

City of Capitola Agenda



Mayor: Michael Termini
Vice Mayor: Stephanie Harlan
Council Members: Kirby Nicol
Dennis Norton
Sam Storey
Treasurer: Jacques Bertrand

CAPITOLA CITY COUNCIL REGULAR MEETING THURSDAY, APRIL 26, 2012

CLOSED SESSION – 5:30 PM **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 on closed session items only.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of GC §54956.9: Two cases:

1. City of Capitola Insurance Coverage Claim Against Lexington Insurance (Noble Gulch Storm Drain Failure);
2. Pacific Cove Mobile Home Park Pipe Failure and Closure;

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

1. Kevin Calvert, D.D.S. and Pamela Calvert vs. City of Capitola, et al. [Superior Court of the State of California for County of Santa Cruz, Case #CV 172804];
2. Katie Saldana vs. City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case #CV 172324];
3. Foremost Insurance Company vs. the City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case #CV173228];
4. Truck Insurance vs. the City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case #CV173071];
5. David Ross; Carousel Taffy Morro Bay, Inc.; Village Mouse dba The Thomas Kinkade Gallery Capitola; Judith Ferro vs. the City of Capitola, , et al. [Superior Court of the State of California for the County of Santa Cruz, Case #CV173642];

CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code §54957.6)

Negotiator: Jamie Goldstein, City Manager

Employee Organizations: Association of Capitola Employees, Capitola Police Captains, Capitola Police Officers Association, Confidential Employees, Mid-Management Group, and Department Head Group.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code §54957)

Title: City Manager

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL – 7:00 PM

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

2. PRESENTATIONS

3. REPORT ON CLOSED SESSION

4. ADDITIONS AND DELETIONS TO AGENDA

5. PUBLIC COMMENTS

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

6. COUNCIL/STAFF ANNOUNCEMENTS

7. COMMITTEE APPOINTMENTS

ALL MATTERS LISTED ON THE REGULAR MEETING OF THE CAPITOLA CITY COUNCIL AGENDA SHALL BE CONSIDERED AS PUBLIC HEARINGS.

8. CONSENT CALENDAR

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

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

- A. Approve City Council Minutes of the Regular Meetings of March 8, 2012 and March 22, 2012.

RECOMMENDED ACTION: Approve Minutes.

- B. Receive the City Check Register Reports dated March 16, 2012; March 23, 2012; March 30, 2012; April 6, 2012; and April 13, 2012.

RECOMMENDED ACTION: Receive Reports.

8. CONSENT CALENDAR (continued)

- C. Approve an amendment to the Administrative Policy Regarding the Memorial Program.
RECOMMENDED ACTION: Approve amendment.
- D. Receive Planning Commission Action Minutes for the Special Meeting of April 19, 2012.
RECOMMENDED ACTION: Receive Minutes.
- E. Art & Cultural Commission 2011 Annual Report.
RECOMMENDED ACTION: Receive Report.
- F. Consideration of Resolution amending the Bylaws of the Capitola Art & Cultural Commission regarding membership.
RECOMMENDED ACTION: Adopt Resolution.
- G. Consideration of approving the purchase of one police patrol vehicle and a police equipment package in the amount of \$37,305, not to exceed \$38,000; and request to surplus the police vehicle to be replaced.
RECOMMENDED ACTION: Approve the vehicle and equipment purchase, and authorize staff to surplus the old police vehicle.

9. GENERAL GOVERNMENT/PUBLIC HEARINGS

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

- A. Receive report and recommendations regarding the Reposa Avenue Traffic Analysis; consideration of an amendment to Title 10 (Vehicles and Traffic) of the Capitola Municipal Code to prohibit commercial traffic on Reposa Avenue.
RECOMMENDED ACTION: Receive presentation, introduce Ordinance, and authorize the Department of Public Works to redesign the 41st Avenue/Brommer Street intersection.
- B. Consideration of a contract with the City of Santa Cruz for \$67,000 to perform lifeguard services on the beaches in the City of Capitola.
RECOMMENDED ACTION: Approve contract.
- C. Consideration of options for the Rispin Property consistent with State requirements to dispose of property owned by the former Redevelopment Agency.
RECOMMENDED ACTION: Discuss and provide direction.
- D. Consideration of reentering loan agreements between the City and the Successor Agency to the former Redevelopment Agency of the City of Capitola.
RECOMMENDED ACTION: Authorize the City Manager to execute the contracts.

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

10. COUNCIL/STAFF COMMUNICATIONS

A. Staff Comments

B. City Council/Treasurer Comments/Committee Reports

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

11. ADJOURNMENT

Adjourn to the next Regular Meeting of the City Council to be held on Thursday, May 10, 2012, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

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

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

Agenda and Agenda Packet Materials: The City Council Agenda and the complete agenda packet are available 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 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.



Item #: 8.A.

CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 26, 2012

FROM: OFFICE OF THE CITY CLERK

SUBJECT: APPROVAL OF THE MARCH 8 AND MARCH 22, 2012 CAPITOLA CITY COUNCIL
MINUTES

RECOMMENDED ACTION: By motion that the City Council approve the subject minutes as submitted.

DISCUSSION: Attached for City Council review and approval are the minutes to the subject meeting.

ATTACHMENTS

1. March 8, 2012 Minutes
2. March 22, 2012 Minutes

Report Prepared By: Susan Sneddon, CMC
City Clerk

Reviewed and Forwarded
By City Manager: 

NOT OFFICIAL UNTIL APPROVED BY COUNCIL/RDA DIRECTORS**CITY OF CAPITOLA
CITY COUNCIL****March 8, 2012
Capitola, California****MINUTES OF A REGULAR MEETING****6:00 P.M. — CLOSED SESSION — CITY MANAGER’S OFFICE****CALL TO ORDER**

At 6:00 p.m. in the City Hall Council Chambers, Mayor Termini noted that all Council Members were present. Mayor Termini made an announcement regarding the items to be discussed in Closed Session, as follows:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Govt. Code §54956.9:

Three cases:

1. City of Capitola Insurance Coverage Claim Against Lexington Insurance (Noble Gulch Storm Drain Failure);
2. Pacific Cove Mobile Home Park Flooding and Closure;
3. Larson vs. City of Capitola.

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

1. Kevin Calvert, D.D.S. and Pamela Calvert vs. City of Capitola, et al. [Superior Court of the State of California for County of Santa Cruz, Case #CV 172804]
2. Katie Saldana vs. City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case #CV 172324]
3. Foremost Insurance Company vs. the City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case #CV173228]
4. Truck Insurance vs. the City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case #CV173071]

CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code §54957.6)

Negotiator: Jamie Goldstein, City Manager

Employee Organizations: Association of Capitola Employees, Capitola Police Captains, Capitola Police Officers Association, Confidential Employees, Mid-Management Group, and Department Head Group.

Mayor Termini noted that there was no one in the audience; therefore, the City Council recessed at 6:05 p.m. to the Closed Session in the City Manager’s Office.

7:00 P.M. – OPEN SESSION

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL

CALL TO ORDER

Mayor Termini called the Regular Meeting of the Capitola City Council to order at 7:00 p.m. on Thursday, March 8, 2012, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

ABSENT: None

OTHERS: City Treasurer Jacques Bertrand

STAFF: City Manager Jamie Goldstein, City Attorney John Barisone, Administrative Services Director Lisa Murphy, Finance Director Tori Hannah, Public Works Director Steve Jesberg, and City Clerk Susan Sneddon

2. PRESENTATIONS

- A. Senior Citizens Legal Services and Seniors Council presentation by Terry Hancock, Directing Attorney for Senior Citizens Legal Services, and Clay Kempf, Executive Director of Seniors Council of Santa Cruz & San Benito Counties. [330-30]**

Clay Kempf, Executive Director of Seniors Council of Santa Cruz & San Benito Counties, provided an overview of the service programs provided.

Terry Hancock, Directing Attorney for Senior Citizens Legal Services, provided a brief overview of senior legal services provided.

- B. Presentation by George Dondero and Kim Schultz of the Santa Cruz County Regional Transportation Commission. [770-05]**

Kim Schultz, Santa Cruz County Regional Transportation Commission, provided a Highway 1 Corridor Project update.

George Dondero, Santa Cruz County Regional Transportation Commission, provided a PowerPoint presentation regarding the Highway 1 Corridor Project.

3. REPORT ON CLOSED SESSION [520-25]

City Attorney Barisone stated that the items the City Council discussed are the items listed on the March 8, 2012 Closed Session Agenda; the Council received a brief status report concerning a City of Capitola Insurance Coverage Claim Against Lexington Insurance; however, the Council took no reportable action. **City Attorney Barisone** stated that the Council did not discuss the item regarding the Pacific Cove Mobile Home Park Flooding and Closure. **Mr. Barisone** stated the Council received a status report from the City Manager and the Administrative Services Director in connection with the Equal Employment Opportunity Commission Administration proceeding, entitled Larson vs. the City of Capitola; however, no reportable action was taken. **City Attorney Barisone** stated that Council did not discuss the following cases: (1) Kevin Calvert, D.D.S. and Pamela Calvert; (2) Katie Saldana; (3) Foremost Insurance Company; and (4) Truck Insurance. **City Attorney Barisone** stated that the City Council heard from Administrative Services Director Murphy and City Manager Goldstein, the City's labor negotiators, regarding the following employee bargaining organizations, and Council took no reportable action: (1) Association of Capitola Employees; (2) Capitola Police Captains; (3) Capitola Police Officers Association; (4) Confidential Employees; (5) Mid-Management Group; and (6) Department Head Group.

4. ORAL COMMUNICATIONS

Lin Banks, Capitola Begonia Festival, provided an update regarding the 60th Capitola Begonia Festival.

Carol Lerno, Pacific Cove Mobile Home Park, Space 66, stated that the Pacific Cove Mobile Home Park residents have not been contacted by AutoTemp regarding relocation services.

Melvin "Red" Malone, resident of the Bay Avenue Senior Apartments, stated concerns regarding parking his vehicle at the Bay Avenue Senior Apartments to avoid getting a parking ticket.

Natasha Kowalski, Santa Cruz County Tobacco Education Coalition Senior Health Educator, stated there has been an increase in the number of youth smoking cigarettes; the Surgeon General recently reported on the increase in teens smoking.

Marilyn Garrett stated her concerns regarding the SmartMeters.

Molly Ording, Capitola Village Residents Association, stated that they are sponsoring a community dinner event on March 29th at Paradise Grill at beginning 5:30 p.m.

A. Additions and Deletions to Agenda (none provided)

4. ORAL COMMUNICATIONS (continued)

B. Public Comments (none provided)**C. Staff Comments**

City Manager Goldstein stated that additional material was provided for **Item 6.C.** regarding damages sustained to the Capitola Wharf and the consideration of awarding contracts to facilitate repairs. Also, he announced that the City's first meeting of the Oversight Board (formerly the City's Redevelopment Agency) is scheduled for March 29th at 2 p.m.; the second meeting is tentatively schedule for April 12th at 2 p.m. to be held in the Council Chambers.

Council Member Storey, the City's representative on the Santa Cruz Library Joint Powers Board, stated that the Santa Cruz Library Joint Powers Board will be initiating discussions regarding the Fiscal Year 2012/2013 Budget, and will also discuss funding available to increase the libraries' hours of operations. [230-10].

Council Member Harlan stated that the Capitola Museum is having a grand opening on Saturday, March 10th beginning at 12 (noon).

D. City Council Treasurer Comments/Committee Report (None provided)**E. Committee Appointments** (None provided)**F. Check Register Report [300-10]**

The City Council received the Check Register Report for February 3 and 10, 2012. Note: There was Council consensus to include all future check register reports in the Council agenda packets but not require a council vote.

5. CONSENT CALENDAR

Council Member Storey stated the following corrections to the Minutes of the February 9, 2012 Council Meeting: For **Item 5.A.** he announced that he had been appointed as the Chair to the Santa Cruz Library Joint Powers Board and not the Santa Cruz Library Financing Authority; in addition, the minutes stated that he voted no on **Item 6.D.** regarding the Community Grant Program for Fiscal year 2011/2012; he had abstained due to a conflict of interest (City Clerk noted the corrections).

5. CONSENT CALENDAR (continued)

A. Approve City Council Minutes of the Regular Meeting of February 9, 2012.

ACTION: Motion made by Council Member Storey, seconded by Council Member Norton, to approve the corrected minutes of the Regular Meeting of the City Council held on February 9, 2012. The motion carried unanimously on the following vote: **AYES:** Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini. **NOES:** None. **ABSENT:** None. **ABSTAIN:** None.

B. Consideration of approving the Notice of Completion for the Cherry Avenue Project. [940-40]

ACTION: Motion made by Council Member Storey, seconded by Council Member Norton, to approve the Notice of Completion for the Cherry Avenue Project. The motion carried unanimously on the following vote: **AYES:** Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini. **NOES:** None. **ABSENT:** None. **ABSTAIN:** None.

C. Consideration of an Employment Agreement for the Police Chief, Rudy Escalante, and authorize the City Manager to execute the agreement. [500-10 A/C: Escalante, Rudy]

ACTION: Motion made by Council Member Storey, seconded by Council Member Norton, to approve the Employment Agreement for the new Police Chief, Rudy Escalante, and authorize the City Manager to execute the agreement. The motion carried unanimously on the following vote: **AYES:** Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini. **NOES:** None. **ABSENT:** None. **ABSTAIN:** None.

D. Receive Planning Commission Action Minutes for the Regular Meeting of March 1, 2012. [740-50]

ACTION: Motion made by Council Member Storey, seconded by Council Member Norton, to receive Planning Commission Action Minutes for the Regular Meeting of March 1, 2012. The motion carried unanimously on the following vote: **AYES:** Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini. **NOES:** None. **ABSENT:** None. **ABSTAIN:** None.

Mayor Termini introduced Rudy Escalante as the City's new Police Chief.

Rudy Escalante thanked the City for the opportunity to be offered the position as the City's new Police Chief and said he looks forward to being a part of the team.

6. GENERAL GOVERNMENT/PUBLIC HEARINGS

Council Member Storey announced that he would recuse himself from voting on the following item because he is the Community Bridges CEO (non-profit organization) and voting on this item would be a conflict of interest.

6. GENERAL GOVERNMENT/PUBLIC HEARINGS (continued)

A. Discussion regarding funding the remaining \$137,500 for the Fiscal Year 2011/2012 Community Grants, and determine funding methodology for Fiscal Year 2012/2013 Community Grant Program. [330-30]

NOTE: This item was separated as follows for the purpose of discussion and voting.

(1) Discussion regarding funding the remaining \$137,500 for the Fiscal Year 2011/2012 Community Grants.

Administrative Services Director Murphy introduced this item. She stated that at the February 23, 2012 regular meeting the Council voted to agendaize to the next Council meeting the discussion regarding funding the remaining 50% of the Fiscal Year 2011/2012 Community Grants, and to include a discussion regarding the funding for the Fiscal Year 2012/2013 Community Grant Program.

Finance Director Hannah provided an update on the Fiscal Year 2011/2012 Budget; positives are that the budget remains balanced, and sales tax, as well as receipts for transient occupancy taxes, appears to be trending positive; negatives are that reserve accounts are underfunded by approximately \$1.4 million, and there are significant unknowns and costs. She stated that in proposed Fiscal Year 2012/2013 there are new ongoing costs – Pacific Cove loan; dissolution of the City's Redevelopment Agency; Rent Subsidy Program; funding of the Capitola-Soquel Chamber of Commerce and the Santa Cruz County Visitors Center; and unknowns regarding whether or not the City will be reimbursed for the March 2011 Capitola flood events. She stated that if the City funds the remaining \$137,500 for the Fiscal Year 2011/2012 Community Grants, it will leave \$160,000 in the City's primary reserve funds.

The following representatives from various nonprofits in Santa Cruz County provided support for the City's continued community grant funding, many of whom provided a copy of specific community grant agreements with the City:

Willo' Sullivan, Human Care Alliance representative

Clay Kempf, Seniors Council Executive Director

Colleen DeCarlo, Grey Bears volunteer

Maria Cubillas, Big Brothers Big Sisters of Santa Cruz County Executive Director

Kelly Dillon, Big Brothers Big Sisters of Santa Cruz County Board Member

Lisa Burkewitz, Meals on Wheels for Santa Cruz County

Kurt Antz, Community Bridges Lift Line operator

Tim Bradley and Cheryl Melato, Grey Bears

6. GENERAL GOVERNMENT/PUBLIC HEARINGS (continued)

Debra Bone, Cabrillo College Stroke Center Director
Celia Goeckermann, Santa Cruz County Community Counseling Center
Lani, Volunteer Center of Santa Cruz County
Nona Sanchez, Community Action Board of Santa Cruz County
Debra Sanchez, Families in Transition Santa Cruz County.
Kathleen Johnson, Advocacy, Inc.
Jane, Senior Council of Santa Cruz and San Benito County
Darrell Johnson, Senior Council Board Member Santa Cruz County
Rita Flores, Santa Cruz County Family Service Agency
Brenda Moss, Senior Network Services
Eva Brunner, WomenCARE
Emily Glanville, Save Our Shores Program Manager
Brook Johnson, Second Harvest Food Bank

Council Member Nicol stated that generally funding for social services rests primarily with counties; both counties and cities have cut back in funding these types of services due to budget constraints. He stated that the City is faced with revenue reductions and needs to focus on replenishing the City's reserves.

Council Member Norton stated that he is in favor of keeping the City's commitment in funding the remaining one-half of the 2011/2012 Fiscal Year Community Grants.

ACTION: Motion by Council Member Norton, seconded by Council Member Harlan, to allocate \$137,500 from the City's Emergency Reserve Fund for the Fiscal Year 2011/2012 Community Grant Program. The motion carried with the following vote: AYES: Council Members Harlan, Norton, and Mayor Termini. NOES: Council Member Nicol. ABSENT: None. ABSTAIN: Council Member Storey.

(2) Determine funding methodology for Fiscal Year 2012/2013 Community Grant Program.

Council discussion ensued regarding this item.

Council Member Harlan and **Council Member Norton** stated that the City's Fiscal Year 2012/2013 Budget should be adopted prior to making a determination about the funding methodology for Fiscal Year 2012/2013 Community Grant Program.

6. GENERAL GOVERNMENT/PUBLIC HEARINGS (continued)

Mayor Termini suggested not including the Community Grant Program in the City's Fiscal Year 2012/2013 Budget; he suggested contracting with certain non-profits for services.

ACTION: Motion made by Council Member Norton, seconded by Council Member Nicol, to direct staff to remove the funding for the Community Grant Program, the Santa Cruz County Visitors Center, the Capitola-Soquel Chamber of Commerce, the annual Capitola Begonia Festival from the proposed Fiscal Year 2012/2013 Budget, and to bring back to Council the discussion regarding the funding methodology for the Community Grant Program during the Fiscal Year 2012/2013 Budget Sessions. The motion carried on the following vote: AYES: Council Members Norton, Nicol, and Mayor Termini. NOES: Council Member Harlan. ABSENT: None. ABSTAIN: Council Member Storey.

The City Council took a five-minute break.

Council Member Storey returned to the dias.

B. Presentation of the 2012 Capitola Voter Survey conducted by Fairbank, Maslin, Maulin, Metz & Associates and consideration of a possible 2012 Revenue Ballot Initiative. [160-50/560-10]

Public Works Director Jesberg introduced this item. He stated that in February 2012 Fairbank, Maslin, Maulin, Metz & Associates (FM3) conducted a survey of Capitola voters regarding whether or not to include a measure for a permanent 0.25% Transactions and Use Tax as part of a Resolution requesting consolidation with the County and ordering the City's November 6, 2012 General Municipal Election.

Shakari Byerly, FM3 representative, provided a PowerPoint presentation of the key findings from the voter survey conducted by FM3. She stated that telephone interviews were conducted with 300 registered voters in the City with a margin of sampling error +/- 5.6%. She stated that voter support was 61% for a 0.25% sales tax to help repair damage and rebuild the City after last year's flooding; this support was reduced to 59% when considerations of Governor Brown's proposed ballot measures were taken into account. She stated that support for a 2% increase in the transient occupancy tax was 55%; this support increased from approximately 7% to 62% when the respondents were asked if their opinion would change if the increase were regional.

Mayor Termini opened this item for public comment.

No public comment.

6. GENERAL GOVERNMENT/PUBLIC HEARINGS (continued)

Mayor Termini closed this item for public comment.

ACTION: Motion made by Council Member Storey, seconded by Council Member Harlan, to direct staff to begin the process of including a measure for a permanent 0.25% Transactions and Use Tax to be administered by the State Board of Equalization as part of a Resolution requesting consolidation with Santa Cruz County and ordering the City's November 6, 2012 General Municipal Election. The motion carried unanimously on the following vote: AYES: Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini. NOES: None. ABSENT: None. ABSTAIN: None.

C. Receive report on damages sustained to the Capitola Wharf, and consideration of taking action to award contracts necessary to facilitate repairs as recommended by the Director of Public Works. [280-40]

Public Works Director Jesberg introduced this item. He stated that in February 2012 pilings on the Capitola Wharf were damaged, as well as a rupture of a gas main, resulting in the temporary closure of the wharf. He stated that staff recommends replacing two steel piles and constructing a permanent steel high-pressure natural gas line to service the restaurant at the end of the wharf. The Wharf Fund has \$40,000 budgeted in contract services for repair and maintenance work; the temporary gas line construction cost \$4,400 and additional funding may be necessary. He stated that staff recommends the Council award contracts to facilitate repairs and approve a budget amendment.

Council Member Storey asked if a floating dock could be used to replace the pilings. He suggesting obtaining an opinion from engineers (i.e., Corp of Engineers) for the proposed work.

ACTION: Motion made by Council Member Norton, seconded by Council Member Nicol, to approve the allocation of \$111,000 for the awarding of contracts necessary to complete the repairs sustained from damages to the Capitola Wharf, and to direct the Public Works Director to investigate the need for additional work required for the project. The motion carried on the following vote: AYES: Council Members Harlan, Norton, Nicol, and Mayor Termini. NOES: Council Member Storey. ABSENT: None. ABSTAIN: None.

D. Request for approval of a Special Event Permit for the Capitola Half Marathon to be held on Sunday, May 20, 2012, in Capitola Village.

Police Chief Card presented the report and reviewed the proposed route for the half marathon being sponsored by Lifestyle Escapes; the race is scheduled to travel through Capitola from 7:00 a.m. to 9:00 a.m.

Tom Bradley, Lifestyle Escapes, provided a brief review of the event.

Mayor Termini opened this item for public comment.

6. GENERAL GOVERNMENT/PUBLIC HEARINGS (continued)

Molly Ording, 218 Monterey Avenue, stated concerns regarding the noise level and overflow of garbage resulting from the half marathon. **Tom Bradley, Lifestyle Escapes**, responded that they will not be using a PA system for the event and garbage should not be a concern since the marathon will be just passing through the route.

Mayor Termini closed this item for public comment.

ACTION: Motion made by Council Member Storey, seconded by Council Member Norton, to approve a Special Event Permit for the Capitola Half Marathon to be held on Sunday, May 20, 2012 and to direct staff to determine the route. The motion unanimously carried on the following vote: AYES: Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini. NOES: None. ABSENT: None. ABSTAIN: None.

7. ADJOURNMENT

Mayor Termini adjourned at 11:12 p.m. to the next Regular Meeting of the City Council to be held on Thursday, March 22, 2012, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Michael Termini, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

NOT OFFICIAL UNTIL APPROVED BY COUNCIL

**CITY OF CAPITOLA
CITY COUNCIL**

**March 22, 2012
Capitola, California**

MINUTES OF A REGULAR MEETING

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Govt. Code §54956.9:

Three cases:

1. City of Capitola Insurance Coverage Claim Against Lexington Insurance (Noble Gulch Storm Drain Failure);
2. Pacific Cove Mobile Home Park Pipe Failure and Closure.

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

1. Kevin Calvert, D.D.S. and Pamela Calvert vs. City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case CV #172804]
2. Katie Saldana vs. City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case CV #172324]
3. Foremost Insurance Company vs. the City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case CV #173228]
4. Truck Insurance vs. the City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case CV #173071]

CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code §54957.6)

Negotiator: Jamie Goldstein, City Manager

Employee Organizations: Association of Capitola Employees, Capitola Police Captains, Capitola Police Officers Association, Confidential Employees, Mid-Management Group, and Department Head Group.

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: Jeff & Kate McCarthy-Lewis

Claimant: Michael J. O’Leary

Agency claimed against: City of Capitola

7:00 P.M. – OPEN SESSION

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL

CALL TO ORDER

Mayor Termini called the Regular Meeting of the Capitola City Council to order at 7:15 p.m. on Thursday, March 22, 2012, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE:

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

ABSENT: None

OTHERS: City Treasurer Jacques Bertrand

STAFF: City Manager Jamie Goldstein, City Attorney John Barisone, Interim Community Development Director Susan Westman, Public Works Director Steve Jesberg, Finance Director Tori Hannah, and City Clerk Susan Sneddon

2. PRESENTATIONS

A. Proclamation honoring Frank Phanton for his service on the Capitola Architectural & Site Review Committee from February 2003 through February 2012. [120-40]

Mayor Termini announced that the proclamation honoring Frank Phanton for his service on the Capitola Architectural & Site Review Committee from February 2003 through February 2012 will be presented later in the meeting.

B. Proclamation honoring Police Chief Mike Card for 35 years of service. [120-40]

Mayor Termini presented Police Chief Mike Card in honor of his retirement:

(1) Proclamation from the City of Capitola; (2) Recognition plaque from the City; and (3) Certificate of Recognition from the State Legislature, signed by Assemblymember Bill Monning.

Police Officer Booth presented Police Chief Mike Card with the United States Flag that was flown over the White House in Washington D.C.

C. Presentation from Veronica Elsea, Pedestrian Safety Work Group Chair, regarding Pedestrian Safety Work Group. [485-10]

Veronica Elsea, Santa Cruz Regional Transportation Commission's (SCCRTC) Pedestrian Safety Work Group Chair, provided a summary of SCCRTC's bicycle and pedestrian hazard online reporting and the county-wide sidewalk maintenance standards.

3. REPORT ON CLOSED SESSION [520-25]

City Attorney Barisone stated that items that the City Council discussed are the items listed on the March 22, 2012, Closed Session Agenda; the Council received a brief status report concerning a City of Capitola Insurance Coverage Claim Against Lexington Insurance and the Pacific Cove Mobilehome pipe failure and park closure; however, the Council took no reportable action. **City Attorney Barisone** stated that the Council did not discuss any of the following four existing litigation lawsuits: (1) Kevin Calvert, D.D.S. and Pamela Calvert vs. City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz; (2) Katie Saldana vs. City of Capitola, et al.; (3) Foremost Insurance Company vs. the City of Capitola, et al.; (4) Truck Insurance vs. the City of Capitola, et al. **Mr. Barisone** stated that the City Council received a status report from Administrative Services Director Murphy and City Manager Goldstein, the City's labor negotiators, regarding the following employee bargaining organizations; the Council took no reportable action: (1) Association of Capitola Employees; (2) Capitola Police Captains; (3) Capitola Police Officers Association; (4) Confidential Employees; (5) Mid-Management Group; and (6) Department Head Group. **Mr. Barisone** stated that the labor negotiators took instruction from the Council with regard to ongoing negotiations. He also noted that the Council did not discuss the following two liability claims: (1) Jeff & Kate McCarthy-Lewis; and (2) Claimant: Michael J. O'Leary.

4. ADDITIONS AND DELETIONS TO AGENDA**5. PUBLIC COMMENTS**

Marilyn Garrett stated her concerns regarding the SmartMeters.

Carol Lerno, Pacific Cove Mobile Home Park, Space 66, stated that AutoTemp has been helpful in providing Pacific Cove Mobile Home Park residents with relocation services.

Sean Miller, Pacific Cove Mobile Home Park resident, stated concerns about the amount the City would pay for his mobile home at Pacific Cove Mobile Home Park.

6. COUNCIL/STAFF ANNOUNCEMENTS

There was Council consensus to move the section entitled **COUNCIL/STAFF ANNOUNCEMENTS** (*Item No. 6*) to follow the section entitled **GENERAL GOVERNMENT** in the City Council regular meeting agendas.

7. COMMITTEE APPOINTMENTS**8. CHECK REGISTER [300-10]**

Received and filed the Check Register for March 2 and 9, 2012.

9. CONSENT CALENDAR

A. Approve City Council Minutes of the Special Meeting of February 16, 2012.

9. CONSENT CALENDAR (continued)
- B. Receive City Treasurer's Report for Month ended February 29, 2012 (Unaudited). [380-30]
 - C. Consideration of approving a request from the Capitola Public Safety and Community Service Foundation for a Special Event Permit for the 7th Annual Capitola Rod & Custom Classic Car Show in Capitola Village on Saturday and Sunday, June 9 and 10, 2012. [1050-70]
 - D. Consideration of approving a Special Event Permit for the Mermaid Triathlon and Duathlon to be held on Saturday, October 6, 2012, in various areas of Capitola. [1050-70]
 - E. Deny liability claims and forward to the City's liability insurance carrier: Jeff and Kate McCarthy-Lewis, in the amount of \$1,437.54; Michael J. O'Leary, in the amount of \$48,265.11. [Claims Binder]

Motion by Council Member Norton, seconded by Council Member Storey, to approve the Consent Calendar. The motion was unanimously carried.

10. GENERAL GOVERNMENT/PUBLIC HEARINGS

- A. Consideration of approving the proposed 41st Avenue Public Art Project; approving a contract with Troy Corliss in an amount not to exceed \$200,000, and authorize the City Manager to execute a contract. [1010-10/ 500-10 A/C: Corliss, Troy]

Administrative Services Director Murphy provided a brief history of this item regarding a public art project to be erected in the medians along 41st Avenue. She stated that an Artist Selection Panel was formed, composed of members of the business community along 41st Avenue, art professionals, and a youth member. The panel's responsibility was to take the community's input along with the Commission's and utilize that information when selecting the artist for the project. There were 84 applicants for this project; ultimately 4 were selected to prepare a conceptual model/design and present it to the panel. She stated that the Artist Selection Panel selected Troy Corliss to be the recommended artist, and the Art and Culture Commission approved that recommendation in February 2012. Staff is recommending that Council authorize the City Manager to negotiate and enter into an agreement with Troy Corliss in an amount not to exceed \$200,000 from the Public Art Fund and approve a budget amendment appropriating \$15,000 from the Public Art Fund Balance and increasing the Public Art Fund contract expenditures by \$15,000.

Troy Corliss, Artist, provided a PowerPoint presentation with the 41st Avenue Streetscape Public Art Project concept proposal.

City Council discussion ensued regarding this item.

10. GENERAL GOVERNMENT/PUBLIC HEARINGS (continued)

Council Member Norton suggested that external lighting be added to this project as a security measure. He proposed a budget amendment appropriating \$25,000 (instead of \$15,000) from the Public Art Fund balance to include the cost of the lighting.

Lynn Rogers, City of San Jose Office of Cultural Affairs Project Manager, stated that the proposed art project is structurally sound.

ACTION: Motion was made by Council Member Norton, seconded by Council Member Storey, to approve the proposed 41st Avenue Public Art Project; approving a contract with Troy Corliss in the amount not to exceed \$200,000, approving a budget amendment appropriating \$25,000 from the Public Art Fund balance to include the cost of the lighting, and authorizing the City Manager to execute a contract. The motion carried unanimously on the following vote: AYES: Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini. NOES: None. ABSENT: None. ABSTAIN: None.

