



AGENDA COVER
Regular Joint Meeting of the
**CAPITOLA CITY COUNCIL/
REDEVELOPMENT AGENCY**
MEETING DATE: THURSDAY, MARCH 24, 2011

CITY COUNCIL CHAMBERS: 420 CAPITOLA AVENUE, CAPITOLA

CLOSED SESSION

6:00 P.M.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY REGULAR MEETING

7:00 P.M.

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 24, 2011

6:00 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 * * ***

Presentation of Capitola Green Building Award to
Thomas Jones and Ginger Fortier
for building their home located at 303 Younger Avenue
pursuant to the City's Green Building Program
with a total of 74 Points

Presentation by Rita Flores, Assistant Agency Director
of the Family Service Agency of the Central Coast

Presentation by the Capitola Police Department
regarding Code Enforcement Projects by
Sergeant Mark Gonzalez and Community Service Officer Chad Keane

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.

2. ORAL COMMUNICATIONS - Continued

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.

F. Approval of Check Register Reports

- 1) City: Approval of City Check Register Reports dated March 4 and March 11, 2011
- 2) RDA: Approval of Redevelopment Agency Check Register Report dated March 4, 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 24, 2011, the Minutes of the Special Closed Session Meeting of the City Council of March 4, 2011, and the Minutes of the Special Joint Meeting of the City Council/Redevelopment Agency of March 8, 2011.
- C. City: Receive City Treasurer's Report for the month ended February 28, 2011 (Unaudited).
- D. Approve request from the Capitola Begonia Festival Committee for a Special Event Permit including Encroachment Permit, Entertainment Permit, Public Address System Permit, and Sign Permit to hang a banner for the 59th Annual Capitola Begonia Festival to be held from Friday, September 2 through Monday, September 5, 2011; authorize the Capitola Police Department to issue permits; and provide a City Grant to the Begonia Festival Committee in the amount of \$6,533.

3. CONSENT CALENDAR - Continued

- E. Accept update report on the Rispin Property Hazard Abatement Project and, by 4/5 vote approval, make the determination that all hazards at the Rispin Property have not been eliminated and there is need to continue action.

4. PUBLIC HEARINGS – None**5. OTHER BUSINESS**

- A. Capitola Village Parking Structure Planning Project and Traffic Impact Analysis. Staff recommendation: receive and accept reports from Watry Design, Inc., and RBF Consulting, and direct staff to develop a financing plan for the project and allocate funds as available in the FY 2011/2012 Budget.
- B. Lease of City Property located at 504 Beulah Avenue to Tiki Cab LLC for storage of Pedi-Cabs during the months of May through September. Staff recommendation: approve lease agreement.
- C. Adopt Ordinance Adding Subsection D. to Section 2.18.120 of the Capitola Municipal Code pertaining to Mobile Home Park Rent Stabilization [2nd Reading]. *(NOTE: Contingent upon City Council action at the Special Meeting to be held on March 18, 2011.)*

AT THIS POINT, ITEMS REMOVED FROM CONSENT CALENDAR WILL BE CONSIDERED

6. COUNCIL/RDA DIRECTOR/STAFF COMMUNICATIONS**7. ADJOURNMENT**

Adjourn to a Special Meeting of the City Council to be held on, Wednesday, March 30, 2011, at 6:00 p.m., pertaining to Castle Mobile Home Estates, in the City Hall Council Chambers, and then to the next Regular Joint Meeting of the City Council/Redevelopment Agency to be on Thursday, April 14, 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

THOMAS JONES & GINGER FORTIER

for their efforts toward building a better environment for the citizens of Capitola by constructing their home located at 303 Younger Avenue ~ 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 74 points.

The Mayor and City Council of the City of Capitola are proud to present the City's Green Building Award to
Thomas Jones and Ginger Fortier
 on this 24th day of March, 2011.



Dennis R. Norton, Mayor

Mark Wheeler, Building Official



CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 24, 2011

FROM: FINANCE DEPARTMENT
 DATE: March 16, 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 March 4 and March 11, 2011.

DISCUSSION

The attached Check Registers for:

Date	Starting Check #	Ending Check #	Total Checks	Amount
3/4/11	65654	65703	50	\$85,971.19
3/11/11	65704	65756	53	\$106,555.83
3/11/11 Payroll				\$182,097.49
Total				\$374,624.51

The check register of 2/25/11 ended with check #65653.

Wires issued, and a brief description of the expenditure:

Date	Issued to:	Dept.	Purpose	Amount
3/15/11	PERS Payment	CM	CALPERS - Payroll Contr. for 3/11/11 payroll	\$44,123.25

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
65656	Atchison, Barisone & Condotti	CM	Jan 2011 Addtl Legal Services	\$18,197.69
65683	Pacific Gas & Electric	PW	Monthly Electric, all sites	\$12,053.79
65695	Soquel Creek Water District	PW	5/8" water meter, Capitola Rd, CIP funded	\$14,982.00
65713	Design, Community & Environment	CDD	General Plan Update, Fund 1313	\$28,762.47
65716	Endeman, Lincoln, Turek & Heater	CM	Jan Rent Control Legal Fees	\$27,447.25

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 3/16/11 the total cash available is \$4,415,740. The General Operating Fund has a cash balance of \$465,703. 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 \$141,990. The Capital Improvement Projects has a positive cash balance of \$2,974,765. 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 \$4,415,740.

The following table shows the funds that are consolidated:

CASH POSITION - CITY OF CAPITOLA 3/16/11

	<u>Net Balance</u>
General Fund	465,703
Worker's Comp. Ins. Fund	9,259
Self Insurance Liability Fund	221,077
Stores Fund	16,181
Information Technology Fund	151,211
Equipment Replacement	282,538
Compensated Absences Fund	141,990
Contingency Reserve Fund	-
Public Employee Retirement - PERS	152,760
Open Space Fund	256
Capital Improvement Projects	2,974,765
TOTAL GENERAL FUND & COUNCIL DESIGNATED FUNDS	<u>4,415,740</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 March 4 and March 11, 2011.

**Report Prepared By: Linda Benko
AP Clerk**

**Reviewed and Forwarded
by City Manager:**

Checks dated 3/4/11 numbered 65654 to 65703 for a total of \$85,971.19 have been reviewed and authorized for distribution by the City Manager and City Treasurer.

As of 3/4/11 the unaudited cash balance is \$4,533,658

CASH POSITION - CITY OF CAPITOLA 3/4/11

	<u>Temporary Loans</u>	<u>Net Balance</u>
General Fund		650,498
Worker's Comp. Ins. Fund		9,259
Self Insurance Liability Fund		221,077
Stores Fund		16,428
Information Technology Fund		151,276
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		2,975,356
TOTAL GENERAL FUND & COUNCIL DESIGNATED FUNDS		<u><u>4,533,658</u></u>

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 Jamie Goldstein, City Manager

3/4/11

 Date



 Jacques J.J. Bertrand, City Treasurer

3 4 . 11

 Date

City of Capitola
City Checks Issued 3/4/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65654	02/28/2011 Invoice GP Mar2011	Open	Date 02/28/2011	Description General Plan Update Postcard Mailing, Pe Fund 1313, General Plan Update	UNITED STATES POSTAL SERVICE	\$1,513.78
65655	03/04/2011 Invoice 482	Open	Date 12/16/2010	Description CPR Class	ABOVE BAR CPR	\$300.00
65656	03/04/2011 Invoice 1040E-Jan2011	Open	Date 01/31/2011	Description Legal Services, Jan 2011	ATCHISON, BARISONE, & CONDOTTI	\$18,197.69
65657	03/04/2011 Invoice 37117 37092	Open	Date 02/23/2011 02/23/2011	Description PacCove MHPmeter reading Wharf Feb 2011 meter reading (fund 1311)	AUTOMATED TEST ASSOCIATES	\$92.00
65658	03/04/2011 Invoice 2212011	Open	Date 02/21/2011	Description Roof repair, Jade Street Comm Ctr	BARBIC ROOFING-MATT ROSSO	\$180.00
65659	03/04/2011 Invoice 339	Open	Date 02/24/2011	Description Polygraph Test, New Hire, PD	BAY AREA POLYGRAPH	\$200.00
65660	03/04/2011 Invoice S1217753.001	Open	Date 02/03/2011	Description Shower stall, Corp Yard	BAY PLUMBING SUPPLY INC.	\$487.67
65661	03/04/2011 Invoice 2011-00000533	Open	Date 03/02/2011	Description Private Lessons ES	BRESLIN-KESSLER, PAUL	\$547.50
65662	03/04/2011 Invoice 1453	Open	Date 02/09/2011	Description Banners announcing general plan events Fund 1313, General Plan Update	CADILLAC DESIGNS	\$1,333.84
65663	03/04/2011 Invoice CLEA-Mar2011	Open	Date 02/18/2011	Description Long Term Disability, Mar 2011, PD	CALIFORNIA LAW ENFORCEMENT AS	\$390.00
65664	03/04/2011 Invoice 105	Open	Date 01/20/2011	Description Special Events Promotion, 2011-BIA Fund Fund 1321, BIA	CAPITOLA-SOQUEL CHAMBER OF CO	\$3,000.00
65665	03/04/2011 Invoice 8765534	Open	Date 02/20/2011	Description Copier Lease Payment, 2/15 - 3/14/11 Fund 2210, Stores	DE LAGE LANDEN FINANCIAL SERVIC	\$337.16

City of Capitola
City Checks Issued 3/4/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65666	03/04/2011	Open			DEVCO OIL INC.	\$2,276.39
	Invoice		Date	Description		Amount
	70871		02/10/2011	75 Gal Diesel		\$270.88
	70870		02/10/2011	562 Gal Gas		\$2,005.51
65667	03/04/2011	Open			ET Water Systems Inc.	\$199.00
	Invoice		Date	Description		Amount
	14787		02/08/2011	Irrigation Controller Service, 1 Yr Service		\$199.00
65668	03/04/2011	Open			EWING IRRIGATION	\$32.44
	Invoice		Date	Description		Amount
	2807003		02/04/2011	Carson lid		\$4.07
	2824567		02/10/2011	Rake		\$28.37
65669	03/04/2011	Open			EXTRA SPACE STORAGE OF SC INC -	\$262.00
	Invoice		Date	Description		Amount
	B-120Mar2011		02/28/2011	Evidence storage March 2011		\$262.00
65670	03/04/2011	Open			FEDERAL EXPRESS	\$330.38
	Invoice		Date	Description		Amount
	7-399-90565		02/28/2011	Shipping, all departments		\$330.38
65671	03/04/2011	Open			FIRST ALARM	\$195.00
	Invoice		Date	Description		Amount
	423004		02/20/2011	Community Center alarm, Mar-May2011		\$195.00
65672	03/04/2011	Open			HARRIS & ASSOCIATES	\$2,128.38
	Invoice		Date	Description		Amount
	12836		02/11/2011	Capitola Road Traffic Calming Improvement Fund 1200, CIP		\$2,128.38
65673	03/04/2011	Open			HOWELLS, NANCY	\$105.30
	Invoice		Date	Description		Amount
	2011-00000531		03/01/2011	Winter Last Payment 2011		\$105.30
65674	03/04/2011	Open			INTERSTATE BATTERY SYSTEM OF S	\$174.69
	Invoice		Date	Description		Amount
	50217764		02/03/2011	Auto Parts		\$174.69
65675	03/04/2011	Open			INTERWEST CONSULTING GROUP INC	\$3,640.98
	Invoice		Date	Description		Amount
	10363		01/03/2011	Building Plan Check 1911 42nd Ave/Pears		\$3,640.98
65676	03/04/2011	Open			LABOR READY SOUTHWEST INC.	\$764.42
	Invoice		Date	Description		Amount
	53431559		02/11/2011	FY 10/11 Temporary Staff-2		\$764.42
65677	03/04/2011	Open			MID-COUNTY AUTO SUPPLY	\$192.51
	Invoice		Date	Description		Amount
	251739		02/08/2011	Auto Parts, John Deere Loader		\$99.32
	251840		02/09/2011	Auto Parts, PW Equip & Vehicles		\$65.50
	252156		02/11/2011	Auto Parts, Sweeper (Fund 1310, Gas Tax		\$5.09
	252301		02/14/2011	Polish (Fund 1311, Wharf)		\$22.60

City of Capitola
City Checks Issued 3/4/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65678	03/04/2011	Open			MID-STATE INVESTIGATIONS, INC.	\$1,942.45
	Invoice		Date	Description		Amount
	2837		01/12/2011	Background Investigations, New Hires, PD		\$1,942.45
65679	03/04/2011	Open			MILLER'S TRANSFER & STORAGE CO	\$181.70
	Invoice		Date	Description		Amount
	81715		02/06/2011	Records Mgmt: Feb11 Storage, Jan11 Har		\$181.70
65680	03/04/2011	Open			NATIONAL CRIME PREVENTION COUN	\$174.04
	Invoice		Date	Description		Amount
	134362		02/07/2011	Police officer color books		\$174.04
65681	03/04/2011	Open			OCEAN HONDA	\$10.79
	Invoice		Date	Description		Amount
	540548		02/15/2011	Wiper Blades, Bldg Honda		\$10.79
65682	03/04/2011	Open			ORCHARD SUPPLY HARDWARE	\$117.22
	Invoice		Date	Description		Amount
	6015-2133259		02/15/2011	Auto Parts-PD Radar Trailer		\$21.83
	6012-7824821		02/08/2011	Pruners		\$48.04
	6015-3520135		02/09/2011	Drinking fountain		\$19.20
	6013-8312007		02/14/2011	Batteries		\$24.01
	6011-1212239		02/15/2011	Misc.		\$4.14
65683	03/04/2011	Open			PACIFIC GAS & ELECTRIC	\$12,053.79
	Invoice		Date	Description		Amount
	Jan-Feb11		02/15/2011	Monthly Elec		\$12,053.79
				Fund 1300, SLESF=\$162.26		
				Fund 1310, Gas Tax=\$6265.72		
				Fund 1311, Wharf=\$1512.52		
65684	03/04/2011	Open			PACIFIC GAS & ELECTRIC	\$581.01
	Invoice		Date	Description		Amount
	Jan-Feb MHP		02/15/2011	Pac Cove MHP Elec and Gas		\$581.01
65685	03/04/2011	Open			PALACE ART & OFFICE SUPPLIES	\$699.23
	Invoice		Date	Description		Amount
	891829		02/16/2011	Office Supplies		\$61.75
	892024		02/17/2011	Break Room Supplies		\$13.70
	892109		02/21/2011	Office supplies (Func 2210, Stores)		\$160.23
	892083		02/18/2011	Paper-PD		\$46.87
	8592534		02/16/2011	Cardstock-Rec		\$21.83
	892277		02/21/2011	Office Supplies, City Hall		\$3.21
	892276		02/21/2011	Paper, City Hall (Fund 2210, Stores)		\$234.34
	892210-1		02/21/2011	Envelopes, Clty Hall		\$25.72
	892210		02/21/2011	Office Supplies, City Hall		\$283.03
	892210-2		02/22/2011	Office Supplies-City Hall		\$44.13
	C892219		02/23/2011	Return Office Supplies, Clty Hall		(\$283.03)
	C892219-1		02/23/2011	Return Office Supplies		(\$25.72)
	892331		02/22/2011	Office supplies		\$113.17

City of Capitola
City Checks Issued 3/4/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65686	03/04/2011	Open			PITNEY BOWES INC.	\$2,019.99
	Invoice		Date	Description		Amount
	20110121		01/21/2011	Acct 13879911, Jan 21 2011 Postage Refi Fund 2210, Stores		\$2,019.99
65687	03/04/2011	Open			ProBUILD COMPANY LLC	\$94.15
	Invoice		Date	Description		Amount
	5492249		02/14/2011	Shower valve		\$94.15
65688	03/04/2011	Open			RED SHIFT INTERNET SERVICES	\$49.94
	Invoice		Date	Description		Amount
	1426717		02/01/2011	Feb 2011 Internet Acces Fund 2211, IT		\$49.94
65689	03/04/2011	Open			ROSS RECREATION EQUIP CO INC.	\$2,185.46
	Invoice		Date	Description		Amount
	89393		02/04/2011	Drinking Fountain		\$2,185.46
65690	03/04/2011	Open			SALDANA, LISA	\$121.23
	Invoice		Date	Description		Amount
	2011-0225		02/28/2011	CSMFO Conference, San Francisco		\$121.23
65691	03/04/2011	Open			SANTA CRUZ COUNTY CLERK-ELECT	\$9,800.21
	Invoice		Date	Description		Amount
	10-022		02/07/2011	Nov Election Administration Fees		\$9,800.21
65692	03/04/2011	Open			SANTA CRUZ COUNTY DEPT OF PUBL	\$25.00
	Invoice		Date	Description		Amount
	03-00815857		02/15/2011	CPD records Disposal		\$25.00
65693	03/04/2011	Open			SLOMA, CLIFF	\$600.00
	Invoice		Date	Description		Amount
	Educ2-20-11		02/28/2011	Education Reimbursement		\$600.00
65694	03/04/2011	Open			SMITH, BRET	\$1,250.00
	Invoice		Date	Description		Amount
	1132011		02/23/2011	Shower repair, Corp Yard		\$1,250.00
65695	03/04/2011	Open			SOQUEL CREEK WATER DISTRICT	\$14,982.00
	Invoice		Date	Description		Amount
	22511		02/25/2011	5/8-inch water meter + installation-Capitol Fund 1200, CIP		\$14,982.00
65696	03/04/2011	Open			TARGET SPECIALTY PRODUCTS	\$975.82
	Invoice		Date	Description		Amount
	1357032		02/09/2011	Fertilizer		\$975.82
65697	03/04/2011	Open			ZUMAR INDUSTRIES INC.	\$377.28
	Invoice		Date	Description		Amount
	0128213		02/08/2011	Street name signs		\$377.28
65698	03/04/2011	Open			Capitola Mall/Service Management Syste	\$500.00
	Invoice		Date	Description		Amount
	2011-00000526		02/24/2011	Tree Deposit Refund #10-089		\$500.00

City of Capitola
City Checks Issued 3/4/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount	
65699	03/04/2011	Open			Hayward Rubber Stamp	\$87.45	
	Invoice		Date	Description		Amount	
	5204646		02/24/2011	Engineering Stamp/Ink		\$87.45	
65700	03/04/2011	Open			Honig, Reina	\$75.00	
	Invoice		Date	Description		Amount	
	2000773-002		03/01/2011	Class refund		\$75.00	
65701	03/04/2011	Open			Preston, Linda	\$72.90	
	Invoice		Date	Description		Amount	
	2000787-002		03/01/2011	Class refund		\$72.90	
65702	03/04/2011	Open			Tartaglino, Genevieve	\$68.40	
	Invoice		Date	Description		Amount	
	2000779-002		03/01/2011	Class refund		\$68.40	
65703	03/04/2011	Open			Welch, Coni	\$45.00	
	Invoice		Date	Description		Amount	
	2000766-002		03/01/2011	Class refund		\$45.00	
Check Totals:				Count	50	Total	\$85,971.19

Checks dated 3/11/11 numbered 65704 to 65756 for a total of \$106,555.83 have been reviewed and authorized for distribution by the City Manager and City Treasurer.

As of 3/11/11 the unaudited cash balance is \$4,514,226

CASH POSITION - CITY OF CAPITOLA 3/11/11

	Temporary <u>Loans</u>	<u>Net Balance</u>
General Fund		508,255
Worker's Comp. Ins. Fund		9,259
Self Insurance Liability Fund		221,077
Stores Fund		16,181
Information Technology Fund		151,211
Equipment Replacement		332,538
Compensated Absences Fund		141,990
Contingency Reserve Fund		-
Public Employee Retirement - PERS		158,695
Open Space Fund		256
Capital Improvement Projects		2,974,765
TOTAL GENERAL FUND & COUNCIL DESIGNATED FUNDS		<u><u>4,514,226</u></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

3/11/11

 Date



 Jacques J.J. Bertrand, City Treasurer

3.11.11

 Date

City of Capitola
City Checks Issued

03/11/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65704	03/11/2011 Renter	Open		Space 57, Pac Cove MHP No Longer Subj to Rent Control	JOAN HOUSTON Transaction Type Refund, Admin Fee	\$240.00
65705	03/09/2011 Invoice 3742	Open	Date 02/15/2011	Description Sweeper Brooms-Fund 1310, Gas Tax	ACME ROTARY BROOM SERVICE	\$1,069.39
65706	03/09/2011 Invoice AFLAC2-25-11	Open	Date 02/23/2011	Description Health Ins Exp, Employee Funded	AFLAC	\$681.04
65707	03/09/2011 Invoice 1736194	Open	Date 02/09/2011	Description Museum Display Expense	BAY PHOTO LAB	\$15.02
65708	03/09/2011 Invoice 27619	Open	Date 03/04/2011	Description City Hall Half door	CHIP'S CUSTOM CREATIONS	\$355.06
65709	03/09/2011 Invoice Winter2011	Open	Date 03/03/2011	Description Instructor Payment, Winter 2011	CLARK, DAVE	\$433.55
65710	03/09/2011 Invoice 1145307	Open	Date 02/15/2011	Description Cleaning supplies	CLEAN SOURCE	\$1,386.97
65711	03/09/2011 Invoice R211457x R210430	Open	Date 01/28/2011 11/01/2010	Description Bronze Plaques, Memorial Benches Bronze Plaques, Memorial Benches	CRESTOR INC.	\$1,455.97
65712	03/09/2011 Invoice 28750-12	Open	Date 03/02/2011	Description Website Hosting 3/23/11-4/22/11 Fund 1313, General Plan Update	CRUZIO THE INTERNET STORE INC.	\$39.95
65713	03/09/2011 Invoice 0010841A 0010841C 0010841B	Open	Date 01/31/2011 03/02/2011 03/02/2011	Description General Plan Update (Year 1 of 4) General Plan General Plan Fund 1313, General Plan Update	DESIGN, COMMUNITY & ENVIRONMEN	\$28,762.47
65714	03/09/2011 Invoice 70914 70915	Open	Date 02/17/2011 02/17/2011	Description 543 Gal Gas 55 Gal Diesel	DEVCO OIL INC.	\$2,229.68
65715	03/09/2011 Invoice 3776	Open	Date 03/01/2011	Description quarterly lube and inspection	ELEVATOR SERVICE COMPANY, INC.	\$165.00

City of Capitola
City Checks Issued
 03/11/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65716	03/09/2011	Open			ENDEMAN, LINCOLN, TUREK & HEATE	\$27,447.25
	Invoice		Date	Description		Amount
	291617		02/17/2011	Jan 2011 Legal Fees, El Granada Investor		\$1,734.91
	291619		02/17/2011	Jan 2011 Surf & Sand Legal Issues		\$25,712.34
65717	03/09/2011	Open			FLYNN, CAROLYN	\$950.00
	Invoice		Date	Description		Amount
	CBF-2-2011-2-G		03/01/2011	10/11 CDBG Program Management		\$650.00
				Fund 1351, CDBG		
	CBF-2-2011-2-Ame		03/01/2011	Misc Grant Assistance		\$300.00
				Fund 1313, General Plan Update		
65718	03/09/2011	Open			GONZALEZ, ESMERALDA	\$219.53
	Invoice		Date	Description		Amount
	2011-0215		03/03/2011	Reimb Training Exp, Mileage & Meals		\$219.53
65719	03/09/2011	Open			HOSE SHOP	\$103.77
	Invoice		Date	Description		Amount
	336175		02/15/2011	Auto Parts		\$103.77
65720	03/09/2011	Open			HOUSING AUTHORITY OF THE COUNTY	\$168.00
	Invoice		Date	Description		Amount
	11-7-CREHAB		02/07/2011	2010 Housing Rehabilitation Program		\$168.00
				Fund 1372, Housing Trust Fund		
65721	03/09/2011	Open			HOWARD, CHARLIE	\$1,380.00
	Invoice		Date	Description		Amount
	Mar-week1		03/07/2011	FY 10/11 In-House Mechanic		\$700.00
	Feb-Week4		03/07/2011	FY 10/11 In-House Mechanic		\$680.00
65722	03/09/2011	Open			InnerWorkings	\$961.80
	Invoice		Date	Description		Amount
	778272-1		02/18/2011	1500 Parking violation Forms		\$961.80
65723	03/09/2011	Open			JOHNSON, ROBERTS, & ASSOCIATES	\$31.56
	Invoice		Date	Description		Amount
	114870		02/18/2011	Background Checks, 2 ea.		\$31.56
65724	03/09/2011	Open			KING'S CLEANERS	\$648.50
	Invoice		Date	Description		Amount
	Feb2011		02/15/2011	Uniform Cleaning, PD-Feb2011		\$648.50
65725	03/09/2011	Open			LABOR READY SOUTHWEST INC.	\$1,798.97
	Invoice		Date	Description		Amount
	53651559		02/18/2011	FY 10/11 Temporary Staff-PW		\$942.59
	53861559		02/25/2011	FY 10/11 Temporary Staff-PW		\$856.38
65726	03/09/2011	Open			LLOYD'S TIRE SERVICE INC.	\$468.73
	Invoice		Date	Description		Amount
	204722		02/17/2011	Auto Parts		\$468.73

City of Capitola
City Checks Issued

03/11/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65727	03/09/2011	Open			MARTIN, BRIAN, K.	\$514.54
	Invoice		Date	Description		Amount
	2/2011		03/01/2011	Feb 2011 grant mgmt, Lexipol policy-PD		\$514.54
65728	03/09/2011	Open			MID-COUNTY AUTO SUPPLY	\$144.52
	Invoice		Date	Description		Amount
	252890		02/18/2011	Auto Parts-John Deere Loader		\$31.50
	252457		02/15/2011	Auto Parts-F150 Pick Up		\$20.87
	252427		02/15/2011	Auto Parts-F150 Pick Up		\$39.20
	252913		02/18/2011	Auto Parts-Radar Trailer		\$41.41
	249672		01/20/2011	Auto Parts		\$11.54
65729	03/09/2011	Open			MISSION LINEN SUPPLY	\$708.72
	Invoice		Date	Description		Amount
	Mission-Feb2011		03/01/2011	Uniform & Mat Cleaning, All Sites, Feb11		\$708.72
65730	03/09/2011	Open			MOFFATT & NICHOL	\$591.00
	Invoice		Date	Description		Amount
	55620		02/28/2011	Capitola Flume Rehab Engineering Proj Fund 1200, CIP		\$591.00
65731	03/09/2011	Open			NIXON-EGLI EQUIPMENT CO.	\$313.20
	Invoice		Date	Description		Amount
	21100750		02/25/2011	Sweeper Parts-Fund 1310, Gas Tax		\$313.20
65732	03/09/2011	Open			ORCHARD SUPPLY HARDWARE	\$321.66
	Invoice		Date	Description		Amount
	6009-125685		02/18/2011	Supplies-Rec		\$71.48
	6009-1216804		02/22/2011	Misc.		\$94.42
	6011-4793976		02/23/2011	Batteries/barricades		\$61.42
	6015-2431891		02/23/2011	Misc.		\$13.28
	6007-2279726		02/23/2011	Cement		\$2.80
	26004-251044		02/25/2011	Auto Parts-Beach Rake		\$36.02
	6015-2431992		02/24/2011	Auto Parts-Beach rake		\$24.01
	6007-2279662		02/23/2011	Auto Parts-PD DUI Trailer		\$18.23
65733	03/09/2011	Open			PALACE ART & OFFICE SUPPLIES	\$196.23
	Invoice		Date	Description		Amount
	892584		02/23/2011	Office Supplies, City Hall		\$7.19
	892993		02/24/2011	Office Supplies, City Hall		\$84.94
	893023		02/25/2011	Office Supplies, City hall		\$13.10
	892219-2		02/22/2011	First Aid Supplies		\$44.13
	894887		01/07/2011	Paper-PD		\$46.87
				Fund 2210, Stores=\$149.36		
65734	03/09/2011	Open			PET PALS DISCOUNT PET SUPPLIES	\$913.17
	Invoice		Date	Description		Amount
	Stmt-thru Feb11		03/04/2011	K-9 products		\$913.17
65735	03/09/2011	Open			RBF CONSULTING	\$1,564.50
	Invoice		Date	Description		Amount
	11010813		02/25/2011	Parking and Congestion Traffic Analysis Fund 1316, Parking Reserve		\$1,564.50

City of Capitola
City Checks Issued
 03/11/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65736	03/09/2011	Open			RED SHIFT INTERNET SERVICES	\$115.11
	Invoice		Date	Description		Amount
	34284-1432849		03/01/2011	Mar 2011 Internet Service		\$49.94
	34284-1432848		03/01/2011	Mar 2011 Internet Service-Fund 2211, IT		\$65.17
65737	03/09/2011	Open			REPUBLIC ITS INC.	\$1,142.28
	Invoice		Date	Description		Amount
	97049		02/12/2011	Traffic Signal Maintenance, Jan2011		\$698.24
	97050		02/12/2011	Traffic Signal Maintenance, Jan 2011 Fund 1310, Gas Tax		\$444.04
65738	03/09/2011	Open			ROM, HILLEL	\$337.50
	Invoice		Date	Description		Amount
	2011-00000538		03/04/2011	Sports Officials February 2011		\$337.50
65739	03/09/2011	Open			ROSEMAN, LEWIS	\$2,947.24
	Invoice		Date	Description		Amount
	2152011		02/15/2011	February 2011 coin collection		\$2,947.24
65740	03/09/2011	Open			SHIELDS CONSULTING GROUP INC.	\$2,500.00
	Invoice		Date	Description		Amount
	1012-1		02/12/2011	State mandated Cost Reporting		\$2,500.00
65741	03/09/2011	Open			SOQUEL NURSERY GROWERS, INC.	\$29.22
	Invoice		Date	Description		Amount
	295966		02/16/2011	Plants		\$29.22
65742	03/09/2011	Open			SUMMIT UNIFORM CORP	\$704.66
	Invoice		Date	Description		Amount
	39953		02/08/2011	5 rain jackets, PD		\$704.66
65743	03/09/2011	Open			SWIFT, CAROLYN	\$51.08
	Invoice		Date	Description		Amount
	staples-3-2-11		03/02/2011	Reimb Staples Purchase		\$51.08
65744	03/09/2011	Open			THILL, WENDY	\$40.00
	Invoice		Date	Description		Amount
	2011-00000536		03/04/2011	Sports Officials February 2011		\$40.00
65745	03/09/2011	Open			TLC ADMINISTRATORS, INC.	\$7,607.77
	Invoice		Date	Description		Amount
	93030-Mar11		03/03/2011	Employee Dental & Vision Ins, Mar 2011		\$7,607.77
65746	03/09/2011	Open			TRI-COUNTY BUSINESS SYSTEMS INC	\$98.08
	Invoice		Date	Description		Amount
	CNIN002228		02/14/2011	Apr-Jun2011 Copier Maint Fund 2210, Stores		\$98.08
65747	03/09/2011	Open			UHARRIET, DANIELLE	\$472.52
	Invoice		Date	Description		Amount
	Tng-Mar2011		03/03/2011	Reimb Training Exp, City Clerk Course		\$472.52

City of Capitola
City Checks Issued

03/11/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65748	03/09/2011	Open			UNITED STATES POSTAL SERVICE	\$5,300.00
	Invoice		Date	Description	Amount	
	6131		03/08/2011	Postage for mailing Late Spring brochure	\$5,300.00	
65749	03/09/2011	Open			WALTER, ERIK	\$216.00
	Invoice		Date	Description	Amount	
	2011-00000537		03/04/2011	Sports Officials February 2011	\$216.00	
65750	03/09/2011	Open			WHEELER, MARK, S	\$100.00
	Invoice		Date	Description	Amount	
	3111		03/01/2011	Building Dept Training	\$100.00	
65751	03/09/2011	Open			Claesgens, Deborah	\$62.10
	Invoice		Date	Description	Amount	
	2000801.002		03/08/2011	Class refund	\$62.10	
65752	03/09/2011	Open			Gera, Bob	\$255.00
	Invoice		Date	Description	Amount	
	12133057		03/01/2011	Refund cite 12133057	\$255.00	
65753	03/09/2011	Open			Hampton Inn & Suites Pittsburg	\$362.88
	Invoice		Date	Description	Amount	
	81322126		03/04/2011	POST training for Hernandez Conf#81322	\$362.88	
65754	03/09/2011	Open			Welch, Troy and Coni	\$847.80
	Invoice		Date	Description	Amount	
	2011-00000541		03/02/2011	Refund Tree Removal Deposit	\$847.80	
65755	03/11/2011	Open			CAPITOLA PEACE OFFICERS ASSOCI.	\$804.34
	Invoice		Date	Description	Amount	
	POA2011-0311		03/10/2011	POA Dues, Employee Funded	\$804.34	
65756	03/11/2011	Open			ICMA RETIREMENT TRUST 457	\$6,282.50
	Invoice		Date	Description	Amount	
	2011-0311		03/10/2011	Retirement Plan Contr, Employee Funded	\$6,282.50	
Check Totals:				Count	53	Total \$106,555.83



Item #: 2.F.2)

CAPITOLA REDEVELOPMENT AGENCY AGENDA REPORT

MEETING OF MARCH 24, 2011

FROM: FINANCE DEPARTMENT

DATE: March 16, 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 March 4, 2011 as submitted.

DISCUSSION

The attached Check Registers for the referenced dates:

Date	Starting Check #	Ending Check #	Total Checks	Amount
3/4/11	2911	2912	2	\$73,634.15

The prior RDA check register report of March 2, 2011 ended with check number 2910.

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

Check	Issued to:	Dept.	Purpose	Amount
2911	Capitola City Treasurer	CM	CDD Staffing Exp Reimb & Co-Op Agreement	\$73625.26

As of 3/16/11 the unaudited cash balance in the RDA account is \$1,429,753.20 allocated as follows:

RDA Operating Fund	\$559,898.98
RDA Low/Mod Housing Fund	\$869,854.22

ATTACHMENTS

Check Register Reports dated:
March 4, 2011

Report Prepared By: Linda Benko
AP Clerk

Reviewed and Forwarded
By Executive Director:

RDA Checks Issued 3/4/11

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Payee Name	Transaction Amount
2911	03/04/2011	Open			CAPITOLA CITY TREASURER	\$73,625.26
	Invoice		Date	Description		Amount
	Jan2011		02/25/2011	City Co-Op Agreement, Jan 2011		\$2,475.26
	CDD Svcs		02/25/2011	CDD Staffing, Jul 1 2010-Jan 31 2011		\$71,150.00
2912	03/04/2011	Open			PACIFIC GAS & ELECTRIC	\$8.89
	Invoice		Date	Description		Amount
	Jan-Feb Rispin		02/15/2011	Monthly Elec, Rispin 5079696481-0		\$8.89
Check Totals:				Count	2	Total \$73,634.15

The attached checks have been printed and released under the RDA Executive Director's approval. Included are checks numbered 2911 through 2912 for \$73,634.1500 and dated 3/4/11.

This check has been reviewed and authorized for distribution.

The unaudited cash balance in the RDA account as of 3/4/11 is \$1,429,853.20 allocated as follows:

RDA Operating Fund	\$559,998.98
RDA Low/Mod Housing Fund	\$869,854.22

	3/4/11		3/3/11
Jamie Goldstein, City Manager	Date	Debbie Johnson, Treasurer – RDA	Date



Item #: **3.B.**

CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA REPORT

MEETING OF MARCH 24, 2011

FROM: OFFICE OF THE CITY CLERK/RDA SECRETARY

DATE: MARCH 16, 2011

SUBJECT: **CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY MINUTE APPROVAL**
MINUTES OF THE JOINT REGULAR MEETING OF FEBRUARY 24, 2011, THE
SPECIAL CLOSED SESSION OF THE CITY COUNCIL OF MARCH 4, 2011, AND THE
SPECIAL JOINT MEETING OF THE CITY COUNCIL/REDEVELOPMENT AGENCY
OF MARCH 8, 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 24, March 4, and March 8, 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 24, 2011
Capitola, California

MINUTES OF A REGULAR JOINT MEETING

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

At 5:05 p.m. in the City Hall Council Chambers, Mayor/Chairperson Norton noted that all Council Members/Redevelopment Agency Directors were present. He 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)

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 asked if there was anyone who wanted to address an item on the Closed Session agenda at this time.

Geni Calande, resident of Surf and Sand Mobile Home Park, said she would be making a statement at the regular city council meeting tonight regarding the city's litigation with Surf & Sand, LLC. She expressed her appreciation to the council members for standing as a group for justice and representing every resident in the city. She urged the council not to be led astray on the Surf & Sand Mobile Home Park litigation, and she thanked them for considering this issue so seriously.

Following Ms. Calande's comments, the City Council/Redevelopment Agency recessed at 5:08 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 7:03 p.m. on Thursday, February 24, 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: City Manager/Executive Director Jamie Goldstein, City Attorney/Agency General Counsel John G. Barisone, Community Development Director/Deputy Executive Director Derek Johnson, Public Works Director Steve Jesberg, Chief of Police Michael Card, Assistant to the City Manager Lisa Murphy, and City Clerk/Secretary Pamela Greeninger

***** PRESENTATIONS *******Presentation by Assemblymember Bill Monning [590-10]**

Mayor Norton introduced Assemblymember Bill Monning and thanked him for coming to Capitola.

Assemblymember Monning thanked the council for the opportunity to visit Capitola and address them. He discussed the number one issue affecting the state at this time, which is the state's \$25 Billion deficit. He provided an overview of the various areas and programs where the governor is recommending cuts.

Of particular interest to Capitola is the Governors' proposal to eliminate redevelopment. He discussed the consequences of such legislation and the Governor's interest in the voters having the opportunity to pass a 55% voter threshold to pass a local sales tax that could be used for development projects. Assemblymember Monning commented on the successes of the Redevelopment Agency in Capitola; however, other cities in the state have not used Redevelopment funds appropriately.

Assemblymember Monning also commented on legislation he has introduced regarding mobile home rent control litigation. His bill, AB 579, would allow local governments to recover attorney's fees when they have successfully defended their mobilehome rent control ordinance. The bill will be developed through the end of March. He encouraged the council and Capitola residents to support it.

Assemblymember Monning also addressed an inquiry regarding the mandated requirements of the Housing Element and said he does not anticipate any changes.

Following his presentation, Assemblymember Monning responded to questions and comments from council members.

Mayor Norton asked if anyone in the audience had a question for Assemblymember Monning. The following people spoke: Michael Smith, resident of Aptos, asked about the human services; Marilyn Garrett, Aptos resident, urged Assemblymember Monning to take a leadership role in stopping the SmartMeter program; Rhonda, Aptos resident, also commented on effects of SmartMeters and provided him with a copy of the report from Dr. Karl Maret; and City Treasurer Jacques Bertrand asked about the state's Delinquency Program.

Mayor Norton thanked Assemblymember Monning for his help in the state's approval of the Rail Trail and for addressing the Council tonight.

Recognition of Capitola Police Sergeant Cliff Sloma, Officers Marquis Booth, Guillermo Vazquez, and Sarah Ryan for their Outstanding Service and Assistance in a Santa Cruz County Sheriff's Department Homicide Investigation [120-40]

Chief of Police Card called the officers forward. He explained the nature of their assistance to the Sheriff's Department and their efforts that led to the successful arrest of homicide suspects. He said the officers were recognized at a special ceremony held Thursday, February 17, 2011, for their outstanding service and contribution in the homicide investigation.

Mayor Norton and members of the city council commended the officers and thanked them for their contributions.

1. REPORT ON CLOSED SESSION [520-25]

City Attorney Barisone announced that the City Council heard from Deputy City Attorney Adair Paterno regarding Talbert vs. City of Capitola pertaining to the city's red-light camera program. The council provided direction and took no reportable action in Closed Session.

The City Council heard from Deputy City Attorney George Kovacevich, City Manager Goldstein and City Attorney Barisone pertaining to the two existing lawsuits between Surf & Sand, LLC, and the city. Status reports on those matters were provided, and the Council gave direction regarding ongoing defense of those cases. No reportable action was taken.

The Council received a status report from the City Attorney and the City Manager with regard to the Castle Mobile Estates matter (Los Altos/El Granada Investors vs. City of Capitola). Direction was provided to staff, and no reportable action was taken in Closed Session.

The City Council did not discuss potential litigation in connection with the Cabrillo Mobile Home Park (Vieira Enterprises, Inc., vs. City of Capitola), as there was nothing to report.

City Attorney Barisone announced that the Closed Session agenda was continued to Monday, February 28, 2011, at 12:30 p.m. in the City Manager's Office.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda – None

B. Public Comments

1) Marilyn Garrett commented on the Wifi being moved into the community television room. She is concerned about the technicians who work in there. She submitted a copy of the letter she submitted to the Library JPA Board pertaining to WiFi in public libraries.

2) Rhonda, a resident of Aptos, expressed concerns about a PG&E truck in Capitola and her belief that the employee was installing SmartMeters.

3) Rick Halterman, resident of Castle Mobile Estates, followed up on Assemblymember Monning's bill, AB579, saying he hopes that bill, as well as SB 444 would be included on a council agenda for support. He expressed concerns regarding discussions occurring in Closed Session pertaining to mobile home parks and requested an item be placed on the open session agenda for public discussion of those bills.

4) Margaret Dixon, resident of Surf and Sand Mobile Home Park, commented on the litigation pertaining to their mobile home park and asked them not to make any decisions pertaining to settling the litigation.

2. ORAL COMMUNICATIONS

5) Geni Calande, resident of Surf and Sand Mobile Home Park, also addressed the council pertaining to the Surf and Sand, LLC, litigation. She reminded the council that this litigation started many years ago, and she expressed the need to take a stand against a slum lord. She thanked the council for everything they have done and are intending to do.

6) Maggie Schward, resident of Surf and Sand Mobile Home Park, announced that she is the new President of HOA. She urged the council to protect the interests of the park.

C. Staff Comments

Community Development Director Johnson announced that there would be a Capitola Library Community Input Meeting hosted by the City and the Library Ad Hoc Committee next Tuesday, March 1, at the Capitola Community Center at Jade Street Park from 7 to 9 p.m. He also said there is a Library Survey online. He encouraged residents to complete the survey from the Home page of the City's website at www.ci.capitola.ca.us. In addition, Community Development Director Johnson announced that the General Plan Advisory Committee would be hosting a Community Workshop on Saturday, March 19, from 9 am to 12 noon at the Community Center on Jade Street. Everyone is invited to attend and help plan the future of Capitola. More information about the plan update is available at www.planacapitola.com.

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

1) Council Member Harlan requested that staff put the two mobile home bills, SB 444 and AB 579, on the next City Council Agenda, and she encouraged our residents to send letters to their legislators.

2) City Treasurer Bertrand pointed out that the Finance Advisory Committee did not have adequate time to review the mid-year report at its last meeting and that the committee would have a discussion on it at its next meeting.

E. Committee Appointments – None**F. Approval of Check Register Reports****1) City: Approval of City Check Register Reports for February 4 and February 10, 2011. [300-10]**

There were no questions regarding the Check Register Reports prior to the following action being taken:

ACTION: Council Member Harlan moved, seconded by Council Member Storey, to approve the Check Register Reports dated February 4 and 10, 2011, including checks numbered 65405 through 65466 in the amount of \$271,721.74, and checks numbered 65467 through 65518 in the amount of \$64,683.32, respectively; and payroll disbursements for the February 10, 2011, payroll in the amount of \$170,094.37, for a Grand Total of \$506,499.43, 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 Reports dated February 4, 2011. [760-25]

There were no questions of the Directors regarding the Redevelopment Agency Check Register Report prior to the following action being taken:

ACTION: Director Storey moved, seconded by Director Termini, to approve the Check Register Report dated February 4, 2011, including checks numbered 2900 through 2904 in the amount of \$30,798.80, 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/directors wished to pull for separate discussion.

