properties, structures and their inhabitants. The Order requires elimination of the described hazards within 30 days.

Project Description: The project consists of repair, maintenance and stabilization of the Rispin Mansion and other repairs as indicated above in the Abatement Order. Surrounding landscape outside of the riparian areas will be maintained under the direction and supervision of biologists and consulting architects. The objective is to stabilize the Rispin Mansion structure and address damage created by the May 2009 fire, as well as to repair and stabilize the surrounding stairways and reflecting pond, to eliminate safety hazards and prevent further deterioration until such time that the City identifies and approves a use for the site.

Repair, maintenance and stabilization activities to the Rispin Mansion include the construction of temporary bracing for concrete walls and removal of all fire damaged material and broken concrete. Damaged or removed wrought iron railing around external stairways will be reconstructed to limit access. Floor structures as directed by engineer will be rebuilt. Damaged roof structures as directed by engineer will be rebuilt using existing and new tile or replacement tiles. All exterior door and window openings will be filled with steel, CMU, or concrete poured in place features as temporary measures to secure the building; a steel doorway in the front will be installed to close all existing doorways. Context and architecturally appropriate iron railings will be constructed around portico balcony and back balcony. A steel roll-up garage door will be fabricated to close off the garage with repair and repainting of the exterior stucco surfaces. Vandal resistant, motion activated security lighting will be replaced around the building and along pathways. Existing pathways will be repaired and restored.

The project also includes site repairs to repair and stabilize the reflecting pond, walkways around pond and stairways. The existing well will be abandoned and the well house will be structurally secured with replacement siding to stabilize the structure. Invasive exotic vegetation (i.e. English Ivy) will be removed from trees and around the well house and replaced with native species. Existing cyclone fencing will be removed.

Repair and stabilization activities will be completed in accordance with the Secretary of the Interior's “Standards for the Treatment of Historic Properties” and guidelines for “Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.” Final design for structural repairs, including materials, colors, roof, fencing, exterior finishes and reflecting pond will be reviewed and approved by an historical architect to ensure compliance with these standards.

Construction Methods, Equipment, and Schedule: Construction access will be taken from the existing asphalt paved area along Wharf Road. The only existing driveway will be the sole area for ingress and egress. Vehicle use on the property will be minimized to the maximum extent feasible. Construction materials will be stored on paved areas adjacent to the Rispin Mansion. Construction equipment will be stored in the parking lot across the street at the Capitola Public Library. Construction activities will occur between 7:00 AM and 5:00 PM, Monday through Friday. The anticipated start date is mid April 2011 with an approximate 12-week construction period.

Name of Person or Agency Carrying Out Project: City of Capitola

Name of Public Agency Approving Project: City of Capitola

Exempt Status: (check one)

- ☐ Ministerial Project (Section 21080(b)(1); 15268).
- ☒ Categorically Exempt (Section 15301).
- ☐ Declared Emergency (Section 21080(b)(3); 15269(a)).
- ☐ Emergency Project (Section 21080(b)(4); 15269(b)(c)).
- ☐ Statutory Exemption (Code/Section _____).
- ☐ The project clearly will not have a significant effect on the environment (15061(b)(3)).

Reasons why project is exempt: The proposed repair, maintenance, and stabilization project is categorically exempt under CEQA Guidelines section 152301 – Class 1, Existing Facilities, which includes repair and maintenance of existing public or private structures, facilities, features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project consists of repair to an existing publicly-owned structure, and no new uses are proposed. The purpose is to repair and stabilize a historical structure to prevent collapse of the structure and eliminate safety hazards on the site. The repairs are consistent with the following examples provided in subsections (a) and (d) of CEQA Guidelines section 152301:

- (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;
- (c) Existing highways and streets, sidewalks, and similar facilities (this includes road grading for the purpose of public safety);
- (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety.

None of the exceptions to the exemptions under 15300.2 of the CEQA Guidelines apply to the proposed project, even though section 15300.2 does not specifically apply to Class 1 exemptions. Nonetheless, the proposed project would not result in impacts on a resource of critical concern or sensitive resources. No maintenance, repair or stabilization activities will occur within natural or riparian areas, and no tree removal is planned. Pre-construction surveys for nesting birds and roosting special status bats will be conducted for in accordance with mitigation measures previously adopted by the City for the site as part of the inn approval, which are listed below. No hazardous materials will be used, and the site is not a listed hazardous waste site. During project construction, standard construction best management practices would be implemented to control construction materials, prevent erosion and protect water quality, as outlined below, although no grading is proposed. The project site is not adjacent to a scenic highway, and the project would not damage scenic resources. There are not other cumulative projects to which the proposed repair and stabilization project would contribute to significant cumulative impacts, i.e. successive projects of the same type in the vicinity.

The site and structures are a designated historical resource. The minor repairs and temporary stabilization measures would not result in a substantial adverse change in the significance of this historical resource as all structural and site repairs will be completed in accordance with the Secretary of the Interior's "Standards for the Treatment of Historic Properties" with review of final designs and plans by a historical architect to ensure that all elements are consistent with these standards and guidelines. CEQA Guidelines section 15064.5(b)(3) indicates that generally, a project that follows these guidelines would be considered to result in a less-than-significant impact. Furthermore, for the proposed project, the repairs are minor and/or temporary to stabilize the structure and eliminate hazards and would not substantially materially alter the historic structure or site. This also is consistent with above guidelines, which specifically do not recommend "failing to stabilize deteriorated or damaged" elements, thus allowing further damage to occur to the historic building.

Design and/or Construction Measures to Be Implemented Prior to or During Construction

- 1 The design of and materials of structural repair and stabilization elements shall be compatible with and complement the Rispin Mansion's style as designed by George McCrae for Henry Allen Rispin (including fences and walkways) as reviewed and approved by a historical architect to ensure that the project meets the Secretary of Interior's Standards for Treatment of Historical Properties.
- 2 Pre-construction surveys for nesting raptors shall be performed by a qualified biologist to be retained by the applicant. If raptor nests are located during pre-construction surveys, a 300-foot buffer shall be established around each nest for the duration of the breeding season (August 1st, or until such time as the young are fully fledged as determined by a qualified biologist in coordination with the California Department of Fish and Game) to prevent nest harassment and brood mortality. Every effort shall be made to avoid removal of, or impact to, known raptor nests within project boundaries. If trees known to support raptor nests cannot be avoided, limbing or removal of these trees may only occur during the non-breeding season.
- 3 Pre-construction surveys for roosting bats must be performed 30 days prior to construction by a qualified biologist to be retained by the applicant. If roosts are found, a Memorandum of Understanding (MOU) with the CDFG shall be obtained by the contractor in order to remove bat species, or the construction schedule shall be modified to initiate construction after August 1, when young are assumed to have fledged. Alternative habitat will need to be provided if bats are to be excluded from maternity roosts. If this is the case, a species-specific roost with comparable spatial and thermal characteristics shall be constructed and provided. CDFG and species-specific bat experts shall be consulted regarding specific designs if roost removal becomes necessary.
- 4 Lighting shall be directed downward and away from Soquel Creek and of minimum intensity necessary for safety lighting. Light standards shall be a maximum of 15 feet high.
- 5 Site preparation (e.g., tree trimming, tree removal, grading, excavation, and roadbed construction) on the project site shall **not** occur when monarchs are potentially present (October 1 through February 28).
- 6 The Contractor shall Install and maintain silt basins and fences or straw bales along drainage paths during construction to contain on-site construction materials; all materials and debris shall be stored away from drainages.

- 7 The Contractor shall prevent sediments or other pollutants resulting from construction activities from entering storm water discharge and dispose of all construction waste in designated area, and keep storm water from flowing on or off of these areas.

Lead Agency

Contact Person: Derek Johnson **Phone:** (831)-475-7300

Department: Community Development **Address:** 420 Capitola Avenue
Capitola, CA 95010

Signature: _____ **Date:** _____

☐ Signed by Lead Agency

Title: Community Development Director

☐ Signed by Applicant

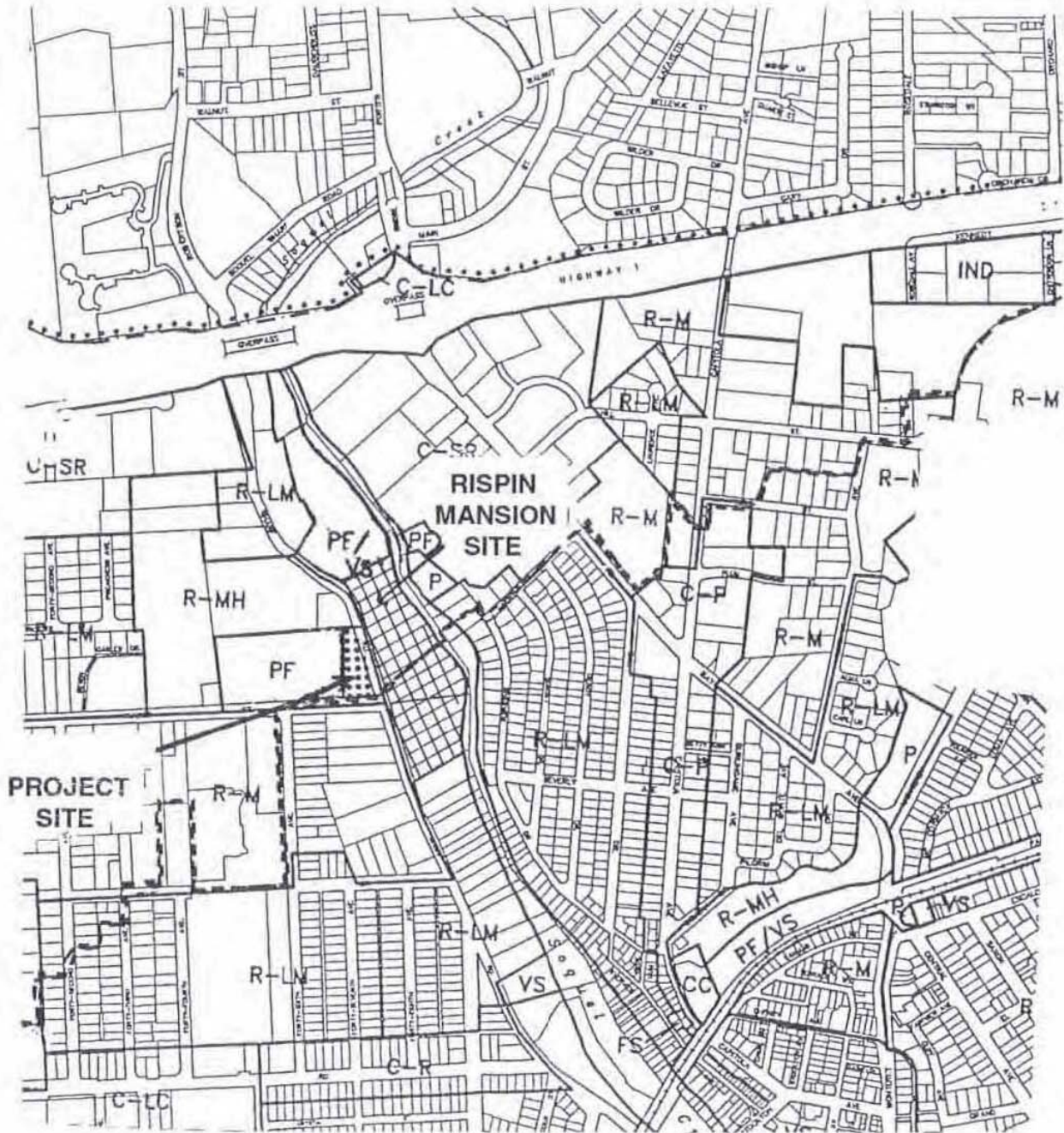
If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? ☐ Yes ☐
No

Date Received for filing at County Clerk: _____

Date Received for filing at OPR: _____

LOCATION MAP



----- Coastal Zone Boundary

Source: City of Capitola, General Plan



Item #: 5.E.

CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: MARCH 3, 2011

SUBJECT: LIBRARY PROJECT: AWARD OF SOLE SOURCE CONTRACT FOR PLANNING
AND ARCHITECTURAL DESIGN SERVICES

Recommended Action: By motion and roll call vote, take the following actions:

1. Authorize and award a standard contract to Anderson Brulé Architects, Inc., for planning and architectural design services for the Capitola Library in the amount of \$550,000.
2. Make a determination that Anderson Brulé Architects is a highly recognized authority in library design and is uniquely qualified to perform planning and architectural design services for the Capitola Library.

BACKGROUND

On February 24, 2011, the City Council and the Redevelopment Agency Board of Directors approved a cooperation agreement which contractually committed \$550,000 towards the design of the proposed Library along Wharf Road. The agreement authorized the Executive Director to prepay any funds in anticipation of the City carrying out its contractual obligations under the agreement. RDA funds have been transferred to a designated Capital Improvement Program fund to complete planning and architectural design services.

The City is currently completing a needs and program assessment to determine the appropriate building size based upon service population program and space needs. Once this report is completed, it will be reviewed by the Library Ad-Hoc Committee and forwarded to the City Council for approval.

DISCUSSION

Architects with the ability to understand and develop a design that appropriately responds to community needs, character, and the evolving and transforming nature of library operations are rare. As part of the RFP process to select a needs and program consultant, Anderson Brulé Architects (ABA) submitted a proposal. While ultimately, Critical Solutions was selected to complete the preliminary needs and program assessment, the Ad-Hoc Library Committee and City Staff feel that ABA has unique qualifications to design the proposed library, based upon their years of experience working on public libraries.

In the past two decades, ABA has been responsible for programming and designing over one million square feet of public library spaces. ABA is considered a national and regional expert in the field of public outreach and library design. They have extensive experience working with public agencies as identified in the attached firm resume. Staff consulted with public agency references which had outstanding comments about their ability to appropriately respond to the community within budget and time constraints.

The City's adopted Purchasing and Procurement policy allows for the sole sourcing of consultant or general services that exceed \$10,000 upon written justification and recommendation by the department head that the proposed consultant is a highly recognized authority in a field or has unique specific knowledge regarding the project. As was mentioned, ABA submitted a proposal to prepare the library needs and program assessment. Additionally, ABA has been engaged in the completion of the needs and program assessment. Moreover, ABA is a nationally recognized expert in the field of library design and is located in San Jose. Staff is recommending that the City Council make a determination that ABA is uniquely qualified to perform planning and architectural design services for the Capitola Library.

FISCAL IMPACT

The Cooperation Agreement between the City and the Redevelopment Agency designated \$550,000 towards planning and design of the Capitola Library. While the size of the building is unknown at this time, it is estimated that it will be larger than the existing 4,200 ft² facility. The planning and architectural fees are based on a 10,000-15,000 ft² with a construction budget of \$4 million dollars. Full service architectural fees typically run between 15%-25% of construction costs. The fee estimate is competitively priced at 13.75% of the estimated \$4 million construction cost. The RDA has agreed to provide \$2.7 million in funding towards library construction.

ATTACHMENTS

1. Proposal from Anderson Brulé Architects, Inc.
2. ABA Firm Resume

Report Prepared By: Derek Johnson
Community Development Director

**Reviewed and Forwarded
by the City Manager_____**



A N D E R S O N B R U L É A R C H I T E C T S

March 2, 2011

Revised March 3, 2011

Revised March 4, 2011

Derek Johnson, Community Development Director
City of Capitola
Community Development Department
420 Capitola Avenue
Capitola, CA 95010

RE: **New Capitola Library Project**
 ARCHITECTURAL AND ENGINEERING SERVICES PROPOSAL

Dear Mr. Johnson:

Anderson Brulé Architects, Inc. (ABA) is pleased to submit this proposal for Architectural and Engineering Services for the New Capitola Library. The work in this proposal includes Pre-Design, Schematic Design, Design Development, Construction Documents, Construction Administration, and Project Close Out services. This proposal is organized into the following sections:

1. Project Understanding
2. Proposal Assumptions
3. Scope of Work Description
4. Fee Proposal
5. Proposed Schedule
6. Proposed Consultant Team
7. Reference Documents

Section 1: Project Understanding

The City of Capitola is currently developing a building program for a New Capitola Library and has selected ABA to provide architectural and engineering services for design and construction of the project. The City is seeking to build a 10,000 square foot one-story library at the existing library site, 2005 Wharf Road. The site is approximately 47,000 square feet in size and is located in the City's Redevelopment Zone, as well as being partially located in the California Coastal Commission Zone. The construction budget from the project is four million dollars, made available from the City's Redevelopment Agency funds. The City desires to have the community involved in the design process for the library.

Section 2: Proposal Assumptions and Exclusions

Given the wide range of variables that are yet to be determined for this project, ABA has based this proposal on the assumptions noted in this section. If any of these assumptions proved to be incorrect for the project, ABA and its consultant team can revise this proposal to amend any services for the project, either additive or deductive. Based on the information available to us, this proposal is predicated on the following assumptions:

- The building will be a single story and 10,000 square feet in size.
- The construction budget for the project is \$4,000,000. This budget does not include funds for soft costs such as: City staff time, design and engineering fees, planning and building department review, CEQA review, permits, reimbursable expenses, testing and inspections, furniture, fixtures, equipment, temporary facilities, or moving costs.
- The project will incorporate green design and sustainability principles, but will not seek certification with the US Green Building Council (USBGC) using the Leadership in Energy and Environmental Design (LEED) program. The project will not be required to use other green design rating systems such as Green Globes.
- The City will hire a separate consultant to prepare a Geotechnical Investigation Report for the site. This consultant may need to coordinate with the consultant team during the design process, specifically for the design of the structural system and paving types for the site. It is recommended that they be retained to review the design documents prior to permitting, bidding, and construction.
- The City will hire under separate agreement, a consultant to prepare a Civil Topographical and Boundary Survey for the site. This consultant may be the same Civil Engineer as that hired under this agreement, but the work for the Survey will be under separate agreement with the engineer.
- The City will hire a separate consultant to conduct the Environmental Review process, including California Environmental Quality Act and Coastal Commission documentation, submittals and approvals.
- The City will hire a separate consultant to design a right-turn pocket for Wharf Road and Clares Street on the site. The construction cost for this work be paid for by funds other than the construction budget for the library. The consultant team will coordinate with this effort in designing the library and site.
- The City will hire a separate consultant for review and assessment of hazardous materials on the site, if needed. Cost estimating included in the proposal will not include assessments of any associate work for removal of hazardous materials.
- In addition to the services noted above, as provided by the City through separate consultants, a number of specialty services have been excluded from this proposal. See Section 4: Fee Proposal for more information on the services that have been excluded and a recommended allowance for these services, should the City deem that they, or other services are needed for the project. These services may include:
 - Renderings and Publicity Documents
 - Pacific Gas & Electric Company's Savings by Design Program
 - Public Art Coordination
 - Professional Photography
- The basic services outlined in this proposal include the schematic design of the Fire Protection System for the project. It is assumed that the Fire Protection System will be a

design-build effort. This proposal does not include detailed design, documentation, or permitting of a Fire Protection System.

- The Civil Engineering services outlined in this proposal do not include the development of a Notice of Intent (NOI) or Storm Water Pollution Prevention Plan (SWPPP). The City has determined that the General Contractor will prepare these documents.
- Construction will not be fast-tracked or phased. Documentation for construction will include only one set of documents for implementation.
- The soils condition at the site will be sufficient for traditional foundation systems of continuous and isolated spread footings.
- City of Capitola will provide Division 1 General Requirements Specifications that have been modified for the library project for inclusion in the specifications and project manual.
- The existing park and playground area located on the site will remain as is, with no improvement. Should the playground need to be re-located, improved, or re-designed on the library site, fees for these design services are noted as a Specialty Service in Section 4.
- The existing library building will be removed or demolished and will not stay in service during construction of the new library.
- The project will not be required to meet the new C.3 regulations pertaining to Low Impact Development (LID) treatment requirements, a part of the City's National Pollutant Discharge Elimination (NPDES) permit with the Environmental Protection Agency (EPA). Planning approvals will be obtained prior to December 1, 2011 when these regulations are in effect.
- The project will not require an Environmental Noise Assessment as part of this contract.
- The adjacent site located at 2091 Wharf Road will not be a part of this project.
- The City has elected that the Consultant Team not provide Closeout Services and Record Documents.
- Public Art Coordination is part of the basic services if Public Art requirements are provided to the design team by the midpoint of the Design Development Phase.
- The City has directed the team not participate in the PG&E Savings by Design program.
- The City has elected not to have the design team complete the Environmental Review, Renderings, Photography, or other "specialty services."
- The City has elected the Design Team create 2 conceptual bubble schemes in Pre-Design Services.
- Should the total newly landscaped area exceed 2,500 sf, AB 1881 provisions will need to be coordinated and completed by the City. These pertain to water efficient landscaping, a worksheet, water budget calculations, etc. The City may chose to contract out separately for this item. It is currently excluded from scope.