2. PRESENTATION (continued)

A. Proclamation honoring Frank Phanton for his service on the Capitola Architectural & Site Review Committee from February 2003 through February 2012. [120-40]

Mayor Termini read and presented a proclamation to Frank Phanton honoring him for his service on the Capitola Architectural & Site Review Committee from February 2003 through February 2012.

B. Consideration of a Zoning Code Amendment to Title 17 of the Capitola Municipal Code to modify the parking standards for single-room occupancy and amending the Industrial Zone regulations to allow an emergency shelter. [570-10/730-85]

Interim Community Development Director Westman introduced this item regarding proposed ordinances related to the following housing actions called for in the City's 2007-2014 Housing Element: (1) Ordinance amending the number of parking spaces required for single-room occupancy (Section 17.51.130); and (2) Ordinance amendment pertaining to emergency shelters (Section 17.36.040).

Council Member Storey stated that the proposal to reduce the parking requirement for units less than 400 square feet to one parking space per unit would result with more cars parked on the street. He asked if the Department of Housing Community Development (HCD) is requiring the City to reduce the City's parking requirements for the City's Housing Element.

10. GENERAL GOVERNMENT/PUBLIC HEARINGS (continued)

Interim Community Development Director Westman responded that the staff recommendation regarding parking requirements is intended to meet HCD's requirement and is a "softer" approach; in two years the City will be amending the Housing Element and will have the ability to accommodate a significant number of new residential units.

Mayor Termini opened the public hearing.

Bruce Arthur, 104 Cliff Avenue, stated concerns regarding complying with HCD.

City Treasurer Bertrand stated that he agrees with the single-room occupancy requirement in that it supports the City's population.

Manual Vera, Cabrillo Mobile Home Estates, stated concerns regarding having an emergency shelter in the Industrial Zone because it may affect businesses in the area.

Mayor Termini closed the public hearing.

ACTION: Motion made by Council Member Kirby, seconded by Council Member Norton, to approve the introduction of a Zoning Code Amendment to Title 17 of the Capitola Municipal Code to modify the parking standards for single-room occupancy, and to amend the Industrial Zone regulations to allow an emergency shelter [1st reading]. The motion carried unanimously with the following vote: AYES: Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini. NOES: None. ABSENT: None. ABSTAIN: None.

Council Member Harlan stated that it is inappropriate for HCD to require that the City adopt a zoning code amendment to modify the parking standards for single-room occupancy since the City is built-out. She suggested working with a coalition around the state to educate or asking Assemblymembers and Senators to forego this requirement due to a lack of water and the community's transportation challenges.

Mayor Termini stated that initially he had been opposed to amending the Industrial Zone regulations to allow an emergency shelter because it was presented as a allowed use with no review requirement; now he understands that if one is built, it will be properly noticed and will be reviewed by the Planning Commission.

C. Receive update regarding the financial management recommendations, and consider an amendment to the Title 3 Section 20.050 of the Capitola Municipal Code pertaining to budget transfers and budget amendments. [570-10/330-05]

Finance Director Hannah provided a PowerPoint presentation and reviewed the following five staff recommendations: (1) register of warrants; (2) budget transfers and amendments; (3) interfund loans; (4) financial reporting; and (5) the use of resolutions. She stated that the register of warrants will remain on the Council agenda to ensure transparency; however, no vote is required. Staff proposes amending the Municipal Code pertaining to budget transfers and budget amendments with \$25,000 or more requiring Council approval and placement on

10. GENERAL GOVERNMENT/PUBLIC HEARINGS (continued)

the Consent Calendar portion of the Council agenda. She stated that interfund payables and receivables will only be posted at year-end, if applicable. In order to streamline and improve financial reporting the City Clerk and the Council will be provided a short summary of receipts, disbursements, and fund balances; revenue and departmental financial reports will be posted quarterly to the City's website and distributed to Council. Resolutions will no longer be required for budget amendments and contracts.

ACTION: Motion made by Council Member Kirby, seconded by Council Member Storey, to approve listing the Check Register of Warrants on the Consent Calendar portion of the Council Agenda monthly, without a vote requirement; to introduce a proposed Ordinance amending Title 3 Section 20.050 of the Capitola Municipal Code pertaining to Budget Transfers and Budget Amendments [1st Reading]; to approve a modified procedure for reporting interfund loans, financial reporting, and removing the requirements that resolutions be used for budget adjustments and contracts. The motion carried unanimously with the following vote: AYES: Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini. NOES: None. ABSENT: None. ABSTAIN: None.

D. Consideration of a Permanent Quarter-Cent Sales Tax Measure for November 6, 2012 Election and a Resolution Ordering Election and Requesting Consolidation with the Presidential General Election. [560-10]

City Manager Goldstein stated that this item is to request the consolidation of the City's General Municipal Election on November 6, 2012, and to include a ballot measure imposing a permanent retail transactions and use tax.

Mayor Termini opened this item for public comment.

None provided.

Mayor Termini closed this item for public comment.

ACTION: Motion made by Council Member Storey, seconded by Council Member Harlan, to adopt Resolution No. 3912 requesting Santa Cruz County Elections conduct the election and requesting consolidation of the General Municipal Election in the City of Capitola on Tuesday, November 6, 2012; and approving the addition of a Ballot Measure regarding a permanent Quarter-Cent Sales Tax Measure for the November 6, 2012 Election. The motion carried unanimously with the following vote: AYES: Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini. NOES: None. ABSENT: None. ABSTAIN: None.

10. GENERAL GOVERNMENT/PUBLIC HEARINGS (continued)

E. Consideration of authorizing the City Manager to issue a Request for Proposal (RFP) to develop a hotel on the McGregor Property. [250-10]

Interim Community Development Director Westman stated that this item is a request for Council to authorize staff to issue a request for proposal (RFP) for a hotel development on the McGregor property; the City Council is not required to accept any of the proposals it receives as a result of this process but will have the opportunity to evaluate them and decide if this is a good use for the City-owned parcel.

Mayor Termini opened this item for public comment.

Nathan Cross, Finance Advisory Committee Member, stated that this recommendation was discussed at the last Finance Advisory Committee meeting, and the consensus was to encourage the Council to proceed with the RFP process. He stated that this is a great opportunity to see if a hotel at this site is viable.

Mayor Termini closed this item for public comment.

Council Member Norton stated that the City owns minimal land and is concerned about giving up rural property at the entrance to the City for commercial use; a hotel would be better suited in an urban area of the City where there are more services/facilities.

Council Member Storey stated concerns regarding developing a hotel on the McGregor Property which is open space at a gateway to the community. He suggested a determination be made regarding the current lodging vacancy rate and the net gain of transient occupancy tax, and if a hotel would fit the character and quality of the community.

Council Member Kirby stated that the McGregor Property is not a gateway to the City, and a hotel at this location would bring new sources of revenue to the City. He stated that the City has several parks, and the community has an abundance of open space.

ACTION: Motion made by Council Member Kirby, seconded by Council Member Harlan, to authorize the City Manager to issue a Request for Proposal to develop a hotel on the McGregor Property. The motion carried with the following vote: AYES: Council Members Harlan, Nicol, Storey, and Mayor Termini. NOES: Council Member Norton. ABSENT: None. ABSTAIN: None.

11. COUNCIL/STAFF COMMUNICATIONS

Council Member Storey announced that the City is eligible to apply for the Monterey Bay Unified Air Pollution Control District Assembly Bill 2766 Grant, and the deadline is approaching.

11. COUNCIL/STAFF COMMUNICATIONS (continued)

Mayor Termini stated that the Criminal Justice Council of Santa Cruz recently met; discussions included increasing concerns about the pervasiveness of gang violence in elementary schools.

Council Member Norton requested an update on the orange spray paint on City’s streets.

Public Works Director Jesberg stated that the orange paint was used by a contractor hired by the County Sanitation District to mark AT&T and Charter cable for an Underground Service Alert (USA) Project.

Council Member Harlan stated that the Association of Monterey Bay Area Governments is recruiting for a new Executive Director.

City Treasurer Bertrand requested that the Finance Advisory Committee agenda packets be added to the Dropbox to make it easier to share that information.

A. Staff Comments (None provided)

B. City Council/Treasurer Comments/Committee Reports (None provided)

12. COUNCIL/STAFF ANNOUNCEMENTS (None provided)

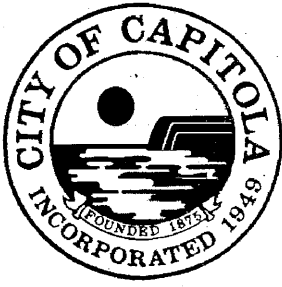
13. ADJOURNMENT

At 9:43 p.m. **Mayor Termini** adjourned the Regular City Council Meeting to the next Regular Meeting of the City Council to be held on Thursday, April 12, 2012, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Michael Termini, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk



CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 26, 2012

FROM: FINANCE DEPARTMENT
SUBJECT: CITY CHECK REGISTER REPORT

RECOMMENDED ACTION: Receive the attached Check Register Reports for March 16, March 23, March 30, April 6 and April 13, 2012.

DISCUSSION: Check Registers are attached for:

Date	Starting Check #	Ending Check #	Total Checks	Amount
3/16/2012	69119	69176	56	\$79,055.49
3/23/2012	69177	69307	131	\$234,870.56
3/30/2012	69308	69348	41	\$93,191.32
4/6/2012	69349	69402	54	\$102,241.22
4/13/2012	69403	49450	48	\$121,556.76

The check register of March 9, 2012 ended with check #69118.


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
69138	Fairbank, Maslin et al	CM	Public Opinion Research	\$20,000.00
69146	Monterey Bay Self Ins Auth	CM	Claim Settlement	\$10,000.00
69203	Community Bridges	CM	3 rd Qtr Community Grant	\$27,632.00
69221	Garden City Construction	PW	Rispin Stabilization Proj	\$46,679.55
69256	PG&E	PW	Monthly Electric & Gas	\$12,853.51
69282	Teaman, Ramirez & Smith	Fin	FY10/11 Financial Audit	\$13,816.00
69312	CalPERS Health Ins	CM	Employee funded ins premium	\$54,769.67
69328	PG&E	PW	Monthly Electric & Gas	\$12,580.70
69353	Atchison, Barisone et al	CM	Feb2012 Legal Services	\$11,409.64
69375	Jones Hall	CM	Pac Cove Bond Legal Services	\$19,775.00
69396	Susan Westman	CDD	Feb/Mar Interim Comm Dev Dir	\$14,320.00
69405	Autotemp Inc.	CM	Pac Cove Relocation Services	\$14,716.00
69435	RBF Consulting	PW	Hazard Mitigation Plan Develop.	\$38,760.50
69438	State Water Resource Bd	PW	Water Permit, FY10/11	\$12,052.00

ATTACHMENTS:

1. Check Register for March 16, 2012
2. Check Register for March 23, 2012
3. Check Register for March 30, 2012
4. Check Register for April 6, 2012
5. Check Register for April 13, 2012

Report Prepared By: Linda Benko
AP Clerk

Reviewed and Forwarded
by City Manager: 

City Checks Issued 3/16/2012

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69119	03/13/2012 Invoice 20120313	Voided	Incorrect Customer Date 03/13/2012	03/13/2012 Description Bank Levy fee	SANTA CRUZ COUNTY SHERIFF	\$0.00 Amount \$35.00
69120	03/13/2012 Invoice 20120313	Voided	Printer Misfeed Date 03/13/2012	03/13/2012 Description Bank Levy fee	SANTA CRUZ COUNTY SHERIFF	\$0.00 Amount \$35.00
69121	03/13/2012 Invoice 20120313	Open	Date 03/13/2012	Description Bank Levy fee	SANTA CRUZ COUNTY SHERIFF	\$35.00 Amount \$35.00
69122	03/16/2012 Invoice 821070-5	Open	Date 03/07/2012	Description 26' lift for electrical work	A TOOL SHED	\$160.00 Amount \$160.00
69123	03/16/2012 Invoice 185956	Open	Date 02/29/2012	Description New Hire Credit Check, PD	ADVANTAGE CREDIT INC.	\$10.00 Amount \$10.00
69124	03/16/2012 Invoice 3835	Open	Date 02/29/2012	Description Final Map Review - Pearson Court	AKERS & ASSOCIATES, INC.	\$460.00 Amount \$460.00
69125	03/16/2012 Invoice 27961	Open	Date 02/21/2012	Description Museum Display Expense	ALPHA GRAPHICS	\$564.20 Amount \$564.20
69126	03/16/2012 Invoice 674-3Mar12 624-6Mar12	Open	Date 03/01/2012 03/01/2012	Description Mar 2012 Long Distance Mar 2012 Long Distance	AT&T	\$15.37 Amount \$7.55 \$7.82
69127	03/16/2012 Invoice 2012-00000589	Open	Date 02/13/2012	Description Monthly Telephone Svc & T-1 Access Fund 1000, General Fund=\$1659.70 Fund 2211, Info Tech=\$293.87	AT&T/CALNET 2	\$1,953.57 Amount \$1,953.57
69128	03/16/2012 Invoice 20120128	Open	Date 03/08/2012	Description Reimb training transportation	BOOTH, MARQUIS	\$266.44 Amount \$266.44
69129	03/16/2012 Invoice 6983 6983-a	Open	Date 03/06/2012 03/06/2012	Description Pac Cove MHP Slope Engineering Pacific Cove MHP Slope Failure Mitigation Fund 1020, Emergency Reserve	BOWMAN & WILLIAMS, INC.	\$925.63 Amount \$855.37 \$70.26
69130	03/16/2012 Invoice 2012-13	Open	Date 02/17/2012	Description Apr12-Mar13 Membership, Wheeler	CALIFORNIA BUILDING OFFICIALS	\$215.00 Amount \$215.00

City of Capitola
City Checks Issued 3/16/2012

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69131	03/16/2012	Open			COASTAL WATERSHED COUNCIL	\$983.88
	Invoice		Date	Description	Amount	
	1130		02/29/2012	2011 Storm Water Education and Outreach	\$983.88	
69132	03/16/2012	Open			COLEY HEATH INVESTIGATIONS	\$1,700.00
	Invoice		Date	Description	Amount	
	17		03/05/2012	Background Investigation, PD Chief	\$1,700.00	
69133	03/16/2012	Open			CRUZIO THE INTERNET STORE INC.	\$39.95
	Invoice		Date	Description	Amount	
	28750-35		03/02/2012	Gen Plan webhosting 3/23/12-4/22/12 Fund 1313, General Plan Update	\$39.95	
69134	03/16/2012	Open			DEPT OF HOUSING AND COMM DEV	\$27.00
	Invoice		Date	Description	Amount	
	AAV8639-12		02/17/2012	Manuf Home Reg Renewal	\$27.00	
69135	03/16/2012	Open			DOUBLETREE HOTEL-MODESTO	\$274.88
	Invoice		Date	Description	Amount	
	82550852		03/14/2012	Lodging, Avoid the 9 grant tng, Weagle-PC	\$274.88	
69136	03/16/2012	Open			DOUBLETREE HOTEL-MODESTO	\$274.88
	Invoice		Date	Description	Amount	
	85173092		03/14/2012	Lodging, Avoid the 9 grant tng, Farotte-PD	\$274.88	
69137	03/16/2012	Open			EWING IRRIGATION	\$115.77
	Invoice		Date	Description	Amount	
	4398658		02/24/2012	Irrigation supplies	\$74.30	
	4413491		03/01/2012	Irrigation supplies	\$41.47	
69138	03/16/2012	Open			FAIRBANK, MASLIN, MAULLIN, METZ & ASSOC	\$20,000.00
	Invoice		Date	Description	Amount	
	234959		02/27/2012	Public Opinion Research	\$20,000.00	
69139	03/16/2012	Open			GALLI UNIFORM COMPANY	\$438.41
	Invoice		Date	Description	Amount	
	346		02/21/2012	Kimura, motor boots	\$438.41	
69140	03/16/2012	Open			MARTIN & CHAPMAN CO.	\$118.75
	Invoice		Date	Description	Amount	
	2012030		02/22/2012	Minutes Books, City Clerk	\$118.75	
69141	03/16/2012	Open			MATTHEW BENDER & CO., INC.	\$279.52
	Invoice		Date	Description	Amount	
	2012		02/29/2012	2012 Lexis Nexis books-PD	\$279.52	
69142	03/16/2012	Open			McMENAMIN, GEORGE	\$882.50
	Invoice		Date	Description	Amount	
	R20		03/11/2012	Riparian Restoration	\$882.50	

City of Capitola
City Checks Issued 3/16/2012

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69143	03/16/2012	Open			MID-COUNTY AUTO SUPPLY	\$69.49
	Invoice		Date	Description		Amount
	294429		02/29/2012	auto parts, John Deere Mower		\$23.11
	294180		02/27/2012	auto parts, City Vehicles		\$30.19
	294179		02/27/2012	auto parts, Parks F-250		\$16.19
69144	03/16/2012	Open			MILLER'S TRANSFER & STORAGE CO	\$195.40
	Invoice		Date	Description		Amount
	83050		03/04/2012	Mar12 Storage, Feb12 Handling: Rcds Mgr		\$195.40
69145	03/16/2012	Open			MONTEREY BAY AREA SELF INS AUTI	\$383.60
	Invoice		Date	Description		Amount
	MBA11-0503		03/01/2012	Claim Settlement, Larson Fund 2213, Self Insurance Liab		\$383.60
69146	03/16/2012	Open			MONTEREY BAY AREA SELF INS AUTI	\$10,000.00
	Invoice		Date	Description		Amount
	MBA11-0501		03/01/2012	Claim Settlement Fund 2213, Self Insurance Liab		\$10,000.00
69147	03/16/2012	Open			NATIVE REVIVAL NURSERY	\$125.33
	Invoice		Date	Description		Amount
	11530		02/08/2012	Landscape plants, 41st Ave North		\$125.33
69148	03/16/2012	Open			NORTH BAY FORD	\$309.75
	Invoice		Date	Description		Amount
	226547		02/29/2012	auto parts		\$97.65
	226425		02/23/2012	auto parts		\$212.10
69149	03/16/2012	Open			ORCHARD SUPPLY HARDWARE	\$289.46
	Invoice		Date	Description		Amount
	6011-4792457		02/21/2012	Misc.		\$47.37
	6007-3521762		02/23/2012	Lag screws		\$11.65
	6009-6090314		02/23/2012	Barrel bolts		\$21.61
	6012-2436401		02/23/2012	Graffiti paint		\$22.72
	6009-1331304		02/28/2012	Toggle bolts - CH move		\$13.40
	6014-3462214		02/28/2012	Misc.		\$8.84
	6013-4776903		02/23/2012	Door hardware		\$49.19
	6011-4792894		02/23/2012	Misc. - CPD evidence room		\$36.34
	6005-3178039		03/02/2012	Supplies		\$24.74
	6007-3037676		01/30/2012	Hose		\$29.18
	6011-4792341		02/21/2012	Misc.		\$18.38
	6013-1237908		03/01/2012	Paint		\$6.04
69150	03/16/2012	Open			PACIFIC MONARCH	\$850.00
	Invoice		Date	Description		Amount
	40632		02/29/2012	Deposit for bus to Regionals July Round-tr		\$450.00
	40633		02/29/2012	Deposit for bus to Regionals July 1-way		\$400.00
69151	03/16/2012	Open			PACIFIC VETERINARY SPECIALISTS	\$28.85
	Invoice		Date	Description		Amount
	209068		02/16/2012	Animal Control Expense-PD		\$28.85

City of Capitola
City Checks Issued 3/16/2012

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69152	03/16/2012	Open			PALACE ART & OFFICE SUPPLIES	\$611.36
	Invoice		Date	Description		Amount
	947027		02/29/2012	Office Supplies, City Hall		\$7.40
	946883		02/28/2012	Office Supplies, City Hall		\$7.27
	946878		02/28/2012	Office Supplies, City Hall		\$6.37
	946806		02/28/2012	Office Supplies, City Hall		\$73.75
	946966		02/28/2012	Office Supplies, City hall		\$24.10
	947357		03/01/2012	office supplies-PD		\$12.87
	947028-1		03/01/2012	Office supplies-PD		\$143.43
	947028		02/29/2012	Office supplies-PD		\$200.81
	C946530		02/29/2012	Return Office Supplies, City Hall		(\$6.43)
	C946470		02/29/2012	Return Office Supplies, City Hall		(\$46.54)
	947385		03/01/2012	Office Supplies, City Hall		\$181.03
	947317		03/01/2012	Office Supplies, City Hall		\$7.30
				Fund 1000, General Fund=\$357.11		
				Fund 2210, Stores=\$254.25		
69153	03/16/2012	Open			PHIL ALLEGRI ELECTRIC, INC.	\$7,191.70
	Invoice		Date	Description		Amount
	16660		02/28/2012	Electrical repair, Pac Cove Parking Lot		\$85.00
	16662		02/28/2012	Pole Light - Esplanade Park		\$3,300.00
	16661		02/28/2012	Replace light standard at Capitola Road		\$3,806.70
69154	03/16/2012	Open			PITNEY BOWES INC.	\$2,019.99
	Invoice		Date	Description		Amount
	3654-Feb12		02/17/2012	Postage Meter Refill, City Hall		\$2,019.99
				Fund 2210, Stores		
69155	03/16/2012	Open			PRAXAIR DISTRIBUTION INC.	\$62.00
	Invoice		Date	Description		Amount
	42072831		02/20/2012	Gases, Corp Yard		\$62.00
69156	03/16/2012	Open			RED SHIFT INTERNET SERVICES	\$115.11
	Invoice		Date	Description		Amount
	1501103		03/01/2012	Mar 2012 Internet Access-Fund 2211, IT		\$65.17
	1501104		03/01/2012	Mar 2012 Internet Access		\$49.94
69157	03/16/2012	Open			ROM, HILLEL	\$262.50
	Invoice		Date	Description		Amount
	2012-00000586		03/01/2012	Futsal Official Feb 16 and 23 2012		\$262.50
69158	03/16/2012	Open			ROSEMAN, LEWIS	\$2,947.24
	Invoice		Date	Description		Amount
	211512		02/15/2012	February 2012, parking meter services		\$2,947.24
69159	03/16/2012	Open			SCC AUDITOR-CONTROLLER	\$7,461.50
	Invoice		Date	Description		Amount
	Feb2012		03/01/2012	Feb12 Citation Surcharges		\$7,461.50
69160	03/16/2012	Open			SCC DEPT OF PUBLIC WORKS	\$43.99
	Invoice		Date	Description		Amount
	20120302		03/02/2012	Jan & Feb survey maps, prints & copies		\$43.99

City of Capitola
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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69161	03/16/2012	Open			SCC HEALTH SERVICES	\$364.00
	Invoice		Date	Description		Amount
	20120306		03/06/2012	Oct - Dec 2011 Blood Alcohol Testing Svc		\$364.00
69162	03/16/2012	Open			SCC INFORMATION SERVICES	\$502.78
	Invoice		Date	Description		Amount
	Mar12		03/02/2012	March 2012 Open query (scan) charges		\$502.78
69163	03/16/2012	Open			SANTA CRUZ FIRE EQUIPMENT CO.	\$466.14
	Invoice		Date	Description		Amount
	91183		03/02/2012	Fire safety service, Rec Center		\$466.14
69164	03/16/2012	Open			SANTA CRUZ SENTINEL	\$242.87
	Invoice		Date	Description		Amount
	2040516-Feb12		02/29/2012	Feb Public Notice		\$242.87
69165	03/16/2012	Open			SLOMA, CLIFF	\$345.58
	Invoice		Date	Description		Amount
	20120302		03/08/2012	Training Expense, Travel		\$345.58
69166	03/16/2012	Open			STAPLES	\$74.51
	Invoice		Date	Description		Amount
	46585		03/01/2012	Priner Ink Cartridge Fund 2211, IT		\$74.51
69167	03/16/2012	Open			SWIFT, CAROLYN	\$155.40
	Invoice		Date	Description		Amount
	20120315		03/12/2012	Reimb Membership in Ancestry.com-Muse		\$155.40
69168	03/16/2012	Open			TLC ADMINISTRATORS, INC.	\$175.00
	Invoice		Date	Description		Amount
	15761		03/01/2012	March 2012 Admin Fee, 125 Plan		\$175.00
69169	03/16/2012	Open			TRI-COUNTY BUSINESS SYSTEMS INC	\$97.74
	Invoice		Date	Description		Amount
	CNIN019994		02/15/2012	Copier Maint Contract, Sharp MX7001N Fund 2210, Stores		\$97.74
69170	03/16/2012	Open			UNITED WAY OF SCC	\$2,308.00
	Invoice		Date	Description		Amount
	HAP11-12		03/08/2012	Homeless Action Partnership, FY11/12		\$2,308.00
69171	03/16/2012	Open			US BANCORP EQUIPMENT FINANCE	\$37.51
	Invoice		Date	Description		Amount
	198770190		03/07/2012	Service Charge, City Hall Copier Fund 2210, Stores		\$37.51
69172	03/16/2012	Open			WESTMAN, SUSAN	\$9,600.00
	Invoice		Date	Description		Amount
	20120215		02/15/2012	Jan 25 to Feb 15 prof services, Comm Dev		\$9,600.00
69173	03/16/2012	Open			ZUMAR INDUSTRIES INC.	\$880.94
	Invoice		Date	Description		Amount
	0136354		02/21/2012	Road Signs		\$880.94

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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69174	03/16/2012	Open			G & K Management Co., Inc.	\$500.00
	Invoice		Date	Description		Amount
	2012-00000596		03/13/2012	Tree Deposit Refund #12-003		\$500.00
69175	03/16/2012	Open			Hope, John	\$97.00
	Invoice		Date	Description		Amount
	2012-00000590		03/06/2012	Class refund		\$97.00
69176	03/16/2012	Open			Park Avenue by the Sea	\$500.00
	Invoice		Date	Description		Amount
	2012-00000597		03/13/2012	Tree Deposit Refund #12-021		\$500.00
Check Totals:				Count	56	Total \$79,055.49

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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69177	03/23/2012	Open			41st Avenue Vacuum	\$40.00
	Invoice		Date	Description		Amount
	449528		03/19/2012	Repair carpet cleaner-Rec		\$40.00
69178	03/23/2012	Open			57 DESIGN INC.	\$150.00
	Invoice		Date	Description		Amount
	CV-4021112		02/11/2012	Update Artwork, Brochure-BIA Fund 1321, BIA		\$150.00
69179	03/23/2012	Open			ADAMSON POLICE PRODUCTS	\$567.50
	Invoice		Date	Description		Amount
	inv69129		02/29/2012	9MM cartridge		\$567.50
69180	03/23/2012	Open			ADVOCACY INC.	\$1,058.75
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$1,058.75
69181	03/23/2012	Open			ALLSAFE LOCK COMPANY	\$36.24
	Invoice		Date	Description		Amount
	43254		03/01/2012	7 keys for patrol cars		\$17.01
	43267		03/09/2012	F-800 Dump Truck keys		\$19.23
69182	03/23/2012	Open			ARITCHITA, WIND, C.	\$444.60
	Invoice		Date	Description		Amount
	2012-00000642		03/21/2012	Early Spring Instructor Payments 2012		\$444.60
69183	03/23/2012	Open			BANK OF AMERICA	\$2,266.87
	Invoice		Date	Description		Amount
	Feb-Mar12cc		03/06/2012	Feb-Mar2012 Credit Card Charges Fund 2211, IT=\$242.53 Fund 1000, Gen Fund=\$2024.34		\$2,266.87
69184	03/23/2012	Open			BARRETT, SHARON	\$78.00
	Invoice		Date	Description		Amount
	2012-00000644		03/21/2012	Early Spring Instructor Payments 2012		\$78.00
69185	03/23/2012	Open			BARTLETT, GERRY	\$1,244.10
	Invoice		Date	Description		Amount
	2012-00000645		03/21/2012	Early Spring Instructor Payments 2012		\$1,244.10
69186	03/23/2012	Open			BAY AREA POLYGRAPH	\$200.00
	Invoice		Date	Description		Amount
	385		03/14/2012	PD Records Clerk applicant		\$200.00
69187	03/23/2012	Open			BAY PHOTO LAB	\$40.96
	Invoice		Date	Description		Amount
	2347736		02/27/2012	Museum Display Expense		\$40.96
69188	03/23/2012	Open			BETZ, SHERRI	\$4,199.00
	Invoice		Date	Description		Amount
	2012-00000646		03/21/2012	Early Spring Instructor Payments 2012		\$4,199.00

City of Capitola
City Checks Issued 3/23/2012

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69189	03/23/2012 Invoice 2012-Q3	Open	Date 03/16/2012	Description Quarterly Comm Grant Payment	BIG BROTHERS BIG SISTERS OF SCC	\$690.50
69190	03/23/2012 Invoice 2968765	Open	Date 03/07/2012	Description Plywood - Stencils	BIG CREEK LUMBER	\$98.50
69191	03/23/2012 Invoice Booth-Jan2	Open	Date 03/16/2012	Description Reimb Travel exp, Training-PD	BOOTH, MARQUIS	\$226.44
69192	03/23/2012 Invoice 2012-00000604 2012-00000648	Open	Date 03/20/2012 03/21/2012	Description Paul Private Lessons Early Spring Instructor Payments 2012	BRESLIN-KESSLER, PAUL	\$5,063.65
69193	03/23/2012 Invoice 2012-Q3	Open	Date 03/16/2012	Description Quarterly Comm Grant Payment	CABRILLO COLLEGE STROKE CTR	\$1,689.50
69194	03/23/2012 Invoice 125887	Open	Date 02/29/2012	Description February 2012 meter fee Fund 1316, Parking Reserve	CALE AMERICA INC.	\$630.00
69195	03/23/2012 Invoice 2012-Q3	Open	Date 03/16/2012	Description Quarterly Comm Grant Payment	CALIFORNIA GREY BEARS INC.	\$3,485.25
69196	03/23/2012 Invoice 2012-Q3	Open	Date 03/16/2012	Description Quarterly Comm Grant Payment	CALIFORNIA RURAL LEGAL ASSIST.	\$906.50
69197	03/23/2012 Invoice 2012-Q3	Open	Date 03/16/2012	Description Quarterly Comm Grant Payment	CAMPUS KIDS CONNECTION INC.	\$4,141.25
69198	03/23/2012 Invoice POA3-23-12	Open	Date 03/21/2012	Description POA Dues, Employee Funded	CAPITOLA PEACE OFFICERS ASSOC.	\$784.08
69199	03/23/2012 Invoice 2012-Q3	Open	Date 03/16/2012	Description Quarterly Comm Grant Payment	CASA OF SANTA CRUZ COUNTY	\$556.75
69200	03/23/2012 Invoice 2012-Q3	Open	Date 03/16/2012	Description Quarterly Comm Grant Payment	CENTRAL COAST CENTER FOR INDEPENDENT L	\$3,674.25