Council Member/Director Harlan pulled Item 3.E. pertaining to the Maintenance Worker Classifications, and Mayor/Chairperson Norton pulled Item 3.D. pertaining to awarding a contract to Harris and Associates for the Clares Street Traffic Calming Project.

Mayor/Chairperson Norton advised Items 3.D. and E. would be discussed at the end of the meeting following Other Business Item 5.C. (*See discussion and action on Page 11889.*)

CONSENT CALENDAR ACTION: Council Member/Director Harlan moved, seconded by Council Member/Director Termini, to approve the Consent Calendar as recommended. The motion carried on the following vote: AYES: Council Members/Directors Harlan, Termini, Nicol, Storey, and Mayor 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. Approve City Council/Redevelopment Agency Minutes – None

C. City: Receive City Treasurer's Report for the month ended January 31, 2010 (Unaudited). [380-30]

ACTION: Council Member Harlan moved, seconded by Council Member Termini, to accept the City Treasurer's Report for the quarter ended January 31, 2011 (Unaudited), 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. City/RDA: Award contract to Harris and Associates for planning and design services for the Clares Street Traffic Calming Project in the amount of \$103,000.

This item was pulled for separate discussion. (See page 11889 for discussion and action.)

E. Adopt Resolution Eliminating the Maintenance Worker Classification and Approving the Addition of Maintenance Worker 1, 2 and 3 Classifications, Salary Schedules, and Job Descriptions; Amending the Memorandum of Understanding between the Association of Capitola Employees (ACE) and the City of Capitola to add the new classifications, related salary schedules, and benefits effective February 24, 2011; and authorizing the hiring of one Maintenance Worker 1 position, and recruitment and hiring of one Maintenance Worker 3 position.

This item was pulled for separate discussion. (See page 11889 for discussion and action.)

F. Approve the purchase of a 2011 four-wheel drive truck with a dump lift from North Bay Ford in Santa Cruz in the amount of \$26,605.41 for the Public Works Department. [370-40]

ACTION: Council Member Harlan moved, seconded by Council Member Termini, to approve the purchase of a 2011 four-wheel drive truck with a dump lift for hauling trash at the price of \$26,605.41, including tax, from North Bay Ford in Santa Cruz for the Public Works Department, 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.

3. CONSENT CALENDAR (Continued)

- G. Approve Special Event Permit request by the Capitola Art & Cultural Commission for the 18th Annual Art and Music at the Beach Series and the Bandstand in Esplanade Park on six (6) Sundays from June 5 to August 21, 2011, and the Hanging of Banners prior to each Event. [1010-10]**

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

- 1) Approved the use of Esplanade Park and the Bandstand on Sundays, twice a month from June through August, for a total of six art shows (June 5 & 19, July 10 & 17, and August 7 & 21); and
- 2) Approved the Special Event Permit and authorized the Capitola Police Department to issue the permit for the Art and Music at the Beach series as requested; and
- 3) Authorized Public Works to hang the event banner on the Friday preceding each event, 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.

- H. Approve Special Event Permit request by the Capitola Art & Cultural Commission for the 2011 “Movies at the Beach” on Friday, August 26 and Friday, September 9, 2011, at the Main Beach near Esplanade Park, and Authorize the Capitola Police Department to Issue the Permit. [1010-10]**

ACTION: Council Member Harlan moved, seconded by Council Member Termini, to approve the Special Event Permit for the 2011 Movies at the Beach, as submitted, and authorized the Capitola Police Department to issue said permit. The motion carried on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

- I. Direct staff to develop a Request for Proposal (RFP) for independent financial audit services of City and Redevelopment Agency records and distribute the RFP to interested audit firms. [310-05/760-25]**

ACTION: Council Member/Director Harlan moved, seconded by Council Member/Director Termini, to direct staff to develop a Request for Proposal (RFP) for independent financial audit services for City and Redevelopment Agency records and distribute the RFP to interested audit firms, 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.

4. PUBLIC HEARINGS - None

5. OTHER BUSINESS

- A. Request from The Mermaid Series for approval of a Special Event Permit for the Mermaid Triathlon and Duathlon to be held on Sunday, September 25, 2011, in various areas of Capitola. Staff recommendation: approve Special Event Permit. [1050-70]**

Chief of Police Card summarized the written agenda report. He said this is a first-time request for this event.

Event applicant, Carlo Facchino, provided information regarding the event and responded to questions of council members.

Carin Hanna and Joyce Murphy representing the Capitola Village and Wharf Business Improvement Area offered their support of the proposed event.

5. A. OTHER BUSINESS (Continued)

Limited Council discussion was followed by this action:

ACTION: Council Member Nicol moved, seconded by Council Member Termini, to approve a Special Event Permit for the “Mermaid Triathlon and Duathlon” to be held in Capitola on Sunday, September 25, 2011; including approval of an Encroachment Permit, an Entertainment Permit, and the hanging of banners on Monterey and Capitola Avenues by Public Works prior to the event, as submitted, and authorized the Capitola Police Department to issue said permit. The motion carried on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

B. City/RDA: 2011 Cooperation Agreement between the City and Redevelopment Agency memorializing pledges of Agency funds in support of specified programs and projects. Staff recommendation: adopt City Council and Redevelopment Agency Resolutions approving the Cooperation Agreement. [760-10/500-10 City/760-05 RDA A/C: City and Redevelopment Agency]

Mayor/Chairperson Norton announced that a decision would not be made on this item until after the Agency Directors discussed Item 5.C. pertaining to the Rispin Mansion proposal.

City Manager/Executive Director Goldstein and Community Development Director/Deputy Executive Director Johnson provided updated information regarding the state’s proposal to eliminate redevelopment. Community Development Director/Deputy Executive Director Johnson said he had a conversation with the Redevelopment Agency’s special legal counsel, Brent Hawkins, who has recommended some changes to the RDA resolution and the Cooperation Agreement. He presented the changes using a PowerPoint Presentation.

City Manager/Executive Director Goldstein reviewed the factors included in the Cooperation Agreement and discussed the affordable housing projects and programs, as well as capital projects and project planning for a library. He then presented a revised capital projects and project planning list, which modified previous figures and included RDA funds for the redevelopment portion of the General Plan Update, and reviewed the revised recommended action for both the City Council and the Redevelopment Agency resolutions and the Cooperation Agreement.

Mayor/Chairperson Norton then said the Redevelopment Agency would consider the next item regarding the Rispin Mansion proposal prior to taking action on the proposed Cooperation Agreement.

NOTE: See action taken on this item following discussion of Item 5.C. on Page 11888.)

C. RDA: Rispin Mansion proposal. Staff recommendation: consider a proposal to save and restore the Rispin Mansion and provide direction to staff. [275-05]

Deputy Executive Director Johnson provided staff’s presentation and informed the Agency Directors that, in light of the current state legislation, staff believes there are only two options: One would be mothballing the mansion (stabilization of the project), and the other would be a phased hotel project. He said Mr. Jesse Nickell of Barry Swenson Builder will be making a presentation on the hotel project.

Executive Director Goldstein and Deputy Executive Director Johnson responded to questions of directors.

5. B. and C. OTHER BUSINESS (Continued)

Jesse Nickell of Barry Swenson Builder, informed the directors that Mr. Swenson is still interested in investing in the Rispin project. Utilizing a PowerPoint Presentation, he reviewed their proposal for saving the Rispin Mansion and responded to questions of directors. Ron Beardslee also commented on the proposed hotel project.

Mayor/Chairperson Norton opened the matter to the public at 9:25 p.m.

Mary Healy, Francesco Court resident, strongly urged the city council to accept the proposal by Barry Swenson. Her major reason is to deter crime in the area. She does not believe the property is suitable for just a park without a hotel there. Surveillance of the property is too difficult for the police due to the terrain. Ms. Healy is grateful to Barry Swenson for coming forth with this proposal. It could be a great way to get rid of the blight and create an asset to the community.

Nels Westman, Riverview Drive resident, commented on the \$2,371,100 figure for administration of affordable housing projects. He expressed his concerns regarding the proposed phased hotel project and believes the money is needed for other projects in the community.

Glenn Hanna wished to complement City Manager/Executive Director Goldstein and Community Development Director/Deputy Executive Director Johnson on their presentation. He also thanked Jesse Nickell for his presentation. He commented on the RDA fund savings provided in Mr. Nickell's presentation. He said the current property maintenance is \$35,000, not \$70,000. Mr. Hanna expressed concern that this is not a traditional loan, and it is unknown when the loan would be repaid. He also expressed concerns about the scaled-down project and the agency's commitment. In closing, he urged the council to approve the mothballing option.

Mr. Barrett, resident who has lived across the street from the mansion for many years, said Mr. Swenson should concentrate on a Village hotel. He supports \$1 Million for a park.

Chairperson Norton closed the public portion of the discussion.

ACTION: Council Member/Director Termini moved to approve staff's recommendation to adopt both the Redevelopment Agency and the City Council Resolutions and selected Option B Capital Projects and Project planning list presented by City Manager/Executive Director Goldstein to be included in Exhibit A to the proposed Cooperation Agreement, and to add to the motion that staff should pursue the entitlements to demolition of the wall, include ample lighting throughout the site, and pursue entitlements to allow the police to drive on the site. Director Harlan seconded the motion for purposes of discussion.

Council Member/Director Nicol asked for clarification of the motion. Council Member/Director Termini asked to have the Capital projects/Project planning slide with stricken figures displayed. He then stated the projects and revised amounts for each from the list, as follows:

Capital projects:

Rispin	\$1,000,000
Clares & Wharf Traffic Calming	\$ 300,000
Misc Capitola Projects	\$ 107,100
Clares & 41 st Avenue Overlay	\$ 550,000
Library Site Improvements/Acquisitions	\$ 900,000
Clares/Wharf Road Improvements/ Library Parking	\$ 297,489
RDA portion of the General Plan Update	\$ 186,270

Project planning:

Library	\$ 550,000
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5. B. and C. OTHER BUSINESS (Continued)

Council Member/Director Storey wished to thank Jesse Nickell from Barry Swenson Builder and Mr. and Mrs. Beardslee for their efforts in bringing the hotel project back to help the city out of this dilemma. As a steward of public funds, however, Council Member/Director Storey said he has concerns about entering into the hotel business, and he has concerns about the proposed timeline and whether the timeline can be met. He would support the motion; however, he cannot support a Rispin hotel project.

Council Member/Director Nicol feels the Redevelopment Agency has an opportunity to have an asset in the city, to turn a negative into a positive. The city has an opportunity to go with a phased hotel project and put this problem property to bed. He is not going to support the motion.

Council Member/Director Harlan said she is happy Mr. Swenson stepped in, although she is not happy with the Performa, the phasing plan, etc. She also believes there is not adequate parking at the library site for a Rispin hotel. The original RDA goal was for streets, sidewalks, drainage and undergrounding. In addition, the RDA owes the City money.

Council Member/Director Termini thanked Jesse Nickell and Barry Swenson Builders for all their efforts.

Mayor/Chairperson Norton said Rispin never dies. He expressed the difficulty of this decision.

After discussion of the motion Mayor/Chairperson Norton called for the vote. The motion included the following City and Redevelopment Agency actions:

CITY ACTION: The City Council adopted **Resolution No. 3855, Resolution Approving the Cooperation Agreement by and between the City of Capitola and the Redevelopment Agency of the City of Capitola** in support of specified programs and projects with the addition of a new sentence at the end of Section 5.2 of the Agreement to read, “At the discretion of the Executive Director, the Agency may prepay any obligation under this agreement,” to include Option B Capital Projects and Project planning list presented by City Manager/Executive Director Goldstein to be included in Exhibit A to the proposed Cooperation Agreement, and to add to the motion that staff should pursue the entitlements to demolition of the wall, include ample lighting throughout the site, and pursue entitlements to allow the police to drive on the site, and approving a Notice of Exemption pursuant to State CEQA Guidelines Section 15378(b)(4). The motion carried on the following vote: AYES: Council Members Harlan, Termini, Storey, and Mayor Norton. NOES: Council Member Nicol. ABSENT: None. ABSTAIN: None.

RDA ACTION: The City of Capitola Redevelopment Agency adopted **Agency Resolution No. 2011-2, Resolution Approving the Cooperation Agreement by and between the City of Capitola and the Redevelopment Agency of the City of Capitola and Encumbering Funds Pursuant Thereto**, with the addition of a second sentence to Section 2 of the resolution to read, “At the discretion of the Executive Director, the Agency may prepay any obligation under this agreement,” and with the addition of a new sentence at the end of Section 5.2 of the Agreement to read, “At the discretion of the Executive Director, the Agency may prepay any obligation under this agreement,” to include Option B Capital Projects and Project planning list presented by City Manager/Executive Director Goldstein to be included in Exhibit A to the proposed Cooperation Agreement, and to add to the motion that staff should pursue the entitlements to demolition of the wall, include ample lighting throughout the site, and pursue entitlements to allow the police to drive on the site, and approving a Notice of Exemption pursuant to State CEQA Guidelines Section 15378(b)(4). The motion carried on the following vote: AYES: Directors Harlan, Termini, Storey, and Chairperson Norton. NOES: Director Nicol. ABSENT: None. ABSTAIN: None.

AT THIS POINT, ITEMS REMOVED FROM CONSENT CALENDAR WILL BE CONSIDERED

3. CONSENT CALENDAR (*Items pulled for separate discussion.*)D. **City/RDA: Award contract to Harris and Associates for planning and design services for the Clares Street Traffic Calming Project in the amount of \$103,000. [940-40/500-10 A/C: Harris and Associates]**

Council Member Harlan recused herself and left the Council Chambers, as she lives on 42nd Avenue within 500 feet from Clares Street.

Public Works Director Jesberg summarized the written agenda report and responded to questions of council members.

Mayor/Chairperson Norton wished to point out that Harris and Associates has already been working on this project, and he asked how much they have been paid so far. Public Works Director Jesberg said the initial design was about \$8,000. Mayor/Chairperson Norton also commented on the Capitola Road incident, and his interest in making sure there are precautionary measures in the design process to look out for so that what happened on Capitola Road does not occur on Clares Street.

After discussion, the following actions were taken:

RDA ACTION: Director Termini moved, seconded by Chairperson Norton, to authorize the Clares Street Traffic Calming Project be administered by the City, including all contracts, inspection services, and public meetings, as submitted. The motion carried on the following vote: AYES: Directors Termini, Nicol, Storey, and Chairperson Norton. NOES: None. ABSENT: None. ABSTAIN: None. DISQUALIFIED: Council Member Harlan.

CITY ACTION: Council Member Termini moved, seconded by Mayor Norton, to award a contract to Harris and Associates for Planning and Design Services for the Clares Street Traffic Calming Project in the amount of \$103,000, 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.

E. **Adopt Resolution Eliminating the Maintenance Worker Classification and Approving the Addition of Maintenance Worker 1, 2 and 3 Classifications, Salary Schedules, and Job Descriptions; Amending the Memorandum of Understanding between the Association of Capitola Employees (ACE) and the City of Capitola to add the new classifications, related salary schedules, and benefits effective February 24, 2011; and authorizing the hiring of one Maintenance Worker 1 position, and recruitment and hiring of one Maintenance Worker 3 position. [600-10]**

Council Member Harlan said she had a comment on gender; however, she found that it was not necessary.

ACTION: Council Member Harlan moved, seconded by Council Member Termini, to adopt **Resolution No. 3856, Resolution Eliminating the Maintenance Worker Classification and the Addition of Maintenance Worker 1, 2, and 3 Classifications, Salary Schedules and Job Descriptions; Amending the Memorandum of Understanding between the Association of Capitola Employees (ACE) and the City of Capitola to add the New Classifications, Related Salary Schedules and Benefits effective February 24, 2011, and Authorizing Hiring One Maintenance 1 Position and the Recruitment and Hiring of a Maintenance Worker 3 Position**, 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.

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 10:20 p.m. The City Council adjourned to an Adjourned Closed Session to be held at 12:30 p.m. on Monday, February 28, 2011, in the City Manager’s office and then to the next Joint Regular Meeting of the City Council/Redevelopment Agency to be held on Thursday, March 10, 2011, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Dennis R. Norton, Mayor
Redevelopment Agency Chairperson

ATTEST:

Pamela Greeninger, City Clerk
Redevelopment Agency Secretary

March 4, 2011
Capitola, California

CAPITOLA CITY COUNCIL

MINUTES OF A SPECIAL CLOSED SESSION MEETING

Mayor Norton called the Special Closed Session Meeting of the Capitola City Council to order at 9:40 a.m. on Friday, March 4, 2011, in the City Hall Community Room, 420 Capitola Avenue, Capitola, California.

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

ABSENT: Council Member Nicol

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 pursuant to the Notice and Call of the Special Closed Session Meeting of the Capitola City Council dated March 3, 2011, the City Council would 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)

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)

Mayor Norton noted there was no one in the audience; therefore, the City Council recessed at 9:41 a.m. to the Closed Session in the City Manager's Office.

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.

There was no discussion regarding the anticipated litigation between Vieira Enterprises, Inc., vs. City of Capitola (Cabrillo Mobile Estates).

ADJOURNMENT

The City Council adjourned at approximately 11:30 a.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

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

March 8, 2011
Capitola, California

MINUTES OF A SPECIAL JOINT MEETING

Mayor/Chairperson Norton called the Special Meeting of the Capitola City Council/Redevelopment Agency to order at 5:10 p.m. on Tuesday, March 8, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

ROLL CALL AND PLEDGE ALLEGIANCE TO THE FLAG

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

ABSENT: Council Member/Director Stephanie Harlan

STAFF: City Manager/Executive Director Jamie Goldstein, Community Development Director/Deputy Executive Director Derek Johnson, Deputy City Attorney/General RDA Counsel George Kovacevich, Public Works Director Steve Jesberg, and City Clerk/Secretary Pamela Greeninger

OPEN SESSION

Mayor/Chairperson Norton announced that pursuant to the Notice and Call of a Special Joint Meeting of the Capitola City Council/Redevelopment Agency dated March 7, 2011, the City Council/Redevelopment Agency Directors would meet in Open Session on the following matters:

1. **City/RDA: Consider an amendment to the 2011 Cooperation Agreement to authorize the repayment of existing Redevelopment Agency debt to the City, and authorize associated appropriations and budget amendments necessary to effectuate the Cooperation Agreement. [760-10/500-10 A/C: City and RDA Cooperation Agreement/760-05 RDA A/C: City and RDA Cooperation Agreement]**

ACTION: Council Member/Director Nicol moved to approve the recommended City and Redevelopment Agency actions to amend the 2011 Cooperation Agreement, as submitted. Council Member/Director Termini seconded the motion for purposes of discussion.

Following considerable discussion of the motion, Council Member/Director Nicol amended the motion to authorize staff to call the loans made to the Redevelopment Agency. Council Member/Director Termini accepted the amendment to the motion. The motion carried on the following vote: AYES: Council Members/Directors Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: Council Member/Director Harlan. ABSTAIN: None.

The following actions were thereby taken by the City Council and the Redevelopment Agency Directors:

CITY ACTION: Council Member Nicol moved, seconded by Council Member Termini, to approve the proposed Amendment to the February 24, 2011, Cooperation Agreement between the City of Capitola and the Redevelopment Agency of the City of Capitola to include reapportionment of funds, including authorization and appropriation of funds and associated budget amendments for repayment of existing loans of \$1,350,000 and \$618,028, with available tax increment as authorized in the loan and repayment agreements dated December 13, 2001, and July 24, 2003, and to authorize the City Manager to take any and all necessary actions required to implement the 2011 Cooperation Agreement, as amended, including authorization to City staff to call the loans made to the Redevelopment Agency. The motion carried on the following vote: AYES: Council Members Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: Council Member Harlan. ABSTAIN: None.

Open Session Item 1. (Continued)

RDA ACTION: Director Nicol moved, seconded by Director Termini, to approve the proposed Amendment to the February 24, 2011, Cooperation Agreement between the City of Capitola and the Redevelopment Agency of the City of Capitola to include reapportionment of funds, including authorization and appropriation of funds and associated budget amendments for repayment of existing loans of \$1,350,000 and \$618,028, with available tax increment as authorized in the loan and repayment agreements dated December 13, 2001, and July 24, 2003, and to authorize the Executive Director to take any and all necessary actions required to implement the 2011 Cooperation Agreement, as amended, including authorization to pay off the loans to the City, should they be called. The motion carried on the following vote: AYES: Directors Termini, Nicol, Storey, and Chairperson Norton. NOES: None. ABSENT: Director Harlan. ABSTAIN: None.

2. **City/RDA: Consider directing the City Manager/Executive Director to transfer the ownership of the Rispin Mansion site (Assessor Parcel Numbers 035-037-01 and 035-037-02) from the City of Capitola Redevelopment Agency to the City of Capitola.**

ACTION: Council Member/Director Nicol moved, seconded by Council Member/Director Termini, to approve the recommended City and Redevelopment Agency actions pertaining to the transfer of ownership of the Rispin Mansion property from the Redevelopment Agency to the City of Capitola.

There was considerable discussion regarding the motion prior to the vote. The following actions were taken by the Redevelopment Agency Directors and the City Council:

RDA ACTION: Director Nicol moved, seconded by Director Termini, to adopt **Agency Resolution No. 2011-3, Resolution Authorizing the Execution of a Property Conveyance Agreement with the City of Capitola for the Conveyance of Certain Real Property located in the Redevelopment Project Area (Rispin Mansion site: Assessor Parcel Numbers 035-371-01 and 035-371-02).** The motion carried on the following vote: AYES: Directors Termini, Nicol, Storey, and Chairperson Norton. NOES: None. ABSENT: Director Harlan. ABSTAIN: None.

CITY ACTION: Council Member Nicol moved, seconded by Council Member Termini, to adopt **Resolution No. 3857, Resolution Authorizing the Execution of a Property Conveyance Agreement with the Redevelopment Agency of the City of Capitola for the Conveyance and Acceptance of Certain Real Property located in the Redevelopment Project Area (Rispin Mansion site: Assessor Parcel Numbers 035-371-01 and 035-371-02).** The motion carried on the following vote: AYES: Council Members Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: Council Member Harlan. ABSTAIN: None.

CLOSED SESSION

CLOSED SESSION [520-25/570-40]

At 6:09 p.m., Mayor/Chairperson Norton announced that pursuant to the Notice and Call of the Special Meeting dated March 7, 2011, the City Council/Redevelopment Agency Directors would 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)

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)

Mayor/Chairperson Norton asked if anyone in the audience would like to address the Council/Directors on any of the items to be discussed in Closed Session. Seeing no one, the City Council/ Redevelopment Agency Directors recessed at 6:10 p.m. to the Closed Session in the City Manager's Office.

REPORT ON CLOSED SESSION [520-25]

The City Council received an update from 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.

There was no discussion regarding the anticipated litigation between Vieira Enterprises, Inc., vs. City of Capitola (Cabrillo Mobile Estates).

ADJOURNMENT

The City Council adjourned at approximately 8:00 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
 Redevelopment Agency Chairperson

ATTEST:

Pamela Greeninger, City Clerk
 Redevelopment Agency Secretary

MMC



CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 24, 2011

FROM: CITY TREASURER

DATE: MARCH 14, 2011

SUBJECT: TREASURER'S REPORT FOR THE MONTH ENDED FEBRUARY 28, 2011
(UNAUDITED)

Recommended Action:

By motion, that the City Council accept the February 2011 Treasurer's Report (unaudited) for the City of Capitola.

BACKGROUND

California Government Code Section 41004 requires that the City Treasurer submit to the City Clerk and the legislative body a written report and accounting of all receipts, disbursements, and fund balances.

The attachment provides various financial data and analysis for the City of Capitola funds, and the State Treasurer's Office (Local Agency Investment Fund) "LAIF" interest rates.

DISCUSSION - EXECUTIVE SUMMARY AT FEBRUARY 28, 2011

The City Cash Position at February 28, 2011 totals \$4,550,500. LAIF deposits include \$3,684,400 of City and Assessment District Funds. The LAIF investment return as of February 28, 2011 was .512%.

The General Fund Balance Sheet consists of:

Total Assets	\$2,967,900 (includes Rispin receivable of \$1,350,000)
Total Liabilities	\$2,294,200
Total Fund Balance	\$ 673,600 (includes Rispin receivable of \$1,350,000)

Fund Balance

General Fund	\$ 673,600
Designated Reserves:	1,897,800
Capital Improv. Projects	506,300
Special Revenues:	1,388,000
Debt Service	426,100
Internal Services:	885,600
Total	\$ 5,777,400

FISCAL IMPACT: None.

ATTACHMENTS - 1) February 28, 2011 City Treasurer's Report and 2) LAIF rates

Report Prepared By:

Reviewed and Forwarded By:

Lisa Saldana
Supervising Accountant

Jacques Bertrand, City Treasurer



Treasurer's Report for Month Ended February 28, 2011

BACKGROUND

California government code section 41004 requires that the City Treasurer submit to the City Clerk and the legislative body a written report and accounting of all receipts, disbursements, and fund balances. Additionally with the passage of Chapter 687, Statutes of 2000 (AB 943 Dutra), effective January 1, 2001 cities are now required to forward copies of their second and fourth quarter calendar year investment portfolio reports to the California Debt and Investment Advisory Commission (CDIAC) within 60 days.

The CDIAC will use the report as an additional opportunity to examine public investment practices in a more consistent basis than before.

Cities, such as the City of Capitola, that are 100 percent invested in the Local Agency Investment Fund (LAIF) are exempt from the new investment portfolio reporting requirements and are only required to send a letter to CDIAC indicating the total and composition of their investments. This Treasurer's Report will satisfy our reporting requirement to the CDIAC.

The following pages provide various financial data and analysis for the City of Capitola's Funds collectively as well as specifically for the City's General (Operating) Fund, with an attachment from the State Treasurer's Office of quarterly LAIF rates from the 1st quarter of 1977 to present.

DISCUSSION

The following information is for the month ended February 28, 2011. Such information is preliminary and unaudited.

CASH BALANCE BY FUND

As of February 28, 2011, the LAIF deposits include \$3,684,400 of City and Assessment District funds. The LAIF investment return as of February 28, 2011 was .512%. The following summarizes the City's total cash balance of \$4,550,500 at February 28, 2011 amongst the funds:

		February 28, 2011
<u>General Fund</u>		664,000
<u>Special Revenues</u>	S L E S F	41,800
	SCC NARCOTICS ENFORCEMENT TEAM	(7,700)
	GAS TAX	(89,300)
	WHARF FUND	45,100
	DEVELOPMENT FEES FUND	-
	PEG CABLE TV ACCESS FUND	81,700
	CAPITOLA VILLAGE & WHARF BIA	10,400
	GREEN BUILDING	47,800
	PARKING RESERVE FUND	102,200
	TECHNOLOGY FEE FUND	9,000
	CDBG - GRANTS	17,900
	CDBG PROGRAM INCOME	(16,600)
	CDBG PROGRAM INCOME 07-08 RLF	5,300
	HOUSING PROGRAM LOAN FUND	1,000
	HOME GRANT FUND	3,300
	AFFORDABLE HOUSING TRUST FUND	349,900
	BEGIN GRANT FUND	60,000
	PUBLIC ART FUND	137,500
	OPEN SPACE PURCHASE	300
	GENERAL PLAN UPDATE	528,600
<u>Internal Service</u>	WORKER'S COMPENSATION	9,300
	SELF INSURANCE	221,100
	STORES	19,100
	INFORMATION TECHNOLOGY	151,300
	EQUIPMENT REPLACEMENT	332,500
	PUBLIC EMPLOYEE RETIREMENT	153,500
<u>Reserves</u>	EMERGENCY RESERVES	627,100
	CONTINGENCY RESERVES	-
	COMPENSATED ABSENCES	23,500
<u>Capital Projects</u>	VARIOUS CAPITAL PROJECTS	592,500
<u>Debt Service</u>	DEBT SERVICE FUND	428,400
TOTAL ALL FUNDS		<u><u>4,550,500</u></u>
	General Fund	664,000
	Internal Services	886,800
	Reserves	650,600
		<u><u>2,201,400</u></u>

GENERAL FUND SUMMARY BALANCE SHEET

The following is the General Fund summary balance sheet:

General Fund: Summary Balance Sheet	6/30/2010	Incr/Decr	2/28/2011
Cash	274,700	389,300	664,000
Prepaid Expenditures	5,300	(2,400)	2,900
Accounts Receivable	72,100	42,600	114,700
Accounts Receivable - Intergovernmental ¹	43,100	175,200	218,300
Accounts Receivable for Year End ²	1,149,300	(1,149,300)	-
Accounts Receivable - RDA (Rispin)	1,350,000	-	1,350,000
Short Term Loans - RDA	-	-	-
Long Term Loans - RDA	618,000	-	618,000
TOTAL ASSETS	\$ 3,512,500	\$ (544,600)	\$ 2,967,900
Accounts Payable	383,800	(366,200)	17,600
Payroll Related Liabilities	329,300	(365,800)	(36,500)
Other Deposits and Other Liabilities	188,200	37,000	225,200
Deferred Revenue -- RDA	618,000	-	618,000
Deferred Revenue	346,800	(124,100)	222,700
Due to Contingency Reserve Fund	-	1,247,200	1,247,200
TOTAL LIABILITIES	\$ 1,866,100	\$ 428,100	\$ 2,294,200
FUND BALANCE³			
Rispin Mansion Transaction	1,350,000	-	1,350,000
Fund Balance Reserves	15,200	-	15,200
Available Fund Balance:			
Prior Year Fund Balance	393,000	-	393,000
Current Year Operating Results	-	(1,084,600)	(1,084,600)
Net, Available Fund Balance	\$ 393,000	\$ (1,084,600)	\$ (691,600)
TOTAL FUND BALANCE	\$ 1,758,200	\$ (1,084,600)	\$ 673,600

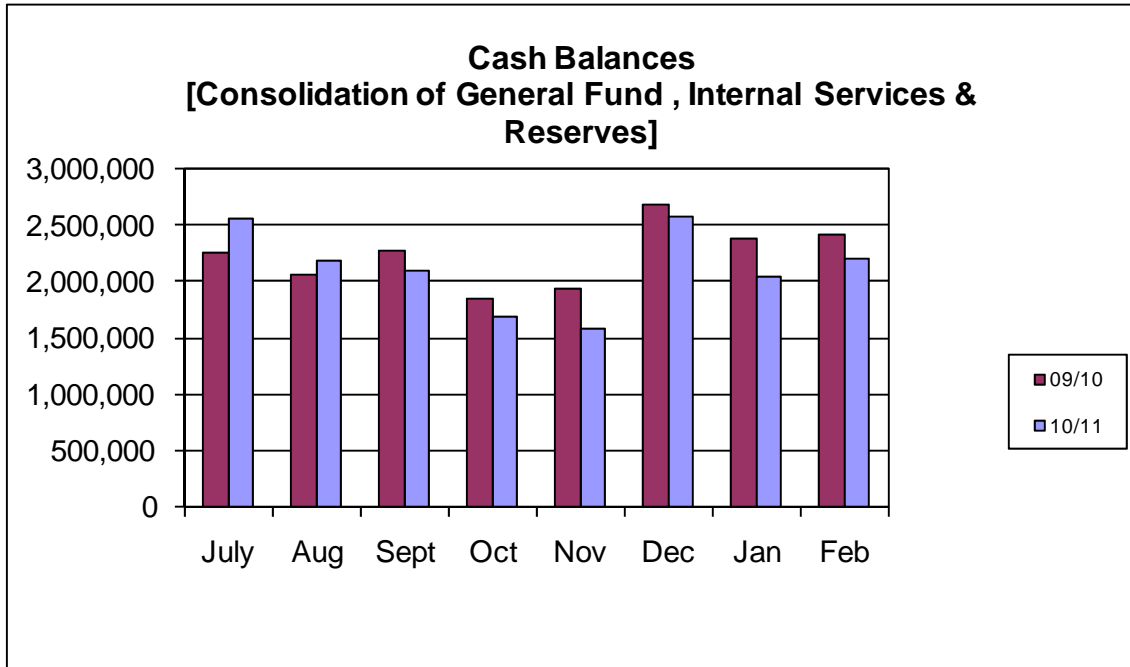
¹ A/R-Intergovernmental is primarily for State Mandated Cost Reimbursements.

² A/R for Year-End is for prior year-end revenues with cash received in July or August 2009 of new fiscal year.

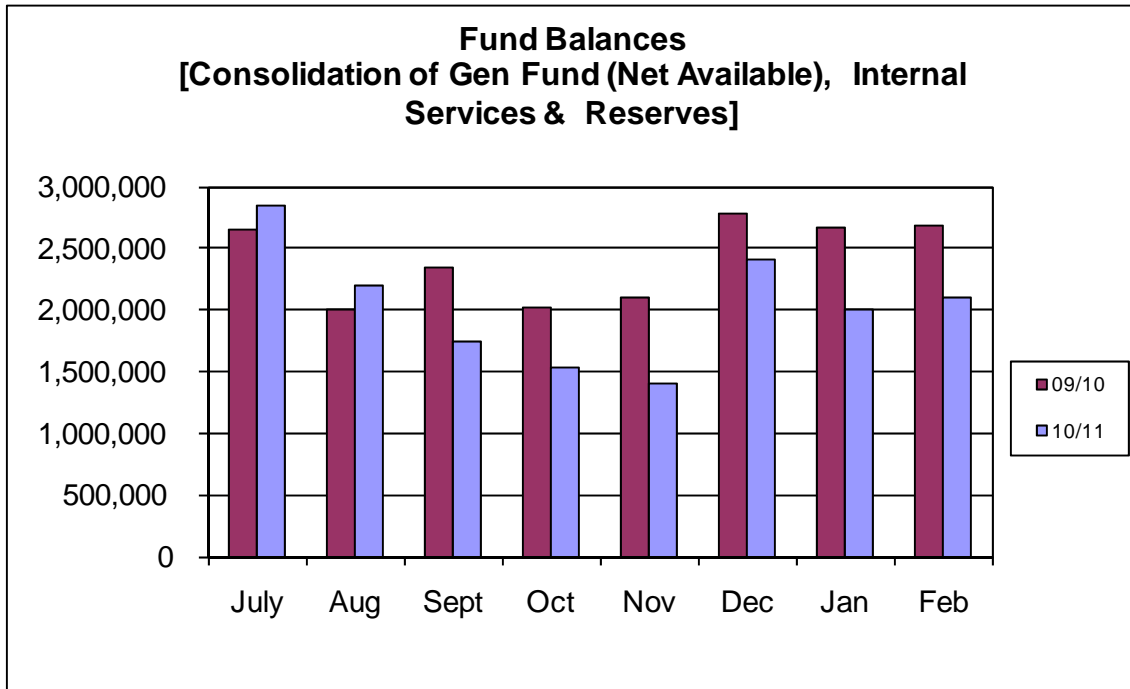
³ Fund Balance is segregated for the amounts related to the Rispin Mansion Note Payable to the City and amount available.

CASH BALANCE & FUND BALANCE

The following graphs compare the monthly Cash and Fund Balance totals in the consolidated General Fund, Internal Service Funds, and Reserves for FY 09/10 and FY 10/11.



February 28, 2011 Total= \$2,201,400: Gen Fund= \$664,000, Internal Service= \$886,800, Reserves= \$650,600



February 28, 2011 Total= \$2,091,800: Gen Fund= (\$691,600), Internal Service= \$885,600, Reserves= \$1,897,800

CHANGES IN TOTAL FUND BALANCE

This table presents the ending Fund Balances for the City's major fund types. (It excludes agency funds where the City acts merely as a third party custodian of an outside party's funds.)

	Beginning Fund Balance: 7/01/10	Incr/(Decr) July-Jan	Revenue	Expenditure	Interfund Transfers	Unaudited Fund Balance: 2/28/11
General Fund: Rispin	1,350,000	-		-	-	1,350,000
General Fund: Reserved	15,200	-		-	-	15,200
General Fund: Available	393,000	(1,116,600)	807,600	(775,600)	-	(691,600)
Designated Reserves:	-					-
Emergency Reserves @ 5%	627,100	-	0	0	-	627,100
Compensated Absences	116,900	(92,300)	0	(1,100)	-	23,500
Contingency Reserves @10%	1,247,200	-	0	0	-	1,247,200
	-					-
Capital Improv. Projects:	418,600	231,300	0	(143,900)		506,000
Open Space Purchase	300	-	0	0		300
Special Revenues:	-					-
Gas Tax	64,600	(106,300)	28,800	(43,800)	-	(56,700)
Law Enforcement Grants	1,100	4,600	37,200	(3,500)		39,400
PEG Cable TV Access	82,800	(800)	4,600	(4,900)	-	81,700
Capitola & Wharf BIA	7,500	21,100	(100)	(10,500)		18,000
Development Fees	(1,400)	-	0	0		(1,400)
Wharf Fund	38,100	8,300	4,500	(300)		50,600
Green Building	45,400	2,400	0	0		47,800
Parking Reserve Fund	78,700	34,700	0	(11,200)		102,200
Technology Fee Fund	3,900	4,800	0	300		9,000
CDBG-Grants (Reimburseme	34,000	(500)	0	(300)	-	33,200
CDBG - Program Income	(17,800)	(1,700)	0	(600)		(20,100)
CDBG - Prog Inc 07-08 RLF	5,200	100	0	0		5,300
HOME Program Re-Use	5,100	(4,100)	1,000	(1,000)	-	1,000
HOME Grant Fund	(7,500)	169,900	0	(159,100)		3,300
Affordable Housing Trust	367,800	(13,700)	0	(4,200)		349,900
Begin Grant Fund	60,000	-	0	0		60,000
Public Art Program	162,800	(25,300)	0	0		137,500
General Plan Maintenance	599,300	(56,800)	1,200	(16,400)	-	527,300
Debt Service:POB	468,100	(75,900)	33,900	0	-	426,100
Internal Services:	-	-				-
Equipment Replacement	282,500	50,000	0	0	-	332,500
Information Technology	141,400	16,700	0	(7,300)	-	150,800
Public Employee Retirement	520,400	(366,200)	109,600	(110,300)	-	153,500
Self-Insurance Liability	253,900	(27,100)	0	(5,700)		221,100
Stores	25,200	(5,100)	0	(1,600)	-	18,500
Worker's Compensation	174,900	(165,700)	0	0	-	9,200
	-					-
	-					-
TOTAL CITY	7,564,300	(1,514,200)	1,028,300	(1,301,000)	-	5,777,400

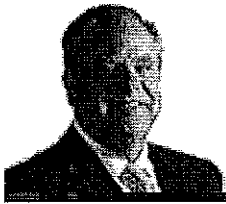
General Fund Balance: Fund Balance is segregated for: the amounts related to the Rispin Mansion Note Payable to the City, the amount reserved for disabled parking, and amount available.

General Fund Revenues: For the month ending February 28, 2011, total revenues were \$807,600 which included Sales Tax of \$410,000 (50%), and Charges for Services of \$199,500 (24%).

General Fund Expenditures: For the month ending February 28, 2011, total expenditures were \$775,600 which includes Staffing for (2) pay periods of \$530,600 (68%), and Contract Services of \$194,100, which includes \$107,900 for Legal Services (25%).

CDBG Grant Fund: This fund operates on a reimbursement basis. Therefore the balance will be negative as expenditures are incurred prior to reimbursement.

Internal Services: Internal Service Fund transactions consist of quarterly General Fund transfers and budgeted expenditures.



Bill Lockyer
California State Treasurer

Pooled Money Investment Account
PMIA Average Monthly Effective Yields

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1977	5.770	5.660	5.660	5.650	5.760	5.850	5.930	6.050	6.090	6.090	6.610	6.730
1978	6.920	7.050	7.140	7.270	7.386	7.569	7.652	7.821	7.871	8.110	8.286	8.769
1979	8.777	8.904	8.820	9.082	9.046	9.224	9.202	9.528	9.259	9.814	10.223	10.218
1980	10.980	11.251	11.490	11.480	12.017	11.798	10.206	9.870	9.945	10.056	10.426	10.961
1981	10.987	11.686	11.130	11.475	12.179	11.442	12.346	12.844	12.059	12.397	11.887	11.484
1982	11.683	12.044	11.835	11.773	12.270	11.994	12.235	11.909	11.151	11.111	10.704	10.401
1983	10.251	9.887	9.688	9.868	9.527	9.600	9.879	10.076	10.202	10.182	10.164	10.227
1984	10.312	10.280	10.382	10.594	10.843	11.119	11.355	11.557	11.597	11.681	11.474	11.024
1985	10.579	10.289	10.118	10.025	10.180	9.743	9.656	9.417	9.572	9.482	9.488	9.371
1986	9.252	9.090	8.958	8.621	8.369	8.225	8.141	7.844	7.512	7.586	7.432	7.439
1987	7.365	7.157	7.205	7.044	7.294	7.289	7.464	7.562	7.712	7.825	8.121	8.071
1988	8.078	8.050	7.945	7.940	7.815	7.929	8.089	8.245	8.341	8.397	8.467	8.563
1989	8.698	8.770	8.870	8.992	9.227	9.204	9.056	8.833	8.801	8.771	8.685	8.645
1990	8.571	8.538	8.506	8.497	8.531	8.538	8.517	8.382	8.333	8.321	8.269	8.279
1991	8.164	8.002	7.775	7.666	7.374	7.169	7.098	7.072	6.859	6.719	6.591	6.318
1992	6.122	5.863	5.680	5.692	5.379	5.323	5.235	4.958	4.760	4.730	4.659	4.647
1993	4.678	4.649	4.624	4.605	4.427	4.554	4.438	4.472	4.430	4.380	4.365	4.384
1994	4.359	4.176	4.248	4.333	4.434	4.623	4.823	4.989	5.106	5.243	5.380	5.528
1995	5.612	5.779	5.934	5.960	6.008	5.997	5.972	5.910	5.832	5.784	5.805	5.748
1996	5.698	5.643	5.557	5.538	5.502	5.548	5.587	5.566	5.601	5.601	5.599	5.574
1997	5.583	5.575	5.580	5.612	5.634	5.667	5.679	5.690	5.707	5.705	5.715	5.744
1998	5.742	5.720	5.680	5.672	5.673	5.671	5.652	5.652	5.639	5.557	5.492	5.374
1999	5.265	5.210	5.136	5.119	5.086	5.095	5.178	5.225	5.274	5.391	5.484	5.639
2000	5.760	5.824	5.851	6.014	6.190	6.349	6.443	6.505	6.502	6.517	6.538	6.535
2001	6.372	6.169	5.976	5.760	5.328	4.958	4.635	4.502	4.288	3.785	3.526	3.261
2002	3.068	2.967	2.861	2.845	2.740	2.687	2.714	2.594	2.604	2.487	2.301	2.201
2003	2.103	1.945	1.904	1.858	1.769	1.697	1.653	1.632	1.635	1.596	1.572	1.545
2004	1.528	1.440	1.474	1.445	1.426	1.469	1.604	1.672	1.771	1.890	2.003	2.134
2005	2.264	2.368	2.542	2.724	2.856	2.967	3.083	3.179	3.324	3.458	3.636	3.808
2006	3.955	4.043	4.142	4.305	4.563	4.700	4.849	4.946	5.023	5.098	5.125	5.129
2007	5.156	5.181	5.214	5.222	5.248	5.250	5.255	5.253	5.231	5.137	4.962	4.801
2008	4.620	4.161	3.777	3.400	3.072	2.894	2.787	2.779	2.774	2.709	2.568	2.353
2009	2.046	1.869	1.822	1.607	1.530	1.377	1.035	0.925	0.750	0.646	0.611	0.569
2010	0.558	0.577	0.547	0.588	0.560	0.528	0.531	0.513	0.500	0.480	0.454	0.462
2011	0.538	0.512										



CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 24, 2011

FROM: POLICE DEPARTMENT

DATE: MARCH 15, 2011

SUBJECT: REQUEST FOR SPECIAL EVENT PERMIT, ENCROACHMENT PERMIT, SIGN PERMIT, PUBLIC ADDRESS SYSTEM PERMIT, AND ENTERTAINMENT PERMIT BY THE CAPITOLA BEGONIA FESTIVAL COMMITTEE FOR MOVIES ON THE BEACH, SAND SCULPTURE CONTEST AT CAPITOLA BEACH, HORSESHOES ON THE BEACH, LIVE MUSIC IN ESPLANADE PARK AND BANDSTAND, NAUTICAL FLOAT PARADE, TWO PERFORMANCES IN ESPLANADE PARK, FISHING DERBY ON THE CAPITOLA WHARF, ROW BOAT RACE IN THE SOQUEL CREEK LAGOON, CHILDREN'S ART EVENT AT THE ESPLANADE SEAWALL AND ESPLANADE PARK, AND BUDDING ARTISTS DISPLAY IN ESPLANADE PARK FROM FRIDAY, SEPTEMBER 2 THROUGH MONDAY, SEPTEMBER 5, 2011; AND A REQUEST FOR A CITY GRANT OF ALL COSTS ASSOCIATED WITH PERMITS AND POLICE AND PUBLIC WORKS DEPARTMENT FEES IN THE AMOUNT OF \$6,533

Recommended Action: By motion and roll call vote, that the City Council:

1. Approve the Special Event Permit, including Encroachment Permit, Entertainment Permit, Public Address System Permit, and Sign Permit to hang a banner for the 59th Annual Capitola Begonia Festival to be held from Friday, September 2 through Monday, September 5, 2011, as submitted, and authorize the Capitola Police Department to issue the permits; and
2. Provide the Capitola Begonia Festival Committee with a City Grant in the amount of \$6,533 for costs associated with permits and Police and Public Works Department Fees.

