



AGENDA COVER
Regular Joint Meeting of the
**CAPITOLA CITY COUNCIL/
REDEVELOPMENT AGENCY**
MEETING DATE: THURSDAY, APRIL 14, 2011

CITY COUNCIL CHAMBERS: 420 CAPITOLA AVENUE, CAPITOLA

CLOSED SESSION 5:30 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, April 14, 2011

5:30 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)

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.

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: David and Vanessa Drivon
Agency claimed against: City of Capitola

Claimant: Theresa Viola
Agency claimed against: City of Capitola

Claimant: David Moore, on behalf of Dorean Moore
Agency claimed against: City of Capitola

Claimant: Natthakan Inpong
Agency claimed against: City of Capitola

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Titles: City Manager and City Attorney

**7:00 P.M. - 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 on the United Way
by Mary Lou Goeke, Executive Director

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.

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 18, March 25 and April 1, 2011
- 2) RDA: Approval of Redevelopment Agency Check Register Reports dated March 18 and April 1, 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 Meetings of March 10 and March 24, 2011, and the Special Joint Meetings of March 14 and March 18, 2011.
- C. Receive Planning Commission Action Minutes for the Regular Meeting of April 7, 2011.

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.

5. OTHER BUSINESS - Continued

- C. Rispin Property Hazard Abatement Project. Staff recommendation: Accept update report 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.
- D. Pacific Cove Storm Drain Repair Project. Staff recommendation: Accept update report and, by 4/5 vote approval, make the determination that an emergency condition remains as detailed in Resolution No. 3863 adopted on March 27, 2011, and there is need to continue action.

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

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

Adjourn to the next Joint Regular Meeting of the City Council/Redevelopment Agency to be held on Thursday, April 28, 2011, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.



CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 14, 2011

FROM: FINANCE DEPARTMENT
 DATE: April 6, 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 18, March 25 and April 1, 2011.

DISCUSSION

The attached Check Registers for:

Date	Starting Check #	Ending Check #	Total Checks	Amount
3/18/11	65757	65804	48	\$55,880.66
3/25/11	65805	65888	84	\$149,186.19
4/1/11	65889	65926	38	\$171,216.29
3/25/11 payroll				\$177,060.42
Total				\$553,343.56

The check register of 3/11/11 ended with check #65756.

Wires issued, and a brief description of the expenditure:

Date	Issued to:	Dept.	Purpose	Amount
3/29/11	PERS Payment	CM	CALPERS - Payroll Contr. for 3/25/11 payroll	\$44,522.87

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
65791	SCC Dept of Public Works	CM	FY10/11 Hazardous Waste Program	\$16,423.00
65809	Atchison, Barisone & Condotti	CM	Feb 2011 Add'l Legal Fees	\$16,727.70
65823	Community Bridges	CM	Quarterly Grant payment	\$27,632.25
65851	PG&E	PW	Monthly Gas & Electric	\$12,254.13
65893	Bay Ave Senior Housing	CDD	Draw #10, BASAPA	\$74,240.00
65897	CalPERS Health Ins	CM	Apr2011 Employee Ins, Employee Funded	\$48,215.32

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 4/6/11 the total cash available is \$5,649,719. The General Operating Fund has a cash balance of \$1,411,541. 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 \$140,971. The Capital Improvement Projects has a positive cash balance of \$3,271,678. 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 \$5,649,719.

The following table shows the funds that are consolidated:

CASH POSITION - CITY OF CAPITOLA 4/6/11

	<u>Net Balance</u>
General Fund	1,411,541
Worker's Comp. Ins. Fund	9,259
Self Insurance Liability Fund	220,700
Stores Fund	13,681
Information Technology Fund	148,383
Equipment Replacement	282,538
Compensated Absences Fund	140,971
Contingency Reserve Fund	-
Public Employee Retirement - PERS	150,711
Open Space Fund	256
Capital Improvement Projects	3,271,678
TOTAL GENERAL FUND & COUNCIL DESIGNATED FUNDS	5,649,719

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 18, March 25 and April 1, 2011.

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

**Reviewed and Forwarded
by City Manager:**

Checks dated 3/18/11 numbered 65757 to 65804 for a total of \$55,880.66 have been reviewed and authorized for distribution by the City Manager and City Treasurer.

As of 3/18/11 the unaudited cash balance is \$4,437,545

CASH POSITION - CITY OF CAPITOLA 3/18/11

	<u>Net Balance</u>
General Fund	492,993
Worker's Comp. Ins. Fund	9,259
Self Insurance Liability Fund	220,700
Stores Fund	14,242
Information Technology Fund	151,129
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	2,971,678
TOTAL GENERAL FUND & COUNCIL DESIGNATED FUNDS	<u><u>4,437,545</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.

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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

3/18/11

Date



Jacques J.J. Bertrand, City Treasurer

3.24.11

Date

City Checks Issued 3/18/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65757	03/18/2011 Invoice 307744	Open	Date 02/23/2011	Description Fill sand	APTOS LANDSCAPE SUPPLY, INC.	\$85.02 \$85.02
65758	03/18/2011 Invoice 236387	Open	Date 02/28/2011	Description Mower blades/hedger parts	B & B SMALL ENGINE REPAIR	\$280.43 \$280.43
65759	03/18/2011 Invoice BofA-Feb2011	Open	Date 03/06/2011	Description Credit Card Charges, Feb 2011	BANK OF AMERICA	\$1,681.27 \$1,681.27
65760	03/18/2011 Invoice 1750498 1750513	Open	Date 02/23/2011 02/23/2011	Description Museum Display Expense Museum Display Expense	BAY PHOTO LAB	\$98.05 \$26.22 \$71.83
65761	03/18/2011 Invoice 2011-00000548	Open	Date 03/16/2011	Description Paul's Privates Lessons ES 2011	BRESLIN-KESSLER, PAUL	\$450.00 \$450.00
65762	03/18/2011 Invoice 93645W	Open	Date 02/25/2011	Description Auto Parts-Beach Rake	C&N TRACTORS	\$77.15 \$77.15
65763	03/18/2011 Invoice Wheeler-2011/12	Open	Date 03/03/2011	Description Membership, Wheeler	CALIFORNIA BUILDING OFFICIALS	\$30.00 \$30.00
65764	03/18/2011 Invoice 1145307-01	Open	Date 02/18/2011	Description Doggie bags	CLEAN SOURCE	\$245.81 \$245.81
65765	03/18/2011 Invoice 1070 1072	Open	Date 02/28/2011 02/28/2011	Description Urban Watch/First Flush Storm Water Education and Outreach Svc	COASTAL WATERSHED COUNCIL	\$4,027.50 \$577.50 \$3,450.00
65766	03/18/2011 Invoice 85078	Open	Date 02/28/2011	Description Background check, building inspector	CREDIT COMMUNICATIONS, INC	\$20.00 \$20.00
65767	03/18/2011 Invoice Feb2011	Open	Date 02/26/2011	Description Feb 2011 Drinking Water, all Depts	CRYSTAL SPRINGS WATER CO.	\$143.00 \$143.00
65768	03/18/2011 Invoice 1533	Open	Date 02/25/2011	Description Stormwater curb markers	das Manufacturing Inc.	\$2,043.00 \$2,043.00

City of Capitola
City Checks Issued 3/18/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65769	03/18/2011	Open			DEPT OF HOUSING AND COMM DEV	\$36.00
	Invoice		Date	Description		Amount
	AAV8639-2011		02/18/2011	Manuf Home Registration		\$36.00
65770	03/18/2011	Open			DEVCO OIL INC.	\$1,969.26
	Invoice		Date	Description		Amount
	70963		02/24/2011	100 Gal Diesel		\$388.49
	70962		02/24/2011	396 Gal Gas		\$1,580.77
65771	03/18/2011	Open			EMBROIDERY WORKS	\$926.50
	Invoice		Date	Description		Amount
	11-3784		03/15/2011	Jr Guard patches-Rec		\$926.50
65772	03/18/2011	Open			ENTERSECT CORP	\$25.50
	Invoice		Date	Description		Amount
	38226		02/28/2011	EPO Live Search, PD		\$25.50
65773	03/18/2011	Open			EWING IRRIGATION	\$31.54
	Invoice		Date	Description		Amount
	2828543		02/11/2011	Top soil		\$9.91
	2844385		02/16/2011	Irrigation parts		\$21.63
65774	03/18/2011	Open			GRANITE ROCK COMPANY	\$126.70
	Invoice		Date	Description		Amount
	625427		02/28/2011	Cal gold fines		\$126.70
65775	03/18/2011	Open			HARRIS & ASSOCIATES	\$900.00
	Invoice		Date	Description		Amount
	13023		03/09/2011	RDA Area Street Overlay		\$900.00
65776	03/18/2011	Open			HOSE SHOP	\$200.46
	Invoice		Date	Description		Amount
	336323		02/23/2011	Auto Parts		\$45.49
	336325		02/25/2011	Auto Parts		\$154.97
65777	03/18/2011	Open			IACP.NET	\$800.00
	Invoice		Date	Description		Amount
	15833		02/16/2011	Chief card IACP annual fee Apr 10-Apr 11		\$800.00
65778	03/18/2011	Open			JIM CLARK BACKFLOW	\$50.00
	Invoice		Date	Description		Amount
	22811		02/28/2011	Backflow test, Deanes Ln		\$50.00
65779	03/18/2011	Open			JOHNSON, DEREK	\$48.96
	Invoice		Date	Description		Amount
	20110316		03/14/2011	Reimb Auto Mileage Jul10 to Mar11		\$48.96

City Checks Issued 3/18/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65780	03/18/2011	Open			MID-COUNTY AUTO SUPPLY	\$301.84
	Invoice		Date	Description		Amount
	253086		02/21/2011	Auto Parts-John Deere Loader		\$16.23
	253504		02/25/2011	Auto Parts-PW Sweeper		\$13.06
	253451		02/24/2011	Auto Parts-PD Crown Vics		\$62.36
	253448		02/24/2011	Auto Parts-PW Equipment		\$15.87
	253307		02/23/2011	Auto Parts-John Deere Loader		\$7.52
	253257		02/23/2011	Auto Parts-Bobcat		\$5.24
	253272		02/23/2011	Shop Equipment-Oil Drum		\$153.70
	253123		02/22/2011	Auto Parts-John Deere Loader		\$27.86
65781	03/18/2011	Open			MONTEREY BAY AREA SELF INS AUT	\$377.50
	Invoice		Date	Description		Amount
	MBA10-0501		02/23/2011	Ins Claim, Surf & Sand, Defense Counsel Fund 2213, Self-Ins Liability		\$377.50
65782	03/18/2011	Open			MONTGOMERY, DOUGLAS	\$291.20
	Invoice		Date	Description		Amount
	2011-00000547		03/15/2011	Early Spring 2011		\$291.20
65783	03/18/2011	Open			ORCHARD SUPPLY HARDWARE	\$295.77
	Invoice		Date	Description		Amount
	6015-2431958		02/24/2011	Bits		\$12.00
	6009-2350754		03/08/2011	batteries-PD		\$27.92
	6007-2356186		02/01/2011	Nuts & bolts		\$13.37
	6009-3527592		02/24/2011	Screws		\$27.90
	6009-2437779		02/25/2011	Rubber boots - Dave		\$19.65
	6008-3522297		02/28/2011	Plaque supplies		\$94.23
	6009-4798470		02/28/2011	Bathroom fans		\$63.34
	6006-3521215		03/07/2011	Equipment Repair, CY Shop Fund 1311, Wharf Fund=\$157.57		\$37.36
65784	03/18/2011	Open			PALACE ART & OFFICE SUPPLIES	\$84.38
	Invoice		Date	Description		Amount
	8597389		03/01/2011	Presentation Supplies, General Plan meeti Fund 1313, General Plan Update		\$84.38
65785	03/18/2011	Open			PENINSULA COMMUNICATIONS	\$5,241.60
	Invoice		Date	Description		Amount
	13430		02/18/2011	Radios-PD, Grant Funded		\$5,241.60
65786	03/18/2011	Open			PHOENIX GROUP INFORMATION SYS	\$1,348.27
	Invoice		Date	Description		Amount
	12011070		02/22/2011	Jan 2011 Citation Processing		\$1,348.27
65787	03/18/2011	Open			PITNEY BOWES INC.	\$147.49
	Invoice		Date	Description		Amount
	342506		02/16/2011	Postage Meter rental, Rec		\$147.49
65788	03/18/2011	Open			PRAXAIR DISTRIBUTION INC.	\$56.19
	Invoice		Date	Description		Amount
	38887305		02/20/2011	Gases, Corp Yd		\$56.19

City of Capitola
City Checks Issued 3/18/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65789	03/18/2011	Open			ProBUILD COMPANY LLC	\$87.52
	Invoice		Date	Description		Amount
	5030770		02/22/2011	Plants		\$87.52
65790	03/18/2011	Open			ROYAL WHOLESALE ELECTRIC	\$28.41
	Invoice		Date	Description		Amount
	7719-547607		02/28/2011	Bathroom fans Fund 1311, Wharf Fund		\$28.41
65791	03/18/2011	Open			SCC DEPT OF PUBLIC WORKS	\$16,423.00
	Invoice		Date	Description		Amount
	10/11Hax		02/18/2011	10/11 Hazardous Waste Collection Program		\$16,423.00
65792	03/18/2011	Open			SANTA CRUZ SENTINEL	\$168.37
	Invoice		Date	Description		Amount
	3873465-021811		02/28/2011	Notice of Public Hearing, Planning Comm		\$168.37
65793	03/18/2011	Open			SENTINEL PRINTERS, INC.	\$223.00
	Invoice		Date	Description		Amount
	292041		02/18/2011	Business Cards, Wheeler & Johnson		\$223.00
65794	03/18/2011	Open			SPRINT	\$2,433.31
	Invoice		Date	Description		Amount
	974855313-111		03/01/2011	Mobile Phones, PD & PW		\$2,433.31
65795	03/18/2011	Open			THE INTERNET CONNECTION INC. - G	\$300.00
	Invoice		Date	Description		Amount
	3917-15365		03/01/2011	Mar 2011 Website Hosting Reg#10311742		\$150.00
	Mar2011		03/01/2011	City Website Hosting, March 2011		\$150.00
65796	03/18/2011	Open			TLC ADMINISTRATORS, INC.	\$175.00
	Invoice		Date	Description		Amount
	13468		03/03/2011	Section 125 Participation Fee, Mar2011		\$175.00
65797	03/18/2011	Open			TLC ADMINISTRATORS, INC.	\$3,000.00
	Invoice		Date	Description		Amount
	20110314		03/14/2011	Flex Plan Cash Replenishment		\$3,000.00
65798	03/18/2011	Open			TRI-COUNTY BUSINESS SYSTEMS INC	\$1,939.06
	Invoice		Date	Description		Amount
	CNIN002271		02/23/2011	Copier Expense, Nov10-Feb11 Fund 2210, Stores Fund		\$1,939.06
65799	03/18/2011	Open			UNITED PARCEL SERVICE	\$14.11
	Invoice		Date	Description		Amount
	954791101		03/05/2011	Weekly Shipping, PD		\$34.11
	954791111		03/12/2011	Credit Weekly Service Charge, w/e 3/5/11		(\$20.00)
65800	03/18/2011	Open			UNITED RENTALS NORTHWEST INC.	\$73.80
	Invoice		Date	Description		Amount
	91992702-001		02/09/2011	Auger Rental		\$73.80

City Checks Issued 3/18/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65801	03/18/2011	Open			WATRY DESIGN INC.	\$5,956.25
	Invoice		Date	Description		Amount
	930505		03/04/2011	Parking Planning Study, thru 2/25/11 Fund 1200, CIP=\$3086.75		\$5,956.25
65802	03/18/2011	Open			WESTERN ALLIED MECHANICAL INC.	\$2,160.00
	Invoice		Date	Description		Amount
	58068		02/28/2011	CPD ductwork survey		\$2,160.00
65803	03/18/2011	Open			California Peace Officers Association	\$271.00
	Invoice		Date	Description		Amount
	2011-00000544		03/14/2011	POST Training Hernandez		\$271.00
65804	03/18/2011	Open			Hampton Inn & Suites Roseville	\$187.44
	Invoice		Date	Description		Amount
	2011-00000545		03/14/2011	POST Training Hernandez		\$187.44
Check Totals:				Count	48	Total \$55,880.66

Checks dated 3/25/11 numbered 65805 to 65888 for a total of \$149,186.19 have been reviewed and authorized for distribution by the City Manager and City Treasurer.

As of 3/25/11 the unaudited cash balance is \$5,762,962.74

CASH POSITION - CITY OF CAPITOLA 3/25/11


	<u>Net Balance</u>
General Fund	1,515,410
Worker's Comp. Ins. Fund	9,259
Self Insurance Liability Fund	220,700
Stores Fund	13,971
Information Technology Fund	149,592
Equipment Replacement	282,538
Compensated Absences Fund	140,971
Contingency Reserve Fund	-
Public Employee Retirement - PERS	158,587
Open Space Fund	256
Capital Improvement Projects	<u>3,271,678</u>
TOTAL GENERAL FUND & COUNCIL DESIGNATED FUNDS	<u><u>5,762,963</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

3/25/11

 Date



 Jacques J.J. Bertrand, City Treasurer

3.25.11

 Date

City of Capitola
City Checks Issued 3/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65805	03/25/2011	Open			ADVOCACY INC.	\$1,058.75
	Invoice		Date	Description		Amount
	2011-00000576		03/22/2011	Quarterly Grant Payment		\$1,058.75
65806	03/25/2011	Open			AMERICAN RED CROSS, SC CHAPTE	\$344.75
	Invoice		Date	Description		Amount
	2011-00000588		03/22/2011	Quarterly Comm Grant		\$344.75
65807	03/25/2011	Open			AT&T	\$19.15
	Invoice		Date	Description		Amount
	624-6Mar2011		03/01/2011	Acct 248-134-2209-624-6 Mar 2011(IT)		\$7.82
	674-3Mar2011		03/01/2011	Acct 248-134-2421-674-3 Mar 2011		\$11.33
65808	03/25/2011	Open			AT&T/CALNET 2	\$2,092.51
	Invoice		Date	Description		Amount
	2084114		02/28/2011	Telephone Service, all sites Fund 2211, IT=\$257.05		\$2,092.51
65809	03/25/2011	Open			ATCHISON, BARISONE, & CONDOTTI	\$16,727.70
	Invoice		Date	Description		Amount
	1040E-Feb2011		02/28/2011	Add'l Legal Fees, Feb2011		\$16,727.70
65810	03/25/2011	Open			B & B SMALL ENGINE REPAIR	\$187.25
	Invoice		Date	Description		Amount
	236844		03/08/2011	Mower blades		\$112.39
	236846		03/08/2011	Sharpen blades		\$26.88
	236892		03/09/2011	Generator repair		\$47.98
65811	03/25/2011	Open			BIG BROTHERS BIG SISTERS OF SCC	\$690.50
	Invoice		Date	Description		Amount
	2011-00000560		03/22/2011	Quarterly Grant Payment		\$690.50
65812	03/25/2011	Open			BIG CREEK LUMBER	\$3.21
	Invoice		Date	Description		Amount
	2945760		03/08/2011	Misc. Building Supplies		\$70.59
	2945865		03/09/2011	Return Marine Plywood Fund 1311, Wharf Fund		(\$67.38)
65813	03/25/2011	Open			CABRILLO COLLEGE STROKE CENTE	\$1,689.50
	Invoice		Date	Description		Amount
	2011-00000569		03/22/2011	Quarterly Grant Payment		\$1,689.50
65814	03/25/2011	Open			CALIFORNIA GREY BEARS INC.	\$3,485.25
	Invoice		Date	Description		Amount
	2011-00000554		03/22/2011	Quarterly Grant Payment		\$3,485.25
65815	03/25/2011	Open			CALIFORNIA RURAL LEGAL ASSIST IN	\$906.50
	Invoice		Date	Description		Amount
	2011-00000578		03/22/2011	Quarterly Grant Payment		\$906.50
65816	03/25/2011	Open			CAMPUS KIDS CONNECTION INC.	\$4,141.25
	Invoice		Date	Description		Amount
	2011-00000570		03/22/2011	Quarterly Grant Payment		\$4,141.25

City of Capitola
City Checks Issued 3/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65817	03/25/2011	Open			CAPITOLA PEACE OFFICERS ASSOCI	\$663.62
	Invoice		Date	Description	Amount	
	POA-Mar25		03/24/2011	POA Dues, Mar 25 PR, Employee Funded	\$663.62	
65818	03/25/2011	Open			CASA OF SANTA CRUZ COUNTY	\$556.75
	Invoice		Date	Description	Amount	
	2011-00000587		03/22/2011	Quarterly Grant Payment	\$556.75	
65819	03/25/2011	Open			CENTRAL COAST CENTER FOR INDEI	\$3,674.25
	Invoice		Date	Description	Amount	
	2011-00000574		03/22/2011	Quarterly Grant Payment	\$3,674.25	
65820	03/25/2011	Open			Charter Communications	\$129.99
	Invoice		Date	Description	Amount	
	5646-Mar-Apr11		03/11/2011	Internet Service, Mar 20-Apr 19 2011 Fund 2211, IT	\$129.99	
65821	03/25/2011	Open			CLEAN BUILDING MAINTENANCE	\$7,084.00
	Invoice		Date	Description	Amount	
	8021		01/31/2011	Jan 2011 Janitorial Services, all sites	\$3,542.00	
	8115		02/28/2011	Feb 2011 Janitorial Services, all sites	\$3,542.00	
				Fund 1311, Wharf Fund=\$290.00		
65822	03/25/2011	Open			COMMUNITY ACTION BOARD OF SC C	\$339.00
	Invoice		Date	Description	Amount	
	2011-00000573		03/22/2011	Quarterly Grant Payment	\$339.00	
65823	03/25/2011	Open			COMMUNITY BRIDGES	\$27,632.25
	Invoice		Date	Description	Amount	
	2011-00000557		03/22/2011	Quarterly Grant Payment	\$27,632.25	
65824	03/25/2011	Open			COMPLETE MAILING SERVICE INC	\$1,325.59
	Invoice		Date	Description	Amount	
	58695		03/15/2011	Mail service Late Spring brochure	\$1,325.59	
65825	03/25/2011	Open			CONFLICT RESOLUTION CENTER OF	\$689.50
	Invoice		Date	Description	Amount	
	2011-00000585		03/22/2011	Quarterly Grant Payment	\$689.50	
65826	03/25/2011	Open			COVAD COMMUNICATIONS	\$643.86
	Invoice		Date	Description	Amount	
	47154893		02/28/2011	Mar 2011 Internet Service-Fund 2211, IT	\$643.86	
65827	03/25/2011	Open			CPS	\$442.75
	Invoice		Date	Description	Amount	
	SOP30144		03/01/2011	Testing Service, Law Enforcement SGT ex	\$442.75	
65828	03/25/2011	Open			CULTURAL COUNCIL OF SCC	\$1,036.75
	Invoice		Date	Description	Amount	
	2011-00000568		03/22/2011	Quarterly Grant Payment	\$1,036.75	
65829	03/25/2011	Open			DIENTES COMMUNITY DENTAL CARE	\$344.50
	Invoice		Date	Description	Amount	
	2011-00000567		03/22/2011	Quarterly Grant Payment	\$344.50	

City of Capitola
City Checks Issued 3/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65830	03/25/2011	Open			FAMILIES IN TRANSITION	\$605.50
	Invoice		Date	Description	Amount	
	2011-00000584		03/22/2011	Quarterly Grant Payment	\$605.50	
65831	03/25/2011	Open			FAMILY SVC AGCY OF THE CENTRAL	\$2,149.75
	Invoice		Date	Description	Amount	
	2011-00000561		03/22/2011	Quarterly Grant Payment	\$2,149.75	
65832	03/25/2011	Open			FOSTER, DAVID	\$255.33
	Invoice		Date	Description	Amount	
	GP20110318		03/18/2011	Reimb General Plan Meeting Supplies Fund 1313, Gen Plan Update	\$255.33	
65833	03/25/2011	Open			GALLI UNIFORM COMPANY	\$60.74
	Invoice		Date	Description	Amount	
	17246		02/26/2011	Uniform Items, PD	\$60.74	
65834	03/25/2011	Open			GREEN, ARIANA, A.	\$758.78
	Invoice		Date	Description	Amount	
	6		03/17/2011	Bicycle Trans Plan Grant Appl, Planning Fund 1313, Gen Plan Update	\$758.78	
65835	03/25/2011	Open			HOMELESS SERVICE CENTER OF SAI	\$627.00
	Invoice		Date	Description	Amount	
	2011-00000582		03/22/2011	Quarterly Grant Payment	\$627.00	
65836	03/25/2011	Open			HOSPICE of SANTA CRUZ COUNTY	\$345.00
	Invoice		Date	Description	Amount	
	2011-00000583		03/22/2011	Quarterly Grant Payment	\$345.00	
65837	03/25/2011	Open			HOWARD, CHARLIE	\$1,390.00
	Invoice		Date	Description	Amount	
	03/07-03/11/11		03/21/2011	FY 10/11 In-House Mechanic	\$680.00	
	03/14-03/18/11		03/21/2011	FY 10/11 In-House Mechanic	\$710.00	
65838	03/25/2011	Open			ICMA RETIREMENT TRUST 457	\$6,282.50
	Invoice		Date	Description	Amount	
	ICMA-Mar25		03/24/2011	Retirement Plan Contribution, Mar 25 Employee Funded	\$6,282.50	
65839	03/25/2011	Open			KING'S PAINT AND PAPER, INC.	\$244.13
	Invoice		Date	Description	Amount	
	A134029		03/01/2011	Paint, Floating Dock	\$148.89	
	A134165		03/01/2011	Paint, Floating Dock Fund 1311, Wharf Fund	\$95.24	
65840	03/25/2011	Open			LABOR READY SOUTHWEST INC.	\$942.59
	Invoice		Date	Description	Amount	
	54031559		03/04/2011	FY 10/11 Temporary Staff-PW	\$942.59	
65841	03/25/2011	Open			LIUNA PENSION FUND	\$506.00
	Invoice		Date	Description	Amount	
	LIUNA-Mar2011		03/24/2011	Pension Dues, Employee Funded	\$506.00	

City of Capitola
City Checks Issued 3/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65842	03/25/2011	Open			MARCHESE, HELEN	\$440.70
	Invoice		Date	Description		Amount
	20110323		03/18/2011	Petty Cash Replenishment		\$440.70
65843	03/25/2011	Open			MID-COUNTY AUTO SUPPLY	\$597.05
	Invoice		Date	Description		Amount
	250922		02/01/2011	Auto Parts, F350 Truck		\$20.81
	251275		02/25/2011	Auto Parts, John Deere Loader		\$25.51
	251557		02/07/2011	Auto Parts, John Deere Loader		\$30.09
	250978		02/01/2011	Auto Parts, Sweeper (Fund 1310, Gas Tax		\$16.23
	253731		02/28/2011	Auto Parts-Beach Rake		\$37.15
	253750		02/28/2011	Auto Parts-f250		\$13.11
	253834		03/01/2011	Auto Parts, PD-82		\$236.62
	253837		03/01/2011	Auto Parts, Beach Rake		\$217.53
65844	03/25/2011	Open			MUNIMETRIX SYSTEMS CORP.	\$499.00
	Invoice		Date	Description		Amount
	1104005		02/18/2011	Imageflow Lite Software Support		\$499.00
				Fund 2211, IT		
65845	03/25/2011	Open			MUNISERVICES, LLC	\$2,830.22
	Invoice		Date	Description		Amount
	24234		02/28/2011	Sales Tax Recovery, Period Ending Sep20		\$2,830.22
65846	03/25/2011	Open			NATIVE ANIMAL RESCUE	\$297.00
	Invoice		Date	Description		Amount
	2011-00000579		03/22/2011	Quarterly Grant Payment		\$297.00
65847	03/25/2011	Open			O'NEILL SEA ODYSSEY	\$1,454.00
	Invoice		Date	Description		Amount
	2011-00000555		03/22/2011	Quarterly Grant Payment		\$1,454.00
65848	03/25/2011	Open			OLIVE SPRINGS QUARRY, INC.	\$537.24
	Invoice		Date	Description		Amount
	76558		01/31/2011	Coronado Patch, Road Maint.		\$537.24
				Fund 1310, Gas Tax		
65849	03/25/2011	Open			ORCHARD SUPPLY HARDWARE	\$239.35
	Invoice		Date	Description		Amount
	6005-3520369		03/01/2011	Leak repair		\$39.29
	6008-3522514		03/01/2011	Wire brushes		\$32.75
	6007-4760268		03/02/2011	Misc.		\$35.58
	6005-2430522		03/03/2011	Grinder		\$32.76
	6007-2430639		03/04/2011	Drill bits		\$34.94
	6007-2430649		03/04/2011	Weeders		\$28.37
	6005-3521298		03/07/2011	Misc.		\$30.81
	6009-2350652		03/08/2011	Misc.		\$36.52
	947415		03/02/2011	Return Misc Supplies		(\$31.67)
				Fund 1311, Wharf Fund=\$105.94		
65850	03/25/2011	Open			OUTDOOR SERVICES & SUPPLIES	\$1,500.00
	Invoice		Date	Description		Amount
	7666		03/17/2011	Restriping City Hall front parking lot		\$1,500.00
				Fund 1310, Gas Tax		

City of Capitola
City Checks Issued 3/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65851	03/25/2011	Open			PACIFIC GAS & ELECTRIC	\$12,254.13
	Invoice		Date	Description		Amount
	2011-00000590		03/18/2011	Monthly Elec		\$12,254.13
65852	03/25/2011	Open			PACIFIC GAS & ELECTRIC	\$485.61
	Invoice		Date	Description		Amount
	2011-00000591		03/18/2011	Pac Cove MHP Elec and Gas		\$485.61
				Fund 1300, SLESF=\$187.39		
				Fund 1310, Gas Tax=\$6302.95		
				Fund 1311, Wharf Fund=\$1616.59		
				Fund 1000, Gen Fund=\$4147.20		
65853	03/25/2011	Open			PALACE ART & OFFICE SUPPLIES	\$1,657.93
	Invoice		Date	Description		Amount
	893895		03/03/2011	File boxes-PD		\$21.76
	893889		03/03/2011	Paper-PD		\$46.87
	894222		03/04/2011	Easels, General Plan Presentations		\$229.43
	13538		03/08/2011	Two Folding Tables		\$260.02
	894506		03/07/2011	Document Frames, Building Dept		\$163.22
	894222-1		03/08/2011	Easels, Public Meeitns for General Plan Uj		\$595.41
	895454		03/11/2011	Paper-PD		\$46.87
	895182		03/10/2011	Planning Dept, Public Meeting Supplies, G		\$187.31
	C894403		03/10/2011	Return Duplicate Order		(\$40.66)
	894403		03/07/2011	Office Supplies		\$147.70
				Fund 1313, Gen Plan Update=\$1012.15		
				Fund 2210, Stores=\$270.26		
65854	03/25/2011	Open			PARENTS CENTER OF SANTA CRUZ	\$1,772.00
	Invoice		Date	Description		Amount
	2011-00000562		03/22/2011	Quarterly Grant Payment		\$1,772.00
65855	03/25/2011	Open			PRINTWORX	\$827.00
	Invoice		Date	Description		Amount
	9827		02/28/2011	General Plan Update Postcard		\$827.00
				Fund 1313, Gen Plan Update		
65856	03/25/2011	Open			ProBUILD COMPANY LLC	\$39.04
	Invoice		Date	Description		Amount
	5498872		03/09/2011	Shop Supplies, Corp Yd		\$39.04
65857	03/25/2011	Open			REPUBLIC ITS INC.	\$1,579.66
	Invoice		Date	Description		Amount
	RI-106677		03/10/2011	Feb 2011 Traffic Signal Maintenance		\$881.42
	RI-106672		03/10/2011	Feb 2011 Traffic Signal Maintenance		\$698.24
				Fund 1310, Gas Tax		
65858	03/25/2011	Open			ROBERT DEACON	\$2,010.13
	Invoice		Date	Description		Amount
	Apr 2011		03/18/2011	Monthly Rent, PD Annex		\$2,010.13
65859	03/25/2011	Open			ROM, HILLEL	\$37.50
	Invoice		Date	Description		Amount
	550		03/18/2011	March 6 to March 19 Sports Officials		\$37.50