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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69201	03/23/2012	Open			CHEVROLET OF WATSONVILLE	\$380.24
	Invoice		Date	Description		Amount
	173883		03/05/2012	Wiring Harness, 2005 Chev Impala		\$115.03
	173863		03/05/2012	auto parts-2005 Chev Impala		\$265.21
69202	03/23/2012	Open			COMMUNITY ACTION BOARD OF SCC	\$339.00
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$339.00
69203	03/23/2012	Open			COMMUNITY BRIDGES	\$27,632.00
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payments		\$27,632.00
69204	03/23/2012	Open			COMPLETE MAILING SERVICE INC	\$1,747.16
	Invoice		Date	Description		Amount
	60336		03/19/2012	Mail service Late Spring brochure		\$1,747.16
69205	03/23/2012	Open			CONFLICT RESOLUTION CENTER	\$689.50
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$689.50
69206	03/23/2012	Open			CULTURAL COUNCIL OF SCC	\$1,036.75
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payments		\$1,036.75
69207	03/23/2012	Open			DEGUZMAN, JENNIFER, A.	\$138.45
	Invoice		Date	Description		Amount
	2012-00000647		03/21/2012	Early Spring Instructor Payments 2012		\$138.45
69208	03/23/2012	Open			DICKS, CHUCK	\$321.10
	Invoice		Date	Description		Amount
	2012-00000650		03/21/2012	Early Spring Instructor Payments 2012		\$321.10
69209	03/23/2012	Open			DIENTES COMMUNITY DENTAL CARE	\$344.50
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$344.50
69210	03/23/2012	Open			ELEVATOR SERVICE COMPANY, INC.	\$165.00
	Invoice		Date	Description		Amount
	8195		03/01/2012	Quarterly lube and inspection		\$165.00
69211	03/23/2012	Open			EVANS, PAT	\$321.10
	Invoice		Date	Description		Amount
	2012-00000652		03/21/2012	Early Spring Instructor Payments 2012		\$321.10
69212	03/23/2012	Open			EXPLORE PUBLISHING INC.	\$1,000.00
	Invoice		Date	Description		Amount
	926983		02/03/2012	Advertising in Explore Silicon Valley, 2012 E Fund 1321, BIA		\$1,000.00

City of Capitola
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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69213	03/23/2012	Open			FAIA ARTWORKS	\$697.66
	Invoice		Date	Description		Amount
	2012-00000643		03/21/2012	Early Spring Instructor Payments 2012		\$697.66
69214	03/23/2012	Open			FAMILIES IN TRANSITION	\$605.50
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$605.50
69215	03/23/2012	Open			FAMILY SERVICE AGENCY	\$2,149.75
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$2,149.75
69216	03/23/2012	Open			FERRASCI-HARP, AMY	\$775.00
	Invoice		Date	Description		Amount
	8		03/01/2012	Feb2012 BIA Advertising		\$650.00
	8a		03/01/2012	Feb 2012 BIA Advertising services		\$125.00
				Fund 1321, BIA		
69217	03/23/2012	Open			FITZGERALD, AIMEE	\$388.70
	Invoice		Date	Description		Amount
	2012-00000653		03/21/2012	Early Spring Instructor Payments 2012		\$388.70
69218	03/23/2012	Open			FLYERS ENERGY, LLC	\$5,558.48
	Invoice		Date	Description		Amount
	12-705517		03/02/2012	514 Gal Ethanol		\$2,107.25
	12-705518		03/02/2012	170 Gal Diesel		\$728.95
	12-707237		03/09/2012	510 Gal Ethanol		\$2,211.67
	12-707238		03/09/2012	120 Gal Diesel		\$510.61
69219	03/23/2012	Open			FRANCA, CLAUDIO	\$481.00
	Invoice		Date	Description		Amount
	2012-00000654		03/21/2012	Early Spring Instructor Payments 2012		\$481.00
69220	03/23/2012	Open			GALLI UNIFORM COMPANY	\$329.84
	Invoice		Date	Description		Amount
	364		02/24/2012	M. Gonzalez, Vest Work		\$292.28
	367		02/24/2012	Uniform Expense, Explorer Yeung		\$20.51
	370		02/24/2012	Uniform Exp, Explorer Yeung		\$17.05
69221	03/23/2012	Open			GARDEN CITY CONSTRUCTION INC.	\$46,679.55
	Invoice		Date	Description		Amount
	G10330-RET		12/30/2011	Retention Release		\$54,035.55
	G10330-5		03/01/2012	Credit		(\$7,356.00)
				Fund 1200, Cap Improvements		
69222	03/23/2012	Open			GEDDES, SESE EGAN	\$214.50
	Invoice		Date	Description		Amount
	2012-00000651		03/21/2012	Early Spring Instructor Payments 2012		\$214.50
69223	03/23/2012	Open			Geo. H. Wilson, Inc.	\$2,802.00
	Invoice		Date	Description		Amount
	9027		03/15/2012	Install Exhaust Fan, PD Evidence Room		\$2,802.00

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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69224	03/23/2012	Open			GRAINGER	\$113.60
	Invoice		Date	Description		Amount
	9767036636		02/29/2012	Motor		\$113.60
69225	03/23/2012	Open			HANNA, CARIN	\$297.00
	Invoice		Date	Description		Amount
	20120203		02/03/2012	Reimb Constant Contact Annual Fee		\$297.00
				Fund 1321, BIA		
69226	03/23/2012	Open			HILL, CAROL	\$286.00
	Invoice		Date	Description		Amount
	2012-00000655		03/21/2012	Early Spring Instructor Payments 2012		\$286.00
69227	03/23/2012	Open			HO KUK MU SUL CORPORATION	\$184.60
	Invoice		Date	Description		Amount
	2012-00000649		03/21/2012	Early Spring Instructor Payments 2012		\$184.60
69228	03/23/2012	Open			HOMELESS SERVICE CTR OF SCC	\$627.00
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$627.00
69229	03/23/2012	Open			HOSPICE of SANTA CRUZ COUNTY	\$345.00
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$345.00
69230	03/23/2012	Open			HOWARD, CHARLIE	\$1,190.00
	Invoice		Date	Description		Amount
	Mar-2		03/19/2012	Mechanic		\$710.00
	Mar-3		03/19/2012	Mechanic		\$480.00
69231	03/23/2012	Open			ICMA RETIREMENT TRUST 457	\$4,434.91
	Invoice		Date	Description		Amount
	ICMA3-23-12		03/21/2012	Retirement Plan Contr, Employee funded		\$4,434.91
69232	03/23/2012	Open			INK, BRUCE	\$444.60
	Invoice		Date	Description		Amount
	2012-00000656		03/21/2012	Early Spring Instructor Payments 2012		\$444.60
69233	03/23/2012	Open			INTERWEST CONSULTING GROUP INC.	\$396.68
	Invoice		Date	Description		Amount
	12112		03/06/2012	Plan check for 1100 41st Avenue		\$396.68
69234	03/23/2012	Open			KAPLAN, PHIL	\$642.85
	Invoice		Date	Description		Amount
	2012-00000657		03/21/2012	Early Spring Instructor Payments 2012		\$642.85
69235	03/23/2012	Open			KINNAMON, LORRAINE	\$189.15
	Invoice		Date	Description		Amount
	2012-00000658		03/21/2012	Early Spring Instructor Payments 2012		\$189.15

City of Capitola
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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69236	03/23/2012 Invoice 312688	Open	Date 03/02/2012	Description Psych Assessment, PD New Hire	LAW ENFORCEMENT PSYCH SVCS	\$350.00
69237	03/23/2012 Invoice LIUNA-Mar12	Open	Date 03/21/2012	Description Pension Contr, Employee Funded	LIUNA PENSION FUND	\$484.00
69238	03/23/2012 Invoice 2012-00000659	Open	Date 03/21/2012	Description Early Spring Instructor Payments 2012	LUCAS, SAMANTHA	\$522.75
69239	03/23/2012 Invoice 2012-00000660	Open	Date 03/21/2012	Description Early Spring Instructor Payments 2012	MAC LAUGHLIN, DAWN	\$514.80
69240	03/23/2012 Invoice 249-8199a	Open	Date 02/28/2012	Description Employee Medical Exp	MAR MONTE MEDICAL CLINIC	\$55.00
69241	03/23/2012 Invoice 2012-00000661	Open	Date 03/21/2012	Description Early Spring Instructor Payments 2012	MARRUJO, SANDY	\$518.70
69242	03/23/2012 Invoice 2012-00000662	Open	Date 03/21/2012	Description Early Spring Instructor Payments 2012	MCCUTCHEN, SUELLEN	\$403.00
69243	03/23/2012 Invoice 47819924	Open	Date 02/28/2012	Description Internet Access Fund 2211, IT	MEGAPATH COVAD COMMUNICATIONS	\$643.86
69244	03/23/2012 Invoice 2012-00000663	Open	Date 03/21/2012	Description Early Spring Instructor Payments 2012	MELLO, BRUCE, G.	\$234.00
69245	03/23/2012 Invoice 1262415	Open	Date 02/24/2012	Description Latex Gloves, PD	MICROFLEX CORP #774353	\$258.20

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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69246	03/23/2012	Open			MID-COUNTY AUTO SUPPLY	\$1,323.13
	Invoice		Date	Description		Amount
	294995		03/06/2012	Zerk/ grease fittings - Lawn Way pump		\$2.88
	295150		03/07/2012	auto parts, all vehicles		\$45.74
	296542		03/07/2012	Software Update, Scanner		\$487.13
	295217		03/07/2012	Computer Battery		\$269.73
	294935		03/05/2012	Bumper parts-Bldg Dept Saturn		\$233.28
	294855		03/05/2012	auto parts, Bldg Dept Saturn		\$49.45
	294902		03/05/2012	auto parts, Bldg Dept Saturn		\$35.63
	294675		03/02/2012	auto parts, PW F-800 Dump Truck		\$1.09
	294673		03/02/2012	auto parts, PW F-800 Dump Truck		\$104.25
	294666		03/02/2012	auto parts, PW Project		\$18.74
	295204		03/07/2012	auto parts, 1991 F-800 Dump Truck		\$13.53
	295343		03/08/2012	auto parts, Bldg Dept Saturn		\$32.43
	295642		03/12/2012	auto parts, PW Shop F-150		\$29.25
69247	03/23/2012	Open			MILES, MITCHELL, A.	\$1,261.65
	Invoice		Date	Description		Amount
	2012-00000664		03/21/2012	Early Spring Instructor Payments 2012		\$1,261.65
69248	03/23/2012	Open			MISSION LINEN SUPPLY	\$800.42
	Invoice		Date	Description		Amount
	Feb2012		03/01/2012	Feb 2012 Mat and Uniform Cleaning Service		\$800.42
69249	03/23/2012	Open			MITCHELL, JEANI	\$373.10
	Invoice		Date	Description		Amount
	2012-00000665		03/21/2012	Early Spring Instructor Payments 2012		\$373.10
69250	03/23/2012	Voided	Incorrect Customer	03/23/2012	MOBILE CLIMB USA, LLC	\$0.00
	Invoice		Date	Description		Amount
	955255210		02/24/2012			\$0.00
69251	03/23/2012	Open			NATIONAL NEIGHBORHOOD WATCH	\$131.98
	Invoice		Date	Description		Amount
	1112445		12/12/2011	Neighborhood Watch Street Signs		\$131.98
69252	03/23/2012	Open			NATIVE ANIMAL RESCUE	\$297.00
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$297.00
69253	03/23/2012	Open			O'NEILL SEA ODYSSEY	\$1,454.00
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$1,454.00
69254	03/23/2012	Open			OLIVE SPRINGS QUARRY, INC.	\$915.49
	Invoice		Date	Description		Amount
	82507		03/12/2012	CL2 and 3/4 asphalt - 200 Cortez Fund 1310, Gas Tax		\$915.49

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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69255	03/23/2012	Open			ORCHARD SUPPLY HARDWARE	\$383.13
	Invoice		Date	Description		Amount
	6011-4794256		03/01/2012	Plastic		\$11.90
	6007-3523010		03/01/2012	Blades		\$59.10
	6011-4795397		03/06/2012	Painting supplies		\$22.59
	6013-8328637		03/06/2012	Hose bib		\$9.73
	6009-3692892		03/07/2012	Batteries		\$47.60
	6009-3692980		03/07/2012	Plants		\$43.20
	6007-2434381		03/07/2012	Misc.		\$18.38
	6013-788683		03/07/2012	Electrical parts & misc.		\$126.32
	6013-1238832		03/08/2012	Rake		\$9.73
	6007-2434403		03/07/2012	Misc Supplies, IT		\$10.81
	6007-1383157		03/02/2012	Supplies, Fleet		\$23.77
69256	03/23/2012	Open			PACIFIC GAS & ELECTRIC	\$12,853.51
	Invoice		Date	Description		Amount
	2012-00000600		02/16/2012	Monthly Elec		\$12,853.51
				Fund 1000, Gen Fund=\$4448.44		
				Fund 1300, SLESF=\$61.00		
				Fund 1310, Gas Tax=\$6849.20		
				Fund 1311, Wharf Fund=\$1494.87		
69257	03/23/2012	Open			PACIFIC GAS & ELECTRIC	\$902.87
	Invoice		Date	Description		Amount
	2012-00000601		02/16/2012	Pac Cove MHP Elec and Gas		\$902.87
69258	03/23/2012	Open			PALACE ART & OFFICE SUPPLIES	\$203.80
	Invoice		Date	Description		Amount
	947565		03/02/2012	paper-PD		\$46.44
	C947028		03/05/2012	Return Office Supplies, PD		(\$12.87)
	947665		03/07/2012	Office Supplies, City Hall		\$28.13
	8743109		03/09/2012	Office supplies-Rec		\$20.77
	948742		03/12/2012	Office Supplies, City Hall		\$78.12
	948703		03/12/2012	Office Supplies, City Hall		\$43.21
69259	03/23/2012	Open			PANARO, YVONNE	\$1,397.50
	Invoice		Date	Description		Amount
	2012-00000666		03/21/2012	Early Spring Instructor Payments 2012		\$1,397.50
69260	03/23/2012	Open			PARENTS CENTER OF SANTA CRUZ	\$1,772.00
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$1,772.00
69261	03/23/2012	Open			PENINSULA COMMUNICATIONS	\$9,776.40
	Invoice		Date	Description		Amount
	14566		02/28/2012	Kenwood cable, PD		\$120.10
	5833		03/22/2012	Radios-PD		\$9,656.30
69262	03/23/2012	Open			POLAR AUTOMOTIVE & RADIATOR	\$179.03
	Invoice		Date	Description		Amount
	20378		03/12/2012	auto parts, 2005 PD		\$179.03

City of Capitola
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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69263	03/23/2012	Open			POT, TRENISE	\$1,088.10
	Invoice		Date	Description		Amount
	2012-00000667		03/21/2012	Early Spring Instructor Payments 2012		\$1,088.10
69264	03/23/2012	Open			PRINTWORX	\$1,924.69
	Invoice		Date	Description		Amount
	12373		02/24/2012	CVWBIA-Capitola Visitor Brochure Fund 1321, BIA		\$1,924.69
69265	03/23/2012	Open			REHAB SPECIALISTS, INC.	\$3,142.82
	Invoice		Date	Description		Amount
	471573		03/29/2012	Irao's wheelchair		\$3,142.82
69266	03/23/2012	Open			RobNetty Equipment Repair, Inc.	\$276.88
	Invoice		Date	Description		Amount
	2265		02/08/2012	Sweeper Repair Fund 1310, Gas Tax		\$276.88
69267	03/23/2012	Open			SANTA CRUZ AIDS PROJECT	\$2,287.50
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Community Grant Payment		\$2,287.50
69268	03/23/2012	Open			SANTA CRUZ COMMUNITY COUNS CTR	\$1,721.50
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$1,721.50
69269	03/23/2012	Open			SCC DEPT OF PUBLIC WORKS	\$23.99
	Invoice		Date	Description		Amount
	412723		02/28/2012	Pearson Court maps		\$23.99
69270	03/23/2012	Open			SCC OFFICE OF EDUCATION	\$339.00
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$339.00
69271	03/23/2012	Open			SANTA CRUZ DANCE & PERFORMING ARTS CO	\$539.50
	Invoice		Date	Description		Amount
	2012-00000669		03/21/2012	Early Spring Instructor Payments 2012		\$539.50
69272	03/23/2012	Open			SANTA CRUZ SPCA	\$3,000.00
	Invoice		Date	Description		Amount
	20120306		03/06/2012	Donation to the SPCA for 2012		\$3,000.00
69273	03/23/2012	Open			SANTA CRUZ TODDLER CARE CTR	\$308.50
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$308.50
69274	03/23/2012	Open			SAVE OUR SHORES	\$344.75
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$344.75
69275	03/23/2012	Open			SECOND HARVEST FOOD BANK	\$2,456.25
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$2,456.25

City of Capitola
City Checks Issued 3/23/2012

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69276	03/23/2012	Open			SEE-CABARGA, DIANE	\$401.70
	Invoice		Date	Description		Amount
	2012-00000668		03/21/2012	Early Spring Instructor Payments 2012		\$401.70
69277	03/23/2012	Open			SENIOR CITIZENS LEGAL SERVICES	\$2,435.75
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Qtrly Community Grant Payment		\$2,435.75
69278	03/23/2012	Open			SENIOR NETWORK SERVICES, INC.	\$615.25
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$615.25
69279	03/23/2012	Open			SENIORS COUNCIL OF SC COUNTY	\$819.25
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$819.25
69280	03/23/2012	Open			SESSIONS, MARK	\$85.00
	Invoice		Date	Description		Amount
	715064		03/16/2012	Reimb Physical Exp-city required		\$85.00
69281	03/23/2012	Open			SURVIVORS HEALING CENTER	\$132.00
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$132.00
69282	03/23/2012	Open			TEAMAN, RAMIREZ & SMITH	\$13,816.00
	Invoice		Date	Description		Amount
	5045		01/31/2012	FY10/11 Audit		\$13,816.00
69283	03/23/2012	Open			THE HARTFORD -PRIORITY ACCOUNTS	\$1,817.59
	Invoice		Date	Description		Amount
	5823449-3		03/16/2012	Apr2012 Employee Life and Disability Ins		\$1,817.59
69284	03/23/2012	Open			THE INTERNET CONNECTION INC.	\$150.00
	Invoice		Date	Description		Amount
	3917-15731		03/01/2012	Monthly Website Hosting Exp, City website		\$150.00
69285	03/23/2012	Open			TLC ADMINISTRATORS, INC.	\$175.00
	Invoice		Date	Description		Amount
	15306a		01/31/2012	Admin Fee, Sec 125 Plan Admin, Jan 2012		\$175.00
69286	03/23/2012	Open			TOTLCOM	\$195.00
	Invoice		Date	Description		Amount
	206985		03/07/2012	Phone System Maint		\$195.00
69287	03/23/2012	Open			UNION BANK OF CALIFORNIA	\$242.72
	Invoice		Date	Description		Amount
	PARS3-23-12		03/21/2012	PARS Contribution, Employee Funded		\$242.72

City of Capitola
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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69288	03/23/2012	Open			UNITED WAY OF SANTA CRUZ COUNTY	\$2,046.75
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quaterly Comm Grant Payment		\$2,026.75
	Mar12		03/21/2012	United Way Employee Contr-Mar2012		\$20.00
				Fund 1000, Gen Fund=\$1546.75		
				Fund 2211, IT=\$500.00		
69289	03/23/2012	Open			UPEC LIUNA LOCAL 792	\$1,817.00
	Invoice		Date	Description		Amount
	DuesMar12		03/21/2012	Union Dues, Employee Funded		\$1,817.00
69290	03/23/2012	Open			US BANCORP EQUIPMENT FINANCE	\$91.95
	Invoice		Date	Description		Amount
	198583577		03/04/2012	Copier Lease, Rec		\$91.95
69291	03/23/2012	Open			VISTA CENTER FOR THE BLIND	\$460.25
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Qtrly Comm Grant Payment		\$460.25
69292	03/23/2012	Open			VOLUNTEER CENTERS OF SCC	\$339.00
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$339.00
69293	03/23/2012	Open			WALBRIDGE, BREIGE	\$209.30
	Invoice		Date	Description		Amount
	2012-00000670		03/21/2012	Early Spring Instructor Payments 2012		\$209.30
69294	03/23/2012	Open			WHITLOW CONCRETE, INC.	\$4,024.00
	Invoice		Date	Description		Amount
	5344		03/07/2012	41st Avenue Signal Light Relocation		\$3,734.00
	5345		03/08/2012	41st Avenue Signal Light Relocation		\$290.00
69295	03/23/2012	Open			WILLIAMS TREE SERVICE, INC.	\$490.00
	Invoice		Date	Description		Amount
	6515		03/13/2012	Tree removal, Soquel Creek-emergency worl		\$490.00
69296	03/23/2012	Open			WOMEN'S CRISIS SUPPORT	\$903.25
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$903.25
69297	03/23/2012	Open			WOMENCARE	\$566.25
	Invoice		Date	Description		Amount
	2012-Q3		03/16/2012	Quarterly Comm Grant Payment		\$566.25
69298	03/23/2012	Open			ZUMAR INDUSTRIES INC.	\$98.28
	Invoice		Date	Description		Amount
	0136604		02/29/2012	Street name signs, Pearson Ct & 42nd		\$98.28
69299	03/23/2012	Open			Hayward Rubber Stamp	\$60.90
	Invoice		Date	Description		Amount
	5207257		03/01/2012	Rubber stamps-PW		\$60.90

City of Capitola
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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69300	03/23/2012 Invoice 5207284	Open	Date 03/05/2012	Description rubber stamps-PW	Hayward Rubber Stamp	\$77.01 \$77.01
69301	03/23/2012 Invoice 3469109294	Open	Date 03/15/2012	Description Hotel POST reimb. Motor Minium Apr 1-6	Hilton Pleasanton	\$544.85 \$544.85
69302	03/23/2012 Invoice 3469200420	Open	Date 03/15/2012	Description POST reimb. motor Minium Apr 8-13 2012	Hilton Pleasanton	\$544.85 \$544.85
69303	03/23/2012 Invoice 600921	Open	Date 02/24/2012	Description To be refunded by Cabrillo College	San Diego Police Equipment Co. Inc.	\$222.98 \$222.98
69304	03/23/2012 Invoice 20120323	Open	Date 03/22/2012	Description Advance Disability Pymt Pending PERS IDR	GROGAN, JASON	\$1,654.11 \$1,654.11
69305	03/23/2012 Invoice 955255210	Open	Date 02/24/2012	Description PD Container Rent	MOBILE MINI LLC	\$203.67 \$203.67
69306	03/23/2012 Invoice 31512	Open	Date 03/15/2012	Description March 2012 parking meter services	ROSEMAN, LEWIS	\$2,947.24 \$2,947.24
69307	3/23/2012 Invoice LoanFee	Open	Date 3/22/2012	Description Legal Fee, Loan Doc Prep Fund 1420, Cove Bond	Santa Cruz County Bank	\$5,000.00 \$5,000.00
Check Totals:				Count	131	Total \$234,870.56

Payment Register

City Checks Issued 3/30/2012

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69308	03/30/2012	Open			AUTOMATED TEST ASSOCIATES	\$92.00
	Invoice		Date	Description		Amount
	38484		03/22/2012	March 2012 Meter Reading PacCove MHP		\$67.00
	38483		03/22/2012	March 2012 Meter Reading Capitola Wharf		\$25.00
				Fund 1311, Wharf fund=\$25.00		
69309	03/30/2012	Open			B & B SMALL ENGINE REPAIR	\$59.87
	Invoice		Date	Description		Amount
	259888		03/14/2012	Mower blades		\$59.87
69310	03/30/2012	Open			BACK TO EDEN LANDSCAPING INC.	\$575.00
	Invoice		Date	Description		Amount
	2890		03/18/2012	Monthly Landscape Fee, Pac Cove MHP		\$575.00
69311	03/30/2012	Open			BOB MURRAY & ASSOCIATES	\$500.00
	Invoice		Date	Description		Amount
	4590		03/16/2012	Personnel Services, New Hire		\$500.00
69312	03/30/2012	Open			CalPERS Health Insurance	\$54,769.67
	Invoice		Date	Description		Amount
	13105282-Apr12		03/16/2012	Apr 2012 Health Ins, employee funded		\$54,769.67
69313	03/30/2012	Open			CARPENTER, GARY	\$300.00
	Invoice		Date	Description		Amount
	332212		03/28/2012	Art at the Beach Materials		\$300.00
69314	03/30/2012	Open			CLEAN BUILDING MAINTENANCE	\$3,542.00
	Invoice		Date	Description		Amount
	9421		02/29/2012	Feb 2012 Cleaning Service		\$3,542.00
				Fund 1311, Wharf fund=\$145.00		
69315	03/30/2012	Open			CLEAN SOURCE	\$1,148.00
	Invoice		Date	Description		Amount
	1159779		03/02/2012	Cleaning Supplies		\$1,148.00
69316	03/30/2012	Open			DEPT OF HOUSING AND COM DEV (HCD)	\$83.00
	Invoice		Date	Description		Amount
	Insignia		03/28/2012	Replacement Insignia, Mobile Home		\$83.00
				Fund 1020, Emerg Res		
69317	03/30/2012	Open			FIRST ALARM	\$113.34
	Invoice		Date	Description		Amount
	517173		03/15/2012	1855 41st Ave, Apr-Jun 2012		\$113.34
69318	03/30/2012	Open			FLYERS ENERGY, LLC	\$2,555.97
	Invoice		Date	Description		Amount
	12-709456		03/16/2012	516 Gal Ethanol		\$2,126.08
	12-709457		03/16/2012	100 Gal Diesel		\$429.89
69319	03/30/2012	Open			HARRIS & ASSOCIATES	\$1,946.80
	Invoice		Date	Description		Amount
	16644		03/21/2012	Clares Street Traffic Calming Project		\$1,946.80
				Fund 1310, Gas Tax		

City of Capitola
Payment Register
 City Checks Issued 3/30/2012

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69320	03/30/2012	Open			HUB INTERNATIONAL OF CA INS SVC	\$200.42
	Invoice		Date	Description	Amount	
	March 2012		03/27/2012	Insurance for renters of Community Center	\$200.42	
69321	03/30/2012	Open			JOHNSON, ROBERTS, & ASSOCIATES	\$17.00
	Invoice		Date	Description	Amount	
	117026		03/06/2012	Background Check, New Hire	\$17.00	
69322	03/30/2012	Open			LOOMIS	\$1,258.89
	Invoice		Date	Description	Amount	
	11019765		02/29/2012	Armored Car Service, Mar2012	\$1,258.89	
69323	03/30/2012	Open			MARCHESE, HELEN	\$434.33
	Invoice		Date	Description	Amount	
	PettyCash-Mar12		03/28/2012	Replenish Petty Cash, Mar2012	\$434.33	
69324	03/30/2012	Open			MID-COUNTY AUTO SUPPLY	\$284.93
	Invoice		Date	Description	Amount	
	296142		03/16/2012	auto parts, PW Shop F-150	\$168.40	
	295925		03/14/2012	auto parts, PW Shop F-150	\$25.93	
	296005		03/15/2012	auto parts, PW F-150 PU	\$13.95	
	295754		03/13/2012	auto parts-fleet	\$76.65	
69325	03/30/2012	Open			MOJICA, CESAR	\$198.00
	Invoice		Date	Description	Amount	
	8-2011		03/28/2012	Soccer Officials Sept 11	\$198.00	
69326	03/30/2012	Open			MUNIMETRIX SYSTEMS CORP.	\$499.00
	Invoice		Date	Description	Amount	
	1204003		04/01/2012	Software Support, ImageFlow, City Clerk	\$499.00	
69327	03/30/2012	Open			ORCHARD SUPPLY HARDWARE	\$285.54
	Invoice		Date	Description	Amount	
	6011-4795376		03/06/2012	Electrical supplies	\$26.50	
	6009-3524092		03/12/2012	plexiglass	\$3.22	
	6013-789585		03/14/2012	Nails	\$3.78	
	6013-789600		03/14/2012	Painting supplies	\$41.22	
	6009-3694517		03/14/2012	Light bulbs	\$15.13	
	6009-3694531		03/14/2012	Misc.	\$9.73	
	6013-789618		03/14/2012	Misc.	\$15.12	
	6005-3529317		03/15/2012	Tool Box Supplies, Fleet	\$26.81	
	6009-3694534		03/14/2012	Cordless Drill, Fleet	\$70.35	
	6008-3697379		03/13/2012	Shop Supplies	\$58.55	
	6013-789358		03/12/2012	Batteries, Fleet	\$15.13	
69328	03/30/2012	Open			PACIFIC GAS & ELECTRIC	\$12,580.70
	Invoice		Date	Description	Amount	
	2012-00000602		03/16/2012	Monthly Elec	\$12,580.70	
				Fund 1000, Gen Fund=\$4021.35		
				Fund 1300, SLESF=\$107.78		
				Fund 1310, Gas Tax=\$6869.05		
				Fund 1311, Wharf fund=\$1582.52		

City of Capitola
Payment Register
 City Checks Issued 3/30/2012

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69329	03/30/2012	Open			PACIFIC GAS & ELECTRIC	\$768.93
	Invoice		Date	Description		Amount
	2012-00000603		03/16/2012	Pac Cove MHP Elec and Gas		\$768.93
69330	03/30/2012	Open			PALACE ART & OFFICE SUPPLIES	\$298.20
	Invoice		Date	Description		Amount
	948879		03/13/2012	Office Supplies, City Hall		\$152.63
	948513		03/09/2012	Paper-PD		\$46.44
	949157		03/14/2012	Office Supplies, City Hall-fund 2210, Store		\$82.26
	8744491		03/13/2012	Frame-PD		\$16.87
69331	03/30/2012	Open			PRAXAIR DISTRIBUTION INC.	\$58.00
	Invoice		Date	Description		Amount
	42420803		03/20/2012	Gases, Fleet		\$58.00
69332	03/30/2012	Open			PUBLIC ENGINES, INC./CRIME REPOR	\$597.00
	Invoice		Date	Description		Amount
	15125		03/01/2012	Subscription, 4/1 to 6/30/12		\$597.00
69333	03/30/2012	Open			RBF CONSULTING	\$1,787.50
	Invoice		Date	Description		Amount
	12020824		03/23/2012	Feb 2012 Traffic Study, Reposa Ave		\$1,787.50
69334	03/30/2012	Open			ROM, HILLEL	\$337.50
	Invoice		Date	Description		Amount
	Mar12		03/23/2012	March Sports Officials Volleyball Futsal		\$337.50
69335	03/30/2012	Open			SC OCCUPATIONAL MEDICAL CTR	\$314.00
	Invoice		Date	Description		Amount
	I-5506		02/29/2012	Physical, New Hire		\$135.00
	I-5508		02/29/2012	Physical, New Hire		\$179.00
69336	03/30/2012	Open			SPRINT	\$2,718.28
	Invoice		Date	Description		Amount
	974855313-123		03/01/2012	Monthly Cell Phones		\$2,718.28
69337	03/30/2012	Open			THILL, WENDY	\$160.00
	Invoice		Date	Description		Amount
	Mar-2		03/23/2012	March Sports Officials Volleyball Futsal		\$160.00
69338	03/30/2012	Open			TLC ADMINISTRATORS, INC.	\$2,000.00
	Invoice		Date	Description		Amount
	FlexCash-Mar12		03/28/2012	Flex Cash, Mar 2012-Employee funded		\$2,000.00
69339	03/30/2012	Open			WATSONVILLE BLUEPRINT	\$22.73
	Invoice		Date	Description		Amount
	33362		03/22/2012	blueprints		\$22.73
69340	03/30/2012	Open			WITMER-TYSON IMPORTS INC.	\$500.00
	Invoice		Date	Description		Amount
	T9112		03/01/2012	K-9 training February 2012		\$500.00