Section 3: Scope of Work Description

ABA proposes to work in a collaborative, phased approach in order to allow information to be gathered that will inform the City prior to decision making. Each phase builds upon the previous phases, and each phase requires some incremental decision-making from the City's leadership.

In order to achieve this work, ABA recommends that the City create a project Core Team, consisting of the City's Project Manager and a number of key stakeholders. The Core Team would then represent the City's interests and provide input throughout the process.

Our proposed work structure is described in more detail below, and is outlined as follows:

- Phase 1: Pre-Design
- Phase 2: Schematic Design
- Phase 3: Design Development
- Phase 4: Construction Documents and Permitting
- Phase 5: Bidding and Negotiation
- Phase 6: Construction Administration

Phase 1: Pre-Design

The first step in the design effort, Pre-Design, is meant to gather all the foundational information for the rest of the project. This effort includes reviewing previous efforts by the City for this project, obtaining additional project data, and gathering input from the community. Once the information is collected and analyzed, the collaborative, creative process of Conceptual Design can begin. The goal of this first effort is to explore various design solution while considering the relative size, adjacency and connectivity of all areas defined in the program; ultimately selecting the preferred design solution to move forward with in the next steps of the project.

The efforts for this phase will include:

- Review of Project Information (Provided by City)
 - City Zoning Requirements
 - Library Program
 - Geotechnical Investigation Report
 - Topographical and Boundary Survey
- Three (3) Core Team Meetings
- One (1) Meeting with City Planning Staff
- Two (2) Community Meetings
 - Meeting 1:
 - Develop the Project Vision
 - Overview of Final Program / Program Validation
 - Input and Discussion of Library Image and Character
 - Meeting 2:
 - Review Site Analysis
 - Review Design Scenario Concepts
 - Input and Discussion on Design Scenarios
- Conceptual Design Document Package
 - Site Analysis

- Bubble Diagrams of two (2) Conceptual Design Scenarios
 - Refined Bubble Diagram of one (1) Selected Design Scenario
- Assist the City in Coordinating with an Environmental Review consultant

Phase 2: Schematic Design

Schematic Design builds on the Conceptual Design efforts and the selected conceptual design scenario, which has been approved by the City. The purpose of this phase is to establish the final scope, relationships, forms, size, appearance and cost of the project.

The efforts for this phase will include:

- Four (4) Core Team Meetings
- One (1) Meeting with City Planning, Building, and Fire Department staff
- Attendance at one (1) Community Meeting focused on Public Art, with an part of the meeting to review and update the Community on site and floor plan progress
- Schematic Design Document Package
 - Narrative Report and Materials List (including Project Alternates)
 - Schematic Opinion of Probable Construction Cost
 - Preliminary Code Review
 - Existing Conditions
 - Demolition Plan
 - Schematic Grading and Drainage Plan
 - Schematic Landscape Plan
 - Site Plan
 - Floor Plan
 - Roof Plan
 - Reflected Ceiling Plan
 - Finish Plan
 - Exterior Elevations
 - Building Sections
 - Signage Drawings

Phase 3: Design Development

Once the City has approved the Schematic Design Documents and Schematic Opinion of Probable Construction Cost, Design Development efforts can begin. The Design Development effort represents the consolidation and refinement of all the decisions, information, documents, and design solutions generated in the process thus far. The goal of this phase is to look at the design in much greater detail to coordinate and refine items as needed to minimize the potential for major modifications in later phases. Further definition and description of the important aspects of the project is important in this effort to allow for future work to focus on documentation for bidding and construction without major re-work. This increased level of detailed information also allows for more accurate estimated costs. Review and refinement by the Core Team and Design Team are an expected part of this phase.

The efforts for this phase will include:

- Four (4) Core Team Meetings
- One (1) Meeting with City Planning, Building, and Fire Department staff

- Design Development Document Package:
 - Outline Specifications
 - Design Development Opinion of Probable Construction Cost
 - General Project Information and Code Analysis
 - Civil Drawings
 - Landscape Drawings
 - Architectural Drawings
 - Structural Drawings
 - Mechanical Drawings
 - Plumbing and Fire Protection Drawings
 - Electrical Drawings
 - Information Technology Drawings
 - Audio Visual Drawings
 - Signage Drawings

Phase 4: Construction Documents

Based upon the City's approval of Design Development documents and Design Development Opinion of Probable Construction Cost, the Construction Documents phase will begin. The purpose of this phase is to document the specific project requirements to a level of detail appropriate for public bidding in order for contractors to accurately bid the work, as well as to provide the information necessary to obtain permits for construction.

The efforts for this phase will include:

- Two (2) Core Team Meetings (primarily focused on furniture selection)
- Assisting the City with:
 - Developing the Project Manual
 - Establishing the Conditions of the Contract for Construction
 - Establishing Bidding Requirements
 - Developing Sample Forms for Bidding and Construction
- Interior Design and Furniture Documentation:
 - Interior Finishes
 - Furniture Options
 - Final Furniture Selection and Specification
- 50% Construction Document Package:
 - Specifications
 - 50% Construction Documents Opinion of Probable Construction Cost
 - General Project Information and Code Analysis
 - Civil Drawings
 - Landscape Drawings
 - Architectural Drawings
 - Structural Drawings
 - Mechanical Drawings
 - Plumbing and Fire Protection Drawings
 - Electrical Drawings
 - Information Technology Drawings
 - Audio Visual Drawings

- Signage Drawings
- 90% Construction Document Package or Plan Check Set:
 - Specifications
 - 90% Construction Documents Opinion of Probable Construction Cost (*an update to the 50% Document*)
 - General Project Information and Code Analysis
 - Civil Drawings
 - Landscape Drawings
 - Architectural Drawings
 - Structural Drawings
 - Mechanical Drawings
 - Plumbing and Fire Protection Drawings
 - Electrical Drawings
 - Information Technology Drawings
 - Audio Visual Drawings
 - Signage Drawings
- 100% Construction Document Package or Bid Document Set:
 - Specifications
 - General Project Information and Code Analysis
 - Civil Drawings
 - Landscape Drawings
 - Architectural Drawings
 - Structural Drawings
 - Mechanical Drawings
 - Plumbing and Fire Protection Drawings
 - Electrical Drawings
 - Information Technology Drawings
 - Audio Visual Drawings
 - Signage Drawings

Phase 5: Bidding and Negotiation

During the Bidding and Negotiation phase, contractors may request additional information, in order to provide the most accurate bid. ABA and its consultants will provide answers to such questions, incorporated into Addenda, so that all prospective bidders have the same information available. The final building permit is also coordinated concurrent with the bidding process.

The efforts for this phase will include:

- Architect may choose to attend Pre-Bid Meeting, but is not required.
- Architect may choose to attend the Bid Opening Meeting, but is not required.
- Assist the City with:
 - Responding to Bidders' Inquiries
 - Preparing Addenda and Clarifications to Documents
- Issued for Construction Package (Incorporating Bidding Addenda Items and Selection of Alternates):
 - Specifications
 - General Project Information and Code Analysis

- Civil Drawings
- Landscaper Drawings
- Architectural Drawings
- Structural Drawings
- Mechanical Drawings
- Plumbing and Fire Protection Drawings
- Electrical Drawings
- Information Technology Drawings
- Audio Visual Drawings
- Signage Drawings

Phase 6: Construction Administration

Once the City has awarded the building contract to a General Contractor, Construction Administration services start. During Construction Administration, ABA will attend construction meetings, answer contractor questions, and review submittals and change orders. Further, ABA will assist the City in reviewing payment requests.

The efforts for this phase will include:

- Responding to Requests For Information (RFIs)
- Issuing Clarifying Information and Sketches, as needed
- Issuing Bulletins (Proposal Requests and Supplemental Instructions), as needed
- Attending Bi-Weekly Site Meetings (proposal assumes a 12 month construction period with 26 meetings)
- Issuing Field Reports
- Reviewing Submittals and Substitution Requests
- Reviewing Change Order Requests, if requested
- Reviewing Applications for Payment, if requested
- Review of the Project at Substantial Completion (including Punch List)

Section 4: Fee Proposal

We have assembled a high-value proposal to meet the scope of work desired by the City, while respecting the City's need to leverage and efficiently use all its resources. Further discussions with you will allow us to tailor our process and fees to best meet the City's needs for this project.

The structure of the project fees outlined below follows industry standards as well as the American Institute of Architects standard documents and recommendations. The fee is broken down into the following categories:

- **Pre-Design Services**

These services represent the initial efforts needed to prior to the start of the major design effort. There is not an industry standard range for Pre-Design efforts, as they vary widely from project to project. The City has specifically requested the following services be included in the proposal:

- Community Outreach
- Conceptual Design
- Coordination with City's Environmental Review Consultant

- **Basic Services**

These "Basic Services" are comprised only of those services that are considered fundamental to any design and construction project. Typically, the fees for a project of this nature will tend to range between 12% and 15% of the construction cost of the project. The basic services, as defined by industry standards and American Institute of Architects document B101-2007 Standard Form of Agreement Between Owner and Architect, include:

- Architectural Design
- Structural Engineering
- Mechanical Engineering
- Electrical Engineering
- Plumbing Engineering
- Schematic Fire Protection
- Specifications for the elements noted above

- **Supplemental Services**

These services represent efforts that are not necessary on all design and construction projects, but are needed for the New Capitola Library project, given the scope of work the City wants to accomplish. There is no industry standard range for the fees associated with supplemental services, as they vary widely from project to project. The services noted below have been included in this proposal as necessary supplemental services:

- Civil Engineering
- Landscape Design
- Interior Design
- Furniture Selection and Specification
- Acoustical Engineering
- Audio Visual Engineering
- Information Technology and Security Design
- Lighting Design
- Signage Design
- Specifications for the elements noted above

- Cost Estimating
- **Owner Project Contingency**
 As noted in Section 2: Proposal Assumptions, a large number of project variables have not yet been established. Given the wide range of items that may change and potentially impact the scope of work outlined in this proposal, ABA recommends the City establish a Project Contingency to prepare for and accommodate any requested additional design and engineering services that may be needed if the Proposal Assumptions need to be adjusted once the project has been more clearly defined. If the City desired, this contingency could also be used to include any of the excluded services that have been identified as Specialty Services.
- **Reimbursable Expenses**
 Reimbursable Expenses are costs incurred by the consultant team on behalf of the project, such as printing, plotting, mileage, etc. Reimbursable expenses are typically projected to range between 6% and 8% of the total fees for a project. See the attached Reimbursable Expenses contract exhibit for more information on specific expenses and their costs.