BACKGROUND

The Capitola Begonia Festival has taken place annually for over fifty years. This year will mark the Festival's fifty-eighth anniversary. The impact of this event on City services has remained consistent over the last several years and few additional calls for service are generated. In the past, the Festival has taken place over a two-weekend period. This is the tenth year the committee is requesting approval for all of the events to occur on the Labor Day Weekend. In addition to the nautical float parade in Soquel Creek Lagoon, there is a sand sculpture contest on the main beach, live music in Esplanade Park, a fishing derby on the wharf, a horseshoe tournament on the beach, children's art event at the Esplanade seawall, row boat races in the creek, movies on the beach, children's art project in Esplanade Park, Hula-Hoop exhibition, and a Budding Artists display. The Begonia Festival Committee is the event's sole sponsor. To accommodate the large crowds traditionally associated with the event, the Police Department has designated September 2nd through September 5th as a "no time off period". The Police Department closes the Stockton Avenue Bridge before the nautical parade and re-opens it immediately thereafter.

DISCUSSION

The Begonia Festival Committee is a non-profit organization that coordinates and oversees the events of the Festival. The highlight of the Festival is the nautical float parade that occurs on Sunday afternoon in Soquel Creek and Lagoon. Again this year, the event will take place over a four-day period. The events of the Festival are held every year, requiring the same levels of extra police presence. No extra police personnel are needed for the sandcastle sculpture contest, fishing derby, rowboat contest, horseshoe tournament, music, art events, or movie on the beach. Police overtime is allotted for crowd and traffic control during the nautical parade.

A judging stage with a public address system will be set up on the pump station along the creek near the Stockton Avenue Bridge. The committee is requesting to hang a banner over Monterey Avenue to advertise the festival and on the Stockton Avenue Bridge over the Soquel Creek. The Special Event Permit also serves as a permit for the stage during the nautical float parade, the live music in Esplanade Park and Bandstand, as well as a banner request with the following conditions:

- A Certificate of Insurance indemnifying the City of Capitola has been issued
- Security for the event will be provided by the Capitola Police Department
- Hours of operation have been clearly established
- Lights out for float construction at 10:00 pm on Friday, September 2, and 12:00 midnight on Saturday, September 3, 2011.
- No alcohol on pathway or any public property
- Adequate portable restrooms and recycling containers have been secured for the event
- The Fire Marshal has reviewed and approved the event
- Arrangements have been made for clean-up of the creek and lagoon on Tuesday, September 6, 2011
- Street closures to be posted by Public Works and the Police Department will staff the Festival at appropriate levels based on past events
- Public Works will hang banners as requested
- Abide by all Capitola Municipal Codes

The CEQA Guidelines Section 15323: “Normal Operations of Facilities for Public Gatherings” exemption consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose.

As the proposed project includes the normal use of public facilities for which the facilities were designed, and as there is a past history of the event, the project qualifies for this exemption.

FISCAL IMPACT

The fiscal impact of this event to the City of Capitola generally involves Police Department overtime staffing costs. It has been past practice to include projected overtime costs into the Police Department’s yearly budget. City and Police Department support for this event has existed for many years and is currently incorporated into Departmental Order Number 2, which insures adequate staffing levels on the day of the Begonia Festival. The following documents projected overtime staffing:

Number	Position	Hours	Rate	Total
5	Officers	5	\$120.00	\$ 3,000.00

No overtime costs are projected for Public Works. Six work hours are projected to erect and remove temporary lights, clean and repair the pathway, launch and retrieve floats, and for clean up.

Number	Position	Hours	Rate	Total
10	Public Works	6	\$45.00	\$2,700.00
Amplified Sound				\$ 27.00
Special Event Permit fee				\$ 54.00
Encroachment Permit fee				\$ 56.00
Entertainment Application fee				\$ 31.00
Entertainment Permit fee				\$ 31.00
Banner Permit fee				\$ 34.00
Bandstand fee				\$ 600.00
Total				\$6,533.00

The Begonia Festival Committee is seeking a grant from the City for projected City costs and for permit fees totaling \$6,533.00.

ATTACHMENT

Special Event Permit Application (Includes map of affected areas)

Report Prepared By: Captain Tom Held

Approved By: Mike Card
Chief of Police

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

SPECIAL EVENT PERMIT APPLICATION

THE 59TH ANNUAL CAPITOLA BEGONIA FESTIVAL COMMITTEE PRESENTS



Let's Dance!

LABOR DAY WEEKEND

SEPTEMBER 2ND - SEPTEMBER 5TH, 2011

CAPITOLA BEGONIA FESTIVAL . P.O. Box 501 . CAPITOLA, CA . 95010-0501

CITY OF CAPITOLA

2011 BEGONIA FESTIVAL

SEPTEMBER 2ND - 5TH

SPONSORING ORGANIZATION AND APPLICANT INFORMATION

- Event Name: *2011 Capitola Begonia Festival*
- Event Description:
Various family centered activities-main event-floats covered with begonia blossoms
- Event Purpose: *Goodwill and community building activities centered around begonia blossoms*
- Sponsor: *Begonia Festival Committee*

Sponsor's Address: *P.O Box 501 Capitola, CA 9501-05010*

- Sponsoring Organization's Phone: *(831) 476-3566*
- FAX Number: NONE E-Mail Address: *lktbanks@gmail.com*
- Contact Person's Name: *Linda K.T. Banks, President*

Home Phone: *(831) 462.3197* Cellular Phone: *(831) 251.9125*

Will you be using a professional Special Event Organizer? Yes No

If yes, please include all foregoing information about the organizer on a separate sheet of paper and attach to your application.

EVENT INFORMATION

- Type of event: Run Festival Parade Sale Motion Picture Block Party

Other (specify) *Sand sculpture contest, music concerts, movies, horseshoe tournament, art events, Nautical Parade, rowboat race, fishing derby*

- Event Location: *Capitola Beach, Wharf & Soquel Creek, Esplanade Park (including Bandstand)*
- Event Dates: *September 2 – 5, 2010*
- Anticipated Attendance: *15,000+ People*
- Web Site Information: *www.begoniafestival.com*
- Email Address: *begoniafestival@gmail.com*
- Will the public be invited? Yes No

ACTUAL HOURS EVENT(S) OPEN TO THE PUBLIC

Date:

Time:

- *Sept. 2 Let's Dance! Review* 4:00 pm 9:00 pm Esplanade Park
- *Sept 3 Sand Sculpture* 8:00 am 12:00 pm Capitola Beach
- *Sept 3 Budding Artists* 9:00 am 2:00 pm Esplanade Park
- *Sept 3 Float construction* 4:00 pm 10:00 pm Soquel Creek
- *Sept 3 Musical Concert* 4:00 pm 6:00 pm Esplanade Park
- *Sept 3 Movie at the Beach* dusk 10:00 pm Esplanade Park
- *Sept 4 Float construction* 8:00 am 1:00 pm Soquel Creek
- *Sept 4 Horseshoes* 8:00 am Finish Capitola Beach
- *Sept 4 Chalk Art* 9:00 am Noon Esplanade Seawall
- *Sept 4 Begonias to go, Head to Toe* 10:00 am Noon Esplanade Park
- *Sept 4 Nautical parade:* 1:00 pm 3:00 pm Soquel Creek
- *Sept 4 Musical Concert* 4:00 pm 6:00 pm Esplanade Park
- *Sept 5 Fishing Derby:* 6:00 am 12:00 pm Capitola Wharf
- *Sept 5 Children's Art Project* 11:00 am 2:00 pm Esplanade Park
- *Sept 5 Hula Hoop exhibition* 11:00 am 2:00 pm Esplanade Park
- *Sept 5 Rowboat races:* 1:00 pm 4:00 pm Soquel Creek

• Has this event taken place before? Yes No Any changes to this event? Yes No

• If yes, what changes: *removal of volleyball event in 2007*

addition of a performance by Move Hoops (hula hoops) in 2010

addition of Let's Dance Review in 2011

PROMOTION – ADVERTISING – MARKETING - INTERNET

- Will this event be promoted, advertised or marketed in any manner? Yes No
- Will there be live media coverage during your event? Yes No
- If yes, please explain: *Local print media, local television/radio spots-possible live remotes*
- Are admission, entry or vendor participant fees required? Yes No
- If yes, explain: Public admission fees: \$ N/A per person
 Participant entry fees: \$ 0 per entry
 Vendor fees: \$ N/A per booth
 Number of vendors: _____
 How many vendors are for profit? _____
 How many vendors are nonprofit? _____
- \$ 39900* Total estimated gross receipts, including tickets, product and sponsorship sales from this event. Explain how this amount was computed.
 Indicate amount per item.
 \$ 0 Admission fees
 \$ 0 Product fees
 \$ 19200.00 Sponsorship
 \$ 4200.00 Participant entry fees (fundraiser)
 \$ 5000.00 Fundraiser
 \$ 11000.00 T-shirt/poster sales
 \$ 500.00 Miscellaneous
- \$ 39632 Total estimated expenses for this event.
 \$ 0 Advertising
 \$ 0 Wages, salaries
 \$ _____ City services (police, fire, street closures)
 \$ 5000.00 Insurance
 \$ _____ Business license fee
 \$ 35000.00 Other (Please specify): See Attached
- Is the organization a “tax exempt, nonprofit” organization? Yes No
- \$ 0 Projected amount of revenue the Sponsoring Organization(s) will receive as a result of this event.
- Specify the organization(s) to receive funding: *Begonia Festival Committee*
- City sponsorship requested? Yes No If yes, please describe: *waive fees, police & public works services, & financial assistance*

*note: Annual budget attached

OVERALL EVENT DESCRIPTION

- Will a staging/setup/assembly location be required? Yes No
- If yes, begin day/date: *Friday Sept. 2* Start time: *9:00* AM/PM
- Location: *Soquel Creek, Esplanade Park*
- Description of the scope of the setup/assembly work (Attach additional pages and drawings as needed):
Delivery of barges to worksites along creek (Friday)
Movie setup at Esplanade Park (Saturday)
Band setup at Esplanade Park (Saturday - Sunday)
- If yes, dismantle day date:
Sept. 2 Review Completion time: *10:00* AM/PM
Sept. 3 Band Completion time: *7:00* AM/PM
Sept. 3 Movie Completion time: *10:00* AM/PM
Sept. 4 Band Completion time: *7:00* AM/PM
Sept. 5 Barge Completion time: *6:00* AM/PM
- List the street(s) requiring closure as a result of this event. Include street names, day, date and time of closing and the time of reopening:
Stockton St. Bridge, Sunday September 4th between 12:00 pm to 4:00 pm
City of Capitola to conduct street closures as needed (cost to be specified)
- List street(s) requiring the posting of “No Parking” signs. Indicate days, dates, and times needed and an explanation of necessity for “No Parking” zone:
1) Loading & unloading for Sand Sculpture Contest Saturday Sept 3rd, 7:00 am-11:00 am
2) Judges parking - 4 spaces City Hall parking lot Sunday Sept 4th, 9:00 am- 4:00 pm
3) Unloading equipment on Stockton Ave. next to bridge Sunday Sept 4th, 9:00 am
4) A limited number of spaces for sound engineer, logistics & event vehicles (throughout)
5) 2 spaces reserved for band members (Saturday & Sunday)
6) 1 space reserved for movie technician (Friday, September 2nd)
7) 1 space at entrance of Wharf for HS Tournament Sunday Sept 4th, 7:00 am -1:00 pm

NOTE: “No Parking” signs will be posted seventy-two (72) hours in advance of required days, dates and time. Begonia Festival Staff/VIPS will post signs at no cost to the City.

- Attach a diagram (please try to make diagram reasonably to scale), showing the overall layout and setup locations.

- A Alcoholic and nonalcoholic concession
- B First-aid facilities
- C Tables and chairs
- D Fencing, barriers and/or barricades
- E Generator locations and/or sources of electricity
- F Canopies or tent locations
- G Booths, exhibits, displays or enclosures
- H Scaffolding, bleachers, platforms, stages, grandstands, related structures
- I Vehicles and/or trailers
- J Trash containers or dumpsters
- K Non-food vendor locations
- L Food concession and/or food preparation areas
- M Portable toilet locations
- N Other related event components not covered above (describe separately)



ADA access



Portable toilet locations (1-4 per)



Restroom locations (ADA accessible)



Dumpsters (1-2 per)

- Please describe how food will be served at the event: No food to be served
- Will food be cooked in the event area? Yes No
- If yes, specify method: Gas Electric Charcoal Other: *Float builders may BBQ*
- Does the event involve the sale or use of alcoholic beverages? Yes No
- If yes, please describe: _____

If alcohol is to be sold, how will the alcohol sales be regulated? _____

Please attach a copy of your ABC license.

- Will there be items or services sold at the event? Yes No

If yes, please describe: *T-shirts, posters, memorabilia*

- Do the vendors have City of Capitola business licenses? Yes No

Portable and/or permanent toilet facilities:

- Number of portable toilets: *6* (Recommended: 1 for every 250 people)
- Number of ADA-accessible toilets: *1* (Recommended: 10% of total toilets)

(NOTE: Unless the Applicant can substantiate the availability of both accessible and non-accessible toilet facilities in the immediate area of the site, the above is required. Portable toilet facilities must be in place 24 hours in advance, cleaned and sanitized daily during the event, and must be removed by 8:00 a.m. the next business day following the event. Location sites for portable toilets must be pre-approved prior to installation.)

- Number of trash receptacles: 0 need additional cans
- Number of dumpsters with lids: 3 (Recommended 1 per 400 people)
- Number of recycling containers: 1 (Voluntary)
- Describe the plan for cleanup and removal of waste and garbage during and after the event: *Floats will be dismantled on Monday Sept. 4th after 4:00 pm by Boy Scout Troop - 10 volunteers help to clean up afterwards.*

Committee members & float builders will clean-up creek on Tuesday Sept. 5th 12:00 pm

(Note: It is the event organizer's responsibility to dispose of waste and garbage daily throughout the term of the event, unless otherwise contracted with City staff, which will require a fee. Immediately upon conclusion of the event, the venue must be returned to a clean condition. Street sweeping can be arranged with City crews for an additional fee.)

BEGONIA FESTIVAL COMMITTEE REQUESTS

- Request that the power wash the Esplanade Seawall for the Chalk Art Event to be held from 9 am – Noon on Sunday, September 4th
- The Begonia Festival Committee again requests that the City provide member(s) of the maintenance crew available and/or on call to address City property questions and issues, especially daily checks of the Esplanade Park restrooms and the trash receptacles along the Esplanade. In the past we have requested additional City maintenance janitorial servicing of Esplanade Park restrooms Friday, Saturday & Sunday evenings to accommodate concert and movie attendees. In past years there were issues regarding supplies for the restrooms and overflowing trash cans, but last year Frank DeFalco did an outstanding job of maintenance.
- Request for VIPS services, especially to help patrol the creek path on Friday and Saturday evenings.

PARKING PLAN – SHUTTLE PLAN – MITIGATION OF IMPACT

- Please provide a detailed description or diagram that indicates the proposed parking plan and/or shuttle plan for the event. Include a description of the parking plan/shuttle plan for the disabled.
- **Shuttle Bus Service / Parking Information** (included in program and on site)
Park for free at the Crossroads Center parking lot on Bay Avenue and ride the free shuttle into the village. The shuttle runs Saturday, Sunday & Holidays. The lot is located off of the Bay Avenue exit from Highway. Turn right at the end of the off ramp; continue to the 4-way stop sign (Hill St.). Turn left on Hill St. and follow the shuttle signs.
Parking in the Village: There is a two hour time limit for Village parking meters. Capitola Police Department meter readers routinely chalk the tires; after two hours you must move your vehicle from the parking space or you will be ticketed. The cost is \$1.50 per hour, bring quarters. The parking along Cliff drive is \$1.00 per hour.
Pacific Cove Parking Lot: Located behind City Hall on Capitola Avenue just a short walk to the Village, the cost of meters in Pacific Cove is 50 cents an hour and there is no time limit (the meters run from 8:00 a.m. to 8 p.m.).
Parking in the neighborhoods near the Village: There are four different neighborhood permit parking programs - each with different rules, so read the signs carefully. Parking at the Pacific Cove Parking Lots is closer to the Village than any non-permit neighborhood parking.
- See map for handicap (ADA) access viewing areas/restroom facilities
- Describe plan to notify those residents, businesses, churches, etc. that will be impacted by this event.
Annual event trifold brochure, window posters, banner(s), newspaper articles, postcards
spiffy website: www.begoniafestival.com
- Does this event involve a moving route of any kind along streets or sidewalks?
Yes No

If yes, highlight your proposed route on the enclosed map, indicating the directions of travel, and provide a written narrative to explain your route and its impact.

- Does this event involve a fixed venue site? Yes No
- If yes, highlight the site on the enclosed map, showing all the streets impacted by the event.

No map provided. Venue revolves around Esplanade Park, Capitola Beach, Capitola Wharf,

Stockton Bridge and the Soquel Creek pathway. Increased foot traffic along Riverview.

Impacted streets include:

Esplanade

Stockton Avenue

Riverview Avenue

SAFETY - SECURITY

- Is there a professional security organization to handle security for this event? Yes No
- If yes, please name security company: _____
- If no, do you wish to contract police services from the Capitola Police Dept.? Yes No *In addition to the traditional police support offered during the festival, the Begonia Festival Committee requests the aid of the CPD VIPS (police volunteers) for crowd control as needed, especially during the Nautical Parade and the band/movie events, as well as patrol along the Soquel Creek pathway on Saturday evening.*
- Security company's address: _____

Street

City
state
zip code
- Security Director's name: _____
- Security Director's phone number: (__) _____
- Security company's state license number: _____
- Security company's business license number: _____
- Security company's insurance carrier: _____ City or privately secured?
- On-site contact person (security supervisor): _____
- Any searches prior to entering? Yes No
- Bottle and can check? Yes No
- Metal detectors? Yes No
- How many security guards at each entrance? _____

Parking Lot Patrol (Private Security):

- Security company: _____
- Contact person (security supervisor): _____
- Number of security guards patrolling the parking lot: _____

Lighting:

- If this is an evening event, please state how the event and surrounding areas will be illuminated to ensure the safety of the participants and spectators.
Lights to be put up along river walk way for float construction Sept. 3rd – 4th

ENTERTAINMENT – ATTRACTION – RELATED EVENT ACTIVITIES

Medical:

- Indicate what arrangements have been made for providing first-aid staffing: None
- Is there any musical entertainment or amplified sound related to your event?
Yes No
- If yes, what kind:
 - Friday evening Let's Dance Review*
 - Saturday evening Movie at the Beach*
 - Saturday & Sunday afternoon live music*
 - Sunday P.A. system along Soquel Creek for Nautical Parade*
- Contact person's name: Linda K.T. Banks Phone: 831.462.3197 cell 831.251.9125
Contact person's address: 708 Rosedale Avenue, Capitola, CA 95010
- Number of stages: *1* Number of bands: *2*
- Type of music: Classic rock and roll Sound amplification? Yes No
- If yes, start time: *4* AM PM Finish time: *6* AM PM
- Have you applied for a sound permit? Yes No (Refer to city ordinance 9.12.040)
- Will sound checks be conducted prior to the event? Yes No
- If yes, do you wish to have the city provide the checks? Yes No
Describe sound equipment that will be used:
Basic announcement system and sound equipment for evening concerts
- Will fireworks, rockets or other pyrotechnics be used? Yes No
If yes, name and phone number of pyrotechnic company:
- Describe (indicate dates, times and locations for launching and fallout areas):
- Has a permit been issued? Yes No
- Will there be any type of open flames used? Yes No
- If yes, please describe: _____
- Will any signs, banners, decorations or special lighting be used? Yes No
- If yes, please describe: *Banner over railing on Bandstand, Stockton bridge, Monterey Ave. and lights on creek pathway* to be placed at least one week prior to event (Refer to city ordinance chapter 17.57)

INSURANCE REQUIREMENTS

INSURANCE

Applicant must provide insurance at the following minimal limits: \$1,000,000 (one million) combined single limit. (Two million for the annual Art and Wine Festival). This Certificate of Insurance must name the City as an additional insured throughout the event duration, including setup and breakdown. The Certificate of Insurance, including limits of insurance, must be received by the Special Events Coordinator by _____ to finalize this permit.

HOLD HARMLESS

The Applicant will, at its sole expense, provide the City with evidence of insurance for general liability and Worker's Compensation benefits for accidents or injuries that occur or are sustained in connection with the special event which is the subject of this permit application and contract. The Applicant agrees on behalf of itself and on behalf of its agents and employees that the Applicant will not make a claim against, sue, attach the property of, or prosecute the City or any of the City's agencies, employees, contractors or agents for injury or damages resulting from negligence or other acts, however caused, which might be asserted against the City in connection with actions taken by the City or the City's employees or agents in connection with this Special Event Permit. In addition, Applicant, on behalf of itself and its agents and employees, as well as its successors and assigns, hereby releases, discharges and holds the City harmless from, and indemnifies the City against, all actions, claims or demands Applicant, or Applicant's employees, agents, successors or assigns, or any third person now has or may hereafter have for personal injury or property damage resulting from the actions of the Applicant, the Applicant's employees or agents, or any other person under the control of the Applicant, taken pursuant to this Special Event Permit whether said actions are characterized as negligent or intentional.

Applicant Signature: _____


Linda K.T. Banks

ADVANCED CANCELLATION NOTICE REQUIRED

If this event is cancelled, notify the Special Events Coordinator at (831) 475-4242.

I certify that the information contained in the foregoing application is true and correct to the best of my knowledge and belief, that I have read, understand and agree to abide by the rules and regulations governing the special event under Capitola Municipal Code, and that I understand that this applications is made subject to the rules and regulations established by the City Council and/or the City Manager or the City Manager's designee. I agree to comply with all permit conditions and with all other requirements of the City, County, state and federal governments and any other applicable entity that may pertain to the use of the event premises and the conduct of the event. I agree to abide by these rules and further certify that I, on behalf of the organization, am also authorized to commit that organization and, therefore, agree to be financially responsible for any costs and fees that may be incurred by or on behalf of the event to the City of Capitola.

Name of Applicant (print): Linda K.T. Banks

Title: President, 59th Annual Capitola Begonia Festival
events

Signature of Applicant: _____

Date: _____



**CITY OF CAPITOLA
SPECIAL EVENTS CHECKLIST AND REVIEW**

C = Completed N/A = Not Applicable

- Completed Application Package
- All Fees Paid
- Copies of IRS 501(c) Tax Exemption Letter
- Projected Event Gross Project Budget
- Detailed Plans With Times Lines (for set-up exceeding one day)
- Santa Cruz Health Services Agency Food Permit
- Dept. of Alcoholic Beverage Control Daily License
- Diagram of Event Layout and Set-Up Locations
- Notice of Mitigation Measures for Negative Consequences
- Event Traffic Advisory Signs
- Description of Proposed Parking and/or Shuttle Plan
- City Building Permit
- Insurance Certificate

Check if Required

Sign if Approved

- Police Department _____
- Fire Department _____
- Public Works _____
- Finance _____
- County Health _____
- City Manager _____

2010 CAPITOLA BEGONIA FESTIVAL EVENTS MAP



Legend:

1 Capitola Beach & Seawall	Sand Sculpture Contest	(9/2)
	Budding Artists Event	(9/2)
	Chalk Art Event	(9/3)
2 Capitola Beach	Horseshoes on the Sand	(9/4)
3 Esplanade Park	Let's Dance! Review	(9/2)
	Movie at the Beach	(9/3)
	Evening Concerts	(9/3 & 9/4)
	Begonias to go, Head to Toe	(9/4)
	Children's Art Event	(9/5)
	Move Hoops performance	(9/5)
4 Soquel Creek Pathway	Float Construction Viewing	(9/3 & 9/4)
	Nautical Parade	(9/4)
	Rowboat Races	(9/5)
5 Capitola Wharf	Fishing Derby	(9/5)



ADA access



Dumpster locations



Portable toilets



Restrooms/ADA accessible

Capitola Begonia Festival Association
Profit & Loss Budget Overview
January through December 2011

Jan - Dec 11

Income

Revenues

Fundraising

Annual Fundraiser Event

Auction Sales 5,000.00

Fundraiser Ticket Sales 4,200.00

Annual Fundraiser Event - Other

Total Annual Fundraiser Event 9,200.00

Profit Share Events 500.00

Fundraising - Other

Total Fundraising 9,700.00

Merchandise Sales

Apparel Sales 11,000.00

Other Merchandise Sales 2,000.00

Poster Sales 350.00

Merchandise Sales - Other

Total Merchandise Sales 13,350.00

Sponsorships

Begonias to Go 500.00

Budding Artists 500.00

Chalk Art 500.00

Children's Art 500.00

City of Capitola 5,000.00

Concerts 2,000.00

Fishing Derby 500.00

Friday Night Performance 500.00

Friends of the Festival 500.00

Grand Benefactor 3,000.00

Horseshoes 500.00

Movie on the Beach 1,000.00

Nautical

Nautical Other 2,000.00

Picking Fields 1,000.00

Nautical - Other

Total Nautical 3,000.00

Rowboat Races 500.00

Sand Sculptures 500.00

Shares Card Donations 200.00

Sponsorships - Other

Total Sponsorships 19,200.00

Capitola Begonia Festival Association
Profit & Loss Budget Overview
January through December 2011

Jan - Dec 11

Revenues - Other	
Total Revenues	<u>42,250.00</u>
Total Income	42,250.00
Expense	
Computer and Internet Expenses	120.00
Festival Events	
Begonias to Go	0.00
Budding Artists	50.00
Chalk Art	550.00
Children's Art	100.00
Concerts	1,600.00
Fishing Derby	200.00
Friday Night Performance	0.00
Horseshoes	500.00
Logistics	125.00
Movies on the Beach	1,000.00
Nautical Parade	
Barge Repair	0.00
Charity Prizes	1,750.00
Clean up	400.00
Dumpsters	0.00
Float Builder Grants	1,500.00
Florist Wire	0.00
Nautical Parade - Other	100.00
Picking Fields	1,000.00
Porta Potties	1,010.00
Property Owner Gratuities	300.00
Trophies	1,000.00
Nautical Parade - Other	
Total Nautical Parade	<u>7,060.00</u>
Participation Ribbons	0.00
Rowboat Races	150.00
Sand Sculptures	720.00
Sound System/DJ	
Sound for Friday Performance	
Sound Engr. for Concerts	450.00
Sound Engr. for Nautical Parade	900.00
Sound for Movie	
Sound System/DJ - Other	
Total Sound System/DJ	<u>1,350.00</u>

Capitola Begonia Festival Association
Profit & Loss Budget Overview
January through December 2011

Jan - Dec 11

Support Events	
Committee Quarterly Meeting	50.00
Committee Wrap Party	300.00
Judges & Volunteers Reception	400.00
Outreach Workshop	75.00
Raffle	0.00
Sponsorship Appreciation	500.00
Support Events - Other	
Total Support Events	<u>1,325.00</u>
Festival Events - Other	
Total Festival Events	<u>14,730.00</u>
Fundraiser	
Auction Other	0.00
Flowers	75.00
Food & Facility	2,000.00
Gratuity	300.00
Misc.	300.00
Music	350.00
Non-Alcoholic Beverages	50.00
Printed Materials	250.00
Fundraiser - Other	
Total Fundraiser	<u>3,325.00</u>
Merchandise Sales	
Apparel	
Graphics work	250.00
Set up & Samples	1,200.00
Apparel - Other	7,500.00
Total Apparel	<u>8,950.00</u>
Other Merchandise	1,000.00
Poster	
Artist Stipend	500.00
Graphics Work	250.00
Poster - Other	
Total Poster	<u>750.00</u>
Merchandise Sales - Other	
Total Merchandise Sales	<u>10,700.00</u>
Miscellaneous	
Bank SVC & Credit Card Fees	

Capitola Begonia Festival Association
Profit & Loss Budget Overview
January through December 2011

	<u>Jan - Dec 11</u>
Credit Card Fees Fundraiser	350.00
Credit Card Fees Merch.& Poster	450.00
Reconciliation Discrepancies	
Bank SVC & Credit Card Fees - Other	
Total Bank SVC & Credit Card Fees	<u>800.00</u>
Business Licenses and Permits	50.00
Chamber of Commerce Membership	137.00
Insurance Expense	
Event Insurance Expense	3,200.00
General Liability Insurance	1,360.00
Insurance Expense - Other	
Total Insurance Expense	<u>4,560.00</u>
PO Box	60.00
Sales Tax	
Sales Tax Fundraiser Auction	
Sales Tax Merchandise Sales	
Sales Tax - Other	1,000.00
Total Sales Tax	<u>1,000.00</u>
Telephone Expense	350.00
Thank You cards & Postage	
Postage	100.00
Thank you cards	150.00
Thank You cards & Postage - Other	
Total Thank You cards & Postage	<u>250.00</u>
Miscellaneous - Other	1,000.00
Total Miscellaneous	<u>8,207.00</u>
Petty Cash	
Photography/Unbudgeted Expense	
Publicity	
Additional Advertising	
Banners	500.00
Printed materials	
Advertising Poster	250.00
Brochure Printing	1,100.00
Printed materials - Other	
Total Printed materials	<u>1,350.00</u>
Thank You Ad	300.00
Publicity - Other	
Total Publicity	<u>2,150.00</u>

Capitola Begonia Festival Association
Profit & Loss Budget Overview
January through December 2011

	<u>Jan - Dec 11</u>
Volunteer Expenses	
Office Supplies	300.00
President's Gift	100.00
Volunteer Identification	
Volunteer Expenses - Other	
Total Volunteer Expenses	<u>400.00</u>
Total Expense	<u>39,632.00</u>
Net Income	<u>2,618.00</u>



CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 24, 2011

FROM: DEPARTMENT OF PUBLIC WORKS
DATE: MARCH 18, 2011
SUBJECT: RISPIN PROPERTY HAZARD ABATEMENT UPDATE

Recommended Action: By motion and roll call vote, take the following actions:

1. Accept this update report on the Rispin Property Hazard Abatement Project, and
 2. By 4/5 approval, make the determination that all hazards at the Rispin Property as detailed in the March 1, 2011, Notice of Summary Abatement Order to Abate Dangerous Buildings and Grounds have not been eliminated and that there is a need to continue action.
-

BACKGROUND

On March 10, 2011, the City Council adopted Resolution No. 3859 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. Pursuant to Public Contracting Code Section 22050 the City Council must review this action at each subsequent regularly-scheduled meeting and, by 4/5 vote, authorize work to continue under the emergency declaration.

DISCUSSION - PROJECT STATUS:

As required under the approved Notice of Exemption from CEQA, a bat survey has been scheduled and should be completed by March 25, 2011. The results of this survey will determine the starting date of actual construction on the site.

A meeting with the contractor, engineers, architects, and other consultants was held on Friday, March 18, 2011. At this meeting the contractor laid out his schedule and a list of deliverables was developed for each consultant.

FISCAL IMPACT

Contracts in the amount of \$587,000 have been issued. As of March 16, 2011 there have been no expenses.

ATTACHMENTS

None

**Report Prepared By: Steven Jesberg
Public Works Director**

**Reviewed and Forwarded
By City Manager:**



CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 24, 2011

FROM: DEPARTMENT OF PUBLIC WORKS

DATE: MARCH 16, 2011

SUBJECT: CAPITOLA VILLAGE PARKING STRUCTURE PLANNING PROJECT AND
TRAFFIC IMPACT ANALYSIS

Recommended Action: By motion and roll call vote, take the following actions:

1. Receive and accept a report from Watry Design, Inc., on the Village Parking Structure at the Pacific Cove Parking Lot; and
2. Receive and accept a report from RBF Consulting on the Traffic Impact, Circulation and Congestion Relief for the Pacific Cove Village Parking Structure; and
3. Consider direction to staff to develop a financing plan for the project and allocate funds as available in the 2011-12 fiscal year budget for preliminary engineering, permitting, and environmental review for the Capitola Village Parking Structure at Pacific Cove Parking Lot.

BACKGROUND

On January 14, 2010, the City Council accepted a \$40,000 grant from the U.S. Department of Commerce Economic Development Administration (EDA) for the preparation of a Village Parking Structure Planning Project study that analyzed parking structure layouts and options for a new Pacific Cove Parking Lot on the City Hall/Pacific Cove sites. The purpose of this study was to provide conceptual plans and construction cost estimates for a parking structure. The study also looked at the potential long term uses for City Hall/Pacific Cove sites to ensure the parking structure is compatible with future uses.

Following a detailed selection process a contract was awarded on May 13, 2010 to Watry Design to complete the study. On May 27, 2010, based on the recommendation of the Traffic and Parking Commission, the City Council awarded a contract to RBF Consulting to complete a traffic impact analysis for the proposed parking structure.

DISCUSSION

Both studies are complete and the consultants will present findings at this meeting. Much of the design work was based on the needs analysis prepared by the Traffic and Parking Commission in their report to the City Council dated April 14, 2010. (Attachment 3)

This report identifies the following current and future parking needs for the Village area:

Demand	Low	High
Current Shortfall	176	390
Village Hotel	60	120
Replace Theater Spaces	39	39
Esplanade Pedestrian Walk	0	100
Valet Parking Program	0	50
Other New Development	50	100
Total Long Term Parking Needs	325	799

Parking Structure Report Summary

Based on the above needs and the existing dimensions of the Pacific Cove Parking Lot, Watry investigated parking structures with both two and three driving aisles. The two aisle design was narrower than the existing property but required a minimum of four levels to meet the minimum parking needs. The three aisle designs are slightly wider than the existing Pacific Cove Parking Lot, but would continue to maintain a landscape buffer between the structure and Pacific Cove Mobile Home Park. Further the three aisle design can meet minimum needs with three levels, or provide a higher parking count with four levels. Options 1 and 2 in the Watry report (Attachment 1) detail the three aisle designs which are summarized in the table below.

Option	Number of levels	Total number of stalls	Net new stalls	Estimated Cost
1	3	554	320	\$12.8 million
2	4	664	430	\$18.8 million

Traffic Impact Report Summary

The traffic impacts of a new parking structure in the Pacific Cove Parking Lot, along with anticipated near-term development, are detailed in the RBF report (Attachment 3). Some intersection improvements will be necessary in the Village to maintain levels of service consistent with the City policies. Most notably, the intersection of Bay Avenue and Capitola Avenue, and the intersection of Monterey Avenue and Park Avenue will need either signalization or roundabouts. The intersection of Monterey Avenue and Capitola Avenue may also require a traffic signal. Additionally, the intersection of Capitola Avenue and Stockton Avenue will see a slight reduction in the level of service, but improvements to this intersection are not recommended at this time.

Intersection	LOS – current	LOS – with structure and future development	LOS- with structure/development and improvements
Monterey & Park	D	E	B
Monterey & Capitola Ave	D	E	A
Stockton & Capitola Ave	E	E	None recommended
Stockton & Esplanade	D	A	
Capitola Ave & Riverview Dr	C	B	
Monterey & Bay	B	B	
Capitola Ave & Bay	C	D	A
Capitola Ave & San Jose	A	A	

The previously reviewed one-way traffic proposal with a counter clockwise traffic circulation was also analyzed, but was determined infeasible without a new road through the Pacific Cove Parking Lot property.

FISCAL IMPACT

A multitude of funding sources will need to be explored and utilized to fund a project of this magnitude. The Traffic and Parking Commission identified the following possible sources in their April 2010 report to the City Council:

- Village Hotel contribution
- CDBG grants
- EDA grants
- Bond proceeds
- Parking meter revenue from increased rates
- Adding parking meter to 43 existing spaces on Cherry Avenue
- TOT revenue from either Village Hotel or increase in TOT rate

Initially, to start conceptual design and environmental review it is estimated that \$300,000 - \$500,000 will be needed.

ATTACHMENTS

1. Capitola Village Parking Structure Planning Project by Watry Design, Inc., dated February 18, 2011
2. Traffic Impact, Circulation and Congestion Relief Study for the Pacific Cove Village Parking Structure by RBF Consulting dated January 26, 2011
3. Report on Parking Expansion Alternatives by the Traffic and Parking Commission dated April 14, 2010

Report Prepared By: Steven Jesberg
Public Works Director

**Reviewed and Forwarded
By City Manager:**

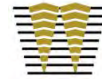
Capitola Village Parking Structure Planning Project for the City of Capitola



February 18, 2011

 **WATRY DESIGN, INC.**
Architects • Engineers • Parking Planners

FIELD
PAOLI



Capitola Village Parking Structure Planning Project
for the
City of Capitola

February 18, 2011
Prepared by

Watry Design, Inc.
Architects, Structural Engineers, Parking Planners

with

FIELD PAOLI
Architects



420 Capitola Ave,
Capitola, CA 95010
Phone: 831.475-7300 • Fax: 831.464-8659

This report was prepared by Watry Design, Inc. for the City of Capitola under award No. 07-69-06484 from the Economic Development Agency, U.S. Department of Commerce. The statements, findings, conclusions, and recommendations are those of the author(s) and do not necessarily reflect the views of the Economic Development Agency or the U.S. Department of Commerce.

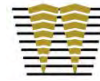


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December 16, 2010

Mr. Steve Jesberg
Public Works Director
420 Capitola Avenue
Capitola, CA 95010

RE: Capitola Village Parking Structure Planning Project

Dear Steve,

Watry Design is pleased to submit to you the Capitola Village Parking Structure Planning Study. This feasibility report includes results from data collection and site analysis in conjunction with the efforts of Field Paoli. Watry Design and Field Paoli have endeavored to assemble this information into a clear and concise format. We believe that it addresses the concerns and criteria identified in the original Request for Proposal, as well as those raised during the study process.

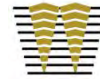
We thank you for this opportunity to work for you and hope to do so again in the near future.

Sincerely,

WATRY DESIGN, INC.

A handwritten signature in blue ink that reads "Michelle Wendler". The signature is written in a cursive, flowing style.

Michelle Wendler, Architect
Principal



Chapter 1 - Introduction

Background

This Parking Feasibility Study has been prepared by Watry Design, Inc. and Field Paoli, with direction from City of Capitola staff for short- and long-term planning purposes. It is the intent of this project to develop preliminary project details for the future development of a multi-level parking structure, which can then be incorporated with a future City Hall site redevelopment. The project will be developed in phases; the first phase is the parking structure with a possible City Hall/commercial development as a second phase.

Study Chronology

Task 1: Stakeholder meetings/background research – Watry met with City Staff and members of the City’s Traffic and Parking Commission subcommittee for the Parking Structure to discuss background information, project vision and related issues. Prior to this meeting Watry reviewed documents provided by the City.

Task 2: Site meetings and Design coordination – Watry reviewed the site and developed design parameters and standards to be used in the preliminary design effort. The design parameters included, entrance and exit limitations, topography, number of parking spaces provided, and pedestrian access routes to the Central Village.

Task 3: Development of options for Parking Structure – Watry developed a set of preliminary options for the parking structure for review by the City and Commission. These options presented five alternative plan layout options. Preliminary cost estimates for each option were provided.

Task 4: Site Master Plan – Watry, in conjunction with Field Paoli, developed site plans for the entire site, incorporating parking structure and City Hall, developing spaces for future uses including civic functions and potential commercial space.

Task 5: Floor Plans for two selected parking structures. - Watry prepared plan sheets for two selected parking structure options. These plans included floor plans, basic structural elements, entrance and exit paths of travel for both vehicles and pedestrians and other elements necessary to visually depict the structure on site. Parking structures are placed on site background taken from aerial photography.

Task 6: 3-D renderings and visualization for site master plan - Based on direction from City staff Field Paoli prepared plan sheets for two final site master plans. An architectural rendering was prepared to represent architectural character of parking structure within the site context.

Task 7: Develop Parking Structure costs estimates – Rough cost estimates were developed for the two selected parking structure options. Include are cost estimates for planning, permitting, engineering, construction, and construction management costs, i.e. soft costs.

Task 8: Develop Site Master Plan costs – Watry and Field Paoli developed a budgetary cost estimate for the selected master plan. The estimate includes preliminary site development cost based on square footage of the buildings and site improvements.

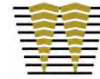
Task 9: Project Report - The final project report describes the process of developing the selected options, specific details, costs estimates and reduced plan sheets.

Basis of Analysis

The study was established with the parameters that the structure should achieve a minimum of 325 new parking spaces to a maximum of 800 new parking spaces for a estimated cost of \$10,000,000. Below is a brief summary of the parking demand requirements derived from previous studies authorized by the City of Capitola. As the Pacific Cove Lot is the only parcel left large enough to develop structured parking, it would be ideal to maximize the number of parking stalls provided while remaining within the budget the City can finance.

The following chart was excerpted from the Report on Parking Expansion Alternatives for the Traffic and Parking Commission dated April 14, 2010.

Demand	Low	High
Current Shortfall	176	390
Village Hotel	60	120
Replace Theater Spaces	39	39
Esplanade Pedestrian Walk	0	100
Valet Parking Program	0	50
Other New Development	50	100
Total Long Term Parking Needs	325	799



Chapter 2 - Parking Capacity Analysis

Parking Structure Design Analysis

Watry Design was commissioned by the City of Capitola to evaluate the feasibility of accommodating structured parking within the Pacific Cove Parking Lot. The analysis was provided in two steps, an initial analysis of 5 options followed by the development of 2 final options derived from the initial analysis.