City of Capitola
Payment Register
 City Checks Issued 3/30/2012

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69341	03/30/2012	Open			American Plaque Company	\$184.95
	Invoice		Date	Description		Amount
	100001187		03/01/2012	Plaque for front office-PD		\$184.95
69342	03/30/2012	Open			Beal, Seth	\$1,500.00
	Invoice		Date	Description		Amount
	2012-00000680		03/12/2012	Bandstand Refund		\$1,500.00
69343	03/30/2012	Open			Clark, Evelyn, Grace	\$36.00
	Invoice		Date	Description		Amount
	14129851		03/27/2012	Refund for citation 14129851		\$36.00
69344	03/30/2012	Open			Connolly, Carole	\$2.00
	Invoice		Date	Description		Amount
	2012-00000677		03/27/2012	Refund for overpayment		\$2.00
69345	03/30/2012	Open			Foreman, Amanda	\$380.00
	Invoice		Date	Description		Amount
	243454		03/27/2012	Refund citation 243454		\$380.00
69346	03/30/2012	Open			Leitner, Joan	\$33.00
	Invoice		Date	Description		Amount
	2001275-002		03/27/2012	Refund from account		\$33.00
69347	03/30/2012	Open			Walker, Melisa	\$36.00
	Invoice		Date	Description		Amount
	13131682		03/24/2012	Refund cite 13131682		\$36.00
69348	03/30/2012	Open			UNITED PARCEL SERVICE	\$12.77
	Invoice		Date	Description		Amount
	954791032		01/21/2012	shipping-PD		\$5.40
	954791042		01/28/2012	Shipping, PD		(\$21.36)
	954791082		02/25/2012	Shipping, PD		\$28.73
Check Totals:				Count	41	Total \$93,191.32

City Checks Issued 4/6/2012

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69349	04/06/2012	Open			AFLAC	\$503.48
	Invoice		Date	Description		Amount
	AFLACMar12		03/21/2012	Employee Health Ins, Employee Funded		\$251.74
	AFLAC-Apr2012		03/25/2012	Suppl Health Ins, Employee Funded		\$251.74
69350	04/06/2012	Open			ALLIED INSURANCE	\$1,096.00
	Invoice		Date	Description		Amount
	2012MAR2		03/02/2012	Blanket Public Official Bond		\$1,096.00
				Fund 2213, Self Ins Liability		
69351	04/06/2012	Open			ALLSAFE LOCK COMPANY	\$21.60
	Invoice		Date	Description		Amount
	43291		03/28/2012	Keys		\$21.60
69352	04/06/2012	Open			APTOS LANDSCAPE SUPPLY, INC.	\$447.12
	Invoice		Date	Description		Amount
	329168		03/27/2012	Firbark		\$223.56
	329188		03/27/2012	Firbark		\$223.56
69353	04/06/2012	Open			ATCHISON, BARISONE, & CONDOTTI	\$11,409.64
	Invoice		Date	Description		Amount
	Feb2012		03/29/2012	Feb Legal Services		\$11,409.64
69354	04/06/2012	Open			BAY PHOTO LAB	\$55.88
	Invoice		Date	Description		Amount
	2357122		03/05/2012	Gatorfoam Mounting		\$55.88
69355	04/06/2012	Open			BIG CREEK LUMBER	\$58.34
	Invoice		Date	Description		Amount
	2969348		03/20/2012	Wood - painting stencil		\$19.06
	2969526		03/22/2012	Wood - guard rail		\$39.28
69356	04/06/2012	Open			BSN SPORTS INC.	\$416.83
	Invoice		Date	Description		Amount
	94526336		02/29/2012	Basketball nets		\$83.09
	94516188		02/24/2012	Softball supplies		\$333.74
69357	04/06/2012	Open			CA DEPARTMENT OF CONSERVATION	\$237.31
	Invoice		Date	Description		Amount
	Q3 FY11-12		04/02/2012	Strong Motion Fee		\$237.31
69358	04/06/2012	Open			CALIFORNIA COAST UNIFORM COMP/	\$65.71
	Invoice		Date	Description		Amount
	415		03/10/2012	Uniform-PD, Venezia (Explorer)		\$49.47
	417		03/12/2012	Uniform		\$16.24
69359	04/06/2012	Open			CALIFORNIA LAW ENFORCEMENT AS	\$390.00
	Invoice		Date	Description		Amount
	CLEA-APR12		03/20/2012	Long Term Disb. - PD		\$390.00

City of Capitola
City Checks Issued 4/6/2012

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69360	04/06/2012 Invoice POA4-6-12	Open	Date 04/04/2012	Description POA Dues, Employee Funded	CAPITOLA PEACE OFFICERS ASSOCI.	\$761.00
69361	04/06/2012 Invoice 20742011	Open	Date 03/09/2012	Description Rec Brochures Printing	CASEY PRINTING	\$5,148.21
69362	04/06/2012 Invoice April 2012	Open	Date 04/01/2012	Description Rosco,Cucuo,12c-00502	CHANTICLEER VET HOSPITAL	\$407.20
69363	04/06/2012 Invoice 174326 129493	Open	Date 03/21/2012 03/26/2012	Description Auto Parts Auto Parts	CHEVROLET OF WATSONVILLE	\$158.47
69364	04/06/2012 Invoice 1173771	Open	Date 03/13/2012	Description Cleaning supplies	CLEAN SOURCE	\$1,056.85
69365	04/06/2012 Invoice 3900	Open	Date 03/13/2012	Description Traffic paint Fund 1310, Gas Tax	DAVLIN COATINGS, INC.	\$2,561.55
69366	04/06/2012 Invoice 2012APR2	Open	Date 04/02/2012	Description Refreshments - Chief Swear In	DEITER, MICHELE	\$193.58
69367	04/06/2012 Invoice 08-1401	Open	Date 03/27/2012	Description Floating Dock at Capitola Pier Fund 1311, Wharf Fund	ESA Industries, Inc.	\$6,402.00
69368	04/06/2012 Invoice 4472529	Open	Date 03/15/2012	Description Wattle - erosion control	EWING IRRIGATION	\$61.30
69369	04/06/2012 Invoice Apr 2012	Open	Date 04/02/2012	Description Extra storage	EXTRA SPACE STORAGE OF SC INC -	\$282.00
69370	04/06/2012 Invoice 421846	Open	Date 03/23/2012	Description Plants - Corp. Yard	FARWEST NURSERY	\$36.15
69371	04/06/2012 Invoice 7-824-07560	Open	Date 03/16/2012	Description Shipping, Feb & Mar 2012	FEDERAL EXPRESS	\$73.92

City of Capitola
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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69372	04/06/2012 Invoice 0142001-12/13	Open	Date 02/27/2012	Description Membership, Saldana, 5/1/12 to 4/30/13#3	GOVERNMENT FINANCE OFFICERS A	\$190.00
69373	04/06/2012 Invoice 2012-00000689 2012-00000690	Open	Date 04/02/2012 04/02/2012	Description Mechanic Weeks 03/19 - 03/23/12 Mechanic Week 03/26 - 03/30/12	HOWARD, CHARLIE	\$1,350.00
69374	04/06/2012 Invoice ICMA4-6-12	Open	Date 04/04/2012	Description Retirement Plan Contr, Employee Funded	ICMA RETIREMENT TRUST 457	\$4,415.49
69375	04/06/2012 Invoice 20120327	Open	Date 03/27/2012	Description Legal Services as Bond Counsel Fund 1420, The Cove Bond	JONES HALL	\$19,775.00
69376	04/06/2012 Invoice 121607 121545	Open	Date 02/22/2012 02/22/2012	Description Contract C12437-01, City Hall Copier Canc City Hall Copier Contract, C12437-01 Canc Fund 2211, Info Technology	KBA Docusys	\$168.50
69377	04/06/2012 Invoice MBA12-0207	Open	Date 03/19/2012	Description Claim Settlement, Serna Fund 2213, Self Ins Liability	MONTEREY BAY AREA SELF INSURAN	\$169.35
69378	04/06/2012 Invoice 3	Open	Date 04/02/2012	Description Contract Services 3/1-3/30/12	MORRISON, EDWARD	\$2,625.00
69379	04/06/2012 Invoice 35298	Open	Date 03/21/2012	Description Plants - Corp Yard	NATIVE REVIVAL NURSERY	\$112.43
69380	04/06/2012 Invoice 226977	Open	Date 03/26/2012	Description Auto Parts	NORTH BAY FORD	\$485.57
69381	04/06/2012 Invoice 6013-3789540 6005-3529332 6011-3327247 6011-2437413 6013-3789890 6011-4798118 6009-3525950 6009-2436303 6013-8320548 980632 7750	Open	Date 03/14/2012 03/15/2012 03/15/2012 03/16/2012 03/16/2012 03/19/2012 03/21/2012 03/23/2012 03/23/2012 03/14/2012 03/28/2012	Description Pumice Misc. Maint Supplies Gopher guard Tubes Roof pump Drain opener - CPD Screwdrivers Misc. Maint Supplies Screwdrivers Return Maint Supplies Auto Parts	ORCHARD SUPPLY HARDWARE	\$364.53

City of Capitola
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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69381 (cont)	04/06/2012	Open			ORCHARD SUPPLY HARDWARE	
	6688		03/27/2012	Auto Parts		\$35.70
	0542		03/23/2012	Auto Parts		\$47.41
69382	04/06/2012	Open			PALACE ART & OFFICE SUPPLIES	\$1,052.36
	Invoice		Date	Description		Amount
	949712		03/16/2012	Office Supplies, City Hall		\$51.70
	949714		03/16/2012	Paper-PD		\$46.44
	950029		03/20/2012	Office Supplies City Hall		\$10.80
	C948703		03/20/2012	Return Office Supplies, City Hall		(\$21.61)
	C948742		03/20/2012	Return Office Supplies, City Hall		(\$30.09)
	950786		03/23/2012	Paper-PD		\$46.44
	16680		03/21/2012	Chair		\$653.83
	950538		03/22/2012	Office Supplies		\$15.76
	951785		03/30/2012	Paper		\$46.44
	952037-0		04/03/2012	OFFICE SUPPLIES		\$119.96
	951574-0		03/29/2012	Office Supplies		\$69.50
	950538-1		03/28/2012	Office Supplies		\$43.19
69383	04/06/2012	Open			PHIL ALLEGRI ELECTRIC, INC.	\$135.26
	Invoice		Date	Description		Amount
	16683		03/09/2012	Electrical service		\$135.26
69384	04/06/2012	Open			ProBUILD COMPANY LLC	\$23.38
	Invoice		Date	Description		Amount
	5051208		03/24/2012	Plants		\$23.38
69385	04/06/2012	Open			QUILL CORPORATION	\$38.94
	Invoice		Date	Description		Amount
	1807492		03/12/2012	2 door signs-PD		\$38.94
69386	04/06/2012	Open			REPUBLIC ITS INC.	\$1,642.46
	Invoice		Date	Description		Amount
	RR127860		03/12/2012	FY 11/12 Traffic Signal Maintenance		\$698.24
	RR-127861		03/12/2012	FY 11/12 Traffic Signal Maintenance		\$944.22
				Fund 1310, Gas Tax		
69387	04/06/2012	Open			ROYAL WHOLESALE ELECTRIC	\$423.60
	Invoice		Date	Description		Amount
	7719-558461		03/05/2012	Ballasts & lamps		\$318.22
	7719-558500		03/14/2012	Lamps		\$12.94
	7719-558742		03/14/2012	Lamps		\$20.19
	7719-558745		03/14/2012	Bulbs		\$72.25
69388	04/06/2012	Open			SCC G.S.D. WAREHOUSE	\$1,524.00
	Invoice		Date	Description		Amount
	03-20-12		03/20/2012	PD Tires		\$1,524.00
69389	04/06/2012	Open			SCC INFORMATION SERVICES	\$502.78
	Invoice		Date	Description		Amount
	April 2012		03/27/2012	April 2012 Open Query scan		\$502.78

City of Capitola
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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69390	04/06/2012	Open			SCC TAX COLLECTOR	\$7,948.16
	Invoice		Date	Description		Amount
	036-101-37#2		10/20/2011	Sanitation District Assessment, 2nd Install		\$862.03
	034-072-01#2		10/20/2011	034-072-01, 1400 Wharf Rd-Fund 1311, W		\$2,736.83
	034-541-34#2		10/20/2011	034-541-34, Library		\$562.83
	035-141-35#2		10/20/2011	035-141-35, City Hall		\$837.88
	035-262-07#2		10/20/2011	035-262-07, Esplanade Park		\$2,948.59
69391	04/06/2012	Open			SOQUEL CREEK WATER DISTRICT	\$6,285.85
	Invoice		Date	Description		Amount
	2012-00000694		03/29/2012	Semi-Monthly Water Usage, Irrigation		\$5,115.98
	2012-00000695		03/19/2012	Semi-monthly water use		\$1,169.87
				Fund 1311, Wharf Fund=\$587.61		
69392	04/06/2012	Open			SOQUEL NURSERY GROWERS, INC.	\$24.82
	Invoice		Date	Description		Amount
	304117		03/21/2012	Plants		\$24.82
69393	04/06/2012	Open			TARGET SPECIALTY PRODUCTS	\$916.18
	Invoice		Date	Description		Amount
	1462463		03/26/2012	Fertilizer & Roundup		\$916.18
69394	04/06/2012	Open			TLC ADMINISTRATORS, INC.	\$3,365.50
	Invoice		Date	Description		Amount
	Apr2012		03/29/2012	Dental & Vlsion Ins, Employee Funded		\$3,365.50
69395	04/06/2012	Open			UNION BANK OF CALIFORNIA	\$242.99
	Invoice		Date	Description		Amount
	PARS4-6-12		04/04/2012	Retirement Plan Contribution, Employee F		\$242.99
69396	04/06/2012	Open			WESTMAN, SUSAN	\$14,320.00
	Invoice		Date	Description		Amount
	MAR2012		04/02/2012	Feb/Mar 2012 Comm. Dev. Dir. Services		\$14,320.00
69397	04/06/2012	Open			WILEY, PRICE & RADULOVICH, LLP	\$115.00
	Invoice		Date	Description		Amount
	21113		02/29/2012	Professional Fees		\$115.00
69398	04/06/2012	Open			ZUMAR INDUSTRIES INC.	\$1,438.79
	Invoice		Date	Description		Amount
	136777		03/14/2012	Street name signs		\$1,438.79
				Fund 1310, Gas Tax Fund		
69399	04/06/2012	Open			Brand, Erika	\$110.00
	Invoice		Date	Description		Amount
	2012-00000682		04/02/2012	Refunds - Rec		\$110.00
69400	04/06/2012	Open			DoubleTree by Hilton	\$286.24
	Invoice		Date	Description		Amount
	82555472		03/24/2012	POST Training-Travel Exp, Eller-PD		\$286.24

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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69401	04/06/2012 Invoice 2012-00000684	Open	Date 03/22/2012	Description K9 Dogtra advance	Elite K-9 Inc	\$311.90
69402	04/06/2012 Invoice 2012-00000683	Open	Date 04/02/2012	Description Refunds - Rec	Szemeredi, Suzanne	\$33.00
Check Totals:				Count	54	Total \$102,241.22

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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69403	04/13/2012 Invoice 4409	Open	Date 04/02/2012	Description Sweeper brooms Fund 1310, Gas Tax	ACME ROTARY BROOM SERVICE	\$1,441.42
69404	04/13/2012 Invoice 43267c	Open	Date 03/09/2012	Description Dump Truck keys	ALLSAFE LOCK COMPANY	\$9.23
69405	04/13/2012 Invoice 2	Open	Date 03/31/2012	Description Pacific Cove MHP Relocation Services Fund 1420, The Cove Bond	AUTOTEMP INC.	\$14,716.00
69406	04/13/2012 Invoice 2372760	Open	Date 03/16/2012	Description 11x14 Gatorfoam Mounting	BAY PHOTO LAB	\$10.04
69407	04/13/2012 Invoice Q2 FY11/12	Open	Date 01/31/2012	Description Strong Motion Fees	CA DEPT OF CONSERVATION	\$2,986.85
69408	04/13/2012 Invoice 12611	Open	Date 03/30/2012	Description March 2012 Meters Fund 1316, Parking Reserve	CALE AMERICA INC.	\$770.00
69409	04/13/2012 Invoice 434 435	Open	Date 03/20/2012 03/20/2012	Description Uniform Expense, Vazquez Uniform Expense-Vazquez	CALIF COAST UNIFORM COMPANY	\$113.65
69410	04/13/2012 Invoice 62093	Open	Date 04/06/2012	Description Installation of Records Lettering	CATTO'S GRAPHICS, INC.	\$275.00
69411	04/13/2012 Invoice 1173771-01	Open	Date 04/03/2012	Description Cleaning supplies	CLEAN SOURCE	\$420.55
69412	04/13/2012 Invoice 1136	Open	Date 03/31/2012	Description Storm Water Education and Outreach Ser	COASTAL WATERSHED COUNCIL	\$1,249.89
69413	04/13/2012 Invoice 28750-37	Open	Date 04/02/2012	Description Webhosting 4/23/12-5/22/12 Fund 1313, General Plan Update	CRUZIO THE INTERNET STORE INC.	\$39.95
69414	04/13/2012 Invoice D-9548	Open	Date 03/17/2012	Description City Newsletter Mailing	D-MAIL INC.	\$565.32

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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69415	04/13/2012	Open			DAVLIN COATINGS, INC.	\$3,124.34
	Invoice		Date	Description		Amount
	3929		04/05/2012	Traffic paint		\$3,124.34
				Fund 1310, Gas Tax		
69416	04/13/2012	Open			FARWEST NURSERY	\$62.40
	Invoice		Date	Description		Amount
	665760		04/06/2012	Plants - City Hall		\$62.40
69417	04/13/2012	Open			FLYERS ENERGY, LLC	\$4,989.15
	Invoice		Date	Description		Amount
	12-711941		03/23/2012	443 Gal Ethanol		\$1,894.53
	12-711942		03/23/2012	130 Gal Diesel		\$547.44
	12-713815		03/30/2012	516 Gal Ethanol		\$2,121.68
	12-713816		03/30/2012	100 Gal Diesel		\$425.50
69418	04/13/2012	Open			FLYNN, CAROLYN	\$4,550.00
	Invoice		Date	Description		Amount
	CBF-3-2012 C,D,G		03/29/2012	Professional Services, Mar2012		\$1,000.00
	CBF-3-2012 DRI		03/29/2012	Professional Services Mar2012		\$3,550.00
				Fund 1313, Gen Plan Update=\$900		
				Fund 1350, CDBG Grants=\$3650		
69419	04/13/2012	Open			GRANITE ROCK COMPANY	\$121.74
	Invoice		Date	Description		Amount
	691233		03/22/2012	Landscape boulders		\$121.74
69420	04/13/2012	Open			GROGAN, JASON	\$1,654.11
	Invoice		Date	Description		Amount
	20120406		04/06/2012	Advance disability pymts pending approval		\$1,654.11
69421	04/13/2012	Open			INTERNAT'L ASSOC. OF CHIEFS OF POLICE	\$120.00
	Invoice		Date	Description		Amount
	2012 Chief		04/04/2012	Membership for Chief Escalante		\$120.00
69422	04/13/2012	Open			INTERWEST CONSULTING GROUP INC	\$1,511.13
	Invoice		Date	Description		Amount
	12270		04/05/2012	705 Riverview Drive & 612 Gilroy Drive		\$1,511.13
69423	04/13/2012	Open			JIMMIE SMITH PLUMBING, INC.	\$919.94
	Invoice		Date	Description		Amount
	W02910		02/28/2012	Building maintenance at Jade St Commun		\$919.94
69424	04/13/2012	Open			KING'S CLEANERS	\$592.00
	Invoice		Date	Description		Amount
	20120317		03/17/2012	Feb. 2012 uniform cleaning-PD		\$592.00
69425	04/13/2012	Open			LLOYD'S TIRE SERVICE INC.	\$1,009.94
	Invoice		Date	Description		Amount
	224584		03/16/2012	auto parts, PD41		\$886.94
	224752		03/20/2012	Auto Parts		\$123.00

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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69426	04/13/2012	Open			MARTIN, BRIAN	\$158.32
	Invoice		Date	Description		Amount
	1-2012		04/04/2012	2012 1st Qtr. Grant Management/Reportin Fund 1300, SLESF		\$158.32
69427	04/13/2012	Open			MEARS DESIGN GROUP	\$500.00
	Invoice		Date	Description		Amount
	444		03/29/2012	Skatepark concept design revision 1 Fund 1200, Capital Improvement Fund		\$500.00
69428	04/13/2012	Open			MID-COUNTY AUTO SUPPLY	\$385.74
	Invoice		Date	Description		Amount
	296564		03/20/2012	Auto Parts		\$50.81
	296524		03/20/2012	AUTO PARTS		\$28.67
	296533		03/20/2012	AUTO PARTS		\$150.67
	296537		03/20/2012	AUTO PARTS		\$155.59
69429	04/13/2012	Open			ORCHARD SUPPLY HARDWARE	\$285.88
	Invoice		Date	Description		Amount
	6012-7060358		03/27/2012	Misc. Maint Supplies		\$19.98
	6013-781027		03/28/2012	Misc. Maint Supplies		\$21.09
	6013-781079		03/28/2012	Misc. Maint Supplies		\$33.96
	6011-3690042		03/28/2012	Keys & Key box		\$8.63
	6013-781095		03/28/2012	Drill bits		\$62.73
	6013-1231229		03/30/2012	Cleanout plug		\$5.61
	3232012		03/23/2012	Misc.		\$47.41
	6062		03/20/2012	Electrical supplies		\$16.85
	6011-4760237		03/29/2012	Gloves		\$19.46
	6011-4760297		03/29/2012	Painting supplies-Fund 1311, Wharf		\$50.16
69430	04/13/2012	Open			PALACE ART & OFFICE SUPPLIES	\$216.90
	Invoice		Date	Description		Amount
	950891		03/26/2012	Misc Supplies-Fund 2210, Stores		\$36.98
	952575		04/05/2012	Office Supplies		\$184.95
	951970		04/02/2012	Office Supplies		\$9.06
	C16680		03/30/2012	Return office chair		(\$326.92)
	16546		04/10/2012	Keyboard/Platform		\$226.24
	952951		04/10/2012	General Supplies		\$86.59
69431	04/13/2012	Open			PENINSULA COMMUNICATIONS	\$9,656.29
	Invoice		Date	Description		Amount
	10768A		04/03/2012	Remaining Balance Due - Radios Fund 1000, Gen Fund=\$3015.33 Fund 1300, SLESF=\$6640.96		\$9,656.29
69432	04/13/2012	Open			PFX PET SUPPLY, LLC	\$194.10
	Invoice		Date	Description		Amount
	CD11818832		03/19/2012	Dog food		\$194.10
69433	04/13/2012	Open			PHOENIX GROUP INFORMATION SYS	\$1,431.25
	Invoice		Date	Description		Amount
	022012070		03/14/2012	Feb 2012 citation processing		\$1,431.25

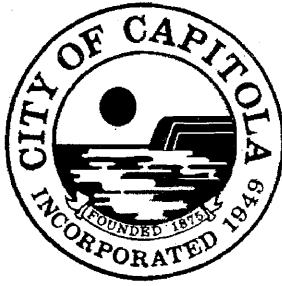
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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69434	04/13/2012 Invoice 1209-01	Open	Date 03/07/2012	Description Wharf Steel Pile Removal and Installation Fund 1311, Wharf fund	POWER ENGINEERING CONTRACTOR: Amount \$4,176.14	\$4,176.14
69435	04/13/2012 Invoice 12010719 12020872	Open	Date 02/24/2012 03/23/2012	Description Develop Local Hazard Mitigation Plan Develop Local Hazard Mitigation Plan Fund 1350, CDBG Grants	RBF CONSULTING Amount \$12,287.00 \$26,473.50	\$38,760.50
69436	04/13/2012 Invoice 1800032847	Open	Date 03/22/2012	Description Semi Annual Jan-June 2012 coplink	SANTA CLARA COUNTY OFFICE OF THE SHERI Amount \$150.48	\$150.48
69437	04/13/2012 Invoice Feb-Mar12	Open	Date 03/20/2012	Description WATER BILLS FOR STREET MEDIANS	SANTA CRUZ MUNICIPAL UTILITIES Amount \$601.70	\$601.70
69438	04/13/2012 Invoice WD-0069718 WD-0069719 WD-0069720	Open	Date 03/22/2012 03/22/2012 03/22/2012	Description Annual Permit Fees (FY9/10, FY10/11, FY Annual Permit Fees (FY9/10, FY10/11, FY Annual Permit Fees (FY9/10, FY10/11, FY	STATE WATER RESOURCES CONTROL Amount \$3,600.00 \$3,600.00 \$4,852.00	\$12,052.00
69439	04/13/2012 Invoice 45381	Open	Date 03/10/2012	Description Uniform - Farotte	SUMMIT UNIFORM CORP Amount \$484.96	\$484.96
69440	04/13/2012 Invoice 15899	Open	Date 04/02/2012	Description Admin Fee, Flex Spending Plan	TLC ADMINISTRATORS, INC. Amount \$175.00	\$175.00
69441	04/13/2012 Invoice 58205	Open	Date 03/27/2012	Description Candlestick fines	TMT ENTERPRISES, INC. Amount \$910.06	\$910.06
69442	04/13/2012 Invoice 6362	Open	Date 04/10/2012	Description Postage for Summer brochure-Rec	UNITED STATES POSTAL SERVICE Amount \$5,350.00	\$5,350.00
69443	04/13/2012 Invoice 221917	Open	Date 03/21/2012	Description Update Council Chambers Video Fund 1320, PEG	VMI INC. Amount \$3,729.60	\$3,729.60
69444	04/13/2012 Invoice 2012-00000700	Open	Date 04/10/2012	Description Class refund	Byington, Gay Amount \$45.00	\$45.00
69445	04/13/2012 Invoice 2012-00000697	Open	Date 04/04/2012	Description POST Reimburseable Training-PD	CNOA Amount \$45.00	\$45.00

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Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
69446	04/13/2012	Open			Keay, Cheryl	\$26.00
	Invoice		Date	Description		Amount
	2012-00000701		04/10/2012	Overpayment (neighbor brought in check)		\$26.00
69447	04/13/2012	Open			Labonte, Stephanie	\$55.00
	Invoice		Date	Description		Amount
	2012-00000702		04/10/2012	Overpayment (money order wrong amt)		\$55.00
69448	04/13/2012	Open			Woods, Ted	\$500.00
	Invoice		Date	Description		Amount
	12-030		04/06/2012	Tree Permit #12-030 refund deposit		\$500.00
69449	04/13/2012	Open			DE LAGE LANDEN FINANCIAL SERVICE	\$334.07
	Invoice		Date	Description		Amount
	13109535		04/01/2012	Monthly Copier Lease, City Hall Fund 2210, Stores		\$334.07
69450	04/13/2012	Open			US BANCORP EQUIPMENT FINANCE	\$80.12
	Invoice		Date	Description		Amount
	199952110		04/12/2012	Monthly Copier Lease, Rec		\$80.12
Check Totals:				Count	48	Total \$121,556.76



CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 26, 2012

FROM: CITY MANAGER'S DEPARTMENT

SUBJECT: ADMINISTRATIVE POLICY REGARDING THE MEMORIAL PROGRAM

RECOMMENDED ACTION: By motion, approve the amendment to the Administrative Policy regarding the Memorial Program to allow 100 additional Wharf Plaques and to require the cost to replace memorial benches to be paid by the original purchaser or relinquish the site.

BACKGROUND: The City established a Memorial Bench Program in 1993 as a way to aid the City in purchasing and maintaining benches along the Esplanade and at other various locations in the City. The program had the additional benefit of providing the public with a way to memorialize loved-ones. In March of 2002 a formal Memorial Program Administrative Policy was created. The policy has been amended over time to add new programs such as the placement of plaques on the Capitola Wharf.

DISCUSSION: The number of memorial wharf plaques was originally set by the City Council at 50. In December of 2004 the Council allowed an additional 50 Wharf Plaques for a total of 100 plaques. In 2007 staff returned to Council to request an additional 50 more plaques which was ultimately approved for a total maximum placement of 150 plaques.

In January of this year, all 150 plaques had been sold. Since that time, the City has received multiple requests from the public to allow more plaques. Staff is requesting an additional 100 plaques for the wharf. In addition, staff is proposing several other changes to the program. Staff recommends the following changes; allowing the placement of two plaques on one board if the individuals are related, and requiring customers who have purchased a memorial bench to pay for the replacement cost if the Public Works Department has determined that the bench must be replaced.

FISCAL IMPACT: The cost of the memorial items are paid by the customer which includes the cost of the item and staff time.

ATTACHMENTS:

1. Administrative Policy regarding the Memorial Program.
2. Letter from Daykin Family

Report Prepared By: Lisa Murphy
Administrative Services Director

**Reviewed and Forwarded
By City Manager:** 



ADMINISTRATIVE POLICY

Number: I-7Issued: March 14, 2002Sept. 12, 2002Dec. 09, 2004June 28, 2007April 26, 2012Jurisdiction: City CouncilMEMORIAL PROGRAM

- I. PURPOSE: To establish a uniform procedure for the purchase and placement of Memorial items in the City of Capitola.

It is the intent of the City to allow citizens to memorialize loved-ones while at the same time balancing the needs of the City. This policy is meant to emphasize the importance of the memorials while assuring that they are consistent with City policies and do not negatively impact City resources.

II. POLICY:

1. The City has four approved memorial programs: Memorial Benches, Memorial Wharf & Grand Avenue Plaques and Memorial Trees, and may be amended to add other programs as directed by the City Council.
2. Applications for a memorial item will be received and approved by the City Manager or his/her designee, with site selection review by the Public Works Department except for the placement of a new tree, which will be approved by the City Council. Refer to Section 4, paragraph 3 for other exceptions.
3. All memorial items cost, including asset materials, installation materials, staff time for installation and maintenance will be covered by the application fee, and will be reviewed and adjusted annually by the City Council to ensure cost recovery.
4. Memorial assets become the property of the City of Capitola. Arrangements can be made with the Public Works Department for the return of plaques upon the removal of the asset.

III. PROCEDURE:

1. Customer requests information and application (attachment I) for a memorial item from the ~~Assistant to the City Manager~~ Administrative Services Director who will send the customer an informational letter along

with a list of available sites.

2. The customer is instructed to contact the Public Works Department to schedule a site meeting for approval of exact location of the memorial item. Upon agreement, the customer is referred to the Administrative Office for application and payment submittal. A receipt is issued, and the application with a copy of the receipt is given to the Public Works Department for ordering and installation.
3. Upon installation, the Public Works Department will notify the Assistant to the City Manager Administrative Services Director who will notify the customer.

IV. Memorial Program Locations

1. Municipal Plaques: Memorial Plaques may be purchased to memorialize a view on a railing along the Wharf or Grand Avenue.
 - a. Location: **Wharf** : No more than one plaque will be placed on a railing (no more than 1 per railing) unless the plaque is for a relative then a second plaque may be placed on a railing for a total of ~~150-250~~ plaques. When ~~150-250~~ plaques have been sold, the program will be considered complete. **Grand Avenue**: No more than 1 plaque for every 20 feet of fence along Grand Ave. for a total of 50 plaques.
 - b. The plaques are made of bronze, and are 4" x 4" or 4' x 2'. The customer will determine inscriptions on the plaque, which will be ordered and installed by the City.
 - c. Cost: The cost of the plaque, installation and maintenance is determined by their actual cost, and is reviewed annually by the City Council (see application for current cost). 1/3 of the cost of a plaque on Grand Avenue will be put in a special fund to be used to pay for the replacement of the fence. For Plaques on the Wharf, \$100 of the cost will be placed in the Wharf Fund.
 - d. Maintenance/ Replacement/ Removal: The City will maintain plaques for the life of the plaque. The City of Capitola will determine when the plaque is no longer reasonable to maintain and needs to be either replaced or removed. Upon such determination, the customer will be notified by mail and the customer may elect to purchase another Plaque or relinquish the site. If a reasonable attempt to contact the customer fails, the City will proceed with removal within 60 days. If the wharf railing or Grand Ave. fence is damaged by a natural disaster and the plaque is lost or damaged

the City will not replace the plaque.