Our fee proposal and recommended City budget for other services for the scope of work defined in the proposal is as follows:

Pre-Design Services through Construction Administration		
		Fixed Fee
Pre-Design Services		
Phase 1	Conceptual Design	\$15,050.00
Phase 1	Site Design	\$2,750.00
Pre-Design Services Subtotal		\$17,800.00
Basic Services		
Phase 2	Schematic Design	\$35,840.00
Phase 3	Design Development	\$69,630.00
Phase 4	Construction Documents	\$168,510.00
Phase 5	Bidding	\$8,100.00
Phase 6	Construction Administration	\$79,220.00
Basic Services Subtotal		\$361,300.00
Supplemental Services		
Phase 2	Schematic Design	\$29,030.00
Phase 3	Design Development	\$45,120.00
Phase 4	Construction Documents	\$92,030.00
Phase 5	Bidding	\$5,260.00
Phase 6	Construction Administration	\$18,680.00
Supplemental Services Subtotal		\$190,120.00
Subtotal All Design Services		\$569,220.00
Donation by ABA		- \$19,220.00
Grand Total Fee		\$ 550,000.00

City's Discretionary Allowances	Recommended Allowance
Reimbursable Expenses	\$45,000.00
Owner Contingency	\$75,000.00
Discretionary Allowances Subtotal	\$120,000.00

Section 5: Proposed Schedule

The schedule for the efforts outlined in this proposal is dependent upon the City's anticipated start date for the work as well as City staff's availability for the project meetings noted. Our anticipated schedule is noted below; however we will finalize the project schedule once we have had a chance to review and coordinate this with the City.

For planning purposes, we have assumed the project will start on March 15th.

Phase	Time Frame/ Duration
Phase 1 Pre-Design	April to late June 2011 3 Months
Environmental Review Process	To Be Determined (<i>To be concurrent with design efforts</i>)
Library Program Completion (<i>by others</i>)	Approximately late May 2011
Phase 2 Schematic Design	3 Months
Phase 3 Design Development	2 Months
Phase 4 Construction Documents and Permitting	8 Months
Phase 5 Bidding and Negotiation	3 Months
Phase 6 Construction Administration	12 to 18 Months
Phase 7 Project Close-Out and Record Documents	2 Months

Section 6: Proposed Consultant Team

Anderson Brulé Architects, Inc. will incorporate the services of skilled consultants to round out the expertise needed for the New Capitola Library project. We have assembled a quality team of design and engineering professionals who are very experienced in new library projects and are ready to commence work immediately. Below we have listed the consultants we anticipate for this team and have included in this proposal.

Pre-Design Services	Consultant
Community Outreach	Anderson Brulé Architects, Inc.
Conceptual Design	Anderson Brulé Architects, Inc.
Environmental Coordination	Anderson Brulé Architects, Inc.
Site Survey	BKF Civil Engineers

Basic Services	Consultant
Architectural Design	Anderson Brulé Architects, Inc.
Structural Engineering	Biggs Cardosa Associates, Inc.
Mechanical Engineering	Glumac
Electrical Engineering	Glumac
Plumbing Engineering	Glumac
Schematic Fire Engineering	Glumac
Specifications	Stansen Specifications

Supplemental Services	Consultant
Civil Engineering	BKF Civil Engineers
Landscape Design	Callander & Associates
Interior Design	Anderson Brulé Architects, Inc.
Furniture Selection and Specification	Anderson Brulé Architects, Inc.
Acoustical Engineering	Charles M. Salter Associates, Inc.
Audio Visual Engineering	Glumac
Information Technology and Security	Glumac
Cost Estimating	Davis Langdon
Lighting Design	Anderson Brulé Architects, Inc. and Glumac
Signage Design	Matthew Williams Design

Section 7: Reference Documents

This proposal is based on a number of documents that will eventually become the contract for professional services for the New Capitola Library.

- **City of Capitola's Standard Contract Form for Professional Services**
ABA has reviewed the City's contract form and is willing to enter into agreement with the City of Capitola that is similar to the example provided. While there are a few clauses that ABA would like to discuss with the City, the overall intent and scope of the contract is agreeable. ABA will provide specific contract comments under separate cover.
- **Hourly Rates Exhibit**
In addition to the services described in this proposal, ABA may, upon request by the City, provide additional services. Any additional services not listed within the contracted scope of work shall be charged on an hourly basis or as an additional fixed fee upon written authorization of the City. Services rendered on an hourly basis will be charged as shown in the attached exhibit of hourly rates.
- **Reimbursable Expenses Exhibit**
As noted in Section 4: Fee Proposal, Reimbursable Expenses for the project will be charged to the City. Reimbursable expenses incurred by ABA and its consultant team on behalf of the project will be charged as shown in the attached exhibit of reimbursable expenses.

We are prepared to proceed upon receipt of an executed contract. Please contact me with any questions you may have regarding our proposal. We look forward to working with the City of Capitola on this project.

Sincerely,
ANDERSON BRULÉ ARCHITECTS, INC.



Brad Cox, AIA
Principal



To Sustain Communities and Individuals
by Creating a Legacy
of Designed Experiences;
Balancing Human, Social, Economic and
Environmental Needs.

Pamela Anderson-Brulé

Firm Profile

Introduction

Our Mission:

*To transform
people, place and practice
through strategic design*



Sustainable Communities Focus

Our Vision:

*To Sustain Communities and
Individuals by Creating a Legacy of
Designed Experiences; Balancing
Human, Social, Economic and
Environmental Needs*

Anderson Brulé Architects, Inc. (ABA) was founded in 1984 based upon the following principles:

- Passion for the Practice
- Innovation in Design
- Transformation of the Profession

ABA is a full service firm with a diverse practice in the disciplines of strategic planning, architecture and interiors. We believe architecture is a process in and of itself, not just a means to an end. ABA is committed to assisting clients in improving their own culture, environment, and operations through the realization of their organizational needs in architectural planning and design.

Out of this commitment to our clients, ABA has cultivated a unique expertise over the years in response to a need expressed by the industry – **a need to expand the way architects work with their clients in the creation of their environments.** Consequently, ABA's projects and experience reflect an integrated and holistic approach to planning, architecture and interior design. This has enabled our firm to innovate and exhibit leadership in all areas of process, design and project delivery.

In establishing our focus, we have attempted to align our passion, experience and expertise with opportunities to realize the most value in creating livable and sustainable communities.

Community Planning and Architecture has been a major focus since our founding and continues to represent over 80% of our work. Our community service project types include work with both public and not-for-profit clients in the planning and design of various facilities including civic and community centers, libraries, parks and recreational facilities, health and wellness facilities, and urban renewal projects. Additionally, ABA's portfolio includes educational architecture including K-12, Community College and University projects and custom private residences.

We possess a deep appreciation for the complexity of our client's ecosystems and a strong desire to understand their community's needs through a strategic planning process that is inclusive and supportive. We strongly believe that the process by which the client's community is engaged is the key to effectively shaping and understanding their needs.

Firm Profile

Strategic and Collaborative Process Design

*Our founding principles,
Passion for the Practice,
Innovation in Design,
Transformation of the Profession*

Process Leadership



Space Programming



Our Strategic and Collaborative Process Design is focused on facilitation, exploration and discovery with the client – activities we feel are vital to problem definition and opportunity-driven solutions to client's emerging issues.

All of ABA's work is built upon a vision – our client's vision. Creation of a strategic and collaborative process allows clients to discover and fully articulate their vision. Through highly-evolved "systems thinking" and critical analysis, we guide our clients through a deep examination of planning and accelerated decision-making while helping establish a human connection with the facilities.

ABA believes that **the quality of the process profoundly affects the quality of the product.** Our process leadership includes:

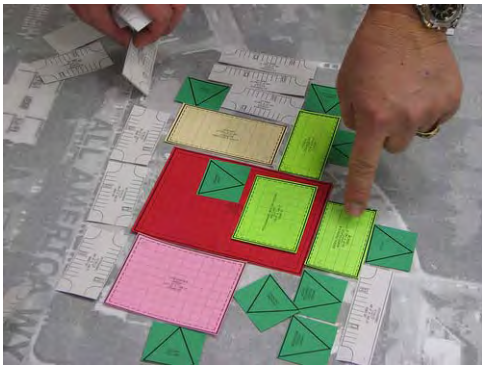
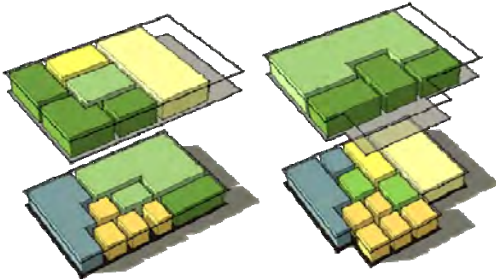
- Developing a collaborative team with the client in which the whole is greater than the sum of its parts
- Focusing on the long-term sustaining success of a project
- Engaging all stakeholders, including the community, to enhance the creative process
- Developing an approach and methodology to process design based on research and analysis
- Remaining open to creative exploration and change during the process

The Space Program is multi-dimensional, in that it envisions both the quantitative and qualitative spatial requirements of facility solutions that will support implementation of the Organizational and Operational Strategic Plan.

The program serves the client through site selection, design, construction, and into the operations and maintenance of their facilities. This process helps establish costs early on and ensures the accuracy and coordination of information throughout.

Firm Profile

Strategic Planning



Sustainable Planning & Design



We have over seventeen years of Strategic Planning experience ranging from small rural communities to large complex university projects. Our interactive approach and inclusive process provides a methodology that serves to strengthen and align the organization and its culture. We work with our clients to:

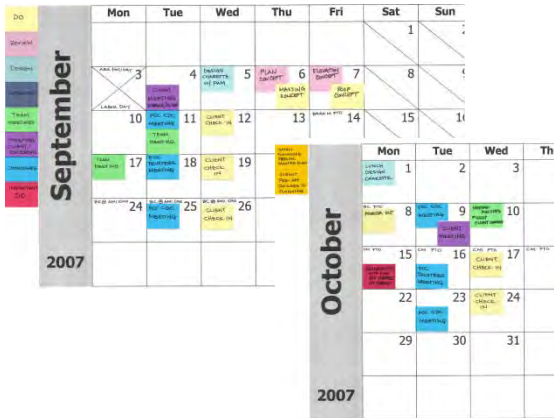
- Develop a Core Team to validate the proposed strategic planning process and provide leadership in its implementation
- Develop organizational Vision and Objectives, based on core values and alignment of individual needs
- Perform a Systems Analysis by modeling existing conditions and conduct Operational Scenarios by identifying opportunities, constraints, strengths and weaknesses of the organization and its environment
- Develop a Cost/Benefit Analysis to evaluate the strategy, structure and systems of each operating scenario for both tangible and intangible costs
- Develop a Strategic Operational Plan and Implementation Strategy that defines the desired end-result and describes the gap from existing condition to realization

Every project incorporates principles of Sustainable Planning, Design, and Operations. Sustainable design can range from very basic, isolated strategies to a more thorough, holistic approach, depending on our client's goals and objectives for their development. ABA works early with the client to determine their specific sustainable goals for any particular project and budget.