Parking structures are made up of parking bays that include a drive aisle with parking stalls on either side. Efficient parking layouts have parking on both sides of a drive aisle. This parking can either be angled parking or 90 degree parking. 90 degree parking is more efficient than angled parking, but requires a wider width than angled parking. Two bay solutions fit the parking structure within the existing parking lot area. Initial analysis determined that the width of the site in the north south direction was a critical factor in the layout of the structure. Both 2 bay and 3 bay parking solutions were compared to the width of the site. 2 Bay structures only yield the minimum parking stalls and require 4 levels of parking to achieve that goal. Three bay parking solutions exceed the footprint of the existing parking lot and extend past the fence line to the north. Using 60 degree parking with 3 bays, you can meet the minimum parking demand in three parking levels. Since the height above grade is a factor relative to the impact on the surrounding community and the distance below grade is a factor relative to increasing cost, it was determined that the parking structure should not be higher than the adjacent railroad tracks and ideally would not be below grade far enough to require mechanical ventilation or sprinklers. These conditions guided the development of the final two options.

In addition to the analysis above, the following factors played into the decision for the final options.

Angled versus 90 degree parking

Both 90 degree parking and angled parking were reviewed in the initial options. For the 2 bay solutions, 90 degree parking was used throughout. For the three bay solutions, angled parking was used, except on the ramp. 90 degree stalls were utilized where two-way circulation is required. 90 degree parking is more efficient than angled parking, which means that it will cost less per parking stall to build. However, due to the narrow site, it was determined that three bays of 90 degree parking was not feasible. In the final 2 options, 3 bay solutions of both 45 degree and 60 degree angles were evaluated. These options were evaluated to determine the impact on the northern area beyond the parking lot and took into consideration the removal of existing trees. Option 2 is 45 degree parking and provides a narrower building, but less parking stalls on each floor. Option 1 uses a 60 degree solution, is more efficient, but extends 9'-6" further to the north. (14'-6" past fence versus 5'-0" past fence).

Parking Stall Size

The initial options were reviewed with both 9'-0" wide and 8'-6" parking spaces. The standard stall sizes required by the City of Capitola zoning regulations are 9'-0" wide by 20'-0" long, however the existing parking stalls in the Pacific Cove Lot are much smaller than that. The size of a parking space is usually relative to the type of user. High turnover spaces with less familiar users generally require wider parking spaces. Lower turnover spaces can have narrower parking spaces. Because the parking in this structure is longer term and lower turnover, we are recommending that 8'-6" wide by 18'-0"

long stalls be used. In addition, the width of the stall has an effect on the efficiency which has a direct relationship to cost. Narrower stalls allow more stalls in the same square footage. It should also be noted that this is the most common stall size used in the Bay Area. This stall size is assumed for all the final options.

Ramp Type

Both express ramps and parked on ramps were investigated in the initial options. Express ramps are ramps that average up to 15% slope and connect the floors without parking. Parked on ramps are parking bays that are sloped to connect the floors. Express ramps provide a higher level of service because cars can circulate from floor-to-floor without interacting with cars pulling in and out of parking spaces. Although they allow the parking to be on flat floors, they are less efficient and therefore contribute to a higher cost per parking stall. Parked on ramps are generally more advantageous in low turnover parking, are more efficient and therefore contribute to a lower cost per stall. However, parked on ramps require one third of the stalls to be parked on sloping floors and since the circulation between floors must also interact with cars pulling in and out of parking spaces, it provides a lower level of service. Due to the site configuration, it was possible to use an express ramp with the two bay solutions and it was investigated as a possible option. The 3 bay solutions were studied with parked on ramps. The conclusion was to use parked on ramps, based on the type of user, a low turnover rate and the importance of maximizing new parking stalls within the site parameters and budget. The final options utilize a parked on ramp solution.

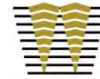
Number of Levels and Relationship to Existing Grade

Initial options were reviewed having three and four parking levels at a grade elevation of 33.5 and at 22. At elevation 33.5, the lowest level of parking did not require mechanical ventilation or sprinklers. At elevation 22, the lowest level requires both. After review of 3-D massing models to understand the proportions of the proposed options and their impact on the surrounding area, it was determined that the top deck of the parking structure should not be higher than the railroad tracks on the south side. The final options include a 3 and 4 level solution. Both options set the top deck at the tracks and therefore the lowest level of the 4 level option is completely below grade and would require mechanical ventilation and sprinklers.

The following programmatic items were included in all options.

Stairs and elevator cores were included at the southwest and southeast corners of the site providing connections to Monterey and Capitola Ave as well as to City Hall. The southwest core utilizes a new pedestrian linkage proposed to connect to Capitola Ave that will provide a more direct access to the Village. The vehicular access from Capitola Ave was widened to provide 2-way circulation at this entrance.

All options evaluated provide an area for valet parking on the top deck to provide additional new parking stalls into the Village area. The valet area would be utilized by hotels in the village and would be separated from the general use parking.



Parking Structure Descriptions for Final Options 1 and 2

The final options summary is provided below: Note both options retain 23 on grade stalls which are included in the stall count

	Option 1	Option 2
SQUARE FOOTAGE	168,300	213,400
STALL ANGLE	60 degrees	45 degrees
NUMBER OF LEVELS	3 levels	4 levels
ENCROACHMENT PAST FENCE	14'-6"	5'-0"
EFFICIENCY	317 sf/stall	331 sf/stall
NUMBER OF TOTAL STALLS	554 stalls	664 stalls
NUMBER OF NET NEW STALLS	320 stalls	430 stalls
TOTAL COST	\$12,777,863	\$18,813,270
COST PER STALL	\$23,065	\$28,333
COST PER NET NEW STALL	\$39,931	\$43,752
ADDED STALLS WITH VALET	26	24

Conclusions

After the evaluation of the final options it was determined that Option 1 was the preferred alternative for the following reasons.

1. It is within the limits of the possible funding scenarios of the City.
2. It meets the minimum parking demand.
3. It fits within the site parameters; below the railroad tracks while not requiring a below grade level.

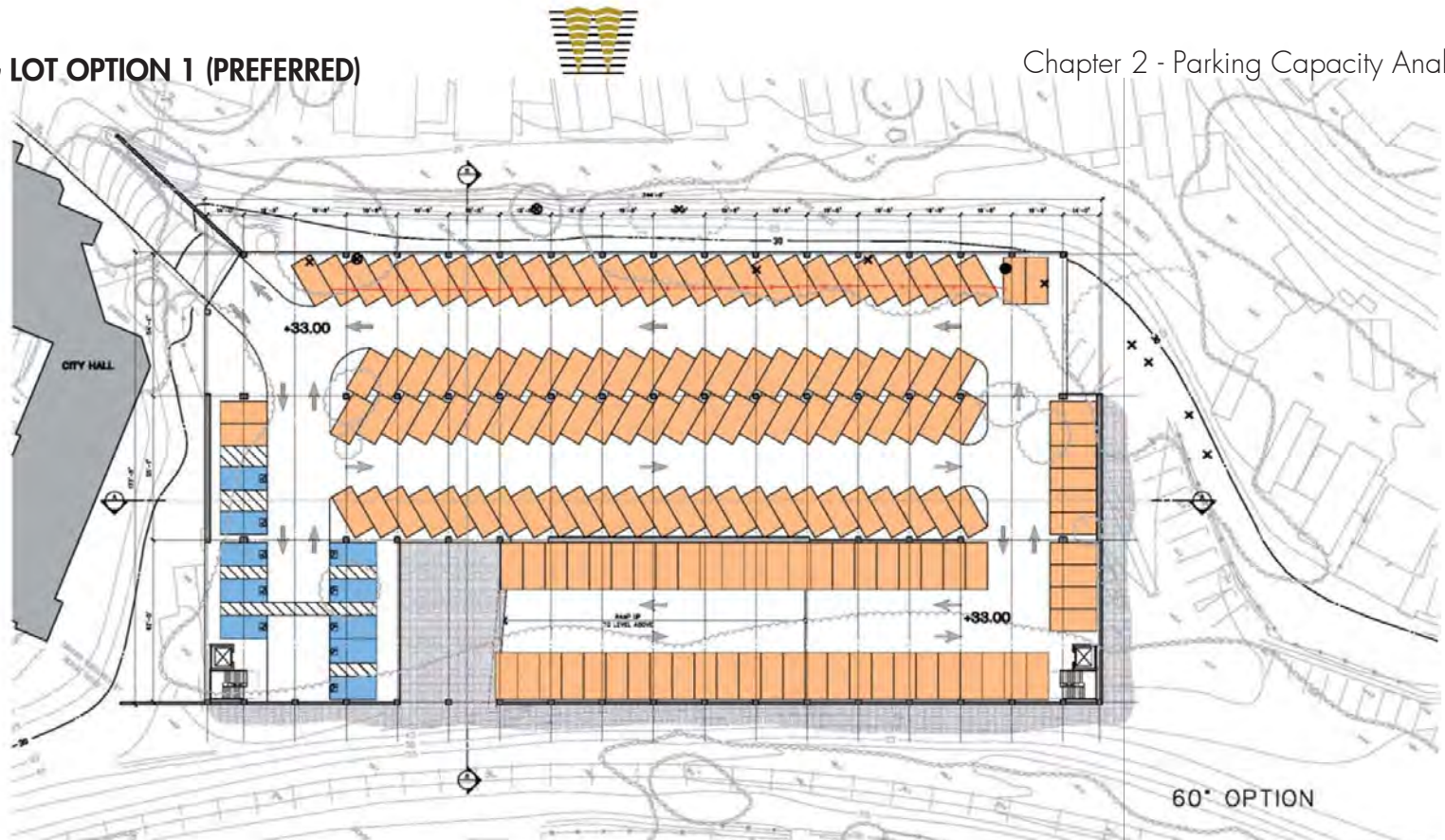
While Option 2 provides more parking spaces, it's cost per new parking space is higher due to the higher sf/stall and the level below grade. While it is possible to add a level of parking to Option 1 and add approximately 190 parking spaces. The additional level would be below grade and would make the cost per new stall higher. This might be outside the funding limitations of the City.

The analysis provided the following insights.

1. It is not possible to meet the maximum parking demand within the funding limitations.
2. 4 levels of parking, if provided above grade to minimize costs, would be too tall.
3. Providing the 4th level of parking below grade may be cost prohibitive.
4. It is necessary to go beyond the limits of the existing surface parking lot to provide a more efficient solution.
5. The distance beyond the parking lot to the north can still be mitigated by landscaping.
6. It is possible to incorporate valet parking to increase the parking supply in the structure.
7. The pedestrian connection to Capitola Avenue is critical to the success of the project.
8. Widening the vehicular access to Capitola Avenue is critical to the success of the project.
9. The structure can be designed for both the current and future City Hall configurations.
10. Keeping the structure below the level of the railroad tracks is an important site consideration.
11. The architectural facade treatment and landscaping will be important to integrate the structure into the existing context and address community compatibility.

PACIFIC COVE PARKING LOT OPTION 1 (PREFERRED)

Chapter 2 - Parking Capacity Analysis



60° OPTION

GROUND LEVEL PARKING PLAN

SCALE: 1/8" = 1'-0"

Not to Scale

TREE LEGEND

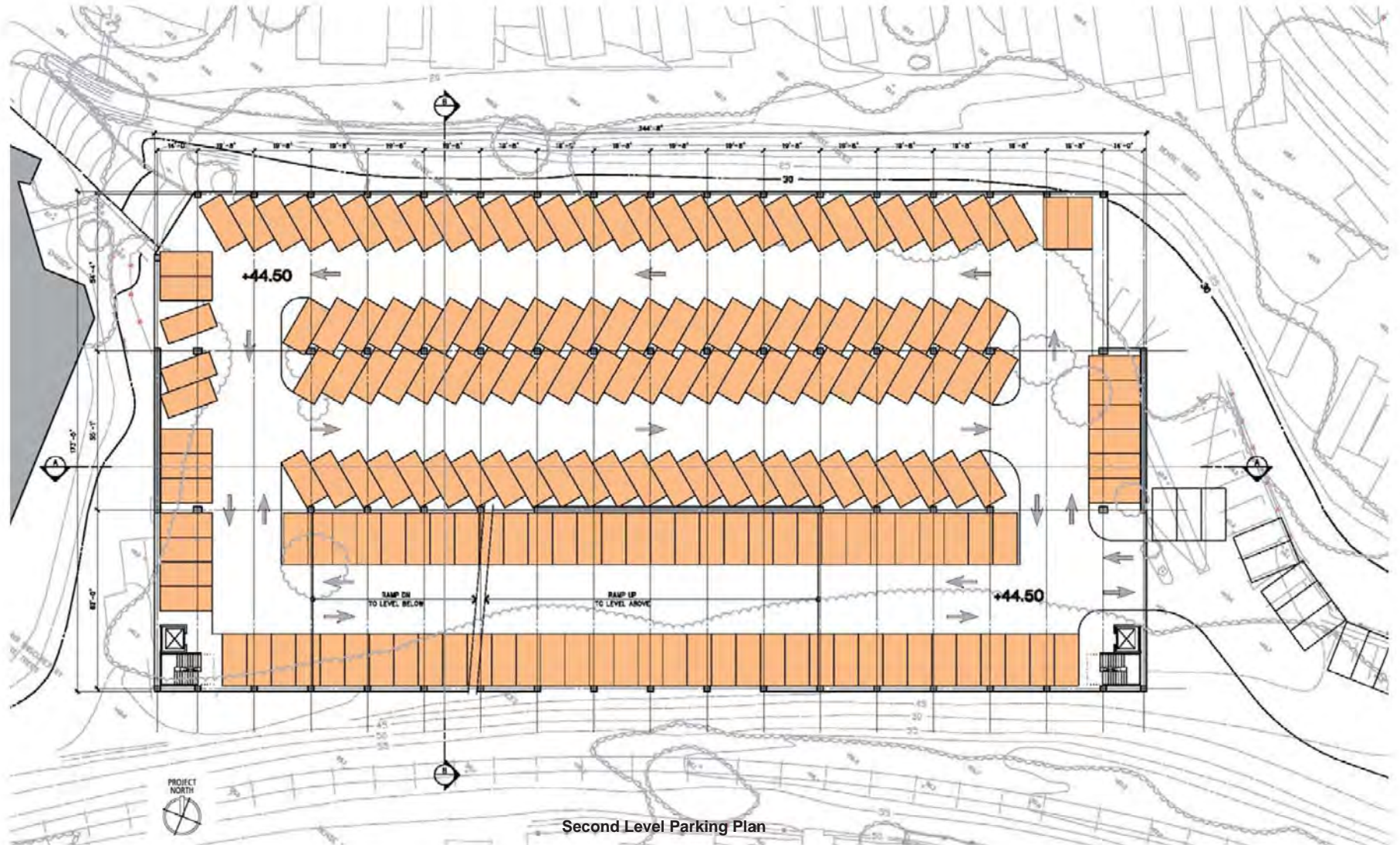
- ⊙ INDICATES REDWOOD TREE
- ✕ INDICATES OAK TREE
- INDICATES PINE TREE



3 - LEVEL						
LEVEL	UNSTALL (8'-0" x 18'-0")	ACCESSIBLE (9'-0" x 18'-0")	VALET (8'-0" x 16'-0")	TOTAL	AREA (SQ.FT.)	SQ. FT. / STALL
Level 3	170	0	0	170	62,900	311
Level 2	189	0	0	189	68,900	312
Level G	162	10	0	172	66,600	328
TOTAL	521	10	0	531	198,300	317
Levels G & 2	361	10	0	361	115,400	320
Level 3 w/ Valet	96	0	101	196	62,900	270
TOTAL	448	10	101	557	188,300	302

+23 ADDITIONAL STALLS ON-GRADE, GRAND TOTAL ON SITE: 554
 NET NEW STALLS: 554 - 234 (E) = 320

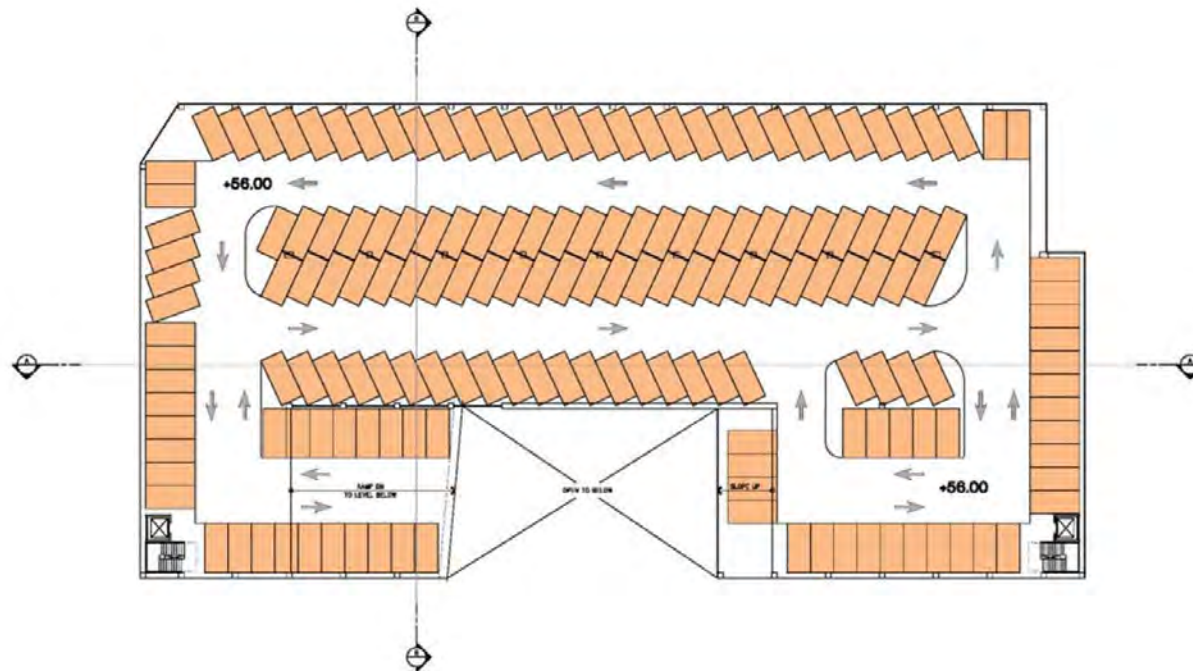
PACIFIC COVE PARKING LOT OPTION 1 (PREFERRED)



Second Level Parking Plan

Not to Scale

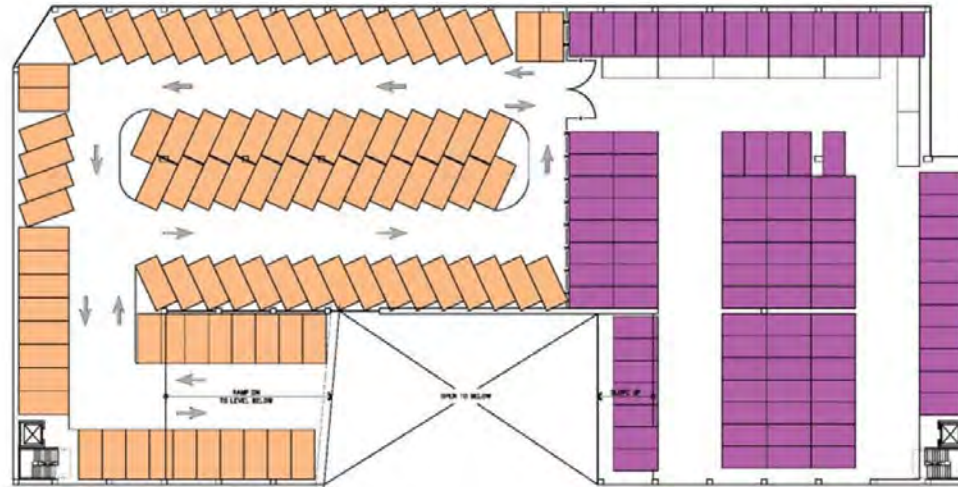
PACIFIC COVE PARKING LOT OPTION 1 (PREFERRED)



THIRD LEVEL PARKING PLAN
SCALE: 1/8" = 1'-0"

Not to Scale

PACIFIC COVE PARKING LOT OPTION 1 (PREFERRED)

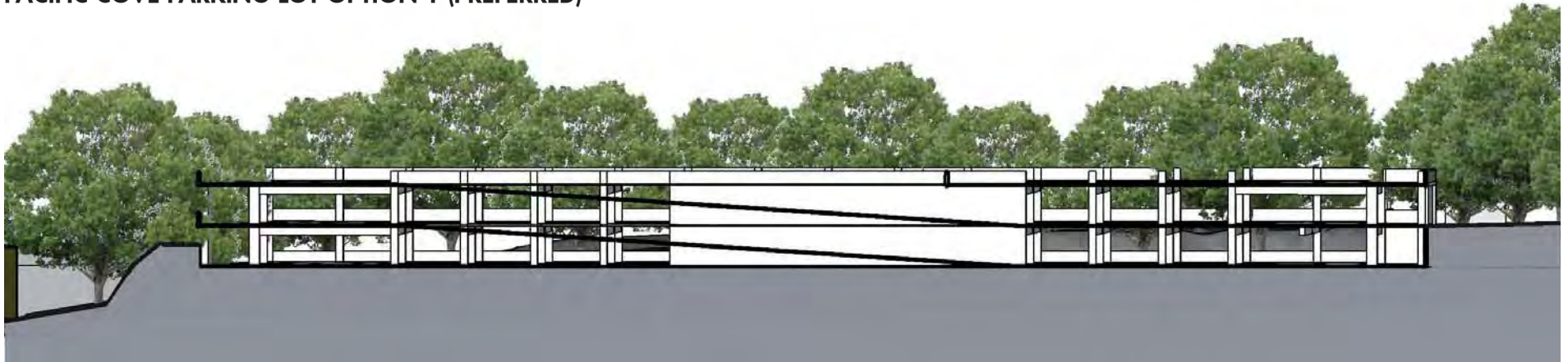


THIRD LEVEL PARKING PLAN
SCALE: 1/8" = 1'-0"

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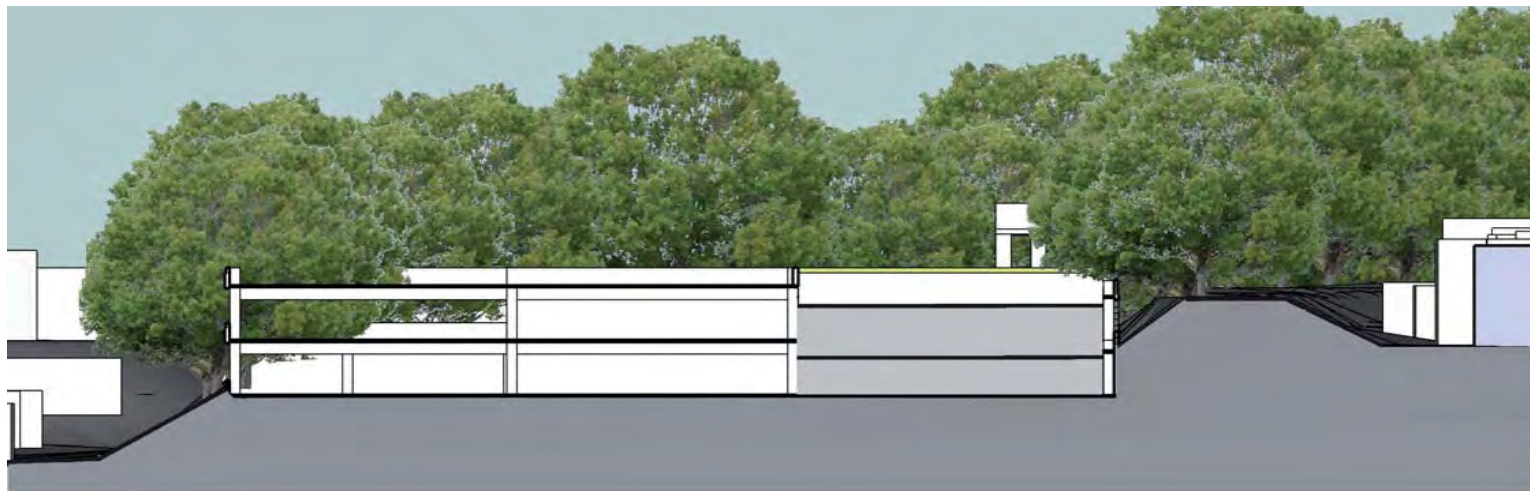
PACIFIC COVE PARKING LOT OPTION 1 (PREFERRED)



(City Hall)

(Exit to Monterey Ave)

LONGITUDINAL SECTION - Option 1



(Pacific Cove Mobile Home Park)

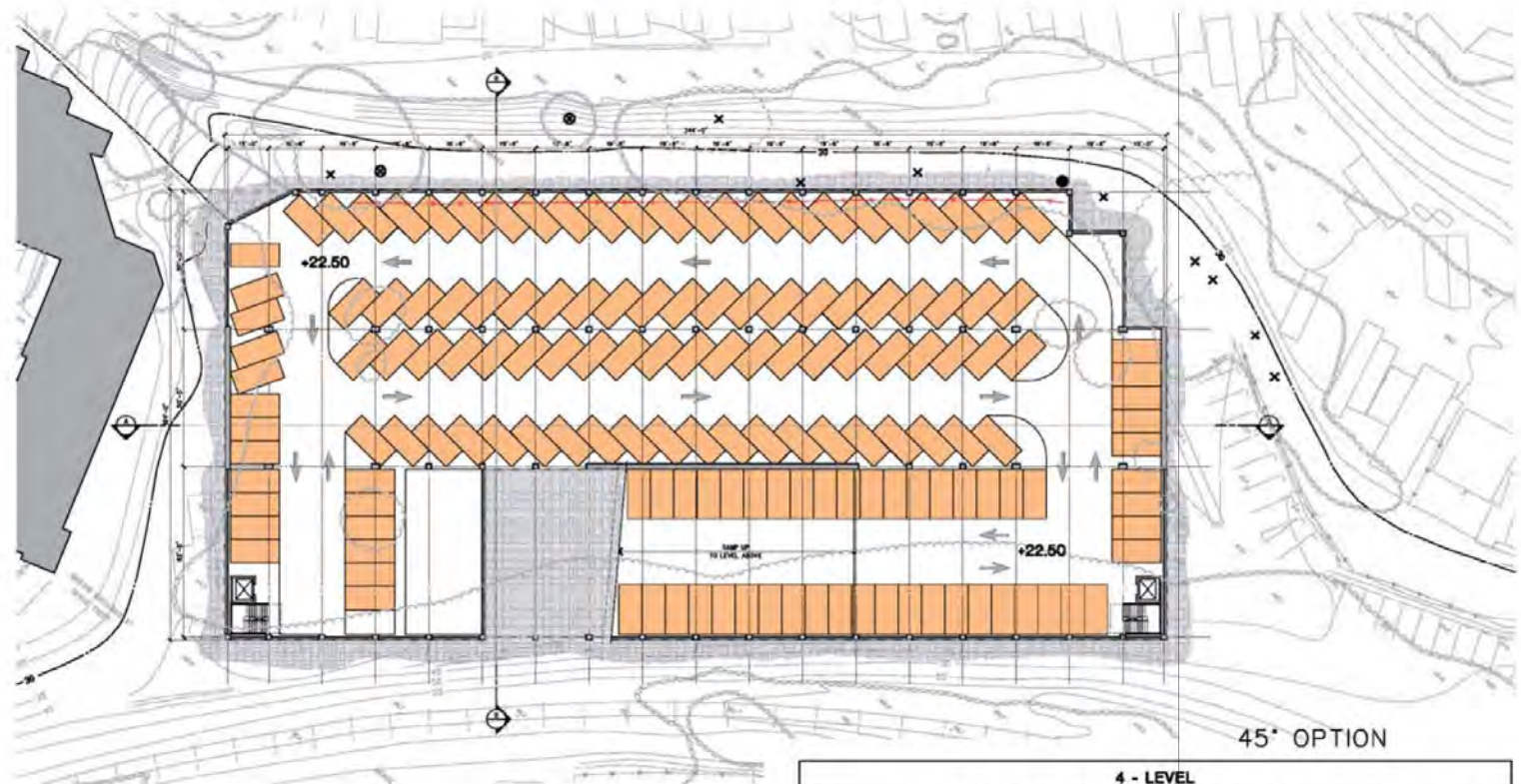
(Train Tracks)

TRANSVERSE SECTION - Option 1

PACIFIC COVE PARKING LOT OPTION 2



Chapter 2 - Parking Capacity Analysis



BASEMENT LEVEL PARKING PLAN

SCALE: 1/8" = 1'-0"

Not to Scale

TREE LEGEND

- ⊙ INDICATES REDWOOD TREE
- × INDICATES OAK TREE
- INDICATES PINE TREE



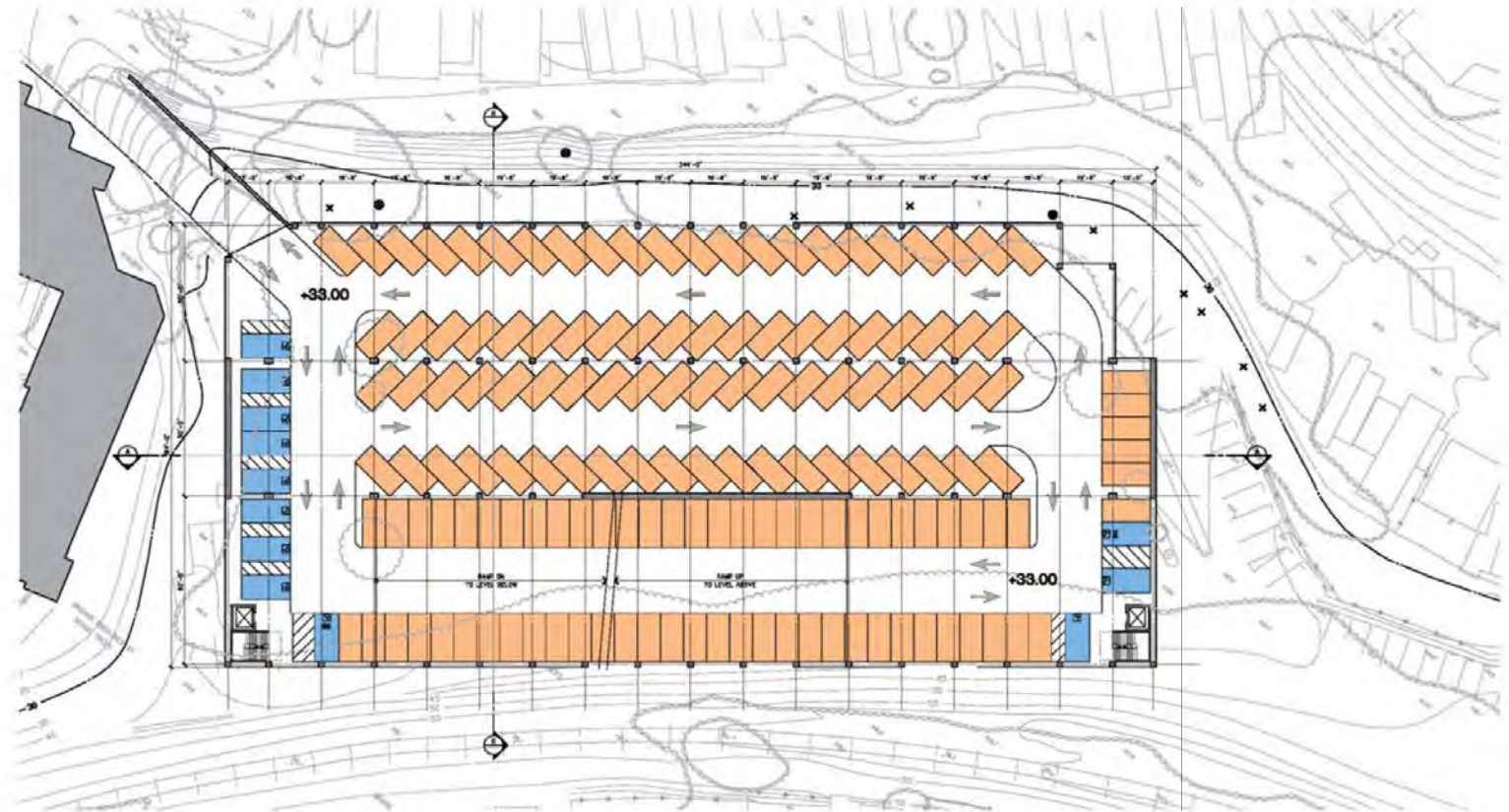
4 - LEVEL						
LEVEL	UNSTALL. (8'-6" x 18'-0")	ACCESSIBLE (8'-0" x 18'-0")	VALET (8'-0" x 18'-0")	TOTAL	AREA (SQ.FT.)	SQ. FT. / STALL
Level 3	183	0	0	183	49,100	301
Level 2	188	1	0	187	55,200	331
Level 0	148	12	0	160	55,200	345
Basement	151	0	0	151	62,600	360
TOTAL	628	13	0	641	212,300	331
Levels G, 2 & 3	485	13	0	478	163,200	341
Level 3 w/ Valet	88	0	99	187	60,200	288
TOTAL	563	13	99	665	213,400	321

+23 ADDITIONAL STALLS ON-GRADE, GRAND TOTAL ON SITE: **684**
 NET NEW STALLS: 664 - 234 (E) = 430

PACIFIC COVE PARKING LOT OPTION 2



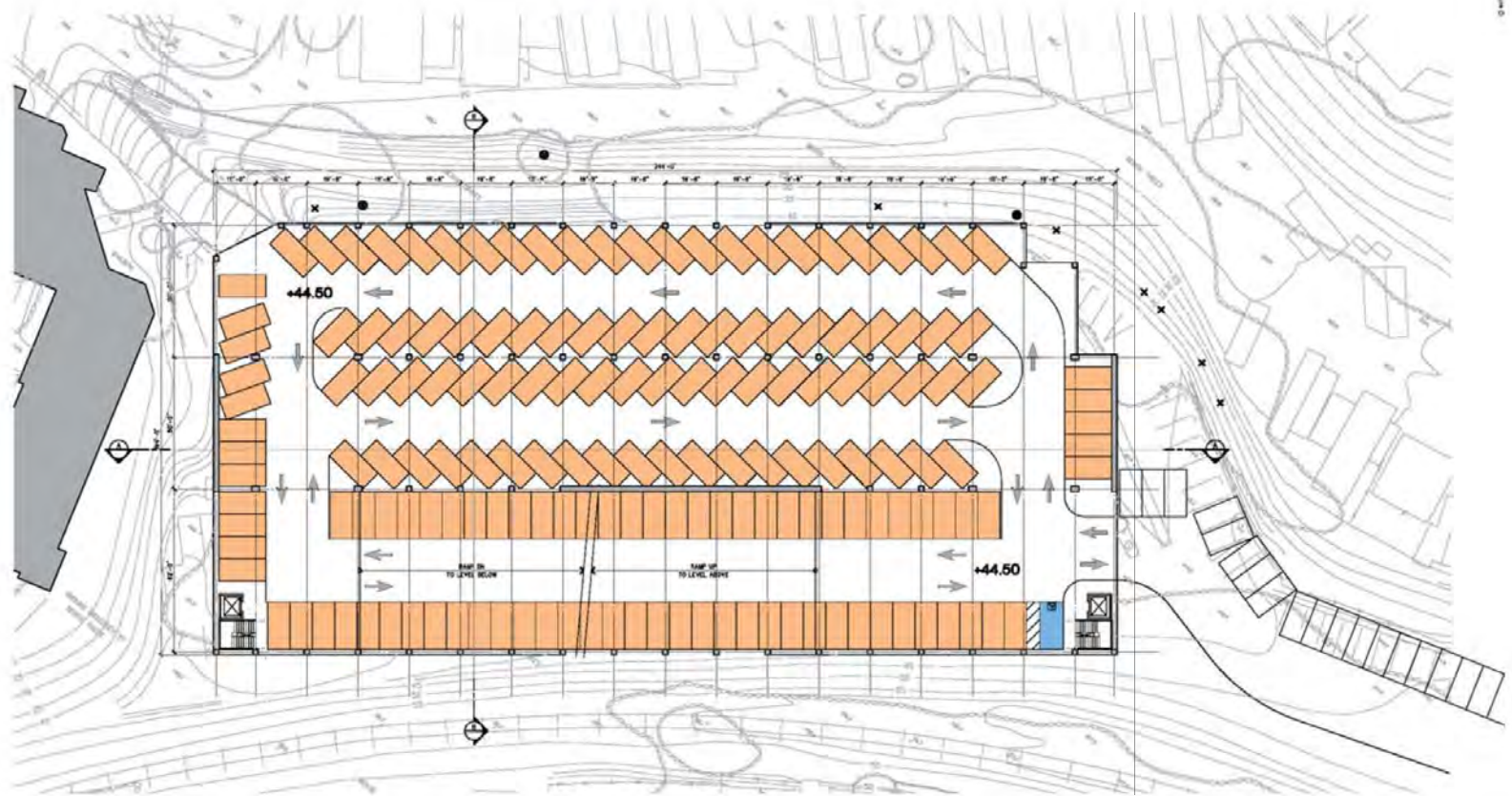
Chapter 2 - Parking Capacity Analysis



GROUND LEVEL PARKING PLAN
SCALE: 1/8" = 1'-0"

Not to Scale

PACIFIC COVE PARKING LOT OPTION 2



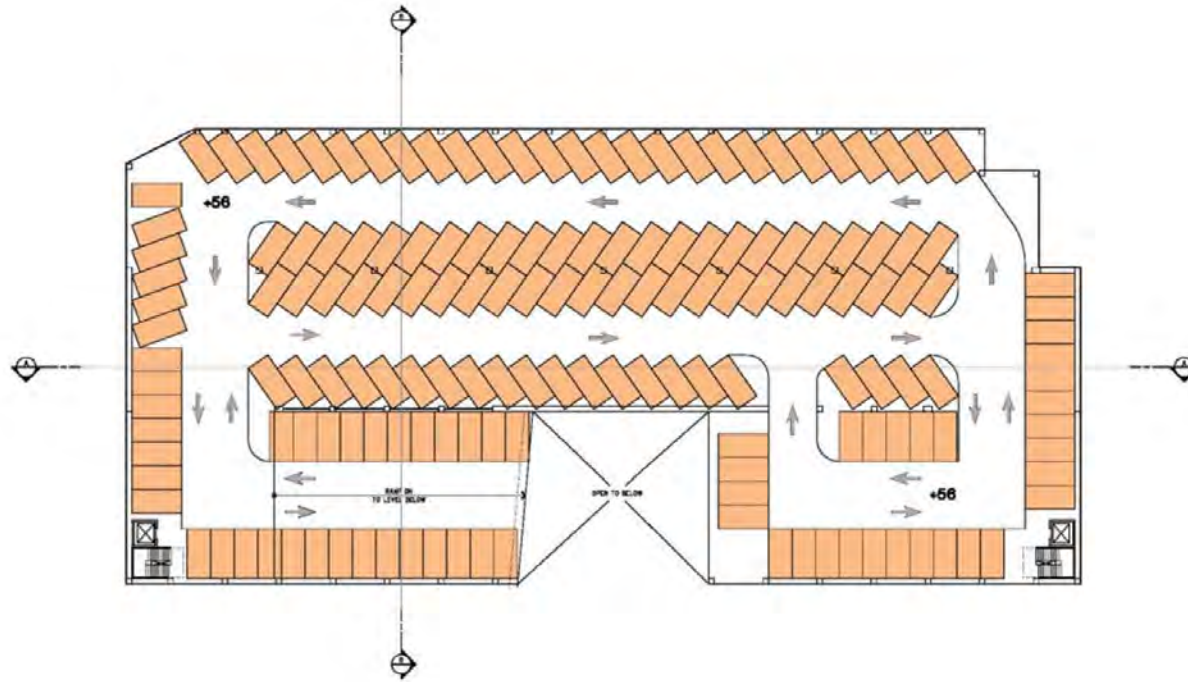
SECOND LEVEL PARKING PLAN
SCALE: 1/8" = 1'-0"

Not to Scale

PACIFIC COVE PARKING LOT OPTION 2



Chapter 2 - Parking Capacity Analysis



THIRD LEVEL PARKING PLAN
SCALE: 1/8" = 1'-0"

Not to Scale

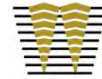
PACIFIC COVE PARKING LOT OPTION 2



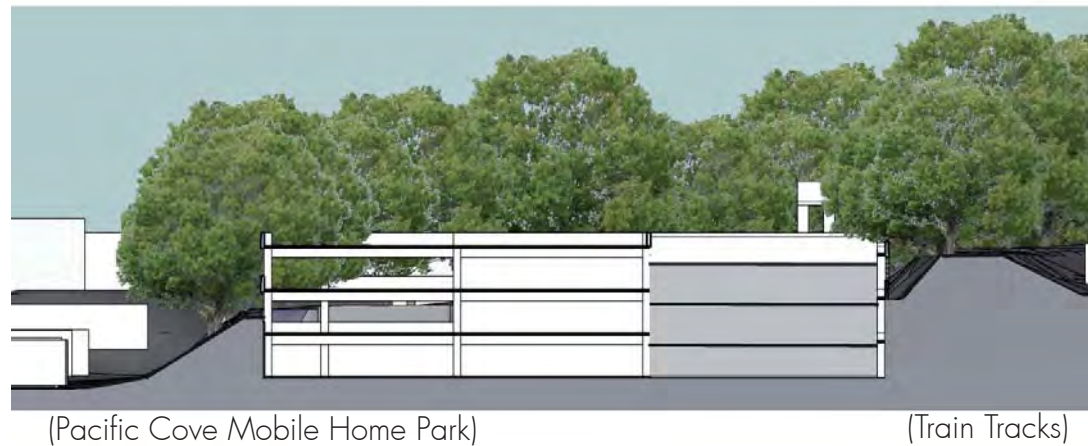
THIRD LEVEL PARKING PLAN
SCALE: 1/8" = 1'-0"

Not to Scale

PACIFIC COVE PARKING LOT OPTION 2



LONGITUDINAL SECTION - Option 2



TRANSVERSE SECTION - Option 2



Chapter 3 - Master Plans and Visualization

Site Master Plans

The Site Master Plans illustrate how the parking structure can fit into the larger context of Capitola. The site is well suited as a location for parking to serve the downtown and beach areas and integrates well with the existing City offices. This development can be an opportunity to create a “gateway” element that announces the arrival at downtown Capitola. In addition to providing needed parking, it can improve the experience of visiting the downtown for both residents and out-of-town guests.

Adjacent Residential Areas

The parking structure is well buffered from adjacent residential properties. The raised railroad bed to the south forms a physical barrier separating the garage structure and the residential buildings to the south; the parking structure will be lower than the railroad bed. Its width allows for dense planting that will remain in place. The floor elevation of the structure is significantly higher than the mobile home community to the north and the hillside between them allows for planting of vegetation to screen views of the garage.

City Office Site

The parking structure’s relationship to the City Office site was evaluated for access and for potential reuse. The viability of future commercial development was taken into consideration. Connections to the existing structure were planned to ensure convenient access and to provide ADA compliant routes for the disabled. Future modernization or reconstruction of the City Offices was considered, allowing for better vehicular circulation to the garage and orientation to make the City Offices a civic “gateway” element.

Vehicular Access

Existing street entrances will be maintained and enhanced for safety and ability to carry the necessary traffic. The west entrance road will be regraded to a flatter slope and its intersection with the driveway serving the mobile home community will be improved. Visibility and identification of the parking structure entries will be designed to improve wayfinding.