2. Memorial Benches: A memorial bench program was established in 1993. The primary purpose of the program was to aid the City in the maintenance of the benches along the Esplanade. The popularity of the program led to the expansion of the bench placements to include other areas of the City, as listed below. When the approved number of benches in a location has been purchased, the locations are considered “full” (attachment 2). Customers may choose the inscription for the plaque, to be ordered and installed by the City.
 - a. Bench Locations:

1. Esplanade	6. Jade Street Park
2. Wharf	7. Cortez Park
3. Depot Hill	8. Monterey Ave.
4. Cliff Dr. /Grand Ave.	9. Noble Gulch Park
5. Prospect Avenue	10. Rispin/Peery Park
 - b. Maintenance, Removal or Replacement of Existing Benches: The City will maintain all benches. When it is determined by the Public Works Department that a Memorial Bench is no longer reasonable to maintain or it is necessary to remove for any reason, the City will ~~pay for the replacement bench~~contact the original purchaser of the bench and allow them the opportunity to either replace the bench or relinquish the site, and reapply the plaque.
 - c. Plaque: If a plaque is damaged or unreadable, the customer may choose to pay for the replacement of the plaque, or relinquish the bench. If the customer does not replace the plaque, another customer may purchase a plaque to be placed there.
3. Memorial Trees:
 - a. An existing tree in the City may be memorialized with a plaque placed at the foot of the tree, mounted on a cement platform. Approval of memorializing an existing tree will be at the discretion of the Public Works Department, unless it is deemed necessary by the City Manager to be approved by the City Council.
 - b. A customer may purchase a new tree to be planted and memorialized with a plaque in the City with the approval of the Public Works Department and the City Council.
 - c. The plaques are made of bronze, and are 4” x 4”. The customer will determine inscription on the plaque, which will be ordered and installed by the City.

- d. Cost: The cost of the plaque, installation and maintenance is determined by their actual cost, and is reviewed annually by the City Council (see application for current cost).
- e. Maintenance/ Replacement/ Removal: The City will maintain plaques for the life of the plaque. The City will determine when the plaque is no longer reasonable to maintain and needs to be either replaced or removed. Upon such determination, the customer will be notified by mail and the customer may elect to purchase another Plaque or relinquish the site. If it is determined that the tree is to be permanently removed for any reason or is destroyed, the plaque will be returned to the customer. If a reasonable attempt to contact the customer fails, the City will proceed with removal.
- f. Program Completion: The program will continue until it is determined by the Public Works Department and the City Council to be complete or it begins to negatively impact City resources.

Jamie Goldstein
City Manager

Attachments:

- 1. Application
- 2. Memorial Program Location List

RH/lgm

*This is an agenda item
for April 26, 2012*

Capitola City Council
420 Capitola Avenue
Capitola, CA 95010

Dear Members of the Capitola City Council

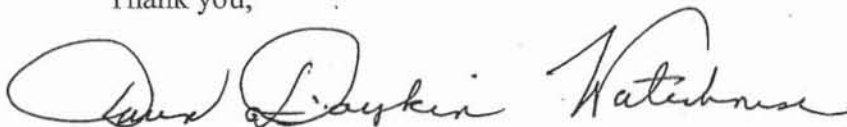
Our father, Jack Daykin, died last December at age 90. We wanted to have a plaque in his honor put on the Capitola wharf, but when we inquired to the City of Capitola we were told that applications had been closed. We would like to request that our application be permitted.

Jack Daykin was a fisherman who fished out of Capitola for many years beginning in the mid-1950s, and was an iconic figure around Capitola in those days. He was the only one ever licensed to run charter fishing boats out of Capitola during the 1950s and 1960s. In fact, during those years he had two charter fishing boats which he ran out of Capitola, Trooper I and Trooper II. In the late 1960s he moved to Moss Landing, where he continued working as a commercial fisherman. In 1989 he retired and moved from Moss Landing to Oregon, where he spent the remainder of his life.

In addition to the two of us our father has three grandchildren and five great-grandchildren now living in the San Jose area. Our father had innumerable friends who lived or worked in Capitola and the Monterey Bay area. These included George DeMessage, Johnny Schwartz, Bill Tomlinson and Doug Fearon.

We believe it would be a fitting honor and tribute to the City of Capitola for our father to have a plaque put on the Capitola wharf where his friends and family could remember him. We hope you will give this request serious consideration.

Thank you,



Dawn Daykin Waterhouse
18831 Martha Ave
Saratoga
408 379 4814

RECEIVED

APR 4 2012

CITY OF CAPITOLA

Doug Daykin
118 Wheelock Road
Watsonville
831 239 1139





CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 26, 2012

FROM: COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PLANNING COMMISSION ACTION MINUTES OF APRIL 19, 2012

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners: Ed Newman, Gayle Ortiz, Linda Smith and Chairperson Ron Graves
Absent: Mick Routh
Staff: Public Works Director Steven Jesberg
Senior Planner Ryan Bane
Minute Clerk Danielle Uharriet

2. ORAL COMMUNICATIONS

- A. Additions and Deletions to Agenda – Public Hearing Item 5.A was moved to the end of the agenda.
- B. Public Comments - NONE
- C. Commission Comments

Chairperson Graves requested parking permits for Commissioners; an update from staff regarding tree replanting enforcement; and the status of the property at 410 Bay Avenue

- D. Staff Comments - NONE

3. APPROVAL OF MINUTES

- A. April 5, 2012 Regular Planning Commission Meeting

Commissioner Smith clarified: Page 8, Condition #7 and Condition #8 of Public Hearing item #5.C:

7. The hours of operation are: 8:00 a.m.–9:00 a.m. set-up, 9:00 a.m –1:00 p.m market, 1:00 p.m.– 2:00 p.m. take-down. The market will be held weekly on Thursday.

8. The number of vendors shall not exceed 50, including at least one non-profit organization.

APPROVED WITH CHANGES 3-0

4. CONSENT CALENDAR

NONE.

5. PUBLIC HEARINGS

Item 5.A was moved to the end of the agenda.

B. 700 ESCALONA AVENUE #12-019 APN: 036-141-05, 20

Coastal Permit and Design Permit to demolish an existing one-story single-family residence located on two legal lots of record, and construct two new two-story single-family residences in the R-1 (Single-Family Residence) Zoning District. A variance for a second floor setback and reduction in landscaping is requested for the house located on APN 036-141-20. 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: Lori Perpich & Alberto Munoz, filed 2/14/12

Representative: Derek Van Alstine

**APPROVED 3-0, COMMISSIONER NEWMAN ABSTAINED.
NEW HOME ON APN: 036-141-05 WITH AMENDED CONDITION #1**

1. The project approval consists of demolition of an 882 square foot single-family residence currently located on two legal lots of record, and construction of ~~two~~ one new two-story single-family residences, one on each lot at 700 Escalona Drive (APN: 036-141-05).

**DENIED 3-0, COMMISSIONER NEWMAN ABSTAINED.
NEW HOME (COTTAGE) ON APN: 036-141-20**

C. 220 OAKLAND AVENUE #12-034 APN: 036-124-20

Fence Permit and a Major Revocable Encroachment Permit to construct a wall within the city right-of-way as part of a single-family residential use in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Christann A Bohnet, filed 3/29/12

Representative: John Draga

APPROVED 3-0, COMMISSIONER NEWMAN ABSTAINED.

D. 216 SAN JOSE AVENUE #12-011 APN: 035-185-15

Coastal Permit, Design Permit and Tentative Map to construct a three-story two-unit residential condo in the CV (Central Village) Zoning District. This project requires a Coastal Permit which is not appealable to the California Coastal Commission.

Environmental Determination: Categorical Exemption

Property Owner: Marte Formico, filed 1/30/12

Representative: Dennis Norton

APPROVED 4-0 WITH AMENDED CONDITIONS.

3. Hours of construction shall be Monday to Friday 7:30 a.m. – 9:00 p.m., ~~and Saturday 9:00 a.m. – 4:00 p.m., per city ordinance.~~

15. The applicant shall install irrigation and landscaping that will cover the trellis shown along the San Jose Avenue elevation.

16. The CC&Rs shall include a provision that prohibits the use of the garage areas for vehicle parking only.

17. The CC&Rs shall require automatic garage doors and openers.

A. AMEND FLOODPLAIN ORDINANCE 17.50

#12-022

Consideration of an amendment to the Capitola Municipal Code Chapter 17 to modify the floodplain district (17.50) to incorporate revised FEMA management regulations and an amendment to the City's certified Local Coastal Plan to be reviewed and certified by the California Coastal Commission.

RECOMMEND THE CITY COUNCIL APPROVE AMENDING THE FLOODPLAIN ORDINANCE CHAPTER 17.50 AND DIRECT THE CITY MANAGER TO SUBMIT THIS LOCAL COASTAL PLAN AMENDMENT TO THE CALIFORNIA COASTAL COMMISSION FOR REVIEW AND CERTIFICATION. 3-0

7. COMMISSION COMMUNICATIONS

8. ADJOURNMENT

The Planning Commission adjourned the meeting at 9:15 p.m. to a Regular Meeting of the Planning Commission to be held on Thursday, May 3, 2012 at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.



CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 26, 2012

FROM: Capitola Art & Cultural Commission
Kelly Barreto, Administrative Assistant

SUBJECT: 2011 Capitola Art & Cultural Commission Annual Report

RECOMMENDED ACTION: Receive report.

BACKGROUND: According to Capitola Municipal Code Section 2.56.050, each year the Art & Cultural Commission is required to offer an assessment on the Commissions' annual goals, plans and objectives. The attached report fulfills that obligation.

DISCUSSION: The Art & Cultural Commission had a very successful year in 2011. Several new goals were accomplished and the quality of existing program was maintained. The Commission is funded by the General Fund of which nearly 50% of the costs are off-set by private sponsors. The many annual programs the Commission is responsible for include; the Twilight Concert Series, Sunday Art and Music at the Beach, and Movies at the Beach. Each of these programs are almost entirely paid for through sponsorship fees. The end of 2011 saw the departure of long time Commissioner Debbie Hale, but welcomed a new member, Nathan Cross. In addition, in 2012 Kim Hogan joined the Commission.

In addition to the popular community events, the Commission is also responsible for the Public Art program. The Public Art Fund is comprised solely of fees from development in the City. In 2011 two major projects were undertaken, one of which was completed and one of which is in progress. The first is the Monterey Ave. Tile Project. This unique project was designed and created by the students from New Brighton Middle School and was completed in October. The second public art project was the largest undertaking in the history of the Commission. The 41st Ave Median project began in early 2011 and the contract with the artist was recently approved by City Council. The projected completion date is late 2012 or early 2013.

2012 is sure to be just as entertaining and colorful as 2011. The Twilight Concerts are already scheduled with new bands joining the series. One of the concerts will fall on July 4th which is sure to be a fun filled day in Capitola. Sunday Music & Art at the beach was so popular last year the Commission decided to bring the combination back again this year with more artists. One corporate sponsor was secured to cover the cost of the music. Three free movies at the beach in the fall will be shown on the Bandstand and the children's art activities at the Art & Wine Festival and the Begonia Festival will be provided again this year.

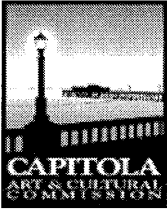
Public Art projects for 2012 are still in the planning stages. Consideration will be given to a mural on Park Avenue, decorative flower baskets on Stockton Bridge and decorative public recycling/garbage containers.

ATTACHMENT:

1. 2011 Capitola Art & Cultural Commission Annual Report

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

**Reviewed and Forwarded
By City Manager:** 



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

CAPITOLA ART & CULTURAL COMMISSION

ANNUAL REPORT 2011-2012

Background:

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

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

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

Members for 2011:

Mike Termini (Chair & City Council Representative), Roy Johnson (Vice-Chair & Arts Professional), Karen Nevis (Artist), Nathan Cross (At Large Member), Debbie Hale (At Large Member), Joyce Murphy (At Large Member), Jenny Shelton (At Large Member), James Wallace (At Large Member), & Linda Smith (Planning Commission Rep)

Yearly Highlights-2011: Events & Entertainment:

Twilight Concerts:

Organized the 27th annual Twilight Concerts Series. This annual series offers 11 free concerts in Capitola Village on Wednesday evenings during the summer months. The concerts attract between 1,500-3,000 attendees to each of the free, family friendly events. Every concert is sponsored by a private donor in the amount of \$1,200. Bands were paid between \$1000 and \$1400 depending on the number of members. A sound engineer provides services for these events. Promotion of the concerts includes the distribution of over 10,000 postcards, as well as press releases to the local newspapers. The concerts are also advertised on the City's website and scroll.

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

2011 Sponsors: Paradise Beach Grille, Devcon Construction, Zelda's, Union Bank of California, Gayles Bakery & Rosticceria, Edward Jones-Christine Buechting, Falafel Software, Marriott Fairfield Inn-Capitola, Anna Marie Ferrari Garban, Red Tree Properties, Stockton Bridge Grille

Planned/Considered Changes:

- Storage area for Commissions band water bottles, t-shirts, tables and lights, etc.
- Continue to increase the amount of marketing and exposure offered to sponsors

Movies at the Beach:

Organized the 7th annual Movies at the Beach event. The free Movies on the Beach occurred three times a year and regularly attracts 400-800 attendees per event. The movies are sponsored by private donors in the amount of \$1,000 each. The cost of hiring a projectionist and rental of the movies generally runs between \$950 and \$1000. The movies are promoted on the postcard, as well as the City website and scroll.

Movie Event Evaluation: Two of the three Movies at the Beach events are arranged by the Art and Cultural Commission and funded through sponsorship. The third Movie event is organized by the Begonia Festival. These free family friendly events continue to grow in popularity. The Commission arranges free popcorn for event attendees also.

Sponsors: Green Waste Recovery, Inc. & Pizza My Heart

Planned/Considered Changes:

- Relocating screen to bandstand area, offering more of a buffer from the wind.
- Retain the same arrangements with Public Works, but extending the hours to include assisting with the break-down of the popcorn machine, lights and tables.
- Increasing the number of movies from 2 to 3 during 2012

Sunday Jazz and Art at the Beach:

Organized Sunday Jazz and Art at the Beach Events. This event runs 6 Sunday's during the summer months. This event is free to attend. The Sunday Art and Music at the Beach program continues to be coordinated by Leslie Fellows. Several artists display and sell their arts. Artists pay for booth rentals, and the funds are used to pay the program coordinator which makes the event cost neutral to the City. The addition of the live music in 2010, required securing sponsors for the music costs.

Music and Art at the Beach Evaluation: The Commission sponsorship committee was able to secure one corporate sponsor to cover all band cost for the 2011 bands. The amount paid to each band was also decreased from \$600 to \$400 during the 2011 season. This made securing sponsorship much easier. The bands continue to bring in positive reviews from beach goers, selling artist as well as buyers of the Art and Music at the Beach events.

Sponsor: Falafel Software

Planned/Considered Changes:

- Possibly relocating bands to the bandstand dance floor area instead of the bandstand, offering a more intimate experience for some of the bands.
- Artist booth will close at 5pm, instead of 6pm.

Community Enrichment:

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

Public Art Project & Improvements:

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

The following is a list of projects funded in 2011 by the Public Art Fee:

- Bay Ave Tile Mural Project
- 41st Ave. Project (on-going)

Goals for 2012:

Events & Entertainment:

- Twilight Concerts-28th annual concert series offer 11 free concerts in Capitola Village on Wednesday evenings during the summer months.
- Movies at the Beach event-8th annual event offered 3 free movies on the beach.
- Art at the Beach event-6 Sunday's during the summer months several artist display and sell their arts. Offer live music during all the Art at the Beach Events. Musician covered by sponsorship.

Community Enrichment:

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

Projects currently in progress:

- 41st Ave. Median Public Art

Future Public Art Projects being considered, discussed & researched

- Recycling Containers/ Garbage Bins
- Film Festival/ Performing Arts Center Event
- Plein Air Project
- Hanging Flower Baskets in village/ Stockton Bridge
- Park Avenue Mural
- Seawall Sculptures
- Kiosks
- Fish Tank/ interpretive tank & Center
- Rispin Mansion garden events
- Decorative Street Lighting
- Stairs to Depot Hill
- Sculpture Near Target/ maybe something on median
- Play ground at the beach esplanade with art theme
- Town clock- near town center, upper village, esplanade park
- Climbable structure/ art at existing park
- Jetty Sculptures
- Splash park at Rispin & Esplanade



CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 26, 2012

FROM: CITY CLERK'S OFFICE

SUBJECT: CONSIDERATION OF A RESOLUTION AMENDING THE BYLAWS OF THE
CAPITOLA ART & CULTURAL COMMISSION REGARDING MEMBERSHIP

RECOMMENDED ACTION: By motion adopt the proposed Resolution amending Resolution No. 3463 revising Article III, Section 1, of the Bylaws of the Capitola Art & Cultural Commission entitled "Membership and Term of Office."

BACKGROUND/DISCUSSION:

Pursuant to Section 2.56.040 (E) entitled "Officers, meetings, and procedures" of the City of Capitola's Municipal Code the procedures for the conduct of the business of the Art and Cultural Commission, not specified in the Ordinance establishing the Art and Cultural Commission's authority, shall be set forth in bylaws. The Art & Cultural Commission, at its meeting of April 10, 2012, voted to amend the Commission's Bylaws to increase the membership from three to five "At-Large" members. In response to the Commission's request staff has prepared the necessary Resolution for Council's adoption.

Article III, Section 1 entitled "Membership and Term of Office" of the Arts & Cultural Commission Bylaws shall be amended as follows:

1. One City Council Member
2. One Planning Commissioner
3. One Artist or Arts Organization Representative Member
4. One Arts Professional Member
5. Three Five "At-Large" Members

FISCAL IMPACT - None

ATTACHMENTS

- 1) Draft Resolution

Report Prepared By: Susan Sneddon, CMC
City Clerk

**Reviewed and Forwarded
By City Manager:** 

DRAFT

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
AMENDING EXHIBIT A OF RESOLUTION NO. 3463, ARTICLE III, SECTION 1,
OF THE BYLAWS OF THE CAPITOLA ART & CULTURAL COMMISSION
REGARDING MEMBERSHIP**

WHEREAS, the City Council adopted Resolution No. 3463 on the 26th day of May, 2005, approving Bylaws of the Capitola Art & Cultural Commission; and

WHEREAS, at its regular meeting of April 10, 2012 members of the Art & Cultural Commission voted to amend the Commission's Bylaws to increase the membership from three to five "At-Large" Members; and

WHEREAS, any changes to the Art & Cultural Commission Bylaws must be approved by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Capitola that Exhibit A of Resolution No. 3463 is hereby amended to provide for amendment to Article III., Section 1 "Membership and Term of Office," of the Bylaws of the Capitola Art & Cultural Commission to read as follows:

Section 1. Number and Qualifications

The Art & Cultural Commission shall consist of ~~seven~~ nine members as follows:

1. One (1) City Council Member
2. One (1) Planning Commissioner
3. One (1) Artist or Arts Organization Representative Member
4. One (1) Arts Professional Member
5. ~~Three (3)~~ Five (5) "At-Large" Members

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the City Council of the City of Capitola on the 26th day of April, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Michael Termini, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk



Item #: 8.G.

CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 26, 2012

FROM: POLICE DEPARTMENT

SUBJECT: APPROVE PURCHASE OF ONE POLICE PATROL VEHICLE IN THE AMOUNT OF \$37,304.27 AND AUTHORIZE PUBLIC WORKS TO SURPLUS THE POLICE VEHICLE TO BE REPLACED.

RECOMMENDED ACTION: By motion approve the following financial management changes:

1. Award purchase contract to Downtown Sacramento Ford in the amount of \$37,304.27 for the purchase of one new police patrol vehicle with included police equipment package; and
2. Authorize the Public Works Department to surplus the replaced police patrol vehicle (2003 Crown Victoria) that is scheduled to come off line in FY 2011/2012.

BACKGROUND: In order to assure proper response times, preserve our efficiency levels, insure officer safety, and maintain a professional appearance, the Police Department works with the Public Works Department to replace police vehicles every four to five years, or as needed. Currently, a police canine vehicle (VIN- 2FAFP71W73X150877), which is nine years old and has over 106,000 miles, was scheduled to be replaced in FY 2011/12. This vehicle is experiencing significant recurring mechanical problems, which makes it expensive to maintain, unreliable, and unsafe to drive. The Department has a 2007 patrol vehicle, which will be used to replace the canine vehicle. The current budget authorizes the purchase of a new police vehicle and approved expenditures of up to \$58,000.00 for vehicle replacement. The funds will come from the Public Works 2011/2012 FY Vehicle Acquisition and Replacement Fund.

In FY 2007-08 and FY 2008-09 the Police Department purchased a similarly equipped patrol car from Downtown Ford at the State Bid price and has been very satisfied with the included police equipment package, quality of installation, and savings to the City.

DISCUSSION: The Capitola Police Department fleet of police patrol vehicles consists primarily of Ford Crown Victoria models. The Ford Motor Company has changed the body style of the Crown Victoria starting in 2012; therefore, the purchase of a 2011 Crown Victoria will continue the uniform fleet appearance. The cost of the new version 2012 Ford Crown Victoria is approximately \$3000.00 more than the 2011.

The attached Downtown Sacramento Ford bid includes police package equipment as follows: emergency lighting equipment, rear fiberglass seat, rear cage windows, two tone

4-26-12 AGENDA REPORT: Purchase Police Patrol Vehicle

paint, partitioned rear seat divider, center console with controls, front push bar, and installation of all equipment including police radio and computer. The Downtown Ford bid is a State of California Contract bid, which is the lowest bid in the State. Downtown Ford lists the vehicle purchase price, not including tax as \$23,481.

As stated, the Police Department previously purchased a 2008 and 2009 Ford Crown Victoria Police Interceptor from Downtown Ford in Sacramento based upon the competitive bid process. Similarly, this year Downtown Ford was selected using the same process. Downtown Ford offers a package, which includes necessary police equipment and installation at a substantial savings to the City. No other dealer offers this service at such a competitive price.

Vehicle purchases from other vendors require the City to purchase equipment items separately and have the city mechanic install the equipment, which takes a month or more and adds personnel costs. Downtown Ford's installation service and bulk buying power provides the city with superior equipment and excellent installation. Downtown Ford is offering the City of Capitola the same price as the State bid for the California Highway Patrol and the City of Sacramento Police Department.

Staff recommends using Downtown Sacramento Ford for the purchase of the patrol vehicle with installed police equipment package, at a total cost of \$37,304.27.

FISCAL IMPACT: The adopted FY 2011/2012 Equipment Acquisition & Replacement Fund originally indicated the \$58,000.00 was to be used for the purchase of two police motorcycles and an Automated Vehicle Licensing Program. Based on a priority and need change, a portion of the \$58,000.00 will be used to purchase the marked patrol vehicle.

Therefore, the staff recommends using \$37,304.27 to purchase the vehicle, leaving a balance of \$20,695.73 in the current FY budget allocation.

ATTACHMENT:

1. Quote from Downtown Ford for Crown Victoria

Report Prepared By: Rudy Escalante
Chief of Police

**Reviewed and Forwarded
By City Manager:** 

DOWNTOWN FORD SALES
 525 NORTH 16TH STREET
 SACRAMENTO CA 95814
 916-442-6931 FAX: 916-491-3138

S022012 229
 revised 3/8/12

QUOTE

Customer

Name MARK GONZALEZ
 Address CITY OF CAPITOLA
 City _____ State _____ Zip _____
 Phone VIA EMAIL

Date 3/8/2012
 Order No. QUOTATION
 Rep SANDRA SCOTT
 FOB SACRAMENTO

Qty	Description	Unit Price	TOTAL
1	2011 FORD CROWN VIC POLICE SEDAN CITY OF SACRAMENTO PIGGYBACK	\$23,481.00	\$23,481.00
1	LEHR UPFIT PER CITY SPEC PROVIDED VIA EMAIL DATED 2/3/12	\$10,640.00	\$10,640.00
1	DOC FEE	\$55.00	\$55.00
<i>SALES TAX CALCULATED AT 8.25%</i>			

Payment Details

Cash
 Check
 Credit Card

Name _____
 CC # _____
 Expires _____

SubTotal	\$34,176.00
Delivery	\$300.00
Taxes SANTA CRUZ	\$2,819.52
CA Tire Tax	\$8.75
TOTAL	\$37,304.27

Office Use Only

5% DISCOUNT WITH PAYMENT IN 20 DAYS

SIGNATURE _____ DATE _____



4707 Northgate Blvd.
Sacramento, CA. 95834
Parts Dept. 916-646-6626
Service Dept 916-646-6638
Fax 916-646-6656
INSTALLED

** QUOTATION **
*** DUPLICATE ***
Ord # 01 82393
P/O # CAPITOLA

Br Acct
00 11700

SA DA

S DOWNTOWN FORD
O 525 NORTH 16TH STREET
L D SACRAMENTO CA 95814-0518
T O

S DOWNTOWN FORD
H 525 NORTH 16TH STREET 2/13/12
P SACRAMENTO CA 95814-0518 15:43:20
T O Expires
5/18/2012

Table with columns: Lin, Qty, Part Number, S Description, Eac Each, Net, Value. Contains line items 001 through 039 with various vehicle parts and their costs.

Summary table with columns: PART TOTAL, CORE TOTAL, FREIGHT, HANDLING, TAX, etc.

WWW.LEHRAUTO.COM SALES@LEHRAUTO.COM

RCVD. BY: PAY THIS AMOUNT \$

CONTINUED



4707 Northgate Blvd.
 Sacramento, CA 95834
 Parts Dept. 916-646-6626
 Service Dept 916-646-6636
 Fax 916-646-6656
 INSTALLED

** QUOTATION **
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Page 2

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 SACRAMENTO CA 95814-0518

2/13/12
 15:43:20
 Expires
 5/18/2012

Bin	Qty	Part Number	S Description	Wt. Each	Net	Value
040	1	RD NMO-K-DS	COAX CABLE		16.5000	16.50

Customer to supply Data 911 Computer and Kenwood 2 piece Radio and Radar

37	9336.03		165.00			
TOTAL UNITS	PART TOTAL	CORE TOTAL	FREIGHT	HANDLING	OTHER	TAXES

RCVD. BY: _____ PAY THIS AMOUNT \$ 9501.03

WWW.LEHRAUTO.COM SALES@LEHRAUTO.COM



CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 26, 2012

FROM: DEPARTMENT OF PUBLIC WORKS

SUBJECT: REPOSA AVENUE TRAFFIC ANALYSIS REPORT AND RECOMMENDATIONS

RECOMMENDED ACTION: By motion and vote take the following actions:

1. Pass an ordinance to a second reading amending Sections 10.48.010 and 10.48.040 of the Capitola Municipal Code to prohibit commercial traffic on Repose Avenue and to amend the code to be consistent with State law.
2. Authorize the Department of Public Works to redesign the 41st Avenue/Brommer Street intersection to improve truck movements from southbound 41st Avenue on to westbound Brommer Street, including removal or relocating the raised median.

BACKGROUND: As part of the approval of the Fairfield Inn Hotel Project at the corner of 41st Avenue and Brommer Street, the City Council directed the Department of Public Works to conduct a traffic impact analysis for traffic impacts on Reposa Avenue six months following the opening of the hotel. This analysis was completed in February 2012 and included analysis of travel speeds, peak hour volumes, daily volumes, and heavy vehicle traffic. Besides Reposa Avenue, data was also collected on Melton Avenue and 42nd Avenue for comparison. The full report is included as Attachment 2.

Reposa Avenue is a residential street that runs between 38th Avenue and 41st Avenue which makes it a prime route for cut-through traffic and large commercial vehicle traffic coming off of 41st Avenue. The data collected shows that the 85th percentile speeds on the street are 29 mph, this is higher than desired on a residential street. The traffic volumes on the street are within acceptable limits however the data indicates that at least seven trucks per day using Reposa Avenue, including large 5-axle trucks. Also, the traffic volume in the western direction represents 67% of the total volume, clearly indicating cut through traffic. Typical street volumes typically range in the 50% - 60% in directional traffic.

On March 27, 2012 the Mayor and Public Works Director met with approximately 10 households of residents from Reposa Avenue to review the report and discuss options for improvements.

DISCUSSION: The recommendations from the March 27th meeting were to prohibit commercial traffic on Reposa Avenue as permitted in the California Vehicle Code Section 35701 (Attachment 3). In order to restrict commercial traffic on Reposa Avenue modifications will need to be made to the 41st Avenue/Brommer Street intersection to improve the ability of trucks to turn on to westbound Brommer Street. Due to the current geometry of this intersection which hinders trucks from making the right-hand turn, many trucks continue south to Reposa Avenue to make the right-hand turn so they can return to Highway 1. The median island built as part of the hotel project will need to be relocated or removed as part of these improvements.

Further discussions with the residents on reducing the speeds centered on potential traffic calming measures that could be implemented. These measures include speed humps, bulb-outs at the intersections and neck downs mid-block to narrow the streets. The residents are reviewing these options and a second meeting with them will be scheduled in the near future to get their feedback. At this time, the staff recommendation is to amend the municipal code to prohibit commercial traffic on Reposa Avenue and begin the redesign of the 41st Avenue/Brommer Street intersection. It is anticipated that signage for the commercial vehicle restrictions would be placed until the intersection improvements have been made.

FISCAL IMPACT: The cost of the intersection improvements cannot be determined until some preliminary design work has been completed. Similarly, the costs of any traffic calming measures will be dependent on the measures selected. Staff will return to the Council with this cost information as part of the plan approval process.

ATTACHMENTS:

1. Draft Ordinance
2. Traffic Conditions Report on Reposa Avenue by RBF Consulting dated March 19, 2012
3. California Vehicle Code Section 37501

Report Prepared By: Steven Jesberg
Public Works Director

**Reviewed and Forwarded
By City Manager:** 

AN ORDINANCE OF THE CITY OF CAPITOLA AMENDING SECTIONS 10.48.010 AND 10.48.040 OF THE CAPITOLA MUNICIPAL CODE PERTAINING TO COMMERCIAL VEHICLES ON CITY STREETS

BE IT ORDAINED BY THE CITY OF CAPITOLA AS FOLLOWS:

Section 1. Section 10.48.010 of the Capitola Municipal Code is hereby amended to read as follows:

“10.48.010 Truck Routes.

A. Whenever any ~~resolution~~ ordinance of this city designates and describes any street or portion thereof as a street the use of which is permitted by any vehicle exceeding a maximum gross weight limit of three tons, the superintendent of streets is authorized to designate such street or streets by appropriate signs as “truck routes” for the movement of vehicles exceeding a maximum gross weight limit of three tons.

B. When any such truck route or routes are established and designated by appropriate signs, the operator of any vehicle exceeding a maximum gross weight limit of three tons shall drive on such route or routes and none other; except, that nothing in this section shall prohibit the operator of any vehicle exceeding a maximum gross weight of three tons coming from a truck route having ingress and egress; by direct route to and from restricted streets when necessary for the purpose ~~to~~ of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained therefore.”

Section 2. Section 10.48.040 of the Capitola Municipal Code is hereby amended to read as follows:

“10.48.040 Commercial vehicles prohibited from streets.

A. Whenever any ~~resolution~~ ordinance of this city designates and describes any street or portion thereof as a street the use of which is prohibited by any commercial vehicle, the superintendent of streets shall erect and maintain appropriate signs on those streets affected by such ordinance.

B. Those streets and parts of streets established by ~~resolution~~ ordinance of the council are declared to be streets, the use of which is prohibited by any commercial vehicle. The provisions of this section shall not apply to passenger buses under the jurisdiction of the Public Utilities Commission. (~~Ord. 204 § 12.3, 1963~~)

C. As permitted in paragraphs A and B above, no commercial vehile shall be permitted on Reposa Avenue between 38th Avenue and 41st Avenue except to the extent permitted pursuant to Section 10.48.010B.