City Checks Issued 3/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65860	03/25/2011	Open			SANTA CRUZ AIDS PROJECT	\$2,287.50
	Invoice		Date	Description		Amount
	2011-00000564		03/22/2011	Quarterly Grant Payment		\$2,287.50
65861	03/25/2011	Open			SANTA CRUZ COMMUNITY COUNSEL	\$1,721.50
	Invoice		Date	Description		Amount
	2011-00000581		03/22/2011	Quarterly Grant Payment		\$1,721.50
65862	03/25/2011	Open			SCC AUDITOR-CONTROLLER	\$8,776.50
	Invoice		Date	Description		Amount
	Phoenix-Feb2011		03/03/2011	Citation Surcharges, Feb 2011		\$8,776.50
65863	03/25/2011	Open			SCC DEPT OF PUBLIC WORKS	\$28.00
	Invoice		Date	Description		Amount
	6148		03/03/2011	Monthly map fees		\$28.00
65864	03/25/2011	Open			SCC INFORMATION SERVICES	\$502.78
	Invoice		Date	Description		Amount
	SCAN-Mar2011		03/02/2011	Open Query/SCAN Charges, Mar 2011-PC		\$502.78
65865	03/25/2011	Open			SCC OFFICE OF EDUCATION	\$339.00
	Invoice		Date	Description		Amount
	2011-00000556		03/22/2011	Quarterly Grant Payment		\$339.00
65866	03/25/2011	Open			SANTA CRUZ TODDLER CARE CENTE	\$308.50
	Invoice		Date	Description		Amount
	2011-00000586		03/22/2011	Quarterly Grant Payment		\$308.50
65867	03/25/2011	Open			SECOND HARVEST FOOD BANK	\$2,456.25
	Invoice		Date	Description		Amount
	2011-00000559		03/22/2011	Quarterly Grant Payment		\$2,456.25
65868	03/25/2011	Open			SENIOR CITIZENS LEGAL SERVICES	\$2,435.75
	Invoice		Date	Description		Amount
	2011-00000566		03/22/2011	Quarterly Grant Payment		\$2,435.75
65869	03/25/2011	Open			SENIOR NETWORK SERVICES, INC.	\$615.25
	Invoice		Date	Description		Amount
	2011-00000572		03/22/2011	Quarterly Grant Payment		\$615.25
65870	03/25/2011	Open			SENIORS COUNCIL OF SCC	\$819.25
	Invoice		Date	Description		Amount
	2011-00000563		03/22/2011	Quarterly Grant Payment		\$819.25
65871	03/25/2011	Open			SPORT ABOUT	\$543.91
	Invoice		Date	Description		Amount
	21673KM		03/01/2011	22 Softballs-Rec League		\$543.91
65872	03/25/2011	Open			SURVIVORS HEALING CENTER	\$132.00
	Invoice		Date	Description		Amount
	2011-00000575		03/22/2011	Quarterly Grant Payment		\$132.00

City of Capitola
City Checks Issued 3/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65873	03/25/2011	Open			SWIFT, STEVE	\$19.55
	Invoice		Date	Description		Amount
	Swift-20110222		02/22/2011	Reimb Riverside Lighting Inv-Museum Exp		\$19.55
65874	03/25/2011	Open			THE HARTFORD -PRIORITY ACCOUNT	\$1,864.01
	Invoice		Date	Description		Amount
	5317162-5		03/24/2011	City Employee Life and Disability Ins		\$1,864.01
65875	03/25/2011	Open			THILL, WENDY	\$120.00
	Invoice		Date	Description		Amount
	Thill551		03/18/2011	March 6 to March 19 Sports Officials		\$120.00
65876	03/25/2011	Open			UNION BANK OF CALIFORNIA	\$14.67
	Invoice		Date	Description		Amount
	PARS-Mar25		03/24/2011	PARS Contribution, Mar 25 PR Employee Funded		\$14.67
65877	03/25/2011	Open			UNITED WAY OF SANTA CRUZ COUN	\$1,526.75
	Invoice		Date	Description		Amount
	2011-00000577		03/22/2011	Quarterly Grant Payment		\$1,526.75
65878	03/25/2011	Open			UPEC LIUNA LOCAL 792	\$1,725.00
	Invoice		Date	Description		Amount
	UPEC-Mar2011		03/24/2011	Union Dues, Mar 2011, Employee Funded		\$1,725.00
65879	03/25/2011	Open			US BANK	\$250.06
	Invoice		Date	Description		Amount
	172796005		03/08/2011	Copier Lease, PD		\$250.06
65880	03/25/2011	Open			VAZQUEZ, GUILLERMO, E.	\$197.74
	Invoice		Date	Description		Amount
	197.74		03/18/2011	Reimb PTO School Attendance Expenses		\$197.74
65881	03/25/2011	Open			VERIZON WIRELESS-ACCT#57201586	\$37.36
	Invoice		Date	Description		Amount
	955922454		03/03/2011	Monthly Access Charge		\$37.36
65882	03/25/2011	Open			VISTA CENTER FOR THE BLIND	\$460.25
	Invoice		Date	Description		Amount
	2011-00000565		03/22/2011	Quarterly Grant Payment		\$460.25
65883	03/25/2011	Open			VOLUNTEER CENTERS OF SC COUN	\$339.00
	Invoice		Date	Description		Amount
	2011-00000558		03/22/2011	Quarterly Grant Payment		\$339.00
65884	03/25/2011	Open			WITMER-TYSON IMPORTS INC.	\$500.00
	Invoice		Date	Description		Amount
	T8479		03/01/2011	February k-9 training		\$500.00
65885	03/25/2011	Open			WOMEN'S CRISIS SUPPORT	\$903.25
	Invoice		Date	Description		Amount
	2011-00000571		03/22/2011	Quarterly Grant Payment		\$903.25

City of Capitola
City Checks Issued 3/25/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65886	03/25/2011	Open			WOMENCARE	\$566.25
	Invoice		Date	Description		Amount
	2011-00000580		03/22/2011	Quarterly Grant Payment		\$566.25
65887	03/25/2011	Open			Claesgens, Deborah	\$62.10
	Invoice		Date	Description		Amount
	2000801-002		03/21/2011	Class refund, Rec		\$62.10
65888	03/25/2011	Open			Walton, Linda and Gary	\$500.00
	Invoice		Date	Description		Amount
	2011-00000549		03/18/2011	Tree Deposit Refund Permit #10-102		\$500.00
Check Totals:				Count	84	Total \$149,186.19

Checks dated 4/1/11 numbered 65889 to 65926 for a total of \$171,216.29 have been reviewed and authorized for distribution by the City Manager and City Treasurer.

As of 4/1/11 the unaudited cash balance is \$5,650,841

CASH POSITION - CITY OF CAPITOLA 4/1/11

	<u>Net Balance</u>
General Fund	1,409,913
Worker's Comp. Ins. Fund	9,259
Self Insurance Liability Fund	220,700
Stores Fund	13,681
Information Technology Fund	149,592
Equipment Replacement	282,538
Compensated Absences Fund	140,971
Contingency Reserve Fund	-
Public Employee Retirement - PERS	152,254
Open Space Fund	256
Capital Improvement Projects	3,271,678
TOTAL GENERAL FUND & COUNCIL DESIGNATED FUNDS	<u><u>5,650,841</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

4/1/11

 Date



 Jacques J.J. Bertrand, City Treasurer

4.6.11

 Date

City of Capitola
City Checks Issued w/e 4/1/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65889	03/28/2011 Invoice Mar Add'l	Open	Date 03/28/2011	Description Additional Petty Cash	MARCHESE, HELEN	\$400.00 \$400.00
65890	03/31/2011 Invoice 01-027257-03	Open	Date 03/30/2011	Description Contract for Tent Canopy to replace Merca	M&M PARTY RENTAL INC.	\$5,000.00 \$5,000.00
65891	04/01/2011 Invoice PROFORMA	Open	Date 03/25/2011	Description 35 Copies, Images of America book, Muse	ARCADIA PUBLISHING COMPANY	\$487.69 \$487.69
65892	04/01/2011 Invoice 237247	Open	Date 03/15/2011	Description Edger parts	B & B SMALL ENGINE REPAIR	\$44.93 \$44.93
65893	04/01/2011 Invoice 20110331	Open	Date 03/25/2011	Description Draw #10, BASAPA Fund 1371, HOME Grant	BAY AVENUE SENIOR HOUSING, LP	\$74,240.00 \$74,240.00
65894	04/01/2011 Invoice 2943918 2946145	Open	Date 02/03/2011 03/15/2011	Description Refund Pallet Deposit Wood-Fund 1311, Wharf	BIG CREEK LUMBER	\$24.76 (\$18.02) \$42.78
65895	04/01/2011 Invoice G-78868	Open	Date 03/04/2011	Description Hang tags-PD	BORDEN DECAL	\$211.14 \$211.14
65896	04/01/2011 Invoice Apr2011	Open	Date 03/17/2011	Description Long Term Disability Ins, PD	CALIFORNIA LAW ENFORCEMENT ASSOCIATION	\$390.00 \$390.00
65897	04/01/2011 Invoice 0806-000Apr2011	Open	Date 03/15/2011	Description Apr2011 Health Ins, Employee Funded	CalPERS Health Insurance	\$48,215.32 \$48,215.32
65898	04/01/2011 Invoice 520	Open	Date 03/03/2011	Description Pac Cove Property Maint Exp	CHESHIRE RIO PROPERTY MGMT	\$1,440.12 \$1,440.12
65899	04/01/2011 Invoice D-8530	Open	Date 03/07/2011	Description General Plan Postcard Mailing Fund 1313, Gen Plan Update	D-MAIL INC.	\$712.74 \$712.74
65900	04/01/2011 Invoice 3484	Open	Date 03/04/2011	Description Traffic paint-Fund 1310, Gas Tax	DAVLIN COATINGS, INC.	\$2,074.38 \$2,074.38

City Checks Issued w/e 4/1/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65901	04/01/2011	Open			DEVCO OIL INC.	\$2,750.30
	Invoice		Date	Description		Amount
	5274		03/04/2011	100 Gal Diesel		\$399.63
	5273		03/04/2011	520 Gal Gas		\$2,350.67
65902	04/01/2011	Open			ELLER, MATT	\$199.30
	Invoice		Date	Description		Amount
	20110318		03/25/2011	Reimb Food purch during Tsunami warnin		\$199.30
65903	04/01/2011	Open			EVENFLO COMPANY, INC.	\$6,316.40
	Invoice		Date	Description		Amount
	982945		01/26/2011	Child Car Seats, Grant Funded		\$6,316.40
65904	04/01/2011	Open			FEDERAL EXPRESS	\$60.39
	Invoice		Date	Description		Amount
	7-431-46967		03/18/2011	Shipping, City Hall		\$60.39
65905	04/01/2011	Open			FIRST ALARM	\$113.34
	Invoice		Date	Description		Amount
	429253		03/20/2011	Cap Mall Substation Alarm, PD		\$113.34
65906	04/01/2011	Open			FOLD A GOAL	\$919.06
	Invoice		Date	Description		Amount
	Order #64766A		03/08/2011	Paint for sports field lines		\$919.06
65907	04/01/2011	Open			G2 RESEARCH AND INVESTIGATIONS	\$1,300.00
	Invoice		Date	Description		Amount
	484		03/13/2011	Background Investigation, Public Safety		\$1,300.00
65908	04/01/2011	Open			GALLI UNIFORM COMPANY	\$7.59
	Invoice		Date	Description		Amount
	17310		03/11/2011	Uniform Exp, Vazquez		\$7.59
65909	04/01/2011	Open			HARRIS & ASSOCIATES	\$1,500.00
	Invoice		Date	Description		Amount
	13113		03/11/2011	2010 CIP Update-Annual Street Maintenar Fund 1310, Gas Tax		\$1,500.00
65910	04/01/2011	Open			HOUSING AUTHORITY OF SCC	\$4,166.32
	Invoice		Date	Description		Amount
	ABE9570		03/25/2011	Rehab Repair Grant, #74, Clares St. Fund 1372, Housing Trust Fund		\$4,166.32
65911	04/01/2011	Open			INTERWEST CONSULTING GROUP IN	\$404.00
	Invoice		Date	Description		Amount
	10706		03/11/2011	Plan Check for 435 Monterey Avenue		\$404.00
65912	04/01/2011	Open			JESBERG, STEVE	\$183.49
	Invoice		Date	Description		Amount
	20110328		03/25/2011	Reimb Food Purchases for Emergency Cri		\$183.49

City of Capitola
City Checks Issued w/e 4/1/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
65913	04/01/2011	Open			LOOMIS	\$568.59
	Invoice		Date	Description		Amount
	10821626CM		01/31/2011	Credit for 6 mos overcharge, change mact		(\$618.00)
	10835519		02/28/2011	Mar2011 Armored Car Service		\$1,186.59
65914	04/01/2011	Open			MID-COUNTY AUTO SUPPLY	\$156.08
	Invoice		Date	Description		Amount
	254521		03/07/2011	Auto Parts, Shop Welder		\$2.83
	254474		03/07/2011	Auto Parts, PD061		\$17.83
	254581		03/08/2011	Auto Parts, PD091		\$15.81
	254613		03/08/2011	Auto Parts, Sweeper (Gas Tax Funded)		\$3.28
	254621		03/08/2011	Auto Parts-Sweeper (Gas Tax Funded)		\$22.40
	254048		03/02/2011	Auto Parts, PW F-250		\$24.50
	254510		03/07/2011	Auto Parts, 1999 F-250		\$32.39
	254197		03/03/2011	Auto Parts, PW F-250		\$37.04
65915	04/01/2011	Open			MILLER'S TRANSFER & STORAGE CO	\$277.95
	Invoice		Date	Description		Amount
	81818		03/03/2011	Records Mgmt, Mar Storage, Feb Handling		\$277.95
65916	04/01/2011	Open			MONTEREY BAY SYSTEMS	\$493.37
	Invoice		Date	Description		Amount
	94808		01/11/2011	Copier Contract, PD & City Hall, Jan-Apr2011 Fund 2210, Stores=\$263.00		\$493.37
65917	04/01/2011	Open			Nature First Tree Care Inc.	\$945.00
	Invoice		Date	Description		Amount
	33542		03/09/2011	Tree report		\$150.00
	33570		03/22/2011	Root Crown Excavation, Rispin property		\$795.00
65918	04/01/2011	Open			ORCHARD SUPPLY HARDWARE	\$107.08
	Invoice		Date	Description		Amount
	6013-8315558		03/09/2011	Shovels		\$90.08
	6007-4762031		03/10/2011	Punch		\$4.36
	6011-2437500		03/10/2011	Irrigation supplies		\$3.50
	6008-3032910		03/10/2011	Irrigation Supplies		\$9.14
65919	04/01/2011	Open			PALACE ART & OFFICE SUPPLIES	\$200.83
	Invoice		Date	Description		Amount
	895709		03/14/2011	Paper-Rec		\$32.74
	8602538		03/15/2011	Misc Supplies, Public Meetings, Gen Plan		\$135.37
	896045		03/15/2011	36" Rolled paper		\$27.30
	895860		03/15/2011	Misc Supplies: Labels, Round Fund 1313, Gen Plan=\$135.37 Fund 1372, Housing Trust=\$5.42 Fund 2210, Stores=\$27.30		\$5.42
65920	04/01/2011	Open			ProBUILD COMPANY LLC	\$100.07
	Invoice		Date	Description		Amount
	5498549		03/08/2011	Hinge		\$26.15
	5499141		03/09/2011	Nuts & Bolts-Fund 1311, Wharf Fund		\$73.92

City Checks Issued w/e 4/1/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount	
65921	04/01/2011	Open			ROSSI'S TOWING	\$45.00	
	Invoice		Date	Description		Amount	
	60978		03/24/2011	Towing Exp, PD071 car fire		\$45.00	
65922	04/01/2011	Open			SCC CONFERENCE & VISITORS COUP	\$4,075.00	
	Invoice		Date	Description		Amount	
	9634		02/16/2011	Spring Campaign 2011 Fund 1321, BIA		\$4,075.00	
65923	04/01/2011	Open			SCC HEALTH SERVICES	\$364.00	
	Invoice		Date	Description		Amount	
	20110315		03/15/2011	Blood Alcohol testing, Nov10-Jan11		\$364.00	
65924	04/01/2011	Open			SCC TAX COLLECTOR	\$6,683.05	
	Invoice		Date	Description		Amount	
	034-072-01-2		10/13/2010	034-072-01, 1400 Wharf Rd, Fund 1311, V		\$2,220.73	
	034-541-34-2		10/13/2010	034-541-34, Library		\$507.23	
	035-141-35-2		10/13/2010	035-141-35, City Hall		\$894.33	
	035-262-07-2		10/13/2010	035-262-07, Esplanade Park		\$2,846.50	
	036-101-37-2		10/13/2010	036-101-37, New Brighton Gym		\$214.26	
65925	04/01/2011	Open			SOQUEL CREEK WATER DISTRICT	\$5,954.00	
	Invoice		Date	Description		Amount	
	Jan11-Mar13Water		03/28/2011	Semi-Monthly Water Usage, Irrigation		\$4,897.77	
	2011-00000596		03/28/2011	Jan19-Mar17-2011 Fund 1311, Wharf=\$366.38		\$1,056.23	
65926	40111	Open			CENTRAL FIRE DISTRICT		
	Invoice		Date	Description		Amount	
	Insp3/31		3/31/2011	Insp Merchant Tent, Cap Village		\$85.00	
Check Totals:				Count	38	Total	\$171,216.29



CAPITOLA REDEVELOPMENT AGENCY AGENDA REPORT

MEETING OF APRIL 14, 2011

FROM: FINANCE DEPARTMENT
DATE: April 6, 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 18, 2011 and April 1, 2011 as submitted.

DISCUSSION

The attached Check Registers for the referenced dates:

Date	Starting Check #	Ending Check #	Total Checks	Amount
3/18/11	2913	2923	11	\$1,306,797.70
4/1/11	2924	2927	4	\$13,511.79

The prior RDA check register report of March 4, 2011 ended with check number 2912.

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

Check	Issued to:	Dept.	Purpose	Amount
2917	Capitola City Treasurer	CDD	FY Housing Service by staff	\$128,850.00
2922	Capitola City Treasurer	PW	Funding for RDA Projects	\$442,800.00
2923	Capitola City Treasurer	CDD	Low Mod Housing Transfer	\$730,000.00
2924	Critical Solutions, Inc.	PW	Library Study, Jan-Mar2011	\$12,430.21

As of 4/6/11 the unaudited cash balance in the RDA account is \$85,793.71 allocated as follows:

RDA Operating Fund	\$79,172.49
RDA Low/Mod Housing Fund	\$6,621.22

ATTACHMENTS

Check Register Reports dated:
March 18 and April 1, 2011

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

Reviewed and Forwarded
By Executive Director:



RDA Checks Issued w/e 3/18/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount	
2913	03/09/2011	Reconciled	03/18/2011	SCC-CLERK OF THE BOARD		\$50.00	
	Invoice		Date	Description		Amount	
	Abate-a		03/04/2011	Filing Fee		\$50.00	
2914	03/09/2011	Reconciled	03/18/2011	SCC-CLERK OF THE BOARD		\$50.00	
	Invoice		Date	Description		Amount	
	Abate-b		03/04/2011	Filing Fee		\$50.00	
2915	03/10/2011	Open		SCC-CLERK OF THE BOARD		\$50.00	
	Invoice		Date	Description		Amount	
	Abate-c		03/14/2011	Filing Fee		\$50.00	
2916	03/18/2011	Open		BANK OF AMERICA		\$214.70	
	Invoice		Date	Description		Amount	
	CC-Feb2011		03/16/2011	Feb 2011 Credit Card Charges		\$214.70	
2917	03/18/2011	Open		CAPITOLA CITY TREASURER		\$128,850.00	
	Invoice		Date	Description		Amount	
	FY Hsg		03/16/2011	FY RDA Housing Service by City Staff		\$128,850.00	
2918	03/18/2011	Open		FLYNN, CAROLYN		\$2,603.00	
	Invoice		Date	Description		Amount	
	CBF-2-2011-1H		03/01/2011	Affordable Housing Plan Assist/RDA LowI		\$2,203.00	
	CBF-2-2011-1I		03/01/2011	Grant Writing and Economic Development		\$400.00	
2919	03/18/2011	Open		GOLDFARB & LIPMAN, LLP		\$870.00	
	Invoice		Date	Description		Amount	
	100354		01/31/2011	Dec2010 RDA Legal Services		\$25.00	
	100355		01/31/2011	Dec2010 RDA Legal Services		\$100.00	
	100353		01/31/2011	Dec2010 RDA Legal Services		\$384.00	
	100384		02/09/2011	Jan2011 RDA Legal Services		\$250.00	
	100383		02/09/2011	2010 RDA Legal Services		\$111.00	
2920	03/18/2011	Open		HOUSING AUTHORITY OF SANTA CRUZ		\$1,260.00	
	Invoice		Date	Description		Amount	
	11-07 CS		02/07/2011	Jan2011 Security Deposit Program		\$1,260.00	
2921	03/17/2011	Open		SCC-CLERK OF THE BOARD		\$50.00	
	Invoice		Date	Description		Amount	
	20110316		03/17/2011	Notice of Exemption		\$50.00	
2922	03/18/2011	Open		CAPITOLA CITY TREASURER		\$442,800.00	
	Invoice		Date	Description		Amount	
	20110317		03/18/2011	Funding for RDA Proj & Programs		\$442,800.00	
2923	03/18/2011	Open		CAPITOLA CITY TREASURER		\$730,000.00	
	Invoice		Date	Description		Amount	
	LM20110318		03/18/2011	Low Mod Housing Funds Trx		\$730,000.00	
Check Totals:				Count	11	Total	\$1,306,797.70

The attached checks have been printed and released under the RDA Executive Director's approval. Included are checks numbered 2913 through 2923 for \$1,306,797.70 dated 3/18/11.

These checks has been reviewed and authorized for distribution.

The unaudited cash balance in the RDA account as of 3/18/11 is \$123,055.50.

	3/18/11		3/18/11
Jamie Goldstein, City Manager	Date	Debbie Johnson, Treasurer – RDA	Date

RDA Checks Issued 4/1/11

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Payee Name	Transaction Amount
2924	04/01/2011	Open			CRITICAL SOLUTIONS INC.	\$12,430.21
	Invoice		Date	Description		Amount
	1-Revised		01/30/2011	Capitola Library Study, Jan2011		\$3,360.32
	2-Revised		03/06/2011	Capitola Library Study, Feb & Mar2011		\$9,069.89
2925	04/01/2011	Open			PACIFIC GAS & ELECTRIC	\$4.75
	Invoice		Date	Description		Amount
	6481-Mar11		03/25/2011	Rispin Elec, Mar2011		\$4.75
2926	04/01/2011	Open			SOQUEL CREEK WATER DISTRICT	\$36.83
	Invoice		Date	Description		Amount
	10928-Mar2011		03/25/2011	Jan-Mar2011 Water Meter, Rispin		\$36.83
2927	04/01/2011	Open			STRELOW CONSULTING	\$1,040.00
	Invoice		Date	Description		Amount
	31102		03/15/2011	Environmental Review, Rispin		\$1,040.00
Check Totals:					4	Total \$13,511.79

The attached checks have been printed and released under the RDA Executive Director's approval. Included are checks numbered 2924 through 2927 for \$13,511.79 dated 4/1/11.

These checks has been reviewed and authorized for distribution.

The unaudited cash balance in the RDA account as of 4/1/11 is \$85,793.71

	4/1/11		4/1/11
Jamie Goldstein, City Manager	Date	Debbie Johnson, Treasurer – RDA	Date



Item #: **3.B.**

CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA REPORT

MEETING OF APRIL 14, 2011

FROM: OFFICE OF THE CITY CLERK/REDEVELOPMENT AGENCY SECRETARY

DATE: APRIL 5, 2011

SUBJECT: **CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY MINUTE APPROVAL:**
MINUTES OF THE JOINT REGULAR MEETINGS OF MARCH 10 AND MARCH 24,
2011, AND THE SPECIAL JOINT MEETINGS OF MARCH 14 AND MARCH 18, 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 March 10, 14, 18, and 24, 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**

March 10, 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 anyone wanted to address an item on the Closed Session agenda at this time.

The following residents of Surf and Sand Mobile Home Park addressed the City Council regarding the two cases of litigation pertaining to their mobile home park. They expressed concerns about rumors they have heard that the city is ready to give up on them. They also commented on the possibility of eminent domain, the need to protect the civil rights of disabled people who live in the park, Assembly Bill 579, and a proposal made by the tenants through their attorney.

- Mary Loubier-Ricca
- Davina Baker
- Bill Newman
- Melinda Taylor
- Ron Hoffacker and his daughter, Heidi Hoffacker
- Geni Calande
- Steve Perkinson
- Laurie Brewer
- Nancy Brewer
- Yvonne Revit
- Richard Brungraber

Council Member/Director Storey thanked everyone for coming. He wanted to assure the residents the council is working on their behalf, but he also wanted to clarify some misconceptions that were being discussed. He looks forward to discussing this further and assured the residents that there would be no final decision made until after there is a public hearing.

Mayor/Chairperson Norton thanked the residents of Surf and Sand Mobile Home Park for expressing their concerns. He said the council does listen and cares about the residents of the park.

At 5:36 p.m., following comments from the public, Mayor/Chairperson Norton noted that the City Council/Redevelopment Agency would be recessing to a 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 7:16 p.m. on Thursday, March 10, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

ABSENT: None

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

STAFF: City Manager/Executive Director Jamie Goldstein, City Attorney/General Counsel John 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, Building Official Mark Wheeler, and City Clerk/Secretary Pamela Greeninger

*** * * PRESENTATIONS * * ***

Introduction of Ryan Farotte, Police Reserve Officer

Chief of Police Mike Card commented on the various types of volunteers at the Police Department, including the Volunteers in Policing, the Police Reserve Officers and the Annuitants, and he discussed the services they provide. He then announced that Ryan Farotte was sworn in last month as a Police Reserve Officer, and he introduced Ryan to the City Council.

Ryan Farotte discussed his background, explained his participation in various local events, and said he is currently at Winchester Auto and attends school 18-20 hours a week. He thanked the City Council for the opportunity to serve the city as a Reserve Police Officer.

Mayor Norton and the council members welcomed Ryan to the city.

Presentation of the first Capitola Green Building Award to John Hofacre for building his home located at 1375 49th Avenue pursuant to the City's Green Building Program with a total of 97 Points [750-10]

Building Official Mark Wheeler announced that John Hofacre is the first recipient of the City's Green Building Award. He said the City's program was established about two years ago, and John was the first person to design and build the first green house in Capitola under this program.

PRESENTATIONS (Continued)

Mr. Hofacre thanked the city for having the Green Building Program, which helps to foster better use of our resources and energy. He then wished to thank his contractor, Jon Badeaux, his foreman, Brad Wilson, and his family for being so supportive of this project.

Mayor Norton said this is the city's first Green Building Award. He thanked Mr. Hofacre for building a sustainable home, and he hopes there will be many more green building awards in the future.

**Santa Cruz Public Libraries JPA Board Report
by Teresa Landers, Director of Libraries [230-10]**

Mayor Norton welcomed Teresa Landers to the City Council meeting. Ms. Landers thanked the Council for the opportunity to report on the Santa Cruz Public Libraries.

Ms. Landers focused her report on the Strategic Plan that was developed after her arrival as Director of Libraries in July 2009 and was approved by the Library JPA Board in April of 2010. She said the board came up with 5 strategic initiatives, including: 1) reading, viewing and listening for pleasure, 2) lifelong learning, 3) community connection, 4) financial sustainability, and 5) organizational readiness. The Board then came up with various goals and objectives for each of those categories, and she reported on some of the accomplishments of those goals.

Ms. Landers announced that the new library in Scotts Valley will open in June. She also expressed her excitement about what the City of Capitola is doing to build a permanent library. She provided statistics about the use of the Capitola Branch Library during the past year. Ms. Landers also commented on the city's concerns regarding the hours of operation and said a Task Force is looking into this.

Mayor Norton noted that our community values the library. Currently the Capitola Branch Library is only open 3 days a week. If the city builds a new library, he would hope it could be open at least 5 days a week.

Council Member Storey commented on the Task Force he is working on to address this issue. He said the members are interested in consistent hours and ultimately getting to a place when the Capitola library will be open 40 hours per week.

Mayor Norton thanked Teresa Landers for her report.

1. REPORT ON CLOSED SESSION [520-25]

City Attorney John Barisone said the City Council/Agency Directors discussed three items of existing litigation which were listed on the posted Closed Session agenda. All members were present, as were the city attorney, city manager, community development director, and Deputy City Attorney Adair Paterno.

City Attorney Barisone reported that the Council received a status report from Deputy City Attorney Paterno regarding the Talbert vs. City of Capitola case pertaining to the city's red light camera traffic regulations and provided direction to its attorney on that litigation. No reportable action was taken.

City Attorney Barisone reported that the Council also discussed the Castle Mobile Home Park litigation entitled, Los Altos/El Granada Investors vs. City of Capitola. The City Manager provided the council with a status report on that matter and took direction from the council. City Attorney Barisone also noted there is an item on tonight's open session agenda related to that litigation. No reportable action was taken in closed session.

1. REPORT ON CLOSED SESSION (Continued)

Finally, City Attorney Barisone reported that the City Council discussed the two lawsuits against the City of Capitola by Surf and Sand, LLC, one pending in Federal Court regarding the park closure application, and one pending in Santa Cruz Superior Court challenging the City Council's decision to deny Surf and Sand's subdivision application.

City Attorney Barisone announced that the City Council received a signed Settlement Agreement from Surf and Sand, LLC, late this afternoon, which would serve to dispose of both of the lawsuits. The agreement was presented to the council in closed session, and they voted to accept the Settlement Agreement. He said the agreement will only go forward if the council, after two public meetings votes to amend the city's mobile home park rent stabilization ordinance. City Attorney Barisone provided information on the key points included in the settlement agreement. He announced the Settlement Agreement will be available at City Hall after 1 p.m. tomorrow, Friday, March 11, 2011.

Mayor Norton confirmed that this information would be released Friday at 1 p.m. at City Hall.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

1) Mayor/Chairperson Norton announced that a "Revised" Agenda Report was received for Item 5.F. regarding a budget resolution pertaining to the 2011 City/Redevelopment Agency Cooperation Agreement Specified Programs and Projects. **[330-10/760-25]**

2) Mayor/Chairperson Norton stated that the City Council/Redevelopment Agency Directors received an Agenda Report from City Clerk/Secretary Greeninger pertaining to the need to add an item to tonight's agenda. Because the matter was not known at the time the agenda was prepared last week, it is necessary for the Council/ RDA Directors to make findings to add the item by a 4/5 vote. The item relates to a Loan Agreement between the City of Capitola, the City of Capitola Redevelopment Agency, and Millennium Housing, a Non Profit Corporation, to assist in the acquisition of Castle Estates Mobile Home Park. **[750-25]**

ACTION: Council Member/Director Termini moved, seconded by Council Member/Director Nicol, to add the Agenda Report from City Manager/Executive Director Goldstein regarding "Consideration of a Loan Agreement between the City of Capitola, the City of Capitola Redevelopment Agency, and Millennium Housing, a Non Profit Corporation, to assist in the acquisition of Castle Estates Mobile Home Park" to the Agenda under Other Business Item 5.G., for council/director consideration, with the finding that the matter arose after the posting of the agenda and needs to be acted upon prior to the Council's next regular meeting scheduled for March 24, 2011.