Pedestrian Access

Pedestrian routes connecting the parking with the downtown areas will be separated from the vehicular roadways to increase safety. The design will create a welcoming experience that creates a much stronger visual connection to downtown. A “boardwalk” path will lead from the elevator core to Capitola Avenue, passing under the railroad trellis to connect with the existing downtown sidewalk. This path will be constructed to provide ADA compliant access to the disabled and will create a well-landscaped amenity to the community.

Visualization

The artist’s sketch (page 23) illustrates the design characteristics of the new parking structure as it relates to the surrounding community. Viewed from above, the structure is well-buffered by foliage on all sides. As many existing trees as possible will be preserved. At street level, the parking structure is visible only at the three entrance points where design features will identify it and relate it to the architectural character of Capitola.

The existing City Offices are shown in the foreground. A pedestrian connection to the upper level will be maintained.

The driveway to the north of the City Offices will be widened to provide safer access and increase the view to the garage entrance, which will make it easy to identify.

The proposed boardwalk connection will traverse a landscaped hillside above the Museum and will pass beneath the railroad trestle to improve the experience of walking from one’s car to downtown.



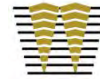
PACIFIC COVE PARKING LOT - MASTER PLAN EXISTING CITY HALL



PACIFIC COVE PARKING LOT - MASTER PLAN REPLACED CITY HALL

FIELD
PAOLI





Chapter 4 - Cost Analysis

Estimating Methodology

Please note that Watry Design developed its database of unit costs from its extensive experience working on similar parking structures. Recognizing that Watry Design has no control over the cost of materials, equipment, labor, or an individual contractor's method of determining prices, we cannot offer guarantees that the actual construction costs will not vary from this statement of opinion. These estimates are in 2010 dollars and include a 10% design contingency and 8% escalation costs. This would allow for approximately three years to start of construction. If construction on a structure is started later, costs would rise at approximately 4-6% per year. Depending on the timing of the construction bid, these unit costs may fluctuate. Construction costs assume a shallow foundation.

Soft costs may vary depending on the methodology of delivering the project. Soft costs generally would include full architectural and engineering services, soils report, site survey, ALTA report, title reports, permits and inspections, testing, traffic studies, construction management, and project management. We have included a 20% factor to cover soft costs(*). No land or financing costs have been included.

The costs assume mechanical ventilation and sprinklers only for levels completely below grade. The costs assume an architectural finish level above a standard parking structure in order to integrate the structure into the community.

As part of cost analysis, two program items that affect the cost were evaluated separately. We indicated the added cost for these program items on each option.

The first is the premium for upgrading the top deck of the parking structure to accommodate increased loading so that the possibility of using the top deck for something other than parking may be achieved. The typical parking structure is designed for 40 lbs/sf. Premium loading would increase this to 100 lbs/sf and allow for alternative uses, such as public gatherings.

The second is the premium for increasing the seismic importance factor. Currently, City police vehicles are parked on the surface lot next to City Hall. In some future scenarios, this parking may go away and it would be assumed that these vehicles may park in the parking structure. If these vehicles are first responding vehicles it may be considered important that the structure be designed above the base building code. The base building code only requires buildings to be designed to allow people to get out of the building prior to a possible collapse during a seismic event. While there is no such thing as an earthquake proof building, increasing the structural capacity of the seismic system provides a higher level of building protection. This is the same level of protection that Emergency Response Centers would be designed to. While the code does not mandate increasing the importance factor for first responding vehicles, we have provided this premium cost so that the City can make an informed decision on how to proceed.

We are also providing general order of magnitude costs for implementing the master plan scenario for a new City Hall.

February 18, 2011

Capitola Village Parking Structure Cost Estimates

Option 1

Construction Costs \$10,648,219
Soft Costs* \$2,129,644

Project Costs \$12,777,863

Option 2

Construction Costs \$15,677,725
Soft Costs* \$3,135,545

Project Costs \$18,813,270

Optional Program Items:

Premium Loading
Construction \$823,843
Soft Costs* \$988,611

Emergency Response Seismic Rating
Construction \$833,443
Soft Costs* \$1,000,131

Optional Program Items:

Premium Loading
Construction \$1,213,883
Soft Costs* \$1,456,660

Emergency Response Seismic Rating
Construction \$1,229,457
Soft Costs* \$1,475,349

Rebuild City Hall at Existing Site

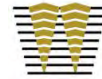
Demo Existing City Hall \$106,000
New City Hall at same site \$4,712,500
Site Development around City Hall \$75,000
Temporary City Hall for 2 years \$420,000
Escalation \$410,680
Soft Costs* \$1,108,836

Project Cost \$6,653,016

For more detailed break down of these estimates please see the appendix.



APPENDIX



Appendix i

Detailed Opinions of Probable Construction Cost Options 1 and 2

City of Capitola Parking Structure
Opinion of Cost
Watry Design, Inc. job 09018

Parking Structure Option 1

Total Area	168,300 sf	Total Stall Count	554
Elevated Area	109,400 sf	Structured Stalls	531
On Grade Area	58,900 sf	Site Stalls	23
Site Area	29,100 sf	Existing Stalls	234

	Unit Cost	Quantity	Cost	SubTotal	add for 100 psf LL roof	add for I=1.5
Site				\$ 606,610		
Prep, grading, dewatering	\$ 150,000	1	\$ 150,000			
Site Utilities	\$ 100,000	1	\$ 100,000			
Retaining wall at NW	\$ 75,000	1	\$ 75,000			
Site asphalt and parking	\$ 5.00	20,370 sf	\$ 101,850			
Pedestrian Walkway	\$ 150.00	500 lf	\$ 75,000			
Landscaping	\$ 12.00	8,730 sf	\$ 104,760			
Foundation				\$ 1,178,100	\$ 117,810	\$ 294,525
Shallow Foundation	\$ 7.00	168,300 sf	\$ 1,178,100			
Substructure				\$ 634,900		
Mass Excavation	\$ 15.00	100 cy	\$ 1,500			
Shoring	\$ 15.00	7,000 sf	\$ 105,000			
Slab on Grade	\$ 6.00	58,900 sf	\$ 353,400			
Retaining Walls	\$ 25.00	7,000 sf	\$ 175,000			
Superstructure				\$ 2,436,000		
5" PT Concrete Decks	\$ 12.00	109,400 sf	\$ 1,312,800		\$ 328,200	\$ 262,560
14x36 PT Beams	\$ 4.00	109,400 sf	\$ 437,600		\$ 109,400	
Curbs	\$ 1.00	109,400 sf	\$ 109,400			
Shear Walls	\$ 35.00	3,960 sf	\$ 138,600			\$ 69,300
Columns	\$ 4.00	109,400 sf	\$ 437,600		\$ 43,760	
Exterior Envelope				\$ 1,086,800		
Precast Rails	\$ 200.00	2,068 lf	\$ 413,600			
Exterior Paint, finish	\$ 1.50	168,300 sf	\$ 252,450			
Misc. Architecture	\$ 2.50	168,300 sf	\$ 420,750			
Interior Const				\$ 420,750		
Ralls, doors, paint	\$ 2.50	168,300 sf	\$ 420,750			
Conveying				\$ 380,000		
Stairs	\$ 20,000	4	\$ 80,000		\$ 20,000	
Elevator	\$ 150,000	2	\$ 300,000			
Mechanical				\$ -		
Mechanical Ventilation	\$ 2.00	0 sf	\$ -			
Plumbing				\$ 199,850		
Plumbing	\$ 0.75	168,300 sf	\$ 126,225			
Fire Protection	\$ 1.25	58,900 sf	\$ 73,625			
Electrical				\$ 673,200		
Electrical and Lighting	\$ 4.00	168,300 sf	\$ 673,200			
Equipment				\$ 50,000		
Pay by Space	\$ 50,000	1	\$ 50,000			
Misc. Costs				\$ 336,600		
Misc. Project Costs	\$ 2.00	168,300 sf	\$ 336,600			
Total			\$ 8,002,810	\$ 8,002,810	\$ 619,170	\$ 626,385
Design Contingency	10%	\$ 800,281	\$ 8,803,091	check		
Escalation	8%	\$ 704,247	\$ 9,507,338	ok		
Overhead, Profit, Insurance and GCs	12%	\$ 1,140,881	\$ 10,648,219		\$ 823,843	\$ 833,443



Construction Cost Total \$ 10,648,219

\$ 20,053 per struct stall
\$ 63 per total sf
\$ 19,221 per total stall
\$ 33,276 per net new

Design Fees	10%	\$ 1,064,822
Construction Management	1%	\$ 106,482
Inspection	2%	\$ 212,964
Project Management	2%	\$ 212,964
Permits, Fees, Insurance	3%	\$ 319,447
Miscellaneous	2%	\$ 212,964
Financing and Land Costs	Not Included	

\$ 988,611 \$ 1,000,131

Project Cost Total \$ 12,777,863

\$ 24,064 per struct stall
\$ 76 per total sf
\$ 23,065 per total stall
\$ 39,931 per net new

Option 1	Construction	Project
Cost add to allow 100psf LL at roof	\$ 823,843	\$ 988,611
Cost add to allow I=1.5 seismic	\$ 833,443	\$ 1,000,131

City of Capitola Parking Structure
Opinion of Cost
Watry Design, Inc. job 09018

Parking Structure Option 2

Total Area	212,300 sf	Total Stall Count	664
Elevated Area	157,100 sf	Structured Stalls	641
On Grade Area	55,200 sf	Site Stalls	23
Site Area	32,800 sf	Existing Stalls	234

	Unit Cost	Quantity	Cost	SubTotal	add for 100 psf LL at roof	add for i=1.5
Site				\$ 943,520		
Prep, grading, dewatering	\$ 500,000	1	\$ 500,000			
Site Utilities	\$ 100,000	1	\$ 100,000			
Retaining wall at NW	\$ 75,000	1	\$ 75,000			
Site asphalt and parking	\$ 5.00	22,960 sf	\$ 114,800			
Pedestrian Walkway	\$ 150.00	500 lf	\$ 75,000			
Landscaping	\$ 8.00	9,840 sf	\$ 78,720			
Foundation				\$ 1,910,700	\$ 191,070	\$ 477,675
Shallow Foundation	\$ 9.00	212,300 sf	\$ 1,910,700			
Substructure				\$ 1,795,907		
Mass Excavation	\$ 15.00	26,578 cy	\$ 398,667			
Shoring	\$ 20.00	20,000 sf	\$ 400,000			
Slab on Grade	\$ 6.00	55,200 sf	\$ 331,200			
Waterproofing	\$ 5.00	13,208 sf	\$ 66,040			
Retaining Walls	\$ 30.00	20,000 sf	\$ 600,000			
Superstructure				\$ 3,437,700		
5" PT Concrete Decks	\$ 12.00	157,100 sf	\$ 1,885,200		\$ 471,300	\$ 377,040
14x36 PT Beams	\$ 4.00	157,100 sf	\$ 628,400		\$ 157,100	
Curbs	\$ 1.00	157,100 sf	\$ 157,100			
Shear Walls	\$ 35.00	3,960 sf	\$ 138,600			\$ 69,300
Columns	\$ 4.00	157,100 sf	\$ 628,400		\$ 62,840	
Exterior Envelope				\$ 952,800		
Precast Rails	\$ 200.00	2,032 lf	\$ 406,400			
Exterior Paint, finish	\$ 1.50	157,100 sf	\$ 235,650			
Misc. Architecture	\$ 2.50	124,300 sf	\$ 310,750			
Interior Const				\$ 530,750		
Rails, doors, paint	\$ 2.50	212,300 sf	\$ 530,750			
Conveying				\$ 470,000		
Stairs	\$ 20,000	6	\$ 120,000		\$ 30,000	
Elevator	\$ 175,000	2	\$ 350,000			
Mechanical				\$ 110,400		
Mechanical Ventilation	\$ 2.00	55,200 sf	\$ 110,400			
Plumbing				\$ 297,225		
Plumbing	\$ 0.75	212,300 sf	\$ 159,225			
Fire Protection	\$ 1.25	110,400 sf	\$ 138,000			
Electrical				\$ 849,200		
Electrical and Lighting	\$ 4.00	212,300 sf	\$ 849,200			
Equipment				\$ 60,000		
Pay by Space	\$ 60,000	1	\$ 60,000			
Misc. Costs				\$ 424,600		
Misc. Project Costs	\$ 2.00	212,300 sf	\$ 424,600			
Total			\$ 11,782,802	\$ 11,782,802	\$ 912,310	\$ 924,015
Design Contingency	10%	\$ 1,178,280	\$ 12,961,082			
Escalation	8%	\$ 1,036,887	\$ 13,997,968			
Overhead, Profit, Insurance and GCs	12%	\$ 1,679,756	\$ 15,677,725		\$ 1,213,883	\$ 1,229,457



Construction Cost Total \$ 15,677,725

\$ 24,458	per struct stall
\$ 74	per total sf
\$ 23,611	per total stall
\$ 36,460	per net new

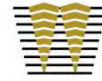
Design Fees	10%	\$ 1,567,772
Construction Management	1%	\$ 156,777
Inspection	2%	\$ 313,554
Project Management	2%	\$ 313,554
Permits, Fees, Insurance	3%	\$ 470,332
Miscellaneous	2%	\$ 313,554
Financing and Land Costs	Not Included	

\$ 1,456,660 \$ 1,475,349

Project Cost Total \$ 18,813,270

\$ 29,350	per struct stall
\$ 89	per total sf
\$ 28,333	per total stall
\$ 43,752	per net new

Option 2	Construction	Project
Cost add to allow 100psf LL at roof	\$ 1,213,883	\$ 1,456,660
Cost add to allow i=1.5 seismic	\$ 1,229,457	\$ 1,475,349



Appendix ii

Initial Options A-E



**Parking Structure for City of Capitola
Capitola, CA**

STALL / COST SUMMARY 9'-0" x 18'-0" STALLS

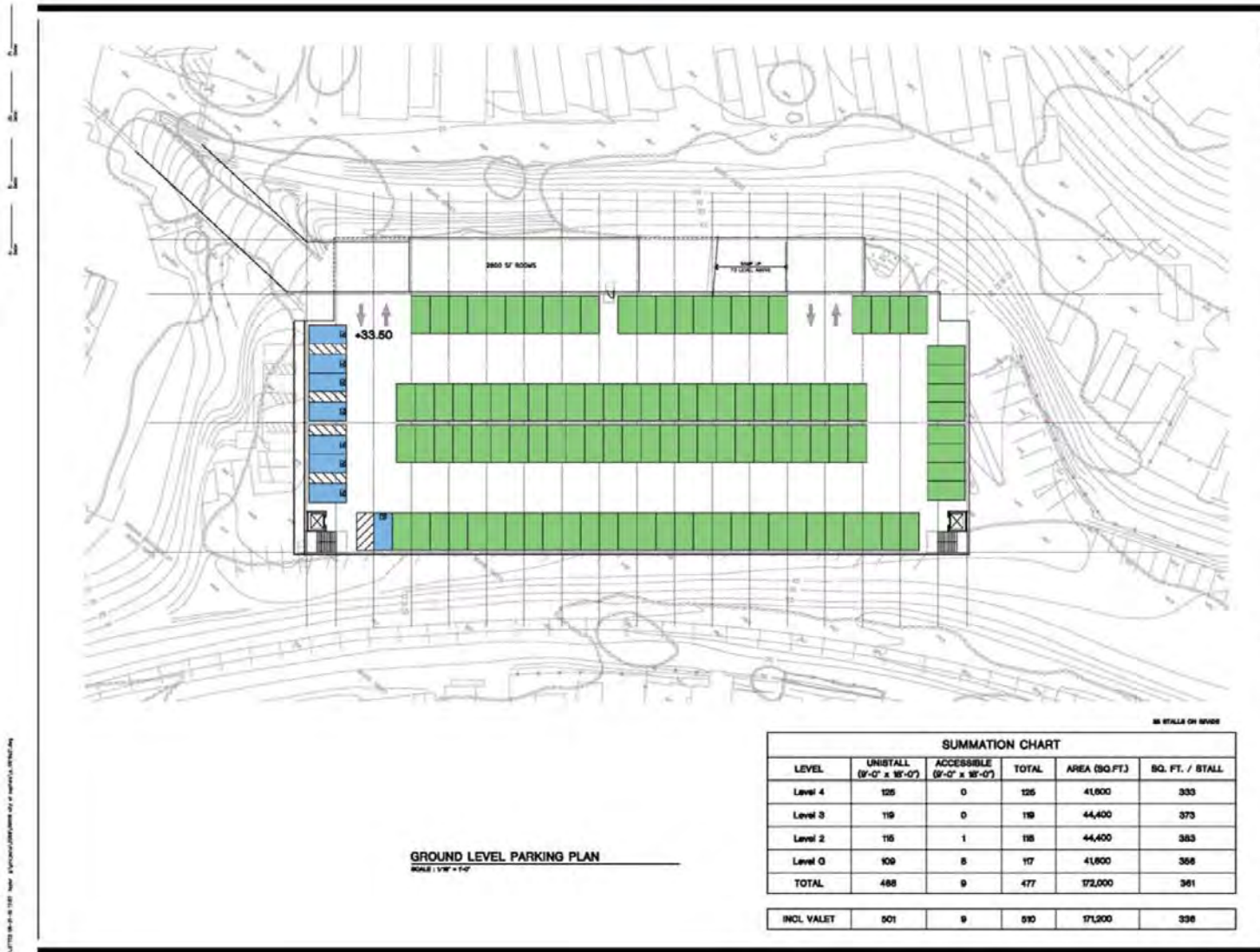
	TOTAL STALLS	TOTAL SQ. FT.	SQ. FT./STALL	NET NEW STALLS	TOTAL STALLS W/ VALET	NET NEW STALLS W/ VALET	Construction COST	COST/STALL no valet	COST/NET NEW STALL no valet	COST/SQ. FT
OPTION A	477	171,200	359	268	501	292	\$10,500,000	\$22,013	\$39,179	\$61
OPTION B	469	171,200	365	260	501	292	\$12,800,000	\$27,292	\$49,231	\$75
OPTION C	501	166,600	333	292	518	309	\$10,000,000	\$19,980	\$34,247	\$60
OPTION D	501	166,600	333	292	517	308	\$12,300,000	\$24,551	\$42,123	\$74

STALL / COST SUMMARY 8'-6" x 18'-0" STALLS

	TOTAL STALLS	TOTAL SQ. FT.	SQ. FT./STALL	NET NEW STALLS	TOTAL STALLS W/ VALET	NET NEW STALLS W/ VALET	Construction COST	COST/STALL no valet	COST/NET NEW STALL no valet	COST/SQ. FT
OPTION A	508	171,200	337	299	551	342	\$10,500,000	\$20,689	\$35,117	\$61
OPTION B	508	171,200	337	299	551	342	\$12,800,000	\$25,197	\$42,809	\$75
OPTION C	550	166,600	303	341	565	356	\$10,000,000	\$18,182	\$29,326	\$60
OPTION D	550	166,600	303	341	565	356	\$12,300,000	\$22,364	\$36,070	\$74
OPTION E	530	173,100	327	321	547	338	\$10,200,000	\$19,245	\$31,776	\$59

232 Existing stalls in the lot
23 Remaining on grade stalls

NOTE: COSTS DO NOT INCLUDE PREMIUM FOR ESSENTIAL SERVICES PARKING



GROUND LEVEL PARKING PLAN

SCALE: 1/8" = 1'-0"

SUMMATION CHART

LEVEL	UNSTALL (9'-0" x 15'-0")	ACCESSIBLE (9'-0" x 15'-0")	TOTAL	AREA (SQ. FT.)	SQ. FT. / STALL
Level 4	125	0	125	41,600	333
Level 3	119	0	119	44,400	373
Level 2	115	1	116	44,400	383
Level 0	100	8	108	41,600	386
TOTAL	459	9	468	172,000	361
INCL VALET	501	9	510	171,200	336

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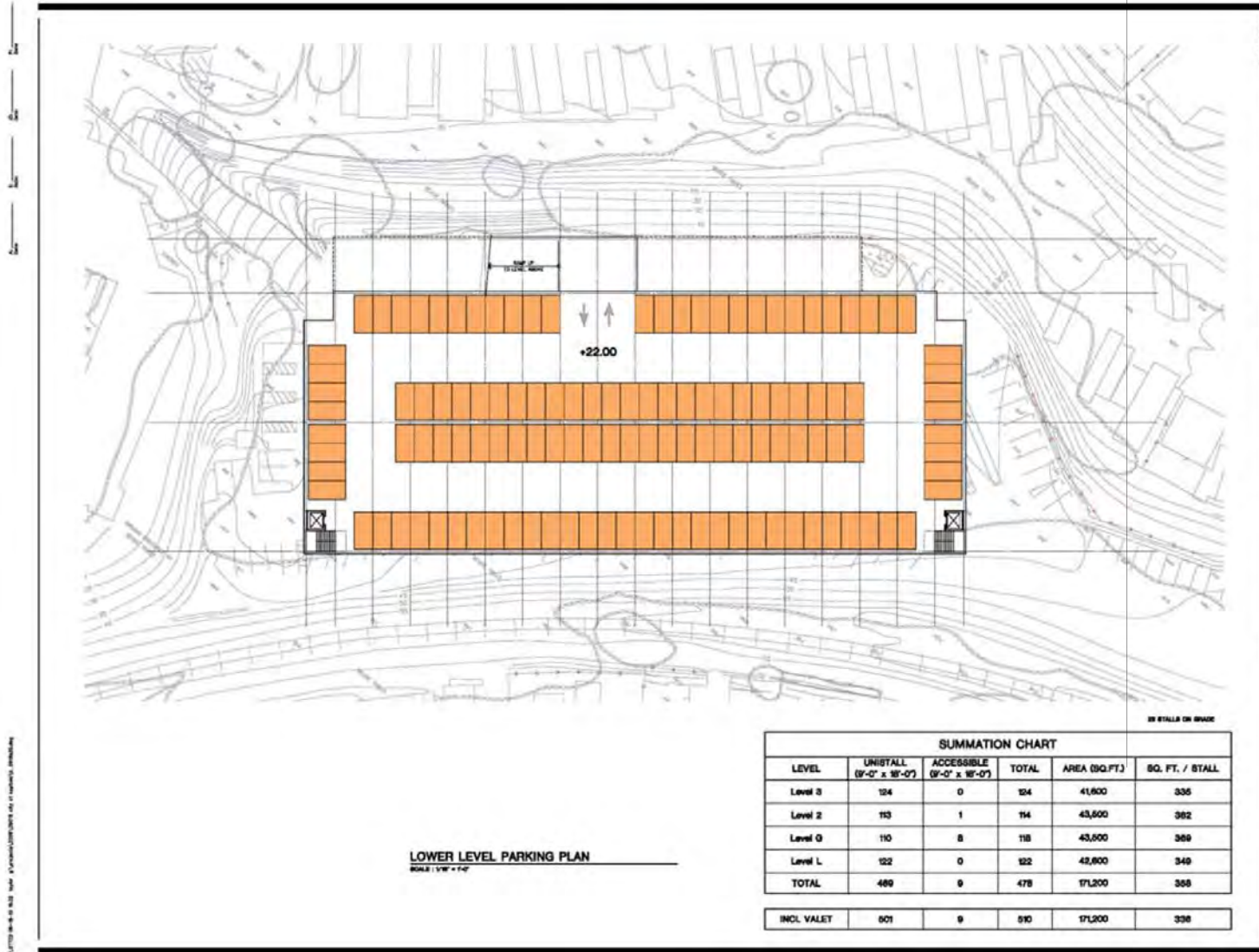
**CITY OF CAPITOLA
 PARKING STRUCTURE**
 CAPITOLA, CALIFORNIA

**CONCEPT
 DESIGN**

OPT A

DATE : 08-08-10
 DRAWN : CHIC
 CHECKED : CHIC
 DESIGNED BY : WICKELBY
 FILE NAME : A_SINGHA
 REV:

A2.1



SUMMATION CHART					
LEVEL	UNINSTALL (8'-0" x 18'-0")	ACCESSIBLE (8'-0" x 18'-0")	TOTAL	AREA (SQ.FT.)	SQ. FT. / STALL
Level 3	124	0	124	41,600	336
Level 2	113	1	114	43,600	382
Level 0	110	8	118	43,500	369
Level L	122	0	122	42,800	349
TOTAL	469	9	478	171,200	358
INCL. VALET	001	9	010	171,200	338

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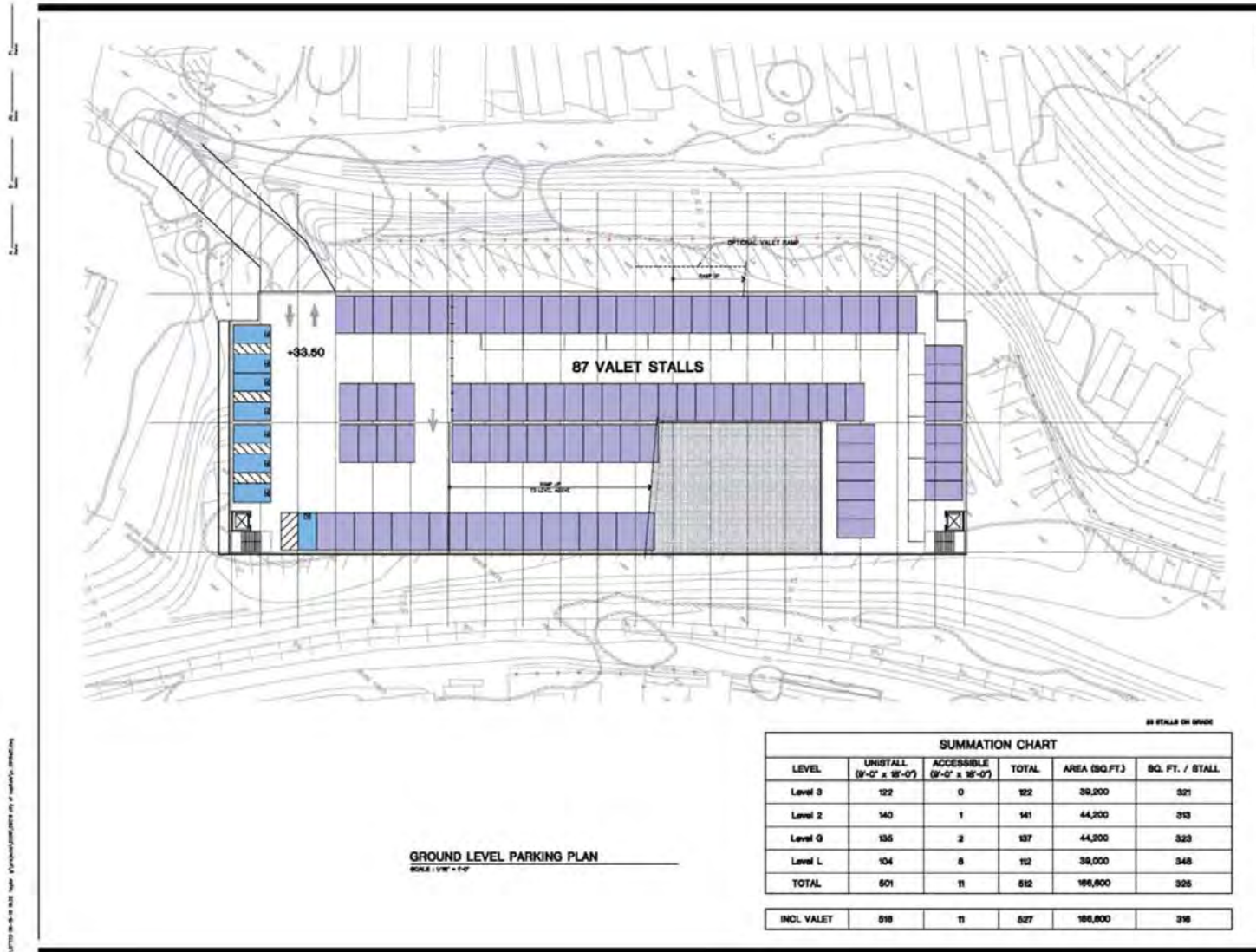
LOWER LEVEL PARKING PLAN
**CITY OF CAPITOLA
PARKING STRUCTURE**
CAPITOLA, CALIFORNIA

CONCEPT
DESIGN

OPT B

JOB NO : 0808
DATE : 04-23-10
DESIGN : CHICK
OWNER : CHICK
DESIGNED BY : WICKELER
FILE NAME : W_080808
REV

A2.0



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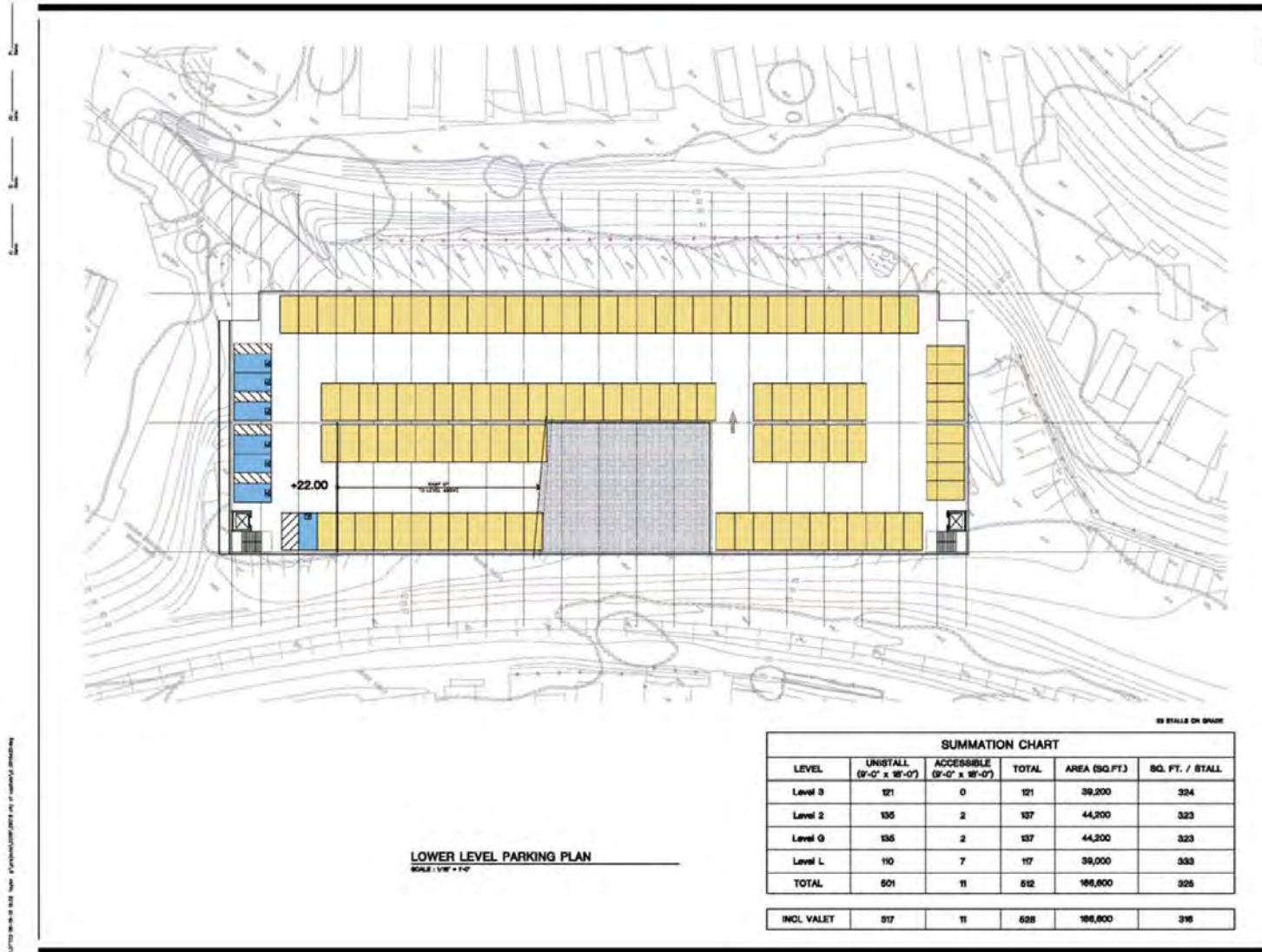
GROUND LEVEL PARKING PLAN
CITY OF CAPITOLA
PARKING STRUCTURE
 CAPITOLA, CALIFORNIA

CONCEPT
DESIGN

OPT C

JOB NO : 0000
 DATE : 04-25-10
 DRAWN : CHOC
 CHECKED : CHOC
 DESIGNED BY : WICKELER
 FILE NAME : 02_PARKING
 SHEET

A2.1



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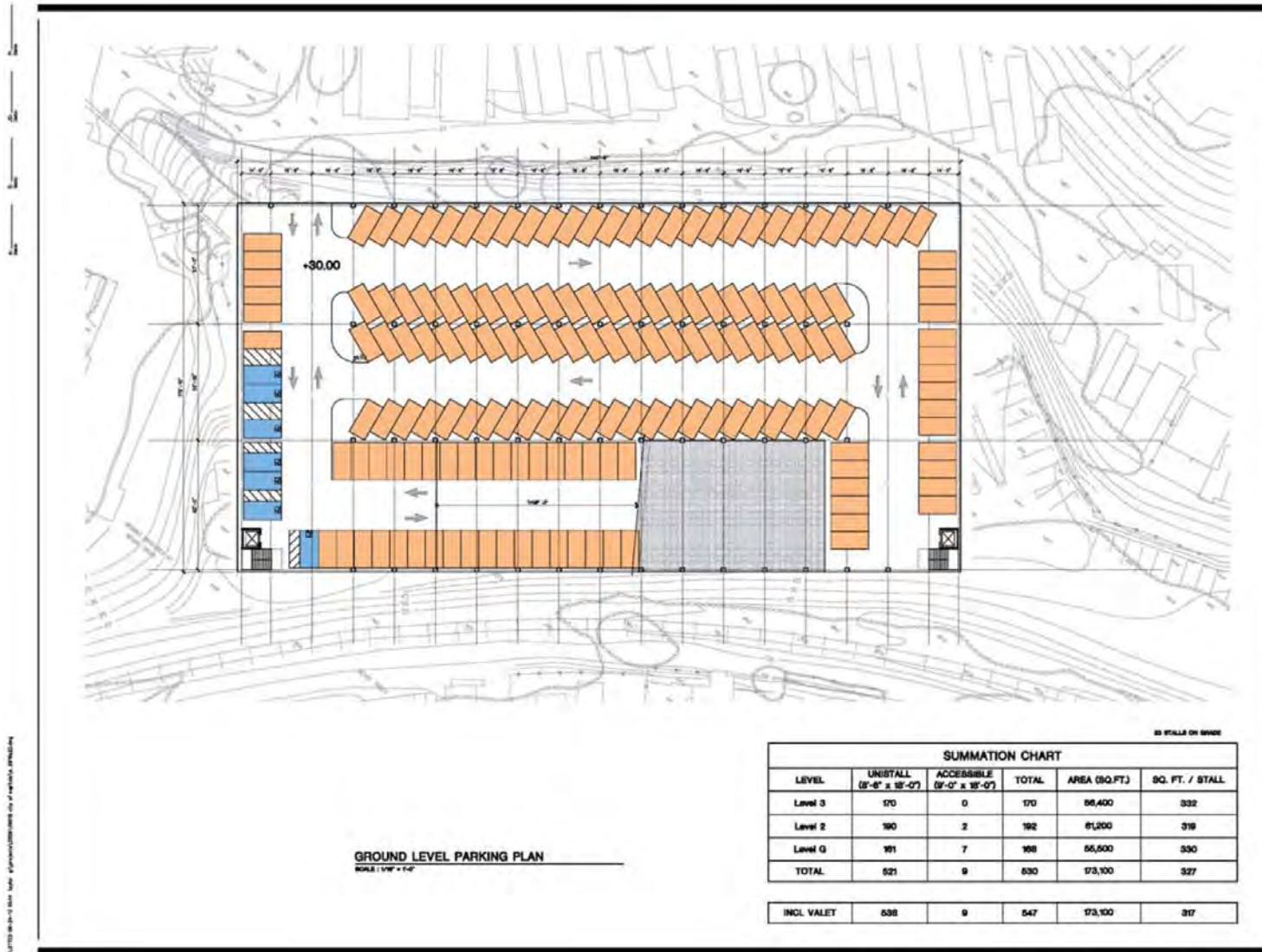
LOWER LEVEL PARKING PLAN
**CITY OF CAPITOLA
PARKING STRUCTURE**
CAPITOLA, CALIFORNIA

CONCEPT
DESIGN

OPT D

DATE : 04-28-11
DRAWN : CHOC
CHECKED BY : WICKELER
FILE NAME : 0_000000
PLOT

A2.0



SUMMATION CHART					
LEVEL	UNINSTALL (8'-6" x 18'-0")	ACCESSIBLE (9'-0" x 18'-0")	TOTAL	AREA (SQ.FT.)	SQ. FT. / STALL
Level 3	170	0	170	66,400	332
Level 2	190	2	192	61,200	319
Level G	161	7	168	56,500	330
TOTAL	521	9	630	173,100	327
INCL VALET	538	9	547	173,100	317

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**CITY OF CAPITOLA
PARKING STRUCTURE**
CAPITOLA, CALIFORNIA

**CONCEPT
DESIGN**

OPT E

JOB NO : 0000
DATE : 04-23-11
DESIGNER : CHICK
CHECKER : CHICK
DESIGNED BY : WICKLER
FILE NAME : E_PARKING
REV

A2.1



SUMMATION CHART

LEVEL	UNSTALL (9'-6" x 19'-0")	ACCESSIBLE (9'-0" x 19'-0")	TOTAL	AREA (SQ. FT.)	SQ. FT. / STALL
Level 4	135	0	135	41,600	308
Level 3	125	1	127	44,400	350
Level 2	120	2	122	44,400	364
Level 0	198	8	204	41,600	335
TOTAL	497	11	508	172,000	339
INCL VALET	640	11	651	171,200	311

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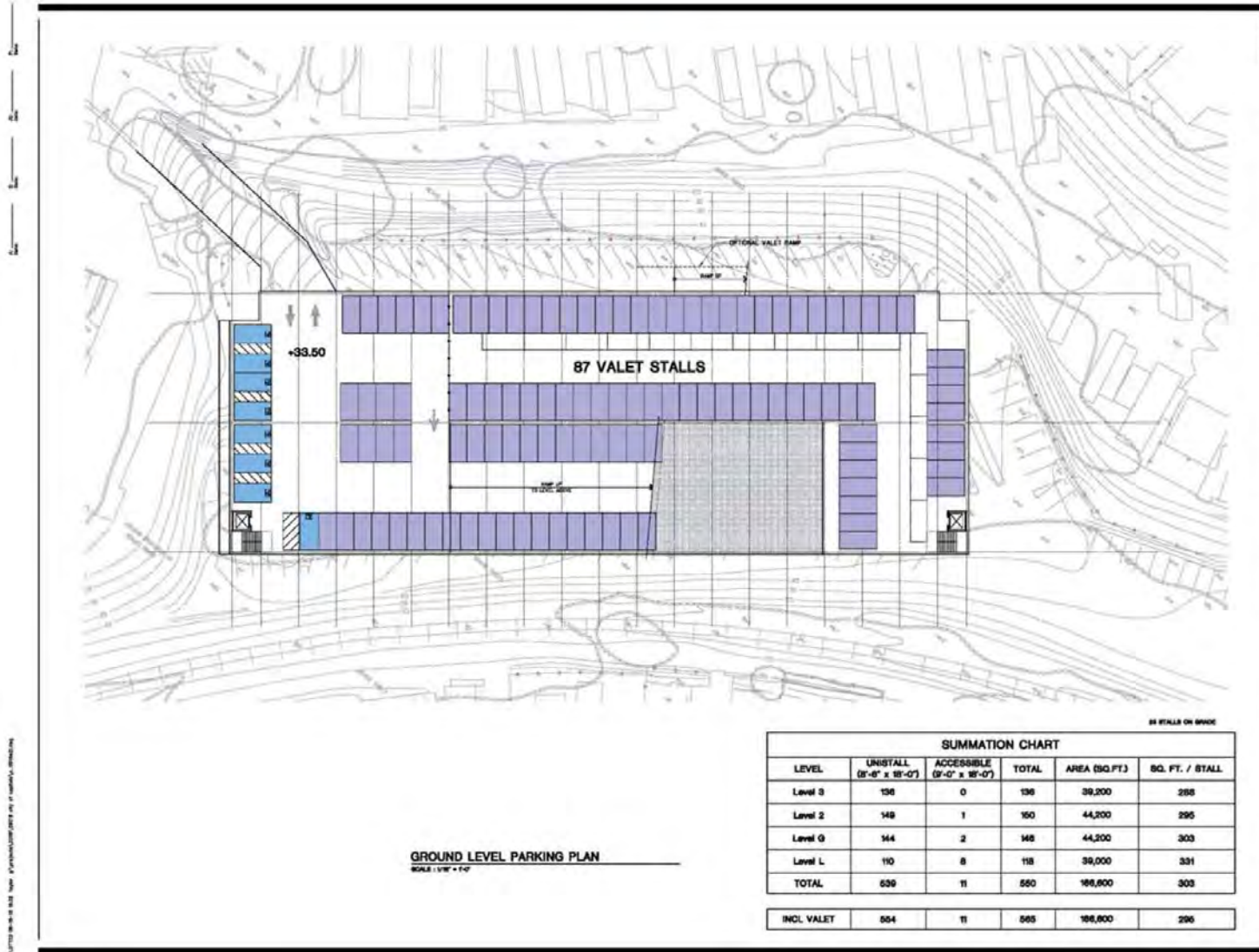
**CITY OF CAPITOLA
 PARKING STRUCTURE**
 CAPITOLA, CALIFORNIA

**CONCEPT
 DESIGN**

OPT A2

JOB NO : 0000
 DATE : 04-25-11
 DESIGN : CHOC
 DRAWN : CHOC
 CHECKED BY : WICKELER
 FILE NAME : A_00000
 DATE

A2.1



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**CITY OF CAPITOLA
PARKING STRUCTURE**
CAPITOLA, CALIFORNIA

**CONCEPT
DESIGN**

OPT C2

JOB NO : 0000
DATE : 04-28-11
DESIGN : CIVIL
DRAWN : CIVIL
CHECKED BY : WICKELER
FILE NAME : C_000000
REV

A2.1



FINAL TRAFFIC IMPACT, CIRCULATION AND CONGESTION RELIEF STUDY FOR THE PACIFIC COVE VILLAGE PARKING STRUCTURE

Prepared for the City of Capitola Public Works Department



Illustration courtesy of Watry Design, Inc. & Field Paoli

Prepared By
RBF Consulting, Monterey Bay

January 26, 2011

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- 9D. ESPLANADE CLOSURE ALTERNATIVE

LIST OF APPENDICES

- A1. LOS DESCRIPTION - SIGNALIZED
- A2. LOS DESCRIPTION – 2-WAY STOP CONTROL
- A3. LOS DESCRIPTION – ALL-WAY STOP CONTROL
- B. RE-CIRCULATING ESPLANADE LICENSE PLATE SURVEY RESULTS
- C. INTERSECTION LEVEL OF SERVICE CALCULATIONS – EXISTING CONDITIONS
- D. INTERSECTION LEVEL OF SERVICE CALCULATIONS – BUILDOUT CONDITIONS
- E. MITIGATED LEVEL OF SERVICE CALCULATIONS

EXECUTIVE SUMMARY

The City of Capitola is proposing to construct a three-level parking structure at the Pacific Cove parking lot. The parking garage would provide an additional 320 parking spaces for a total of 554 spaces.