This ordinance was introduced on the 26th day of April, 2012, and was passed and adopted by the City Council of the City of Capitola on the _____ day of _____, 2012, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Michael Termini, Mayor

ATTEST:

Susan Sneddon, City Clerk



March 19, 2012

JN 70-100418

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

Subject: Traffic Conditions on Reposa Avenue in the City of Capitola

Dear Steve

Thank you for requesting RBF Consulting to prepare this letter report documenting the findings of the Reposa Avenue traffic conditions evaluation. The evaluation included data collection on Reposa Avenue and similar streets in the vicinity, and comparing the information qualitatively. In addition, the data were compared to industry standards, where applicable. The following characteristics were evaluated:

- Travel speeds
- Peak hour volumes
- Daily volumes
- Heavy vehicle classification

The following streets were evaluated in the study:

- Reposa Avenue
- Melton Street
- 42nd Avenue

1. Street Network

41st Avenue is the main north-south street in the area and connects to Highway 1. Both 41st Avenue and 38th Avenue provide access to Capitola Mall, Kings Plaza, and other commercial uses to the north. Brommer Street/Jade Street, Capitola Road, and Portola Drive provide more regional east-west access.

Reposa Avenue is a one block 660 feet long east-west street that connects between 38th Avenue and 41st Avenue. It is one block south of Brommer Street, which is a more regional arterial street. Reposa Avenue is comprised primarily of residential and commercial uses front the corners with 41st Avenue. The paved width is approximately 40 feet and includes one unstriped travel lane in each direction and parallel parking on both sides of the roadway. There are no sidewalks along Reposa Avenue.

Melton Street parallels Reposa Avenue to the south and has a similar character in terms of adjacent uses, connectivity, and street design. The paved width of Melton Street varies between

approximately 40 feet and 25 feet. This street is not within the City limits of Capitola. This street was selected for comparison to Reposa Avenue because of the similar character, location and design.

42nd Avenue is one block east of 41st Avenue and connects between Jade Street and Capitola Road. Like Reposa Avenue, 42nd Avenue is one block away from a more regional arterial street. This street was selected for comparison to Reposa Avenue because it is a City owned residential street which parallels a commercial street and also connects to commercial streets.

2. 2009 Traffic Impact Assessment

In May 2009, a traffic impact assessment (TIA) was prepared by Hatch Mott MacDonald for the proposal of the Fairfield Inn & Suites at the southwest corner of Brommer Street and 41st Avenue. This TIA identified traffic volumes on 41st Avenue (between Brommer Street and Capitola Road) and Brommer Street (between 41st Avenue and 38th Avenue); evaluated intersection level of service (LOS) at the intersection of Brommer Street and 41st Avenue and Capitola Road and 41st Avenue; and analyzed project access and trip generation rates.

The TIA identified Saturday between 2:00 pm and 3:00 pm and Monday between 12:00 pm and 1:00 pm to be the peak time period with 1,499 and 1,432 vehicles, respectively. Intersection turning movement counts were conducted on a Saturday between 12:30pm and 3:30 pm and on a weekday between 11:30 am and 2:00 pm. Existing LOS for the intersection of Brommer Street/Jade Street and 41st Avenue was determined to be LOS C (the City's minimum standard) during the weekday noon and Saturday peak periods. Existing LOS for the intersection of 41st Avenue and Capitola Road was determined to be LOS D (below the City's minimum standard) during the weekday noon and Saturday peak periods.

The hotel project was determined to produce less vehicle trips than the previously existing day care facility during the AM and PM peak periods, which are the most critical time periods for congestion. The hotel would generate 9 fewer trips in the AM peak and 8 fewer trips during the PM peak; however, the hotel would produce 51 net new trips during the weekday noon peak hour.

The primary access to the hotel would be on 41st Avenue. A raised median on 41st Avenue would create a right-in/right-out driveway. Secondary access would be provided on Brommer Street. The short distance between the intersection and the driveway create an unsafe environment to allow vehicles traveling westbound on Brommer Street to enter the driveway. The TIA recommended a physical barrier to prevent this turning movement.

The addition of the project (the hotel construction) was not determined to alter the LOS for the intersection of Brommer Street/Jade Street and 41st Avenue. The intersection of 41st Avenue and Capitola Road would still operate at LOS D without the recommended improvements; however, with the additional of a left turn lane the weekday noon peak hour would improve to LOS C.

3. 2012 Data Collection

In January and February of 2012, data was collected by RBF Consulting to evaluate potential impacts of construction of the Fairfield Inn & Suites on Reposa Avenue, which is the basis for this

technical memorandum. Data collection centered around Reposa Avenue as concerns were received from residents that this street was receiving a higher than anticipated number of vehicles, especially heavy vehicles, and that motorists were speeding. Average daily traffic (ADT), AM and PM peak hour volumes, intersection turning movements, speed, and vehicle classification (bikes, passenger vehicles, and heavy vehicles) were collected. ADT data was collected over a 3-day period, peak hour data over a two hour period, and travel speeds collected for a minimum of 100 recordings.

3.1 Travel Speeds

Speed limits on Reposa Avenue and Melton Street is 25 mph as they are residential streets. Average speeds on both streets were below 25 mph as indicated on Figure 1. Speeds at the 85th percentile were higher at 29 mph on Reposa Avenue and 27 mph on Melton Street. Eastbound and westbound speeds did not differ significantly along Reposa Avenue. Figure 2 and Figure 3 indicates the presentation of the statistical data for the speed survey on Reposa Avenue and Melton Street respectively. The data collection was conducted based on the guidelines in the 2010 California Manual on Uniform Traffic Control Devices. These travel speeds are typical for residential streets.

3.2 Traffic Volumes

Morning and evening peak volumes were by far the highest along 41st Avenue, as should be expected given the fact that it is an arterial street with freeway access. Reposa Avenue and Melton Street had higher PM peak volumes than in the AM. Of the two streets, Reposa Avenue had lower AM and PM peak volumes in both the eastbound and westbound directions. Reposa Avenue had a morning peak hour volume of 17 westbound and 5 eastbound or 5.1% of daily traffic, and an evening peak hour volume of 31 westbound and 33 eastbound or 14.9% of daily traffic. Melton Street has a morning peak hour volume of 22 westbound and 12 eastbound, and an evening peak hour volume of 57 westbound and 35 eastbound. The higher volume on Melton Street may be attributed to the commercial developments located on the street. Turning movement and segment traffic volumes are presented on Figure 4.

Vehicle classification counts were conducted along Reposa Avenue and 42nd Avenue. The counts were broken down by vehicle type: bikes, passenger vehicles (passenger and long 2-axle vehicles), and heavy vehicles (buses and 2+ axle vehicles). Both streets parallel and have direct access to two commercial arterial streets and, therefore, have the same potential to be used for cut-through and heavy vehicle traffic. Heavy vehicles represent 1.8% of vehicles along Reposa Avenue and 2.5% along 42nd Avenue. The heavy vehicles on Reposa Avenue equates to approximately 7 truck trips per day. Typical heavy vehicles on a residential street varies between 2 and 8 trips per day. This is typical for a residential street. The number of heavy vehicles along Reposa Avenue were 0.7% less than along 42nd Avenue.

Typical daily traffic volumes of residential streets vary between 100 and 1,000 cars per day. The ADT volume on Reposa Avenue is 401 per day and thus within the typical thresholds. However, Table 1 below shows a detailed breakdown of the counts by vehicle type and by day. The data shows that there is a total of 7 trucks per day. In addition, there is a 5-axle truck on the street as well, which represents a typical "big rig" vehicle. These trucks make typical shopping center deliveries. In addition, there is a two third demand in a westbound direction, which is higher than a typical 60/40

split. This may indicate a small proportion of 28 (7%) trips per day on using Reposa Avenue represent cut through traffic from 41st Street, driving along Reposa, 38th and Brommer, to get back to 41st Street.

Table 1: Traffic Volumes on Reposa Street

Reposa Avenue between 41st Street and 38th Street 24 hr counts										
1/31/2012	Total Vehicles	Bicycles	Pass Cars	2-axle trucks	3-axle trucks	4-axle trucks	5-axle trucks	Tot trucks	Truck % of Tot	% of Total
Both directions	377	2	364	3	0	1	0	4	1.1%	100%
EB	130	1	123	3	0	0	0	3	2.3%	34%
WB	247	1	241	0	0	1	0	1	0.4%	66%
2/8/2012	Total Vehicles	Bicycles	Pass Cars	2-axle trucks	3-axle trucks	4-axle trucks	5-axle trucks	Tot trucks	Truck % of Tot	% of Total
Both directions	467	2	446	7	3	1	1	12	2.6%	100%
EB	182	2	173	2	1	1	0	4	2.2%	39%
WB	285	0	273	5	2	0	1	8	2.8%	61%
2/9/2012	Total Vehicles	Bicycles	Pass Cars	2-axle trucks	3-axle trucks	4-axle trucks	5-axle trucks	Tot trucks	Truck % of Tot	% of Total
Both directions	417	4	407	3	0	2	1	6	1.4%	100%
EB	149	3	144	1	0	1	0	2	1.3%	36%
WB	268	1	263	2	0	1	1	4	1.5%	64%
3-day Average	Total Vehicles	Bicycles	Pass Cars	2-axle trucks	3-axle trucks	4-axle trucks	5-axle trucks	Tot trucks	Truck % of Tot	% of Total
Average Both dir	423	3	406	4	1	1	1	7	1.7%	100%
Average EB	155	2	147	2	0	1	0	3	1.9%	37%
Average WB	268	1	259	2	1	1	1	4	1.6%	63%

Conclusion

The traffic data indicates that Reposa Avenue experiences typical traffic conditions compared to other residential streets surveyed. The net trip increase from the hotel traffic was estimated to result in a decrease in AM and PM traffic to the previous day care center. The previous daycare would attract residential trips from the local neighborhoods and many of these drivers are the ones who know the local roads and take shortcuts. Some trucks, include 5-axle delivery trucks do travel on Reposa Avenue and the directional flow indicates traffic taking Reposa Avenue westbound as a cut through route, possible to go around the block, back to Brommer Street.

Sincerely,



Frederik Venter, PE
RBF Consulting, a Baker Company



Figure 3:

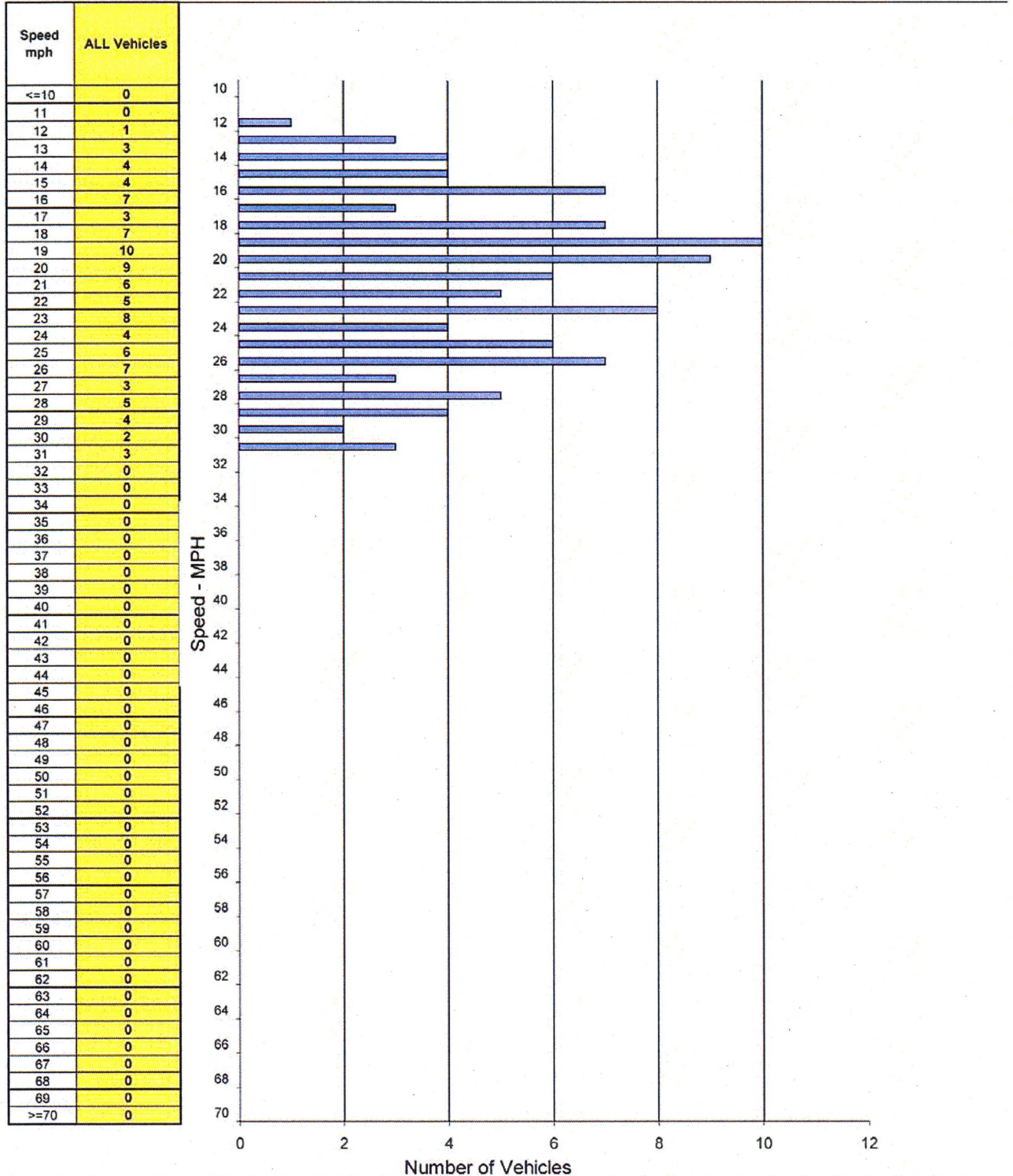
Spot Speed Study

Prepared by: National Data & Surveying Services

City of Capitola

Location: Melton Street between 38th Avenue and 41st Avenue.

Eastbound & Westbound Spot Speeds



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	101	11 - 69	21 mph	27 mph	15 - 24	67	66%	7% / 8	26% / 26

Figure 2:

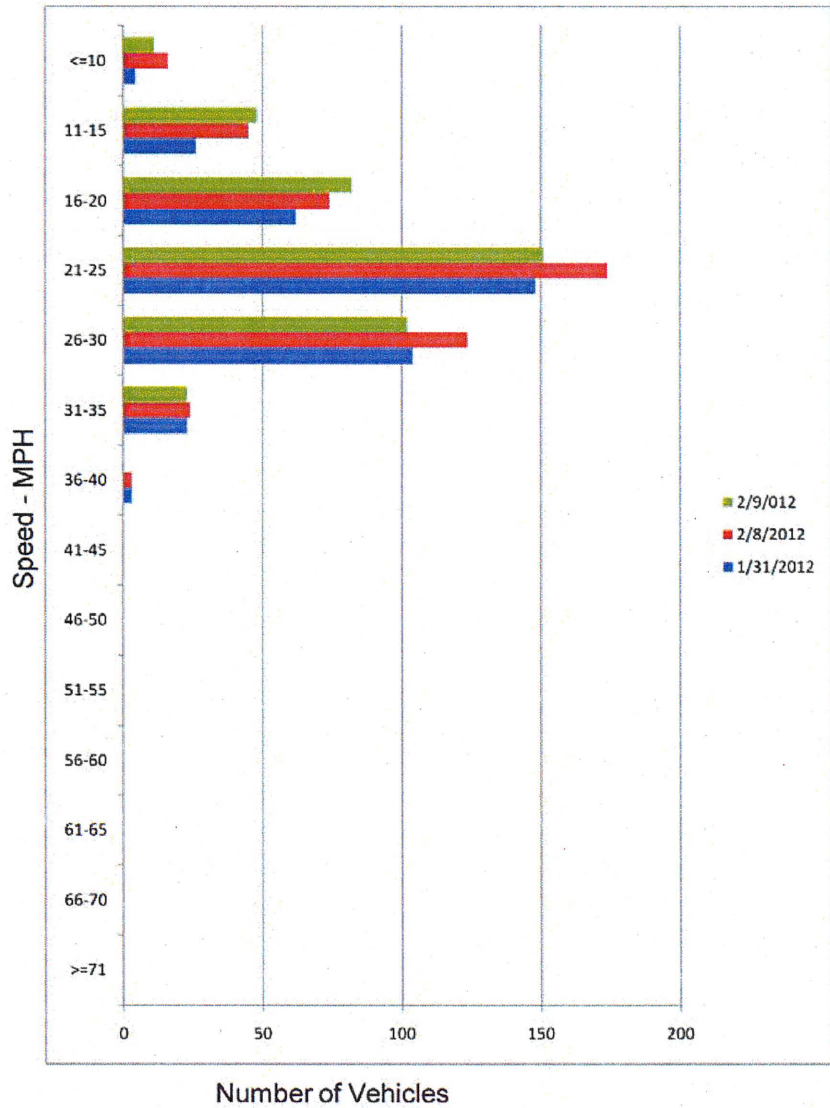
Spot Speed Study

City of Capitola

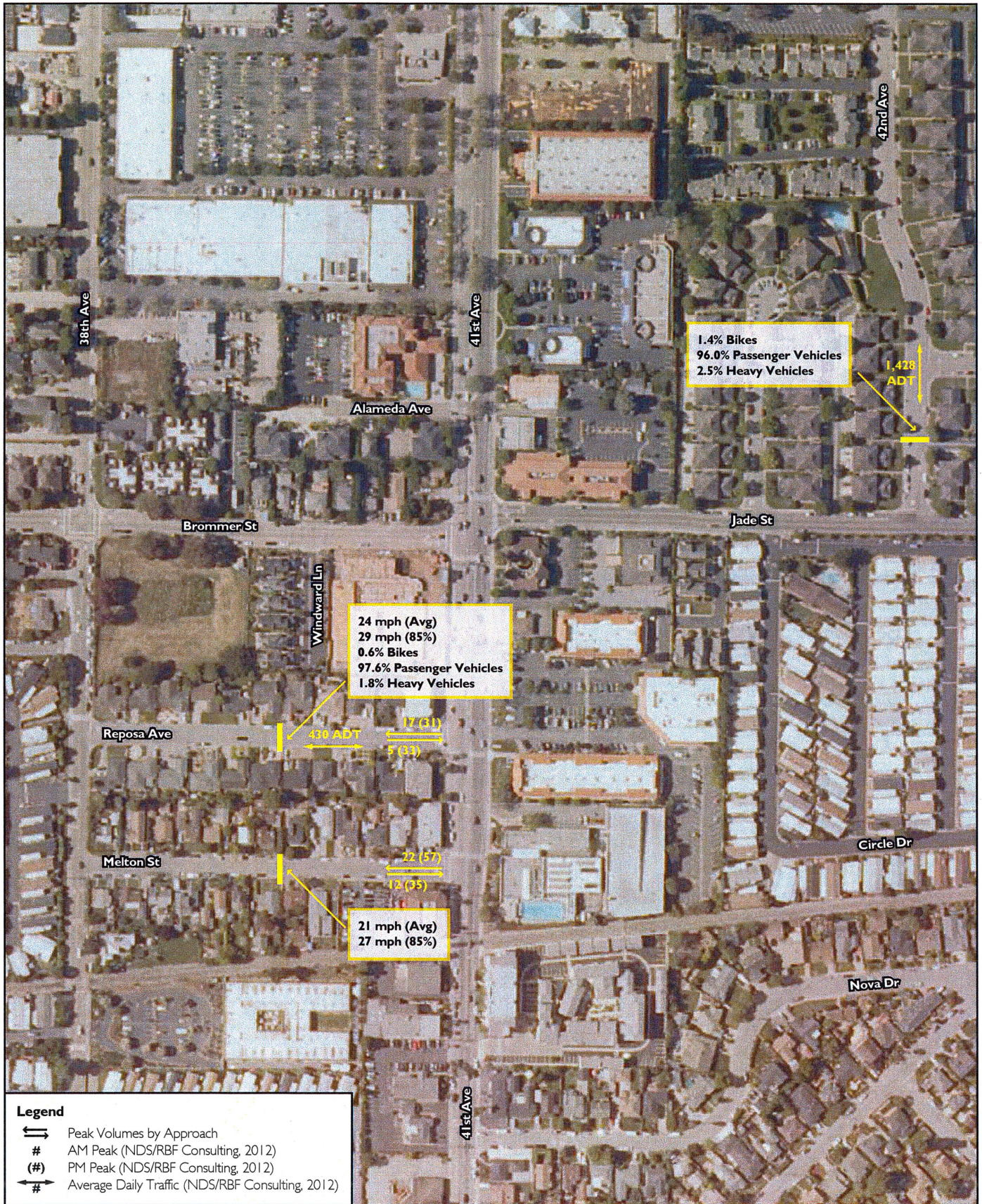
Location: Reposa Street (between 38th Avenue and 41st Avenue)

Combined Eastbound & Westbound Spot Speeds

Speed mph	ALL Vehicles
1/31/2012	
<=10	4
11-15	26
16-20	62
21-25	148
26-30	104
31-35	23
36-40	3
41-45	0
46-50	0
51-55	0
56-60	0
61-65	0
66-70	0
>=71	0
2/8/2012	
<=10	16
11-15	45
16-20	74
21-25	174
26-30	124
31-35	24
36-40	3
41-45	0
46-50	0
51-55	0
56-60	0
61-65	0
66-70	0
>=71	0
2/9/2012	
<=10	11
11-15	48
16-20	82
21-25	151
26-30	102
31-35	23
36-40	0
41-45	0
46-50	0
51-55	0
56-60	0
61-65	0
66-70	0
>=71	0



SPEED PARAMETERS											
Date	Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	# >=25 MPH	% >=25 MPG	
1/31/2012	ALL	370	<=10 to 35	24	30	21 - 30	252	68%	130	35%	
2/8/2012	ALL	460	<=10 to 40	24	29	21 - 30	298	65%	151	33%	
2/9/2012	ALL	417	<=10 to 40	23	29	21 - 30	253	61%	125	30%	



California Vehicle Code:

35701. (a) Any city, or county for a residence district, may, by ordinance, prohibit the use of a street by any commercial vehicle or by any vehicle exceeding a maximum gross weight limit, except with respect to any vehicle which is subject to Sections 1031 to 1036, inclusive, of the Public Utilities Code, and except with respect to vehicles used for the collection and transportation of garbage, rubbish, or refuse using traditionally used routes in San Diego County when the solid waste management plan prepared under Section 66780.1 of the Government Code is amended to designate each traditionally used route used for the purpose of transporting garbage, rubbish, or refuse which intersects with a local or regional arterial circulation route contained within a city or county's traffic circulation element and which provides access to a solid waste disposal site.

(b) The ordinance shall not be effective until appropriate signs are erected indicating either the streets affected by the ordinance or the streets not affected, as the local authority determines will best serve to give notice of the ordinance.

(c) No ordinance adopted pursuant to this section after November 10, 1969, shall apply to any state highway which is included in the National System of Interstate and Defense Highways, except an ordinance which has been approved by a two-thirds vote of the California Transportation Commission.

(d) The solid waste management plan prepared under Section 66780.1 of the Government Code by San Diego County may designate the traditionally used routes.

(e) "Traditionally used route," for purposes of this section, means any street used for a period of one year or more as access to or from a solid waste disposal site.



CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 26, 2012

FROM: POLICE DEPARTMENT

SUBJECT: APPROVAL OF A CONTRACT WITH THE CITY OF SANTA CRUZ TO PERFORM LIFEGUARD SERVICES IN THE CITY OF CAPITOLA

RECOMMENDED ACTION:

- 1) By motion, approve a contract for \$67,000 between the City of Santa Cruz and the City of Capitola to perform Lifeguard services on the beaches in the City of Capitola.
- 2) Amend the FY 2011-12 general fund budget reducing lifeguard salaries, increasing contract services, and increasing law enforcement department salaries resulting in an appropriation of \$5,352 from fund balance.

BACKGROUND: The Capitola Police Department is responsible for providing Lifeguard services on the beaches within the City of Capitola. The Lifeguard Program protects swimmers, surfers, and waders in the Capitola Beach area during the summer months and the surrounding weekends. Lifeguards respond to water rescues, major and minor first aid calls, basic law enforcement issues on the beach and various animal calls, in addition to educating the public on a variety of marine environmental issues.

Lifeguard services are provided in Capitola from May through September. During the summer season, the Police Department transitions one Community Service Officer (CSO) to the duties of Lifeguard Captain. Due to a frozen CSO position in the police department, this reduces our CSO staffing levels to one (1) for the entire City during the summer season. An additional 13 seasonal Lifeguards are recruited, hired, and trained to provide Lifeguard services.

During our 2011 Lifeguard season, we estimate over 200,000 beach goers visited Capitola Beach. Of those visitors, our Lifeguards made 6,485 public contacts, 1,665 preventative contacts, 138 minor first aide contacts, 13 major first aide contacts, 23 rescues, and assisted with 18 missing person cases.

DISCUSSION: During these challenging economic times the Police Department continually evaluates many of our programs. The objective is to balance fiscal responsibility while maintaining appropriate levels of service for the community and its visitors.

Staff has contacted the City of Santa Cruz and discussed the possibility of contracting Lifeguard services. The City of Santa Cruz was selected due to their well established

Marine Safety program coupled with their similar geographical and beach demographics. The City of Santa Cruz, specifically the Fire Department, would assume the entire program including, recruiting, hiring, training, scheduling, organizing, administration, payroll, and equipment.

4-26-12 AGENDA REPORT: Contract with the City of Santa Cruz to perform Lifeguard Services

The City of Santa Cruz has agreed to integrate all of Capitola's current Lifeguard staff and equipment into the program with the exception of the Community Service Officer/Lifeguard Captain. Instead of transitioning to the Lifeguard Program, the CSO will remain in that capacity throughout the year which would increase our CSO staffing levels to two (2). Capitola Beach will continue to have daily Lifeguard patrols from Memorial Day weekend through Labor Day weekend. The two Lifeguard towers will continue to be used and staffed with Lifeguards, a roving supervisor, and support from Santa Cruz Main Beach as needed. Additionally, the City of Santa Cruz will add a Personal Water Craft (PWC) for additional rescue measures. This change will have no affect on Capitola's Junior Lifeguard program.

FISCAL IMPACT: Annual costs budgeted for FY12/13 for the City of Capitola to operate its Lifeguard program are \$90,700. Staff has conducted a cost analysis for contract Lifeguard services during the same time period and found the City of Capitola would realize a savings of approximately \$23,700 annually in the Lifeguard program.

Due to this shift in services, the Police Department will see an increase in net staffing costs of approximately \$49,000. This is due to the fact that the CSO, in the past transitioned to Lifeguard Captain and oversaw the program, will shift back full time to the police department.

During this current budget cycle, the Police Department changed parking repair vendors which will result in an estimated \$24,000 savings during FY 12/13. Even though the Lifeguard contract will cause an increase of \$5,352 in salaries for FY 11/12, we will realize a total savings of approximately \$47,700 for FY 12/13.

The net cost increase is projected to be approximately \$25,300, which will provide the services of two full-time CSO's city-wide during the busy summer season.

ATTACHMENTS:

- 1) Proposed Contract
- 2) Budget Adjustment

Report Prepared By: Rudy Escalante
Chief of Police

**Reviewed and Forwarded
By City Manager:** 

AGREEMENT FOR LIFEGUARD SERVICES

This Agreement for Lifeguard Services (Agreement) shall be effective as of May 25, 2012 and is made and entered into by and between the City of Capitola, a general law city and municipal corporation (Capitola) and the City of Santa Cruz, a charter city and municipal corporation (Santa Cruz), (hereinafter collectively referred to as Parties), both of which are public entities organized and existing under and by virtue of the laws of the State of California.

RECITALS

WHEREAS, each Party to this Agreement provides lifeguard services at certain beaches within their respective jurisdictional limits (excluding beaches supervised and operated by the State of California);

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

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

WHEREAS, this Agreement provides a cost-effective option for sharing said lifeguard service functions.

NOW THEREFORE, the Parties agree as follows:

1. SERVICES. Commencing May 25, 2012, Santa Cruz lifeguards and lifeguard supervisors, employed as temporary seasonal employees by the City of Santa Cruz Fire Department, will provide lifeguard and lifeguard management services to Capitola at the Capitola Main Beach pursuant to the terms and conditions hereinafter set forth.

2. TERM. The term of this Agreement will commence on May 25, 2012, and terminate on September 3, 2012. The term of this Agreement may be extended annually by mutual agreement of the Parties evidenced in writing as an amendment to this Agreement.

3. SCHEDULE. The lifeguard and lifeguard management services provided by Santa Cruz pursuant to this Agreement will be provided in accordance with the following schedule and at the following levels of service.

- A. Memorial Day Weekend (commencing May 25, 2012) through Labor Day Weekend (concluding September 3, 2012):

Weekday Schedule: Two lifeguards, one lifeguard per tower, eight hours per day (on average); and one lifeguard supervisor on a rover/break basis, six to eight hours per day (on average).

Weekend/Holiday Schedule: Two lifeguards, one per lifeguard tower, eight hours per day (on average); one lifeguard supervisor on a rover/break basis, six to eight

hours per day (on average); and one additional lifeguard on a rover/break basis, four to six hours per day (on average).

4. TRAINING/LEVEL OF SERVICE. Santa Cruz shall train all lifeguards and lifeguard supervisors. The Santa Cruz Fire Department, through its Marine Fire Captain, shall be responsible for all such training. At a minimum said training shall include twenty hours of recurrent training in lifeguarding, first aid and cardiopulmonary resuscitation (CPR). The Santa Cruz Fire Department Marine Safety Division is a United States Lifesaving Association (USLA) advanced agency member and all training, lifeguard and lifeguard management service provided pursuant to this Agreement shall adhere to and comply with USLA training, equipment and deployment standards. The operational level of lifeguard and lifeguard management service provided by Santa Cruz to Capitola pursuant to this Agreement shall correspond to the level of operational service that Santa Cruz provides at Main Beach and Cowell's Beach in the City of Santa Cruz and similarly all lifeguard and lifeguard management operational procedures and practices employed by Santa Cruz in Capitola shall correspond to those employed by Santa Cruz in the City of Santa Cruz.

5. EQUIPMENT. Capitola will provide two lifeguard towers to be placed on the Capitola Main Beach at locations designated by the Santa Cruz Marine Safety Captain. Santa Cruz shall provide all other necessary equipment including one personal watercraft to be stored at either the Capitola Main Beach or the Capitola Wharf. Said personal watercraft will be deployed pursuant to direction provided by the Santa Cruz Fire Department only and may be used by lifeguards, lifeguard supervisors and other Santa Cruz Fire Department personnel to respond to incidents in the immediate Capitola vicinity or outside of the vicinity in connection with a mutual aid request from an allied agency depending upon the availability of a certified operator. Necessary equipment will be delivered by the Santa Cruz Fire Department to the Capitola Main Beach on a Santa Cruz Fire Department lifeguard truck which may respond to the Capitola Main Beach, as necessary, on both a periodic and emergency basis.

6. COMPENSATION. For all lifeguard and lifeguard supervisor services provided by Santa Cruz pursuant to this Agreement, including all equipment used by Santa Cruz in connection therewith and all expenses incurred by Santa Cruz in connection therewith, Capitola shall pay Santa Cruz a total of \$67,000. Said \$67,000 shall be remitted by Capitola to Santa Cruz in a single lump sum payment due and payable following the Labor Day Weekend. Upon the completion of services provided by Santa Cruz pursuant to this Agreement, Santa Cruz shall submit a \$67,000 invoice to Capitola. Within thirty days of its receipt of said invoice, Capitola shall satisfy the invoice in full.