B. Public Comments

1) Michaella Olavarri, owner of Capitola Coffee & Patisserie, told the council that she was informed today that the sign in front of her business is illegal and must be removed. Ms. Olavarri asked the council for approval to keep the sign in the planter in front of her business. Mayor Norton suggested she contact Community Development Director Derek Johnson.

2) Gary Wetsel, resident of Capitola, property owner and business owner, respectfully requested that the City Council reconsider its decision at the last meeting relative to the Rispin property. He explained his reasons for making this request and urged the council to reconsider a hotel project on the property. **[275-05]**

3) Emily Martin, Capitola resident, would like to see a skate park at the Rispin site, and she requested that this matter be considered at a future meeting. She said there is a group of people interested in working on a skate park task force. **[1040-20 Skate Park]**

2. B. ORAL COMMUNICATIONS (Continued)

4) Ted Burke, owner of Shadowbrook Restaurant, stated that he wished to support Gary Wetsel's recommendation to reconsider the hotel project, and he urged the council to reconsider the Barry Swenson hotel project considered at the last meeting. **[275-05]**

5) Terry Campion, owner of two businesses selling skateboards and equipment on 41st Avenue (one at Capitola Mall and one on lower 41st Avenue), commented on the number of businesses that sell skateboards in that area. He spoke in support of a skate park at the Rispin site, discussed the benefits of a skate park at that location, and the possible ability to take advantage of redevelopment funding. **[1040-20 Skate Park]**

6) Jesse Nickell, Barry Swenson Builder, asked that the Council/Redevelopment Agency directors reconsider their last proposal for a phased hotel project on the Rispin site. He discussed additional work they have done on the financial deal points, which they would like the council/agency to consider. He discussed the benefits a hotel project on the site would create; including taking care of the blight, a park that would be created for access to the community, and it would eliminate the economic burden on the city and create economic viability. Mr. Nickell urged the council/directors to reconsider their prior action regarding a phased hotel project on the Rispin site. **[275-05]**

7) Mark Dunham, speaking on behalf of Capitola Coffee Roasters, discussed the City's Municipal Code regarding placement of signs. He read a section of the code that states, "No person shall erect a sign without a permit or a written statement that a sign permit is not required." He asked that the city council take action, if possible, to provide a written statement that a permit is not required for their sign. Mayor Norton responded the council does not have the ability to take that action. He suggested putting the sign in the window, and he encouraged Mr. Dunham to meet with Community Development Department staff.

8) Bobby Burge opened his comments by stating, "Skateboarding is not a crime." As a student and skateboarder, he feels the Rispin property would be an excellent location for a skate park. **[1040-20 Skate Park]**

9) Bo and Justyna Zimkowski, owners of Vanity by the Sea, a small sunglass shop inside the Mercantile, informed the Council that a city planner came by their business today and asked them to take down their sandwich board sign. They have had the small sandwich board sign advertising Ray ban sunglasses outside the Mercantile. He said the sign contributes to about 30 to 35% of their business. Justyna noted that many people walk by and are not aware there are other businesses besides the coffee shop in the Mercantile building.

Mayor Norton said the council does not have the power to go against the city's regulations. He suggested the Zimkowskis' check with the owner of the Mercantile regarding their master sign program. He also suggested they meet with city staff to review the sign regulations. Community Development Director Johnson asked them to come to City Hall tomorrow morning at 10 a.m. and meet with him.

10) Lew Feinman, 25-year resident and Volunteer in Policing, said he was attending tonight's meeting representing the Capitola Village Residents' Association.

11) Mrs. Taylor, resident of Surf and Sand Mobile Home Park, said her grandchildren enjoy skateboarding and that a skate park at the Rispin property is a great idea.

C. Staff Comments

City Manager Goldstein noted that staff is requesting the City Council schedule a hearing next Friday evening, March 18, 2011, at 6 p.m., to consider the Settlement Agreement between the City and Surf and Sand, LLC, which the City Attorney discussed in his report on the Closed Session.

ACTION: It was the consensus of the City Council directing staff to schedule a public hearing for Friday, March 18, 2011, at 6 p.m., in the City Hall Council Chambers for the Settlement Agreement, which includes an amendment to the city's rent stabilization ordinance.

2. ORAL COMMUNICATIONS (Continued)

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

1) Council Member Nicol reported on the status of the rail purchase by the Santa Cruz County Regional Transportation Commission.

2) Council Member Harlan announced that the General Plan Workshop will be held on Saturday, March 19, from 9 am to 12 noon, at the Capitola Community Center at Jade Street Park. She encouraged residents to attend.

3) Council Member/Director Termini said that, based on comments made by several speakers during the public comment portion of the meeting, he would be interested in recommending reconsideration of the hotel project at the Rispin site. **[275-05]**

ACTION: Council Member/Director Termini moved to reconsider the Barry Swenson hotel project at the Rispin Mansion site. Council Member/Director Nicol seconded the motion.

Limited discussion was followed by a roll call vote on the motion. The motion **failed** on the following vote: AYES: Council Members/Directors Termini and Nicol. NOES: Council Members/Directors Harlan, Storey, and Mayor Norton. ABSENT: None. ABSTAIN: None.

1) Presentation of the 2010 Capitola Art & Cultural Commission Annual Report. Staff recommendation: receive report. [1010-60]

Council Member Termini, Chair of the Art & Cultural Commission, provided the Commission's Annual Report utilizing a PowerPoint Presentation. He discussed the various activities and events coordinated by the Art & Cultural Commission showing photographs of the popular events. He also commented on the goals for 2011, including a jetty statue, bronze sculptures, a bus stop enhancement, a parking information kiosk, a tile mural project at Kennedy and Bay Avenue, as well as new projects being considered and spearheaded by the Art & Cultural Commission. He said the commission would like to purchase the old carousel.

E. Committee Appointments – None

F. Approval of Check Register Reports

1) City: Approval of City Check Register Reports for February 18 and February 25, 2011. [300-10]

There were no questions about the City's Check Register Reports.

ACTION: Council Member Harlan moved, seconded by Council Member Termini, to approve the Check Register Reports dated February 18 and 25, 2011, including checks numbered 65519 through 65588 in the amount of \$178,163.61, and checks numbered 65589 through 65653 in the amount of \$174,853.83, respectively; and payroll disbursements for the February 25, 2011, payroll in the amount of \$167,719.42, for a Grand Total of \$520,736.86, 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 18 and March 2, 2011. [760-25]

There were no questions on the Redevelopment Agency's Check Register Reports.

ACTION: Director Harlan moved, seconded by Director Storey, to approve the Check Register Reports dated February 18, 2011, including checks numbered 2905 through 2909 in the amount of \$114,128.35, and March 2, 2011, including check numbered 2910 in the amount of \$2,586,270.00, for a Grand Total of \$2,700,398.35, 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 identified the items on the Consent Calendar and asked if there were any items on the Consent Calendar that members of the public or the city council wished to pull for separate discussion. No items were pulled.

CONSENT CALENDAR ACTION: Council Member/Director Nicol 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. 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: Approve City Council/Redevelopment Agency Minutes of the Joint Regular Meeting of February 10, 2011, the Special Joint Budgeting Principles Session of February 17, 2011, and the Adjourned Closed Session Meeting of the City Council of February 28, 2011.

ACTION: Council Member/Director Nicol moved, seconded by Council Member/Director Termini, to approve the Minutes of the Joint Regular Meeting of the City Council/Redevelopment Agency of February 10, 2011, the Special Joint Budgeting Principles Session of February 17, 2011, and the Adjourned Closed Session Meeting of February 28, 2011, as submitted. The motion carried on the following vote: AYES: Council Members/Directors Harlan, Termini, Nicol, Storey, and Mayor/Chairperson Norton. NOES: None. ABSENT: None. ABSTAIN: None.

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

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

D. Approve Administrative Policy for Digital Reading Device Purchasing. [100-10/Administrative Policy Binder]

ACTION: Council Member Nicol moved, seconded by Council Member Termini, to approve the proposed Administrative Policy No. V-10, Digital Reading Device Purchasing Policy, 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. Approve Administrative Policy for Electronic Communications during Open Public Meetings subject to The Brown Act. [100-10/Administrative Policy Binder]

ACTION: Council Member Nicol moved, seconded by Council Member Termini, to approve the proposed Administrative Policy No. V-11, Electronic Communications during Open Public Meetings Subject to The Brown Act, 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.

4. PUBLIC HEARINGS - None**5. OTHER BUSINESS****A. Consideration of SB 444 (Evans) regarding mobilehome park resident surveys and AB 579 (Monning) regarding mobilehome park litigation fees. Staff recommendation: Council direction. [580-40 Legislation/750-25 Mobile Home Park Legislation]**

Assistant to the City Manager Murphy said Council Member Harlan asked to place this item on the agenda for council consideration. She provided a brief summary of both SB 444 and AB 579.

Council Member Harlan believes it is worth supporting these bills as they relate to mobile home parks.

Rick Halterman, resident of Castle Mobile Home Estates, urged the council to support both bills and said the assembly bill should be sent to the judiciary committee and the senate bill support should be sent to Senator Evans via email. Mr. Halterman said he will provide Assistant to the City Manager Murphy with the correct contact information.

ACTION: Council Member Harlan moved, seconded by Council Member Termini, to direct staff to write letters of support of SB 444 and AB 579 and send to our senate and assembly representatives, committees, with copies to Governor Brown. The motion carried unanimously.

B. City of Capitola Greenhouse Gas Emissions Inventory 2005 Baseline Report. Staff recommendation: receive report. [430-05 Environmental Protection General]

Community Development Director Johnson introduced Charlie Buck, Special Projects Associate – AMBAG Energy Watch, who provided a summary of the report utilizing a PowerPoint Presentation. Following his presentation, he responded to questions of council members.

Community Development Director Johnson commented on the Climate Action Plan that would be generated through the General Plan update process, and he also responded to questions of council members.

ACTION: Council Member Harlan moved, seconded by Council Member Termini, to receive and file the Capitola Greenhouse Gas Emissions Inventory 2005 Baseline Report, prepared by the Association of Monterey Bay Area Government's (AMBAG) Energy Watch Program, as submitted. The motion carried unanimously.

C. Village Pay by Space Pay Station Project. Staff recommendation: adopt resolution amending the FY2010/11 budget and approve a contract with Cale Parking Systems in the amount of \$181,571.27 for the purchase and installation of fourteen Pay by Space Pay Stations along the Esplanade and Monterey Avenue. [470-30 Pay Stations/500-10 A/C: Cale Parking Systems]

Public Works Director Jesberg summarized the written agenda report and displayed a map showing the proposed locations for 14 pay stations. He informed the council that Traffic & Parking Commissioner Ed Bottorff built several pay station models and placed them in various locations along the Esplanade to get an idea of how they would look and to consider placement. Public Works Director Jesberg said his recommendation would be to go with 14 stations at a cost of \$181,000, which would require a budget transfer of \$50,000 from the equipment replacement fund to the parking reserve fund as a temporary loan.

5. OTHER BUSINESS (Continued)

Council discussion was followed by this action:

ACTION: Council Member Termini moved, seconded by Mayor Norton, to take the following recommended actions with the 14 pay-station program with stations located pursuant to the map displayed in the Public Works Director's presentation:

1. Adopted **Resolution No. 3858, Resolution Amending the Fiscal Year 2010/2011 Budget to Transfer \$50,000 from the Equipment Replacement Fund to the Parking Reserve Fund as a Temporary Loan** for the purchase of fourteen Pay by Space Pay Stations along the Esplanade and Monterey Avenue, with the loan to be repaid in fiscal year 2011/12; and
2. Approved a contract with Cale Parking Systems in the amount of \$181,571.27 for the purchase and installation of fourteen Pay by Space Pay Stations along the Esplanade and Monterey Avenue; and
3. Approved an exemption from CEQA for the Village Pay Station Project.

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

D. Rispin Property Hazard Abatement. Staff recommendation: adopt resolution by 4/5 vote declaring an emergency condition exists, accept Notice of Summary Abatement Order to Abate Dangerous Building and Grounds, and approve Notice of Exemption from CEQA for the Rispin Mansion Property Rehabilitation Project. [275-60]

Public Works Director Jesberg summarized the written agenda report utilizing a PowerPoint Presentation. He said the primary focus is to the mansion. He discussed a modified scope of work and showed estimates of the proposed construction work and consultants. He recommended hiring a project manager to coordinate the trades. Staff would like to bring Daniel Kostelec back to perform building inspections for the project, since our Building Official, Mark Wheeler, is busy with other inspection services for the city. Public Works Director Jesberg reviewed the recommended action and advised the figure in the draft resolution should be changed to \$650,000, as a result of reduced project funding.

Council discussion was followed by this action:

ACTION: Council Member Termini moved, seconded by Council Member Storey, to take the following recommended actions:

1. Accepted the Notice and Summary Abatement Order to Abate Dangerous Buildings and Grounds from the City of Capitola Building Official;
2. Adopted, by 4/5 vote, **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**, thereby accepting the Summary Abatement Order to Abate Dangerous Buildings and Grounds, which establishes an emergency condition under Public Contract Code Section 1102 and makes findings required under Public Contract Code 22050 allowing the suspension of the City's purchasing policies in order to allow the City to respond to this order, further authorizing the City Manager and the City Attorney to execute contracts as necessary to abate all dangerous conditions at the site up to a "revised" total cost of \$650,000; and
3. Approved a Notice of Exemption from CEQA for the Rispin Mansion Property Rehabilitation Project

5. D. OTHER BUSINESS (Continued)

Under discussion, Council Member Nicol expressed his concerns about the amount of money the City/RDA has spent on this property over the years, and now the City is talking about taking down fencing recently installed and there being no public bidding process. For those reasons he cannot support the motion.

Mayor Norton asked if anyone from the public wished to comment.

Lew Feinman said the Rispin is a disaster for everyone. The mansion is a rat hole that the city is pouring money down. Mr. Feinman suggested subdividing the property and selling the lots; he feels it is a bad project.

Mayor Norton responded that there is not a lot of open space in Capitola, so every piece of open space land is important to the city.

Council Member Nicol responded to Mr. Feinman, stating that subdividing the property is not really an option due to encumbrances on the property.

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

E. Approve a sole source contract with Anderson Brulé Architects, Inc., for planning and architectural design services in the amount of \$550,000 for the Capitola Library. [230-10/500-10 A/C: Anderson Brulé Architects, Inc.]

Community Development Director Johnson said that this agreement would be between the City and Anderson Brulé Architects. He used a PowerPoint Presentation to review the consultant's expertise, the funding options as a result of the Cooperation Agreement, and staff's recommendation of a sole source contract with Anderson Brulé Architects for planning and architectural design services for the Capitola Library. Following his presentation, Community Development Director Johnson responded to questions of council members.

Utilizing a PowerPoint Presentation, Pamela Anderson-Brulé and her associate, Brad Cox, reviewed information regarding their firm, presented exterior and interior photos of several libraries their firm has designed, and mentioned the team who would be working on the Capitola library project. She expressed their excitement in working with the city to design a library for Capitola and responded to questions of council members.

Council members encouraged their firm to look into using local contractors for this project.

ACTION: Council Member Termini moved, seconded by Council Member Harlan, to take the following recommended actions:

1. Authorized a sole source contract and awarded a standard contract to Anderson Brulé Architects, Inc., for planning and architectural design services for the Capitola Library in the amount of \$550,000; and
2. Made a determination that Anderson Brulé Architects, Inc., is a highly recognized authority in library design and is uniquely qualified to perform planning and architectural design services for the Capitola Library.

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

5. OTHER BUSINESS (Continued)

F. Resolution Amending the FY2010/11 budget in the amount of \$2,586,270 for 2011 City of Capitola/Redevelopment Agency Cooperation Agreement Specified Programs and Projects. Staff recommendation: adopt resolution. [330-10/760-25]

The City Council received a “Revised” Agenda Report and Draft Resolution for consideration.

City Manager Goldstein said this was a clean-up item after approval of the amendment to the Cooperation Agreement, and he responded to questions of council members.

ACTION: Council Member Nicol moved, seconded by Council Member Storey, to adopt the “Revised” draft resolution, **Resolution No. 3860, Resolution Amending the FY2010/11 Budget by \$618,000 for Specified Program and Project Expenditures approved in the 2011 City-RDA Cooperation Agreement and \$618,000 in Associated Revenue**, 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.

G. *ADDED ITEM: City/RDA: Consideration of a Loan Agreement between the City of Capitola, the Redevelopment Agency of the City of Capitola, and Millennium Housing, a Non-Profit Corporation, to assist in the acquisition of Castle Estates Mobile Home Park. Staff recommendation: adopt City and Agency Resolutions approving loan agreement. [750-25/500-10 CITY/760-05 RDA A/C: Millennium Housing/City/Redevelopment Agency]

City Manager/Executive Director Goldstein explained why staff recommended the late addition of this item to the agenda as it relates to the Redevelopment Agency. He summarized the written agenda report and responded to questions of Council Members/Agency Directors.

Mayor/Chairperson Norton opened this item for public comment at 10:46 p.m.

Rick Halterman, resident of Castle Mobile Home Estates, stated that 90% of the residents at Castle are low income; therefore, the number of affordable spaces (64) is short. He asked if he could pick up a copy of the materials for this item, as the residents will be having a park meeting this weekend, and the information would be helpful. Mr. Halterman also commented that one of the lobbyists working on redevelopment issues is also working to retain the 20% set-aside for affordable housing should redevelopment be eliminated by the state.

Council/Director discussion was followed by this action:

ACTION: Council Member/Director Storey moved, seconded by Council Member/Director Termini to approve the recommended actions of the City and the Redevelopment Agency, with direction to insert \$1 Million for the loan to Millennium Housing, and approving \$100,000 per year from the low-mod housing fund for a period of 10 years for the “Rehabilitation and Rent Subsidy Component.”

Under discussion of the motion, there was considerable discussion regarding the proposed agreement and regarding the figures to be filled in the blanks. There was interest on behalf of the members to consider a similar rental assistance program for residents of Surf & Sand Mobile Home Park.

City Manager/Executive Director Goldstein said the Council/Agency could potentially consider a similar program for Surf and Sand Mobile Home Park.

5. E. OTHER BUSINESS (Continued)

Council Member/Director Nicol said he would only be willing to approve \$1,000,000. There was discussion regarding the \$100,000 allocation per year for the next 10 years.

Following discussion, the motion was amended by Council Member/Director Termini, and seconded by Council Member/Director Storey to approve the recommended actions of the City and the Redevelopment Agency, with direction to insert \$1 Million for the loan to Millennium Housing, and approving \$100,000 per year from the low-mod housing fund for a period of 10 years for the “Rehabilitation and Rent Subsidy Component,” thereby taking the following actions:

RDA ACTION:

1. Adopted **Agency Resolution No. 2011-4, Resolution Approving use of Redevelopment Housing Funds from the Capitola Redevelopment Project Area to assist in the Acquisition, Rehabilitation, and Preservation as affordable housing of Castle Mobile Home Estates and making required Statutory Findings in Connection Therewith;** and
2. Authorized the Executive Director to execute a Loan Agreement in substantially the same form as the proposed agreement.

The motion carried on the following vote: AYES: Directors Harlan, Termini, and Storey. NOES: Director Nicol and Chairperson Norton. ABSENT: None. ABSTAIN: None.

CITY ACTION:

1. Adopted City Council **Resolution No. 3861, Resolution Approving use of Redevelopment Housing Funds from the Capitola Redevelopment Project Area and Housing Trust Funds to assist in the Acquisition, Rehabilitation, and Preservation as Affordable Housing of Castle Mobile Home Estates and making required Statutory Findings in Connection Therewith;** and
2. Authorized the City Manager to execute a Loan Agreement in substantially the same form as the proposed agreement.

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

Council Member/Director Harlan asked if the Council/Agency wanted to direct staff to work on another contract or contracts and call a special meeting next week to consider other housing assistance contracts.

There was discussion regarding when a special meeting should be called, based on the State’s efforts to adopt the budget. Council Member/Director Harlan suggested Monday.

City Manager/Executive Director Goldstein commented that he would need to look for third party partner to enter into such an agreement. Council Member/Director Storey suggested the Housing Authority. Community Development Director/Deputy Executive Director Johnson said staff would need to meet with the Housing Authority prior to development of an agreement.

There was discussion regarding a special meeting day and time to review a similar-type of an agreement for the residents of Surf and Sand Mobile Home Park before the state adopts the legislation pertaining to Redevelopment Agencies scheduled for next week.

5. E. OTHER BUSINESS (Continued)

ACTION: It was the consensus of the City Council/Redevelopment Agency Directors to schedule a Joint Special Meeting on **Monday, March 14, 2011, at 12:00 noon**, in the City Hall Council Chambers directing staff to look for a third-party partner, such as the Housing Authority of the County of Santa Cruz, and to prepare similar-type documents to those for Castle Mobile Home Estates for consideration at the special meeting.

6. **COUNCIL/RDA DIRECTORS/STAFF COMMUNICATIONS** – None

7. **ADJOURNMENT**

At 11:12 p.m., Mayor/Chairperson Norton noted that the City Council/Redevelopment Agency was adjourning to a Special Meeting to be held at 12:00 Noon on Monday, March 14, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Dennis R. Norton, Mayor
Redevelopment Agency Chairperson

ATTEST:

_____, MMC
Pamela Greeninger, City Clerk
Redevelopment Agency Secretary

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

March 24, 2011
Capitola, California

MINUTES OF A REGULAR JOINT MEETING

6:00 P.M. - CLOSED SESSION - CITY MANAGER’S OFFICE

At 6:07 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 noted that there was no one in the audience; therefore, the City Council/Redevelopment Agency recessed at 6:08 p.m. to the Closed Session in the City Manager’s Office.

7:00 P.M. – OPEN SESSION

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 7:01 p.m. on Thursday, March 24, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Mayor/Chairperson Norton announced that due to an emergency situation occurring today, several of the items on tonight’s agenda will be removed from the agenda and continued to the next meeting. Those items are Item 5.A. regarding the Capitola Village Parking Structure Planning Project and Item 5.B. regarding a Lease of City Property at 504 Beulah Avenue to Tiki Cab LLC.

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/General Counsel John 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 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 [120-40 Green Building Awards]**

Council Member Termini called Thomas Jones and Ginger Fortier forward. On behalf of the Mayor and City Council, Council Member Termini read and presented the second Capitola Green Building Award to Ginger Fortier for constructing their home, located at 303 Younger Avenue, pursuant to the City's Green Building Program.

**Presentation by Rita Flores, Assistant Agency Director
of the Family Service Agency of the Central Coast [330-30]**

Mayor Norton asked if Rita Flores was in attendance. No one responded. Mayor Norton suggested staff contact her to reschedule the presentation.

**Presentation by the Capitola Police Department
regarding Code Enforcement Projects by
Sergeant Mark Gonzalez and Community Service Officer Chad Keane [480-05]**

Chief of Police Card said Sergeant Gonzalez and Community Service Officer Keane were not able to give their presentation due to an existing emergency situation.

Chief of Police Card then reported on the flooding due to heavy rains that occurred in Pacific Cove Mobile Home Park and Capitola Village. He announced that an emergency center has opened at Jade Street Community Center for residents of Pacific Cove, as there is no power or water at the park, and the city is not certain about the sewer. City Manager Goldstein put photos of the damage to the mobile home park on the screen for the council to view.

Public Works Director Jesberg explained the cause of the flooding, and he said a command post has been established upstairs at City Hall.

Staff responded to questions of council members regarding the city's action. Mayor Norton said staff needs to contact Zone 5 regarding this situation.

City Manager Goldstein informed the council that at approximately 5:00 p.m. he issued a Proclamation of Existence of a Local Emergency. He will keep the council apprised of the status.

1. REPORT ON CLOSED SESSION [520-25]

City Attorney John Barisone said the items to be discussed in Closed Session were those items listed on the posted agenda.

He reported that the Talbert vs. City of Capitola lawsuit concerning the city's red light traffic enforcement program was dismissed by the plaintiff's attorney. That case is now dismissed as to the city, with no liability or damages being assessed against the city.

The Council received a status report on the Surf and Sand litigation and the settlement of that litigation. No reportable action was taken in closed session.

The Council also heard from City Manager Goldstein regarding ongoing negotiations for the settlement of Castle Mobile Home Estates litigation, Los Altos/El Granada Investors vs. City of Capitola. No reportable action was taken.

City Attorney Barisone said there was no discussion regarding Vieira Enterprises, Inc., vs. City of Capitola (Cabrillo Mobile Estates).

City Attorney Barisone noted the Council received a status report from City Manager Goldstein on the emergency situation occurring in the City due to the recent storms.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

Mayor Norton announced that due to the emergency it is recommended Other Business Items 5.A. and 5.B. be continued to the next meeting. He commented that he is not sure the proposed parking area for pedi-cabs will be available after the flooding that has occurred today.

ACTION: Council Member Storey moved, seconded by Council Member Termini, to continue Items 5 A. and 5.B. to the next regular meeting of the City Council to be held on Thursday, April 14, 2011. The motion carried unanimously.

B. Public Comments

1) William Newman, resident of Surf & Sand Mobile Home Park, commented on his prior communications with the council and said he has given up on that and there will be no more persuasions. He informed the Council of his background in organizational development, having worked with over 400 corporations, as well as physical science and electrical engineering. During the last ten years of his employment, Mr. Newman said his primary purpose was to help people organize and develop quality control programs for their company management systems. He said if he can be of any help to the city, he would be happy to do so.

Mayor Norton thanked Mr. Newman and said the Council really appreciates his offer.

2) Ron Graves, the City's representative on the METRO Board, addressed the Council pertaining to the METRO's meeting to be held tomorrow. He provided copies of the METRO's agenda report and commented on newspaper articles about reductions in routes. He said no one knows what routes will be affected at this time.

Mayor Norton expressed concerns specifically about the Route 69 bus that goes from Santa Cruz through the City of Capitola and on to Cabrillo College. He believes these are crucial buses for our community.

Ron Graves said he would be happy to make the Mayor's comments known and share those concerns at the METRO meeting tomorrow.

3) The following people addressed the City Council in support of a skate park at the Rispin Mansion site and their interest in placing this item on a Council agenda: A woman with her two children and their two friends; a young woman; Jason Miller; Ellen Martin; and two unidentified young men. In addition to the speakers, there were approximately 30 people in the audience who raised their hands in support of a skate park in Capitola.

City Manager Goldstein announced that the city will have a public meeting to discuss possible uses at the Rispin site and suggested those interested in receiving notification regarding the meeting provide him with their email addresses.

C. Staff Comments – None

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

Council Member Harlan announced that the Capitola Museum will be having a Grand Opening of its new exhibit at 12 noon on Saturday, March 26, 2011.

E. Committee Appointments – None

2. ORAL COMMUNICATIONS (Continued)

F. Approval of Check Register Reports1) City: Approval of City Check Register Reports for March 4 and March 11, 2011. [300-10]

ACTION: Council Member Harlan moved, seconded by Council Member Storey, to approve the Check Register Reports dated March 4 and 11, 2011, including checks numbered 65654 through 65703 in the amount of \$85,971.19, and checks numbered 65704 through 65756 in the amount of \$106,555.83, respectively; and payroll disbursements for the March 11, 2011, payroll in the amount of \$182,097.49, for a Grand Total of \$374,624.51, as submitted. The motion carried on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

2) RDA: Approval of Redevelopment Agency Check Register Report dated March 4, 2011. [760-25]

ACTION: Director Storey moved, seconded by Director Nicol, to approve the Check Register Report dated March 4, 2011, including checks numbered 2911 and 2912 in the amount of \$73,634.15, as submitted. The motion carried on the following vote: AYES: Directors Harlan, Termini, Nicol, Storey, and Chairperson Norton. NOES: None. ABSENT: None. ABSTAIN: None.

3. **CONSENT CALENDAR**

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

CONSENT CALENDAR ACTION: Council Member/Director Nicol 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. (* NOTE: *Item 3.B. only. Council Member/Director Harlan abstained from voting on the Minutes of March 4, 2011, since she was absent.*)

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

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

B. **City/RDA: Approve City Council/Redevelopment Agency Minutes of the Joint Regular 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.**

ACTION: Council Member Nicol moved, seconded by Council Member Termini, to approve the Minutes of the Joint Regular Meeting of the City Council/Redevelopment Agency of February 24, 2011, the Minutes of the Special Closed Session 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, 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. * NOTE: *Council Member Harlan abstained from voting on the Minutes of March 4, 2011, since she was absent.*

3. CONSENT CALENDAR (Continued)

C. City: Receive City Treasurer's Report for the month ended February 28, 2011 (Unaudited). [380-30]

ACTION: Council Member Nicol moved, seconded by Council Member Termini, to accept the City Treasurer's Report for the month ended February 28, 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. 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. [1050-70]

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

1. Approved 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. Provided 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, 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. 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. [275-60]

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

1. Accepted the update report pertaining to Rispin Property Hazard Abatement Project; and
2. Made 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, 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.

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. [700-20]**

The following action was taken by the City Council under Item 2.A.1) to continue this item:

ACTION: Council Member Storey moved, seconded by Council Member Termini, to continue Items 5 A. and 5.B. to the next regular meeting of the City Council to be held on Thursday, April 14, 2011. The motion carried unanimously.

- 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. [860-10 Leases-City Property]**

The following action was taken by the City Council under Item 2.A.1) to continue this item:

ACTION: Council Member Storey moved, seconded by Council Member Termini, to continue Items 5 A. and 5.B. to the next regular meeting of the City Council to be held on Thursday, April 14, 2011. The motion carried unanimously.

- 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]. [750-25 M HP Ordinances/750-25 Surf & Sand Mobile Home Park/570-40 Surf and Sand, LLC, Litigation]**

City Manager Goldstein provided a brief report on the second reading of the proposed ordinance.

Council Member Storey questioned the city attorney regarding an email received from Attorney Maurice Priest regarding a violation of State Law in paragraphs D.6. and 8 of the proposed ordinance.

City Attorney Barisone stated that he respectfully disagrees with Mr. Priest's analysis and explained why. He informed the Council that he would be happy to include an analysis in a letter to Mr. Priest and copy any members of the public.

Council Member Storey said he would like to request that the city attorney prepare a legal analysis in response to Mr. Priest. There was a consensus of the council directing the city attorney to do so.

At 7:45 p.m. Mayor Norton opened this item to the public for comment. Seeing no one, the Mayor brought the item back to the council for action.

There was no discussion prior to the following action being taken:

ACTION: Council Member Storey moved, seconded by Council Member Termini, to adopt **Ordinance No. 953, Ordinance Adding Subsection D, to Section 2.18.120 of the Capitola Municipal Code Pertaining to Mobile Home Park Rent Stabilization**, as submitted. The motion carried on the following vote: AYES: Council Members Harlan, Termini, Storey, and Mayor Norton. NOES: Council Member Nicol. ABSENT: None. ABSTAIN: None.

6. COUNCIL/RDA DIRECTORS/STAFF COMMUNICATIONS

Mayor Norton said he is very concerned about the residents at Pacific Cove Mobile Home Park. He asked if we could have a specific staff liaison taking care of each and every resident.

Council Member Harlan suggested that staff and the mayor meet with the residents of Surf & Sand Mobile Home Park to continue to answer questions about the interpretation and implementation of the amendment to the rent stabilization ordinance.