The impacts of the proposed garage were evaluated for the summer Friday peak hour under Existing and Village Buildout scenarios. The following intersections were studied:

1. Monterey Avenue and Park Avenue
2. Monterey Avenue and Capitola Avenue
3. Stockton Avenue and Capitola Avenue
4. Stockton Avenue and Esplanade
5. Capitola Avenue and Riverview Drive-Garage Driveway
6. Monterey Avenue and Bay Avenue
7. Capitola Avenue and Bay Avenue
8. Capitola Avenue and San Jose Avenue

The above scenarios and study locations were evaluated under two circulation patterns: existing traffic circulation and one-way counter clockwise circulation. The one-way counter-clockwise pattern reflects the recommended direction of travel (counter-clockwise travel on Monterey Avenue and Capitola Avenue) from the *One-Way Traffic Analysis for the Capitola Village Area* (RBF Consulting, March 2008) with adjustments to route the traffic up to the Capitola Avenue/Bay Avenue intersection because the Pac Cove lot will be occupied by the parking structure and no through traffic can use the lot.

With the existing vehicular circulation pattern evaluation, improvements are recommended at four locations under Village Buildout Conditions with the garage due to adverse operating conditions. Installation of roundabouts at Monterey Avenue/Park Avenue and Capitola Avenue/Bay Avenue would provide acceptable operations. A traffic signal would be required at the Monterey Avenue/Capitola Avenue intersection to provide acceptable operations. A traffic signal and closure of the southbound approach at the Stockton Avenue/Capitola Avenue intersection was considered, but withdrawn due to secondary impacts (extensive queuing and potential diversion of traffic into the adjacent neighborhood).

Under the counter-clockwise vehicular circulation pattern evaluation, a roundabout is also recommended at Monterey Avenue/Park Avenue to provide acceptable operations. However, a roundabout at Capitola Avenue/Bay Avenue was considered but withdrawn due to extensive queues that would result from increased vehicles due to the counter-clockwise circulation. Similar to the existing geometry evaluation, a traffic signal was also not considered at the Stockton Avenue/Capitola Avenue intersection due to secondary impacts. No feasible improvements were identified at the Capitola Avenue/Riverview Drive intersection which is projected to operate at LOS F. This location was recently upgraded to all-way stop control. The projected volumes do not meet the peak-hour warrant for a traffic signal. The counter-clockwise one-way vehicle circulation pattern

is not feasible without the proposed roadway through the Pacific Cove parking lot. It is recommended that this alternative be withdrawn.

Traffic and parking management strategies were evaluated to improve circulation within Capitola Village. The following strategies are recommended:

- Guidance or information signs at entrances to the Village Area notifying drivers of the most direct route to the parking structure
- Development of website providing parking information, directions, and real-time parking information on variable message signs on the roadways to the village and at the garage
- Variable message signs at entrances to the city showing the number of available spaces in the Village and in the garage
- Variable message signs at the garage entrance indicating the availability of spaces on each floor

A qualitative evaluation was also conducted to analyze the impacts of modifying circulation within the Village Area. The following alternatives were considered:

- Conversion of lower San Jose Avenue to northbound direction only
- Conversion of Monterey Avenue between Capitola Avenue and Esplanade Avenue for travel in both directions with a cul-de-sac on the south end of Monterey Avenue
- Closure of Esplanade Avenue east of lower San Jose Avenue

The conversion of lower San Jose Avenue to northbound traffic will alleviate congestion at Monterey Avenue/Capitola Avenue but will worsen congestion at Capitola Avenue/Stockton Avenue.

The two-way Monterey Avenue with Cul-de-Sac alternative would provide improved access for some local residents/businesses. However, this requires northbound Monterey Avenue traffic to use San Jose Avenue thus resulting in congestion at the intersections of both San Jose Avenue and Monterey Avenue with Capitola Avenue.

The closure of Esplanade would divert more traffic onto San Jose Avenue (compared to the northbound San Jose Alternative), thus requiring additional improvements at San Jose Avenue/Capitola Avenue such as all-way stop control or a traffic signal. Traffic conditions would be worse compared to the cul-de-sac option at Monterey Avenue.

1 INTRODUCTION

The City of Capitola Village Area is a highly sought destination for local and regional visitors, especially during the summer season. The Village Area provides a kaleidoscope of recreational activities for tourists, including the beach, specialized retail, and restaurants. During the summer months the roadways are often congested and parking demand exceeds the capacity causing visitors to overflow into nearby residential neighborhoods or circulating continuously in the Village, resulting in congestion and gridlock.

The City of Capitola is proposing to construct a parking garage in place of the existing Pacific Cove surface lot located behind City Hall, approximately one quarter mile (4 blocks) from downtown and the beach. The city retained RBF Consulting to evaluate the traffic and circulation impacts of the proposed parking structure and to recommend measures to manage the congestion. In addition, several circulation alternatives were evaluated for roadways within the Village Area.

1.1 Project Description

Figure 1 presents a map of the study area which includes the Village between the Esplanade in the south and Bay Avenue in the north, and Monterey Avenue in the east and Capitola Avenue in the west. The project site is located on Riverview Drive east of Capitola Avenue.

The proposed 3-level parking structure would provide a total of 554 spaces, an increase of 320 spaces over the existing 234-space surface lot. **Figures 2A through 2D** present the floor plans for each level. Vehicular access on the ground floor is provided via Riverview Drive to Capitola Avenue. Vehicular access on the second level is provided via an existing road that connects to the Monterey Avenue/Park Avenue intersection.

This report utilizes traffic counts, additional analysis, and findings from a recently completed study, *One-Way Traffic Analysis for the Capitola Village Area* (RBF Consulting, March 2008) to evaluate potential traffic impacts on the roadways in the vicinity of the Village Area. The same study intersections are utilized, except for the addition of one new intersection at Capitola Avenue and San Jose Avenue. The study locations are illustrated on **Figure 1**:

1. Monterey Avenue and Park Avenue
2. Monterey Avenue and Capitola Avenue
3. Stockton Avenue and Capitola Avenue
4. Stockton Avenue and Esplanade
5. Capitola Avenue and Riverview Drive-Garage Driveway
6. Monterey Avenue and Bay Avenue
7. Capitola Avenue and Bay Avenue
8. Capitola Avenue and San Jose Avenue



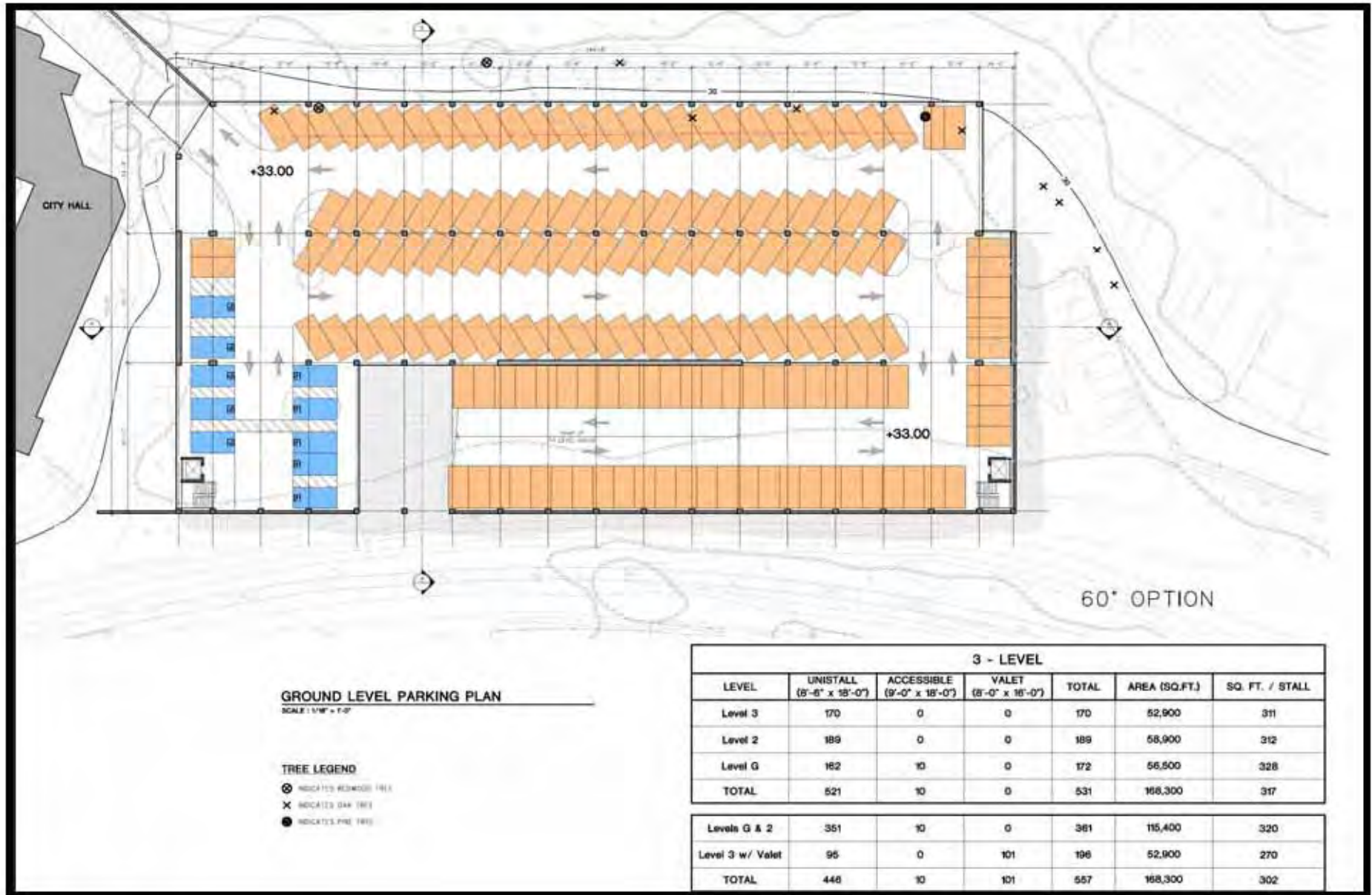
Source: RBF Consulting (2010)



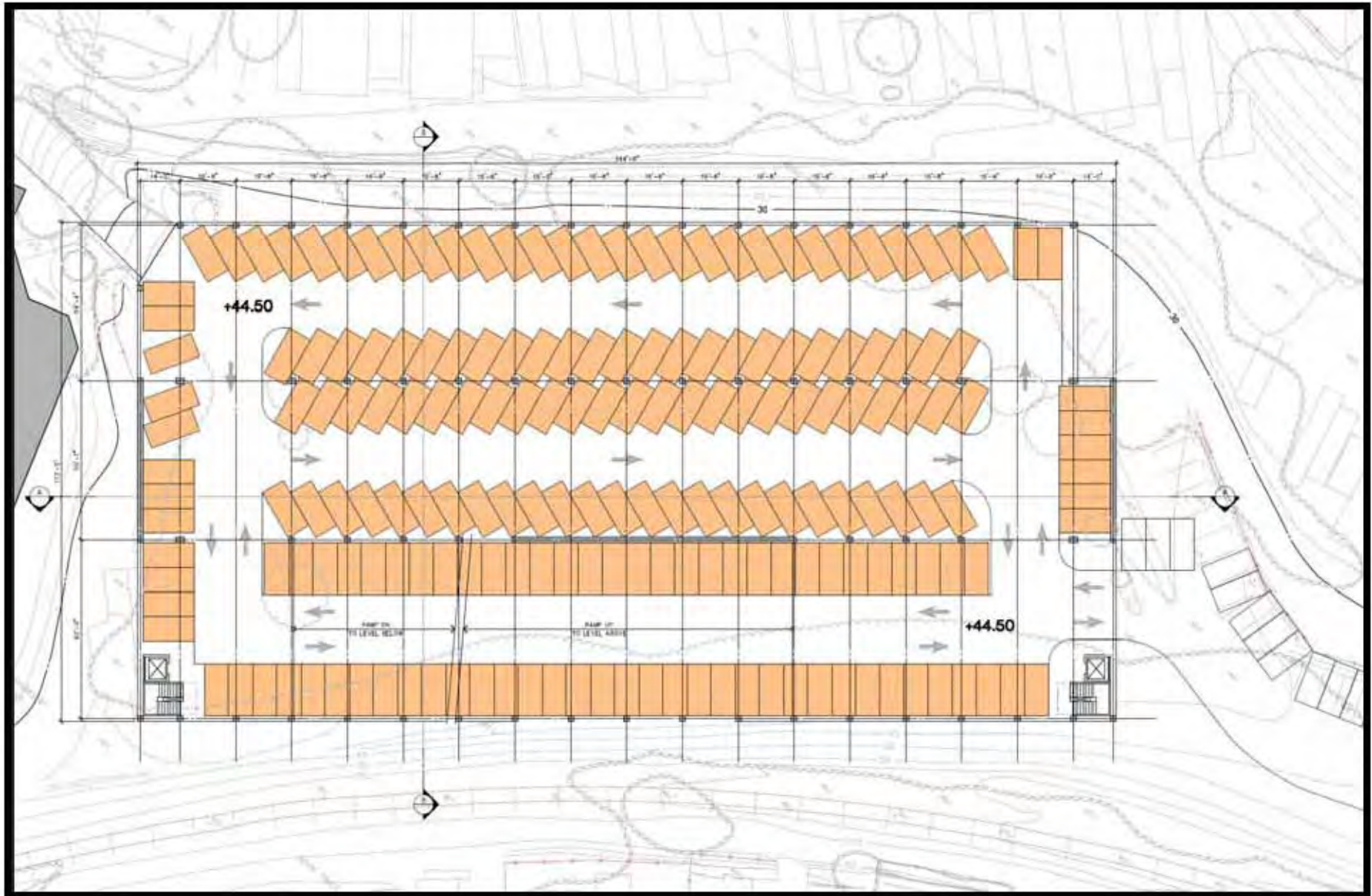
2/19/08 JN: 70-100117

CAPITOLA VILLAGE PARKING GARAGE TRAFFIC ANALYSIS
Project Study Intersections

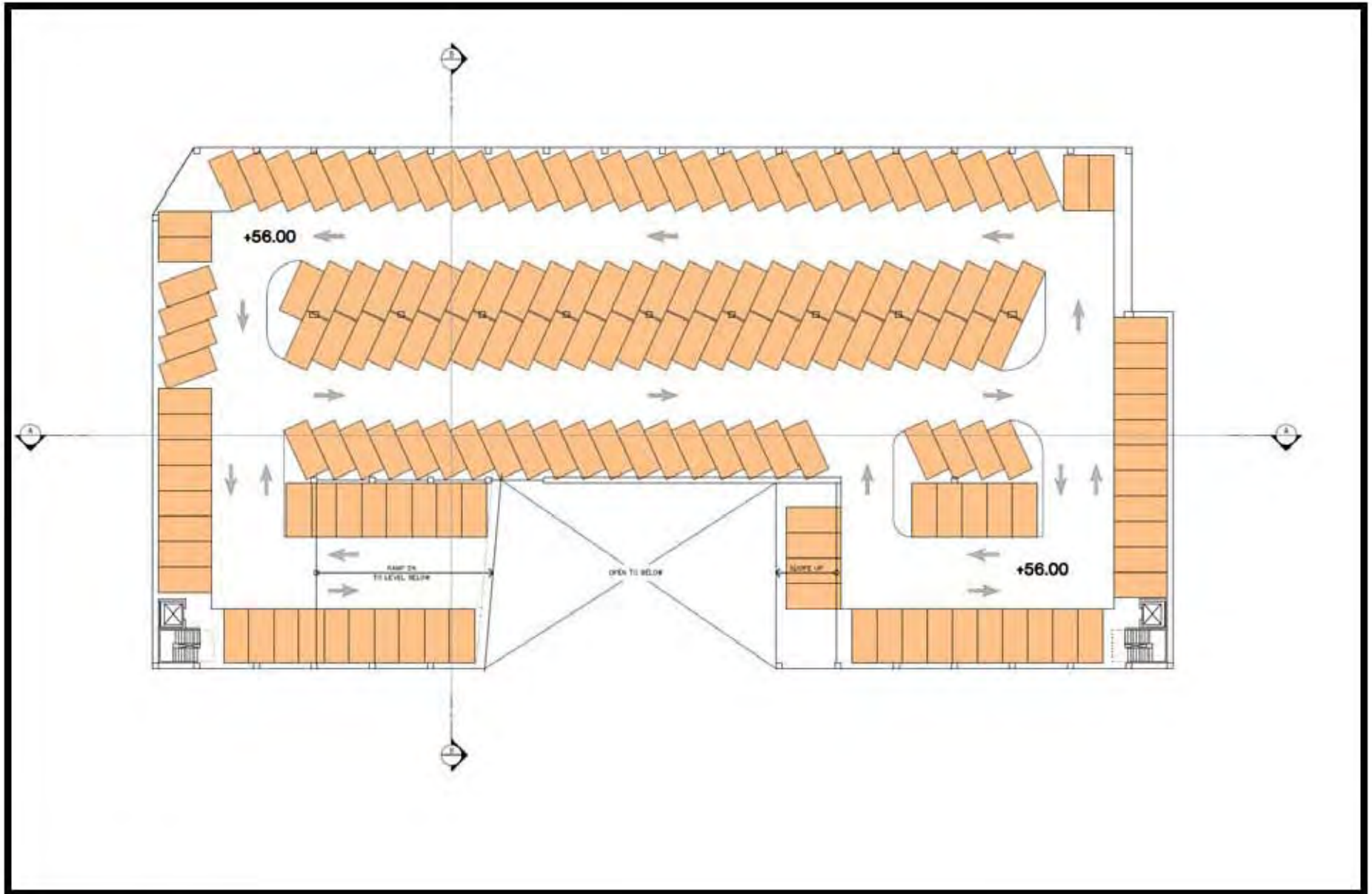
Figure 1
 110



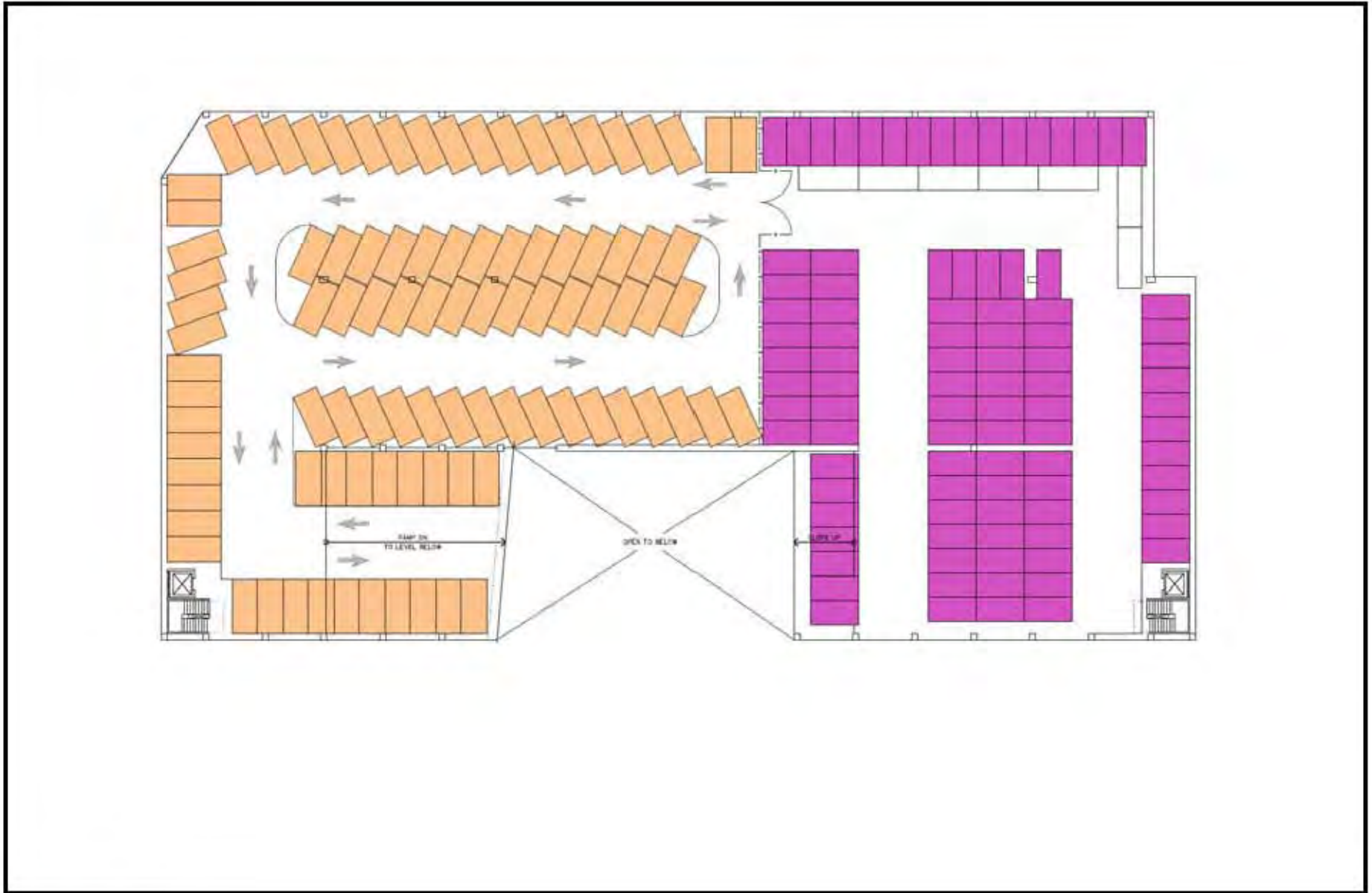
Source: Watry Parking Consultants (2010)



Source: Watry Parking Consultants (2010)



Source: Watry Parking Consultants (2010)



Source: Watry Parking Consultants (2010)

1.2 Project Goals

The scope of services was specifically developed to identify the potential traffic impacts that may be associated with existing and the one-way circulation alternatives analysis and with modified circulation flows around the Esplanade. The City goals with the analysis are as follows:

- Reduce traffic congestion in the Village Area;
- Improve access to the Village Area;
- Recommend traffic and parking management system improvements to enhance vehicular circulation; and
- Optimize parking utilization for the Village Area.

1.3 Scope of Work

The existing traffic data in the *One-Way Traffic Analysis for the Capitola Village Area* report (referenced as the “One-Way traffic study” for the remainder of this document) was utilized for this analysis and supplemented with new peak-hour intersection turning movement counts at the intersection of Capitola Avenue/San Jose Avenue. Those volumes were collected in Year 2007 and included a seasonal factor to reflect summer conditions.

The impacts of the proposed garage at the study intersections were evaluated during the summer Friday peak hour for the following scenarios and circulation patterns:

Existing Circulation

- Existing volumes
- Existing Plus Garage volumes
- Village Buildout Land Use volumes
- Village Buildout Plus Garage volumes

One-Way Counter-Clockwise Circulation

- Existing re-assigned volumes
- Existing Plus Garage volumes
- Village Buildout Land Use volumes
- Village Buildout Plus Garage volumes

For the analysis scenarios with the existing circulation, no changes to the existing lane geometry or traffic controls were made, and improvements identified where operating conditions were not meeting City standards.

For the analysis scenarios with One-Way Counter-Clockwise Circulation, the one-way roadway system was modified to reflect the counter-clockwise circulation on Capitola Avenue and Monterey Avenue between Stockton Avenue to Park Avenue. It should be noted that the one-way counter-clockwise circulation routed traffic through the Pacific Cove parking lot per the parking lot layouts identified previously in the One-Way traffic analysis report. With the new garage, one-way traffic would now be routed to the Capitola Avenue/Bay Avenue intersection, resulting in heavy left turns from Bay Avenue onto Capitola Avenue.

1.4 Traffic Operation Evaluation Methodologies and Level of Service Standards

Intersection traffic operations were evaluated based on the Level of Service (LOS) concept. LOS is a qualitative description of an intersection and roadway’s operation, ranging from LOS A to LOS F. Level of service “A” represents free flow un-congested traffic conditions. Level of service “F”

represents highly congested traffic conditions with unacceptable delay to vehicles on the road segments and at intersections. The intermediate levels of service represent incremental levels of congestion and delay between these two extremes.

The City of Capitola has established LOS D as the general threshold for acceptable overall traffic operations at study intersections in the Village Area and LOS C everywhere else.

Intersection operations were evaluated using technical procedures documented in the 2000 Highway Capacity Manual (HCM). For signalized intersections, average control delay per vehicle is utilized to define intersection level of service. Delay is dependent on a number of factors including the signal cycle length, the roadway capacity (number of travel lanes) provided on each intersection approach and the traffic demand. **Appendix A1** shows the relationship between vehicle delay and the signalized intersection level of service categories. The Synchro version 6 software program was utilized to calculate the intersection levels of service for most of the study intersections.

At one and two-way stop controlled intersections, the operating efficiency of vehicle movements that must yield to through movements is analyzed. The level of service for vehicle movements on the controlled approaches is based on the distribution of gaps in the major street traffic stream and driver judgment in selecting gaps. **Appendix A2** shows the relationship between the vehicle delay and level of service for two-way stop controlled intersections. The 2000 HCM calculates the level of service of the minor street approaches. Using this data, an overall intersection level of service was calculated. Both are reported in this study because traffic on the minor street approaches has the lowest priority of right-of-way at the intersection and are the most critical in terms of delay. Generally, LOS F operations on the side street approach are the threshold warranting improvements. The Synchro version 6 software program was utilized to calculate the intersection levels of service at the study intersections.

For all-way (or four-way) stop intersections, average control delay per vehicle is utilized to define intersection levels of service. Delay is dependent on a number of factors, including the roadway capacity (number of travel lanes) provided on each intersection approach and the traffic demand. **Appendix A3** shows the relationship between vehicle delay and the all-way stop intersection level of service categories. The Synchro version 6 software program was utilized to calculate the intersection levels of service at the study intersections.

2 EXISTING CIRCULATION GEOMETRY EVALUATION

This chapter presents a description of the existing traffic network, existing traffic volumes, intersection levels of service, and an overview of traffic flow conditions within the study area.

2.1 Existing Traffic Network

All of the study roadways in the Village Area are currently either one-way or two-way streets and all intersections are Stop controlled. ROW width is restricted and very few opportunities exist for widening the roadways or the intersections.

Monterey Avenue, Capitola Avenue and Stockton Drive provides primary access to the Village Area. The streets are two lane roadways with a 25-mile per hour speed limit. On-street parking is provided along the southerly section of Monterey Avenue, and on Capitola Avenue between Monterey Avenue and the Trestle Bridge. On-street parking spaces alternate between either one side or both sides of Capitola Avenue. No on-street parking is provided along Stockton Avenue.

The Esplanade is a one-way street from Stockton Avenue to Capitola Avenue. From this point northwards the street continues as Monterey Avenue. The Esplanade separates the Village Area from the beach. It also provides access to the local businesses and has angled and parallel parking on both sides of the street. During the summertime it becomes extremely congested due to the fact that it provides the closest parking the beach and there are extensive vehicular and pedestrian conflicts.

Pacific Cove Parking Lot has an access from the intersection off Monterey Avenue and Park Avenue towards the east and a one-way access from Capitola Avenue in the West. This parking lot is heavily utilized during the summer months for overflow traffic from the Village Area. The City of Capitola Staff also uses the parking lot.

Bay Avenue is a two-lane, east-west collector street, providing access to residential, commercial, and retail areas north of the Village Area.

2.2 Existing Vehicular Circulation Pattern – Existing, Existing with Garage, Village Buildout, and Village Buildout with Garage Intersection Operations

The intersection traffic volumes, traffic control, and lane geometry were used as inputs into the level of service calculations. The development of the traffic projections and input assumptions for the four scenarios with existing circulation are described below.

Existing Volumes

As indicated in Section 1.3, the existing and seasonally adjusted summer Friday Peak-Hour volumes were obtained from the One-Way traffic study. **Figure 3** presents the existing volumes at the study intersections.

Table 1 presents the level of service results and the level of service worksheets are contained in **Appendix C**. The majority of the study intersections are operating at acceptable levels of service according to their LOS standard. Two intersections, Monterey Avenue/Park Avenue and Capitola Avenue/Stockton Avenue, are operating at a deficient level of service.

Existing Plus Garage Volumes

Traffic generated by the proposed garage was added to the existing volumes. As noted in the project description, the proposed garage will provide a total of 554 spaces, or 320 additional spaces over the existing supply of 234 spaces.

Table 1: Existing Vehicular Circulation Pattern Levels of Service Summary

North-South Street	East-West Street	LOS Standard	Existing Circulation		Existing Circulation + Garage		Existing Circulation + Garage With Mitigation		Village Buildout		Village Buildout + Garage		Village Buildout + Garage (Mitigation)	
			Friday PM Peak Hour Delay (sec)	LOS	Friday PM Peak Hour Delay (sec)	LOS	Friday PM Peak Hour Delay (sec)	LOS	Friday PM Peak Hour Delay (sec)	LOS	Friday PM Peak Hour Delay (sec)	LOS	Friday PM Peak Hour Delay (sec)	LOS
1 Monterey Ave. All-Way Stop	Park Ave.	C	27.4	D	35.0	D	10.3	B	34.3	D	42.7	E	10.7	B
							Roundabout						Roundabout	
2 Monterey Ave. All-Way Stop	Capitola Ave.	D	33.4	D	33.4	D			40.5	E	39.6	E	9.8	A
													Traffic Signal	
3 Stockton Ave. All-Way Stop	Capitola Ave.	D	38.8	E	40.3	E	Signal considered but withdrawn due to secondary impacts.		48.4	E	50.0	E	Signal considered but withdrawn due to secondary impacts.	
4 Stockton Ave. SB Yield	Esplanade Worst Approach	D	0.4 11.2	A B	0.4 11.3	A B			0.5 11.5	A B	0.4 11.4	A B		
5 Capitola Ave. All-Way Stop	Riverview Dr.	C	10.2	B	11.0	B			10.5	B	11.6	B		
6 Monterey Ave. All-Way Stop	Bay Ave.	C	11.3	B	11.3	B			11.7	B	11.7	B		
7 Capitola Ave. All-Way Stop	Bay Ave.	C	21.4	C	24.9	C	9.4	A	24.1	C	28.2	D	9.7	A
			Extensive queues		Extensive queues		Roundabout		Extensive queues		Extensive queues		Roundabout	
8 Capitola Ave. EB-WB Yield	San Jose Ave Worst Approach	D	0.5 0.9	A A	0.5 0.9	A A			1.1 1.7	A A	1.1 1.7	A A		
<p>NOTES:</p> <ol style="list-style-type: none"> Analysis performed using 2000 Highway Capacity Manual methodologies. Highlighted levels of service (LOS) represent an intersection with failing operations. Roadway Assumptions: Existing circulation patterns All "With Garage" scenarios includes redirecting of some Esplanade re-circulating traffic to garage 														

For this analysis, the garage is assumed to operate at 85% occupancy which is the optimum (at capacity) operating efficiency for parking facilities. A higher occupancy results in vehicles circulating multiple times in the Village looking for vacant parking spaces and this results in added congestion and gridlock. To determine the number of new potential spaces that could turnover, the 85% occupancy factor was applied to the total parking supply, resulting in a occupancy of 471 spaces. It should be noted that the parking structure could, and probably would fill up during the busiest summer days. The analysis in this report assumes an average summer Friday PM scenario. To design traffic operations and parking supply in the Village for the busiest day/s would cost too much.

For the purposes of this report, it is assumed that approximately 1/3 of these net new occupied spaces would turnover (one car leaves a space and another car parks) during the Friday peak-hour, resulting in approximately 80 inbound and 80 outbound vehicles as indicated in **Table 2**. This assumption is fairly conservative because it assumes one-third of all spaces would turnover during the Friday peak-hour. Based on the *Parking Analysis for the Capitola Village Area* report (RBF Consulting, December 2008), the average turnover for spaces in the Capitola Village area is approximately 2 vehicles per spaces with an average duration of almost 2 hours during a weekday summer day which indicates that the on-street parking supply does not turnover that quickly. The majority of these trips would travel to and from SR 1 as shown on the trip distribution figure in **Figure 4**.

Table 2: Garage Trip Generation Estimates

Description	Spaces
<i>Net New Occupied Spaces</i>	
Garage Total Spaces	554
Garage @ 85% Occupancy (a)	471
Existing Supply @ 100% Occupancy (b)	234
Net New Occupied Spaces (c) = (a-b)	237
<i>Net New Occupied Spaces Trip Generation</i>	
Total Net New Occupied Spaces	237
1/3 net new spaces turnover (each space generating one inbound and one equivalent outbound trip)	79 Inbound Trips 79 Outbound Trips

In addition to traffic diverting and being generated to the new parking structure, it is recommended to also implement a real time parking management system that would manage traffic and parking to the Village and the new parking structure. The implementation of such a system would activate changeable message on signs placed on Capitola Avenue before Riverside Drive and at Park Avenue before Monterey Avenue. Once parking spaces fill up in the Village Area (at 85% occupancy), the signs would direct visitors that no parking is available in the Village and that they should park in the new parking structure. This would eliminate vehicles driving to the village and then back to the parking garage, and also eliminate circulating vehicles. It should be noted that some drivers will still continue to go to the Village and this occupancy of parking spaces will remain high. If occupancy drops to say below 80%, the VMS signs would be turned off and vehicles would continue to the Village until it fills up again. To simulate this traffic scenario, volumes were adjusted as follows:

A review of the license plate survey information from the One-Way report indicated that over 10 percent of vehicles on the roadways (Capitola Avenue, San Jose Avenue, Stockton Avenue, and Monterey Avenue) immediately adjacent to The Esplanade are circulating around to look for available parking. **Appendix B** contains the license plate summary information. Follow-up observations during the peak-hour indicated that the amount of re-circulating vehicles is likely higher than 10 percent. The proposed garage is anticipated to reduce the number of circulating vehicles as parking guidance signs will direct drivers to available spaces. Therefore, the existing turning movements at several intersections (Stockton/Esplanade, Stockton/Capitola, and Capitola/Monterey) were reduced by 20 percent, or 15 vehicles, to reflect the decrease in re-circulating vehicles and reassigned to travel to the proposed garage. These re-circulated trips along with the new garage trips were added to the existing volumes as shown in **Figure 5**.

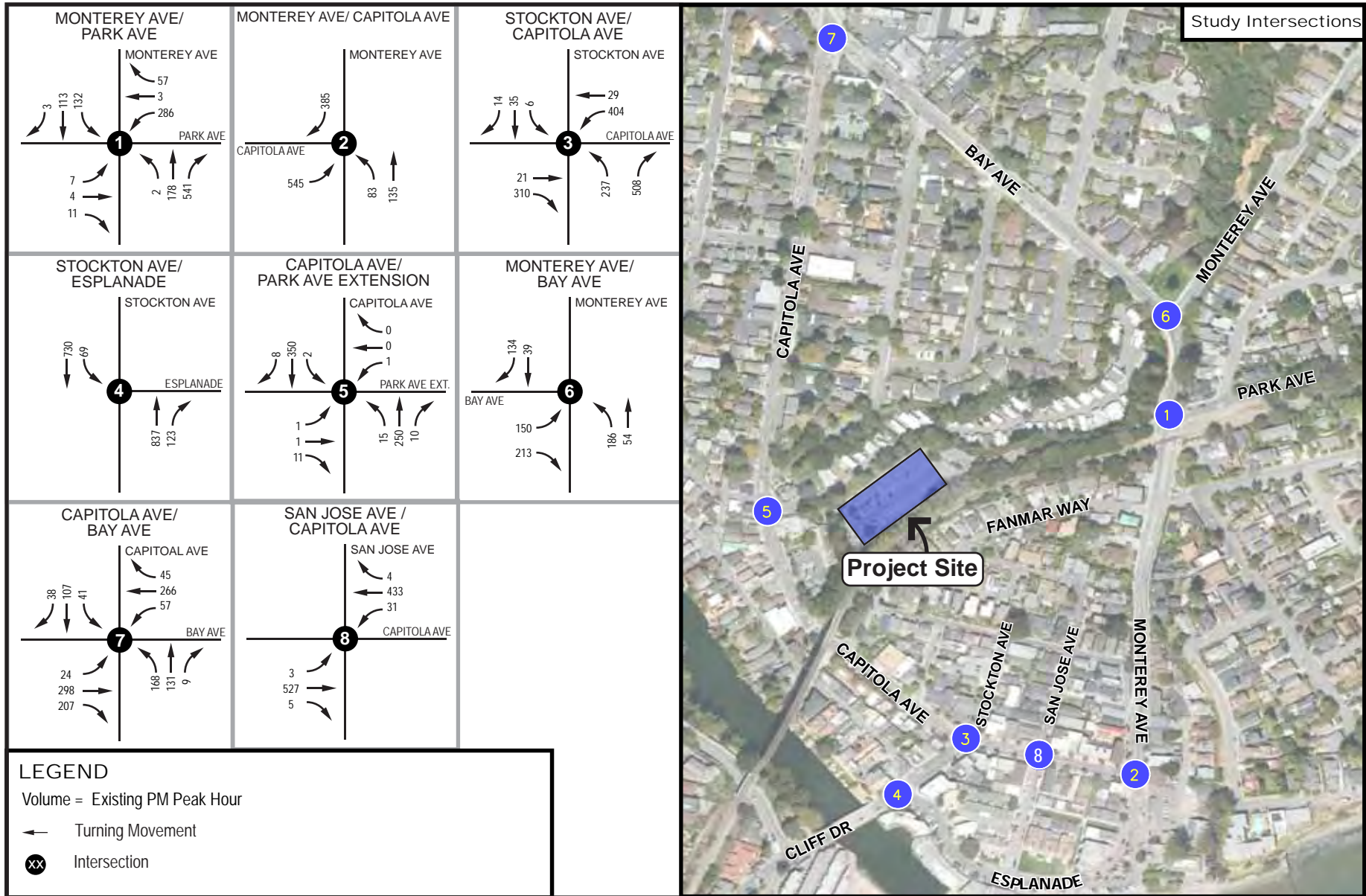
Level of service calculations were conducted for the Existing with Garage volumes. The results, as indicated in **Table 1**, show that the proposed garage would exacerbate unacceptable operations at the Monterey Avenue/Park Avenue and Stockton Avenue/Capitola Avenue intersections. The other remaining intersections are projected to operate at acceptable levels.

Village Buildout Land Use Volumes (No Garage)

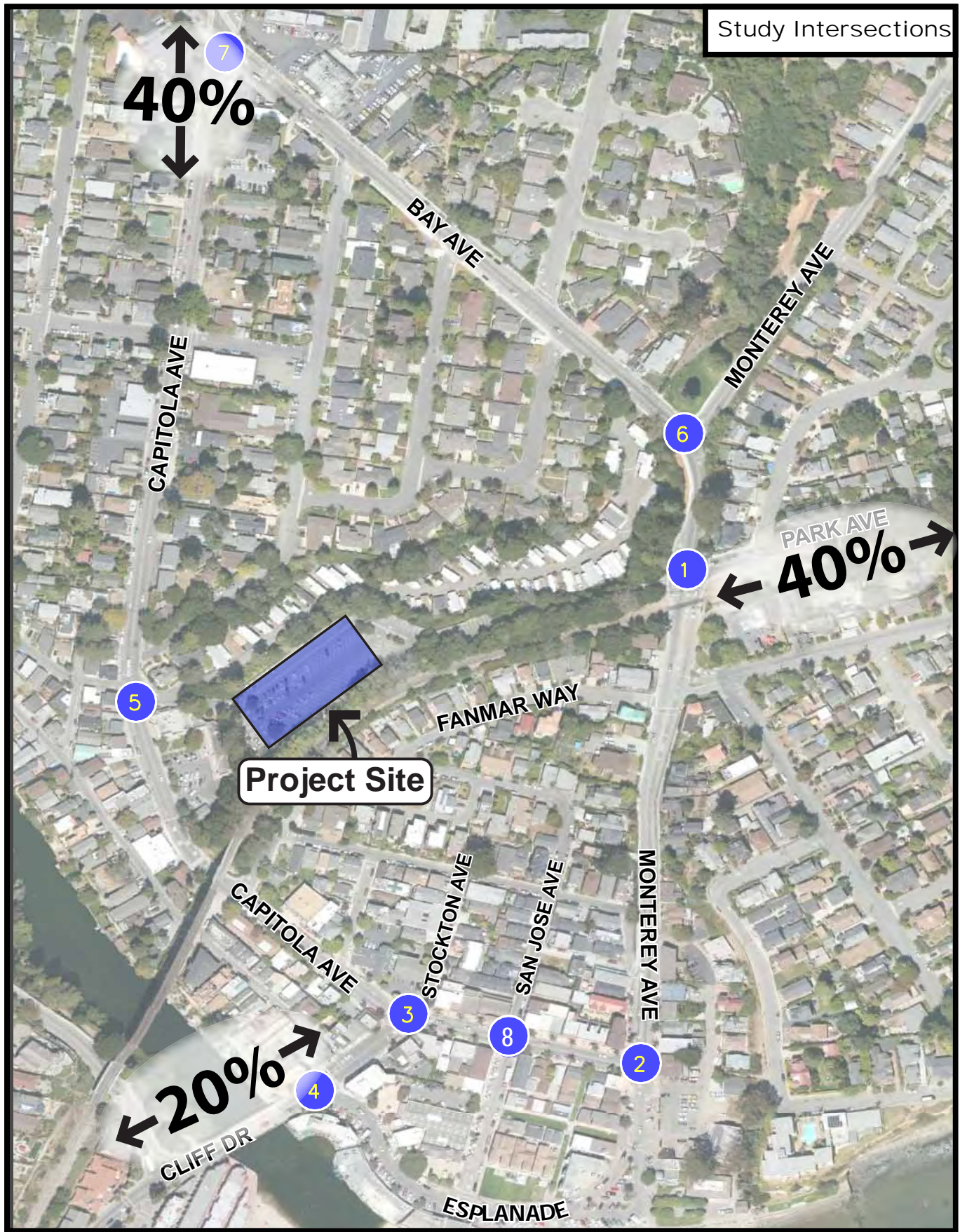
City staff identified the following three projects within the Village Area to include in the Buildout Land Use scenario:

- 100 hotel rooms within the Village
- 20,000 s.f. of commercial space on the Esplanade and Capitola Avenue
- 10 mixed use units along Stockton Avenue and San Jose Avenue

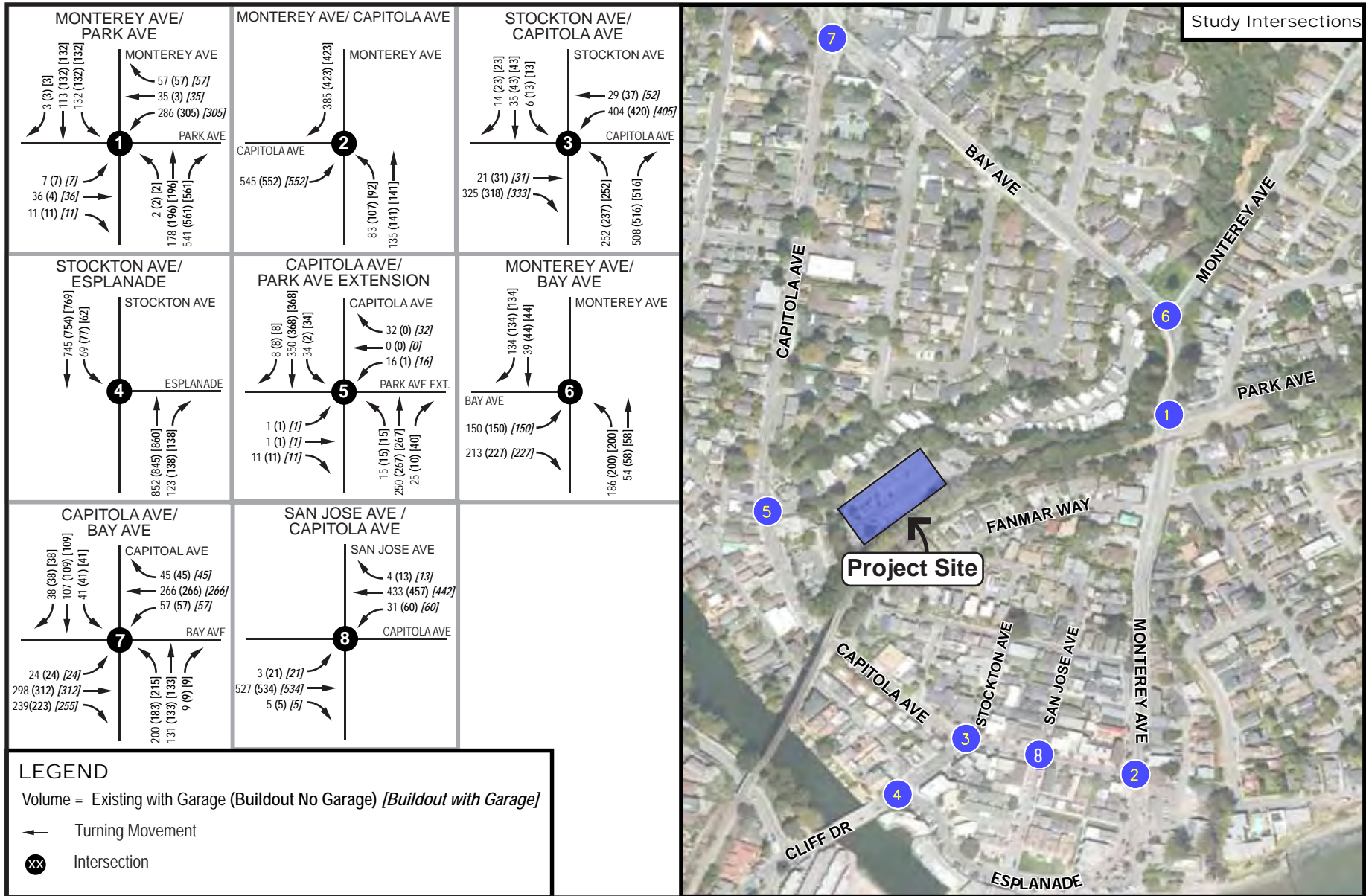
The amount of traffic generated by these buildout projects were estimated by applying trip generation rates from *Trip Generation* (Institute of Transportation Engineers, 8th Edition) to the size of the project. The trips were then assigned to the existing roadway network and using a distribution pattern that was adjusted from existing travel patterns. These trips were then added to the existing volumes to reflect Buildout without Garage Conditions as shown in **Figure 5**.



