

City of Capitola Agenda

Mayor: Ed Bottorff
Vice Mayor: Stephanie Harlan
Council Members: Jacques Bertrand
Dennis Norton
Michael Termini
Treasurer: Christine McBroom



CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, APRIL 28, 2016

7:00 PM

CITY COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010

CLOSED SESSION - 6:15 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. There will be a report of any final decisions in City Council Chambers during the Open Session Meeting.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Govt. Code §54956.9) (Two Cases)

1. Theresa Kloepfer, GAL for Kaitlin Kloepfer vs. the City of Capitola et al.
[Santa Cruz County Superior Court, Case No. CV179725]
2. Tuka Gafair vs. the City of Capitola et al.
[Santa Cruz County Superior Court, Case No. 16CV00902]

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

People of the State of CA, City of Capitola v. Tomas M. D'Angelo and
Rosa Z. D'Angelo,
[Santa Cruz Superior Court, Case No. 15CV00384]

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

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

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Dennis Norton, Stephanie Harlan, Jacques Bertrand, Michael Termini and Mayor Ed Bottorff

2. REPORT ON CLOSED SESSION

3. ADDITIONAL MATERIALS

Additional information submitted to the City after distribution of the agenda packet.

4. ADDITIONS AND DELETIONS TO AGENDA

5. PUBLIC COMMENTS

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

6. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

City Council Members/City Treasurer/Staff may comment on matters of a general nature or identify issues for staff response or future council consideration.

7. REPORT FROM CITY REPRESENTATIVES TO REGIONAL BOARDS / COMMISSIONS

8. CONSENT CALENDAR

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

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

- A. Consider the April 14, 2016, Regular City Council Minutes
RECOMMENDED ACTION: Approve Minutes.

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA

April 28, 2016

- B. Approval of City Check Registers dated March 4, March 11, March 18 and March 25 2016
RECOMMENDED ACTION: Approve Check Register Reports.
- C. Set Public Hearing Date to Consider an Appeal of the Planning Commission's Decision to Approve the Monterey Avenue Skate Park
RECOMMENDED ACTION: Set a hearing date of June 23, 2016.
- D. Consider an Amendment to Mid-Management Memorandum of Understanding
RECOMMENDED ACTION: Consider Approval of Amendment to the Mid-Management Employees Memorandum of Understanding (MOU) in order to change the Fair Labor Standards Act (FSLA) status of the Environmental Projects Manager and Building Official to exempt effective April 1, 2016.
- E. Consider a Resolution Authorizing Capitola's Participation in the CalRecycle Payment Program
RECOMMENDED ACTION: Approve Resolution.
- F. Approve a Fiscal Year 2015-2016 Budget Amendment to Purchase Two Unmarked Police Vehicles
RECOMMENDED ACTION: Amend the Fiscal Year 2015-2016 State Supplemental Law Enforcement Services Fund (SLESF) Budget to increase expenditures by \$40,020.

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. Appeal of a Planning Commission Approval of a Design Permit and Variance for a Garage Addition to a Single-family Home Located at 4980 Garnet Street
RECOMMENDED ACTION: Uphold the Planning Commission's decision to approve the project as conditioned.
- B. Community Choice Energy Status Report
RECOMMENDED ACTION: Receive presentation and authorize the City Manager to designate staff to participate in the upcoming special study sessions and ad-hoc subcommittee deliberations.
- C. Consider a Resolution for Widening Kennedy Drive to Allow Four Hour Parking
RECOMMENDED ACTION: Authorize the Public Works Department to issue an encroachment permit for shoulder widening on Kennedy Drive and approve a Resolution designating on-street parking as four-hour parking along Kennedy Drive between Chittenden Lane and Rosedale Avenue.

10. ADJOURNMENT

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA

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

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

Agenda and Agenda Packet Materials: The City Council Agenda and the complete Agenda Packet are available for review on the City’s website: www.cityofcapitola.org and at Capitola City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, prior to the meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola. Need more information? Contact the City Clerk’s office at 831-475-7300.

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

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

Televised Meetings: City Council meetings are cablecast “Live” on Charter Communications Cable TV Channel 8 and are recorded to be rebroadcasted at 8:00 a.m. on the Wednesday following the meetings and at 1:00 p.m. on Saturday following the first rebroadcast on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed “Live” on the City’s website at www.cityofcapitola.org by clicking on the Home Page link “**Meeting Video.**” Archived meetings can be viewed from the website at anytime.



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 28, 2016

FROM: City Manager Department

SUBJECT: Consider the April 14, 2016, Regular City Council Minutes

RECOMMENDED ACTION: Approve Minutes.

DISCUSSION: Attached for City Council review and approval are the minutes of the subject meetings.

ATTACHMENTS:

1. Draft April 14, 2016, City Council Minutes

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded by:

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

Jamie Goldstein, City Manager

4/21/2016

**DRAFT CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, APRIL 14, 2016
7:00 PM**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Councilmember Dennis Norton: Present, Mayor Ed Bottorff: Present, Council Member Jacques Bertrand: Present, Vice Mayor Stephanie Harlan: Present, Council Member Michael Termini: Present.

City Treasurer Christine McBroom was absent.

2. PRESENTATIONS

A. Introduction of Sergeant Mark Gonzalez and Senior Officer Sara Ryan

Introductions provided.

3. ADDITIONAL MATERIALS

City Clerk Sneddon stated that two additional materials were received regarding *Item 9.B.*

- an appeal of a Planning Commission Approval of a Design Permit and Variance for a Garage Addition to a Single-family Home Located at 4980 Garnet Street.

4. ADDITIONS AND DELETIONS TO AGENDA

None provided.

5. PUBLIC COMMENTS

Gayle Ortiz, local resident, stated that there are two "Vision Capitola" workshops scheduled for April 20th and April 27th; Vision Capitola is a grassroots, volunteer effort to learn what Capitola's value most about their community and what they would like to see happen in the next 5 to 15 years.

6. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Bertrand stated that he and Mayor Bottorff were provided a tour of Lucile Packard Children's Hospital Stanford. In addition, he attended a United Way Youth Violence Prevention meeting.

Council Member Harlan stated that in preparation for the 2016 Begonia Festival there will be a display and sale of blooming begonia plants on Saturday, April 16th, at 602 Capitola Avenue.

Mayor Bottorff stated that this evening Council Member Termini and he attended an Operation Surf special dinner hosted by Paradise Beach Grille Restaurant; this program is for wounded soldiers who participated in a nonprofit program that provides surfing lessons to active military amputees.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
April 14, 2016

City Manager Goldstein stated that the Capitola Mall has been sold to Merlone Geier Partners. In addition, he complimented the Police Department for apprehending a bank robber who is being accused of robbing four banks in the past four weeks.

Public Works Director Jesberg provided an update regarding various Capital Improvement Program projects.

7. REPORT FROM CITY REPRESENTATIVES TO REGIONAL BOARDS / COMMISSIONS

City Manager Goldstein stated on April 15th he will be part of an interview panel for the Director of Santa Cruz Public Libraries position. He stated that the City's Library Advisory Committee met on April 12th and approved retaining a Library Construction Project Manager if the June Ballot Measure S is approved by the voters.

8. CONSENT CALENDAR

RESULT:	ADOPTED <u>ITEMS 8.A., 8.B., 8.C., 8.D. AND 8.E.</u> [UNANIMOUS]
MOVER:	Dennis Norton, Councilmember
SECONDER:	Stephanie Harlan, Vice Mayor
AYES:	Norton, Bottorff, Bertrand, Harlan, Termini

- A. Consider the March 24, 2016, Regular City Council Minutes
RECOMMENDED ACTION: Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Special Meetings of March 17 and March 31, 2016
RECOMMENDED ACTION: Receive Minutes.
- C. Award Construction Contract to Monterey Peninsula Engineering for the Rosedale Area Paving Project
RECOMMENDED ACTION: Award a contract to Monterey Peninsula Engineering for the Rosedale Area Paving Project with a bid in the amount of \$228,676.50 for construction of the Rosedale Avenue Paving Project, and authorize the Public Works Director to add a section of Plum Street from Rosedale Avenue to the Brookvale Terrace Mobile Home Park into the project at an estimated cost of \$12,000.
- D. Approve Contract Change Order No. 1 for the Stockton and Esplanade Improvement Project
RECOMMENDED ACTION:
 1. Approve Contract Change Order No. 1 for the Stockton Avenue and Esplanade Intersection Improvements in the amount of \$44,645 for the addition of sidewalk adjacent the David Lyng Real Estate office at the corner of Stockton Avenue and Capitola Avenue; and
 2. Authorize and budget amendment receiving unanticipated revenue in the amount of \$10,000 from David Lyng for this project; and
 3. Authorize the transfer of \$34,645 within the Capital Improvement Fund to cover the balance of this change order with funding coming from the Village Sidewalk Cooperative Project funding bank.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES

April 14, 2016

E. Professional Services Agreement with Ben Noble: Urban and Regional Planning for the Zoning Code Update

RECOMMENDED ACTION: Authorize the City Manager to enter into an agreement with Ben Noble Urban and Regional Planning in the amount of \$26,110 for completion of the Zoning Code Update.