7. ADJOURNMENT

The City Council/Redevelopment Agency adjourned at 7:47 p.m. 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 held on Thursday, April 14, 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:

_____, MMC
Pamela Greeninger, City Clerk
Redevelopment Agency Secretary

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

March 14, 2011
Capitola, California

MINUTES OF A SPECIAL JOINT MEETING

Mayor/Chairperson Norton called the Special Joint Meeting of the Capitola City Council/Redevelopment Agency to order at 12:12 p.m. on Monday, March 14, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

ROLL CALL AND PLEDGE ALLEGIANCE TO THE FLAG

PRESENT: Council Members/Directors Stephanie Harlan, Michael Termini, Kirby Nicol, Sam Storey, and Mayor/Chairperson Dennis Norton. (Note: Council Member/Director Termini arrived at 12:16 p.m., and Council Member/Director Harlan left at 1:46 p.m.)
ABSENT: None
STAFF: City Manager/Executive Director Jamie Goldstein, Community Development Director/Deputy Executive Director Derek Johnson, Public Works Director Steve Jesberg, and City Clerk/Secretary Pamela Greeninger

OPEN SESSION

Mayor/Chairperson Norton announced that pursuant to the Notice of Adjournment posted on Friday, March 11, 2011, the Capitola City Council/Redevelopment Agency Directors would meet in Open Session to consider the following matter:

1. **City/RDA: Consideration of a Cooperation Agreement between the Redevelopment Agency of the City of Capitola, the City of Capitola, and the Housing Authority of the County of Santa Cruz. [760-30/760-05 RDA A/C: Housing Authority of the County of Santa Cruz/500-10 CITY A/C: Housing Authority of the County of Santa Cruz]**

City Manager/Executive Director Goldstein announced that the City Council/Redevelopment Agency adjourned its March 10, 2011, meeting to this Special Meeting. The purpose of this meeting is to discuss a Cooperation Agreement by and between the City of Capitola, the Redevelopment Agency of the City of Capitola and the Housing Authority of the County of Santa Cruz. The purpose of the agreement would be to contract with the Housing Authority to provide housing fund monies to the Housing Authority for Housing Fund-eligible activities to increase, improve, and preserve the supply of affordable housing within the area included in the Redevelopment Plan and territorial jurisdiction of the City.

Council Member/Director Storey raised a point of order, asking if this matter would be discussed in the closed session. City Manager/Executive Director Goldstein said, no, the closed session items are those items continued from the meeting of March 10.

Council Member/Director Termini arrived at the meeting at 12:16 p.m.

City Manager/Executive Director Goldstein explained what the proposed Housing Authority Cooperation Agreement would achieve and how it would operate.

City Manager/Executive Director Goldstein also discussed a tentative budget for the various housing programs to be administered by the Housing Authority and responded to questions of council members/agency directors. There was discussion regarding the high administrative costs on the preliminary budget.

Ken Cole, Executive Director of the Housing Authority of the County of Santa Cruz, discussed their interest in continuing to provide housing assistance to Capitola. He also commented on the proposed rental assistance program for Surf and Sand Mobile Home Park, administrative costs, and he responded to questions of council members/agency directors.

Mayor/Chairperson Norton opened this matter up for public comment at 1:00 p.m.

The following residents of Surf and Sand Mobile Home Park addressed the council members/directors on this item and expressed concerns about a settlement agreement regarding their mobile home park: Sandra Williams, Heidi Hoffacker, Ron Hoffacker, and Margaret Dixon.

Mayor/Chairperson Norton said a public hearing is set for Friday, March 18, 2011, at 6 p.m. to consider the ordinance amendment, which is part of the settlement agreement.

City Manager/Executive Director Goldstein said he has set aside time this week prior to the meeting to meet with the residents to discuss the proposed ordinance and settlement agreement.

Council Member/Director Harlan informed the audience that the reason for today's special meeting is to tie up some Redevelopment Agency monies before the state takes them away. Many of the cities and counties in the state have been doing this in order to have approved written contracts to administer some of their housing funds. Council Member/Director Harlan thanked Ken Cole and the Housing Authority for working with the city and being present for this special meeting. The city does not want to lose redevelopment funds and would like to see as many of these housing programs as possible continue for the benefit of the community.

At 1:19 p.m., Mayor/Chairperson Norton closed this item to the public and brought the matter back to the City Council/Redevelopment Agency for discussion and action.

There were no additional comments made by the city council/agency directors prior to the following motion being made:

ACTION: Council Member/Director Termini moved, seconded by Council Member/Director Nicol, to approve the proposed Cooperation Agreement between the City of Capitola, the Redevelopment Agency of the City of Capitola, and the Housing Authority of the County of Santa Cruz, and to adopt the proposed City and Redevelopment Agency resolutions, inserting the amount of \$365,000 in the blank of the last "WHEREAS" paragraph on the first page of each draft resolution.

There was considerable discussion of the motion and recommended changes to the Scope of Work, Appendix One of the proposed agreement. The motion was amended by Council Member/Director Termini and approved by the second, Council Member/Director Nicol, to add the word "moderate" in the first paragraph of the Scope of Services, and to delete the language, "to very low and lower income households" contained in line 1 of the Mobile Home Park Rental Assistance Program.

After further discussion of the amended motion, City Manager/Executive Director Goldstein reviewed his understanding of the motion, as amended, to include the word "moderate" in the first paragraph of Appendix One, Scope of Services, and deleting the language, "to very low and lower income households" contained in line 1 of the Mobile Home Park Rental Assistance Program. With respect to additional direction pertaining to prioritizing privately-owned parks and prioritizing the extremely low, very low and lower income residents, City Manager/Executive Director Goldstein recommended the Council/Agency come up with a program that can be reviewed.

Mayor/Chairperson Norton then called for a vote on the motion. 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.

City Clerk/Secretary Greeninger clarified that the motion included approval of the Cooperation Agreement as amended and adoption of the Redevelopment Agency and City Council resolutions as follows:

RDA ACTION:

1. Adopted **Agency Resolution No. 2011-5, Resolution Approving Use of Redevelopment Housing Funds from the Capitola Redevelopment Project Area for Housing Subsidy Activities and making required Statutory Findings in Connection Therewith;** and
2. Authorized the Executive Director to execute a Cooperation Agreement in substantially the same form as the proposed agreement between the Redevelopment Agency of the City of Capitola, the City of Capitola and the Housing Authority of the County of Santa Cruz.

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

CITY ACTION:

1. Adopted City Council **Resolution No. 3862, Resolution Approving Use of Redevelopment Housing Funds from the Capitola Redevelopment Project Area for Housing Subsidy Activities and making required Statutory Findings in Connection Therewith;** and
3. Authorized the City Manager to execute a Loan Agreement in substantially the same form as the proposed agreement between the Redevelopment Agency of the City of Capitola, the City of Capitola and the Housing Authority of the County of Santa Cruz.

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

Mayor/Chairperson Norton then said the city council/agency directors would consider a secondary motion to set priorities pertaining to rental assistance relating to private mobile home parks and income levels.

ACTION: Council Member/Director Termini moved, seconded by Council Member/Director Nicol, to direct staff to prepare a Mobile Home Park Rental Assistance Program and bring it back to the City Council/Agency Directors for consideration, paying special attention to priorities with regard to lower income, emergency medical situations, and mobile home parks that do not have a separate agreement in place for assistance. The motion carried unanimously.

Council Member/Director Harlan left the meeting at 1:46 p.m. as she needed to go to work.

CLOSED SESSION

CLOSED SESSION [520-25/570-40]

At 1:47 p.m., Mayor/Chairperson Norton announced that the City Council/Redevelopment Agency Directors would meet 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)

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)

Mayor/Chairperson Norton asked if anyone in the audience would like to address the Council/Directors on items to be discussed in Closed Session.

Geni Calande, resident of Surf and Sand Mobile Home Park, commented on the amount of money the city has spent on litigation to protect the residents of mobile home parks in Capitola. She also discussed allocation of funds to stabilize the Rispin Mansion and grounds, the new parking meters, etc. Ms. Calande is particularly concerned about vacancy decontrol and urged the Council to consider the residents' offer of 40% vacancy decontrol submitted by their attorney, Will Constantine.

Following public comment, the City Council/Redevelopment Agency Directors recessed at 1:56 p.m. to the Closed Session in the City Manager's Office.

REPORT ON CLOSED SESSION [520-25]

The City Council received a brief update from City Manager Goldstein pertaining to the two pending Surf and Sand lawsuits and the pending Los Altos/El Granada (Castle Mobile Estates) lawsuit listed on the Closed Session Agenda. 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/Redevelopment Agency adjourned at approximately 2:15 p.m.

The City Council adjourned to a Special Meeting to be held on Friday, March 18, 2011, at 6:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California. The Redevelopment Agency adjourned to the next Joint Regular Meeting of the City Council/Redevelopment Agency to be held on Thursday, March 24, 2011, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

ATTEST: _____, MMC
Pamela Greeninger, City Clerk
Redevelopment Agency Secretary

Dennis R. Norton, Mayor
Redevelopment Agency Chairperson

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

March 18, 2011
Capitola, California

MINUTES OF A SPECIAL JOINT MEETING

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

At 5:30 p.m. in the City Hall Council Chambers, Mayor/Director Norton noted that all members 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)

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)]

Mayor/Chairperson Norton asked if there was anyone who wanted to address an item on the Closed Session agenda at this time. Seeing no one, the City Council recessed at 5:31 p.m. to the Closed Session in the City Manager’s Office.

6:00 P.M. - OPEN SESSION

Mayor/Chairperson Norton called the Special Joint Meeting of the Capitola City Council/Redevelopment Agency to order at 6:10 p.m. on Friday, March 18, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

ROLL CALL AND PLEDGE ALLEGIANCE TO THE FLAG

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

ABSENT: None

OTHERS: City Treasurer Jacques Bertrand

STAFF: City Manager/Executive Director Jamie Goldstein, City Attorney/Agency Counsel John G. Barisone, Community Development Director/Deputy Executive Director Derek Johnson, and City Clerk/Secretary Pamela Greeninger

SPECIAL JOINT MEETING OF THE CITY COUNCIL/REDEVELOPMENT AGENCY

(Pursuant to the Notice and Call dated March 17, 2011)

- 1. City/RDA: Confirm City Council/Redevelopment Agency Director action taken at its March 14, 2011, Special Joint Meeting Open Session, as follows: 1) Confirm Approval of a Cooperation Agreement between the Redevelopment Agency of the City of Capitola, the City of Capitola, and the Housing Authority of the County of Santa Cruz, 2) adoption of Agency Resolution No. 2011-5 Approving Use of Redevelopment Housing Fund from the Capitola Redevelopment Project Area and Housing Trust Funds for Housing Subsidy Activities and Making Required Statutory Findings in Connection Therewith, and 3) adoption of City Council Resolution No. 3862 Approving Use of Redevelopment Housing Fund from the Capitola Redevelopment Project Area and Housing Trust Funds for Housing Subsidy Activities and Making Required Statutory Findings in Connection Therewith. [760-30/760-05 RDA A/C: Housing Authority of the County of Santa Cruz/500-10 CITY A/C: Housing Authority of the County of Santa Cruz]**

City Manager/Executive Director Goldstein announced that there is a housekeeping item for the City Council/Redevelopment Agency Directors to attend to pursuant to the Notice and Call of a Special Joint Meeting issued on March 17, 2011. He provided a brief staff report and said the action is to reconfirm the actions taken by the City Council/Redevelopment Agency at the Special Joint Meeting held on March 14, 2011.

Mayor/Chairperson Norton asked if anyone from the public wished to address the Council/Agency on this item. Seeing no one, the following action was taken:

ACTION: Council Member/Director Nicol moved, seconded by Council Member/Director Termini to approve the recommended action confirming the following actions taken by the City Council and the Redevelopment Agency Directors at it Special Joint Meeting held on March 14, 2011:

- 1) Approval of a Cooperation Agreement between the Redevelopment Agency of the City of Capitola, the City of Capitola, and the Housing Authority of the County of Santa Cruz;
- 2) Adoption of Agency Resolution No. 2011-5 Approving Use of Redevelopment Housing Funds from the Capitola Redevelopment Project Area for Housing Subsidy Activities and Making Required Statutory Findings in Connection Therewith; and
- 3) Adoption of City Council Resolution No. 3862 Approving Use of Redevelopment Housing Funds from the Capitola Redevelopment Project Area and Housing Trust Funds for Housing Subsidy Activities and Making Required Statutory Findings in Connection Therewith.

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.

NOTE: The remainder of the Special Meeting was for City Council business only.

1. REPORT ON CLOSED SESSION [520-25]

City Attorney Barisone said there were two items pertaining to existing litigation on tonight's Closed Session regarding Surf and Sand, LLC, vs. the City of Capitola. City Attorney Barisone reported that the City Council conferred with the City Manager and the City Attorney regarding the potential settlement of those two lawsuits. No reportable action was taken in closed session.

2. ORAL COMMUNICATIONS – None

3. PUBLIC HEARING

A. Public Hearing to consider an Ordinance Adding Subsection D. to Section 2.18.120 of the Capitola Municipal Code pertaining to Mobile Home Park Rent Stabilization. [1st Reading] Presentation: City Manager. [750-25 MHP Ordinances/750-25 Surf & Sand Mobile Home Park/570-40 Surf and Sand, LLC, Litigation]

Mayor Norton introduced this item stating that it is the responsibility and the obligation of the City Council to make decisions for the betterment of the City and all of its residents as a whole. He said this council and the city deeply cares about the welfare of all citizens, and he said the decision will not be made without deep consideration of all issues. To quote Thomas Jefferson, Mayor Norton said, "The care of human life and happiness, and not their destruction, is the first and only object of good government."

3. A. PUBLIC HEARING (Continued)

City Manager Goldstein provided a verbal report on this item utilizing a PowerPoint Presentation (copy on file with the record for this item). He said there are multiple lawsuits and appeals challenging the city's rent stabilization ordinance, and he provided information regarding the amount of money that has been spent by the city in litigating mobile home lawsuits. City Manager Goldstein discussed the impacts the adoption of the proposed ordinance would have on residents living in mobile home parks under rent control. He commented on the city's long history of providing affordable housing and assistance programs to Capitola residents. In closing, he said staff's recommendation is to pass the proposed ordinance.

Mayor Norton opened the public hearing at 6:23 p.m.

The following individuals spoke in favor of the City Council adopting the proposed ordinance amending the city's rent stabilization ordinance and urged the council to stop spending the city's funds for mobile home park litigation:

Lin Banks, Capitola resident
James Wallace, Capitola resident
Carin Hanna, Capitola business owner and property owner
Bob Henry, Capitola resident
Rich Hill, Capitola resident and former city manager
Bob Begun, Capitola resident and former council member

The following individuals spoke against the adoption of the proposed ordinance, commented on the impacts the ordinance would have on residents of Surf and Sand Mobile Home Park as well as other rent control parks in Capitola. They expressed concerns about the Settlement Agreement and urged the council to continue its negotiations, commented on possible eminent domain of Surf & Sand Mobile Home Park, concerns regarding the condition of Surf and Sand Mobile Home Park, etc. :

Will Constantine, attorney representing the Homeowners of Surf and Sand Mobile Home Park
Davina Baker, Surf and Sand Mobile Home Park resident
Bill Newman, Surf and Sand Mobile Home Park resident
Carrie Birkhofer, President and CEO of Bay Federal Credit Union
Maurice Priest, attorney representing Surf and Sand Mobile Home Park resident
Veronica Shepardson
Edward Maghakian, resident of Pacific Cove Mobile Home Park
Valerie Tudor, full-time resident of Surf and Sand Mobile Home Park
Maggie Schwarb, President of the Surf & Sand Mobile Home Park HOA.
James Rich? Or Rick?, resident of Surf and Sand Mobile Home Park
Mary Loubier-Ricca, Surf and Sand Mobile Home Park resident since 1997
Shirley Hill, resident of Surf and Sand Mobile Home Park
Laurie Brewer, resident of Surf and Sand Mobile Home Park
Nancy Brewer, resident of Surf and Sand Mobile Home Park
Fred Coquelin, President of Cabrillo Mobile Home Park Homeowners' Association
Kay Brown, resident of Castle Mobile Home Estates
Richard Brungraber, resident of Surf & Sand Mobile Home Park
Hank Ryan, resident of Surf & Sand Mobile Home Park
Clay Kemp, Executive Director of the Area Agency on Aging of San Benito and Santa Cruz Counties

3. A. PUBLIC HEARING (Continued)

Dave Farnum, Surf & Sand Mobile Home Park resident since 2007 (submitted photo album of improvements they made to their coach for council to view)
Ann Schroedel, resident of Pacific Cove Mobile Home Park
Sharon Shelgren, Surf and Sand Mobile Home Park resident
Jack Olson, resident of Surf and Sand Mobile Home Park for 15 years
Rick Halterman resident of Castle Mobile Home Estates
Chris Reber, Surf & Sand Mobile Home Park resident
Deborah Fountain, Surf & Sand Mobile Home Park resident

The following individual did not support nor oppose the proposed ordinance, but offered comments on this item:

Glen Hanna commented that everyone wants to reach an agreement, and it is not going to be easy. He offered the following proposal for consideration: Mr. Hanna said the RDA currently owes the city \$1,350,000. He commented on ten years of failed agreements with developers pertaining to the Rispin Mansion. He proposed taking one-half million dollars from the Redevelopment Agency and moving the money to the City with the expressed notification that it is the last money the City is going to allocate for mobile home park litigation and to work for the next five months as the lawsuit goes forward to bring this to a satisfactory conclusion.

Mayor Norton closed the public hearing at 8:05 p.m.

Each council member commented on this issue prior to the following action being taken:

ACTION: Council Member Storey moved, seconded by Council Member Termini, to adopt the first reading of the proposed Ordinance Adding Subsection D. to Section 2.18.120 of the Capitola Municipal Code pertaining to Mobile Home Park Rent Stabilization, as submitted, and passing the ordinance to a second reading at the next Regular Meeting to be held on March 24, 2011. The motion carried on the following vote: AYES: Council Members Harlan, Termini, Storey, and Mayor Norton. NOES: Council Member Nicol. ABSENT: None. ABSTAIN: None.

4. **ADJOURNMENT**

The City Council/Redevelopment Agency adjourned at 8:50 p.m. to a Joint Regular Meeting of the City Council/Redevelopment Agency to be held on Thursday, March 24, 2011, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Dennis R. Norton, Mayor
Redevelopment Agency Chairperson

ATTEST:

_____, MMC
Pamela Greeninger, City Clerk
Redevelopment Agency Secretary



CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 14, 2011

FROM: COMMUNITY DEVELOPMENT DIRECTOR
DATE: APRIL 8, 2011
SUBJECT: PLANNING COMMISSION ACTION MINUTES OF APRIL 7, 2011

- 1. ROLL CALL AND PLEDGE OF ALLEGIANCE**
Commissioners Graves, Newman, Smith and Chairperson Ortiz
Absent: Commissioner Routh
Staff: Community Development Director Johnson
Senior Planner Bane
Minute Clerk Uharriet

- 2. ORAL COMMUNICATIONS**
 - A.** Additions and Deletions to Agenda - NONE
 - B.** Public Comments - NONE
 - C.** Commission Comments

Chairperson Ortiz requested clarification of the public noticing procedure.
Commissioner Graves requested that on-site posting be more visible.

- D.** Staff Comments - NONE

- 3. APPROVAL OF MINUTES**
 - A.** March 3, 2011 Regular Planning Commission Meeting

APPROVED WITH CHANGES, 4-0

Commissioner Graves: Page 2, first line: ~~NEWMAN~~, and Page 6, fifth paragraph: Commission Graves stated that due to the slope of the property and the height of the existing fence, ~~or~~ no additional landscaping, would suffice to address the privacy issues.

4. CONSENT CALENDAR

- A. 4930 CLIFF DRIVE #11-007 APN: 034-052-17**
Coastal Permit and Design Permit to stabilize an existing foundation and extend a deck for a single-family residence in the CV (Central Village) Zoning District.
This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
Environmental Determination: Categorical Exemption
Property Owner: Leslie A Paulides, filed 1/19/11
Representative: Ifland Engineers, Jon Ifland

APPROVED 4-0

5. PUBLIC HEARINGS

- A. 119 CENTRAL AVENUE #11-011 APN: 036-112-04**
Design Permit for a remodel and minor addition to an existing two-story single-family residence in the R-1 (Single-Family Residence) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Greg & Dawn Harms, filed 1/26/11
Representative: Derek Van Alstine

APPROVED WITH ADDITIONAL CONDITION 3-1, CHAIRPERSON ORTIZ DISSENTING.

Condition 10. The rear deck shall be reduced to no greater than 4'-0" in width.

- B. 509 BAY AVENUE #11-020 APN: 035-302-17**
Design Permit to remodel an existing retail market and deli, including exterior modifications to the façade and a sign permit for a new wall and monument sign in the CN (Neighborhood Commercial) Zoning District.
Property Owner: Chi Day Hyun & Chi Soon O / Filed 2/25/11
Representative: Dennis Norton Design

APPROVED WITH ADDITIONAL CONDITIONS 3-0. CHAIRPERSON ORTIZ RECUSED.

Condition 7. The final landscape plan submitted with the building permit application shall include the specific number of plants of each type and their size, as well as the irrigation system to be utilized. ~~A drip irrigation system shall be incorporated as part of the landscape plan.~~ All landscaping shall be maintained to the standard of initial installation.

Condition 9. Final signage shall be reviewed and approved by the Community Development Director and shall eliminate all reference to products being sold. Lighting shall be halo type lighting or other approved non-internally illuminated lighting.

Condition 10. The applicant shall maintain or replace the awning when it fails or begins to show significant signs of wear and tear.

C. 3801 CLARES STREET #11-024 APN: 034-261-47
Conditional Use Permit for a medical office use (dialysis clinic) in the CC (Community Commercial) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Capitola Roth Investments, LLC, filed 3/9/11
Representative: Barry Maners, Entos Design

DENIED 3-1, COMMISSIONER GRAVES DISSENTING.

D. 201 ESPLANADE #11-028 APN: 035-211-05
Amendment to a Conditional Use Permit to allow a take-out window at an existing restaurant (Mr. Kebab) in the CV (Central Village) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: J. Xavier Sanchez, filed 3/16/11
Representative: Amjad Al Asud

DENIED 3-1, COMMISSIONER GRAVES DISSENTING.

E. 720 CAPITOLA AVENUE #11-029 APN: 036-062-11
Amendment to a Conditional Use Permit to allow for the sale and dispensing of alcoholic beverages for consumption upon the premises of an approved restaurant, and a variance to setback for a small addition to an existing commercial building in the AR/CN (Automatic Review/Neighborhood Commercial) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Bruce Canepa
Representative: Manuel Monjaraz, filed 3/22/11

APPROVED 3-0, CHAIRPERSON ORTIZ RECUSED.

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

Adjourn to a Regular Meeting of the Planning Commission to be held on Thursday, May 5, 2011 at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.



Item #: **5.A.**

CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 14, 2011

FROM: DEPARTMENT OF PUBLIC WORKS

DATE: APRIL 1, 2011

SUBJECT: CAPITOLA VILLAGE PARKING STRUCTURE PLANNING PROJECT AND
TRAFFIC IMPACT ANALYSIS (CONTINUED FROM MARCH 24, 2011)

DISCUSSION

This item was on the Agenda for the March 24, 2011, City Council meeting. Due to the occurrence of a Local Emergency that afternoon, this matter was continued to the next Regular Meeting to be held on April 14, 2011.

Attached is the complete City Council Agenda Report for the Meeting of March 24, 2011. There is no new information for this item.

ATTACHMENTS

Agenda Report for March 24, 2011

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.

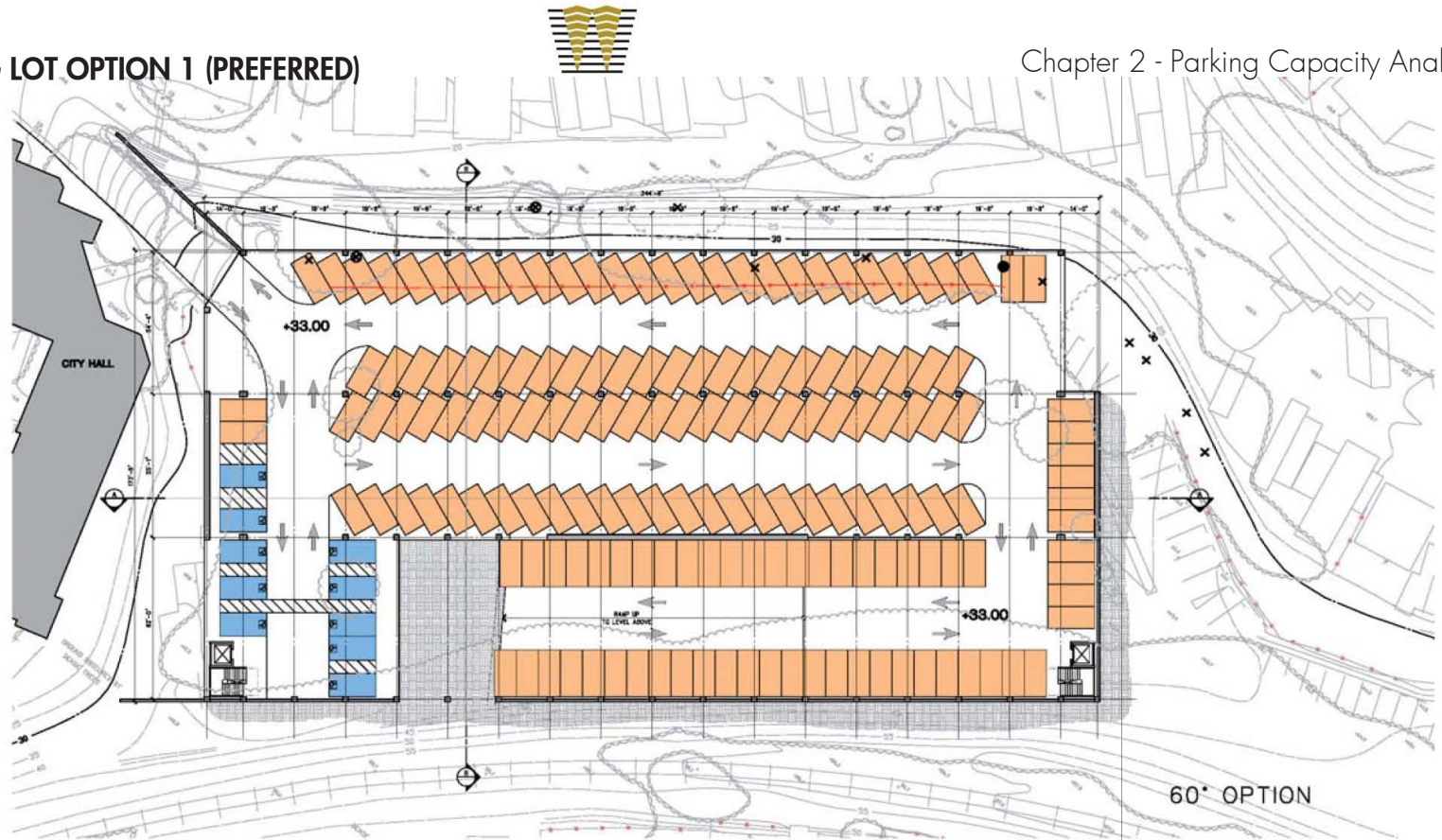
While Option 2 provides more parking spaces, it's cost per new parking space is higher due to the higher sf/stall and the level below grade. While it is possible to add a level of parking to Option 1 and add approximately 190 parking spaces. The additional level would be below grade and would make the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



GROUND LEVEL PARKING PLAN

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

Not to Scale

TREE LEGEND

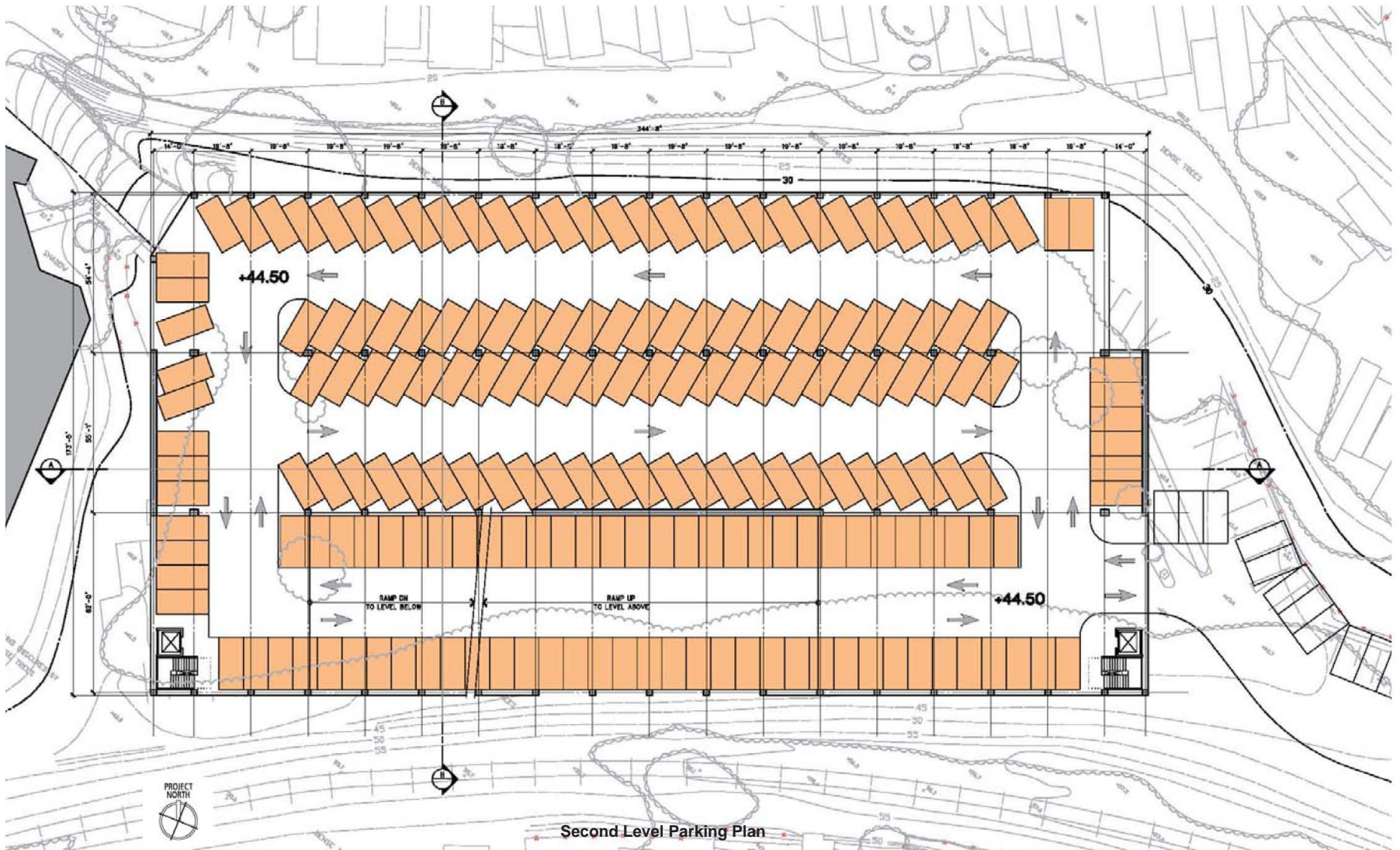
- ⊙ INDICATES REDWOOD TREE
- ✕ INDICATES OAK TREE
- INDICATES PINE TREE



3 - LEVEL						
LEVEL	UNISTALL (8'-6" 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	52,900	311
Level 2	189	0	0	189	58,900	312
Level G	162	10	0	172	56,600	328
TOTAL	521	10	0	531	168,300	317
<hr/>						
Levels G & 2	361	10	0	361	115,400	320
Level 3 w/ Valet	95	0	101	196	52,900	270
TOTAL	446	10	101	557	168,300	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)