7. EMPLOYMENT STATUS. All lifeguard personnel hired and employed by Santa Cruz in connection with this Agreement, shall be and remain employees of Santa Cruz, and shall at all times be subject to the direct supervision and control of the Santa Cruz Fire Department. Santa Cruz shall therefore have full responsibility for payment of all compensation to said personnel, including provision of health plan and other benefits consistent with Santa Cruz policies and/or collective bargaining agreements. Santa Cruz shall further be responsible for all administrative employment matters concerning said personnel, including compliance with requirements for any and all applicable State and Federal income tax withholding, State and Federal unemployment and disability insurance withholding and contributions, social security tax withholding and contributions, worker's compensation coverage obligations, wage and hours obligations,

Immigration Reform and Control Act obligations, and any other administrative employment requirements. Nothing in this Agreement shall be intended or construed to create an express or implied employer-employee relationship between Capitola and any of the Santa Cruz Fire Department personnel providing services pursuant to this Agreement. Santa Cruz acknowledges that as employer, it is and continues to be responsible for taking any necessary action, including disciplinary action, with respect to said personnel. As necessary, Capitola shall cooperate fully with Santa Cruz and provide the necessary assistance in reasonably investigating and supporting, through witnesses and documents, facts which may serve as the basis for Santa Cruz taking any disciplinary or corrective action.

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

9. INSURANCE.

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

i. Commercial General Liability Insurance (contractual liability included) with minimum limits as follows:

- a. Each occurrence \$1,000,000
- b. Products/Completed Operations Aggregate \$2,000,000
- c. General Aggregate \$2,000,000

If the above insurance is written on a claims-made form, it shall continue for three (3) years following termination of this Agreement. The insurance shall have a date of placement prior to or coinciding with the effective date of this Agreement.

ii. Business Automobile Liability Insurance for owned, scheduled, non-owned, or hired automobiles with a combined single liability limit of not less than \$1,000,000 per occurrence.

iii. Worker's Compensation as required by California State law.

iv. Such other insurance in such amounts which from time to time may be reasonably required by the mutual consent of the Parties against other insurable risks relating to performance.

The coverages required under Section A shall not limit the liability of the Parties.

The coverages for each party referred to under subsections i and ii of Section A shall include the other party as an additional insured. Such a provision, however, shall apply only in proportion to and to the extent of the negligent acts or omissions of the other Party, its officers, employees, and agents. Each party upon the execution of this Agreement shall furnish the other Party with certificates of insurance evidencing compliance with all requirements. Certificates shall further provide for thirty (30) days (10 days for non-payment of premium) advance written notice to the other Party of any material modification, change, or cancellation of any of the above insurance coverages.

10. INDEMNIFICATION. Each Party agrees to defend, indemnify, and save the other Party harmless from any and all claims, liability, losses, expenses, attorneys, fees or costs arising out of said Party's employees', officers' or agents' negligent acts, errors, omissions or willful misconduct while performing their obligations pursuant to this Agreement, but only in proportion to and to the extent such liability, losses, expenses, attorneys' fees, costs or claims for injury or damages are caused by the negligent or intentional acts or omissions of said Party, its officers, employees, or agents. For purposes of this provision none of the Santa Cruz personnel who provide services pursuant to this Agreement shall be construed to be, or considered, Capitola officers, employees or agents.

11. TERMINATION WITHOUT CAUSE. Each Party may terminate this Agreement, without cause, by giving written notice to the other Party. Such termination shall be effective thirty (30) days following receipt of written notice.

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

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

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

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

City of Santa Cruz
809 Center Street, Room 10
Santa Cruz CA 95060
Attn: City Manager
Telephone: (831) 420-5010

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

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

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

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

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

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

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

Executed at Santa Cruz, California as follows:

City of Capitola, a Municipal Corporation

By: _____

Name: Jamie Goldstein

Its: City Manager

Date: _____

City of Santa Cruz, a Municipal Corporation

By: _____

Name: Martin Bernal

Its: City Manager

Date: _____

Approved as to form:

By _____
John G. Barisone, City Attorney

Approved as to form:

By _____
Adair Paterno, Assistant City
Attorney

City of Capitola Budget Adjustment Form



Date 04/26/2012

Requesting Department Police

Administrative Council

Item # 9B

Council Date 04/26/2012

Council Approval _____

Revenues		
Account #	Account Description	Increase/Decrease
Total		\$ 0.00 -

Expenditures		
Account #	Account Description	Increase/Decrease
1000-20-22-000-4325.250	Contract Services-Lifeguard	\$ 23,500.00
1000-20-22-000-4XXX	Salaries-Lifeguard	(\$ 34,447.00)
1000-20-20-000-4XXX	Salaries-Law Enforcement	\$ 16,299.00
Total		\$ 5,352.00 -

Net Impact \$ 5,352.00 -

Purpose:

- Add Contract for lifeguard services
- Remove lifeguard salary expenditures (CSO and Temps)
- Add CSO to Law Enforcement

Department Head Approva _____

Finance Department Review _____

Finance Director Approval _____

City Manager Approval _____



Item #: 9.C.

CITY OF CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 26, 2012

FROM: CITY MANAGER DEPARTMENT

SUBJECT: CONSIDERATION OF OPTIONS FOR THE RISPIN PROPERTY (APN 035-371-01; 035-371-02) DUE TO STATE LAW DISSOLVING REDEVELOPMENT AGENCIES

RECOMMENDED ACTION: Provide direction to the Mayor as a member of the Oversight Committee for the Capitola Successor Agency regarding:

1. The City's preferred method of complying with ABX1 26 requirements for the Rispin Property, and
2. If the City Council intends to voluntarily reduce the minimum administrative cost allowance for the Capitola Successor Agency.

BACKGROUND:

The primary purpose of this hearing is to determine if the City Council wants to retain the Rispin property, or wants the \$1.35 million loan to the Redevelopment Agency repaid to the City.

Assembly Bill X1 26 (ABX1 26) ended redevelopment agencies and provides, at time confusing, direction regarding how to wind-down the affairs of the former redevelopment agencies. That direction includes the formation of Oversight Committees to oversee the disposal of assets of the former redevelopment agencies.

While the Capitola Redevelopment Agency transferred title to the Rispin property to the City of Capitola in March 2011, the language of ABX1 26 states that transfers of real property after January 2011 were void from the outset and shall have no force or effect. Therefore the City, and Capitola Successor Agency (CSA) have acknowledged the property is an asset of the CSA.

The Rispin Mansion property and the City of Capitola have a long history. The City acquired the property in the early 1980's. In 2003, the City sold the property to the Redevelopment Agency. Following the sale to the Redevelopment Agency, the Agency worked with a developer on a hotel project. This project did not move forward. More recently work has been done to secure the historic building and preliminary plans are in place for a passive park.

The property has a number of development restrictions as a result of environmental constraints and the contentious permitting process for the hotel project. Those restrictions include:

1. Listing on the National Historic Register
2. Mapped Environmentally Sensitive Habitat
3. Public Access and Conservation easements recorded over the majority of the property
4. Stipulated judgment – Save the Habitat case

DISCUSSION:

At the second meeting of the Capitola Oversight Committee there was significant discussion regarding the ownership of the Rispin property and the associated \$1.35 million debt to the City. The agenda for the next Oversight Committee on April 30 includes a discussion about the Rispin and how best to comply with ABX1 26 requirements to dispose of the property. Tonight's hearing is an opportunity for the Council, and public, to provide testimony and direction to the City's Oversight Committee appointee.

The development restrictions outlined above will remain in place regardless of the disposition of the property. Simply stated, regardless of the ownership of the property, public access will remain over the area of the former "Rispin Gardens" and the "Rispin-Peery Trail," and habitat restrictions will remain in place over the majority of the property (Attachment 1).

Should the Oversight Committee decide to transfer title to the property back to the City, it seems likely the Oversight Committee will demand concessions regarding the terms of the existing note between the City of Capitola and the former Redevelopment Agency. The property has been held by the City for nearly 30 years. Over that time period public access has been allowed to various portions of the property. The City has been through a contentious entitlement process, and identified a number of resources on the property (historic, environmental, etc).

Alternatively, should the Oversight Committee decide to dispose of the property by selling the property on the open market, the following would likely apply:

- New uses on the property would be limited by the zoning, and would require a permit from the City. Uses allowed by zoning include:
 - Hotels
 - Restaurants
 - Retail shops and offices accessory to visitor-serving uses
 - Other visitor-serving uses of a similar character, density, and intensity determined by the planning commission to be consistent with the zoning
 - Single family residential would require a discretionary process to rezone the property
- Public access to "Rispin Gardens" and "Rispin-Peery Trail" would remain consistent with the Public Access Easement
- Habitat restrictions remain in place consistent with the Conservation Easement
- Changes to the historic structure, and any potentially significant environmental impacts, would be subject to the City completing CEQA review

The final decision regarding the disposition of the Rispin property will be made by the Oversight Committee. The purpose of this hearing is to provide input and direction to the Mayor, who sits on the Committee on behalf of the City.

Administrative Cost Allowance

The Oversight Committee is charged with approving an Administrative Budget for the CSA. The legislation sets the minimum "administrative cost allowance" for the CSA at \$250,000, unless a lesser amount has been agreed to by the City Council acting as the Board of the CSA. The Oversight Committee has approved the first Administrative Budget, however several of the members commented that they would like the CSA to agree to reduce the cost allowance in future years.

The new State law provides a cost allowance for successor agencies to cover administrative expenses. Codified in Health & Safety Code the relevant section, states:

34170 (b) "Administrative cost allowance" means an amount that, subject to the approval of the oversight board, is payable from property tax revenues of up to 5 percent of the property tax allocated to the successor agency for the 2011-12 fiscal year and up to 3 percent of the property tax allocated to the Redevelopment Obligation Retirement Fund money that is allocated to the successor agency for each fiscal year thereafter; provided, however, that the amount shall not be less than two hundred fifty thousand dollars (\$250,000) for any fiscal year or such lesser amount as agreed by the successor agency.

The statute clearly states the Administrative Cost Allowance "shall" not be less than \$250,000. The amount cannot be reduced by the Oversight Board unless the Successor Agency (City Council) so agrees.

Currently, the process to wind down the affairs of the former redevelopment agency is complicated. Significant staff resources have been devoted to interpreting and complying with the legislation. At future Oversight Committee hearings, the Committee will be called upon to approve administrative budgets. At the last Oversight Committee meeting, several members questioned the need for the full \$250,000. As a result, Council may wish to provide direction regarding their interest in voluntarily reducing the Administrative Cost Allowance.

FISCAL IMPACT:

The current terms of the note between the City and the Redevelopment Agency require interest-only payments on the \$1.35 million in debt, with the interest rate set at the rate charged by CalPERS for the City's unfunded liability (7.75%¹).

The City/Redevelopment Agency has spent around \$30,000 - \$40,000 per year to maintain the Rispin property. Should the Oversight Committee transfer the property to a third party, City maintenance costs would be reduced.

ATTACHMENTS

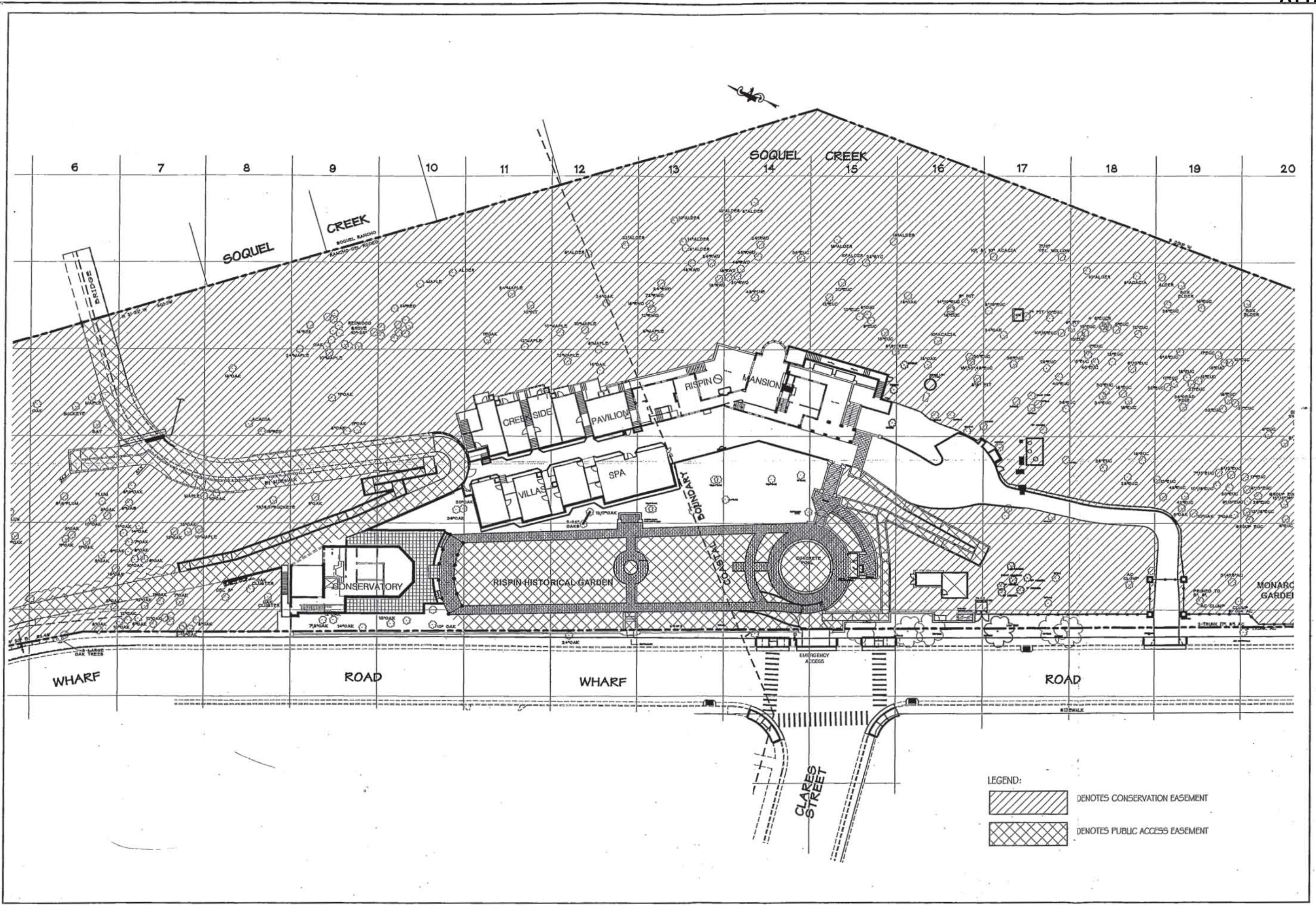
1. Map of easements on Rispin property

Report Prepared By: Jamie Goldstein
City Manager

**Reviewed and Forwarded
By City Manager/Executive Director**



¹ Decreasing to 7.5% on July 1, 2012



DATE	REVISION	BY
9/10/08	EASEMENT BOUNDARY	JLA

JOE L. AKERS
 CIVIL ENGINEER
 860 BAY AVE. SUITE 2, CAPITOLA, CA 95010
 (831) 475-6957



CONSERVATION EASEMENT
 AND
 PUBLIC ACCESS EASEMENT
EXHIBIT 1

THE RISPIN
 2000 WHARF ROAD
 CAPITOLA, CALIFORNIA

DATE	8.28.08
DRAWN BY	JLA
SCALE	1"=50'



Item #: 9.D.

CITY OF CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 26, 2012

FROM: CITY MANAGER AND FINANCE DEPARTMENTS

SUBJECT: APPROVE REENTERING INTO LOAN AGREEMENTS BETWEEN THE CITY AND THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF CAPITOLA

RECOMMENDED ACTION: That the City Council:

1. Authorize the City Manager to reenter into an agreement between the City of Capitola and the City of Capitola acting as the Successor Agency to the former Redevelopment Agency of the City of Capitola (the Successor Agency) for the Loan and Repayment Agreement in the amount of \$618,028
2. Authorize the City Manager to reenter into an agreement between the City of Capitola and the Successor Agency to the former Redevelopment Agency of the City of Capitola for the Rispin Purchase Loan Agreement in the amount of \$1,350,000

BACKGROUND: The City and the Redevelopment Agency of the City of Capitola entered into the following agreements:

- Loan and Repayment Agreement in the amount of \$618,028
- Rispin Purchase Loan in the amount of \$1,350,000

To comply with AB1X 26 (the "Dissolution Act"), all assets and obligations of the City's Redevelopment Agency were transferred to the Successor Agency. As part of the dissolution process, an Oversight Board was appointed to oversee the winding down or dissolution process of the former Redevelopment Agency. On April 12, 2012 the Oversight Board approved a Certified Recognized Obligation Payments Schedule which included these two loans. This motion acknowledged that the Committee recognized the Loan and Repayment Agreement and the Rispin Purchase Loan as debts of the Successor Agency and authorized the City and the Successor Agency to re-enter into the two agreements. During the April 12 meeting, staff also outlined a Cash Management Plan which included a repayment strategy that could result in savings of \$2.5 million; with \$1.4 million of the savings realized from early repayment of the two City loans.

DISCUSSION: On February 12, 2012, pursuant to ABX126, the City's Redevelopment Agency (RDA), along with all redevelopment agencies in the State, was dissolved, and all assets and obligations of the agency were transferred to a Successor Agency. As part of the legal winding down process, the Santa Cruz County Auditor-Controller conducted an agreed-upon procedures audit of the City's former RDA to establish the agency's assets and liabilities, determine each pass through payment obligations; determine any indebtedness incurred by the RDA; and to certify a draft Recognized Obligation Payment Schedule (ROPS).

On April 12, 2012, this Certified ROPS, which included the Loan and Repayment Agreement; and the Rispin Purchase Loan, was approved by the Oversight Board to the Successor Agency.

These new agreements contain an amendment which would allow the City, upon approval of the Oversight Board and the Successor Agency, to prepay the full amount owed without penalty.

Approval of this action would provide the Oversight Board with the flexibility to authorize repayment of the Loan and Repayment Agreement and the Rispin purchase loan on the April 30, 2012 Oversight Board to the Successor Agency meeting.

ATTACHMENTS:

1. Agreement Reentering into Loan Agreement – \$618,028 Loan and Repayment Agreement
2. Agreement Reentering into Loan Agreement – Rispin Purchase Loan
3. Conceptual Cash Management Plan

Report Prepared By: Tori Hannah
Finance Director

**Reviewed and Forwarded
By City Manager:** 

**AGREEMENT REENTERING INTO LOAN AGREEMENT
(2001 Loan and Repayment Agreement)**

This Agreement Reentering into Loan Agreement ("Agreement") is entered into this ____ day of ____ 2012 by and between the City of Capitola, a California municipal corporation ("City") and the City of Capitola acting as the Successor Agency to the former Redevelopment Agency of the City of Capitola ("Successor Agency").

WHEREAS, the City and the Redevelopment Agency of the City of Capitola (the "Redevelopment Agency") entered into a Loan and Repayment Agreement on December 13, 2001, attached hereto as Exhibit A (the "Loan Agreement"), whereby the Redevelopment Agency agreed to repay the City the amount of \$618,028 for past due costs incurred by the City from 1997 to 2001 in furtherance of the redevelopment program, and the Redevelopment Agency agreed to repay the City over time from available tax increment revenues; and

WHEREAS, on February 1, 2012, pursuant to AB1x 26 (the "Dissolution Act"), the Redevelopment Agency, along with all redevelopment agencies in the State of California, was dissolved, and all assets and obligations of the Redevelopment Agency were transferred by operation of law to the Successor Agency; and

WHEREAS, the Dissolution Act creates an oversight board for each redevelopment agency to oversee the wind down of the Redevelopment Agency ("Oversight Board"); and

WHEREAS, the Dissolution Act requires that the Successor Agency prepare and the Oversight Board approve a Recognized Obligation Payment Schedule setting forth all Enforceable Obligations (as defined in the Dissolution Act) of the Redevelopment Agency. The Dissolution Act generally provides that agreements between the Redevelopment Agency and the City are not Enforceable Obligations but Health & Safety Code Sections 34178(a) and 34180(h) authorize the Successor Agency and the City, with Oversight Board approval, to reenter into such agreements; and

WHEREAS, at its April 12, 2012 meeting the Oversight Board for the Successor Agency by a unanimous vote authorized the Successor Agency to reenter into the Loan Agreement; and

WHEREAS, the City and the Successor Agency have determined that reentering into the Loan Agreement is in the best interests of the City and the Successor Agency.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The foregoing recitals are true and correct, and are hereby incorporated by reference and made part of this Agreement.
2. The Successor Agency and the City hereby agree to reenter into the Loan Agreement under the terms and conditions set forth in the Loan Agreement, provided, however, all

references in the Loan Agreement to the "Redevelopment Agency of the City of Capitola" or "Agency" shall be deemed to refer to the Successor Agency. The City and the Successor Agency agree that notwithstanding anything set forth in the Loan Agreement, with approval of the Oversight Board, the Successor Agency can prepay the full amount owed under the Loan Agreement at any time without penalty.

3. In reentering into the Loan Agreement, the City is acting in its capacity as a municipal corporation, while the Successor Agency is acting in its capacity as the successor to the former Redevelopment Agency; and both the City and the Successor Agency are acting pursuant to the specific authority granted by the Oversight Board and by Health & Safety Code Sections 34178(a) and 34180(h) authorizing agreements between the City and the Successor Agency. In consequence, the parties to this Agreement are not merged.
4. Except as amended by the foregoing provisions of this Agreement, the Loan Agreement shall remain in full force and effect.
5. This Agreement shall take effect from and after the date of execution of this Agreement by both parties.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereof as of the date first written above.

**CITY OF CAPITOLA, CALIFORNIA,
a California municipal corporation ("CITY")**

JAMIE GOLDSTEIN,
City Manager

**CITY OF CAPITOLA, CALIFORNIA,
a California municipal corporation
acting as the Successor Agency to the former City of Capitola Redevelopment Agency
("SUCCESSOR AGENCY")**

JAMIE GOLDSTEIN,
City Manager

**AMENDMENT TO THE LOAN AND REPAYMENT AGREEMENT
REDEVELOPMENT AGENCY OF THE CITY OF CAPITOLA
CAPITOLA REDEVELOPMENT PROJECT AREA**

The following is an Amendment, dated June 22, 2006, to the Loan and Repayment Agreement Redevelopment Agency of the City of Capitola Capitola Redevelopment Project Area, dated December 13, 2001 (the “Agreement”), by and between the Redevelopment Agency of the City of Capitola (the “Agency”) and the City of Capitola (the “City”).

RECITALS

- A. The City and the Agency entered into the Agreement to repay to the City the accumulated costs of staff time and other expenditures made by the City to the benefit of the Agency.
- B. The City and the Agency recognize that overtime interest rates can change, and that the City is charged varying rates of interest.
- C. The Agency acknowledges that the principal sum of \$618,028 identified in the Agreement as past costs due to the City represent a significant sum with which the City could retire or defray some of its existing debt obligations.
- D. The City and the Agency have determined that it is to the public benefit for the City and the Agency to amend the interest rate identified in the Agreement.

AMENDMENT TO THE AGREEMENT

NOW, THEREFORE, for and in consideration of mutual covenants set forth herein, the City and the Agency agree to amend section 3. of the Agreement to read as follows:

“3. REIMBURSEMENT OF PAST COSTS THROUGH FISCAL YEAR ENDING JUNE 30, 2001

The Agency agrees that the amount identified in Exhibit A as “debt recognized by the RDA to City” is the amount owed to City for its past staff and administrative services provided to Agency from July 1, 1997, through June 30, 2001. Agency agrees to pay interest on this amount at a rate that equals the greater of any of the following: a) the interest rate charged by the Public Employees Retirement System for the City’s unfunded liability; or, b) the true interest cost of any pension obligation bond sold by the City; or, c) the State of California Local Agency Investment Fund (LAIF); or d) 5%. Said interest shall be paid on the amount until the full debt is completely paid. City and Agency agree that the amount owed has been calculated at a rate of fifteen percent of net tax increment, with simple interest. The principal amount of this reimbursement shall be paid as Agency funds become available (as described in Section 6) but in no event later than twenty-five (25) years from the date of this Agreement.”

IN WITNESS WHEREOF, the parties hereto have caused the Amendment to be executed by their respective representatives thereunto duly authorized as of the date first written above.

CITY OF CAPITOLA, a municipal corporation

By: Richard Hill
Richard Hill, City Manager

“CITY”

REDEVELOPMENT AGENCY OF THE CITY OF
CAPITOLA, a public body corporate and politic

By: Richard Hill
Richard Hill, Executive Director

“AGENCY”

**LOAN AND REPAYMENT AGREEMENT
REDEVELOPMENT AGENCY OF THE CITY OF CAPITOLA
CAPITOLA REDEVELOPMENT PROJECT AREA**

The following is an Agreement, dated December 13, 2001, by and between the Redevelopment Agency of the City of Capitola (the "Agency") and the City of Capitola (the "City").

WITNESSETH

WHEREAS, the Agency is vested with the responsibility for formulating and carrying out necessary redevelopment projects and services related to affordable housing within the City; and

WHEREAS, the City and the Agency caused the adoption of the Redevelopment Plan for the Capitola Redevelopment Project (the "Redevelopment Plan"); and

WHEREAS, the parties understand that the City has been providing staff and administrative services without compensation from RDA since the fiscal year 1997/98, and City and Agency recognize that City needs to be compensated for the cost of those services; and

WHEREAS, City and Agency recognize that it is difficult to accurately establish or identify these past costs, but are willing to apply their best efforts in doing so; and,

WHEREAS, the Agency additionally desires to have the City continue to provide staff services to the Agency and to construct improvements of benefit to the redevelopment program under specified circumstances, subject to reimbursement by the Agency as provided in this Agreement and the City desires to provide such services and improvements in exchange for compensation for past and future services rendered by the City; and

WHEREAS, the City and the Agency are each ready and willing to assume the relationship described herein.

NOW, THEREFORE, BE IT RESOLVED that the Agency and the City, for and in consideration of the mutual promises and agreements herein contained do agree as follows:

1. PURPOSES

The purposes of this Agreement are:

a. To identify the staff and administrative costs due to City since and inclusive of the 1997/98 fiscal year including interest, identify a repayment plan for those past due costs, and establish a mechanism for reimbursement of specified future administrative costs incurred by the City in furtherance of the redevelopment program including housing, as more fully set forth in Section 3.

b. To provide a mechanism for reimbursement of specified future public works improvement costs or other costs related to implementing the Redevelopment Plan incurred by the City in furtherance of the redevelopment program for the Project Area, as more fully set forth in Section 4.

2. TERM OF AGREEMENT

This Agreement shall be in full force and effect for a period beginning as of the date first above written and continuing until all repayment and reimbursement obligations of the Agency to the City are satisfied in full in accordance with the terms of this Agreement.

3. REIMBURSEMENT OF PAST COSTS THROUGH FISCAL YEAR ENDING JUNE 30, 2001

The Agency agrees that the amount identified in Exhibit A as "debt recognized by RDA to City" is the amount owed to City for its past staff and administrative services provided to Agency from July 1, 1997, through June 30, 2001. Agency agrees to pay interest, calculated at the LAIF apportionment rate published for the quarter ending March, on this amount until the full debt is completely paid. City and Agency agree that the amount owed has been calculated at a rate of fifteen percent of net tax increment, with simple interest. The principal amount of this reimbursement shall be paid as Agency funds become available (as described in Section 6) but in no event later than twenty-five (25) years from the date of this Agreement.

4. REIMBURSEMENT OF FUTURE CITY ADMINISTRATIVE COSTS

The Agency agrees to reimburse the City for all staffing and administrative costs incurred by the City after the execution of this Agreement in furtherance of the redevelopment program for the Project Area (the "Future City Administrative Costs"). An administrative cost recovery rate of fifteen percent will be applied to the annual tax increment less pass through agreements, prior to disbursing any dollars to the Housing Set-aside Fund. Such Future City Administrative Costs may include, but are not limited to, costs for direct staff time, administrative staff time, and costs of benefits for such staff time, indirect costs such as facility rent, agenda preparation, liability insurance, finance costs and other related overhead and administrative expenses. These Future City Administrative Costs are reimbursed to the City in addition to certain other direct costs which may include but are not limited to such costs as: attorney costs, consultant costs, special project costs and other project costs. These additional costs shall be identified as part of a budget approved by the Agency Board.

5. REIMBURSEMENT TO CITY FOR PUBLIC IMPROVEMENTS AND OTHER COSTS

If the City and the Agency so authorize by resolution, the City may incur costs for public improvements in the Project Area on behalf of the Agency. In addition, the City may incur costs for other activities related to affordable housing and implementation of the Redevelopment Plan. These costs shall immediately be reimbursed by Agency or become a debt of the Agency as may be agreed to by Agency and City.

6. REPAYMENT TERMS; SUBORDINATION

Each repayment or reimbursement obligation of the Agency pursuant to this Agreement shall bear interest at the lesser of (a) the rate that is the quarter apportionment rate determined by the Local Agency Investment Fund rate at the time of initial incurrence of the applicable repayment or reimbursement obligation, or the date of this Agreement for amounts due for past services pursuant to Section 3 of this Agreement; or (b) the maximum rate permitted by law (the "Applicable Interest Rate"). Each such repayment or reimbursement obligation and interest

thereon shall be repayable solely from tax increment funds, if any, generated within the Project Area. It is understood that if tax increment funds from the Project Area fail to yield sufficient revenue to pay the repayment or reimbursement obligations of the Agency under this Agreement and interest thereon, the Agency is under no obligation to make such repayment or reimbursement to the extent tax increment funds are insufficient. Should such circumstances occur, Agency is still obliged to identify any such unpaid obligations as debt, which shall be recognized in the Agency's financial statements and treated in the manner as herein described.

It is agreed by the parties hereto that all repayments and reimbursements to the City pursuant to this Agreement are hereby subordinated to any and all payments necessary to satisfy pre-incurred debt of the Agency and to any and all payments necessary to satisfy the Agency's obligations in connection with any existing or future bonded indebtedness or obligation which may be incurred by the Agency for the benefit of the redevelopment program or to the extent necessary for any bonded indebtedness for which the Agency has pledged as a security or source of repayment tax increment generated within the Project Area, unless the City by resolution determines to subordinate such repayments and reimbursements further.

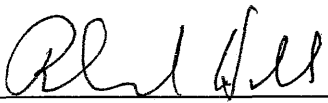
7. VALIDITY OF AGREEMENT

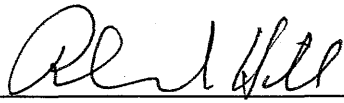
If any provisions of this Agreement, or the application thereof to any person, party, transaction, or circumstance, is held invalid, the remainder of this Agreement, or the application of such provision to other persons, parties, transactions or circumstances, shall not be affected thereby.

IN WITNESS WHEREOF, the City Manager of the City of Capitola, as authorized by resolution of the City Council of the City of Capitola, has caused the name of the City of Capitola to be affixed to this Agreement, and the Executive Director of the Redevelopment Agency of the City of Capitola, as authorized by resolution of the Agency, has caused the name of the Redevelopment Agency of the City of Capitola to be affixed to this Agreement on the above date.