Council Member Bertrand stated that the state’s recycling industry (CalRecycle) is going to lead out in the recycling of sharps and medications; these items are also accepted at the following Capitola locations:

- Capitola Police Department
- CVS Pharmacies on 41st Avenue and Bay Avenue
- Lauden Pharmacy in Capitola

9. GENERAL GOVERNMENT / PUBLIC HEARINGS

A. Accept Report on the Capitola Wharf Condition Assessment and Wharf Resiliency Study (Study) and Provide Direction to Staff

RECOMMENDED ACTION: Accept the Study and provide direction to staff on a 10-year plan of improvements for the Capitola Wharf.

Brad Porter, Moffatt and Nichol, provided a report regarding the assessment of the Capitola Wharf.

RESULT:	CITY COUNCIL ACCEPTED THE STUDY PROVIDED BY MOFFATT AND NICHOL AND PROVIDED DIRECTION TO STAFF FOR A 10-YEAR PLAN OF IMPROVEMENTS FOR THE CAPITOLA WHARF; APPROVE THE \$6,300 EXPENDITURE TO COMPLETE THE WIDENING ANALYSIS AS AN ADDENDUM TO THE MOFFATT AND NICHOL REPORT; AND DIRECTED STAFF TO APPLY FOR A MATCHING GRANT [UNANIMOUS]
MOVER:	Dennis Norton, Council Member
SECONDER:	Jacques Bertrand, Council Member
AYES:	Norton, Bertrand, Harlan, Termini, Bottorff

B. Appeal of a Planning Commission Approval of a Design Permit and Variance for a Garage Addition to a Single-family Home Located at 4980 Garnet Street

RECOMMENDED ACTION: Uphold the Planning Commission’s decision to approve the project as conditioned.

David Aaron, applicant, provided information on the proposed garage addition for his single-family home located at 4980 Garnet Street.

Jan Caldarella, appellant, provided reasoning for appealing this item.

Bret Gresley, 5010 Garnet Street, stated that he supports the appeal.

Motion by Council Member Termini, second by Council Member Harlan, to uphold the Planning Commission’s decision to approve the project as conditioned. After discussion, the motion and second were withdrawn.

Attachment: Draft April 14, 2016, City Council Minutes (1300 : Approval of City Council Minutes)

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
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RESULT:	NO ACTION TAKEN REGARDING UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE A DESIGN PERMIT AND VARIANCE FOR A GARAGE ADDITION FOR A SINGLE-FAMILY HOME LOCATED AT 4980 GARNET STREET; AND TO CONTINUE THIS ITEM WHEN THE APPLICANT'S FINAL PLANS ARE RECEIVED [UNANIMOUS]
MOVER:	Michael Termini, Council Member
SECONDER:	Stephanie Harlan, Vice Mayor
AYES:	Norton, Botorff, Bertrand, Harlan, Termini

C. Consider a Wharf House Lease Extension

RECOMMENDED ACTION: Give staff direction on the terms of the Wharf House Lease Extension and whether to prepare a competitive proposal process for the facility.

Willie Case, Wharf House restaurant owner, does not want a bidding process for the restaurant; he requested a lease extension.

RESULT:	DIRECTED STAFF TO WORK WITH THE CITY ATTORNEY TO EXTEND THE LEASE WITH THE LESSEE AND TO INCLUDE LANGUAGE THAT STATES IT IS THE INTENTION OF THE CITY TO PERFORM SIGNIFICANT WORK ON THE WHARF DURING THE TERM OF THE LEASE WHICH MAY IMPACT THE LESSEE'S ABILITY TO CONDUCT BUSINESS [UNANIMOUS]
MOVER:	Michael Termini, Council Member
SECONDER:	Jacques Bertrand, Council Member
AYES:	Norton, Botorff, Bertrand, Harlan, Termini

10. **ADJOURNMENT**

The meeting was closed at 9:00 p.m.



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 28, 2016

FROM: Finance Department

SUBJECT: Approval of City Check Registers dated March 4, March 11, March 18 and March 25 2016

RECOMMENDED ACTION: Approve Check Register Reports.

BACKGROUND: Check Registers are attached for:

Account: City Main				
Date	Starting Check #	Ending Check #	Check/EFT Count	Amount
03/04/16	82944	83018	75	\$86,405.61
03/11/16	83019	83055	39	\$149,436.28
03/18/16	83056	83109	56	\$139,046.19
03/25/16	83110	83199	96	\$243,380.65

The check register of February 26, 2016, ended with check #82943.

Account: Payroll				
Date	Starting Check #	Ending Check #	Check/EFT Count	Amount
03/04/16	4754	4761	91	\$159,142.73
03/18/16	4763	4773	98	\$146,532.92

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

Check	Issued to	Dept	Description	Amount
82955	Atchison Barisone & Condotti	CM	January general city attorney services	\$24,318.07
82981	PG&E	PW	Monthly gas and electricity	\$15,107.76
83038	Placeworks	CDD	Climate action plan, draft zoning code update, public review	\$28,105.00
eft236	IRS	FN	Federal taxes & Medicare PPE 2/27/16	\$25,421.86
eft239	CalPERS Member Services	FN	PERS contributions PPE 2/27/16	\$46,322.24
83064	Atchison Barisone & Condotti	CM	February general city attorney services	\$22,241.32
83074	Earthworks	PW	Rispin/Peery park ADA phase I	\$17,555.40
83093	Rogers Anderson Malody & Scott	FN	FY14/15 audit services, addendum to annual progress report	\$12,900.00
83095	SCC Department of Public Works	PW	Household hazardous waste program	\$18,472.00
83189	Tyler Technologies	CM	New World annual software contract	\$17,910.00
eft244	CalPERS Health Insurance	FN	April health insurance	\$52,314.38
eft246	IRS	FN	Federal taxes & Medicare PPE 3/12/16	\$25,434.77

Approval of City Check Registers
April 28, 2016

eft248	CalPERS Member Services	FN	PERS contributions PPE 3/12/16	\$45,266.44
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ATTACHMENTS:

1. City Check Register 03/04/2016
2. City Check Register 03/11/2016
3. City Check Register 03/18/2016
4. City Check Register 03/25/2016

Report Prepared By: Maura Herlihy
Account Technician

Reviewed and Forwarded by:


Mark Welch, Finance Director

4/22/2016

Accounts payable checks dated 03/04/16 and numbered 82944 to 83018, totaling \$86,405.61, plus 8 payroll checks and 83 payroll efts totaling \$159,142.73, for a total disbursement of \$245,548.34, have been reviewed and authorized for distribution by the City Manager.

As of 03/04/2016 the unaudited cash balance is \$4,570,933.17.

CASH POSITION - CITY OF CAPITOLA 03/04/2016

	<u>Net Balance</u>
General Fund	\$66,317.10
Payroll Payables	\$138,813.78
Contingency Reserve Fund	\$1,848,645.66
PERS Contingency Fund	\$150,000.00
Facilities Reserve Fund	\$154,870.00
Capital Improvement Fund	\$1,859,024.05
Stores Fund	\$19,525.50
Information Technology Fund	\$112,245.53
Equipment Replacement	\$76,308.99
Self Insurance Liability Fund	\$47,405.14
Worker's Comp. Ins. Fund	\$75,351.79
Compensated Absences Fund	\$22,425.63
TOTAL UNASSIGNED GENERAL FUNDS	<u><u>\$4,570,933.17</u></u>

The Emergency Reserve Fund Balance is \$1,155,705.54 (not included above).