Source: RBF Consulting (2010)



Source: RBF Consulting (2010)



Source: RBF Consulting (2010)

Appendix C contains the level of service calculations under Buildout without Garage volumes. In addition to the two previously identified locations that are operating at an acceptable level, the intersection of Monterey Avenue and Capitola Avenue is projected to degrade to LOS E. **Table 1** presents the level of service results.

Village Buildout Land Use Volumes (With Garage)

The trips associated with the garage and the re-circulating Esplanade traffic were added to the Village Buildout No Garage volumes to reflect Village Buildout With Garage volumes as shown in **Figure 5**. The additional trips are projected to cause a fourth location, Capitola Avenue/Bay Avenue to exceed its level of service standard. This scenario also includes the implementation of a parking management system that would reduce some congestion and possibly grid lock in the Village Area. Volumes were adjusted for this scenario.

2.3 Existing Vehicular Circulation Pattern - Intersection Improvements Required

The following measures were identified to improve intersection operations under the existing vehicular circulation pattern scenarios (Existing or Village Buildout with Garage volumes).

Monterey Avenue/Park Avenue

Installation of a roundabout at this location would provide acceptable operations. This improvement was also recommended in the One-Way traffic report. The northbound queue at the adjacent intersection of Monterey Avenue/Bay Avenue is not projected to extend back to the Monterey Avenue/Park Avenue intersection and impact the proposed roundabout. The mitigated level of service calculation worksheets are contained in **Appendix E**. A traffic signal would also improve the LOS to acceptable conditions.

Monterey Avenue/Capitola Avenue

A traffic signal at this location would improve LOS E operations under Village Buildout with Garage to LOS A operations. This signal would be coordinated with the signal at Park Avenue/Park Avenue and the one at Stockton Avenue/Capitola Avenue.

Stockton Avenue/Capitola Avenue

The proposed garage is estimated to add less than 2 seconds of delay at this location. The closure of the southbound leg (Stockton Avenue) and implementation of a traffic signal would provide LOS C operations. However, this improvement would have detrimental secondary impacts such as extensive queues on westbound Capitola Avenue that would extend past San Jose Avenue. Existing southbound Stockton Avenue traffic would be required to use other roadways including Fanmar Way and Cherry Avenue thus causing further neighborhood intrusion. Operational improvements at this location are being evaluated as part of the on-going General Plan Circulation Element Update. Therefore, improvements at this location are not recommended due to the slight increase in delay, potential secondary impacts, and future study of feasible operational improvements during the General Plan Circulation Element update process.

Capitola Avenue/Bay Avenue

Installation of a roundabout at the Capitola Avenue/ Bay Avenue intersection, also recommended as a mitigation measure in the One-Way traffic report, would provide acceptable LOS A operations. The roundabout would however require the acquisition of right-of-way/landscaping on the southwest corner of the intersection. Alternatively a dual roundabout could be implemented, which would not require ROW, but may take time to get used to and drivers would have to be educated about its operations. The conceptual roundabout design for this intersection is presented in **Figure 6**.



Source: RBF Consulting (2010)



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CAPITOLA VILLAGE PARKING GARAGE TRAFFIC ANALYSIS

Capitola Avenue & Bay Avenue Roundabout Alternative 1

Figure 6
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3 COUNTER-CLOCKWISE CIRCULATION GEOMETRY

This section describes the level of service analysis assuming One-Way Counter-Clockwise circulation on Capitola Avenue and Monterey Avenue between Stockton Avenue to Park Avenue.

3.1 Counter-Clockwise Vehicular Circulation Pattern - Existing, Existing with Garage, Village Buildout, and Village Buildout with Garage Intersection Operations

Existing Re-Assigned Volumes

The existing volumes were adjusted to reflect one-way counter clockwise circulation on Capitola Avenue (between Stockton Avenue and Monterey Avenue) and on Monterey Avenue (between Capitola Avenue and Park Avenue). These revised counter-clockwise volumes differ from those presented in the March 2008 report because that analysis assumed the counter-clockwise traffic would travel through the Pacific Cove parking lot. Since the driveway will maintain ingress and egress from the proposed garage only, the redirected traffic (approximately 300 vehicles) would be required to travel north onto Bay Avenue and turn left at the Capitola Avenue/Bay Avenue intersection.

The counter-clockwise circulation would also result in the creation of 28 new on-street parking spaces in the Village Area as indicated in the One-Way traffic report. These additional spaces would generate new vehicular trips to the area. Using the previous assumption that 1/3 of these new spaces would turnover during the Friday peak-hour, approximately 10 new inbound and 10 outbound trips would be generated to the Village Area. **Figure 7** presents the existing re-assigned volumes plus the trips generated by the new on-street parking.

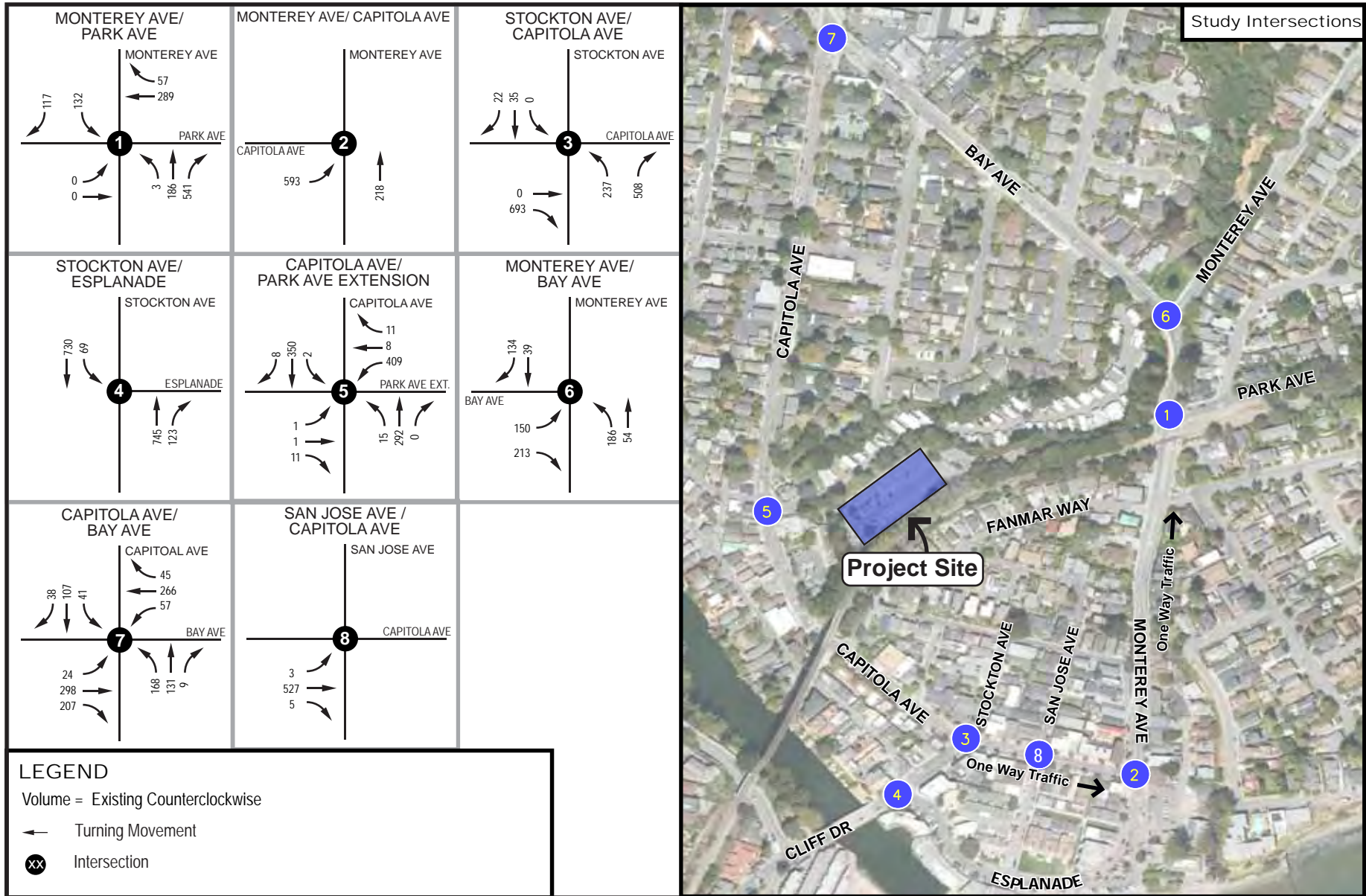
As indicated in **Table 3**, the following three intersections are projected to operate below their level of service standard:

- Stockton Avenue/Capitola Avenue
- Capitola Avenue/Riverview Drive
- Capitola Avenue/Bay Avenue

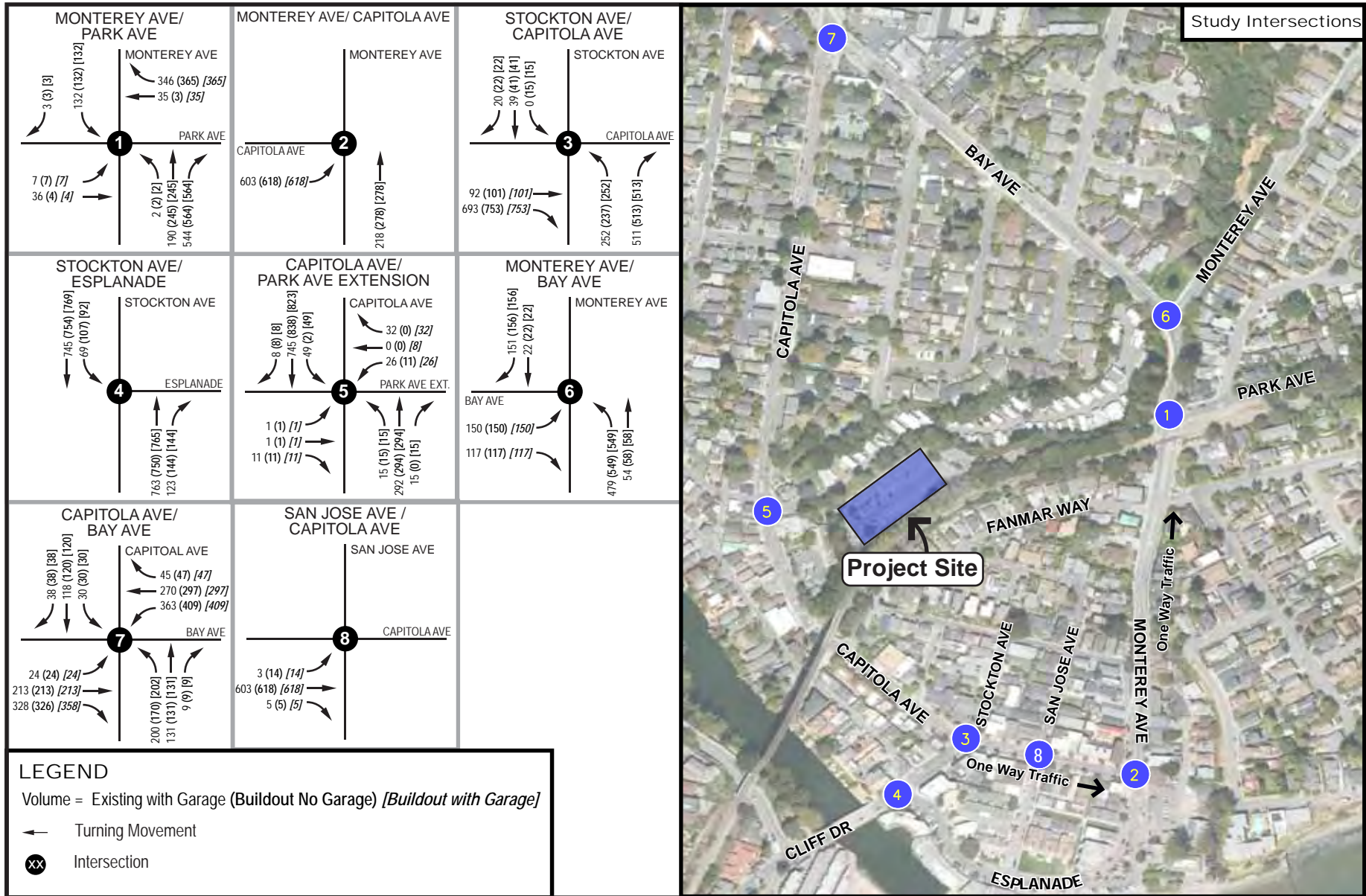
The cause of these deficient operations is due to the re-assigned traffic to reflect the one-way circulation on Capitola Avenue and Monterey Avenue. **Appendix D** contains the level of service calculation worksheets.

Existing Plus Garage Volumes

The trip generation estimates (see **Table 2**) for the garage do not change under this circulation alternative. The garage trip assignment and the re-circulated Esplanade traffic were added to the Existing re-assigned volumes to reflect Existing Plus Garage Volumes as shown on **Figure 8**. The level of service results, **Table 3**, indicate the garage will exacerbate unacceptable operations at the three locations identified above; however no additional locations are projected to exceed their LOS standard.



Source: RBF Consulting (2010)



Source: RBF Consulting (2010)



Counter-Clockwise Circulation (Existing with Garage, Buildout No Garage, Buildout with Garage)

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CAPITOLA VILLAGE PARKING GARAGE TRAFFIC ANALYSIS

Figure 8
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Table 3: Counter-Clockwise Vehicular Circulation Pattern Levels of Service Summary

North-South Street	East-West Street	LOS Standard	Counter-Clockwise Existing		Counter-Clockwise Existing + Garage		Counter-Clockwise Existing + Garage With Mitigation		Village Buildout Counter-Clockwise		Village Buildout Counter-Clockwise+ Garage		Village Buildout Counter-Clockwise+ Garage (Mitigation)	
			Friday PM Peak Hour		Friday PM Peak Hour		Friday PM Peak Hour		Friday PM Peak Hour		Friday PM Peak Hour		Friday PM Peak Hour	
			Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
1 Monterey Ave. All-Way Stop	Park Ave.	C	19.8	C	23.7	C			22.7	C	27.8	D	7.8	A
													Roundabout	
2 Monterey Ave. All-Way Stop	Capitola Ave.	D	24.1	C	23.4	C			30.0	D	28.7	D		
3 Stockton Ave. All-Way Stop	Capitola Ave.	D	74.8	F	74.5	F	Signal considered but withdrawn due to secondary impacts.		101.4	F	101.2	F	Signal considered but withdrawn due to secondary impacts.	
4 Stockton Ave. SB Yield	Esplanade Worst Approach	D	0.4 10.7	A B	0.3 10.6	A B			0.7 11.2	A B	0.6 11.2	A B		
5 Capitola Ave. All-Way Stop	Riverview Dr.	C	37.2	E	54.7	F	No mitigation Signal warrants not met.		58.4	F	82.0	F	No mitigation Signal warrants not met.	
6 Monterey Ave. All-Way Stop	Bay Ave.	C	16.5	C	16.5	C			22.4	C	22.4	C		
7 Capitola Ave. All-Way Stop	Bay Ave.	C	29.3	D	35.4	E	22.3 Roundabout considered but withdrawn due to extensive queues.	C	39.0	E	44.7	E	36.4	D
			Extensive queues		Extensive queues			Extensive queues		Extensive queues		Extensive queues		Roundabout considered but withdrawn due to extensive queues.
8 Capitola Ave. EB-WB Yield	San Jose Ave Worst Approach	D	0.1 0.1	A A	0.1 0.1	A A			0.3 0.3	A A	0.3 0.3	A A		
<p>NOTES:</p> <ol style="list-style-type: none"> Analysis performed using 2000 Highway Capacity Manual methodologies. Highlighted levels of service (LOS) represent an intersection with failing operations. Roadway Assumptions: Existing volumes are re-assigned to reflect one-way counter-clockwise circulation patterns (traffic shifted to Bay/Capitola and south on Capitola at Riverview) All "With Garage" scenarios includes redirecting of some Esplanade re-circulating traffic to garage and include trips due to additional on-street spaces 														

Village Buildout Land Use Volumes (No Garage)

The trip assignment for the three Village buildout projects were adjusted to reflect the one-way clockwise circulation pattern and these trips were added to the existing re-assigned volumes to reflect Village Buildout Land Use Volumes as indicated in **Figure 8**. **Table 3** presents the level of service summary. Under this scenario, two of the three previously deficient intersections (Stockton Avenue/Capitola Avenue and Capitola Avenue/Riverview Avenue) are now operating at LOS F. The Capitola Avenue/Bay Avenue intersection is projected to operate at LOS E and the other locations are operating at acceptable levels.

Village Buildout Land Use Volumes (With Garage)

The trips associated with the garage and the re-circulating Esplanade traffic were added to the Village Buildout No Garage volumes to reflect Village Buildout With Garage volumes as shown in **Figure 8**. The additional trips are projected to cause a fourth location, Monterey Avenue/Park Avenue to exceed its level of service standard.

3.2 Counter-Clockwise Vehicular Circulation Pattern - Intersection Improvements Required

The following measures were identified to improve intersection operations under the counter-clockwise vehicular circulation pattern scenarios (Existing or Village Buildout with Garage volumes).

Monterey Avenue/Park Avenue

Installation of a roundabout at this location would provide acceptable operations. This improvement was also recommended in the One-Way traffic report. The mitigated level of service calculation worksheets are contained in **Appendix E**. The installation of a signal would also improve the operations to acceptable conditions.

Stockton Avenue/Capitola Avenue

As discussed previously, no improvements are recommended at this location due to the slight increase in delay, potential secondary impacts, and future study of feasible operational improvements during the General Plan Circulation Element update process.

Capitola Avenue/Riverview Drive

The Capitola Avenue/Riverview Drive intersection is not anticipated to meet the peak-hour warrant for signal installation. No other feasible improvements are identified at this location. The resulting delays and congestion will meter the traffic entering and exiting the Village Area, but may discourage visitors to the Village Area.

Capitola Avenue/Bay Avenue

Installation of a roundabout at the Capitola Avenue/ Bay Avenue intersection, also recommended as a mitigation measure in the One-Way report, would provide LOS D operations, however extensive queuing on Bay Avenue is anticipated. The roundabout would however require the acquisition of right-of-way.

4 Impacts to Neighborhood

4.1 Introduction

Changes in traffic patterns, especially when congested roadway conditions prevail, would result in traffic spillover onto adjacent street networks. Implementation of the proposed garage and/or the one-way counter-clockwise street system could have the potential for traffic spillover into the adjacent neighborhoods. These neighborhoods include the Fanmar, Rosedale, Riverview, Cherry and Pilgrim Neighborhoods.

The implementation of one-way counter-clockwise streets results in longer travel times, which also could result in a spillover of cut through traffic onto adjacent streets.

Also, congested traffic conditions at certain intersections could result in cut through traffic. Fanmar Way and Cherry Avenue are candidates for spillover traffic in the Fanmar neighborhood. Pilgrim Drive and Beulah Drive are candidates for spillover traffic in the Pilgrim neighborhood. Rosedale Avenue is a candidate for spillover traffic in the Rosedale neighborhood if congestion would occur at the Capitola Avenue/Bay Avenue intersection. Riverview Avenue is a candidate for spillover traffic in the Riverview neighborhood.

4.2 Fanmar Neighborhood

The congested intersection of Capitola Avenue/Stockton Avenue is projected to operate at unacceptable levels of service under the existing and counter-clockwise circulation patterns with the garage. Congestion at this intersection, combined with congestion on the Esplanade during the summer months, would likely result in traffic spillover onto Fanmar Way. To minimize potential cut-through traffic, the following street design features could be implemented:

Existing Street Network

- Make the intersection of Fanmar Way and Capitola Avenue an inbound only movement onto Fanmar Avenue. This could be accomplished by adding a bulbout curb feature to the intersection, which would only allow traffic to enter Fanmar and prohibit traffic from exiting onto Capitola Avenue.
- Place a "Local Residents Only" sign at the intersection of Monterey Avenue and Fanmar Way.

Counter-Clockwise Street Network

For the counter clockwise scenario, cut-through traffic would enter Fanmar Way from the west at Capitola Avenue and from the east at Monterey Avenue. Traffic entering the Fanmar area would either travel along Fanmar Way as cut-through traffic between Monterey and Capitola Avenues or disperse out into the neighborhood. To discourage the movement of through-traffic through the Fanmar neighborhood, the following measures can be installed to limit access to Fanmar Way:

- Add a “Local Residents Only” sign on Fanmar Way at both the Monterey Avenue and Capitola Avenue intersections.
- Construct a bulbout at Fanmar Way and Monterey Avenue that would prohibit north bound left turns on Fanmar Way.

4.3 Rosedale Neighborhood

The Rosedale neighborhood is situated to the north of Bay Avenue. The analysis indicates that, without the roundabout improvement, the intersection of Capitola Avenue and Bay Avenue is anticipated to operate at LOS D with the existing street network and LOS E with the counterclockwise circulation network which will likely result in cut-through traffic. Closure of Rosedale Avenue at either Hill Street or Plum Street would be required to minimize cut through traffic. This may however not be supported by the community, since it results in traffic diverting onto other streets, which causes new issues. Also, emergency response times would increase and may not be acceptable either. Additional studies would be required to evaluate the impact of the road closure.

Improving the Capitola Avenue/Bay Avenue intersection by constructing a roundabout would most likely discourage traffic cutting through along Rosedale Avenue, since traveling along Bay Avenue and Capitola Avenue would be more convenient and faster.

4.4 Pilgrim Neighborhood

The Pilgrim neighborhood is directly north of the project site. The City has expressed concerns about cut-through traffic onto Pilgrim Drive. It appears to be highly unlikely that traffic would utilize Pilgrim Drive due to the irregular and multiple turn street layout and the indirect path to the adjacent collectors. Should there be significant cut-through traffic after construction of the proposed project, it is recommended to prohibit movements from Pilgrim Drive to Burlingame Avenue. This could be accomplished with the construction of a curb bulb that allows southbound right turn traffic only at the intersection, which would prevent drivers from making a right turn onto Burlingame Avenue.

4.5 Riverview Neighborhood

Riverview Drive provides an alternative to Capitola Avenue. The road is however narrow and only vehicle can pass underneath the Trestle structure. It is not foreseen that cut-through traffic will use the roadway regularly, however, if the Stockton Avenue/Capitola Avenue intersection is congested, cut-through traffic could use this road. Should significant cut-through traffic occur, It is recommended that the left turns from eastbound Stockton onto Riverview Drive and left turns out from Riverview Drive onto Stockton Avenue be prohibited.

5 Traffic and Parking Management System

5.1 Introduction

In addition to the roadway improvements identified in the previous sections, the use of traffic and parking management policies and programs were identified which can aid in the efficient use of parking resources. When appropriately applied, traffic and parking management can significantly reduce delays along intersections and corridors, reduce vehicle mile travel thus reducing greenhouse gas emissions, and provide a variety of economic, social, and environmental benefits.

Examples of traffic and parking management system improvements that are applicable to operations of arterials and local streets include:

- Traffic signal improvements
- Interconnected signals
- Turn prohibitions
- Guide or informational signage
- Variable message signs
- Parking management strategies (time restrictions, time duration, meter pricing and variability, shared parking)
- Advanced parking management systems

5.2 Recommended Traffic and Parking Management System Improvements

The recommended closure of the southbound approach at the Capitola Avenue/Stockton Avenue is an example of a traffic management policy where turn prohibitions can improve intersection operations. It is also recommended that guidance signs be installed at key entrances to the Village Area to direct vehicles to the parking garage. For example, a sign can be installed for westbound Park Avenue vehicles to direct vehicles to travel straight to the garage as opposed to turning southbound on Monterey Avenue towards the Village.



In terms of parking management strategies, the following improvements are recommended:

- Development of website providing parking information, directions, and real-time parking information on variable message signs on the roadways to the village and at the garage
- Variable message signs at entrances to the city showing the number of available spaces in the Village and in the garage
- Variable message signs at the garage entrance indicating the availability of spaces on each floor

6 ALTERNATE TRAFFIC CONFIGURATIONS

Figure 9A presents a graphic of the existing circulation patterns within the Village. In addition to analyzing impacts of the proposed garage, the following roadway alternatives were evaluated:

- Conversion of lower San Jose Avenue to northbound direction only
- Conversion of Monterey Avenue between Capitola Avenue and Esplanade Avenue for travel in both directions with a cul-de-sac on the south end of Monterey Avenue
- Closure of Esplanade Avenue east of lower San Jose Avenue

Figures 9B through 9D illustrate the vehicular flow under each alternate traffic configuration. A qualitative evaluation of existing operations within the Village Area was conducted for each alternative. Also indicated on these figures are bandwidths indicating the total peak vehicular flow during the PM peak hour. For the affected streets, these bandwidths change in thickness to illustrate the potential increase or decrease in traffic due to the roadway alternative. A symbol is also placed over the center of key intersections to indicate whether overall intersection delay would increase or decrease. The anticipated impacts are discussed below.

6.1 Northbound San Jose Avenue (Figure 9B)

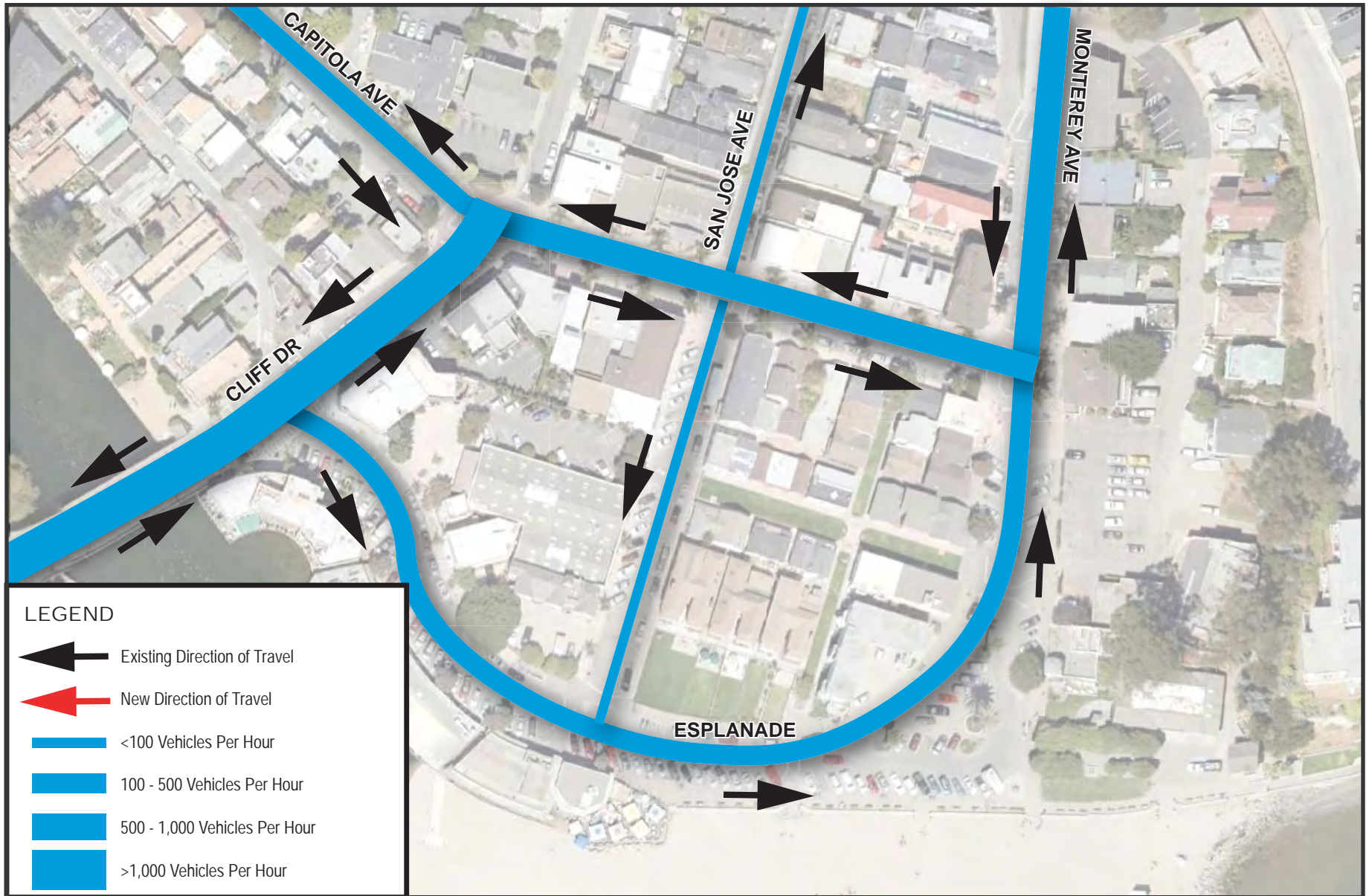
The conversion of northbound San Jose Avenue will divert some traffic from the northbound movement at the Monterey Avenue/Capitola Avenue intersection. Currently, there is no delay on the side street approaches (San Jose Avenue) as vehicles are turning onto San Jose Avenue from Capitola Avenue. The conversion will now require northbound San Jose Avenue vehicles to come to a stop prior to turning onto Capitola Avenue. The northbound San Jose vehicles will experience delays as they wait for gaps in traffic on Capitola Avenue. However, the anticipated delay is not anticipated to be significant. The flow will alleviate congestion at Monterey Avenue/Capitola Avenue but will worsen congestion at Capitola Avenue/Stockton Avenue.

6.2 Two Way Monterey Avenue with Cul-de-sac (Figure 9C)

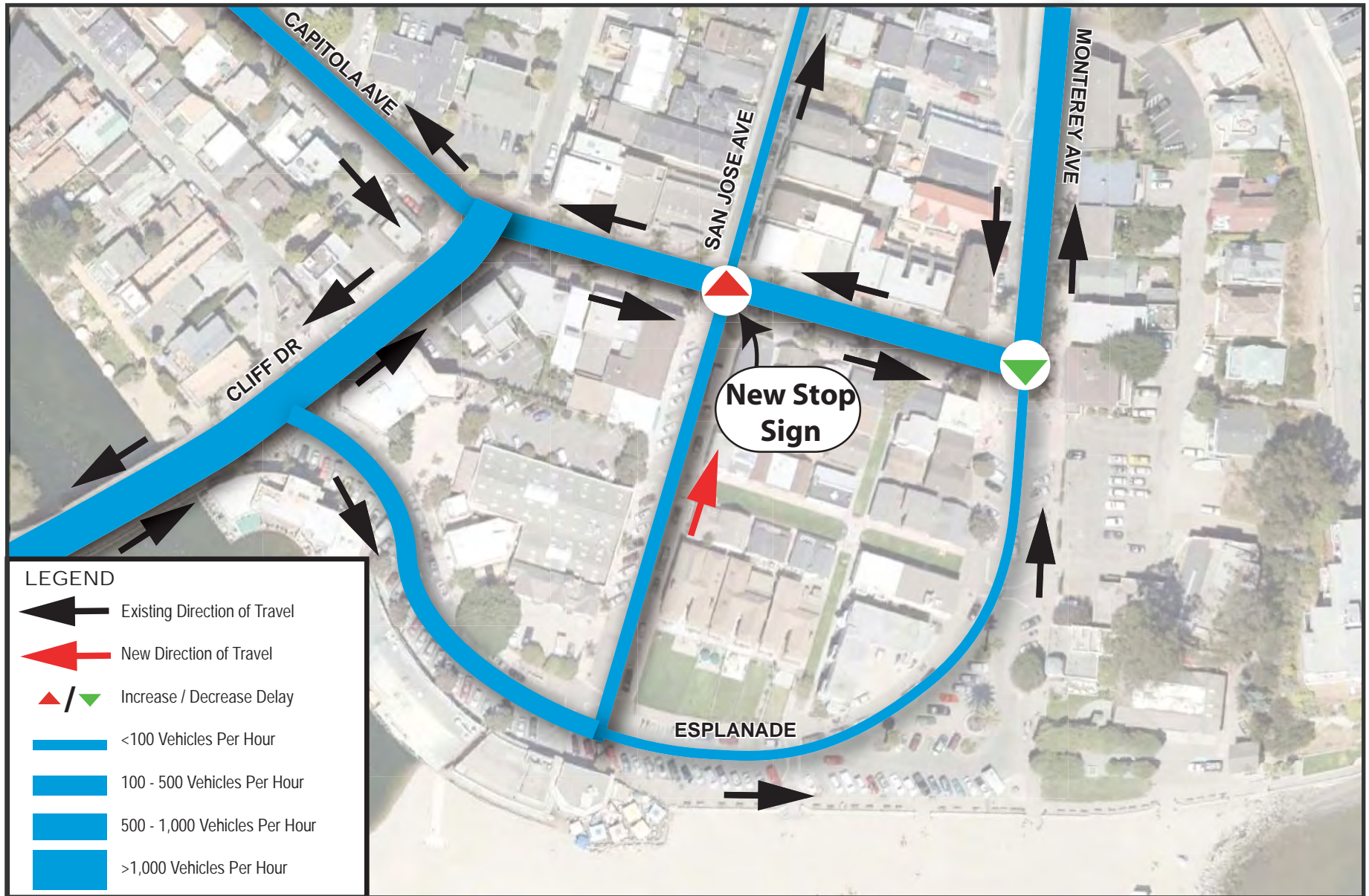
The conversion of Monterey Avenue to two way traffic would provide improved access for some local residents/businesses. For example, if vehicles are coming from Park Avenue, they would be able to continue to travel south on Monterey Avenue without being forced to make counter-clockwise loop (via Capitola Avenue and San Jose Avenue). The traffic that would use Monterey Avenue northbound would now use San Jose Avenue instead. The intersection of both San Jose Avenue and Monterey Avenue with Capitola Avenue will be congested.

6.3 Closure of Esplanade Avenue (Figure 9D)

This alternative would be similar to the northbound San Jose Avenue alternative except that more traffic would be diverted onto San Jose Avenue. The resulting delays at the San Jose Avenue/Capitola Avenue intersection would then require mitigation such as all-way stop control or a traffic signal. Traffic conditions would be worse compared to the cul-de-sac option at Monterey Avenue.



Source: RBF Consulting (2010)



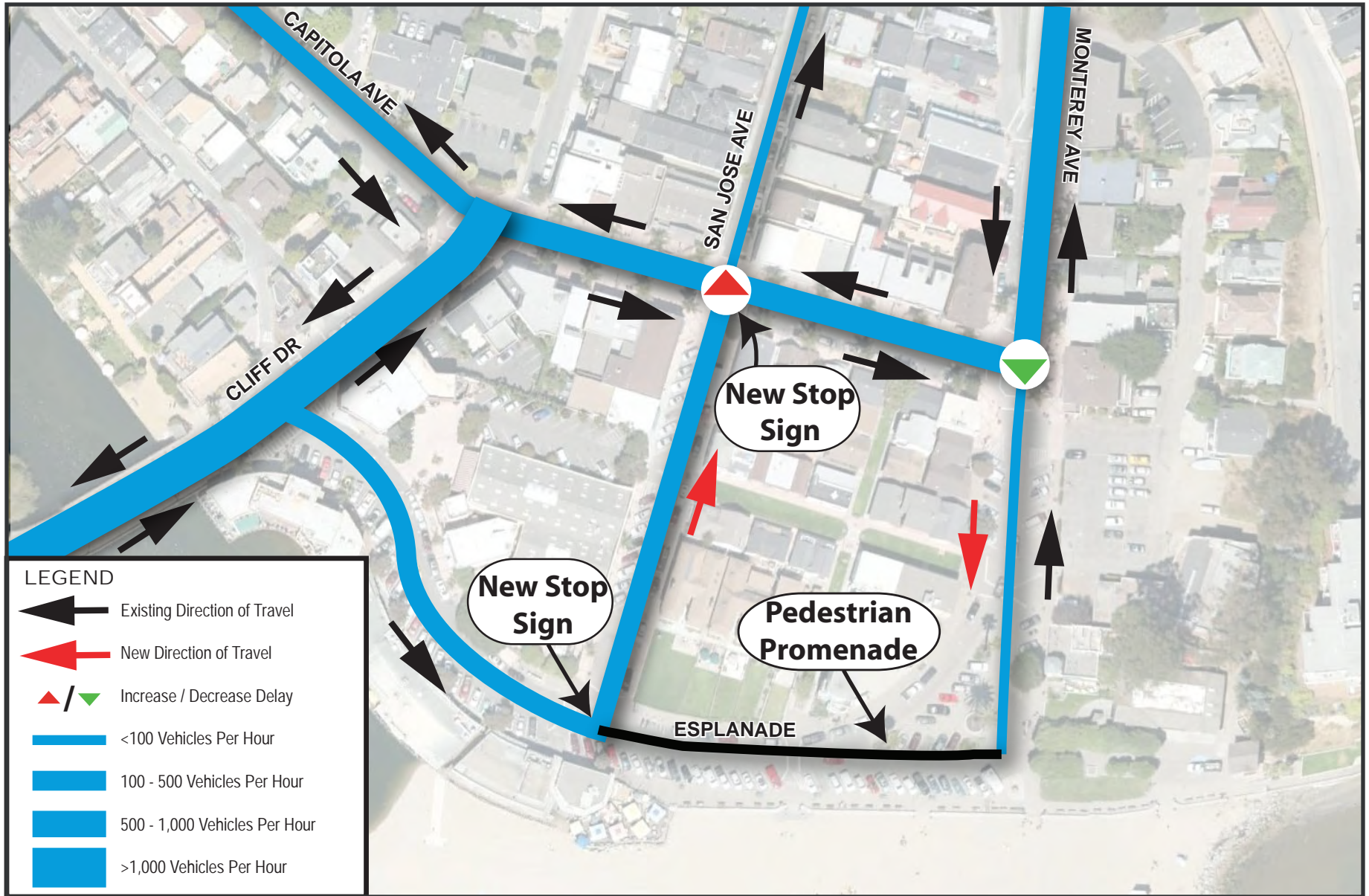
Source: RBF Consulting (2010)



12/28/2010 JN: 70100323/TrafficFigures

CAPITOLA VILLAGE PARKING GARAGE TRAFFIC ANALYSIS
NORTHBOUND SAN JOSE ALTERNATIVE

Figure 9B
139



Source: RBF Consulting (2010)



12/28/2010 JN: 70100323/Traffic/Figures

CAPITOLA VILLAGE PARKING GARAGE TRAFFIC ANALYSIS
TWO WAY MONTEREY ALTERNATIVE

Figure 9C
140



Source: RBF Consulting (2010)



12/28/2010 JN: 70100323/Traffic/Figures

CAPITOLA VILLAGE PARKING GARAGE TRAFFIC ANALYSIS

ESPLANADE CLOSURE ALTERNATIVE

Figure 9D

City of Capitola
Traffic and Parking Commission

Report on Parking
Expansion Alternatives



Approved by the Traffic and Parking Commission on April 14, 2010

Executive Summary

Over the past eight months the Traffic and Parking Commission for the City of Capitola has determined that the expansion of public parking inventory serving Capitola Village should be one of the City's highest priorities. The Commission has reviewed all the recent reports and studies completed by the City, and using the data contained in these reports made a determination on a range of spaces needed and a location for them.

Using the 2008 Parking Needs Analysis by RBF Consulting, which quantified the existing needs as a range between 176 – 390 parking spaces, the Commission identified and quantified future needs that could be foreseen now. These future needs included spaces for a Village Hotel and other new development, possibly creating an Esplanade pedestrian promenade, and providing parking for a valet parking program. The results of this work indicate that the City should aim to create 325 new parking spaces at a minimum, with a maximum need of 799.

The Commission believes any new parking should be developed in such a way as to reduce vehicles traveling through the Village. The new parking should intercept vehicles coming from Bay Avenue and Park Avenue, and be easy to find for the vehicles entering from Stockton Avenue. The parking should be within walking distance of the Village, but also provide some form of transport between the parking location and the Village. Given these parameters, the Commission further determined that the City owned Pacific Cove property, which currently consists of a public parking lot and the Pacific Cove Mobile Home Park, is the best location for parking expansion.

The Commission realizes that development of new parking spaces cannot be done in isolation. In addition to providing more parking for the Village, the Commission supports the development of programs that will improve parking systems and provide alternatives to the search for parking.

In addition, the Commission has reviewed the Village Parking Permit Program and has recommended minor changes to this program that will be sent to the Council separately. The Commission will also be undertaking a review of the Neighborhood Parking Permit Program.