Within a "whole building approach," ABA considers life cycle costing with the owner in determining the benefits of long-range thinking, paired with investment in the facility. Strategies include systems integration throughout the building such as mechanical, electrical, structural, plumbing and other systems. This level of service has provided our clients the information to make informed cost and scope decisions, resulting in energy savings over 30% from standard Title 24 regulatory requirements.

Firm Profile

Design & Documentation

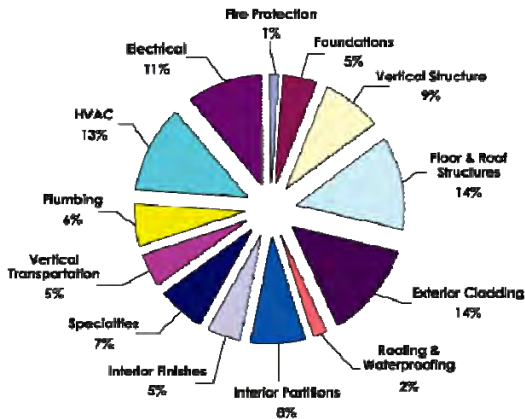


The quality of the process defined at the beginning of a project must continue through the construction and occupation of the project – establishing standards for the project quality, the collaborative process and lines of communication. This follow-through of strategic thinking ensures that the Design and Documentation phases continue the client considerations of "on-time and on-budget". Through well-coordinated, quality documents and comprehensive modeling of the entire project budget and schedule, ABA establishes a "game plan" and contingencies for both cost and schedule.

The end results of this schedule & cost control process are flexible schedules and cost estimates with good approximations of final construction bids. We have a very successful track record and stand behind this process.

Lastly, ABA approaches the construction phase of the a new project as another opportunity for collaboration. It is important to us that continuity of the project team is extended through the construction phase services with clear communication and documentation to all parties involved. We provide the leadership to ensure that any new project is constructed as it was designed and meets the goals of the Client.

We further ensure that we have met our goals in a post walk-thru with the Client to gather "Lessons Learned". From these lessons we educate ourselves and our clients on ways we can better the process on both sides, to produce better products for the Communities we serve.





Firm Profile

Additional Expertise

- Community and Specific Client Group Workshops
- Pre-Project Planning
- Feasibility Studies
- Master Planning
- Urban Planning
- Peer Review
- ADA Surveys/Upgrades
- Survey of Existing Conditions
- Renovations/Remodels
- Interior Design
- Fixture and Furniture Selection

Our Team

Principals	3
Strategists and Facilitators	2
Licensed Architects	7
Interior Designers	2
Designers / Intern Architects	5
Project Liaisons, Firm Coordinators, and Professional Business Staff	7
Total Staff.....	24

**Brad Cox, AIA, LEED AP
Principal**



Brad Cox has over eighteen years of experience in the practice of architecture as project architect, designer, project manager and principal. Over the years, Brad's work has focused on civic, educational and community projects with services ranging from entitlements through occupancy. He is knowledgeable in project formulation, analysis, programming, cost and schedule control, design feasibility and recommendations.

Brad is particularly skilled in working with complex client groups, including regulatory agencies, non-profit organizations and communities with multiple stakeholders. He is comfortable in both project management and design roles. In addition, he is able to manage scope, schedule and delivery successfully within budget and very often exceeds the client's expectations.

Brad also has extensive experience in Green Building techniques, including the application of sustainable design practices that can significantly improve a building's efficiency, quality and environmental responsiveness. Brad has experience in facilitating projects through PG&E's Savings by Design program and the US Green Building Council's LEED (*Leadership in Energy and Environmental Design*) system. He is also experienced with photovoltaics, natural daylighting, sunshading, materials and resources selection, and energy efficiency. Brad is a member of the U.S. Green Building Council, and is a LEED Accredited Professional. One of Brad's projects has received the Interstate Renewable Energy Council (IREC) 2002 Innovation Award.

Education

- Bachelor of Architecture, California Polytechnic State University, San Luis Obispo, CA
- 5th year Concentration in Green and Environmental Design
- Master of Architecture Studies, California Polytechnic State University, Bay Area Campus
- Advanced Management Institute (AMI), Project Management, Chief Operating Officers Forum
- U.S. Green Building Council, LEED Accreditation Training

Professional Registration

- California Architectural License No. C25753
- LEED Accredited Professional

Professional Affiliations

- AIA, Santa Clara Valley (AIASCV) Chapter
- Rotary Club of San José – District 5170, Club No. 116
- U.S. Green Building Council
- City of San José's Green Building Task Force
- Past Founding Chair, AIASCV Committee on the Environment
- California Library Association (CLA)
- Society of College and University Planners (SCUP)

Relevant Experience

COMMUNITY ARCHITECTURE:

- Foster City San Mateo County Library Renovation, Foster City
- Rocklin Branch Library Conversion/Renovation & Tenant Improvement, Placer County, Rocklin
- Dr. Martin Luther King, Jr. Library, City of San José/San José State University, San José - Associate Architect & Interiors
- Redwood Shores Community Library, Library Needs Assessment, Plan of Service, Program, Conceptual Design, State Grant Application, City of Redwood City
- San José Public Library Branch Branding, San José
- Tully Community Branch Library, San José
- Cambrian Branch Library, San José
- Pearl Avenue Branch Library, San José
- Educational Park Branch Library, San José
- Innovative Branch Services (IBSM) for San José Public Libraries San José Public Library – Evergreen, Calabazas, Seventrees, Biblioteca Branch Libraries, San José
- City of Sunnyvale Library of the Future Study & Strategy, Community Needs Assessment and Plan of Service, Library Building Program, Facility Scenarios and Preferred Facility Strategy, Sunnyvale
- City of Pleasant Hill & Contra Costa County Library Needs Assessment & Preliminary Site Options, City of Pleasant Hill
- Town of Los Gatos Civic Center / Library Master Plan
- City of Pacifica, Civic Center Facilities Plan, Pacifica
- Sobrato House Emergency Shelter & Drop-In Center, City Year & Transitional Living Program Housing, San José
- St. Julie's Parish Master Plan, San José
- First Congregational Church of San José Master Plan, San José
- St. Catherine Parish & School Master Plan, Morgan Hill
- St. Elizabeth Parish, New Church/Parish Hall, Milpitas
- International Brotherhood of Electrical Workers (IBEW) Meeting Hall, San José
- East Community Resource Center, San José
- San Francisco City Hall Historic Renovation, San Francisco*

EDUCATION ARCHITECTURE:

- Dr. Martin Luther King, Jr. Joint Library - Associate Architect & Interiors, City of San José/San José State University, San José
- San José State University, Clark Library Renovation, Clark Plaza, Student Services Center, Student Housing and Student Support Center, San San José
- San José State University, Alumni Center Feasibility Study, San José
- Stanford University Art Department Project Formulation, Career Development Center, Stanford
- De Anza Community College Planetarium & College Campus Center Renovation, Cupertino
- Notre Dame High School, Manley Hall/Library & Master Plan Vision, San José

- Encina Hall Renovation, Stanford
- Cowell Student Health Service Project Formulation, Stanford
- South County Catholic High School, Conceptual Master Plan, Morgan Hill
- Carden Day School, New Primary Education Facilities, San José
- Mt. Madonna Middle & High School, Watsonville

RESIDENTIAL ARCHITECTURE:

- California Polytechnic State University, Poly Canyon Village Student Housing, San Luis Obispo
- Habitat for Humanity Silicon Valley, Private Residence, San José
- Emergency Housing Consortium Interim Shelter Facilities, San José
- Sobrato House Emergency Youth Shelter & Drop-In Center, City Year & Transitional Living Program Housing, San José
- 902 Villa Mixed-Use Development, Mountain View
- East William Mixed-Use Development & TK Noodle Restaurant, San José

**Individual experience with another firm*

Pamela Anderson-Brulé, AIA
Principal/President



Pamela Anderson-Brulé is a founder and the president of Anderson Brulé Architects, Inc. The majority of her work over the last twenty-eight years has been dedicated to public architecture and the public process. She works with city and county staff, redevelopment agencies, and special interest groups in a wide variety of public/private planning and building types.

Pamela's postgraduate studies in business management have augmented her strong belief and emphasis in team building and expectation development. Her expertise is in facilitating public and private client groups through pre-project planning and community visioning, all requiring a deep understanding of the necessary steps of designing buildings with the operational needs of the facilities in mind.

She has gained recognition for her work with public agency and non-profit clientele, for preparing them in undertaking complex planning and building projects, including her principal role in the operational planning of the new San José State University Joint Library.