 Jamie Goldstein, City Manager

03/04/2016

 Date

Attachment: City Check Register 03/04/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/04/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
82944	03/01/2016	Open			Ross, Deborah	\$226.00
	Invoice		Date	Description		Amount
	2002292-02		06/29/2015	JG Refund		\$226.00
82945	03/01/2016	Open			76 MARKET PLACE	\$35.00
	Licensee Type			Licensee Number	Transaction Type	
	Business			2786	Pre-Payment	
82946	03/01/2016	Open			CINTAS CORPORATION No. 2 dba CINTAS FIRE P	\$60.00
	Licensee Type			Licensee Number	Transaction Type	
	Business			2780	Pre-Payment	
82947	03/01/2016	Open			CRYSTAL SPRINGS WATER COMPANY	\$35.00
	Licensee Type			Licensee Number	Transaction Type	
	Business			231	Pre-Payment	
82948	03/01/2016	Open			EMPNC INC dba EMPIREWORKS	\$60.00
	Licensee Type			Licensee Number	Transaction Type	
	Business			2836	Pre-Payment	
82949	03/01/2016	Open			MASTER CARWASH	\$250.00
	Licensee Type			Licensee Number	Transaction Type	
	Business			962	Pre-Payment	
82950	03/01/2016	Open			SEYLE SERVICE COMPANY	\$35.00
	Licensee Type			Licensee Number	Transaction Type	
	Business			2118	Pre-Payment	
82951	03/04/2016	Open			ACCELA INC	\$1,080.00
	Invoice		Date	Description		Amount
	INVACC17711		02/01/2016	legislative management		\$1,080.00
				2211 - ISF - Information Technology		
82952	03/04/2016	Open			AFLAC	\$1,164.22
	Invoice		Date	Description		Amount
	121144		02/29/2016	Feb 2016 supplemental insurance		\$1,164.22
				1001 - Payroll Payables		
82953	03/04/2016	Open			ALLSAFE LOCK COMPANY	\$60.70
	Invoice		Date	Description		Amount
	48070		02/18/2016	Keys to PD front door		\$49.47
	48072		02/18/2016	Keys		\$11.26
82954	03/04/2016	Open			AT&T	\$9.20
	Invoice		Date	Description		Amount
	ATT02012016		02/01/2016	acct 6246 monthly charges		\$4.70
	ATT02012016-6743		02/01/2016	acct 6743 monthly charges		\$4.53
				1000 - General Fund	\$4.53	
				2211 - ISF - Information Technology	\$4.70	

Attachment: City Check Register 03/04/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/04/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
82955	03/04/2016	Open			ATCHISON BARISONE & CONDOTTI	\$24,318.00
	Invoice		Date	Description		Amount
	ABCK01312016		01/31/2016	Jan 2016 general city attorney services		\$24,318.07
82956	03/04/2016	Open			AUTOMATION TEST ASSOCIATES	\$40.00
	Invoice		Date	Description		Amount
	43342		02/22/2016	Wharf meter reading plus billing calculation 1311 - Wharf Fund		\$40.00
82957	03/04/2016	Open			CALE AMERICA INC.	\$156.90
	Invoice		Date	Description		Amount
	139119		01/27/2016	Paystation vault lock re-key		\$18.17
	139367		01/31/2016	Paystation battery cable		\$35.83
	139411		02/16/2016	Card reader & bill validator cleaning pads		\$102.91
82958	03/04/2016	Open			CALIFORNIA COAST UNIFORM COMPANY	\$31.48
	Invoice		Date	Description		Amount
	4817		01/18/2016	Farotte uniform		\$31.48
82959	03/04/2016	Open			CALIFORNIA LAW ENFORCEMENT ASSOCIATION	\$490.00
	Invoice		Date	Description		Amount
	CLEA02252016		03/01/2016	March 2016 PD Long Term Disability 1001 - Payroll Payables		\$490.00
82960	03/04/2016	Open			CITY CLERKS ASSOCIATION OF CALIFORNIA	\$240.00
	Invoice		Date	Description		Amount
	1323		02/24/2016	2016 renewal application - Sneddon, Deiter, Fridy		\$240.00
82961	03/04/2016	Open			ED MORRISON	\$2,450.00
	Invoice		Date	Description		Amount
	08		03/01/2016	February PW contract services		\$2,450.00
82962	03/04/2016	Open			ESMERALDA GONZALEZ	\$313.65
	Invoice		Date	Description		Amount
	Gonzalez03022016		03/02/2016	claim settlement 2213 - ISF - Self-Insurance Liability		\$313.65
82963	03/04/2016	Open			FLYERS ENERGY LLC	\$42.96
	Invoice		Date	Description		Amount
	CFS1174324		02/15/2016	Fuel for training		\$42.96
82964	03/04/2016	Open			GEORGE McMENAMIN	\$725.00
	Invoice		Date	Description		Amount
	42		03/02/2016	Riparian Restoration 15/16		\$725.00
82965	03/04/2016	Open			GOLD COAST ARMORY	\$2,113.70
	Invoice		Date	Description		Amount
	515173		02/23/2016	Range ammo		\$2,113.70

Attachment: City Check Register 03/04/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/04/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
82966	03/04/2016	Open			HARRIS & ASSOCIATES	\$4,160.00
	Invoice		Date	Description		Amount
	30206		12/04/2015	November Park Ave. Sidewalks Design 1200 - Capital Improvement Fund		\$4,160.00
82967	03/04/2016	Open			HUB INTERNATIONAL	\$107.40
	Invoice		Date	Description		Amount
	HUB02292016		02/29/2016	Community Center renter insurance		\$107.40
82968	03/04/2016	Open			HUMBOLDT PETROLEUM LLC	\$65.00
	Invoice		Date	Description		Amount
	085376		02/15/2016	vehicle car washes		\$52.00
	085354		01/31/2016	Vehicle car washes		\$13.00
82969	03/04/2016	Open			INTERSTATE BATTERY SYSTEMS OF SAN JOSE	\$17.31
	Invoice		Date	Description		Amount
	368327		02/26/2016	Batteries for meters		\$17.31
82970	03/04/2016	Open			KBA Docusys Inc.	\$83.48
	Invoice		Date	Description		Amount
	INV409721		02/09/2016	Quarterly copier charges 2211 - ISF - Information Technology		\$83.48
82971	03/04/2016	Open			KING'S CLEANERS	\$456.75
	Invoice		Date	Description		Amount
	KINGS02122016		02/12/2016	uniform cleaning		\$456.75
82972	03/04/2016	Open			LAW ENFORCEMENT TARGETS, INC.	\$1,311.23
	Invoice		Date	Description		Amount
	0301955-in		02/04/2016	Range equipment		\$599.12
	0302099-IN		02/08/2016	Range equipment		\$712.13
82973	03/04/2016	Open			LC ACTION POLICE SUPPLY LTD	\$190.19
	Invoice		Date	Description		Amount
	345387		02/24/2016	Equipment for Long, earpiece, gloves		\$190.19
82974	03/04/2016	Open			LEO MORENO	\$481.22
	Invoice		Date	Description		Amount
	Moreno02252016		02/25/2016	assertive supervision training		\$481.22
82975	03/04/2016	Open			LIUNA PENSION FUND	\$686.40
	Invoice		Date	Description		Amount
	CJ4031		02/29/2016	Feb 2016 LIUNA Pension Dues 1001 - Payroll Payables		\$686.40
82976	03/04/2016	Open			MAR-KEN K-9 TRAINING CENTER	\$480.00
	Invoice		Date	Description		Amount
	0020-16		02/15/2016	February 2016 k-9 training		\$480.00