REDEVELOPMENT AGENCY
OF THE CITY OF CAPITOLA

CITY OF CAPITOLA

By: 
Executive Director
Redevelopment Agency
of the City of Capitola

By: 
City Manager
City of Capitola

APPROVED AS TO FORM:

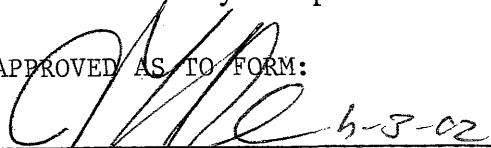
 4-3-02
John G. Barisone, City Attorney

EXHIBIT A

The Finance Committee recommends that the method for charging the Redevelopment Agency an overhead rate for business services provided by the City of Capitola be as follows:

Gross Tax Increment

Less Pass Through Agreements:

(Santa Cruz County, Fire District, Library District, and Special Districts)

Net Tax Increment subject to a 15% overhead rate

The overhead rate will be applied to the Redevelopment Agency tax increment revenue prior to dispersing Housing Set Aside dollars. The Finance Committee agreed that the overhead rate would be applied back to the 1997-98 fiscal year, calculated on the audited financial figures. The following table shows the calculation for each of the past four years.

	1997-98	1998-99	1999-00	2000-01
Audited Gross Property Tax Increment	\$ 1,645,526	\$ 1,616,065	\$ 1,474,106	\$ 1,675,137
Less Pass Through Agreements:				
Santa Cruz County	\$ 377,258	\$ 375,983	\$ 341,556	\$ 389,176
Fire District	<u>\$ 321,110</u>	<u>\$ 308,887</u>	<u>\$ 343,596</u>	<u>\$ 358,514</u>
Net Property Tax Increment	\$ 947,158	\$ 931,195	\$ 788,954	\$ 927,447
 15% Overhead Rate	 \$ 142,074	 \$ 139,679	 \$ 118,343	 \$ 139,117

Applying the average interest rate as previously proposed to the above overhead chart results in the following table itemizes the simple interest due:

Fiscal Year	15% Overhead	1997-98 5.69%	1998-99 5.34%	1999-00 5.67%	2000-01 6.12%
1997-98	\$ 142,074	\$ 8,084	\$ 7,587	\$ 8,056	\$ 8,695
1998-99	\$ 139,679		\$ 7,459	\$ 7,920	\$ 8,548
1999-00	\$ 118,343			\$ 6,710	\$ 7,243
2000-01	\$ 139,117				\$ 8,514
		<u>\$ 8,084</u>	<u>\$ 15,046</u>	<u>\$ 22,685</u>	<u>\$ 33,000</u>

The Finance Committee recommends that these amounts be consolidated into a debt recognized by the RDA to the City in the amount of \$618,028. Simple interest on this debt will be paid to the City on an annual basis, due June 30th, calculated at the LAIF apportionment rate published for the quarter ending March. The following table summarizes the calculation of the debt:

1997-98 through 2000-01 Overhead Due to RDA:	\$ 539,213
1997-98 through 2000-01 Simple Interest Due to RDA:	<u>\$ 78,815</u>
	<u>\$ 618,028</u>

Beginning with the 2001-02 fiscal year the Redevelopment Agency will make annual overhead payment to the City based upon this method.

AGENCY RESOLUTION NO. 4-81

RESOLUTION OF THE REDEVELOPMENT AGENCY
OF THE CITY OF CAPITOLA AUTHORIZING THE
EXECUTION OF A COOPERATION AGREEMENT WITH
THE CITY OF CAPITOLA

WHEREAS, the City Council of the City of Capitola, acting pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.), has activated the Agency and declared itself to constitute the Agency by Ordinance No. 505 adopted on September 10, 1981; and

WHEREAS, pursuant to the Community Redevelopment Law, the Agency is performing a public function of the City and may have access to services and facilities of the City; and

WHEREAS, the City and the Agency are undertaking proceedings for the adoption of a redevelopment project in the City, and the City and the Agency desire to enter into this Cooperation Agreement in anticipation of the adoption of such a redevelopment project in order to:

A. Set forth activities, services and facilities which the City will render for and make available to the Agency in furtherance of the activities and functions of the Agency under the Community Redevelopment Law; and

B. Provide that the Agency will reimburse the City for actions undertaken and costs and expenses incurred by it for and on behalf of the Agency;

NOW, THEREFORE, THE REDEVELOPMENT AGENCY OF THE CITY OF CAPITOLA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The "Cooperation Agreement" between the City of Capitola and the Redevelopment Agency of the City of Capitola, in the form attached to this Resolution and incorporated herein by reference, is hereby approved, and the

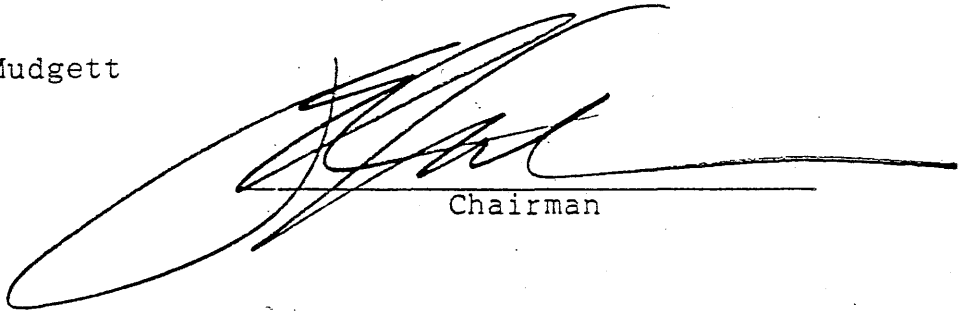
Chairman and Secretary of the Agency are hereby directed and authorized to execute said Cooperation Agreement.

PASSED AND ADOPTED this 22nd day of October, 1981, by the following vote:

AYES: Directors Garcia, Graves, Routh, and Chairman Clarke

NOES: None

ABSENT: Director Mudgett



Chairman

ATTEST:

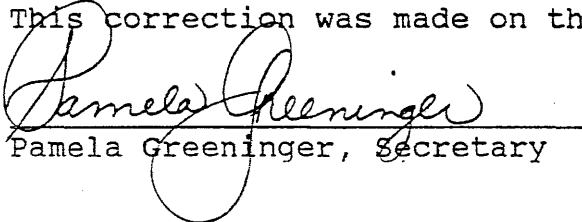


Secretary

The inclusion of the "Cooperation Agreement" to Agency Resolution No. 4-81, being clerical in nature, is authorized by Government Code Section 36934 as is was inadvertently not included with the resolution at the time it was adopted.

I am satisfied that the attached "Cooperation Agreement" is the correct one because it was located in File #760-10 "Redevelopment Agency Correspondence, Preliminary Establishment, 1981-82" immediately following the draft resolution prepared for the Agency by Attorneys McDonough, Holland & Allen. The memorandum dated September 28, 1993 from Kris Harper Secretary to David F. Beatty of McDonough, Holland & Allen also confirms that this is the correct "Cooperation Agreement".

This correction was made on the 12th day of October, 1993.


Pamela Greeninger, Secretary

AGENCY RESOLUTION NO. 4-81

COOPERATION AGREEMENT

THIS AGREEMENT is entered into as of the 22nd day of October, 1981, by and between the CITY OF CAPITOLA (herein the "City") and the REDEVELOPMENT AGENCY OF THE CITY OF CAPITOLA (herein the "Agency").

Recitals

A. The City Council of the City of Capitola, acting pursuant to the provisions of the California Community Redevelopment Law (Health & Safety Code Section 33000 et seq.), has activated the Agency and has declared itself to constitute the Agency, by Ordinance No. 505, adopted on September 10, 1981.

B. Pursuant to the Community Redevelopment Law, the Agency is performing a public function of the City and may have access to services and facilities of the City.

C. The City and the Agency desire to enter into this Agreement:

(1) To set forth activities, services and facilities which the City will render for and make available to the Agency in furtherance of the activities and functions of the Agency under the Community Redevelopment Law; and

(2) To provide that the Agency will reimburse the City for actions undertaken and costs and expenses incurred by it for and on behalf of the Agency.

Agreements

1. The City agrees to provide for the Agency such staff assistance, supplies, technical services and other services and facilities of the City as the Agency may

require in carrying out its functions under the Community Redevelopment Law. Such assistance and services may include the services of officers and employees and special consultants.

2. The City may, but is not required to, advance necessary funds to the Agency or to expend funds on behalf of the Agency for the preparation and implementation of a redevelopment plan, including, but not limited to, the costs of surveys, planning, studies and environmental assessments for the adoption of a redevelopment plan, the costs of acquisition of property within the project area, demolition and clearance of properties acquired, building and site preparation, public improvements and relocation assistance to displaced residential and nonresidential occupants as required by law.

3. The City will keep records of activities and services undertaken pursuant to this Agreement and the costs thereof in order that an accurate record of the Agency's liability to the City can be ascertained. The City shall periodically, but not less than annually, submit to the Agency a statement of the costs incurred by the City in rendering activities and services of the City to the Agency pursuant to this Agreement. This Agreement may include a proration of the City's administrative and salary expense attributable to services of City officials, employees and departments rendered for the Agency.

4. The Agency agrees to reimburse the City for all costs incurred for services by the City pursuant to this Agreement from and to the extent that funds are available to the Agency for such purpose pursuant to Section 33670 of the Health & Safety Code or from other sources; provided, however, that the Agency shall have the sole and exclusive right to pledge any such sources of funds to the repayment of other indebtedness incurred by the Agency in carrying

out the redevelopment project. The costs of the City under this Agreement will be shown on statements submitted to the Agency pursuant to Section 3 above. Although the parties recognize that payment may not occur for a few years and that repayment may also occur over a period of time, it is the express intent of the parties that the City shall be entitled to repayment of the expenses incurred by the City under this Agreement, consistent with the Agency's financial ability, in order to make the City whole as soon as practically possible.

5. The City agrees to include the Agency within the terms of the City's insurance policy. The Agency shall pay to the City its pro rata share of the costs of insurance applicable to its activities resulting from the Agency's inclusion in the City's policy.

6. The obligations of the Agency under this Agreement shall constitute an indebtedness of the Agency within the meaning of Section 33670 et seq. of the Community Redevelopment Law, to be repaid to the City by the Agency with interest at ten percent (10%) per annum.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

ATTEST:

CITY OF CAPITOLA

City Clerk

By _____
Mayor

"CITY"

ATTEST:

REDEVELOPMENT AGENCY OF THE
CITY OF CAPITOLA

Secretary

By _____
Chairman

"AGENCY"

**AGREEMENT REENTERING INTO LOAN AGREEMENT
(2003 Rispin Purchase Loan)**

This Agreement Reentering into Loan Agreement ("Agreement") is entered into this ____ day of ____ 2012 by and between the City of Capitola, a California municipal corporation ("City") and the City of Capitola acting as the Successor Agency to the former Redevelopment Agency of the City of Capitola ("Successor Agency").

WHEREAS, the City and the Redevelopment Agency of the City of Capitola (the "Redevelopment Agency") entered into a Purchase and Sale Agreement on July 24, 2003, attached hereto as Exhibit A (the "Loan Agreement"), whereby the City agreed to loan the Redevelopment Agency \$1,350,000 to be used for purposes of acquiring the Rispin Mansion property for park and recreational purposes for the benefit of the Redevelopment Project Area and the community, and the Redevelopment Agency agreed to repay the City over time from available tax increment revenues pursuant to the "Promissory Note" attached as Exhibit B to the July 24, 2003 Loan Agreement; and

WHEREAS, the Rispin Mansion property was acquired by the Redevelopment Agency on December 31, 1985 and

WHEREAS, on February 1, 2012, pursuant to AB1x 26 (the "Dissolution Act"), the Redevelopment Agency, along with all redevelopment agencies in the State of California, was dissolved, and all assets and obligations of the Redevelopment Agency were transferred by operation of law to the Successor Agency; and

WHEREAS, the Rispin Mansion property is an asset of the Successor Agency, as recognized by the Capitola City Council at its meeting of April 12, 2012; and

WHEREAS, the Dissolution Act creates an oversight board for each redevelopment agency to oversee the wind down of the Redevelopment Agency ("Oversight Board"); and

WHEREAS, the Dissolution Act requires that the Successor Agency prepare and the Oversight Board approve a Recognized Obligation Payment Schedule setting forth all Enforceable Obligations (as defined in the Dissolution Act) of the Redevelopment Agency. The Dissolution Act generally provides that agreements between the Redevelopment Agency and the City are not Enforceable Obligations but Health & Safety Code Sections 34178(a) and 34180(h) authorize the Successor Agency and the City, with Oversight Board approval, to reenter into such agreements; and

WHEREAS, at its April 12, 2012 meeting the Oversight Board for the Successor Agency by a unanimous vote authorized the Successor Agency to reenter into the Loan Agreement; and

WHEREAS, the City and the Successor Agency have determined that reentering into the Loan Agreement is in the best interests of the City and the Successor Agency.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The foregoing recitals are true and correct, and are hereby incorporated by reference and made part of this Agreement.
2. The Successor Agency and the City hereby agree to reenter into the Loan Agreement under the terms and conditions set forth in the Loan Agreement, provided, however, all references in the Loan Agreement to the "Redevelopment Agency of the City of Capitola" or "Agency" shall be deemed to refer to the Successor Agency. The City and the Successor Agency agree that notwithstanding anything set forth in the Loan Agreement, with approval of the Oversight Board, the Successor Agency can prepay the full amount owed under the Loan Agreement at any time without penalty.
3. In reentering into the Loan Agreement, the City is acting in its capacity as a municipal corporation, while the Successor Agency is acting in its capacity as the successor to the former Redevelopment Agency; and both the City and the Successor Agency are acting pursuant to the specific authority granted by the Oversight Board and by Health & Safety Code Sections 34178(a) and 34180(h) authorizing agreements between the City and the Successor Agency. In consequence, the parties to this Agreement are not merged.
4. Except as amended by the foregoing provisions of this Agreement, the Loan Agreement shall remain in full force and effect.
5. This Agreement shall take effect from and after the date of execution of this Agreement by both parties.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereof as of the date first written above.

**CITY OF CAPITOLA, CALIFORNIA,
a California municipal corporation ("CITY")**

APPROVED AS TO FORM:

JAMIE GOLDSTEIN,
City Manager

ATTEST:

,City Clerk

**CITY OF CAPITOLA, CALIFORNIA,
a California municipal corporation
acting as the Successor Agency to the former City of Capitola Redevelopment Agency
("SUCCESSOR AGENCY")**

APPROVED AS TO FORM:

JAMIE GOLDSTEIN,
City Manager

ATTEST:

,City Clerk

PURCHASE AND SALE AGREEMENT

THIS AGREEMENT is entered into this 24th day of July, 2003, by and between the City of Capitola, a municipal corporation ("City") and the Redevelopment Agency of the City of Capitola, a public body corporate and politic ("Agency").

RECITALS

A. The Redevelopment Plan for the Capitola Redevelopment Project ("Project") was adopted by the City on June 24, 1982, by Ordinance No. 522.

B. That certain real property legally described in Exhibit A (the "Property") was acquired by the City on December 31, 1985, for a purchase price of ONE MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$1,350,000) and is currently owned in fee by the City.

C. On August 8, 1999, by Resolution No. 3026, the City Council amended the survey area for the Project to include certain real property, including the Property, within the survey area.

D. On February 20, 2003, by Resolution No. 03-01, the Planning Commission of the City of Capitola amended the Preliminary Plan for the Project to include the Property within the Project area.

E. Health and Safety Code Sections 33391 and 33392 authorize the acquisition of the Property by the Agency.

F. Health and Safety Code Section 33220 provides that, for the purpose of aiding and cooperating in the planning or undertaking of the Project, the City may, upon the terms and with or without consideration as it determines, sell or convey any of its property to the Agency.

G. The City and the Agency have determined that it is in the public interest and in furtherance of the Redevelopment Plan for the City to convey the Property to the Agency in accordance with the terms set forth herein.

AGREEMENT

NOW, THEREFORE, for and in consideration of the mutual covenants set forth herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and the Agency agree as follows:

ARTICLE 1. PURCHASE AND SALE

1.01. Purchase and Sale. The City shall sell the Property to the Agency, and the Agency shall purchase the Property from the City, on the terms and conditions specified in this Agreement.

1.02. Purchase Price. The purchase price for the Property shall be ONE MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$1,350,000.00) (the "Purchase Price").

1.03. Payment. The Agency shall pay the Purchase Price by delivering to the City its promissory note (the "Agency Note") in the amount of the Purchase Price in the form attached hereto as Exhibit B and incorporated herein by this reference.

ARTICLE 2. CONDITIONS TO CONVEYANCE

2.01. General. The provisions of this Article are conditions precedent to the sale described in Article 1 and, unless otherwise provided expressly or by context, are covenants.

2.02. Title. The City shall cause title to the Property to be conveyed to the Agency by grant deed in the form attached hereto as Exhibit C and incorporated herein by reference subject only to exceptions approved by the Agency. Upon recording of the grant deed, the City shall cause a title insurance company selected by the parties (the "Title Company") to issue its CLTA policy of title insurance insuring title to the Property in the Agency with liability in the amount of the Purchase Price. The City shall, upon the signing of this Agreement, order from the Title Company and cause to be delivered to the Agency for its approval a preliminary title report and legible copies of all documents referred to therein covering or relating to the Property. The Agency shall approve or disapprove the condition of title within thirty (30) days of receipt of the preliminary title report. If the Agency disapproves the condition of title it shall do so in writing within such thirty (30) day period and, in such event, this Agreement shall be automatically terminated.

2.03. Delivery of Documents. Within five (5) days after the date of this Agreement, the City shall deliver to the Agency, for the Agency's approval, the following:

- A. Copies of all leases that affect the Property;
- B. Copies of all environmental assessments and site characterization reports; and
- C. Copies of all soils reports, geological reports, well reports and any other reports, documents or related information pertaining to the Property.

The Agency shall approve or disapprove the condition of the Property within thirty (30) days of receipt of the foregoing documents. If the Agency disapproves the condition of the Property it shall do so in writing within such thirty (30) day period and, in such event, this Agreement shall be automatically terminated

2.04. Possession. The City shall deliver exclusive possession of the Property to the Agency upon recording of the grant deed.

2.05 Conveyance. The City shall duly execute, acknowledge and deliver the grant deed to the Title Company and the Agency shall duly execute and deliver the Agency Note to the City not later than sixty (60) days after the date of this Agreement. The City shall cause the Title Company to promptly record the grant deed in the official land records of the County of Santa Cruz.

ARTICLE 3. RECONVEYANCE

If the Redevelopment Plan has not been amended to add the Property to the Project area by December 31, 2005, then the Agency shall re-convey the Property to the City by grant deed approved by the City and the City shall thereupon cancel the Agency Note. There shall be no repayment by the City of any interest payments made by the Agency pursuant to the Agency Note. The terms of this Article 3 shall not be deemed merged and shall survive conveyance of the Property to the Agency.

ARTICLE 4. MISCELLANEOUS

4.01. Assignment. This Agreement shall bind and inure to the benefit of the successors and assigns of both the City and the Agency. The Agency may not assign its rights under this Agreement without the prior written consent of the City.

4.02. Interpretation. The captions of paragraphs used in this Agreement are for convenience only. The provisions hereof shall be binding upon and inure to the benefit of the successors and assigns of the City and the Agency.

4.03. Time of Essence. Time is of the essence of this Agreement and of the escrow provided for herein.

4.04. Integration. This Agreement contains the entire agreement of the parties hereto, and supersedes any prior written or oral agreements between them concerning the subject matter contained herein. There are no representations, agreements, arrangements or understandings, oral or written, relating to the subject matter which are not fully expressed herein.

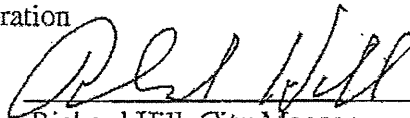
4.05. Additional Documents. From time to time prior to and after conveyance, each party shall execute and deliver such instruments of transfer and other documents as may be reasonably requested by the other party to carry out the purpose and intent of this Agreement.

4.06. California Law. This Agreement shall be governed by the laws of the State of California.

4.07. Counterparts. This Agreement and all amendments and supplements to it may be executed in counterparts, and all counterparts together shall be construed as one (1) document.

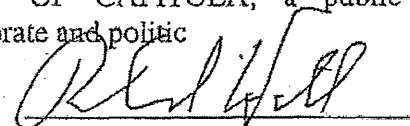
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective representatives thereunto duly authorized as of the date first written above.

CITY OF CAPITOLA, a municipal corporation

By: 
Richard Hill, City Manager

"CITY"

REDEVELOPMENT AGENCY OF THE CITY OF CAPITOLA, a public body corporate and politic

By: 
Richard Hill, Executive Director

"AGENCY"

PROMISSORY NOTE

\$1,350,000

July 24, 2003
Capitola, California

FOR VALUE RECEIVED, the Redevelopment Agency of the City of Capitola, a public body corporate and politic ("Agency") having an address of 420 Capitola Avenue, Capitola, California 95010, promises to pay the City of Capitola, a municipal corporation ("City") a principal sum of ONE MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$1,350,000).

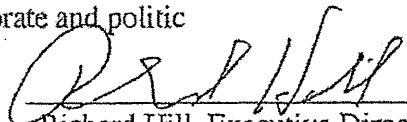
1. This Note is made pursuant to that certain Purchase and Sale Agreement ("Agreement") between the Agency and the City dated July 24, 2003, for the purchase by the Agency of certain real property described therein (the "Property") from the City.
2. The principal sum of this Note shall bear interest, from July 24, 2003, at the rate of five percent (5%) per annum, to be adjusted annually on each June 30 by not more than a percentage of change of an index to be determined by the City Council.
3. Payment of accrued interest shall be made quarterly, not later than September 30, December 31, March 31 and June 30.
4. The outstanding principal sum of this Note shall be due and payable in full on June 24, 2017 (the "Maturity Date"), provided, however, that if the Redevelopment Plan for the Capitola Redevelopment Project is amended to extend the time limit on receipt of tax increment revenues, then the Maturity Date shall automatically be extended until the last date on which the Agency may receive tax increment under the Redevelopment Plan, as amended.
5. Payment shall be made in lawful money of the United States to the City at 420 Capitola Avenue, Capitola, California 95010. The place of payment may be changed from time to time as the City may designate in writing.
6. Principal may be prepaid in whole or in part at any time without penalty.
7. The occurrence of the any of the following shall constitute an event of default under this Note:

- A. There shall be any failure to make the payment of principal or interest which continues for fifteen (15) days after notice that such payment is due; or
 - B. There shall be a failure to comply with any other term, obligation, covenant or condition contained herein, provided, however, that the Agency shall not be in default if the Agency, after the City sends written notice demanding cure of such failure,
 - (1) Cures the default within thirty (30) days, or
 - (2) If the cure requires more than thirty (30) days, immediately commences to cure the failure and thereafter diligently prosecutes such cure to completion within one hundred twenty (120) days after giving notice of default.
8. Upon the occurrence of any event of default, at the option of the City, the entire unpaid principal sum owing on this Note shall become immediately due and payable. This option may be exercised at any time following such event, and the acceptance of one or more installments thereafter shall not constitute a waiver of the City's option. The City's failure to exercise such option shall not constitute a waiver of such option with respect to any subsequent event of default.
9. At all times following an event of default hereunder by reason of the Agency's failure to pay principal or interest due under this Note, the interest rate on the sums as to which the Agency is in default shall bear interest as of the date such sums were due until repaid at a rate equal to the lower of the highest rate then allowed by law or five percent (5%) over the prime interest rate announced by Wells Fargo Bank, N.A. as of the date such sums were due.
10. The Agency and any endorsers of this Note and all others who may become liable for all or any part of this obligation, severally waive presentment for payment, demand and protest and notice of protest, and of dishonor and nonpayment of this Note, and expressly consent to any extension of the time of payment hereof or of any installment hereof, to the release of any party liable for this obligation, and any such extension or release may be made without notice to any of said parties and without in any way affecting or discharging this liability.

11. The Agency hereby pledges for repayment of the principal sum and all accrued interest of this Note property taxes allocated and paid to the Agency pursuant to Health and Safety Code Section 33670(b) from the Capitola Redevelopment Project, subject to any bonds or other indebtedness of the Agency outstanding on the date of this Note (including, without limitation, that certain agreement between the Agency and County of Santa Cruz dated November 30, 1984, regarding pass-through of tax increments and that certain Tax Increment Sharing Agreement between the Agency and the Central Fire Protection District dated December 23, 1993) and subject further to any bonds or other indebtedness issued by the Agency after the date of this Note with the consent of the City.
12. Any notices provided for in this Note shall be given by mailing such notice by certified mail, return receipt requested, at the address stated in this Note or at such address as either party may designate by written notice.
13. This Note shall be binding on the Agency, its successors and assigns.
14. If any provision of this Note shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby.

REDEVELOPMENT AGENCY OF THE
CITY OF CAPITOLA, a public body
corporate and politic

By:


Richard Hill, Executive Director

"AGENCY"

**AMENDMENT TO PURCHASE AND SALE AGREEMENT
PERTAINING TO THE RDA ACQUISITION OF THE RISPIN PROPERTY**

THIS AMENDEMENT TO THE PURCHASE AND SALE AGREEMENT (the "Agreement") is entered into the 22nd day of June 2006, by and between the City of Capitola, a municipal corporation ("City") and the Redevelopment Agency of the City of Capitola, a public body corporate and politic ("Agency").

RECITALS

- A. The Redevelopment Plan for the Capitola Redevelopment Project ("Project") was adopted by the City on June 24, 1982, by Ordinance No. 522, which included the Project within a defined Project Area.
- B. That certain real property legally described in Exhibit A (the "Property") was acquired by the City on December 31, 1985.
- C. On February 20, 2003, by Resolution NO. 03-01 the Planning Commission of the city of Capitola amended the Preliminary Plan for the Project to include the Property within the Project Area.
- D. On July 24, 2003 the City sold to the Agency and the Agency purchased from the City the Property for a purchase price of ONE MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$1,350,000).
- E. The payment for the sale of the Property from the City to the Agency was secured by a Promissory Note, attached to the Agreement as Exhibit B, promising the Agency to pay to the City the principal sum of ONE MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$1,350,000), which shall bear interest at the rate of 5% per annum.
- F. The Agency acknowledges that the principal sum of \$1,350,000 identified in the Agreement as due to the City represent a significant sum with which the City could retire or defray some of its existing debt obligations.
- G. The City and Agency have determined that it is to the benefit of the public for the Agency and the City amend Appendix B to the Agreement and revise the interest rate.

AMENDMENT TO THE PURCHASE AND SALE AGREEMENT

NOW THEREFORE, for and in consideration of mutual covenants set forth, the City and the Agency agree to amend item 2. of Exhibit B, Promissory Note, of the Agreement to read as follows:

"2. The principal sum of this Note shall bear interest, from the date of this amendment, at a rate that equals the greater of any of the following: a) the interest rate charged by the Public Employees Retirement System for the City's unfunded liability; or, b) the true interest cost of any pension obligation bond sold by the City; or, c) the State of California Local Agency Investment Fund (LAIF); or d) 5%."

IN WITNESS WHEREOF, the parties hereto have caused the Amendment to be executed by their respective representatives thereunto duly authorized as of the date first written above.

CITY OF CAPITOLA, a municipal corporation

By: Richard Hill
Richard Hill, City Manager

"CITY"

REDEVELOPMENT AGENCY OF THE CITY OF
CAPITOLA, a public body corporate and politic

By: Richard Hill
Richard Hill, Executive Director

"AGENCY"

CITY OF CAPITOLA, as SUCCESSOR AGENCY to the former CAPITOLA REDEVELOPMENT AGENCY
 CONCEPTUAL CASH FLOW - RECOGNIZED OBLIGATION PAYMENT SCHEDULE (a)

4/5/12

Project	Description	Funding Source	Total Payoff Amount at 4/12/12	June, 2012	FY 2012-13		FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	Total June, 2012 through June, 2021	12/31/11 balance	Memo: Savings vs. 12/31/11 balance
					July - Dec., 2012	Jan. - June, 2013											
1) Tax Allocation Note	Tax Allocation Note - \$1,000,000	Reserves	\$ 1,000,000	\$ -	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000		
2) Rispin Purchase Loan	Rispin Purchase Loan - \$1,350,000	RDA Property Tax Trust Fund	\$ 1,454,625	\$ -	\$ 52,313	\$ 52,312	\$ 495,000	\$ 460,400	\$ 394,600	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,454,625		
3) Loan and Repayment Agreement	Loan and Repayment Agreement - \$618,028	Reserves	\$ 618,028	\$ -	\$ 618,028	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 618,028		
4) 76-126 Capitola Library Trust	Capitola Library Trust - \$2,640,000	Reserves	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000		
4a) 76-126 Capitola Library Trust	Capitola Library Trust - \$2,640,000	RDA Property Tax Trust Fund	\$ 1,932,583	\$ -	\$ 290,000	\$ 350,000	\$ 250,243	\$ 287,116	\$ 357,929	\$ 377,577	\$ 19,718	\$ -	\$ -	\$ -	\$ 1,932,583		
5) Capitola Branch Library	Library Design	RDA Property Tax Trust Fund	\$ 550,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 550,000	\$ 550,000
6) Library District Section 3	Library District Section 3	Reserves	\$ 45,911	\$ 45,911	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 45,911	\$ 45,911	\$ -
7) Special District Section 4	Special District Section 4	Reserves	\$ 20,117	\$ 20,117	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,117	\$ 20,117	\$ -
8) Housing Rental Subsidy Program	Housing Rental Subsidy Program only	RDA Property Tax Trust Fund	\$ 918,216	\$ -	\$ 51,012	\$ 51,012	\$ 102,024	\$ 102,024	\$ 102,024	\$ 102,024	\$ 408,096	\$ -	\$ -	\$ -	\$ 918,216		
9) Castle MHP/Millennium Housing	Castle MHP/Millennium Housing	RDA Property Tax Trust Fund	\$ 900,000	\$ -	\$ 50,000	\$ 50,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 300,000	\$ -	\$ -	\$ 900,000		
10) Administrative Reimbursement per ABX1 26 Section 34171 (b)	Capitola Cost of Administration	Reserves	\$ 250,000	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 250,000	\$ 250,000	\$ -
10a) Administrative Reimbursement per ABX1 26 Section 34171 (b)	Capitola Cost of Administration	RDA Property Tax Trust Fund	\$ 1,500,000	\$ -	\$ 125,000	\$ 125,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 2,250,000	\$ 750,000
11) Mall Economic Dev Project	Mall Economic Dev Project	RDA Property Tax Trust Fund	\$ 1,030,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 370,000	\$ 422,000	\$ 238,000	\$ -	\$ -	\$ -	\$ 1,030,000	\$ 1,030,000	\$ -
Total Recognized Obligation Payments Due			\$ 5,214,244	\$ 316,028	\$ 226,012	\$ 226,012	\$ 452,024	\$ 452,024	\$ 452,024	\$ 822,024	\$ 1,180,096	\$ 538,000	\$ -	\$ -	\$ 4,664,244	\$ 5,195,416	\$ 1,431,172

Estimated RPPTF available for distribution per SCC A-C \$ 568,228 \$ 631,364 \$ 1,199,592 \$ 1,199,592 \$ 1,199,592 \$ 1,199,592 \$ 1,199,592 \$ 1,199,592 \$ 1,199,592 \$ 1,199,592 \$ 1,199,592

Funding Source Summary

Reserves	\$ 417,040	\$ 316,028	\$ 1,818,028	\$ 2,134,056
Property Tax		\$ -	\$ (1,592,016)	\$ 4,664,244
Property Tax needed vs. RPPTF available		\$ (2,160,244)	\$ (405,352)	\$ (5,700,544)