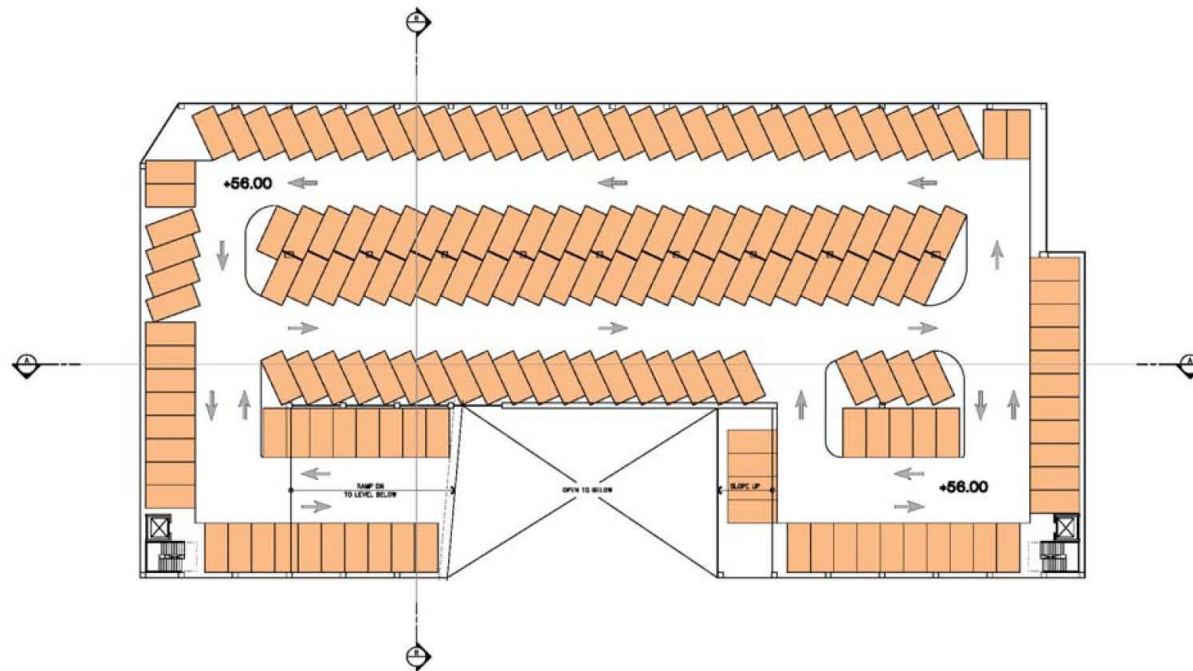
Second Level Parking Plan

Not to Scale

PACIFIC COVE PARKING LOT OPTION 1 (PREFERRED)



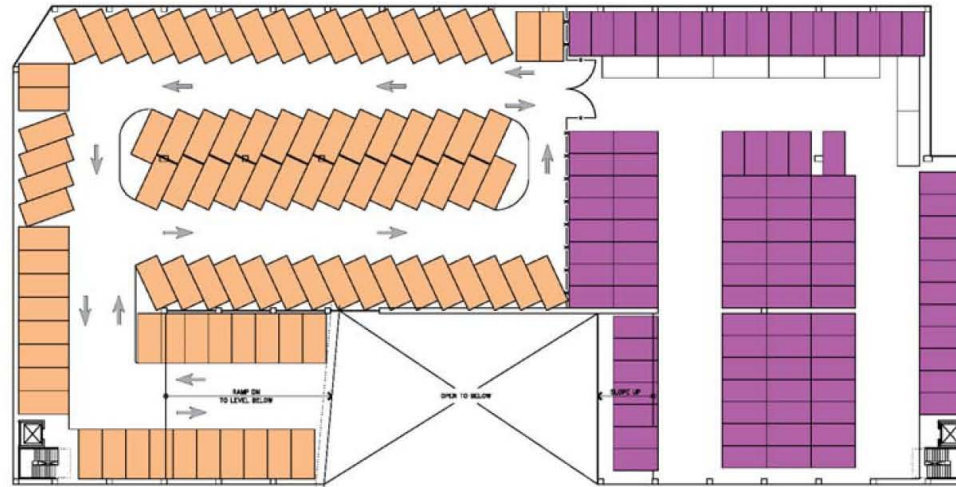
Chapter 2 - Parking Capacity Analysis



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

Not to Scale

PACIFIC COVE PARKING LOT OPTION 1 (PREFERRED)

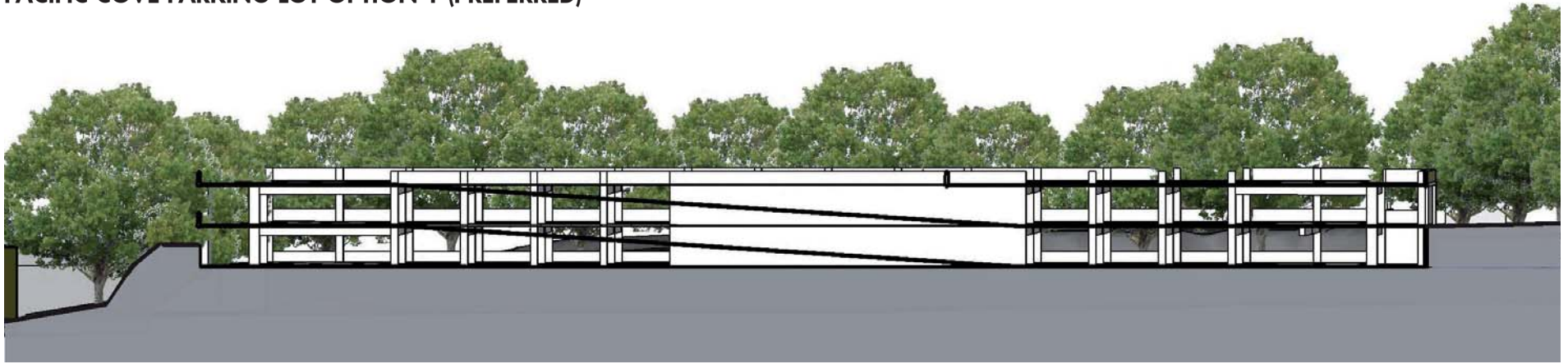


THIRD LEVEL PARKING PLAN
SCALE: 1/8" = 1'-0"

Not to Scale



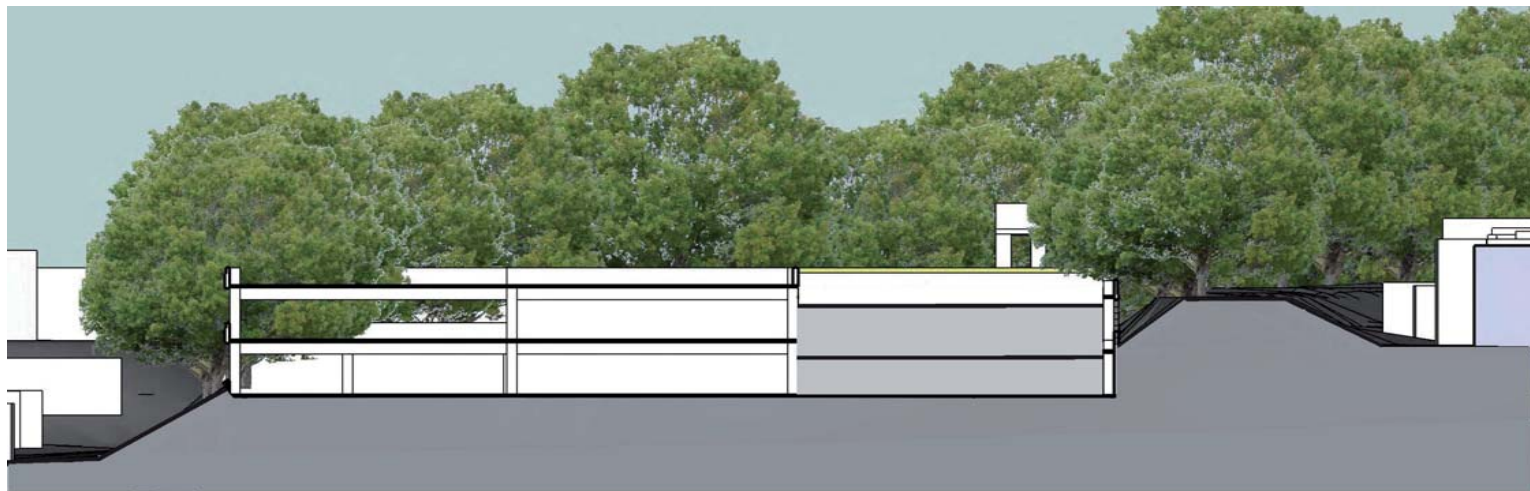
PACIFIC COVE PARKING LOT OPTION 1 (PREFERRED)



(City Hall)

(Exit to Monterey Ave)

LONGITUDINAL SECTION - Option 1



(Pacific Cove Mobile Home Park)

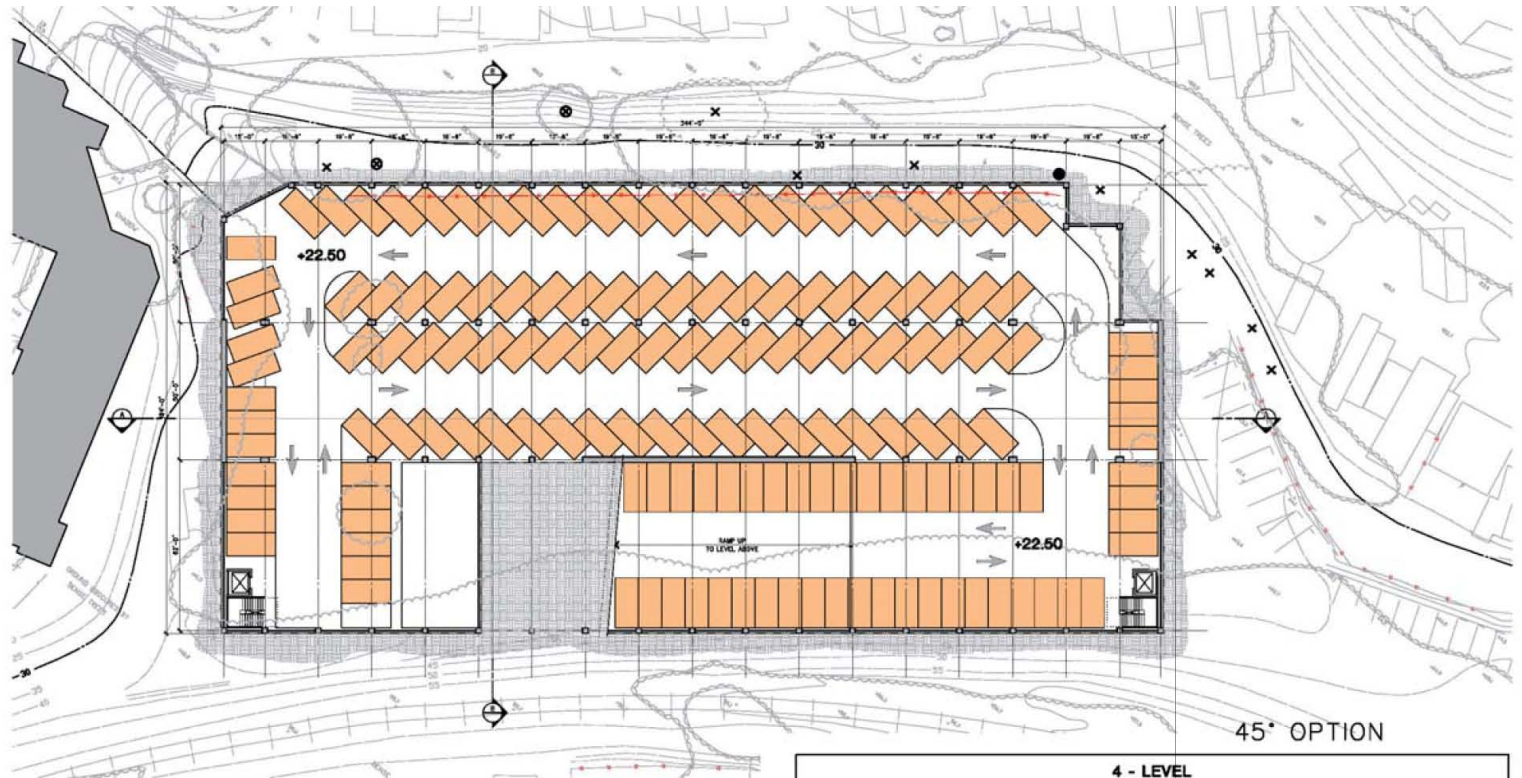
(Train Tracks)

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

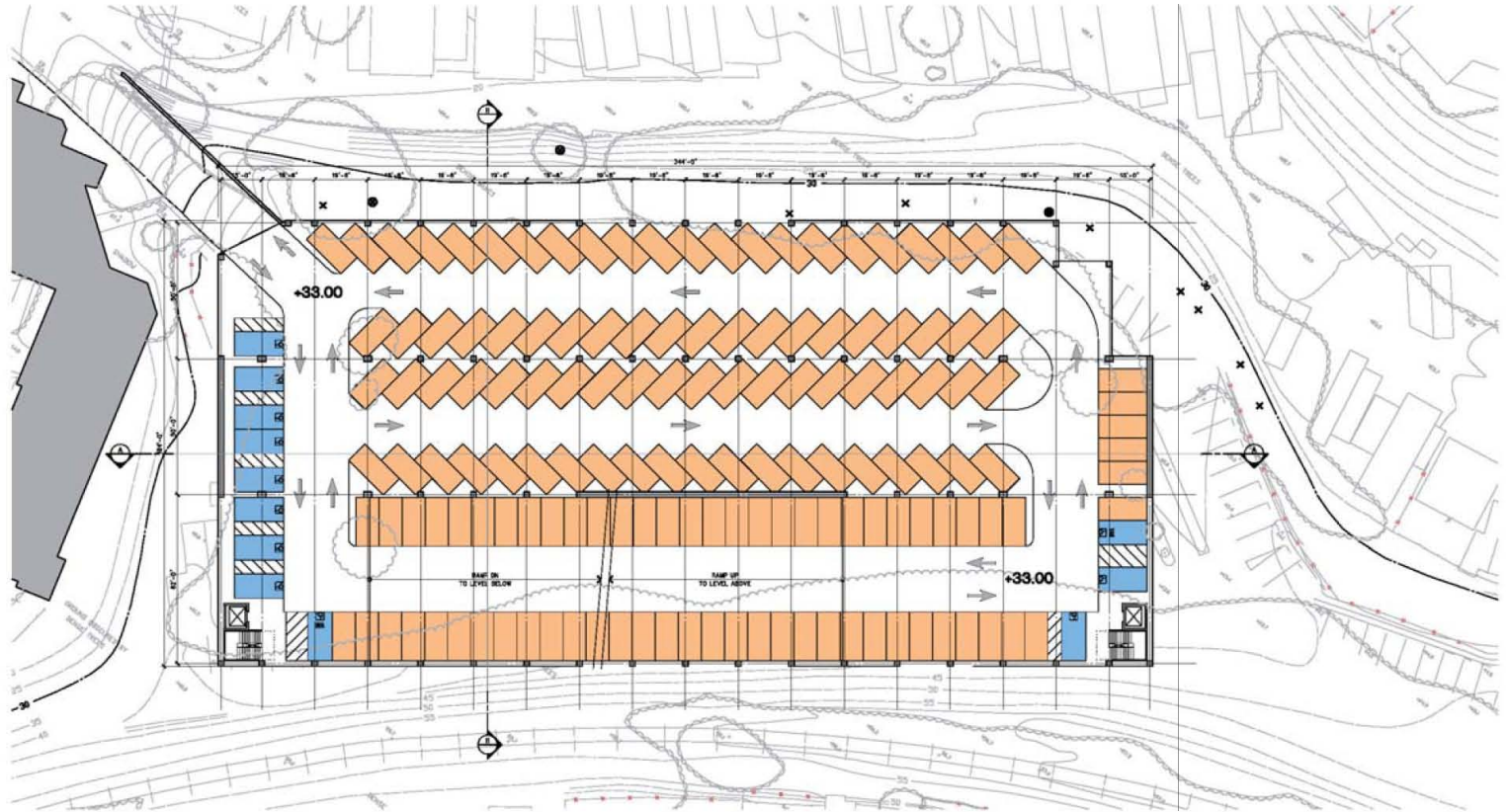
- ⊗ INDICATES REDWOOD TREE
- × INDICATES OAK TREE
- INDICATES PINE TREE



4 - LEVEL						
LEVEL	UNINSTALL (8'-6" x 18'-0")	ACCESSIBLE (9'-0" x 18'-0")	VALET (8'-0" x 16'-0")	TOTAL	AREA (SQ.FT.)	SQ. FT. / STALL
Level 3	163	0	0	163	46,100	301
Level 2	166	1	0	167	55,200	331
Level G	148	12	0	160	55,200	345
Basement	151	0	0	151	52,800	360
TOTAL	628	13	0	641	212,300	331
Levels G, 2 & 3	477	13	0	490	156,500	341
Level 3 w/ Valet	88	0	99	187	60,200	268
TOTAL	563	13	99	665	216,700	321

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

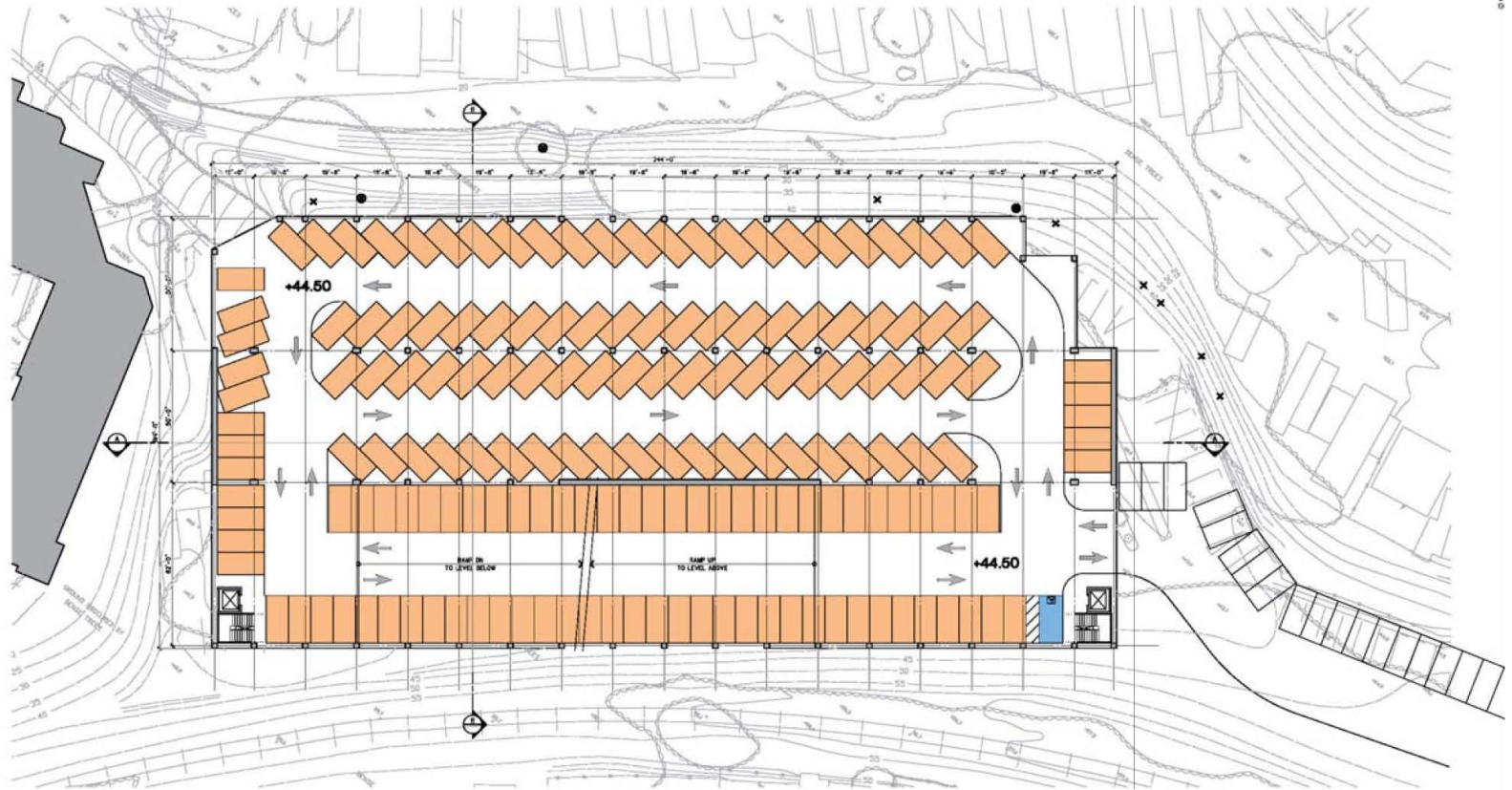
PACIFIC COVE PARKING LOT OPTION 2



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

Not to Scale

PACIFIC COVE PARKING LOT OPTION 2



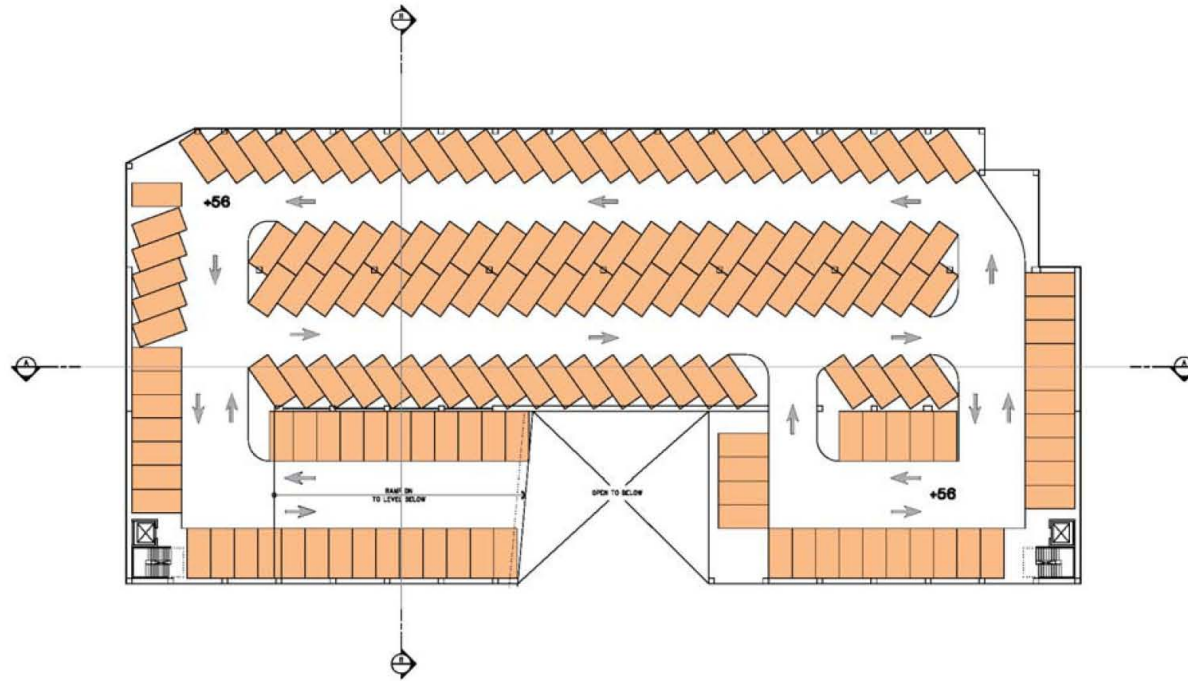
SECOND LEVEL PARKING PLAN
SCALE: 1/8" = 1'-0"

Not to Scale

PACIFIC COVE PARKING LOT OPTION 2



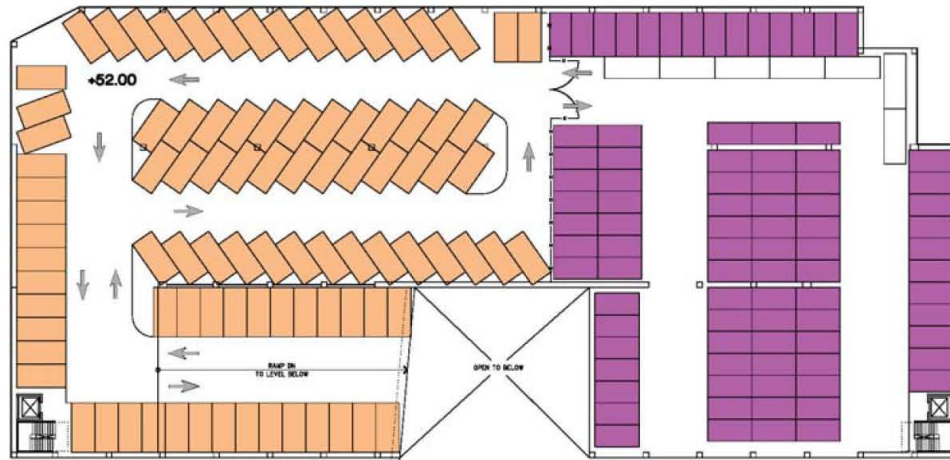
Chapter 2 - Parking Capacity Analysis



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

Not to Scale

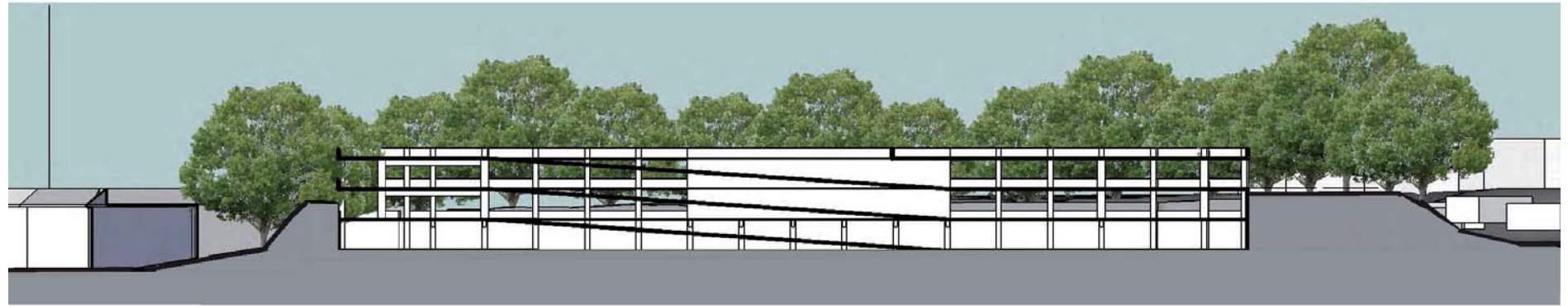
PACIFIC COVE PARKING LOT OPTION 2



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

Not to Scale

PACIFIC COVE PARKING LOT OPTION 2



(City Hall)

(Exit to Monterey Ave)

LONGITUDINAL SECTION - Option 2



(Pacific Cove Mobile Home Park)

(Train Tracks)

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.