Attachment: City Check Register 03/04/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/04/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Amount	Transaction Amount
82977	03/04/2016	Open			MBS BUSINESS SYSTEMS		\$320.9
	Invoice		Date	Description		Amount	
	256233		11/03/2015	Quarterly overage and contract copier charges		\$320.97	
82978	03/04/2016	Open			MID COUNTY AUTO SUPPLY		\$438.9
	Invoice		Date	Description		Amount	
	452735		02/10/2016	Belt		\$32.43	
	452683		02/10/2016	wires and ignition coil		\$185.00	
	452668		02/10/2016	valve extension		\$7.42	
	452652		02/10/2016	oil filter and return filter		(\$0.61)	
	452651		02/10/2016	spark plugs, oil filter, speed sensor, air filter		\$93.61	
	452371		02/08/2016	oil filters and oil		\$66.63	
	447433fix		12/22/2015	9 cents underpaid on inv #447433		\$0.09	
	451768		02/02/2016	impact tool set		\$54.33	
82979	03/04/2016	Open			MISSION LINEN SUPPLY		\$598.3
	Invoice		Date	Description		Amount	
	501809160		02/01/2016	Rec. center mat service		\$63.65	
	501854208		02/08/2016	Mat service		\$45.39	
	501828314		02/03/2016	Linen service		\$91.83	
	501873454		02/10/2016	Linen service		\$69.35	
	501920208		02/17/2016	Linen service		\$91.83	
	501899427		02/15/2016	Community Center rugs & mops		\$63.65	
	501828313		02/03/2016	linen service		\$31.80	
	501873453		02/10/2016	linen service		\$31.80	
	501953263		02/22/2016	Mats for PD office		\$45.39	
	501989333		02/29/2016	Community Center rugs & mops		\$63.65	
82980	03/04/2016	Open			MISSION PRINTERS		\$215.8
	Invoice		Date	Description		Amount	
	52479		02/10/2016	Office supplies		\$215.87	
82981	03/04/2016	Open			PACIFIC GAS & ELECTRIC		\$15,107.7
	Invoice		Date	Description		Amount	
	PGE02172016		02/11/2016	Monthly utilities		\$14,511.73	
	PGE02112016acct5		02/11/2016	Pac cove parking lot utilities		\$586.17	
	pge02112016acct0		02/11/2016	Wharf Road Rispin Mansion utilities		\$9.86	
				1000 - General Fund	\$5,182.63		
				1300 - SLESF - Supplemental Law Enf	\$270.88		
				1310 - Gas Tax Fund	\$7,749.67		
				1311 - Wharf Fund	\$1,904.58		
82982	03/04/2016	Open			PALACE OFFICE SUPPLIES		\$208.3
	Invoice		Date	Description		Amount	
	9245094-0		02/25/2016	foam board		\$34.58	
	358433-0		02/23/2016	dispenser, pouch, file jacket, paper		\$145.54	
	9244955-0		02/24/2016	easels, chip board, foam board		\$23.39	
	9245501-0		02/25/2016	display book		\$4.86	
				1000 - General Fund	\$28.25		
				1313 - General Plan Update and Maint	\$34.58		
				2210 - ISF - Stores Fund	\$145.54		

Attachment: City Check Register 03/04/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/04/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
82983	03/04/2016	Open			PHOENIX GROUP INFORMATION SYSTEMS	\$1,135.1
	Invoice		Date	Description		Amount
	012016070		02/22/2016	January citation processing		\$1,135.18
82984	03/04/2016	Open			PITNEY BOWES	\$2,108.5
	Invoice		Date	Description		Amount
	PB02182016		02/18/2016	postage refill 2210 - ISF - Stores Fund		\$2,108.52
82985	03/04/2016	Open			PITNEY BOWES	\$146.8
	Invoice		Date	Description		Amount
	983546		02/16/2016	recreation postage machine rental 03/16-06/15/16		\$146.82
82986	03/04/2016	Open			ROBERT SEELEY & ASSOCIATES	\$680.0
	Invoice		Date	Description		Amount
	2016-009		02/22/2016	Quarterly parking citation admin hearings (Oct-Dec)		\$680.00
82987	03/04/2016	Open			SAN LORENZO LUMBER	\$349.5
	Invoice		Date	Description		Amount
	55-0147090		02/03/2016	Facia wood		\$190.39
	55-0148684		02/09/2016	Wood - Library fence		\$50.59
	55-0148393		02/08/2016	Striping paint		\$32.10
	55-0151853		02/22/2016	Plywood		\$76.45
82988	03/04/2016	Open			SANTA CRUZ COUNTY INFORMATION SERVICES	\$814.9
	Invoice		Date	Description		Amount
	SCC02082016		02/08/2016	Quarterly radio shop charges (Oct-Dec)		\$814.99
82989	03/04/2016	Open			SANTA CRUZ FIRE EQUIPMENT CO.	\$114.5
	Invoice		Date	Description		Amount
	95133		02/22/2016	Fire extinguishers used in car fire		\$114.51
82990	03/04/2016	Open			SANTA CRUZ OCCUPATIONAL MEDICAL CENTER	\$1,091.0
	Invoice		Date	Description		Amount
	I-15313		01/31/2016	pre-employment screening - B. Long		\$1,091.00
82991	03/04/2016	Open			SERVPRO OF SANTA CRUZ	\$141.3
	Invoice		Date	Description		Amount
	4153		02/29/2016	Bio hazard clean up of patrol car		\$141.33
82992	03/04/2016	Open			SIRCHIE	\$562.0
	Invoice		Date	Description		Amount
	0241727-IN		02/12/2016	Evidence supplies		\$562.08
82993	03/04/2016	Open			SOQUEL CREEK ANIMAL HOSPITAL	\$383.4
	Invoice		Date	Description		Amount
	39805		02/12/2016	K-9 Maverick vet medical		\$383.49

Attachment: City Check Register 03/04/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/04/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transactor Amount
82994	03/04/2016	Open			SOQUEL CREEK WATER DISTRICT	\$3,118.3
	Invoice		Date	Description		Amount
	SCWD02182016		02/18/2016	Monthly water usage and irrigation fees		\$3,118.34
				1000 - General Fund	\$2,659.71	
				1311 - Wharf Fund	\$458.63	
82995	03/04/2016	Open			SOQUEL UNION ELEMENTARY SCHOOL DISTRICT	\$1,700.5
	Invoice		Date	Description		Amount
	16-01		08/31/2015	Jade St. park restrooms & community center sewer charges		\$1,700.53
82996	03/04/2016	Open			STEPFORD INC	\$5,000.0
	Invoice		Date	Description		Amount
	1601145		02/20/2016	April 2016 tech support		\$5,000.00
				2211 - ISF - Information Technology		
82997	03/04/2016	Open			UNITED PARCEL SERVICE	\$14.0
	Invoice		Date	Description		Amount
	0000954791096		02/27/2016	shipping		\$14.08
82998	03/04/2016	Open			US BANCORP EQUIPMENT FINANCE INC.	\$788.8
	Invoice		Date	Description		Amount
	297600397		02/28/2016	copier equipment rentals		\$788.87
				1000 - General Fund	\$358.82	
				2211 - ISF - Information Technology	\$430.05	
82999	03/04/2016	Open			V & V MANUFACTURING INC	\$251.3
	Invoice		Date	Description		Amount
	42245		01/26/2016	Name tags for employees		\$251.33
83000	03/04/2016	Open			WATSONVILLE BLUEPRINT	\$314.9
	Invoice		Date	Description		Amount
	58776		02/02/2016	building permit scan to disc		\$314.92
				1317 - Technology Fee Fund		
83001	03/04/2016	Open			WESTERN EXTERMINATOR COMPANY	\$208.0
	Invoice		Date	Description		Amount
	3844045		01/31/2016	City Hall - January rodent control		\$52.00
	3844046		01/31/2016	Turnouts - January rodent control		\$52.00
	3531986		09/30/2015	City Hall - Sept. rodent control		\$52.00
	3766398		12/31/2015	Turnouts - December rodent control		\$52.00
83002	03/04/2016	Open			City of Greenfield	\$3,302.0
	Invoice		Date	Description		Amount
	Greenfield022416		02/24/2016	Academy tuition for B. Long		\$3,302.00
83003	03/04/2016	Open			Gallucci, Chandra	\$70.0
	Invoice		Date	Description		Amount
	2002446.002		02/29/2016	Class refund - instructor injury		\$70.00