It is important to note the Commission has focused on parking and not yet on circulation. The Commission realizes that traffic and circulation need to be analyzed as they exist in the Village now, and how they would be impacted by the expansion of spaces in Pacific Cove.

Background

The Traffic and Parking Commission was formed by the Capitola City Council by Resolution No. 3740 which was adopted on February 26, 2009. The Commission's charge is to develop short, medium, and long term plans for City Council consideration that address traffic and parking demands in the City by considering citywide traffic and parking improvements developed in various studies and reports provided to the City Council. Once these plans are in place, the Commission shall act as an advisor to the City Council on implementation of the plans and other duties requested by the Council.

The Commission is comprised of eleven community members representing differing interests in the City and the Village area. Currently the Commission is comprised of the following.

Ed Bottorff, Central Village Resident
Ron Burke, Planning Commission Representative
Carin Hanna, Village Business Owner
Linda Hanson, Appointee of Council Member Norton
Margaret Kinstler, Central Village Resident
Vicki Muse, Appointee of Council Member Begun
Anne Nicol, Appointee of Council Member Nicol
Molly Ording, Appointee of Council Member Storey
Jeanne Roddy, Pacific Cove Mobile Home Park Resident
Nels Westman, Appointee of Council Member Graves
Gary Wetsel, Village Business Owner

The Commission held its first meeting on June 10, 2009. The Commission normally meets on a monthly basis, but has been meeting twice a month in January, February, and March of 2010 in order to complete this report.

On September 9, 2010 the Commission adopted the following vision statement as a guide in their analysis of traffic and parking as it relates to Capitola Village.

A Traffic and Parking Commission vision is to address parking needs in the Central Village without increasing public parking in the Central Village; and any parking removed from the Central Village must be replaced in kind outside the Central Village.

On November 12, 2009 the Commission chair, Gary Wetsel, presented an oral report to the City Council that included the initial recommendations for parking expansion (see Attachment 1 for slide presentation). Following this report, the Commissioners continued to pursue more detailed information on these recommendations. The Commission therefore established the four sub-committees to track and gather more detailed information in key areas in support of the Commission's initial recommendations.

Established Sub-Committees

1. Parking Structure – to identify key elements, potential timetable and costs of a new multi-level parking structure at the Pacific Cove Parking Lot site.
2. Lower Pacific Cove Mobile Home Park Surface Parking – to identify key issues and estimate of cost of creating a surface level parking lot on the western portion of the mobile home park.
3. Hotel – to track and study key issues relating to traffic and parking relative to the proposed Village Hotel.
4. Transportation Links between Pacific Cove and the Central Village - to look for innovative ways to move people that would both be an attraction and encourage people to park at Pacific Cove rather than the Village.

Many of the details contained in the report were the results of the work of these sub-committees.

Introduction

Although there are times when parking is readily available in the Village, including the Pacific Cove Parking Lot, the existing parking supply does not meet the demands during peak periods. This shortage in parking is frustrating for residents, merchants and visitors alike. The beauty of Capitola Village makes it a primary destination for many. Neighboring communities such as Santa Cruz, Los Gatos, Monterey, Pacific Grove, and Carmel either provide free parking or readily accessible parking to their commercial areas. The City of Capitola must strive to do its best to improve the quality of the lives of residents, merchants, and visitors and make planning decisions based on peak demands.

To make Capitola Village sustainable it must be able to handle the influx of seasonal visitors who are currently the life's blood for merchants, while also encouraging locals to visit during the slower periods, providing a stable foundation. To meet both these demands it is necessary to provide parking in the Village that result in the following:

- Improving availability of parking for Village residents without off-street parking.
- Improving availability of parking for customers of Village merchants.
- Improving availability of parking for Village employees.
- Improving availability of parking for beach/Village visitors.
- Lessening impact of Village parking shortage on adjacent neighborhoods.

Recent trends show that more and more people are competing for fewer and fewer parking spaces. Development of parcels, expansion of permit areas, increased permit holders, widening of sidewalks, expansion of loading zones, etc. all conspire to slowly but surely make fewer and fewer spaces available to meet a growing demand. In addition to this shrinking parking supply, stringent Coastal Commission restrictions insure that no well-planned major revitalizing commercial development (such as a hotel) is possible in the Village without a major new source of parking in close proximity to the Village.

In the early 1980's the City purchased Pacific Cove Mobile Home Park and installed the first parking meters in the City for the express purpose of providing additional parking for Capitola Village. While Phase One added 234 new parking spaces in the upper section, Phase Two (the lower section) has remained in residential use to this day. The Commission recommends the construction of new parking spaces in a portion of the existing Pacific Cove Mobile Home Park as potentially the fastest and least expensive source of additional parking. The Commission understands the potential for legal and other logistical challenges to this partial solution; however this cannot be a potential solution until the City begins the necessary process.

It is critical to realize though that developing parking in the lower portion of the Pacific Cove Mobile Home Park will not alone address all the current and future parking needs. Thus it is clear that any expansion parking capacity at Pacific Cove must be further accommodated on the upper

level where the existing Pacific Cove Parking Lot is located. This expansion can only be done with a multi-level parking structure. Although both of these parking expansion projects are located on the Pacific Cove property they must be treated as separate projects so that an unforeseen delay in one project does not delay the other.

The Commission has considered other sites for the development of new parking but considers the Pacific Cove property as the only suitable site because it is within a reasonable walking distance of the Village and all roads to the village lead to Pacific Cove (see map on next page). The Commission's search for parking has considered "in-fill" parking by trying to capture every nook and cranny to convert to a public parking space. This "Parkitola" approach simply does not generate sufficient spaces to address the identified long term needs and also has the negative effect of encouraging parkers to spread out into the neighborhoods in search of parking spaces.

Consultants have determined, using Local Coastal Plan criteria, that a deficit of 176 spaces already exists based on existing land uses¹. This deficit is the absolute minimum need to meet the shortage and nothing short of a parking structure can provide this number, let alone any demand from new development such as a new hotel or closing a portion of the Esplanade to cars.

The construction of a parking structure in Pacific Cove and the development of a Village hotel or any other development are vitally linked because it is highly unlikely that any significant redevelopment project could or should provide the required parking on-site. Smart public/private partnerships could result in the timely construction of the parking structure while providing significantly improved utilization of the available on-site parking and a lower cost to the City resulting from sharing of construction costs.

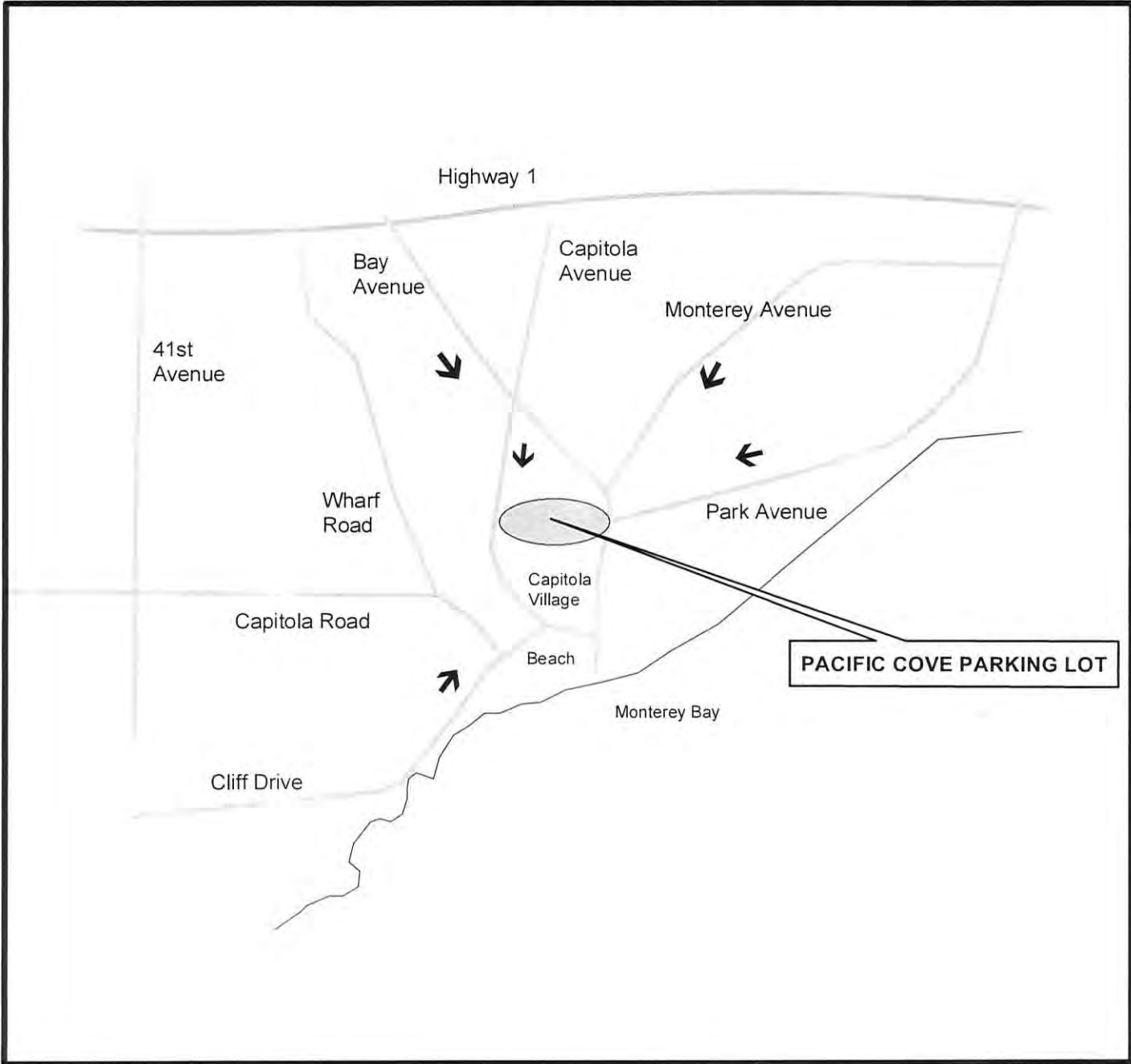
The Commission also believes that a public "people mover" between Pacific Cove and the Village is key to the success. While we are not yet prepared to make a formal recommendation, we believe such a service is readily available and could make Capitola Village "unique" and serve as a very practical addition to the utilization of the parking structure.

Further, while the Commission has not yet formally addressed traffic or congestion in the Village, we believe that parking expansion in the Pacific Cove property as proposed will not only reduce congestion in the Central Village but, because of its central location, permit a more efficient traffic flow.

The time has come to identify and start work on implementing the right solution. The Commission has reviewed all available studies and information and believes the recommendations in this report focus on the most practical means of addressing this critical need today as well as for the future.

Roads Leading to Capitola Village

All roads point to Pacific Cove



Key Elements for developing new parking for the Village

- Intercepts as many roads as possible headed to the Village
- Easy access for vehicles coming from the Village
- Easy pedestrian access from parking to Village



Parking Needs Analysis

One of the first decision points for the Commission was a determination that if any new parking is built to serve the Village area, it should address not only the existing needs but also the identifiable future needs. The 2008 Parking Analysisⁱⁱ studied the existing parking inventory and the demand for spaces based on the existing number of residential units, commercial space, and demand for parking resulting from visitors to Capitola Beach. This study established a minimum need for 176 parking spaces and also a theoretical maximum 390 based on current needs. The 390 spaces represent a design target of 15% over demand to provide openings in the parking system so that vehicles do not have to circle around looking for a parking space.

After reviewing this report the Commission agreed that these numbers were the best numbers available and used them in identifying the existing parking needs. Next the Commission set out to identify future needs that should be included in any new parking expansion. The Commission considered several issues before settling on the following list:

Village Hotel - A new village hotel will not be able to provide all the required parking on site. Based on the preliminary plans being presented by Barry Swenson Builder, a hotel on the theater site will require 100 – 120 spaces. In addition the Central Village will lose 39 public paid parking spaces currently available on the theater lot. While the amount of onsite parking that can be provided by the hotel is variable, it was the consensus of the Commission that offsite parking of some level would be required. The Commission decided that a minimum of 60 spaces should be planned in any new parking lot development for a new hotel with a maximum of 120 spaces. The final number will depend on discussions between a hotel developer and the city.

Esplanade Pedestrian Plaza – Over the years the concept of removing all or a portion of parking from the Esplanade to create a pedestrian plaza has been broadly discussed. While the Commission as a body has not taken a position on this matter, it did agree that additional parking would be mandatory for any new development for this concept. A range of 0 – 100 replacement spaces was identified for this need; the zero representing no project and 100 spaces representing full closure of the Esplanade from Stockton Avenue to Monterey Avenue. Partial closure of the Esplanade from San Jose to Monterey would require the replacement of 60 spaces.

Designated Valet Parking Spaces – In 2009 the City approved the development of a valet parking program for the village that entailed utilizing two spaces in the Village as a drop off zone, with the cars being shuttled to a remote parking lot outside the Central Village. The California Coastal Commission, whose approval was required for the project, added language that forbade the use of public parking for the remote lot, effectively eliminating using space in the existing Pacific Cove Parking Lotⁱⁱⁱ. The Commission has added a maximum of 50 spaces to be designated for a valet program.

New Development and Redevelopment – A primary need for new parking for the Village is to enable development and more specifically redevelopment. Current projects have been stymied by the inability to meet parking requirements. The Commission recommends adding 50 -100 spaces for this purpose. It is understood that any development project utilizing these spaces would need to pay for the spaces via an in-lieu parking fee.

The following chart summarizes the parking needs, both present and future, that the City of Capitola should plan for in developing new parking. This range is developed with the idea that updated information will be available to refine this number in the future, while also providing target numbers for use in preliminary planning of a parking structure.

<u>Demand</u>	<u>Low</u>	<u>High</u>
Current Shortfall	176	390
Village Hotel	60	120
Replace Theater Spaces	39	39
Esplanade Pedestrian Walk	0	100
Valet Parking Program	0	50
Other New Development	50	100
Total Long Term Parking Needs	325	799

It is important to remember that these numbers represent new parking spaces added to existing inventory. If a new parking structure is built at the Pacific Cove Parking Lot site, the spaces eliminated to accommodate the structure will need to be added to these numbers to determine the total number planned for the parking structure.

Short Term Program and Policy Changes to Assist Parking Solutions

Besides adding to the parking inventory the Commission has also reviewed and is recommending several programs that will help manage and enhance parking in the Central Village. Many of these programs aren't new but have never been implemented, or have only been implemented on a trial basis.

Public Valet Parking – As discussed above, a valet parking program would provide an opportunity to add parking outside the Central Village that services visitors to the Village. Although current efforts in attracting a vendor for this operation have not been successful, the Commission recommends that staff continue to work on ways to implement this program.

Pay Stations – The Commission realizes the revenue generated from parking meters in the Village is critical, and that the stand alone parking meters, that accept only coins, have real functional limits that have been reached. At the current meter rate of \$1.50 per hour, twelve quarters are needed to pay for the 2 hours of parking currently permitted. Pay stations, where one station services up to 15 spaces and accepts payment via credit cards in

addition to coins, would greatly enhance the parking experience. Besides the payment benefits, utilizing pay stations could ultimately lead to advanced parking management systems where vacant spaces are identified and sign boards are utilized to direct drivers to open parking spaces, deterring people from circling around the Village hunting for a space. There are two basic types of pay stations, Pay and Display where a ticket is printed and displayed on the dashboard, and Pay by Space where each parking stall is numbered and paid for at the pay station. The Commission is recommending Pay by Space stations as these types of systems allow a user to pay or add time to their “meter” at any station in the system without returning to their vehicle. Another key component of installing pay stations would be the ability to easily enact variable rate structures where the rate could vary by season, day of the week, or even hour of the day, with all the information contained at each station.

Year Round or Seasonal Shuttle Program – The Commission supports staff’s continuing exploration of a city-wide shuttle to encourage residents, employees and visitors to stay out of their cars and still be able to get around town.

Medium Term Program and Policy Changes to Assist Parking Solutions

In-lieu Parking Fees for Commercial Development – The current parking shortfall inside the Central Village does not allow new development and redevelopment. An in-lieu parking program would allow these projects to meet their parking requirements by paying for spaces in an approved parking structure that reflect the actual construction costs. By eliminating parking in the Village, vehicle trips and related congestion would also be reduced.

Zoning Changes for the CV – The 2008 Parking Analysis^{iv} includes an analysis of Capitola’s parking requirements in the zoning code. This analysis indicates that the existing codes are too strict and do not take into account shared use of existing on-street parking. The Commission supports a review of these requirements and adoption of new codes similar to the ITE standards referenced in the report however until additional parking is developed changes to the Zoning Code would have no impact.

Long Range Parking Space Inventory Development

If additional parking is to be developed the key question is where should it go? The Commission has discussed this issue and has agreed on the following parameters:

1. New parking areas should intercept cars before entering the Village from Park Avenue, Capitola Avenue, and Bay Avenue. Cars entering from Stockton Avenue should be directed to use Capitola Avenue to access the parking lot to discourage circling the Village looking for a space.

2. The new parking areas must have a combination of convenient pedestrian access to the Central Village, and alternate transportation such as a shuttle bus or tramway.
3. The new parking areas should not clutter the entrances to the Village by filling up existing open spaces and landscaped areas such as the UPRR corridors along Cliff Drive and at Monterey Avenue and Park Avenue.
4. The new parking areas must benefit to visitors, residents, business owners and employees.

Given these parameters the Commission recommends the additional parking be located at the Pacific Cove property owned by the City. The existing uses on the property include the Pacific Cove Parking Lot and the Pacific Cove Mobile Home Park. Further development of parking on this site can be accomplished two ways, a multi-level structure over the parking lot and surface parking in the lower mobile home park.

The following chart shows the estimated number of parking spaces that could be provided on the Pacific Cove property:

<u>Pacific Cove Parking Expansion</u>	<u>New Parking</u>	<u>Total Parking</u>
Existing Pacific Cove parking lot		234
Surface on a portion of the lower Pacific Cove Mobile	113	113
Pacific Cove Parking Structure over existing parking	325	325
Total Proposed	438	672

Two of the Commission's sub-committees have delved into details of these issues and their reports are contained in Attachments 2 and 3.

Fiscal Analysis

Parking Structure

Size – This analysis reflects a 500 space parking structure (175 existing spaces to be replaced and 325 new spaces).

Development Costs - Based on per space cost ranges contained in recent reports to the City from various consultants (high \$21,000; low \$17,000), we have used an average cost estimate of \$19,000 per space which results in a cost of \$9.5 Million.

Potential Funding for Construction:

<u>Source</u>	<u>Amount</u>
Hotel Contribution (See explanation below)	\$ 2,900,000
CDBG Grants	\$ 2,000,000
EDA Grants	\$ 1,000,000
Bond Proceeds	\$ 3,600,000
TOTAL	\$ 9,500,000

On-going Annual Costs:

<u>Item</u>	<u>Estimated Cost</u>
Debt Service on \$3.6 million bond*	\$208,000
Operating and Maintenance	\$200,000
Total	\$408,000

*assumes \$3.6 million at 4% over 30 years

Revenue Streams - Sources for revenue streams to pay the annual expense are as follows:

<u>Source</u>	<u>Amount</u>
Dedicated Parking Fund	\$ 50,000
Adding parking meters to 43 existing 2-hour unmetered parking spaces in Village	\$ 92,000
Enhanced revenue from expanded Pacific Cove parking (@ \$1/hr rate)	\$163,000
Dedication of 50% of TOT revenues from new Village hotel	\$120,000
TOTAL	\$424,000

Village Hotel Contribution - The methodology of calculating the Village Hotel's portion of the proposed parking structure was based on the net price per new parking space. While the gross cost per space for a parking structure is \$19,000, the net cost must factor out the existing spaces that will be reconstructed. This methodology recognizes the City's contribution of existing spaces and land for the project.

<u>Space determination</u>	
Gross spaces to be built	500
Existing spaces lost due structure construction ^y	175
Net new spaces	325
Net cost per new space	\$ 29,000*

*\$9,500,000 divided by 325 net spaces

<u>Hotel needs and costs</u>	
Minimum spaces needed	60
Replace theater lot public spaces	39
Total spaces needed by hotel	99
Hotel contribution	\$2,900,000*

*99 spaces @ \$29,000

Surface Parking in a portion of the Pacific Cove Mobile Home Park

Size – Based on the 2005 Parking Garage and Housing Feasibility Study^{vi}, this site could provide 113 spaces

Development Costs – The sub-committee estimated the minimum costs at \$1.35 million (see attachment 3)

On-going Annual Costs:

<u>Item</u>	<u>Estimated Cost</u>
I-Bank loan or other financing*	\$ 78,000
Operating and maintenance	\$ 20,000
Total	\$ 98,000

*assumes \$1.35 million at 4% for 30 years

Potential Funding for Relocation and Construction:

<u>Source</u>	<u>Amount</u>
Dedicated Parking Fund	\$ 50,000
Enhanced revenue from additional 113 spaces (@ \$1/hr rate)	\$ 56,500
TOTAL	\$ 106,500

Other Revenue Streams - Other potential sources of annual revenue that could be utilized for either parking enhancement project:

<u>Source</u>	<u>Amount</u>
Cell phone tower on structure	\$ 25,000
Increase TOT rate from 10% to 12%	\$150,000
Install pay stations in Village with dual rate structure*	\$250,000
Village Business District	TBD
Sales Tax Increase Initiative	TBD

*A significant portion of this will be offset by the cost to purchase/lease and operate the pay station system. This revenue figure is VERY preliminary.

Specific Recommendations for Increasing Parking Supply for the Village

1. **Develop surface parking in the Lower Pacific Cove Mobile Home Park** – As part of a long term solution to the shortage of parking spaces in the Central Village, the Lower Portion of the Pacific Cove Mobile Home Park should be converted to surface parking to create the maximum number of parking spaces. These new parking spaces alone will not meet the minimum need of 325 spaces, but it will provide some relief while also providing parking when a parking structure is being built on the Pacific Cove Parking Lot site. If the parking structure is properly sized, this surface parking could potentially be turned to another use upon completion of the structure.
2. **Construct a multi-level parking structure on the Pacific Cove Parking Lot site** –Pursue the construction of a multi-level parking structure on the Pacific Cove Parking Lot site. The Commission’s analysis has determined that a parking structure must be included in any solution to meet the minimum demand for additional parking.

Continued Traffic and Parking Commission Roles

The Traffic and Parking Commission feels that this report meets the direction of the City Council to provide guidance on parking in the Village and encourages the City Council to take immediate action to begin implementation of these long-term plans. The Commission realizes that implementing these recommendations entails an enormous amount of work and the Commission is willing and able to assist as necessary. The Commission will work with City staff on these and other matters, but it is ultimately up to the City Council and City staff to provide the direction, leadership and allocation of resources necessary to move forward with these projects.

The Commission will continue with its sub-committee investigations and will next begin a review of the neighborhood parking permit program and traffic circulation and congestion issues.

Endnotes

ⁱ Parking Garage and Housing Feasibility Study, RBF Consulting, June 2006

ⁱⁱ See above

ⁱⁱⁱ California Coastal Commission, Local Coastal Program Amendment No. 1-07, September 16, 2009

^{iv} See i above

^v See i above

^{vi} See i above



Item #: 5.B.

CITY COUNCIL AGENDA REPORT

MEETING OF MARCH 24, 2011

FROM: DEPARTMENT OF PUBLIC WORKS
DATE: MARCH 16, 2011
SUBJECT: PROPERTY LEASE OF 504 BEULAH AVENUE TO
TIKI CAB LLC FOR STORAGE OF PEDI-CABS

Recommended Action: By motion and roll call vote, approve the proposed lease between the City of Capitola and Tiki Cab LLC, for a portion of City property located at 504 Beulah Avenue for the storage of pedi-cabs used to transport people to and from the Village during the summer months.

BACKGROUND

In 2010 Rob Yount started the Tiki Cab LLC, which provides pedi-cab transportation around the Village, primarily between the Pacific Cove Parking Lot and the Village area. The service operates typically from May through September on Wednesdays, weekends and holidays.

Mr. Yount requested the City lease several spaces in the Pacific Cove Parking Lot or provide some other space nearby. With the demolition of the Beulah House, staff is recommending the City lease a small area behind the Police Department's bicycle storage area. Mr. Yount has agreed to improve the area to meet his needs which will include fencing and placing decomposed granite over the existing soil per the attached plan.

DISCUSSION

The Beulah House property has been identified as a possible future location for secure Police Department vehicles. While these improvements have been conceptually considered by the City Council, there are no current plans to proceed with them at this time. Mr. Yount is aware of the City's long term plans for the site, and the lease agreement requires renewal by the City on an annual basis.

The Tiki Cab LLC has provided a key transportation element to the Village area by providing alternate transportation to the Pacific Cove Parking Lot. This type of service is a key component to encouraging the use of the Pacific Cove Parking Lot by visitors. The Tiki Cab also provides an attraction as visitors come just to get a ride on the pedi-cabs. Some users have even utilized the service for tours of the area. Due to the transportation element of the Tiki Cab business, Mr. Yount has discussed his operations with the Traffic and Parking Commission on several occasions. On November 11, 2010, the commission unanimously recommend that the City Council support the use of Tiki Cabs in any way possible, including providing storage space for the pedi-cabs in either the Pacific Cove Parking Lot or the Pacific Cove Mobile Home Park.

FISCAL IMPACT

A lease amount of \$100 per month is proposed for 5 months a year. Under the terms of the lease this amount will increase by \$10 per month each year the lease is extended. The pedi-cabs are stored the remainder of the year in a covered private storage area.

ATTACHMENTS

Lease Agreement

Report Prepared By: Steven Jesberg
Public Works Director

**Reviewed and Forwarded
By City Manager:**

LEASE AGREEMENT

THIS LEASE AGREEMENT is made and entered into this 24th day of March, 2011, by and between the CITY OF CAPITOLA, a municipal corporation (“Lessor”) and the TIKI CAB LLC (hereinafter referred to as “Lessee”).

Lessor hereby leases to Lessee and Lessee hereby leases from Lessor certain real property comprised of a 628 square foot portion of the City’s property known as 504 Beulah Drive a portion of the Pacific Cove Mobile Home Park (APN: 035-141-33) which is situated in the City of Capitola (“the Property”) and which is more particularly described in “Exhibit A” attached hereto, on the terms and conditions hereinafter set forth:

1. Term of Agreement.

The initial term of this lease shall be five (5) months. The lease term shall commence on May 1, 2011 and terminate on September 31, 2011.

2. Option to Extend.

Lessor and Lessee may mutually agree to extend the lease for additional five month terms (May – September) up to four times for a total of five lease periods. The Lessee shall request the extension in writing by December 1st of each year and the Lessor shall respond in writing by December 31st of each year. Failure of the Lessee to request the extension by December 1st may be grounds to terminate the lease. Failure of the Lessor to respond by December 31st shall constitute agreement to the extension for one five month period.

3. Termination of Lease.

Upon termination of this lease agreement, Lessee shall surrender the Property to Lessor free and clear of all encumbrances. Should Lessee fail to surrender the Property in this fashion, Lessee shall defend and indemnify Lessor from all liability and expense resulting from the delay or failure to so surrender, including without limitation, claims made by any succeeding Lessee.

4. Rent – Initial Five Month Lease Term.

During the initial lease period, May 1, 2011, through September 31, 2011, Lessee shall pay rent to Lessor in the sum of \$100 per month. Rent shall be paid in advance for each month as is due by the 1st day of each month.

5. Rent – Extended Lease Terms.

Should Lessee and Lessor exercise the option to extend this lease, as provided for in paragraph 2, Lessee's rent shall be increased annually by \$10 per month for each extension. Rent shall be paid in advance for each month as is due by the 1st day of each month. The Lessor reserves the right to initiate renegotiation of the extended lease rents based on financial success of Tiki Cab LLC.

6. Taxes, Assessments and Public Utility Charges.

Lessee shall pay when due all water (excluding water for irrigation purposes), light, power, gas, heat and other utility and service charges and Lessor shall have no responsibility therefore. Lessee shall also pay directly before delinquency the amount of all property taxes, possessory interest taxes, and assessments, licenses, fees, or other charges applicable or allocable to the Property and personal property on the Property allocable to all periods within the term of this lease. Lessee further agrees that payments hereunder shall not reduce any rent due Lessor under the lease.

Lessee shall furnish to Lessor, at least thirty (30) days before the date when any tax, assessment, or charge would become delinquent, receipts or other appropriate evidence establishing their payment.

If at any time during the term of this lease the laws concerning the methods of real property taxation prevailing at the commencement of the term are changed so that a tax or excise on rents or any other such tax, however described, is levied or assessed against Lessor relative to the leased premises, Lessee shall pay before delinquency such tax or excise on rent. Nothing herein shall be construed to limit Lessee's legitimate rights to protest or litigate the imposition of any such tax or charge.

7. Use of Property.

The Property shall be developed and used solely for the storage and operation of pedi-cabs serving the Capitola Village area. Lessee agrees that no other use of the Property will be made except upon prior written consent of the City Council of the City of Capitola.

8. Licenses and Permits.

It shall be Lessee's responsibility, at Lessee's sole cost and expense, to obtain all necessary licenses and permits to construct any improvements and operate a business on the Property. However, if Lessee applies during the initial lease period for a permit from the City of Capitola authorizing use of the Property as a storage area and such permit is denied by the City of Capitola, either party may, upon 30 days notice to the other, terminate this lease.

9. Representations and Condition of Premises.

Lessor agrees that, in the event Lessee's leasehold interest in the Property is condemned by the City of Capitola before expiration of the initial 10-year lease period, this lease shall terminate and Lessor agrees to reimburse Lessee for costs expended by Lessee in improving the Property.

Lessee warrants and represents that Lessor has made no representation or warranties to Lessee of any kind whatsoever concerning the Property, this lease, or any related matter. Lessee hereby waives any claim of any kind against Lessor for any matter arising out of or related to the misrepresentation, if any, of any fact or failure to disclose any fact concerning the Property, this lease or any related matter. Lessee covenants and agrees that it has examined the Property and accepts it in its present condition.

10. Alterations, Improvements and Additions.

Except as provided in paragraphs 11 and 12, Lessee shall not make any alterations, improvements or additions to the Property without the prior written consent of the Public Works Director of the City of Capitola.

Once approved construction work is begun, Lessee shall complete construction of all improvements, additions, or alterations with reasonable diligence. All work shall be performed consistent with prevailing standards in a good workmanlike manner and shall comply with all applicable governmental permits, laws, ordinances, and regulations.

Lessee agrees that after the expiration of the term of this lease or sooner termination, Lessor may at Lessor's election and at Lessee's expense, demand removal from the premises of all alterations, improvements and additions. Lessor at this time may also demand and Lessee hereby agrees that Lessee will relandscape areas in which landscaping has deteriorated and landscape areas where alterations, improvements and additions have been removed by Lessee pursuant to this paragraph. Alterations, improvements and additions to the Property not so removed shall, without compensation to Lessee, become Lessor's property.

11. Landscaping.

Lessee agrees to landscape and/or relandscape the Property in a manner satisfactory to Lessor. Prior to installation, Lessee shall prepare and present a landscape and/or relandscape plan for approval of Lessor.

12. Maintenance.

Lessee agrees to assume full responsibility for the operation and maintenance of the Property throughout the term of this lease at its sole expense. Lessee agrees to perform all repairs and replacements and construct any improvements necessary to maintain and preserve the Property in a decent, safe, healthy and sanitary condition in a manner satisfactory to Lessor and in compliance with all applicable laws, regulations and requirements of any governmental entity

and insurance company insuring all or any part of the Property. Lessee agrees that Lessor shall not be required to perform any maintenance, repairs or services or to assume any expense not specifically assumed herein in connection with the Property and Lessee hereby waives all rights to make repairs or to cause any work to be performed at the expense of Lessor as provided for in Section 1941 et seq. of the California Civil Code.

13. Right to Sell, Assign, Sublet, Refinance or Otherwise Transfer the Lease.

Lessee may not sell, assign, or otherwise transfer this lease or sublet any part of its interest hereunder in the Property without the prior written consent of Lessor, which shall not be unreasonably withheld. Consent to any sale, assignment, refinance or sublease shall not constitute consent to any other sale, assignment, refinance or sublease. No sale, subletting or assignment even with the consent of Lessor shall relieve Lessee of its obligation to pay the rent and perform all other obligations specified under this agreement.

Approval of any sale, assignment or sublease shall be conditioned upon the purchaser, assignee or sublessee agreeing in writing that they will assume the rights and obligations thereby sold, assigned or subleased and that they will keep and perform all covenants, conditions and provisions of this lease which are applicable to the rights acquired.

14. Indemnity.

An express condition of this lease is that the City of Capitola, its officers, agents and employees are to be free from all claims, losses, damages, costs, injury, and liability of every kind from any cause or causes whatsoever, in, on, upon, or in any way connected with the Property or access to the Property over Lessor's contiguous property, during the term of this lease except those claims, losses, damages, costs, injuries, and liabilities arising out of or occurring as a result of the sole active negligence or willful misconduct of Lessor. Lessee shall assume the defense of and indemnify and save harmless Lessor, and its officers, agents and employees from all claims, losses, damages, costs, injury and liability of every kind, nature and description directly or indirectly arising from the performance or non-performance of any of the activities of Lessee undertaken pursuant to this lease.

Acceptance of the proof of insurance hereafter required shall not relieve Lessee from liability under this indemnification clause.

15. Insurance.

a) Required Coverage

(1) Public Liability and Property Damage Insurance.

Lessee shall take out and maintain during the term of this lease comprehensive broad form general public liability and property damage insurance in an amount not less than \$1,000,000 combined single limit per occurrence for property damage and bodily injury liability covering the Property.

(2) Contractual Liability Insurance.

Lessee shall take out and maintain during the term of this lease an insurance policy in the amount of at least \$1,000,000 insuring Lessor, its boards, commissions, officers, agents and employees, Lessee and any contractor or subcontractor performing work covered by the lease against damages sustained by reason of any action or actions at law or in equity and any claims or demands by reason of any breach or alleged breach of a contract, or provisions thereof, or by reason of any contractual liability on any contract, entered into by Lessee and/or any of Lessee's contractors, subcontractors, agents and/or employees.

b) Lessor as Joint or Additional Insured

All insurance required by this section shall name Lessor and its City Council, boards and commissions, officers, agents and employees as joint and/or additional insureds, as well as Lessee. Lessee shall furnish acceptable evidence of such joint insurance coverage to Lessor prior to commencement of any activity on the Property. Such insurance shall provide that Lessor shall receive at least thirty (30) days written notice prior to modification or cancellation thereof during this lease term. All requirements herein provided shall appear either in the body of the insurance policy or policies or as endorsements, and shall specifically bind the insurance carrier.

All policies required by express provision of this lease shall contain language, to the extent obtainable, to the effect that:

(1) Any loss shall be payable notwithstanding any action or negligence of Lessor that might otherwise result in a forfeiture of the insurance;

(2) The insurer waives the right of subrogation against Lessor and against Lessor's agents and representatives; and

(3) The policies are primary and non-contributing with any insurance that may be carried by Lessor.

(c) Schedule for Presenting Evidence of Insurance.

Lessee shall deliver to Lessor, in the manner required for notices, copies of all insurance policies required by this lease together with evidence satisfactory to Lessor of payment required for procurement and maintenance of the policy, within the following time limits;

(1) For insurance required at the commencement of this lease, within thirty (30) days after execution of this lease, and in any event prior to any occupancy of the Property pursuant to this lease;

(2) For any renewal or replacement of the policy already in existence, at least sixty (60) days before expiration or other termination of the existing policy.

(d) Lessor's Right to Provide Insurance at Lessee's Expense.

If Lessee fails or refuses to procure or to maintain insurance as required by this lease or fails or refuses to furnish Lessor with required proof that the insurance has been procured and is in force and paid for, Lessor shall have the right, in addition to any other remedies, at Lessor's election and without notice, to procure and maintain such insurance. The premiums paid by Lessor shall be treated as added rent due from Lessee with interest at the rate of ten percent (10%) per year, to be paid on the first day of the month following the date on which the premiums were paid. Lessor shall give prompt notice of the payment of such premiums stating the amounts paid and the names of the insurer or insurers, and interest shall run from the date of that notice.

16. Waste, Damage or Destruction.

Lessee agrees not to commit or suffer to be committed any waste or injury or any public or private nuisance. Lessee agrees to keep the Property clean and clear of refuse and obstructions, and to dispose of all garbage, trash and rubbish in a manner satisfactory to Lessor. If the Property shall be damaged by any cause which puts the Property into a condition which is not decent, safe, healthy and sanitary, then, subject to the terms of paragraph 10 hereof, Lessee agrees to make or cause to be made full repair of said damage, at Lessee's expense, and to restore the Property to the condition which existed prior to said damage.

Lessor shall not be required to furnish any services or facilities or make any repairs or alterations of any kind, in or on the Property. Lessor's election to maintain, repair, restore or replace if Lessee fails or refuses to do so, shall not constitute waiver of any right or remedy for Lessee's default, and Lessee shall promptly reimburse, defend, and indemnify Lessor against all liability, loss, cost, and expense arising from it.

No deprivation, impairment, or limitation of use resulting from any event or work contemplated by this paragraph shall entitle Lessee to any setoff, abatement, or reduction in rent or to any termination or extension of the term.

17. Entry and Inspection.

Lessor reserves the right to enter the Property for the purpose of ascertaining its condition, or to protect Lessor's interests or to inspect the operations conducted on the Property. In the event that such entry or inspection by Lessor discloses that the Property is not in a decent, safe, healthy and sanitary condition, Lessor shall have the right, after ten (10) days written notice to Lessee, to have any necessary maintenance work done at Lessee's expense and Lessee hereby agrees to pay promptly any and all costs incurred by Lessor in having such maintenance work done.

18. Lessee's Default.

The occurrence of any of the following shall constitute a default by Lessee:

- (a) Failure to pay rent when due and upon Lessor's demand;

(b) Failure to operate and manage the Property in a manner consistent with the general public interest and use of Lessor's a adjoining property;

(c) Failure to perform any other provision of this lease if the failure to perform is not cured within fifteen (15) days, or such additional time as may be authorized by Lessor, after notice has been given to Lessee;

(d) Voluntary filing or having involuntarily filed against Lessee any petition under any bankruptcy or insolvency act or law;

(e) Adjudication as a bankrupt;

(f) General assignment for the benefit of creditors;

(g) Allowing any of its rights or interests to be subjected to attachment, execution, or other levy, or to seizure under legal process, if not released within thirty (30) days.

19. Remedies for Lessee's Default.

Lessor shall have the following remedies for Lessee's default. These remedies are not exclusive; they are cumulative and in addition to any remedies now or later allowed by law, or otherwise provided by this lease. No delay or omission of Lessor to exercise any right or remedy shall be construed as a waiver of any such right or remedy or of any default by Lessor hereunder.

Lessor may terminate the lease and recover from Lessee:

a) The worth, at the time of the award, of the unpaid rent which had been earned at the time of the termination;

b) The worth, at the time of the award, of the amount by which the unpaid rent which would have been earned after the date of termination until the time of award exceeds the amount of such rental loss that Lessee proves could have been reasonably avoided;

c) The worth, at the time of the award, of the amount by which the unpaid rent for the balance of the term after the time of the award exceeds the amount of such rental loss for such period that Lessee proves could have been reasonably avoided; and

d) Any other amount, including court costs, necessary to compensate Lessor for all the detriment proximately caused by Lessee's failure to perform its obligations under this lease, or which in the ordinary course of things would be likely to result therefrom.

"The worth at the time of the award," as referred to above, is to be computed by allowing interest or discounting present value employing the maximum interest rate the Lessor is permitted by law to charge."

Lessee hereby waives any right of redemption or relief from forfeiture under California Code of Civil Procedure sections 1174 or 1179, or under any other present or future law, in the event Lessee is evicted or Lessor takes possession of the Property because of Lessee's default.

Lessor may relet the Property prior to the time of any award for breach of this lease and such reletting does not waive Lessor's right to recover damages.

20. Limitations.

Lessee agrees that any claim or defense based upon or arising out of this lease shall be barred unless Lessee commences an action or alleges such a defense within three (3) months of the occurrence of the conduct or condition giving rise to the claim or defense. Lessee agrees that Lessor shall not in any event be liable to Lessee for lost profits or special, consequential, or exemplary damages under any circumstances arising from this lease.

21. Attorney's Fees.

Should either party to this lease institute any action or proceeding in court to enforce any provision hereof or for damages by reason of any alleged breach of this lease or for a declaration of such party's rights or obligations hereunder, or for any other judicial remedy, the prevailing party shall be entitled to receive from the losing party such amount as the court may adjudge to be reasonable attorney's fees for the services rendered to the party finally prevailing in such action or proceeding.

22. Notices.

All notices given under this lease shall be given by registered letter deposited in the United States mail, postage prepaid to the following addresses:

To Lessor: City of Capitola Public Works Director
420 Capitola Avenue
Capitola, California 95010
Fax: 831-479-8879

and

To Lessee: Robert Yount, Owner
Tiki Cab LLC
[address]
Fax:

Either party may change the above address by notifying the other party, as provided above. Notices shall be deemed delivered either when delivered in person or by facsimile transmission or five (5) days from the deposit in the U.S. mail as provided above.

23. Holding Over.

Occupancy of the Property after the expiration of the term of this lease shall be construed to be a tenancy from month to month, and all other terms and conditions of this lease shall continue in full force and effect. During any such holdover period, rent shall be fair rental value as determined by Lessor.

24. Waiver of Breach.

Any waiver of or consent to any breach or breaches of any of the terms of this lease which may be given to Lessee shall not extinguish any covenant or condition of this lease nor constitute a waiver of any subsequent breach or breaches thereof.

25. Successor.

All of the terms, covenants and conditions hereof shall be binding upon and inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

26. Interpretation.

a) Whenever the singular number is used in this lease, the same shall include the plural, and the masculine gender shall include the feminine and neuter genders, and the word "person" shall include corporation, firm or association, when required by the context.

b) The headings or titles to the paragraphs of this lease are for convenience and do not in any way define, limit or construe the contents of such paragraphs.

c) This lease contains all agreements of the parties with respect to any matter mentioned herein. No prior agreement or understanding pertaining to any such matter shall be effective. This lease may be modified in writing only, signed by the parties in interest at the time of the modification. Except as otherwise stated in this lease, Lessee hereby acknowledges that neither Lessor nor any of its representatives, employees or agents has made any oral or written warranties or representations to Lessee relative to the condition or use by Lessee of the Property. Lessee assumes all responsibility for operating and maintaining the Property in compliance with all applicable laws and regulations during the term of this lease, except as otherwise specifically stated in this lease.

d) The laws of the State of California shall govern the validity, performance and enforcement of this lease.

e) If any provision of this lease is determined to be void by any court of competent jurisdiction, such determination shall not affect any other provision of this lease which shall remain in full force and effect. If any provision of this lease is capable of two constructions, one which would render the provision void and one which would render the provision valid, the provision shall be interpreted in the manner which would render it valid.

27. Time is of the essence in this lease.

IN WITNESS WHEREOF this Lease is executed by Lessor, acting by and through its lawfully authorized officers, and by Lessee, acting by and through its lawfully authorized officers.

DATED:

“LESSOR”
CITY OF CAPITOLA, a municipal corporation

By _____
City Manager

“LESSEE”

By _____
Robert Yount, Owner

Approved as to form:

City Attorney