Professional Registration

- California Architectural License No. C23122

Education

- B.S. Architecture, California Polytechnic State University, San Luis Obispo

Post Graduate Studies

- L'Ecole des Beaux Arts, Paris, France, Master Studies in Art and Architecture
- Ecoles d'Art Americaines, Palais de Fontainebleau, France Studies included Architecture, Landscape Architecture, Fine Arts
- Certificate Courses, Harvard University/Graduate School of Design
- Advanced Management Institute, Master Studies Business Administration, 1992 – 2005

Professional Affiliations

- AIA, Santa Clara Valley Chapter (President in 2001)
- American Library Association (ALA)
- California Library Association (CLA)
- Rotary Club of San José – District 5170, Club No. 16
- Society of College and University Planners (SCUP)
- Campus Consulting Architect, San Jose State University, 2000-2005
- San José Educational Foundation, Board Member 2005-2007
- Franklin-McKinley Education Foundation, Board Member 2002-2005
- Diocese of San Jose, Building Committee, 2005-2010
- Silicon Valley Educational Foundation

Representative Experience

COMMUNITY ARCHITECTURE:

- Redwood Shores Community Library, Library Needs Assessment, Plan of Service, Program, Conceptual Design, State Grant Application, City of Redwood City
- Dr. Martin Luther King, Jr. Joint Library, The Redevelopment Agency, City of San José, San José State University, San José
- Tully Community Branch Library, San José
- Cambrian Branch Library, San José
- Pearl Avenue Branch Library, San José
- Educational Park Branch Library, San José
- Innovative Branch Services (IBSM) for San José Public Libraries
- Foster City San Mateo County Library Renovation – Foster City
- San José Public Library – Evergreen, Calabazas, Seventrees, Biblioteca Branch Libraries
- City of Virginia Beach / Tidewater Community College District, Library Feasibility Study and Strategic Operational Plan for a New Learning Resource Center, Virginia Beach, VA
- City of Sunnyvale Library of the Future Study & Strategy, Community Needs Assessment & Plan of Service, Library Building Program, Facility Scenarios & Preferred Facility Strategy, Sunnyvale

- City of Pleasant Hill & Contra Costa County Library Needs Assessment & Preliminary Site Options, City of Pleasant Hill
- Town of Los Gatos Civic Center Master Plan: Administration, Police Station, Library
- County of Santa Clara Social Services Agency, Strategic Planning/Space Programming for Facilities Relocation, San José
- First 5 of Santa Clara County, Strategic Operational Planning/Space Programming, San José
- City of Pacifica, Civic Center Facilities Plan, Pacifica
- Los Altos Streetscape Conceptual Design, Los Altos
- City of Los Altos, Community Center Master Plan, Los Altos
- City of Monte Sereno, City Hall Master Plan, Monte Sereno
- Sobrato House Emergency Shelter & Drop-In Center, City Year & Transitional Living Program Housing, San José
- City of San José Civic Center Mission Development & Strategic Operational Plan, San José
- San Ramon City Center Master Plan, Strategic Operational Plan & Space Program, San Ramon
- Seventrees / Solari Joint Facility Master Plan, Building Program and Development of Multiple Master Plans, San José

EDUCATION ARCHITECTURE:

- Stanford University Art Department Project Formulation, Career Development Center, Stanford
- Cowell Student Health Service Project Formulation, Stanford
- Encina Hall Renovation, Stanford
- San José State University Clark Hall Furniture and Equipment, Clark Plaza, Clark Library Renovation, Student Services Center, Student Housing & Support Center, Alumni Center
- Feasibility Study
- California State University, Monterey Bay Strategic Library Benchmarking, Monterey
- De Anza Community College Planetarium & College Campus Center Renovation, Cupertino
- Notre Dame High School, Manley Hall/Library & Master Plan Vision, San José
- South County Catholic High School, Conceptual Master Plan, Morgan Hill
- Mt. Madonna Middle & High School, Watsonville
- St. Catherine Parish & School Master Plan, Morgan Hill

Rietta McCain, AIA, CSI, CCCA
Project Manager



As a Project Manager at ABA, Rietta McCain utilizes her vast professional experience from the design and delivery of custom homes to large scale tenant improvements to the benefit of her clients.

With her working knowledge of the opportunities and constraints of tenant improvements, Rietta's project experience has given her the tools to understand a client's vision and the ability to help to make it a reality.

Through her experience in all phases of a project, from the start of programming through construction completion, Rietta has developed the high level of communication, coordination, and diligence required to ensure a smooth and effective project process. Her creative problem solving with clients and consultants, rigorous attention to detail, and strong relationship building skills have consistently led to successful projects.

Professional Registration

- California Architectural License No. C30328
- Arizona Architectural License No. 42159

Education

- Bachelor of Architecture, California Polytechnic State University, San Luis Obispo, Cum Laude
- Advanced Management Institute (AMI), Project Management Seminar, San Francisco, CA
- Construction Document Technologist
- Certified Construction Contract Administrator

Professional Affiliations

- AIA, Santa Clara Valley Chapter
- CSI, Santa Clara Valley Chapter, Board Member

Representative Experience

COMMUNITY ARCHITECTURE:

- Educational Park Branch Library, San José
- Foster City San Mateo County Library Renovation, Foster City
- East Palo Alto San Mateo County Library Interior Design, East Palo Alto
- Los Altos Community Center Master Plan, Los Altos
- Atherton San Mateo County Library Needs Assessment, Atherton
- Pearl Avenue Branch Library, San José
- Redwood Shores Community Library, City of Redwood City
- City of Pacifica, Civic Center Facilities Plan, Pacifica
- City of Pacifica, Library Needs Assessment, Pacifica
- City of Monte Sereno, City Hall Master Plan, Monte Sereno
- Rengstorff Park Master Plan, Mountain View
- Rocklin Branch Library Renovation, Rocklin
- Saratoga Foothill Club Accessibility Renovation, Saratoga
- California Sports Center - Race Street Location CUP, San José
- The Good Shepherd United Church of Christ Master Plan, Sahuarita, Arizona*

EDUCATION ARCHITECTURE:

- Tidewater Community College Joint Use Library, Virginia Beach
- California Polytechnic State University, Poly Canyon Village Student Housing, San Luis Obispo
- Carden Day School, San José
- Basis Charter School Addition, Tucson, Arizona*
- Hearts and Hands Campbell, Campbell

RESIDENTIAL ARCHITECTURE:

Private residences in California:

- Various sizes ranging from 6,000-12,000
- Kliman Residence (only use city when printing)
- Gani Residence, Design Development (only use city when printing)
- Moldow Residence (only use city when printing)
- Dailey Puakea Residence, Schematic Design (only use city when printing)

TENANT IMPROVEMENT:

- CyraCom, 18,922 s.f., commercial tenant improvement*
- Poly Print, 77,554 s.f., manufacturing facility tenant improvement*
- Brew and Vine, 2,600 s.f., restaurant tenant improvement*
- CBR, 81,800 s.f., laboratory/research facility tenant improvement*
- Jnippon, 4,600 s.f., restaurant tenant improvement*

COMMERCIAL ARCHITECTURE:

- The Good Egg, 4,200 s.f., restaurant shell building*
- Rita Retail, 25,200 s.f., commercial shell building*
- Mysis, 122,000 s.f., 4-story office building*
- Foothills Mall Theater, 69,687 s.f., theater renovation*

**Individual experience with another firm*

EDUCATIONAL PARK BRANCH LIBRARY
SAN JOSÉ PUBLIC LIBRARIES

Construction Progress October 2010



Educational Park Branch Library is the sixteenth branch library to be rebuilt or expanded under the Branch Library Bond Measure, approved by San José voters in November 2000. Currently located in east San José on the campus of Independence High School, this library serves as the primary information and community center for this population, as well as Independence Adult School, Academia Calmecac, and the surrounding neighborhoods. With such a large demand for services from the three educational facilities, a new 18,000 square foot facility is proposed, doubling the available seats from 50 to nearly 100, and computer access from 13 computers to over 30.

Situated next to Overfelt Gardens, a City park with a Chinese cultural garden, the new facility will be designed to not only provide for the growing community's needs, but also reflect the strong ties to the culture and heritage of the surrounding area. The project will be designed as a "green building", reaching the LEED Silver certification level for sustainable design, through the US Green Building Council. Of the sixteen branches redesigned for San José, this is Anderson Brulé Architect's fourth commission.



Pearl Avenue Branch Library is a 14,000 square foot public branch library that replaces an out-dated library previously located on the same site. The new building provides a storytelling area, children's collection, teen room, group study room, Internet Café, community living room and adult collection.

The building is sited to preserve many of the large perimeter trees opening up the library to a viewing garden. This creates a visual connection to nature that is reinforced by the interior finish patterns and colors. The desire to have a strong civic street presence and a central entry from the parking lot drove the simple yet beautiful 'butterfly' roof design. This roof form provides tall, dramatic spaces for the entry and community room while still providing a comfortably scaled room for the Family Place.

The building entry leads the customer directly into the marketplace where the new books and multi-media collections are displayed in a manner reminiscent of a favorite local book store. Floating canopies draw them into the Internet Café and out into the private reading garden. Bamboo trellises provide a gateway from the marketplace into the Family Place under a garden canopy



of leaves, flowers, vines and playful bug-shaped lights. The soaring roof line leads the user through the adult collection, to the community reading room overlooking the garden.

The project's design also incorporates the green building principles as outlined by the U.S. Green Building Council's "LEED" rating system. First, the site was designed to reduce the amount of stormwater and pollutants that enter the Bay Area water system. Low-E glazing, vertical fins, and wall and roof insulation reduce the energy use of the building. Green building materials are used throughout including wood that is Forest Stewardship Council Certified (FSC) – meaning it was grown and harvested in a responsible manner. Materials were also selected to reduce the amount of volatile organic compounds or VOC's in the building. Finally, through an extensive recycling effort, little construction waste was sent to the landfill.

This new Pearl Avenue Branch Library will better serve the needs of this community, providing facilities for lifelong learning and gathering, while supporting a more sustainable environment and strengthening the identity of the community.



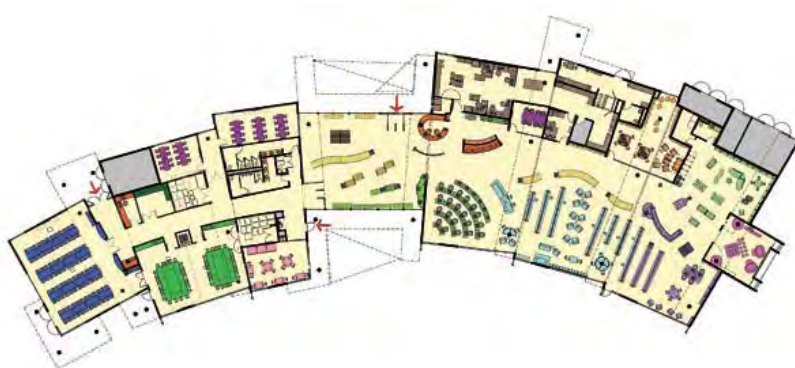


Redwood Shores Community Library serves as a distinctive gateway to Redwood Shores and a beacon to the community as a central gathering place. Located along a slough of the San Francisco Bay, the building provides an educational learning environment filled with rich resources, while protecting the natural resources that surround it. The 22,000 square foot library is sculpted to meet the water, each room open to light, while raised floors maximize views into the library and to the shores beyond. Story telling becomes both a literal and symbolic element in the form of a "lighthouse" that is prominently

featured as you enter the Shores. The Café spills out onto a "deck" which becomes the boardwalk. The Interpretive Center evolved as an essential educational component of the library, enabling the community to observe and learn about the natural habitat that surrounds them.

Through an extensive community process, ABA worked with a Core Team, Community Advisory Committee, City Staff and the General Community to develop the Conceptual Design and State Grant Application for the Redwood City Branch Library in Redwood Shores.

The Community Library Needs Assessment and Plan of Service outline the needs of the community, and the Building Program and Conceptual Design specifically addresses those needs. In addition, the site and building were designed in collaboration with the community to meet and exceed the requirements for a LEED Certified green building.