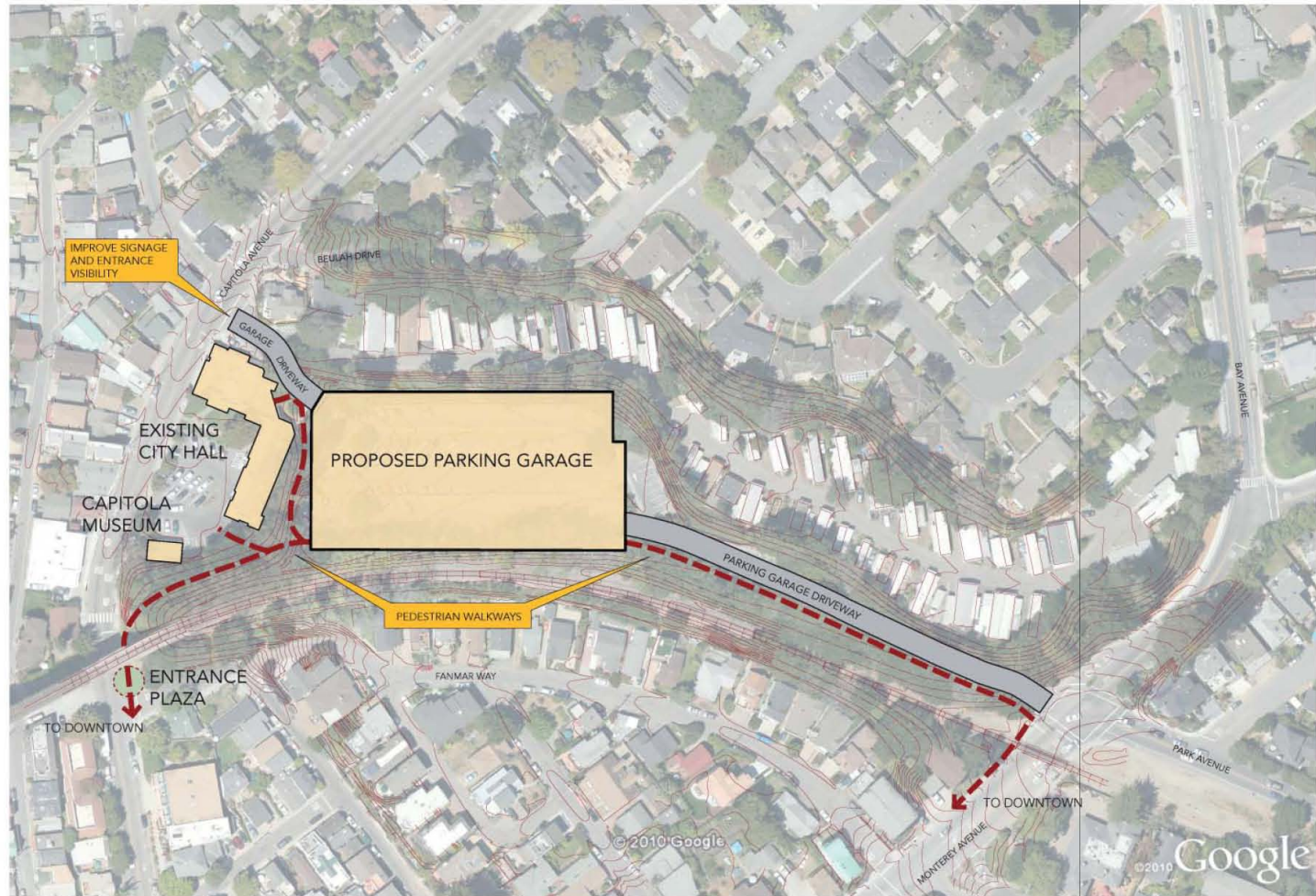
Visualization

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





February 18, 2011

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

FIELD
PAOLI

Page 21



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		
Rails, 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	check		
Escalation	8%	\$ 1,036,887	\$ 13,997,968	OK		
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

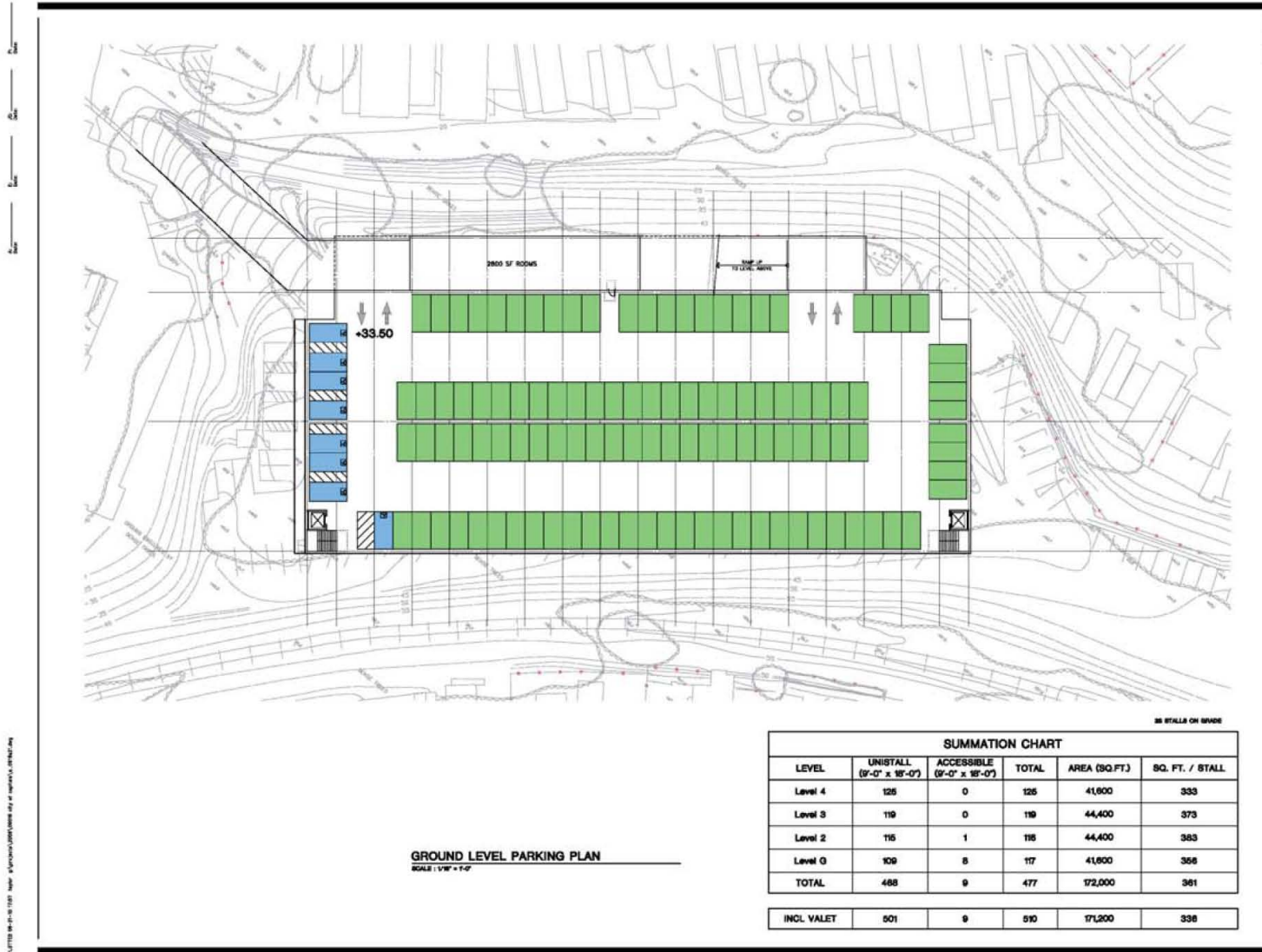
	TOTAL STALLS	TOTAL SQ. FT.	SQ. FT./STALL	NET NEW STALLS	TOTAL STALLS W/ VALET	NET NEW STALLS W/ VALET	Construction COST	COST/STALL no valet	COST/NET NEW STALL no valet	COST/SQ. FT
OPTION A	477	171,200	359	268	501	292	\$10,500,000	\$22,013	\$39,179	\$61
OPTION B	469	171,200	365	260	501	292	\$12,800,000	\$27,292	\$49,231	\$75
OPTION C	501	166,600	333	292	518	309	\$10,000,000	\$19,960	\$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	\$20,669	\$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



WATKIN DESIGN, INC.
1700 Newport Blvd, Suite 210
Newport City, California 94662
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Fax: 415.253.8101
E-mail: info@watkin-design.com
www.watkin-design.com

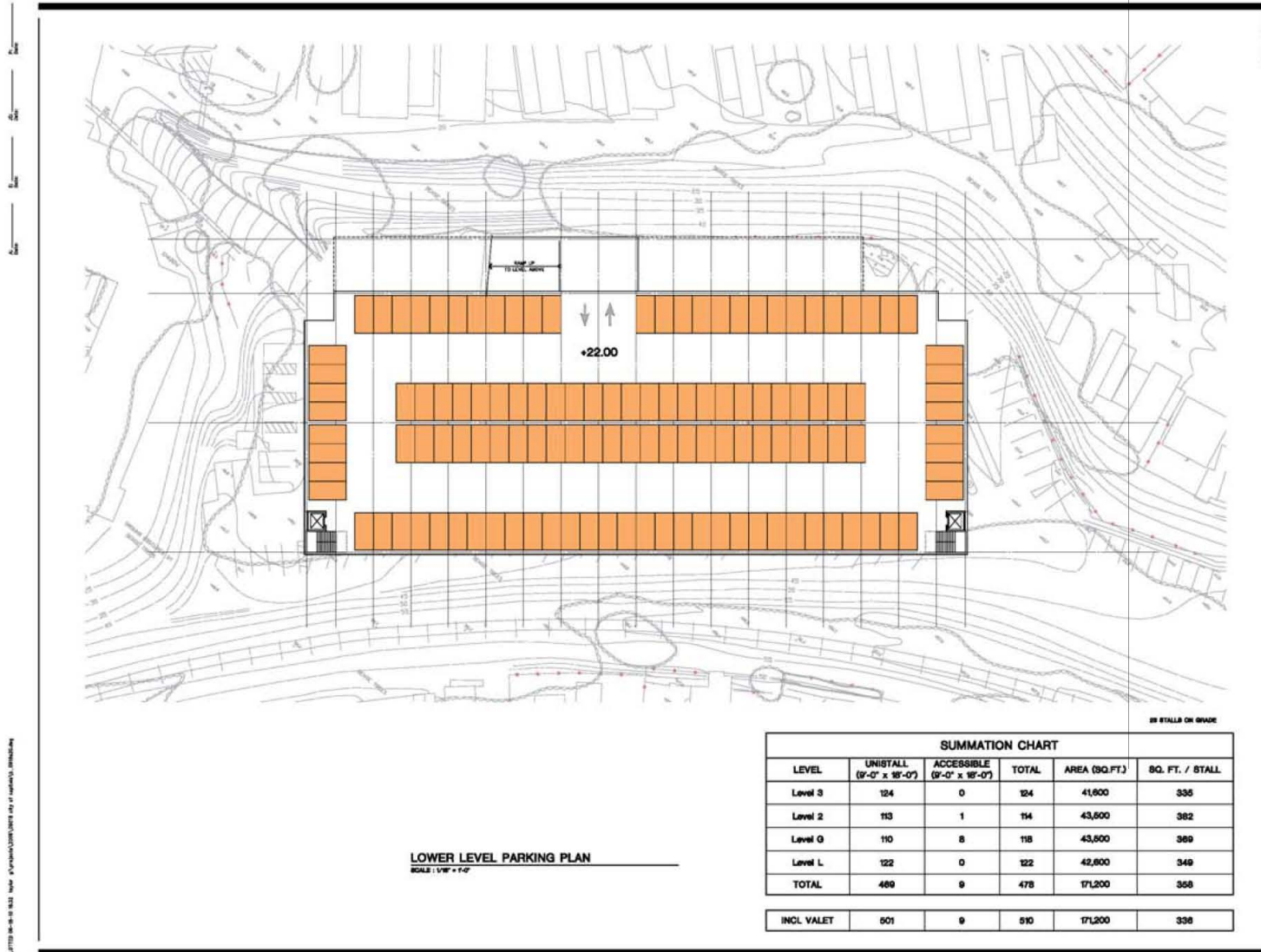
GROUND LEVEL PARKING PLAN
**CITY OF CAPITOLA
PARKING STRUCTURE**
CAPITOLA, CALIFORNIA

**CONCEPT
DESIGN**

OPT A

JOB NO : 0908
DATE : 08-23-10
DESIGN : CHICE
DRAWN : CHICE
CHECKED BY : WEICKLER
FILE NAME : A_090808
REV

A2.1



Architect - Engineers - Safety Planners
WATKY DESIGN, INC.
1122 Newport Blvd, Suite 202
Redwood City, California 94063
Tel: 650.226.4300
Fax: 650.226.8111
E-mail: info@watky-design.com
www.watky-design.com

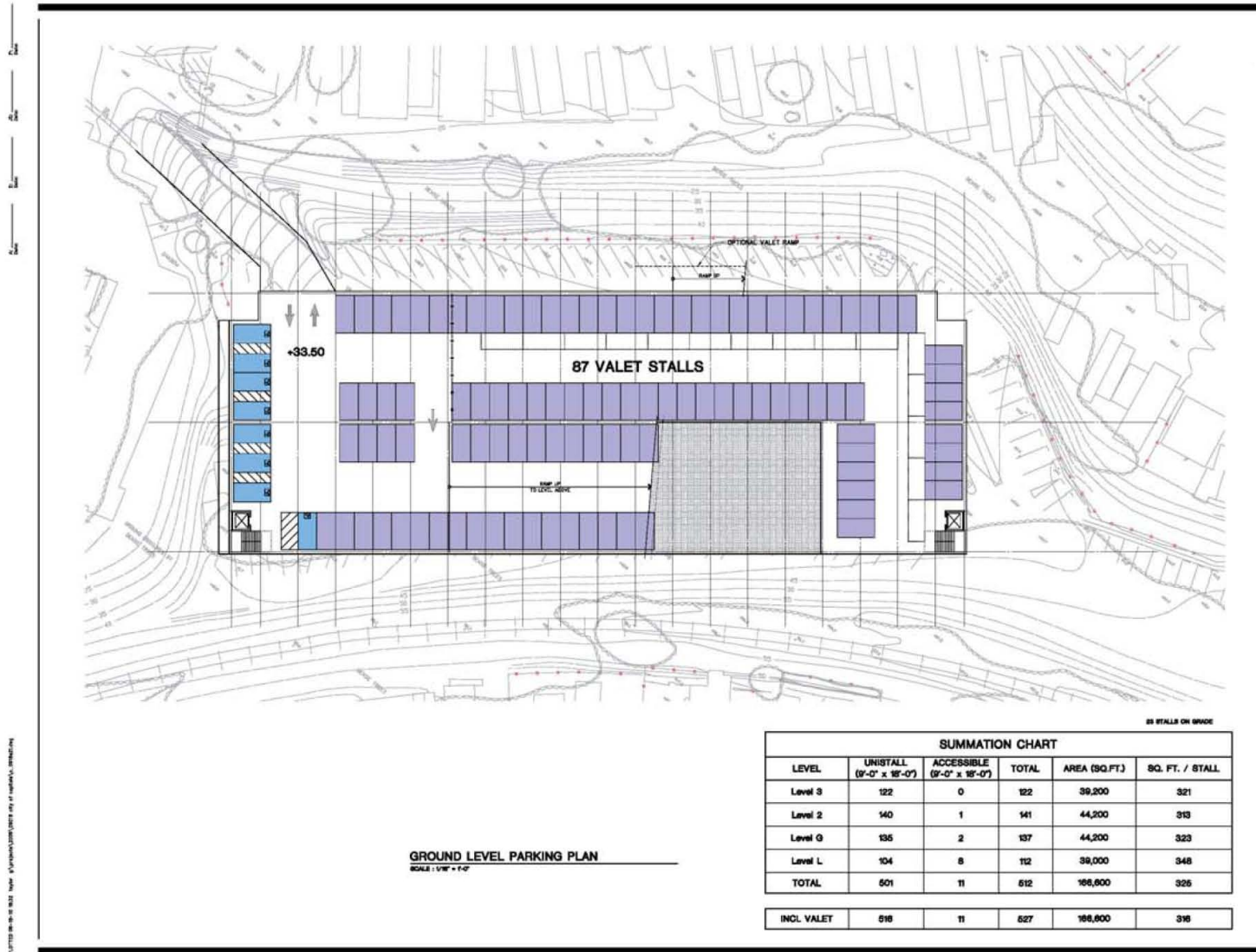
LOWER LEVEL PARKING PLAN
**CITY OF CAPITOLA
PARKING STRUCTURE**
CAPITOLA, CALIFORNIA

**CONCEPT
DESIGN**

OPT B

JOB NO : 0508
DATE : 06-23-10
DESIGN : CHICE
OWNER : CHICE
CHECKED BY : WENGLER
FILE NAME : R_DWG003
SHEET

A2.0



88 STALLS ON GRADE

SUMMATION CHART					
LEVEL	UNINSTALL (9'-0" x 18'-0")	ACCESSIBLE (9'-0" x 18'-0")	TOTAL	AREA (SQ.FT.)	SQ. FT. / STALL
Level 3	122	0	122	39,200	321
Level 2	140	1	141	44,200	313
Level 0	135	2	137	44,200	323
Level L	104	8	112	39,000	348
TOTAL	501	11	512	166,600	325
INCL VALET	518	11	527	166,800	316

Architect : Engineers : Safety Planners
WATKINS DESIGN, INC.
 1702 Newport Blvd, Suite 200
 Redwood City, California 94063
 Tel: 650.353.9100
 Fax: 650.353.9101
 E-mail: info@watkinsdesign.com
 www.watkinsdesign.com

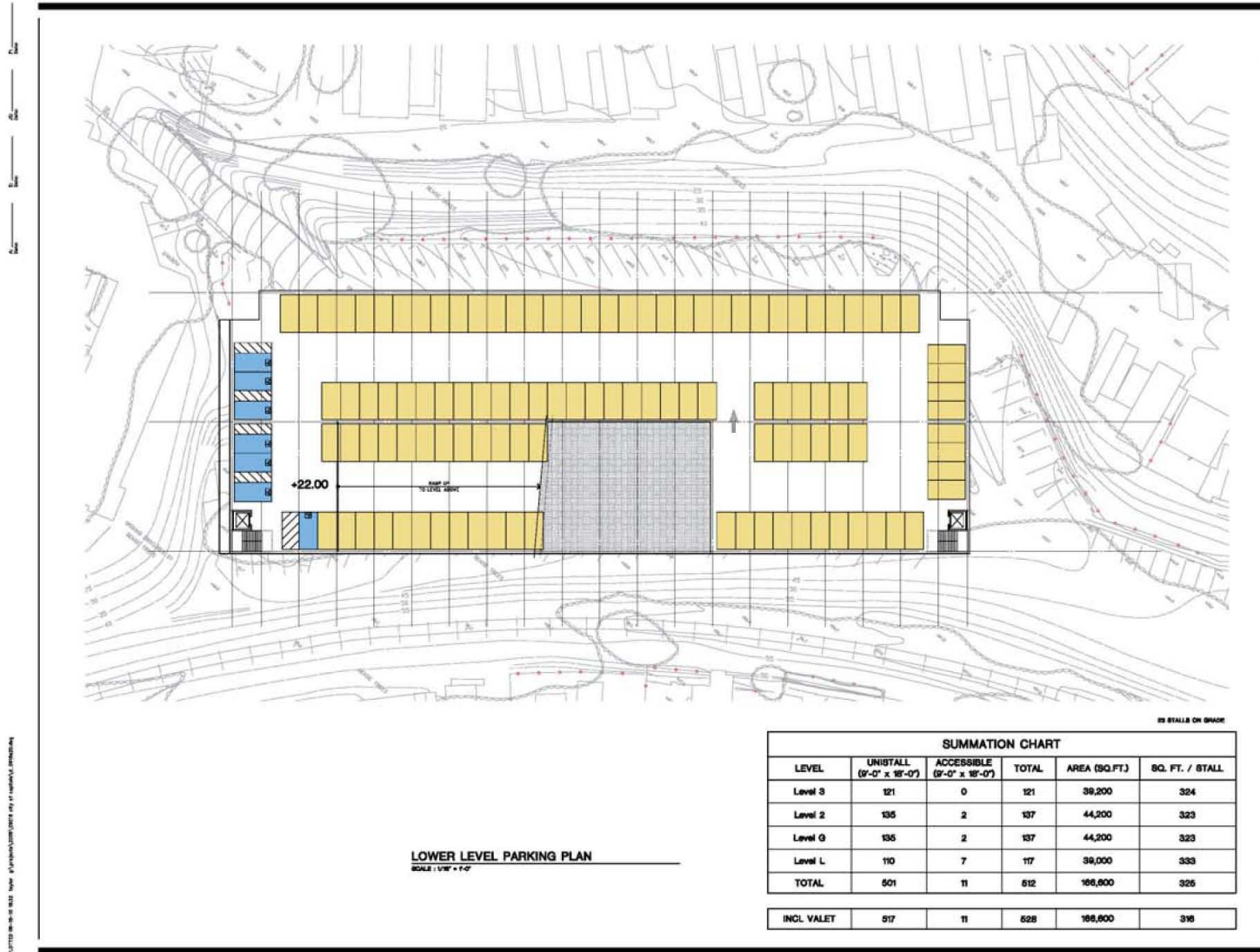
GROUND LEVEL PARKING PLAN
**CITY OF CAPITOLA
 PARKING STRUCTURE**
 CAPITOLA, CALIFORNIA

**CONCEPT
 DESIGN**

OPT C

JOB NO : 0808
 DATE : 04-23-11
 DESIGN : CHOC
 DRAWN : CHOC
 CHECKED BY : WICKLER
 FILE NAME : C:\DESIGN\

A2.1



WATKY DESIGN, INC.
1700 North Elm, Suite 210
Anaheim, CA, California 92817
Tel: 714.224.8800
Fax: 714.224.8801
E-mail: wdky@wdky.com
www.wdky.com

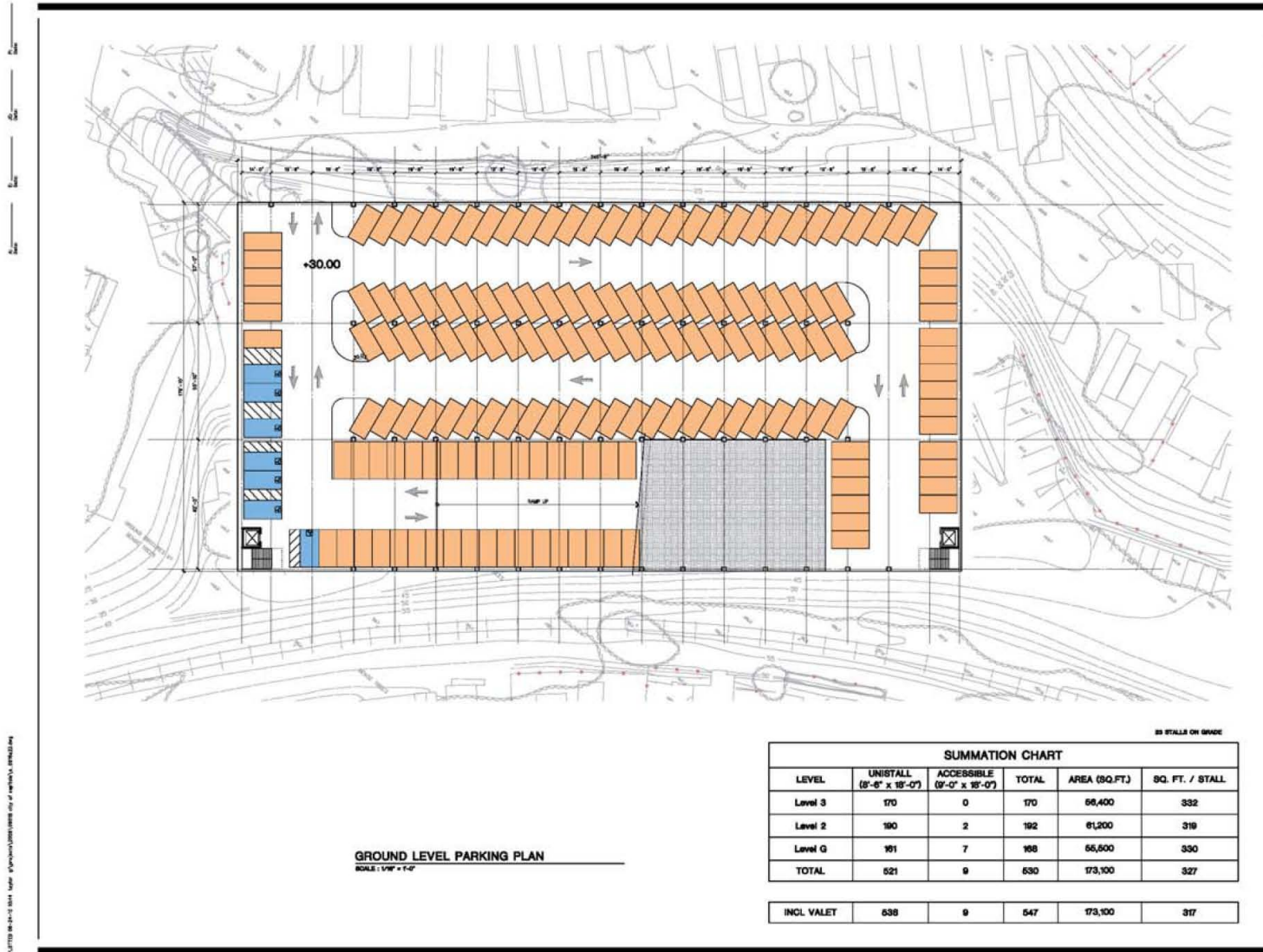
LOWER LEVEL PARKING PLAN
CITY OF CAPITOLA
PARKING STRUCTURE
CAPITOLA, CALIFORNIA

CONCEPT
DESIGN

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SUMMATION CHART

LEVEL	UNINSTALL (8'-0" x 15'-0")	ACCESSIBLE (9'-0" x 15'-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	56,600	330
TOTAL	521	9	630	173,100	327

INCL VALET	638	9	647	173,100	317
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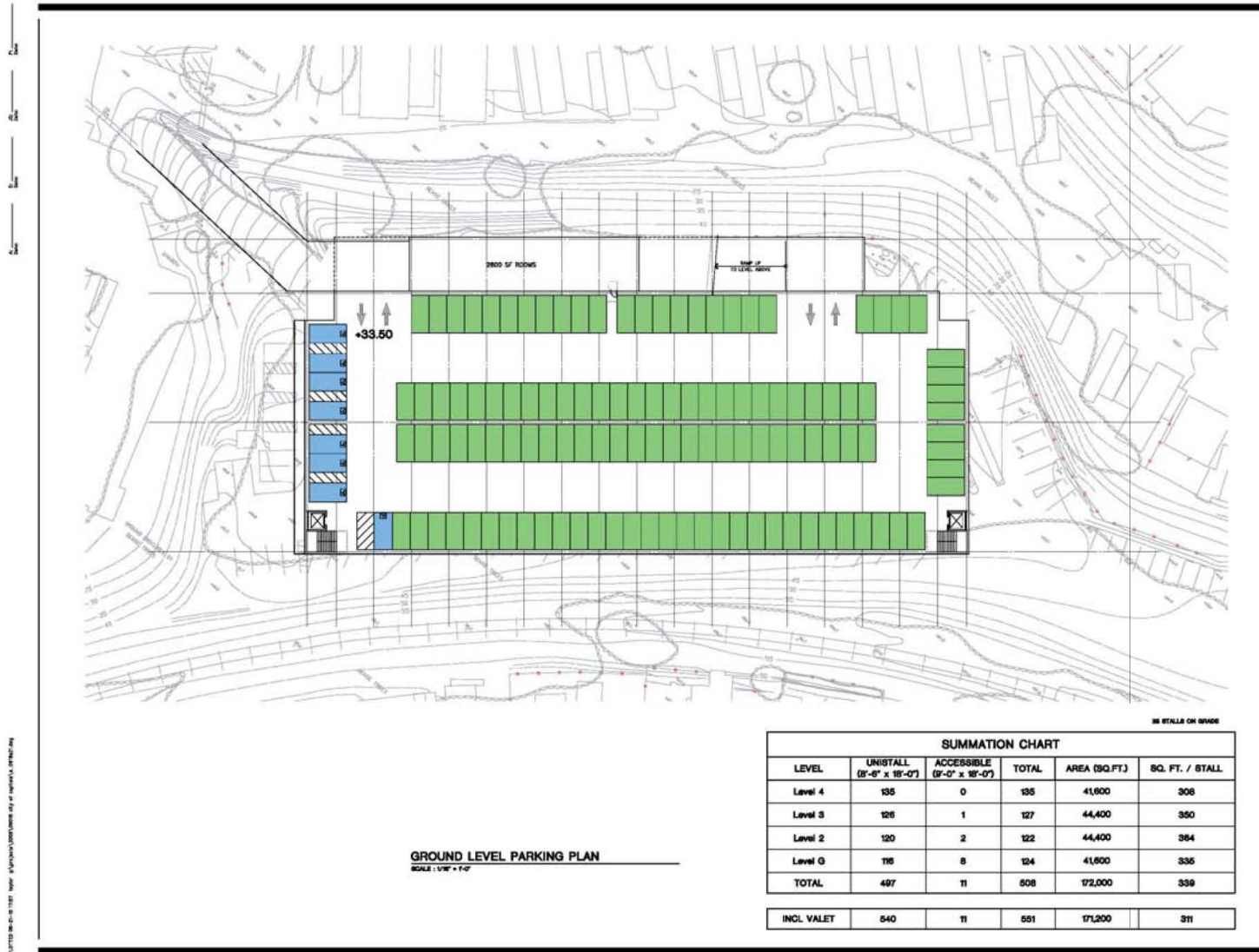
GROUND LEVEL PARKING PLAN
CITY OF CAPITOLA
PARKING STRUCTURE
CAPITOLA, CALIFORNIA

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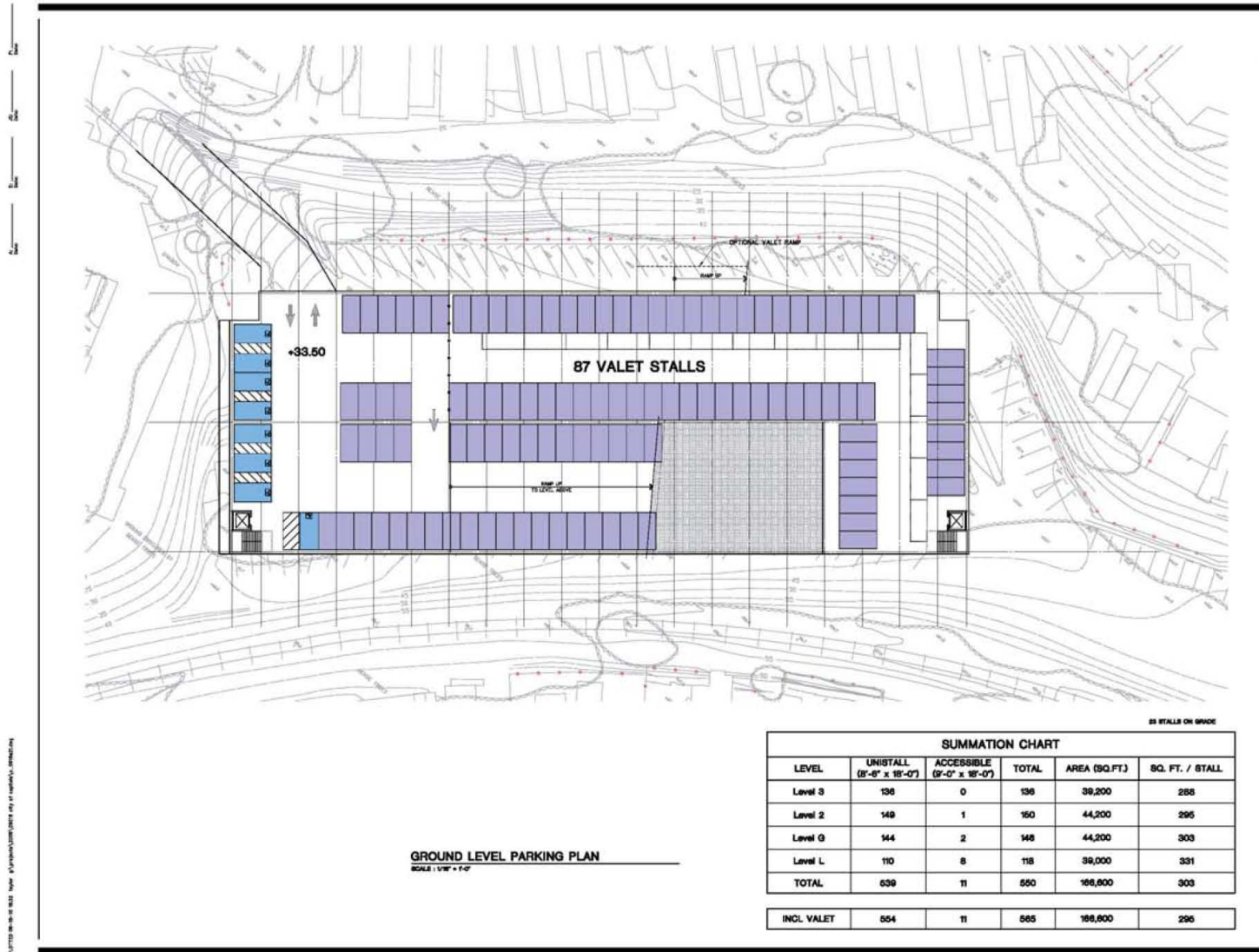
GROUND LEVEL PARKING PLAN
**CITY OF CAPITOLA
PARKING STRUCTURE**
CAPITOLA, CALIFORNIA

CONCEPT
DESIGN

OPT A2

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

CONCEPT DESIGN

OPT C2

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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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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.