Attachment: City Check Register 03/04/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/04/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
83004	03/04/2016	Open			Hanagan Land Surveying, Inc.	\$295.00
	Invoice		Date	Description		Amount
	15048		02/19/2016	Grade verification for the ADA Rispin/Peery Pathway 1200 - Capital Improvement Fund		\$295.00
83005	03/04/2016	Open			Jake Whitelaw	\$415.57
	Invoice		Date	Description		Amount
	Whitelaw03022016		03/02/2016	refund - duplicate building permit 20160028-20160046 1000 - General Fund \$337.57 1313 - General Plan Update and Maint \$78.00		\$415.57
83006	03/04/2016	Open			McEvoy, Melinda	\$86.40
	Invoice		Date	Description		Amount
	2002426.002		02/22/2016	Class refund		\$86.40
83007	03/04/2016	Open			Shannon McFarland	\$132.00
	Invoice		Date	Description		Amount
	McFarland022316		02/23/2016	Refund cite 133127356		\$132.00
83008	03/04/2016	Open			Strong, Duane	\$67.00
	Invoice		Date	Description		Amount
	2002431.002		02/22/2016	Canceled class		\$67.00
83009	03/04/2016	Open			ABSOLUTE AUTO GLASS INC.	\$345.00
	Invoice		Date	Description		Amount
	1050280		02/22/2016	Toyota Prius front door replacement glass		\$345.00
83010	03/04/2016	Open			INTERSTATE SALES	\$784.00
	Invoice		Date	Description		Amount
	12357		02/18/2016	8" Ceramic lane markers 1310 - Gas Tax Fund		\$784.00
83011	03/04/2016	Open			LABORMAX STAFFING	\$993.46
	Invoice		Date	Description		Amount
	26-58366		02/26/2016	February temporary staffing		\$993.46
83012	03/04/2016	Open			MID COUNTY AUTO SUPPLY	\$11.51
	Invoice		Date	Description		Amount
	454282		02/24/2016	oil		\$11.51
83013	03/04/2016	Open			MISSION LINEN SUPPLY	\$101.11
	Invoice		Date	Description		Amount
	501962869		02/24/2016	Linen service		\$69.35
	501962868		02/24/2016	linen service		\$31.80

Attachment: City Check Register 03/04/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/04/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
83014	03/04/2016	Open			PRAXAIR DISTRIBUTION INC.	\$436.9
	Invoice		Date	Description		Amount
	54842144		02/20/2016	high pressure acetylene		\$116.57
	54890133		02/24/2016	high pressure acetylene		\$202.91
	54893823		02/25/2016	high pressure acetylene		\$117.44
	54897835		02/26/2016	high pressure acetylene		\$117.44
	54897836		02/26/2016	CREDIT high pressure acetylene		(\$117.44)
83015	03/04/2016	Open			ROYAL WHOLESALE ELECTRIC	\$22.3
	Invoice		Date	Description		Amount
	7719-601404		02/23/2016	City Hall - cleated lampholder		\$22.35
83016	03/04/2016	Open			SAN LORENZO LUMBER	\$159.7
	Invoice		Date	Description		Amount
	57-0028699addon		12/03/2015	Deadbolt		\$29.22
	55-0153772		02/29/2016	Plywood		\$76.45
	55-0154023		03/01/2016	Washers		\$54.04
				1000 - General Fund	\$105.67	
				1311 - Wharf Fund	\$54.04	
83017	03/04/2016	Open			SANTA CRUZ COUNTY DEPT OF PUBLIC WORKS	\$245.0
	Invoice		Date	Description		Amount
	29263		01/31/2016	hazmat disposal		\$245.00
83018	03/04/2016	Open			SUPPLYWORKS	\$1,148.8
	Invoice		Date	Description		Amount
	1770370-00		02/26/2016	Cleaning supplies		\$1,148.86

Type Check Totals: \$86,405.6

CITY - Main City Totals	Counts:	Totals
Checks	75	\$86,405.6
EFTs	0	\$0.0
All	75	\$86,405.6
WELLS - Payroll Totals		
Checks	8	\$4,028.7
EFTs	83	\$155,114.0
All	91	\$159,142.7
Grand Totals:		
Checks	83	\$90,434.3
EFTs	83	\$155,114.0
All	166	\$245,548.3

Attachment: City Check Register 03/04/2016 (1284 : Approval of City Check Registers)

Accounts payable checks dated 03/11/16 and numbered 83019 to 83055, totaling \$70,544.63, plus 4 efts totaling \$78,891.65, for a total disbursement of \$149,436.28, have been reviewed and authorized for distribution by the City Manager.

As of 03/11/2016 the unaudited cash balance is \$4,563,201.96.

CASH POSITION - CITY OF CAPITOLA 03/11/2016

	<u>Net Balance</u>
General Fund	\$176,862.10
Payroll Payables	\$51,844.14
Contingency Reserve Fund	\$1,848,645.66
PERS Contingency Fund	\$150,000.00
Facilities Reserve Fund	\$154,870.00
Capital Improvement Fund	\$1,859,516.05
Stores Fund	\$19,593.00
Information Technology Fund	\$109,734.91
Equipment Replacement	\$76,308.99
Self Insurance Liability Fund	\$47,405.14
Worker's Comp. Ins. Fund	\$75,351.79
Compensated Absences Fund	(\$6,929.82)
TOTAL UNASSIGNED GENERAL FUNDS	<u><u>\$4,563,201.96</u></u>

The Emergency Reserve Fund Balance is \$1,155,705.54 (not included above).



 Jamie Goldstein, City Manager

03/11/2016

 Date

Attachment: Cith Check Register 03/11/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/11/2016

Check#	Check Date	Status	Invoice Date	Description	Payee Name	Transaction Amount
83019	03/10/2016	Open			SCC Farm Bureau	\$45.00
	Invoice		Date	Description		Amount
	SCC031016		03/10/2016	SCC Farm Bureau and Agriculture luncheon - Bottorff		\$45.00
83020	03/11/2016	Open			AT&T/CALNET 2	\$1,734.29
	Invoice		Date	Description		Amount
	0007685823		02/12/2016	Monthly Telephone Svc & T-1 Access		\$1,734.29
				1000 - General Fund	\$1,425.13	
				2211 - ISF - Information Technology	\$309.16	
83021	03/11/2016	Open			CALIFORNIA POLICE CHIEFS ASSOCIATION	\$551.00
	Invoice		Date	Description		Amount
	Sloma08122015		08/12/2015	POST training for C. Sloma		\$551.00
83022	03/11/2016	Open			CAPITOLA PEACE OFFICERS ASSOCIATION	\$1,225.25
	Invoice		Date	Description		Amount
	POA03042016		03/04/2016	POA Dues and Gym Dues PPE 02-27-16		\$1,225.25
				1001 - Payroll Payables		
83023	03/11/2016	Open			CITY OF SCOTTS VALLEY	\$334.95
	Invoice		Date	Description		Amount
	SVPD011222016		01/22/2016	New Year's Eve DUI enforcement		\$334.95
83024	03/11/2016	Open			COASTAL WATERSHED COUNCIL	\$4,987.34
	Invoice		Date	Description		Amount
	1467		03/08/2016	NPDES Public Education & Outreach 15/16		\$4,987.34
83025	03/11/2016	Open			Community Tree Service Inc.	\$4,750.00
	Invoice		Date	Description		Amount
	5277		03/01/2016	Tree Service at 611 Riverview Drive		\$4,750.00
83026	03/11/2016	Open			eFolder Systems	\$125.00
	Invoice		Date	Description		Amount
	INV00050558		02/29/2016	February AppAssure Storage		\$125.00
				2211 - ISF - Information Technology		
83027	03/11/2016	Open			ELEVATOR SERVICE COMPANY INC.	\$165.00
	Invoice		Date	Description		Amount
	7240		03/01/2016	Quarterly lube and inspection		\$165.00
83028	03/11/2016	Open			FBI LEEDA	\$50.00
	Invoice		Date	Description		Amount
	46452-16		02/01/2016	FBI - LEEDA membership R. Escalante		\$50.00
83029	03/11/2016	Open			FEDERAL EXPRESS	\$53.90
	Invoice		Date	Description		Amount
	5-325-45212		02/19/2016	FedEx shipping		\$53.90
83030	03/11/2016	Open			FRANK PERRY	\$424.72
	Invoice		Date	Description		Amount
	Perry03072016		03/07/2016	Exhibit expenses reimbursement		\$424.72

Attachment: Cith Check Register 03/11/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/11/2016