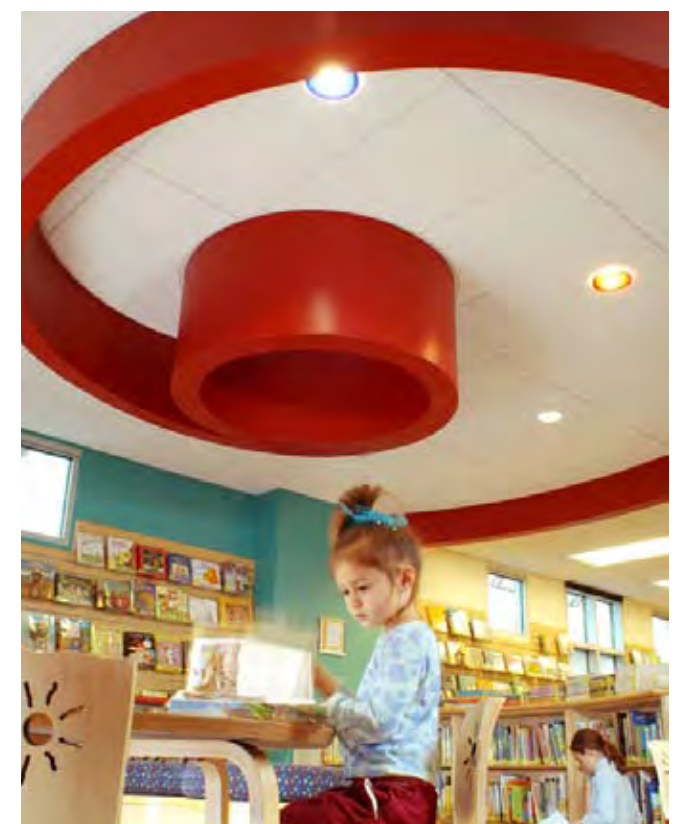
The greatest challenges of this library became its strongest design concepts. The extremely long, narrow, and curved site limited parking and circulation, and solar orientation was suboptimal. The site is located on a busy suburban street marked by large 'big box' retail, over-scaled signage, and a sea of parking. A strong civic presence was essential within this commercial and residential transitional zone. The final design solution utilized a glass and metal façade which follows the curve of the street with fins spreading like the pages of a book. The entrances, as bookends, anchor the building onto the site. And curves repeated throughout the building create movement leading the user to places of discovery.

New books and multimedia collections are enticingly displayed in the first floor marketplace. From here, the children's area and Internet Café are easily visible, drawing the user up the curved stair to the second floor collection. The living room, located at the opposite end from the children's area, provides a quiet sanctuary for reading in front of the fireplace. This building will better serve the needs of the

community, providing facilities for lifelong learning, a more sustainable environment, and an identity.

The design also incorporates LEED principles such as stormwater filtration and separators, low-e glazing, an Energy Star cool roof, sun-shading devices combined with ceramic fritting on the west-facing windows to further reduce HVAC loads, recycled building content, and materials with low volatile organic compounds. Additionally, over 90% of the construction and demolition waste was recycled and diverted from landfills.

Constructed on time and delivered at 3% below the \$9.8 M construction budget, the twelve-month design duration was 30% shorter than other projects within the program. The superior level of integrated architectural and interior details and inclusion of the public art in the stair was incredibly challenging, but provides an amazing community asset that all enjoy.



ROCKLIN BRANCH LIBRARY



Floor Plan 1st Floor



Floor Plan 2nd Floor

Rocklin Branch Library, part of the Placer County Library System, is a two-story 16,600 square foot library designed as a tenant improvement within an existing shell office building. The new facility will replace the existing 7,000 square foot library, which currently serves the community. The project includes structural upgrades to support the weight of library stacks and provide an interesting and open plan that creates the

“wow!” space that the client and community desired. Amenities include expanded Children’s, Teen and Adult reading spaces, expanded technology stations, seating areas and flexible-use meetings rooms for library programs and community activities.

The design features railcar themed reading nooks, and a two-story elliptical “roundhouse”, preserving

the views to the adjacent quarry lake, and tying together the exterior and interior into a design which reflects the rich history of Rocklin’s mining and railway past. Sustainable design features include re-use of shelving acquired by Placer County, high-efficiency HVAC and lighting systems, as well as adaptive re-use of an existing building.

FOSTER CITY LIBRARY RENOVATION SAN MATEO COUNTY LIBRARY



Maintaining relevance with the changing face of library service delivery, and upon its 10th anniversary, the Foster City Library was due for some interior updating to accommodate more technology and align to current user needs. ABA led a broad range of stakeholders, including the client, library staff, county staff, city council members, friends of the library, and library users in a series of workshops to collaboratively develop the program and vision for renovation and reconfiguration of the library.



ABA continued to work with a core team of library and county staff to revise and refine the adjacencies and space plan for the library reconfiguration. This collaborative process ultimately led to a plan which was presented to the City Council for approval. The plan accommodated an extensive program to create a dynamic new look for the busy library branch. Commensurate with the financial struggles of 2008 and 2009, the City Council chose to defer the holistic renovation of the branch, electing instead to move forward with selected items from the design. Working with the core team, ABA developed a strategy for phased implementation of design elements to align with both City and County goals for the facility.



The last phase of work on this project finalized the space plan for alignment with the Library's new service concepts and other project goals, including self-check, marketplace concepts and a reinvigorated Children's Place. Through a series of meetings with key stakeholders, the team selected interior concepts, materials and furniture to provide a complete rejuvenation for the facility. Coordination of the Library's new RFID automated sorting machines was also an important feature to this project. Working within a framework of phased implementation, the team developed options, alternates and special features to allow the Library flexibly in installing various parts of the renovation as funds are available. A deep understanding of the existing facility's functionality, key elements and furniture was critical for establishing a successful project with phased implementation.



The City of San José's new Tully Branch Library is a 25,000 square foot public branch library which features extensive children, adult and young-adult collections.

Additional program spaces include a computer lab, a community living room, an Internet Café, study rooms, storytelling space, homework center and a copy center.

The library was designed in conjunction with a neighborhood sports and recreation facility including a senior baseball field, two little league and two tee ball fields

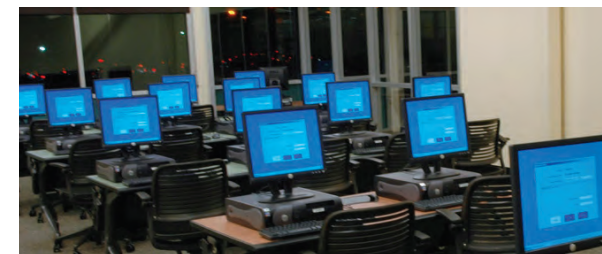
on approximately 19 acres in central San José. The site is bounded by Coyote River, a major creek running through San Jose.

In addition to the sports facility, Furniture, Fixtures and Equipment (FF&E) and a Public Art component will be incorporated into the project.

The library will be a green building, as identified by the U.S. Green Building Council's "LEED" rating system. Appropriate siting, water efficiency, energy efficiency, green materials and indoor environmental

quality are key elements to the design which features natural daylighting and clean building materials integration.

The overall project is a collaborative effort between the city's Department of Public Works and the city's Public Library System and Anderson Brulé Architects, with funding from the recently passed "City of San José Library Bond Act Library Bond Act".



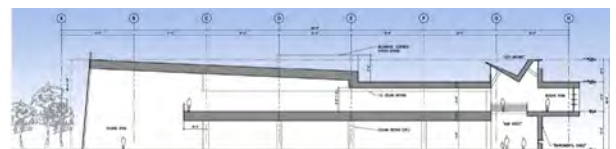
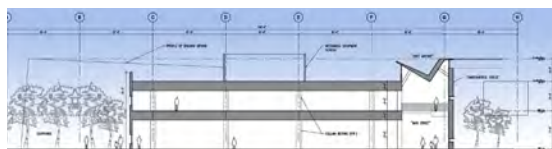
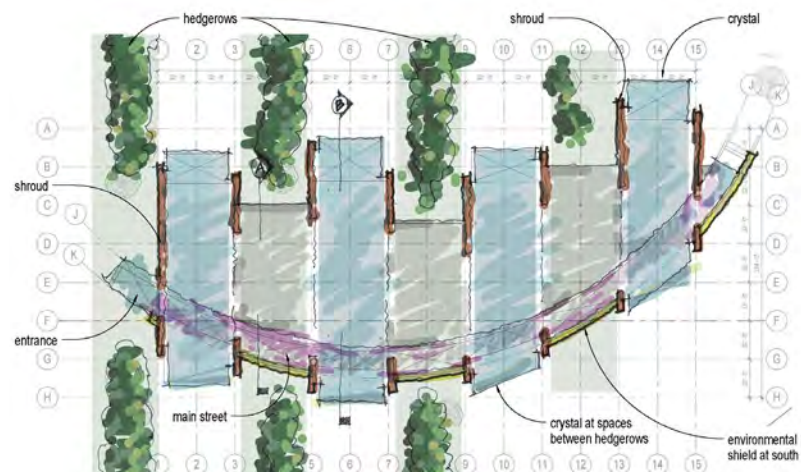
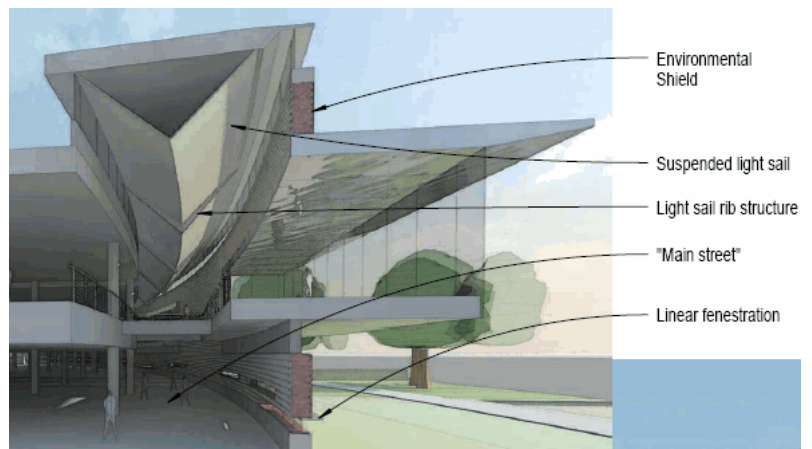
VIRGINIA BEACH JOINT-USE LIBRARY

City of Virginia Beach & Tidewater Community College
VIRGINIA BEACH, VA

The City of Virginia Beach and Tidewater Community College (TCC) were each planning to build new facilities across the street from each other. In 2005, the City of Virginia Beach engaged Anderson Brulé Architects to create a Feasibility Analysis to explore the viability of a joint-use facility. The outcome of this study was the confirmation of the value of the project as well as the identification and exploration of issues associated with the design and operations of this new type of library facility. Following the Feasibility Analysis, ABA began work on the Strategic Operational Plan. The purpose of this plan was to create an holistic understanding of library service needs through research and data analysis, as well as an inclusive staff, stakeholder and community outreach process that reflects the diversity of the partner organizations and the communities they serve.