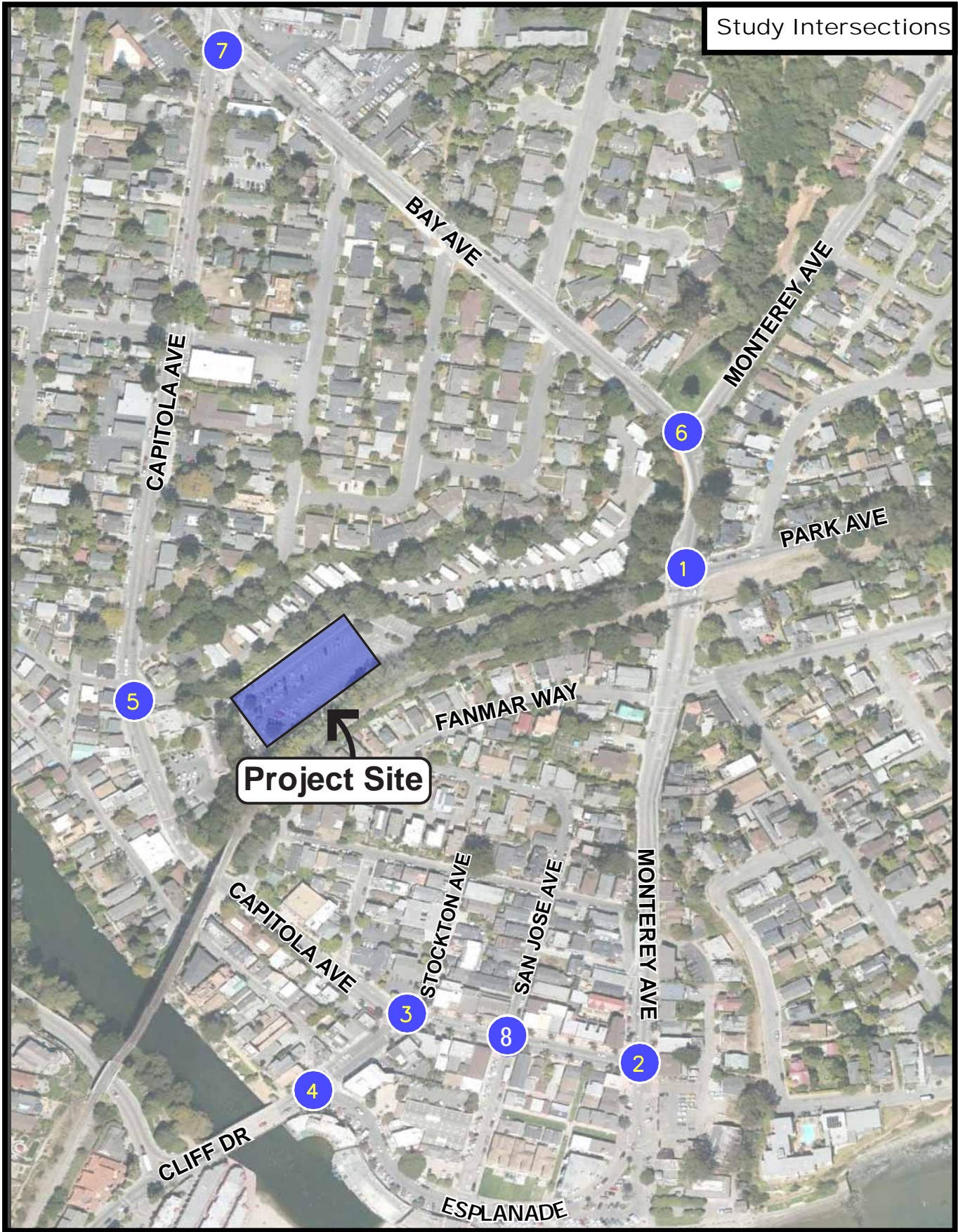
1.1 Project Description

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

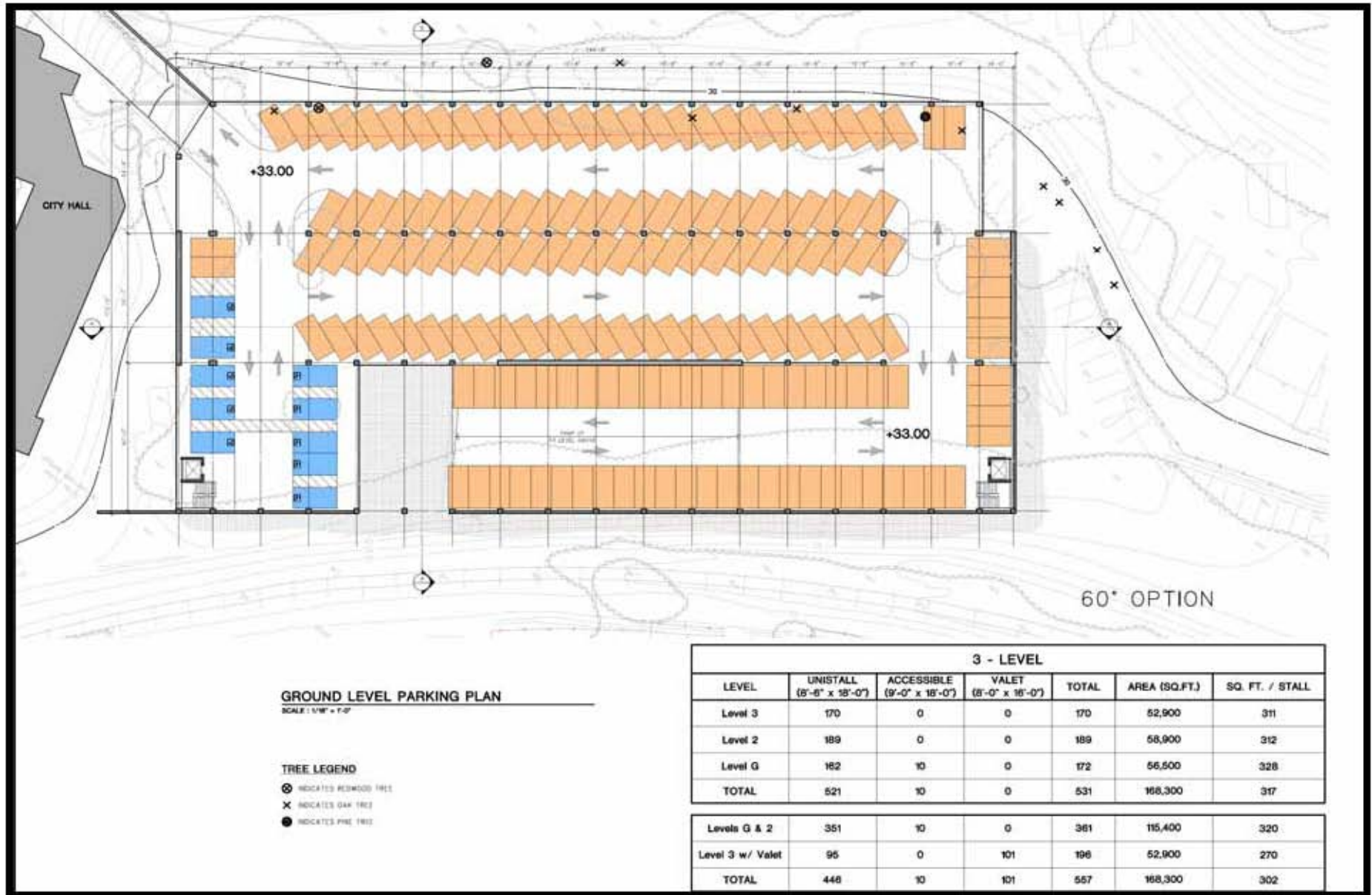


Source: RBF Consulting (2010)

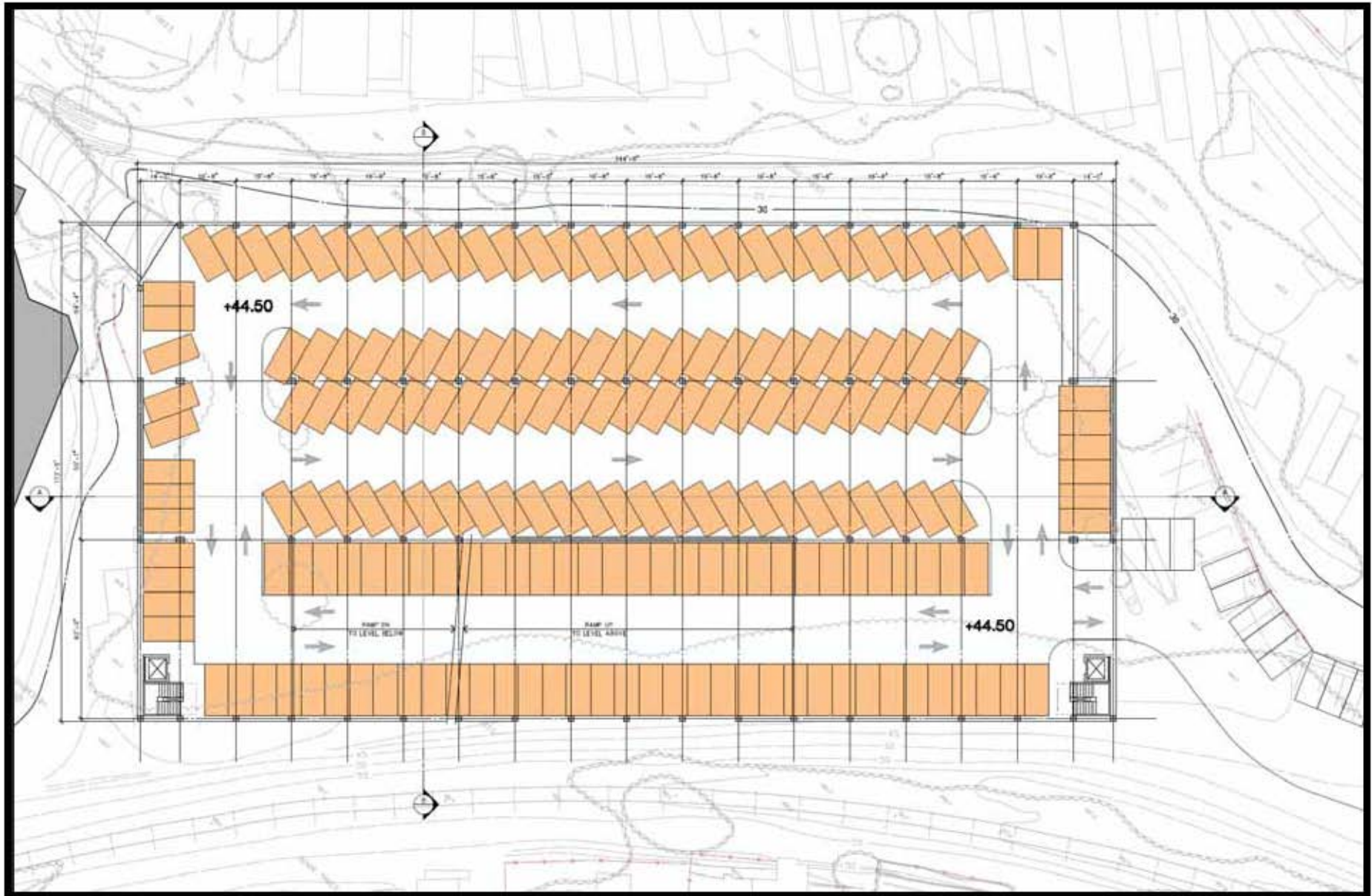


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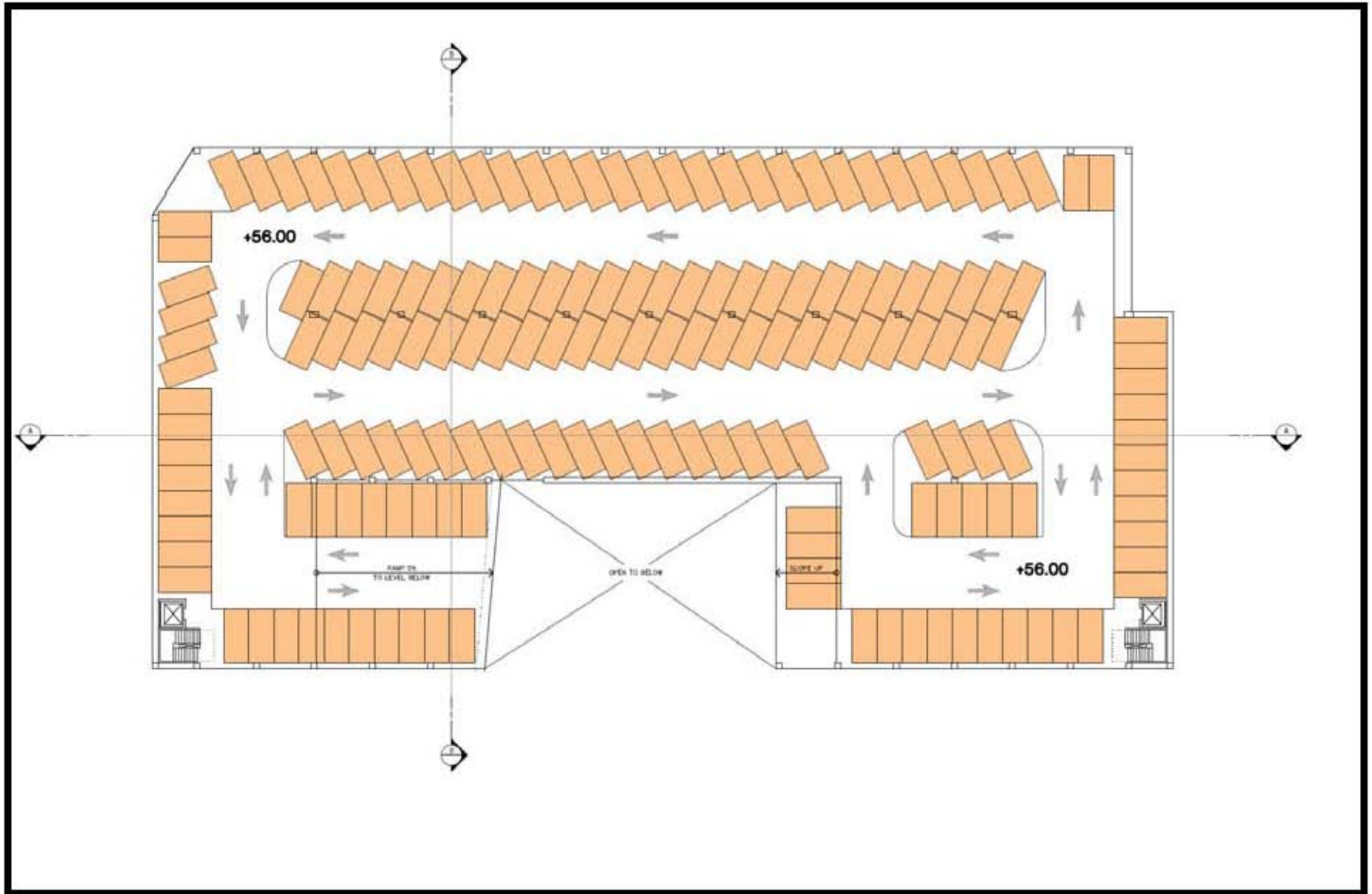
CAPITOLA VILLAGE PARKING GARAGE TRAFFIC ANALYSIS
Project Study Intersections



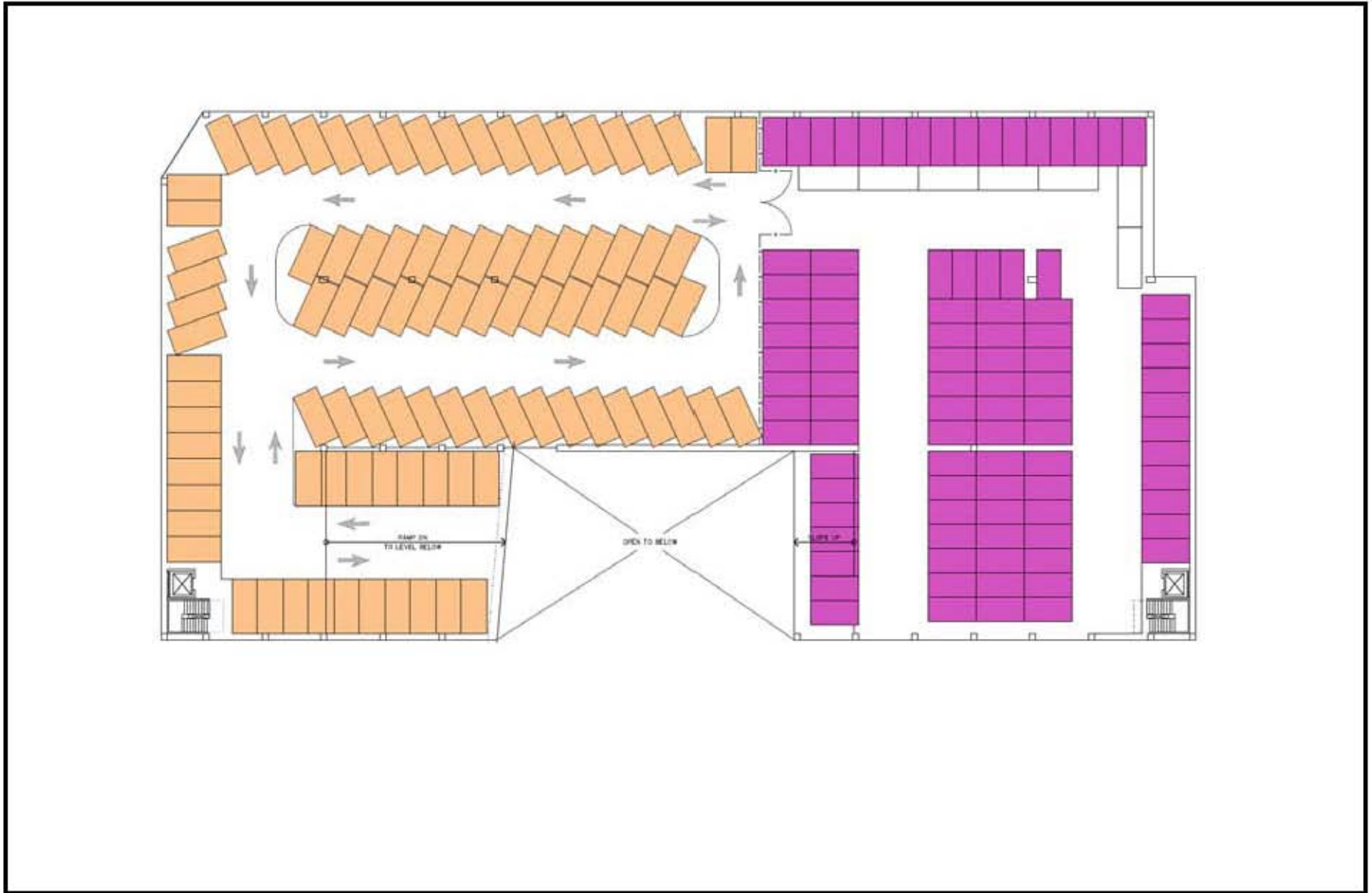
Source: Watry Parking Consultants (2010)



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"> 1. Analysis performed using 2000 Highway Capacity Manual methodologies. 2. Highlighted levels of service (LOS) represent an intersection with failing operations. 3. 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**.

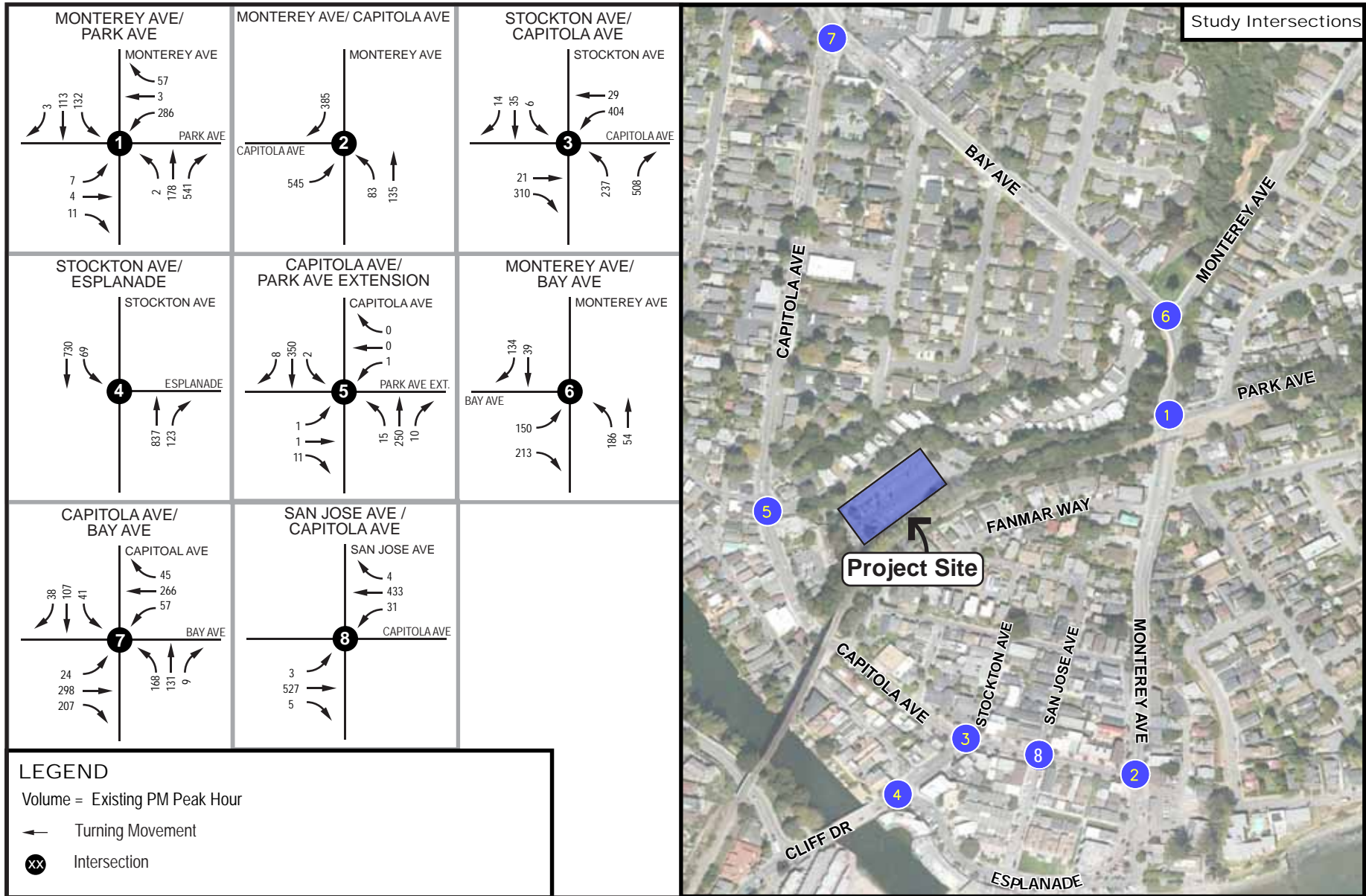
Level of service calculations were conducted for the Existing with Garage volumes. The results, as indicated in **Table 1**, show that the proposed garage would exacerbate unacceptable operations at the Monterey Avenue/Park Avenue and Stockton Avenue/Capitola Avenue intersections. The other remaining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

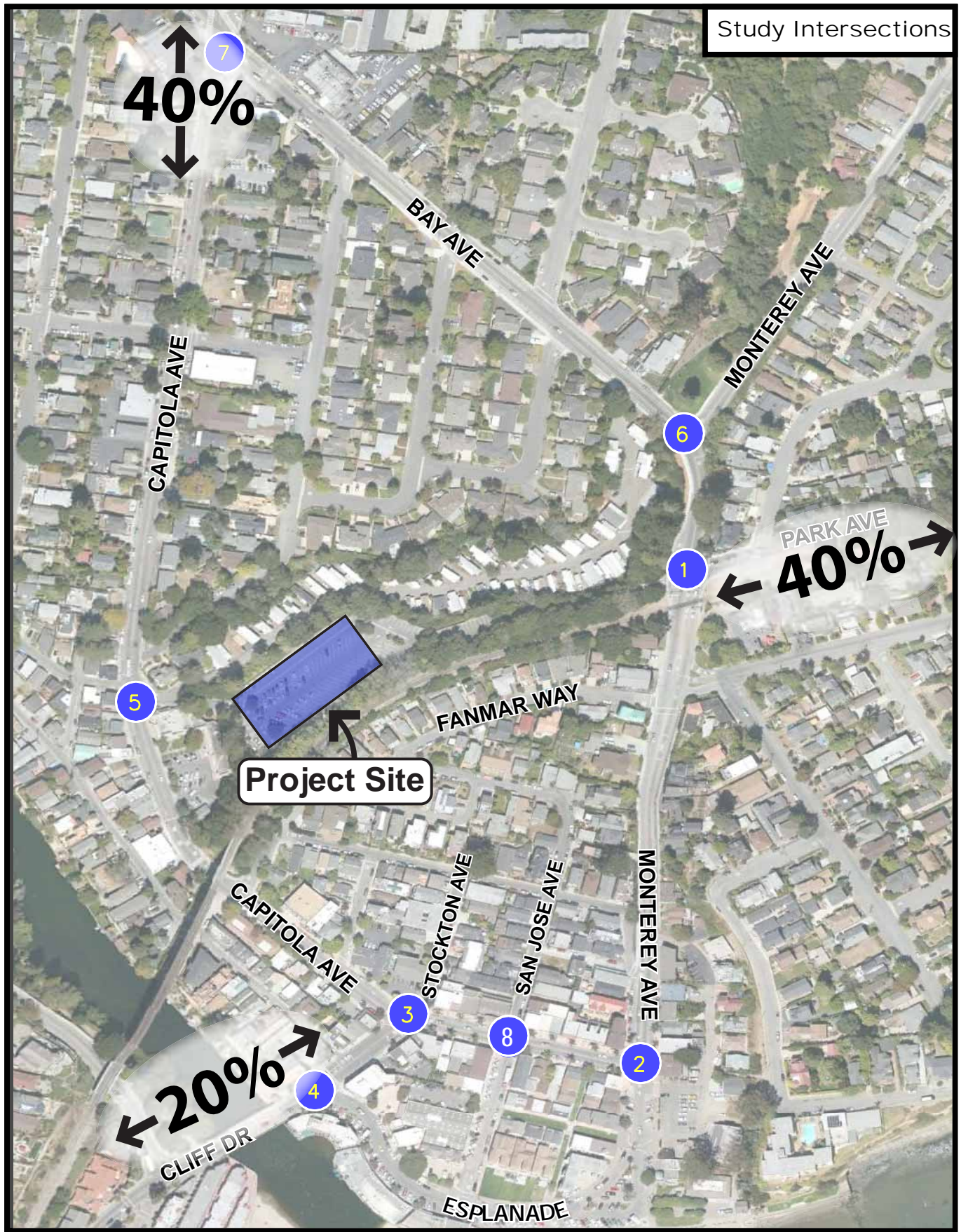


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CAPITOLA VILLAGE PARKING GARAGE TRAFFIC ANALYSIS

Existing Circulation (Existing PM Peak Hour Volumes)

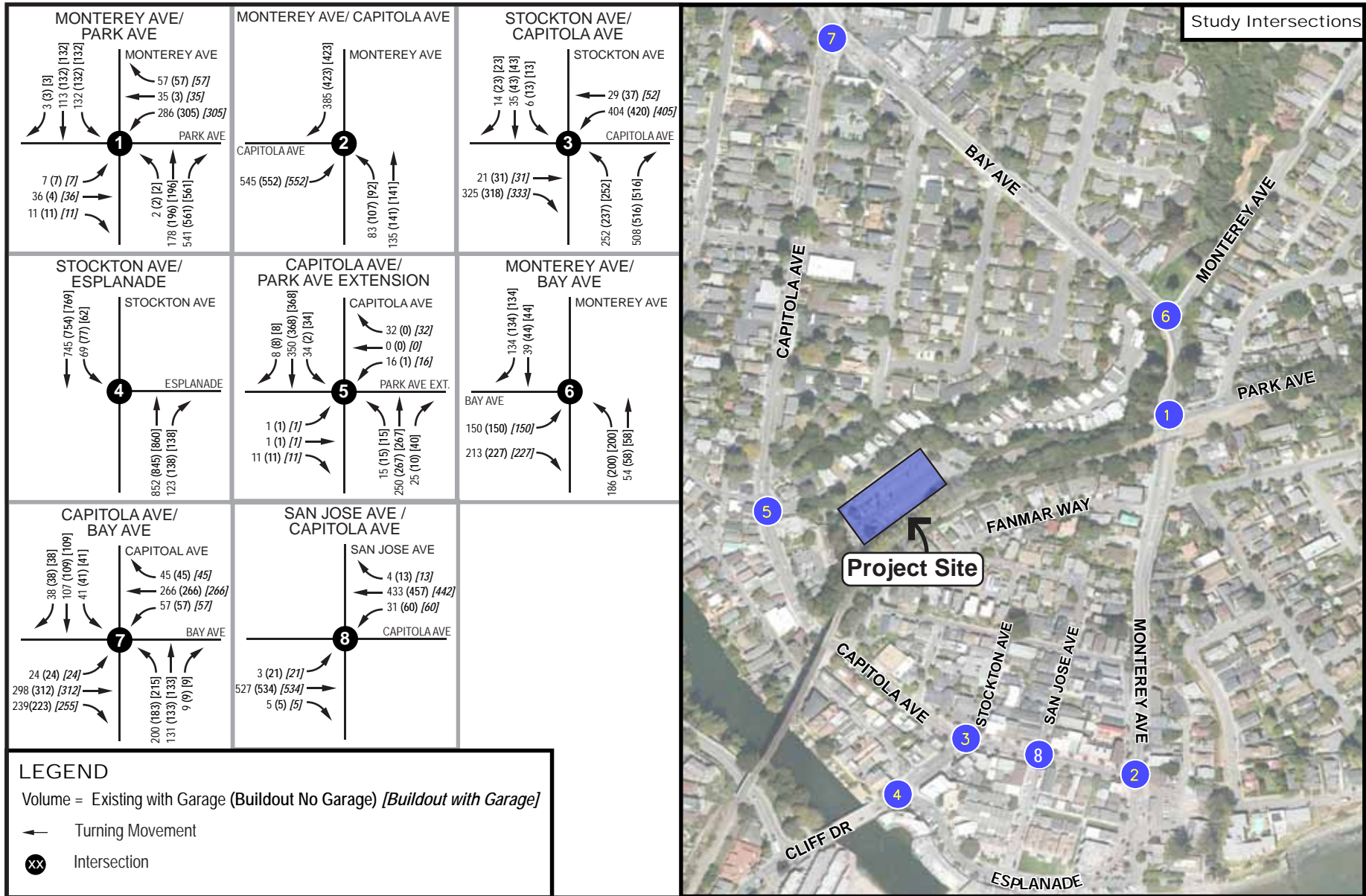
Figure 3
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Source: RBF Consulting (2010)

CAPITOLA VILLAGE PARKING GARAGE TRAFFIC ANALYSIS

Garage Trip Distribution



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.