Invoice #	Date	Description	Amount
83031 Invoice charlebois021116	03/11/2016 03/07/2016	Open FREDERIC CHARLEBOIS Early Spring Instructor Payments 2016	\$150.00
83032 Invoice 43	03/11/2016 03/09/2016	Open GEORGE McMENAMIN Riparian Restoration 15/16	\$562.50
83033 Invoice ICMA03042016	03/11/2016 03/04/2016	Open ICMA RETIREMENT TRUST 457 ICMA 457 contributions PPE 02/27/16 1001 - Payroll Payables	\$5,542.01
83034 Invoice INV415448 INV415447 Inv415973	03/11/2016 03/01/2016 03/01/2016 03/02/2016	Open KBA Docusys Inc. Kyocera/TA6551CI monthly copier charges Kyocera P6130cdn monthly copier charges Recreation monthly copier charges 1000 - General Fund 2211 - ISF - Information Technology	\$667.20 \$493.98 \$139.79 \$33.43 \$93.22 \$573.98
83035 Invoice 7555081	03/11/2016 02/29/2016	Open KIMLEY-HORN AND ASSOCIATES INC. City Corporation Yard Grading	\$1,750.00
83036 Invoice 15-199	03/11/2016 02/16/2016	Open PARADISE LANDSCAPE INC. 15-199 3045 Capitola Rd. tree deposit refund	\$500.00
83037 Invoice suzuki03072016	03/11/2016 03/07/2016	Open Paula Yoshiko Suzuki Early Spring Instructor Payments 2016	\$436.80
83038 Invoice 58528	03/11/2016 01/31/2016	Open PLACEWORKS Climate action plan, draft zoning code update, public review 1313 - General Plan Update and Maint	\$28,105.00
83039 Invoice Capitola-2	03/11/2016 03/07/2016	Open RAIN WATER SOLUTIONS INC. 40 50-gallon Black Ivy Rain Barrels	\$2,800.00
83040 Invoice Lacy03042016	03/11/2016 03/07/2016	Open SHARON LACY Early Spring Instructor Payments 2016	\$156.00
83041 Invoice SB02192016	03/11/2016 02/19/2016	Open SPECTRUM BUSINESS Feb 2016 monthly internet 1000 - General Fund 2211 - ISF - Information Technology	\$2,657.16 \$2,657.16 \$1,154.68 \$1,502.48

Attachment: Cith Check Register 03/11/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/11/2016

Invoice #	Date	Description	Amount	
83042	03/11/2016	Open	SUMMIT UNIFORMS	\$3,922.60
Invoice	Date	Description	Amount	
29376	02/03/2016	Uniform supplies for B. Long	\$2,888.40	
29690	02/13/2016	Uniform supplies for K. Minium	\$144.64	
29377	02/03/2016	Hat for B. Long	\$75.04	
29359	02/03/2016	Safety vest for B. Long	\$814.54	
83043	03/11/2016	Open	T MOBILE	\$4,302.70
Invoice	Date	Description	Amount	
TM02122016	02/12/2016	Feb 2016 monthly mobile phones	\$4,302.70	
83044	03/11/2016	Open	UPEC LIUNA LOCAL 792	\$1,218.00
Invoice	Date	Description	Amount	
UPEC030816	02/29/2016	February UPEC dues 1001 - Payroll Payables	\$1,218.00	
83045	03/11/2016	Open	US BANK PARS	\$92.56
Invoice	Date	Description	Amount	
PARS03042016	03/04/2016	PARS contributions PPE 02-27-16 1001 - Payroll Payables	\$92.56	
83046	03/11/2016	Open	WATSONVILLE POLICE DEPT	\$1,462.94
Invoice	Date	Description	Amount	
WPD01282016	01/28/2016	DUI enforcement saturation patrol	\$1,462.94	
83047	03/11/2016	Open	Caroline Joseph	\$102.60
Invoice	Date	Description	Amount	
2002472.002	03/07/2016	Class Refund	\$102.60	
83048	03/11/2016	Open	Dave Peyton	\$150.00
Invoice	Date	Description	Amount	
Peyton02062016	02/06/2016	facilitation services 1315 - Public Art Fee Fund	\$150.00	
83049	03/11/2016	Open	Holly Shanley	\$10.00
Invoice	Date	Description	Amount	
Shanley10272015	10/27/2015	parking citation refund	\$10.00	
83050	03/11/2016	Voided	Holly Shanley	\$10.00
Invoice	Date	Description	Amount	
Shanley10272015	10/27/2015	Refund 244451	\$10.00	
83051	03/11/2016	Open	Kathleen Church	\$129.99
Invoice	Date	Description	Amount	
Church03032016	03/03/2016	volunteer orientation refreshments Ravnos exhibit	\$129.99	
83052	03/11/2016	Voided	Paradise Landscape Inc	\$500.00
Invoice	Date	Description	Amount	
15-199	02/16/2016	15-199 tree deposit refund	\$500.00	
83053	03/11/2016	Open	Sheraton Gateway Hotel Los Angeles	\$416.50
Invoice	Date	Description	Amount	
Dally03032016	03/03/2016	SLI Dally POST	\$416.50	

Attachment: Cith Check Register 03/11/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/11/2016

83054	03/11/2016	Open		Travel Inn		\$481.8
	Invoice		Date	Description		Amount
	Weagle03182016		03/08/2016	Lodging for D. Weagle 3/14 - 3/18		\$481.80
83055	03/11/2016	Open		Travel Inn		\$481.8
	Invoice		Date	Description		Amount
	Weagle03252016		03/25/2016	Lodging for D. Weagle 3/21 - 3/25		\$481.80

Type Check Totals:

\$71,054.6

EFT

236	03/09/2016	Open		INTERNAL REVENUE SERVICE		\$25,421.8
	Invoice		Date	Description		Amount
	IRS030916		03/09/2016	Federal taxes & Medicare 3/4/16 pay date 1001 - Payroll Payables		\$25,421.86
237	03/09/2016	Open		EMPLOYMENT DEVELOPMENT DEPT		\$6,029.7
	Invoice		Date	Description		Amount
	EDD030916		03/09/2016	State taxes 3-4-16 pay date 1001 - Payroll Payables		\$6,029.71
238	03/09/2016	Open		STATE DISBURSEMENT UNIT		\$1,117.8
	Invoice		Date	Description		Amount
	SDU030916		03/09/2016	Garnishment 3-4-16 pay date 1001 - Payroll Payables		\$1,117.84
239	03/10/2016	Open		CalPERS Member Services Division		\$46,322.2
	Invoice		Date	Description		Amount
	PERS03042016		03/10/2016	PERS contributions PPE 2/27/16 1000 - General Fund (\$0.17) 1001 - Payroll Payables		\$46,322.24

Type EFT Totals:

\$78,891.6

Attachment: Cith Check Register 03/11/2016 (1284 : Approval of City Check Registers)

CITY - Main City Totals

	Counts:	Totals:
Checks	35	\$70,544.6
EFTs	4	\$78,891.6
All	39	\$149,436.2


Accounts payable checks dated 03/18/16 and numbered 83056 to 83109 totaling \$138,622.52, plus 2 efts totaling \$423.67, and 11 payroll checks and 87 payroll efts totaling \$146,532.92, for a total disbursement of \$285,579.11, have been reviewed and authorized for distribution by the City Manager.

As of 03/18/2016 the unaudited cash balance is \$4,415,592.13.

CASH POSITION - CITY OF CAPITOLA 03/18/2016

	<u>Net Balance</u>
General Fund	(\$97,598.93)
Payroll Payables	\$164,647.31
Contingency Reserve Fund	\$1,848,645.66
PERS Contingency Fund	\$150,000.00
Facilities Reserve Fund	\$154,870.00
Capital Improvement Fund	\$1,881,874.71
Stores Fund	\$19,184.90
Information Technology Fund	\$101,832.38
Equipment Replacement	\$76,308.99
Self Insurance Liability Fund	\$47,405.14
Worker's Comp. Ins. Fund	\$75,351.79
Compensated Absences Fund	(\$6,929.82)
TOTAL UNASSIGNED GENERAL FUNDS	<u><u>\$4,415,592.13</u></u>

The Emergency Reserve Fund Balance is \$1,155,705.54 (not included above).