The project explored innovative and creative strategies for service responses and conceptual joint-library solutions that will enable the partners to realize their vision, goals, and strategic objectives. The Strategic Operational Plan positioned TCC and the City of Virginia Beach to begin the design and construction effort. With funding in place, Anderson Brulé Architects guided TCC and the City of Virginia Beach through the pre-planning work necessary to provide the appropriate decisions and information essential to inform the architectural design including the conceptual space program for the facility.

AS of February 2009, architectural firms Carrier Johnson and RRMM Architects have joined Anderson Brulé Architects in leading the LLRC Program through design and construction. Schematic design is scheduled to be completed in May 2009. The facility is scheduled to open in 2011.



DR. MARTIN LUTHER KING JR. LIBRARY SAN JOSÉ, CA

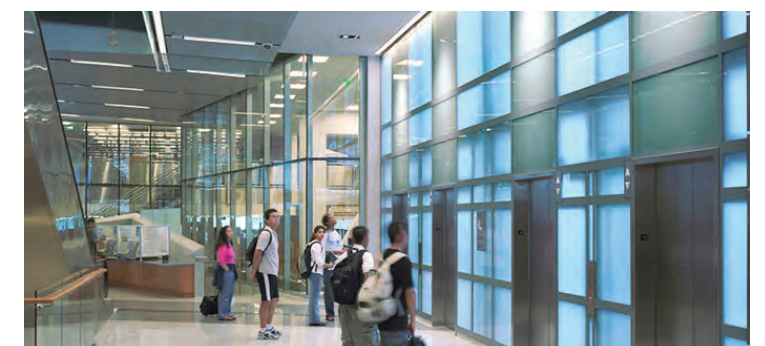
ANDERSON BRULÉ ARCHITECTS



This is a first-of-its-kind model that combines library services for a city and university system. ABA was selected as prime architect to prepare, facilitate and document the development of a Library Plan through its feasibility analysis of organizational structure, fiscal and operational issues. After more than 150 meetings with library staff, ABA developed a Strategic Operational Plan that focuses on seamless service delivery and integration of the two libraries.

ABA served as the associate architect in collaboration with Gunnar Birkerts and Carrier Johnson for this 474,500 square-foot library. ABA, worked closely with the prime architect, provided design details, specifications, budget reconciliation, and operational planning for the nine floors and mezzanine. The Joint Library project opened in August 2003.

This building houses the academic collections and programs of the San José State University Library, as well as the collections and programs of the Martin Luther King Main Library of the City of San José. The facility is an innovative means to maximize



resources through partnering. The goal of the facility is to provide enhanced services to all user groups, and has been designed with various and complementary community and student specific program spaces, including the SJSU Special Collections, the Main Library's California Room, The Steinbeck Center, and the Beethoven Center.



The 22,000SF Mayfair Community Center is surrounded by an eight-acre park that is bordered by residential developments to the north and west, Kammerer Avenue to the south, and Lower Silver Creek to the east. The landscape has been awarded the Leadership in Energy and Environmental Design (LEED®) certification for environmental sensitivity and sustainability.



Mayfair Community Center met standards for LEED® in many aspects of the project. Existing trees were preserved and additional native trees were planted. Xeriscaping principles were followed, and colorful and attractive, drought-tolerant plants were used for water conservation, including a succulent garden at the entry plaza that harmonizes with the mission-style architecture. Sensitive riparian areas were maximized and native trees were added for stormwater mitigation. Renovated park areas with shaded ADA compliant play equipment and renewed picnic areas, along with improved lighting throughout the park, have increased usability, site safety, and visibility.





Item #: 5.F.

CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 10, 2011

FROM: CITY MANAGER'S DEPARTMENT

DATE: MARCH 2, 2011

SUBJECT: ADOPT RESOLUTION AMENDING 2010-11 BUDGET BY \$2,586,270 FOR SPECIFIED PROGRAM AND PROJECT EXPENDITURES APPROVED IN THE 2011 CITY-RDA COOPERATION AGREEMENT AND \$2,586,270 IN ASSOCIATED REVENUE

Recommended Action: By motion and roll call vote, adopt the proposed Resolution Amending the FY2010-11 budget by \$2,586,270 for specified program and project expenditures approved in the 2011 City-RDA Cooperation Agreement and \$2,586,270 in associated revenue, which was approved by the Redevelopment Agency Board of Directors and the City Council on February 24, 2011.

BACKGROUND

On February 24, 2011, the City Council and Redevelopment Agency Board of Directors approved the 2011 City-RDA Cooperation Agreement that provided for the City to "design and cause the construction and installation of and carry out the Projects" of the Redevelopment Agency including those identified specifically in Exhibit A of the Cooperation Agreement and summarized here in Exhibit 2. The Redevelopment Agency appropriated funds for these projects.

DISCUSSION

Approval is requested for a budget amendment of \$2,400,000 in the Capital Improvement Fund revenue and a matching amendment to expenditures, and a \$186,270 budget amendment to General Plan revenue and matching amendment to expenditures to continue moving forward with five of these projects. The \$2.4 million capital improvement funding provides \$1.0 million for Rispin repairs, maintenance, and stabilization, \$550,000 for the Capitola Branch Library environmental impact reports, architectural plans and special studies, \$550,000 for Clares Street and 41st Avenue overlay as presented in the 2009-2014 Implementation Plan, and \$300,000 for Clares Street and Wharf Road traffic calming project.

FISCAL IMPACT

As presented in the Background section, funding for this project was appropriated and approved through the adoption of the February 24, 2011 Cooperation Agreement. Approval of the attached resolution amends the 2010-11 Budget to include the application of appropriated funds to five of the approved projects. Resulting Capital Improvement Fund budget will increase by \$2,400,000 for both revenue and expenditures and resulting General Plan budget will increase by \$186,270 for both revenue and expenditures.

ATTACHMENTS

1. Draft resolution
2. Summary of approved programs and projects

Report Prepared By: Lonnie Wagner
Accountant II

Reviewed and Forwarded
By City Manager: _____

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
AMENDING THE FY2010/11 BUDGET BY \$2,586,270 FOR SPECIFIED PROGRAM AND
PROJECT EXPENDITURES APPROVED IN THE 2011 CITY-RDA COOPERATION
AGREEMENT AND \$2,586,270 IN ASSOCIATED REVENUE**

WHEREAS, on February 24, 2011, the City of Capitola City Council and the City of Capitola Redevelopment Agency approved a Cooperation Agreement between the City of Capitola and the City of Capitola Redevelopment Agency Board of Directors in support of specified programs and projects; and

WHEREAS, the City of Capitola Redevelopment Agency appropriated all funds necessary and available for implementation of the Agreement; and

WHEREAS, certain of the identified programs and projects are continuing to move forward.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola that the FY2010/11 budget be amended as follows:

Capital Improvement Fund

- Increase revenue by \$2,400,000
- Increase expenditures by \$2,400,000

General Plan Update and Maintenance Fund

- Increase revenue by \$186,270
- Increase expenditures by \$186,270

BE IT FURTHER RESOLVED that the Finance Director is directed to record these changes into the City's accounting records in accordance with appropriate accounting practices.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 10th day of March, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dennis R. Norton, Mayor

ATTEST:

_____, MMC
Pamela Greeninger, City Clerk

Contract with	Amount	Notes
Debt	\$ 7,397,729	
1 Santa Cruz County	\$ 2,490,000	Capitola Library Construction Contract
2 City of Capitola	\$ 2,467,655	Rispin Land Purchase Cooperative Agreement
3 Chase NYC	\$ 1,178,100	Tax Allocation Note
4 City of Capitola	\$ 1,129,923	1997-2001 Pass Through Cooperative Agreement Loan
5 Santa Cruz County	\$ 91,820	Yrs 1-20 Pass Through Loan - Library
6 Santa Cruz County	\$ 40,231	Yrs 1-20 Pass Through Loan - Special Districts
Pass-through agreements	\$ 13,595,207	
7 Santa Cruz County	\$ 7,014,220	Pass Through Agreement
8 Central Fire Protection District	\$ 3,970,100	Pass Through Agreement
9 Library District	\$ 763,100	Pass Through Agreement
10 Special Districts	\$ 335,100	Pass Through Agreement
11 State of California/Santa Cruz County	\$ 289,232	Supplemental Educational Relief Augmentation Fund(SERAF) 2008-09, 2010-11
12 City of Capitola	\$ 1,223,455	Pass Through Agreement
Capital projects	\$ 3,154,589	
13 Rispin	\$ 1,000,000	Rispin Rehabilitation
14 Clares & Wharf Traffic Calming	\$ 300,000	RDPs Received
15 Misc Capitol Projects	\$ 107,100	CIP In ProjectArea
16 Clares & 41st Overlay	\$ 550,000	2009-2014 Implementation Plan
17 Library Site Improvements	\$ 900,000	Site Improvements & FF&E
18 Clares//Wharf Road Improvements, Library Parking	\$ 297,489	Additional Library Funding for Clares/Wharf Road Improvements and Library Parking, Property Acquisition
Project planning	\$ 736,270	
19 Library	\$ 550,000	EIR, Architechtrual Plans, Special Studies
20 General Plan Update	\$ 186,270	RDA Contribution to General Plan Update
Operating administration	\$ 761,042	
20 Audit and Attorney fees	\$ 378,141	2010-11 Budget
21 Contract Services fees	\$ 334,901	2010-11 Budget
22 RDA Board	\$ 48,000	2010-11 Budget
Affordable housing	\$ 6,439,300	
23 Administrative	\$ 2,371,100	Implementation Plan, RDA cashflow budget
24 Professional services	\$ 560,000	Implementation Plan, RDA cashflow budget
25 Ongoing programs	\$ 2,100,000	Implementation Plan, RDA cashflow budget
26 Other projects and loans	\$ 600,000	Implementation Plan, RDA cashflow budget
27 Affordable Housing Acquistiion	\$ 808,200	Implementation Plan, RDA cashflow budget
Total project/program	\$ 32,084,137	