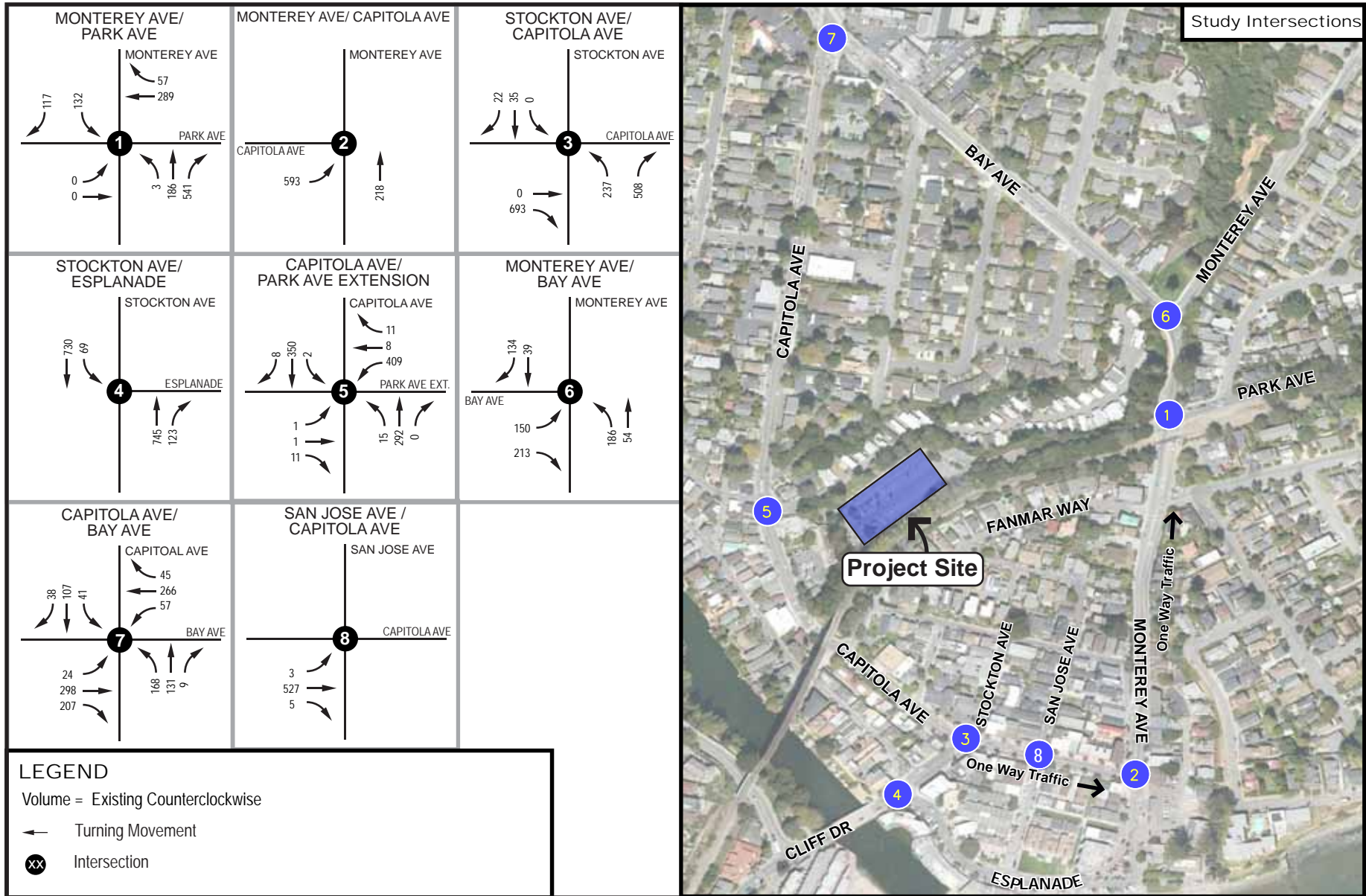
As indicated in **Table 3**, the following three intersections are projected to operate below their level of service standard:

- 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)

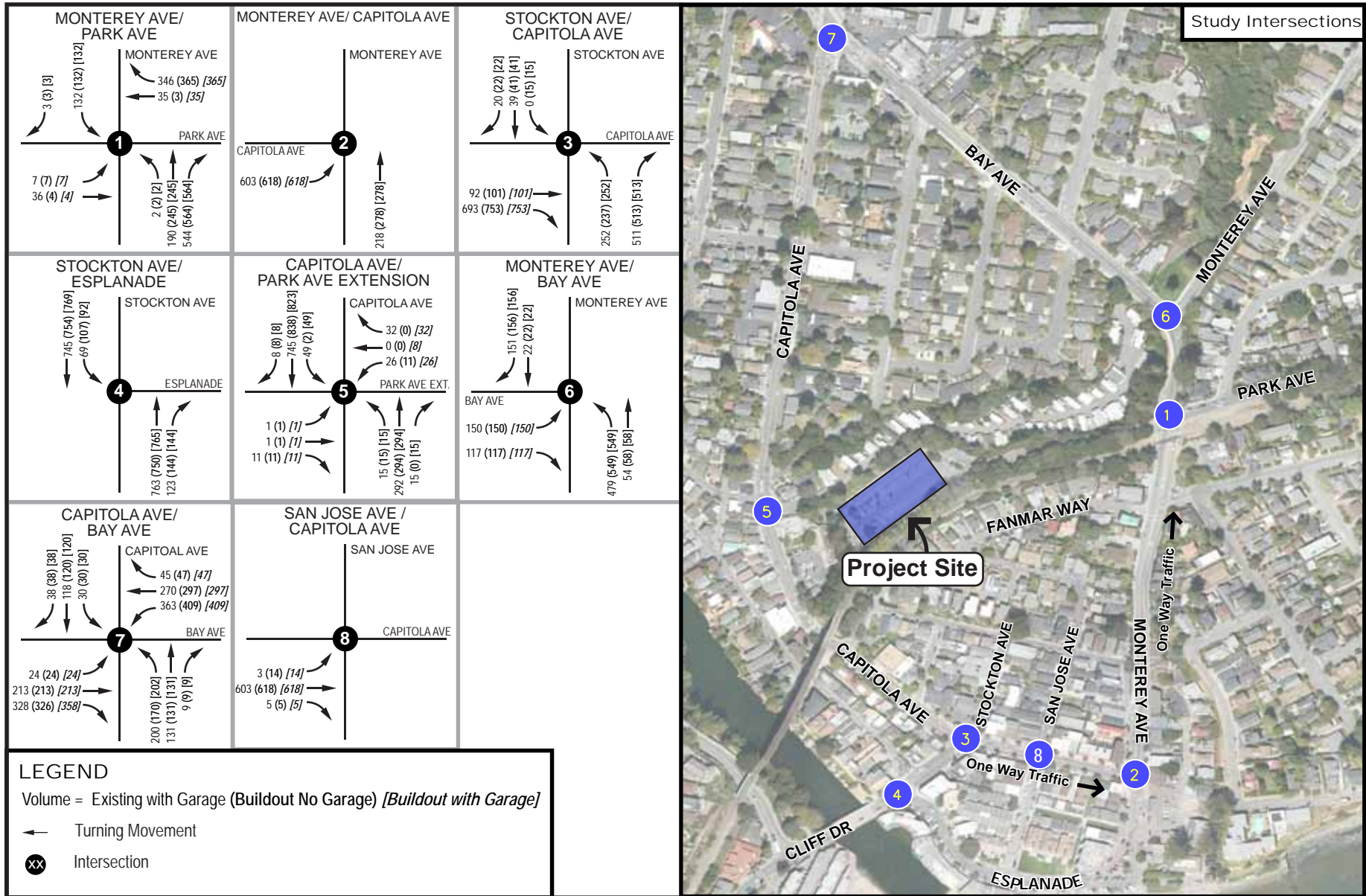


12/2/1010 JN: 70-100117

CAPITOLA VILLAGE PARKING GARAGE TRAFFIC ANALYSIS

Counter-Clockwise Circulation (Existing PM Peak Hour Volumes)

Figure 7
124



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 C Roundabout considered but withdrawn due to extensive queues.		39.0	E	44.7	E	36.4	D
				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)

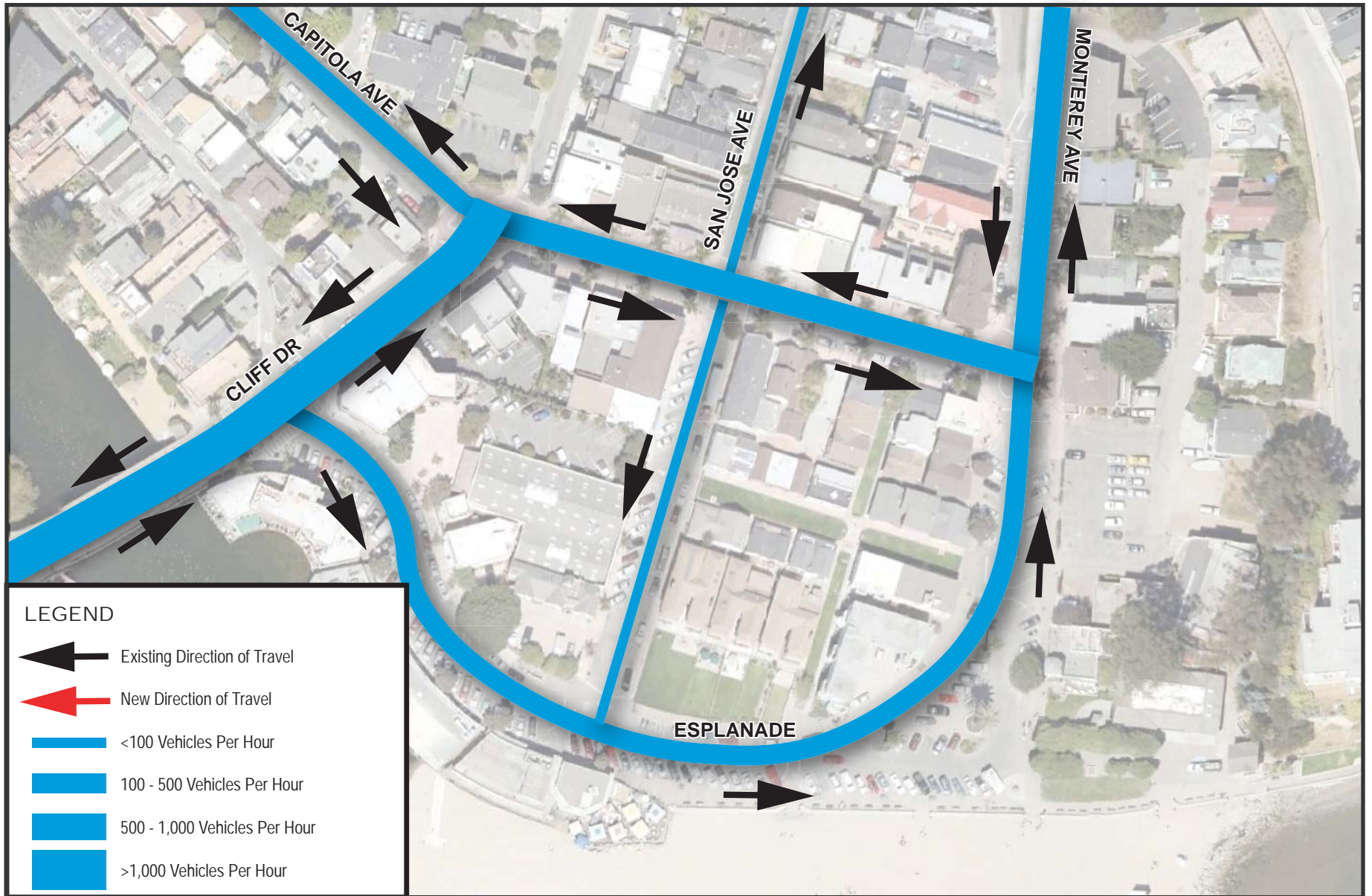
The conversion of northbound San Jose Avenue will divert some traffic from the northbound movement at the Monterey Avenue/Capitola Avenue intersection. Currently, there is no delay on the side street approaches (San Jose Avenue) as vehicles are turning onto San Jose Avenue from Capitola Avenue. The conversion 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)

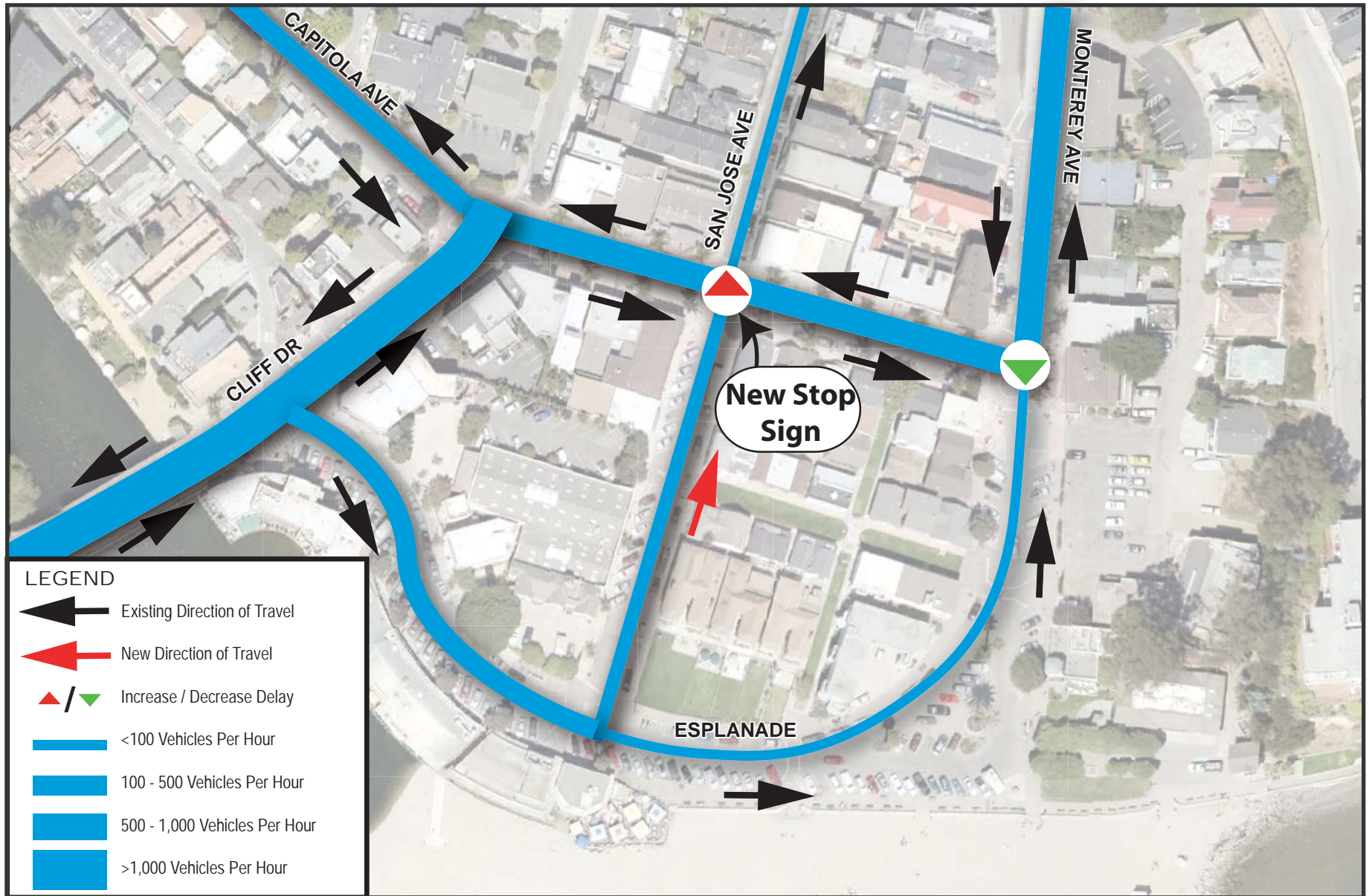
The conversion of Monterey Avenue to two way traffic would provide improved access for some local residents/businesses. For example, if vehicles are coming from Park Avenue, they would be able to continue to travel south on Monterey Avenue without being forced to make counter-clockwise loop (via Capitola 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)



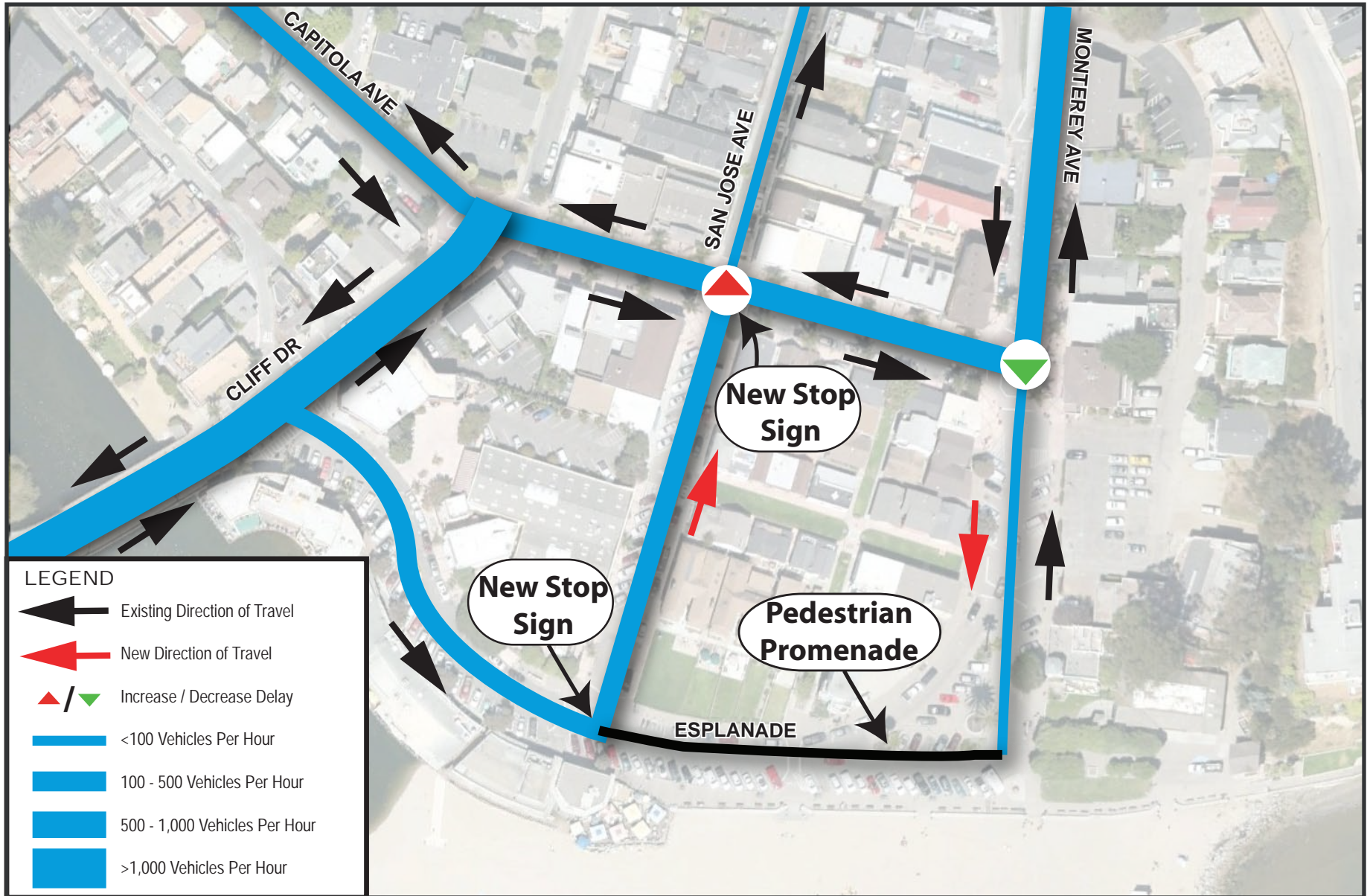
Source: RBF Consulting (2010)



12/28/2010 JN: 70100323/TrafficFigures

CAPITOLA VILLAGE PARKING GARAGE TRAFFIC ANALYSIS
NORTHBOUND SAN JOSE ALTERNATIVE

Figure 9B
135



Source: RBF Consulting (2010)



Source: RBF Consulting (2010)

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.

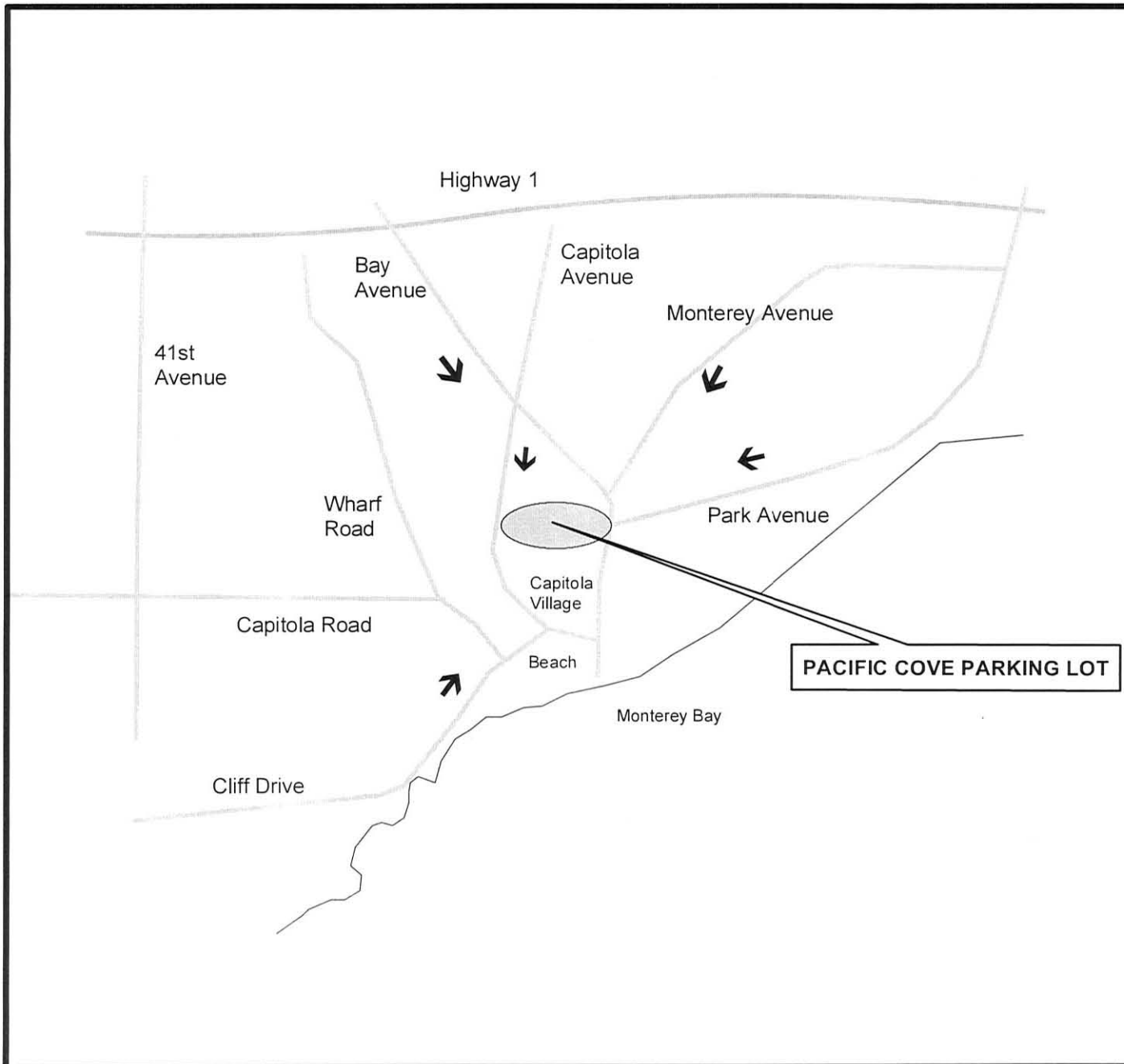
The Commission also believes that a public "people mover" between Pacific Cove and the Village is key to the success. While we are not yet prepared to make a formal recommendation, we believe such a service is readily available and could make Capitola Village "unique" and serve as a very practical addition 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 ^v	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 APRIL 14, 2011

FROM: DEPARTMENT OF PUBLIC WORKS
DATE: APRIL 1, 2011
SUBJECT: PROPERTY LEASE OF 504 BEULAH AVENUE TO TIKI CAB LLC FOR STORAGE OF PEDI-CABS (CONTINUED FROM MARCH 24, 2011)

DISCUSSION

This item was on the Agenda for the March 24, 2011, City Council meeting. Due to the occurrence of a Local Emergency that afternoon, this matter was continued to the next Regular Meeting to be held on April 14, 2011.

Attached is the complete City Council Agenda Report for the Meeting of March 24, 2011. There is no new information for this item.

ATTACHMENTS

Agenda Report for March 24, 2011

Report Prepared By: Steven Jesberg
Public Works Director

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



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

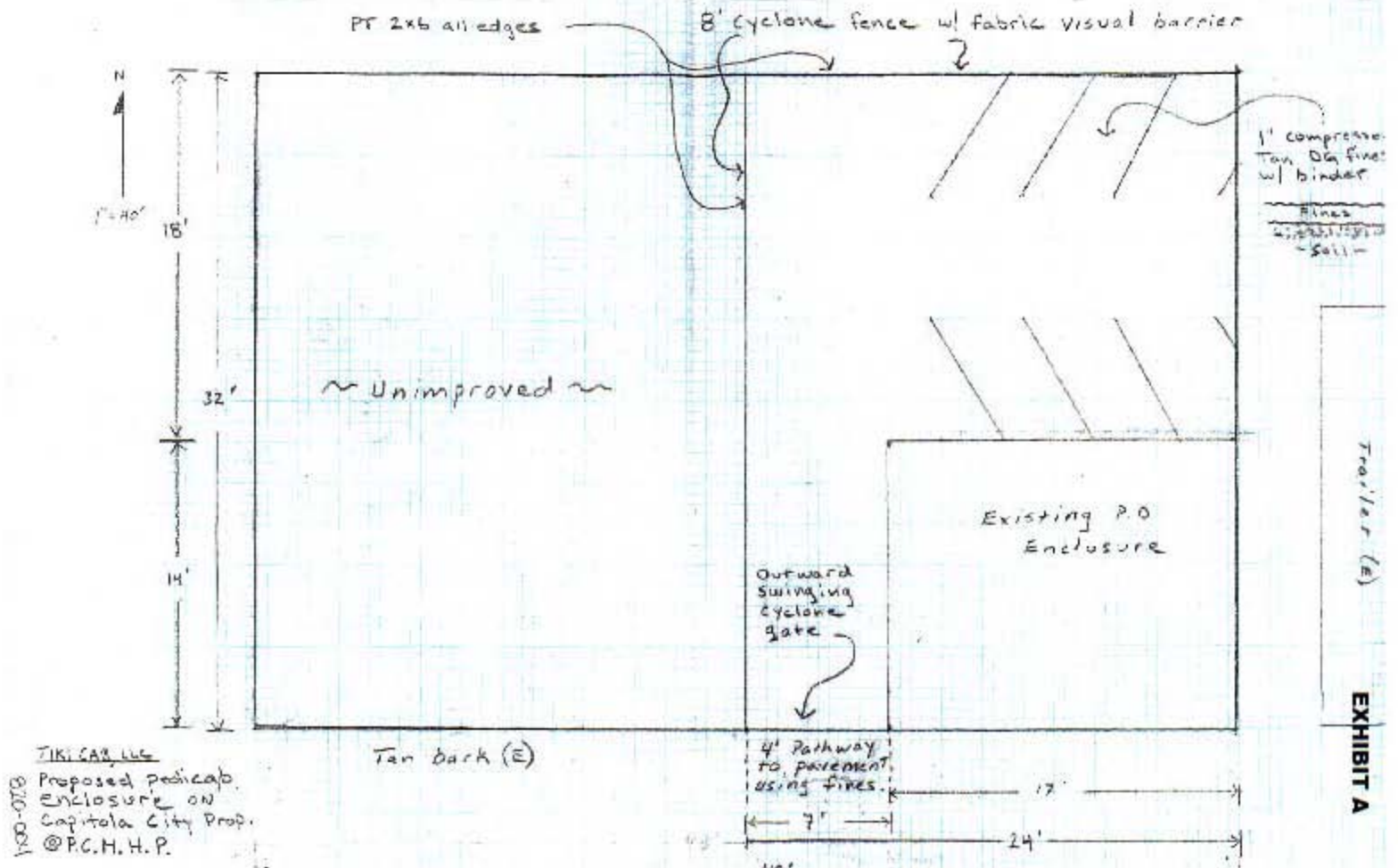
By _____
City Manager

“LESSEE”

By _____
Robert Yount, Owner

Approved as to form:

City Attorney





Item #: 5.C.

CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 14, 2011

FROM: DEPARTMENT OF PUBLIC WORKS
DATE: APRIL 6, 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:

In compliance with the abatement order, the City pulled a demolition permit on April 3, 2011 to start the clearing of the fire damaged material and stabilization of the exterior walls. The contractor began mobilization on April 4, 2011.

FISCAL IMPACT

Contracts in the amount of \$587,000 have been issued. As of April 5, 2011, there has been \$3,105 in invoices paid.

ATTACHMENTS - None

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

**Reviewed and Forwarded
By City Manager:**



Item #: 5.D.

CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 14, 2011

FROM: DEPARTMENT OF PUBLIC WORKS
DATE: APRIL 8, 2011
SUBJECT: PACIFIC COVE STORM DRAIN UPDATE

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

- 1) Accept this update report on the Pacific Cove Storm Drain Repair Project, and
 - 2) By 4/5 approval, make the determination that an emergency condition remains as detailed in Resolution No. 3863 adopted on March 27, 2010 and that there is a need to continue action.
-

BACKGROUND

On March 24, 2011 following a heavy storm event the 72" storm drain that carries Noble Gulch Creek from Bay Avenue to Soquel Creek catastrophically failed resulting in a flood of the Pacific Cove Mobile Home Park, City Hall and the Village. City crews and contractors immediately mobilized, and using heavy equipment cleared the failed storm drain and established an above ground channel between the sections of intact pipe by March 25. However, the following day, March 26, the watershed was again subjected to very heavy rainfall, and crews were unable to contain the torrential flows down Noble Gulch with the temporary channel. As a result, the same area flooded again.

The City Manager executed a Proclamation of Existence of a Local Emergency on March 24, 2011. At an emergency meeting of the City Council, Resolution No. 3863 was adopted declaring that an emergency condition continues to exist as a result of the aforementioned proclamation. 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

The City has hired multiple private contractors to assist in responding to this disaster. Granite Construction was hired on March 25, 2011 to immediately clear the area of the storm drain failure and continues working on the storm drain replacement efforts in the Pacific Cove Mobile Home Park. Other contractors helped with debris removal and emergency protective measures. At this time the storm drain has been reconstructed and the site is being backfilled and regraded, all other response efforts have been completed.

Significant City resources have also been spent on the disaster response and mutual aid assistance has been granted by the City of Santa Cruz, County of Santa Cruz, and Central Fire District and others.

FISCAL IMPACT

As of April 8, 2011, the estimated cost of contracts and city resources is \$1,075,000. A detail of these costs are included in Attachment 1.

ATTACHMENTS

Estimated Flood Response Costs as of April 8, 2011

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

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

Estimated Flood Response Costs

ATTACHMENT

As of April 8, 2011

City Overtime

PW Crews- (\$37.13)	27.5	\$	1,021.08
PW Crews Doubletime- (\$49.51)	111	\$	5,495.61
Maint Supt (54.51)	40	\$	2,180.40
Maint Supt double time(72.68)	22	\$	1,598.96
Maint Supr. (\$50.76)	14	\$	710.64
Maint Supr. doubletime(\$67.68)	18.5	\$	1,256.14
Finance Supr (\$62.66)	7	\$	438.62
Building Official. (\$55.02)	14	\$	770.28
Tech (\$39.13)	5hrs	\$	195.65
Building Insp -Contract (\$115)	5hrs	\$	575.00
Recreation Supervisor (49.11)	2	\$	98.22
CSO (50.07)	15	\$	751.05
Parking Enforcement (37.08)	3.5	\$	129.78
Receptionist (35.2)	0.75	\$	26.40
Records Clerk (37.73)	0.5	\$	18.87
PD Sgt (\$82)	18.5	\$	1,517.00
PD Officer (\$65)	56.5	\$	<u>3,672.50</u>

Total Overtime **\$ 20,456.19**

Permanent Work-City Infrastructure

Granite Construction-Storm Drain Repair	\$ 500,000.00
Rain for Rent - Noble Gulch bypasses	\$ 50,000.00
Granite Rock	\$ 2,800.00
Engineering	\$ 51,000.00
Police Dept	<u>\$ 350,000.00</u>

Total City Infrastructure **\$ 953,800.00**

Debris Removal

PD 071 Vehicle Loss	\$ 5,000.00
Belfor Restoration Services	
CCC Mud Removal	\$ 18,000.00
Green Waste-Dumpsters	\$ 10,000.00
Elevator Service Co Inc.	\$ 1,000.00
Williams Tree Service	\$ 3,000.00
Everclear Hydrojetting-Drain Cleaning	\$ 5,832.39
A-1 Sweeping-Street Sweeping	<u>\$ 5,000.00</u>

Total Debris Removal **\$ 42,832.39**

Emergency Protective Measures

City of Santa Cruz-Streets Dept Labor	\$ 1,400.00	
City of Santa Cruz-Streets Equipment	\$ 1,200.00	
Temp Housing(12 householdsX\$100X33days)	\$ 39,600.00	
Emergency food for evacuees \$50x20	\$ 1,000.00	
Supplies (PD & PW)	\$ 3,000.00	
Rewire Temp PD Units	\$ 5,000.00	
First Alarm Security	\$ 4,000.00	
Sacto Bag Mfg Co-Sandbags	\$ 1,267.75	
City of Santa Cruz-Building Inspectors Labor	\$ 1,000.00	
Total Emergency Protective Measures		\$ 57,467.75

Other /Business Damage

M&M Party Rentals-Tent	\$ 5,000.00	
Alexis Party Rental-Tent	\$ 1,500.00	
Building Damage		
Destroyed Merchandise		
Lost Business		
Total Private Party/Business Damage		\$ 6,500.00

TOTAL COSTS	\$ 1,074,556.33
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