Jamie Goldstein, City Manager

03/18/2016
Date

Attachment: City Check Register 03/18/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/18/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transacti Amot
83056	03/15/2016	Open			ASSOCIATED SIGN COMPANY	\$95.
	Licensee Type Business			Licensee Number 2921	Transaction Type Pre-Payment	
83057	03/15/2016	Open			BAY AVENUE CAR WASH	\$25.
	Licensee Type Business			Licensee Number 328	Transaction Type Pre-Payment	
83058	03/15/2016	Open			EARTHWORKS PAVING CONTRACTORS, INC.	\$23.
	Licensee Type Business			Licensee Number 560	Transaction Type Pre-Payment	
83059	03/18/2016	Open			ABACHERLI FENCE CO.	\$2,985.
	Invoice 5709		Date 03/07/2016	Description Wharf road fence repair	Amount \$2,985.00	
83060	03/18/2016	Open			ACCELA INC	\$1,080.
	Invoice inv-acc18221		Date 03/01/2016	Description March legislative management service 2211 - ISF - Information Technology	Amount \$1,080.00	
83061	03/18/2016	Open			ADT SECURITY SERVICES INC.	\$70
	Invoice 2282016		Date 02/28/2016	Description Corp. yard security 3/7 - 4/6/16	Amount \$70.24	
83062	03/18/2016	Open			AMY FERRASCI-HARP	\$935
	Invoice 57		Date 03/07/2016	Description Feb 2016 monthly BIA outreach and admin 1321 - BIA - Capitola Village-Wharf BIA	Amount \$935.00	
83063	03/18/2016	Open			AT&T	\$9
	Invoice ATT03012016		Date 03/01/2016	Description March long distance charges acct # 624 & 674 1000 - General Fund \$4.53 2211 - ISF - Information Technology \$4.70	Amount \$9.23	
83064	03/18/2016	Open			ATCHISON BARISONE & CONDOTTI	\$22,241
	Invoice 32218		Date 02/29/2016	Description Feb 2016 legal services and expenses	Amount \$22,241.32	
83065	03/18/2016	Open			BANK OF AMERICA	\$54
	Invoice BOA03062016		Date 03/06/2016	Description parking at SFO Goldstein	Amount \$54.86	
83066	03/18/2016	Open			BAY PHOTO LAB	\$34
	Invoice 5417735 5417739		Date 03/16/2016 03/16/2016	Description exhibit prints exhibit prints	Amount \$26.58 \$7.73	

Attachment: City Check Register 03/18/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/18/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transacti Amoi
83067	03/18/2016	Open			CALE AMERICA INC.	\$3,027.
	Invoice		Date	Description		Amount
	139460		02/24/2016	parts for paystations		\$1,297.82
	139483		02/29/2016	parts for paystations		\$1,729.21
83068	03/18/2016	Open			CAROLYN FLYNN	\$3,255.
	Invoice		Date	Description		Amount
	CBF-3-2016-HRPP		03/11/2016	Jan/Feb Rispin Grant Administration		\$3,255.00
83069	03/18/2016	Open			CLEAN BUILDING MAINTENANCE CO.	\$7,438.
	Invoice		Date	Description		Amount
	15719		02/29/2016	February Facility Cleaning Fees		\$3,719.13
	15570		01/31/2016	January Facility Cleaning Fees		\$3,719.13
				1000 - General Fund	\$7,003.26	
				1311 - Wharf Fund	\$435.00	
83070	03/18/2016	Open			CRESTOR INC.	\$517.
	Invoice		Date	Description		Amount
	R216014		03/03/2016	custom bronze plaque - hartwell, mosher, parker		\$517.98
83071	03/18/2016	Open			CRYSTAL SPRINGS WATER CO.	\$190.
	Invoice		Date	Description		Amount
	CSW02292016		02/29/2016	Monthly Drinking Water		\$190.78
83072	03/18/2016	Open			DELL FINANCIAL SERVICES LLC	\$6,357.
	Invoice		Date	Description		Amount
	78390708		02/23/2016	annual lease payment		\$6,357.38
				2211 - ISF - Information Technology		
83073	03/18/2016	Open			DORAN POLYGRAPH SERVICES	\$250.
	Invoice		Date	Description		Amount
	2016905		03/02/2016	pre-employment polygraph PD		\$250.00
83074	03/18/2016	Open			EARTHWORKS PAVING CONTRACTORS INC	\$17,555.
	Invoice		Date	Description		Amount
	1851		02/26/2016	Rispin/Peery Park ADA - Phase I Progress Payment #3		\$17,555.40
				1200 - Capital Improvement Fund		
83075	03/18/2016	Open			FOLD A GOAL	\$931.
	Invoice		Date	Description		Amount
	112805A		03/08/2016	Field marking paint		\$931.05

Attachment: City Check Register 03/18/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/18/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transacti Amou
83076	03/18/2016	Open			HOME DEPOT CREDIT SERVICES	\$983.
	Invoice		Date	Description		Amount
	4040661		02/04/2016	Saw blade		\$54.06
	0053726		02/08/2016	Caulking gun & caulking		\$24.52
	2054646		02/16/2016	Batteries, paint, filters		\$28.91
	0015194		02/18/2016	Screws & thinner		\$30.76
	0025556		02/18/2016	Caulking		\$26.75
	0564695		02/18/2016	Plumbing repair		\$22.58
	9010008		02/19/2016	Batteries - graffiti cameras		\$23.77
	9025721		02/19/2016	Metal cut off blade		\$19.39
	6026164		02/22/2016	Wood		\$20.72
	6050002		02/22/2016	Washers		\$3.80
	0015206		02/18/2016	Painting supplies		\$28.71
	6050031		02/22/2016	Pebbles - B&V II		\$9.24
	4220915		02/24/2016	Staples & shovel		\$64.33
	4220931		02/24/2016	Sheetrock tools		\$30.35
	3010775		02/25/2016	Pushbrooms		\$87.26
	2026774		02/26/2016	Drill bits - wharf repair		\$94.56
	9011276		02/29/2016	Pushbroom		\$28.12
	9041722		02/29/2016	Plumbing supplies		\$41.29
	8020200		03/01/2016	Silicone		\$6.75
	7010328		03/02/2016	Wharf sink		\$157.00
	6030540		03/03/2016	Wharf plumbing supplies		\$3.42
	5581289		03/04/2016	Wharf sink		\$7.91
	1594817		03/08/2016	Baseball shed security lights		\$168.99
				1000 - General Fund	\$695.78	
				1311 - Wharf Fund	\$287.41	
83077	03/18/2016	Open			HYDROSCIENCE ENGINEERS INC.	\$2,845.
	Invoice		Date	Description		Amount
	331008004		03/07/2016	Feb. Soquel Creek Flume Rehabilitation Alternative Assessment		\$2,845.00
83078	03/18/2016	Open			INTERNATIONAL CODE COUNCIL	\$53.
	Invoice		Date	Description		Amount
	1000647049		01/11/2016	building code resource materials		\$53.53
83079	03/18/2016	Open			JAMES P ALLEN	\$360.
	Invoice		Date	Description		Amount
	030816		03/08/2016	Consulting Arborist Services 611 Riverview		\$360.00
83080	03/18/2016	Open			LABORMAX STAFFING	\$1,011.
	Invoice		Date	Description		Amount
	26-58607		03/04/2016	Seasonal temporary staffing		\$1,011.63
83081	03/18/2016	Open			LAW ENFORCEMENT PSYCHOLOGICAL SERVICES I	\$375.
	Invoice		Date	Description		Amount
	1603444		03/10/2016	Psychological assessment		\$375.00
83082	03/18/2016	Open			LOOMIS	\$531.
	Invoice		Date	Description		Amount
	11767436		02/29/2016	February armored car service		\$531.13

Attachment: City Check Register 03/18/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/18/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transact Amoi
83083	03/18/2016	Open			MACKAY METERS INC	\$124
	Invoice		Date	Description		Amount
	1043630		02/29/2016	monthly parking meter and credit card fees		\$124.08
83084	03/18/2016	Open			Maggie Driscoll	\$648
	Invoice		Date	Description		Amount
	CoC649		03/02/2016	design and production of lapel pin artwork		\$648.00
83085	03/18/2016	Open			MILLER'S TRANSFER & STORAGE CO.	\$216
	Invoice		Date	Description		Amount
	87617		03/05/2016	Records storage, warehouse handling, shred fee		\$216.50
83086	03/18/2016	Open			MUNISERVICES LLC	\$1,233
	Invoice		Date	Description		Amount
	0000040764		02/29/2016	Quarterly sales tax reporting		\$1,233.81
83087	03/18/2016	Open			OLIVE SPRINGS QUARRY INC.	\$1,739
	Invoice		Date	Description		Amount
	102625		02/29/2016	1/2" Asphalt - Kennedy Dr. repairs 1310 - Gas Tax Fund		\$1,739.60
83088	03/18/2016	Open			ORCHARD SUPPLY HARDWARE	\$780
	Invoice		Date	Description		Amount
	051947		02/11/2016	Graffiti paint		\$9.30
	042573		02/17/2016	Painting supplies		\$20.55
	043580		02/22/2016	Painting supplies		\$176.94
	067694		02/22/2016	Painting supplies		\$4.64
	028746		02/22/2016	Tape		\$6.19
	148547		01/28/2016	pro tube lube and s&d bit		\$34.58
	106597		01/29/2016	flat weld steel and resin discs		\$47.00
	043840		02/23/2016	Propane		\$20.65
	036016		02/24/2016	Graffiti paint		\$6.18
	067989		02/24/2016	Graffiti supplies		\$35.59
	036193		02/24/2016	Nuts and washers - backboard		\$27.87
	054768		02/25/2016	Tray kit		\$39.74
	036421		02/26/2016	Nuts & bolts - backstop		\$7.08
	043612		02/22/2016	auto repair supplies		\$58.86
	037324		02/29/2016	Chain		\$11.26
	045118		02/29/2016	Roller		\$10.32
	029841		03/01/2016	Saw blade, gloves		\$50.12
	045455		03/02/2016	Rags		\$27.87
	020086		03/03/2016	Nuts and bolts		\$19.84
	038025		03/03/2016	Locktite epoxy		\$33.04
	038058		03/03/2016	Paint		\$9.07
	069468		03/04/2016	Wharf - sink hole cover		\$6.18
	020985		03/08/2016	Batteries		\$49.55
	046869		03/08/2016	Gloves		\$10.32
	060017		03/08/2016	Concrete - Riverview pathway		\$35.89
	046908		03/08/2016	Locktite epoxy and soap		\$21.64
				1000 - General Fund	\$774.09	
				1311 - Wharf Fund	\$6.18	

Attachment: City Check Register 03/18/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/18/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transact Amount
83089	03/18/2016	Open			PALACE OFFICE SUPPLIES	\$406
	Invoice		Date	Description		Amount
	359638-0		03/01/2016	staples, legal pad, steno books, frames, labels, paper		\$151.18
	359907-0		03/02/2016	direct deposit stub paper		\$18.57
	360835-0		03/09/2016	office supplies 2210 - ISF - Stores Fund		\$237.15
83090	03/18/2016	Open			PITNEY BOWES	\$486
	Invoice		Date	Description		Amount
	PB02292016		02/29/2016	Rec postage machine replenish		\$486.39
83091	03/18/2016	Open			PRINTWORX	\$2,127
	Invoice		Date	Description		Amount
	0022106-in		03/07/2016	Visitor brochures (20,000) 1321 - BIA - Capitola Village-Wharf BIA		\$2,127.12
83092	03/18/2016	Open			PUBLIC ENGINES INC.	\$597
	Invoice		Date	Description		Amount
	22955		03/01/2016	Quarterly crime reports subscription		\$597.00
83093	03/18/2016	Open			ROGERS ANDERSON MALODY & SCOTT LLP	\$12,900
	Invoice		Date	Description		Amount
	50102		01/31/2016	final invoice for FY14/15 audit		\$9,900.00
	50103		01/31/2016	Preparation of the "Addendum to Annual Progress Report"		\$3,000.00
83094	03/18/2016	Open			SANTA CRUZ COUNTY AUDITOR-CONTROLLER	\$9,291
	Invoice		Date	Description		Amount
	SCC03032015		03/03/2016	Feb 2016 citation processing		\$9,291.00
83095	03/18/2016	Open			SANTA CRUZ COUNTY DEPT OF PUBLIC WORKS	\$18,472
	Invoice		Date	Description		Amount
	SCC03072016		03/07/2016	household hazardous waste program		\$18,472.00
83096	03/18/2016	Open			SANTA CRUZ COUNTY INFORMATION SERVICES	\$521
	Invoice		Date	Description		Amount
	SCC03012016		03/01/2016	March open query charges		\$521.99
83097	03/18/2016	Open			SANTA CRUZ FIRE EQUIPMENT CO.	\$243
	Invoice		Date	Description		Amount
	94954		03/11/2016	semi-annual kitchen fire suppression system check/repairs		\$243.59
83098	03/18/2016	Open			SANTA CRUZ SENTINEL	\$430
	Invoice		Date	Description		Amount
	0000949007		02/29/2016	legal notices		\$430.35
				1000 - General Fund	\$240.09	
				1313 - General Plan Update Maint	\$190.26	
83099	03/18/2016	Open			STOP COMPANY	\$1,000
	Invoice		Date	Description		Amount
	4234		03/03/2016	Traffic control - Wharf Rd. 1310 - Gas Tax Fund		\$1,000.00

Attachment: City Check Register 03/18/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/18/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transact Amo
83100	03/18/2016	Open			STRELOW CONSULTING	\$3,407
	Invoice		Date	Description		Amount
	031604		03/03/2016	Jan 2016 Skate park EIR services		\$3,407.50
83101	03/18/2016	Open			US BANCORP EQUIPMENT FINANCE INC.	\$840
	Invoice		Date	Description		Amount
	299690933		02/29/2016	monthly office equipment contract payments		\$840.04
				1000 - General Fund	\$379.59	
				2211 - ISF - Information Technology	\$460.45	
83102	03/18/2016	Open			WATSONVILLE BLUEPRINT	\$471
	Invoice		Date	Description		Amount
	59596		03/11/2016	Rosedale Area Paving Project Plans		\$85.94
	59677		03/15/2016	Lawn way storm water pump plans scanned		\$29.98
	59412		03/03/2016	scan, indexing, binding, dvd transfer		\$359.15
				1000 - General Fund	\$29.98	
				1200 - Capital Improvement Fund	\$85.94	
				1317 - Technology Fee Fund	\$359.15	
83103	03/18/2016	Open			WELLS FARGO BANK	\$4,880
	Invoice		Date	Description		Amount
	WF03022016		03/02/2016	February credit card charges		\$4,880.72
				Purchases over \$500:		
				City Manager's Meeting Lodging	\$756.81	
				Replace radio in Prius	\$631.13	
				1000 - General Fund	\$4,686.53	
				1311 - Wharf Fund	\$143.24	
				1313 - General Plan Update Maint	\$26.00	
				2210 - ISF - Stores Fund	\$24.95	
83104	03/18/2016	Open			Jake Whitelaw	\$411
	Invoice		Date	Description		Amount
	Whitelaw03162016		03/03/2016	Refund duplicate building permit		\$415.57
				1000 - General Fund	\$337.57	
				1313 - General Plan Update Maint	\$78.00	
83105	03/18/2016	Open			Lilia Grace Denevan	\$43
	Invoice		Date	Description		Amount
	Denevan03012016		03/01/2016	Refund cite 177124831		\$43.00
83106	03/18/2016	Open			Mona Salvage	\$110
	Invoice		Date	Description		Amount
	Salvage03072013		03/07/2016	Class refund		\$110.70
83107	03/18/2016	Open			Southstar PM	\$640
	Invoice		Date	Description		Amount
	15-188		03/11/2016	15-188 115 San Jose Ave. planning deposit refund		\$646.00
83108	03/18/2016	Open			Stephen Cramer	\$500
	Invoice		Date	Description		Amount
	15-162		03/04/2016	15-162 153 Sir Francis Ct. tree deposit refund		\$500.00

Attachment: City Check Register 03/18/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/18/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transacti Amou
83109	03/18/2016	Open			Ted Burke	\$2,850.
	Invoice		Date	Description		Amount
	Burke03162016		03/16/2016	BIA advertising reimbursement 1321 - BIA - Capitola Village-Wharf BIA		\$2,850.00

Type Check Totals: \$138,622.

EFT

240	03/15/2016	Open			STATE BOARD OF EQUALIZATION	\$245.
	Invoice		Date	Description		Amount
	BOE031516		03/15/2016	Sales tax on 40 rain barrels		\$245.00
241	03/15/2016	Open			STATE BOARD OF EQUALIZATION	\$178.
	Invoice		Date	Description		Amount
	BOE031516GCA		03/15/2016	sales tax on range ammo		\$178.67

Type EFT Totals: \$423.

CITY - Main City Totals	Counts:	Totals:
Checks	54	\$138,622.52
EFTs	2	\$423.67
All	56	\$139,046.19

WELLS - Payroll Totals	Counts:	Totals:
Checks	11	\$5,855.61
EFTs	87	\$140,677.31
All	98	\$146,532.92

Grand Totals:	Counts:	Totals:
Checks	65	\$144,478.13
EFTs	89	\$141,100.98
All	154	\$285,579.11

Attachment: City Check Register 03/18/2016 (1284 : Approval of City Check Registers)

Accounts payable checks dated 03/25/16 and numbered 83110 to 83199 totaling \$112,851.93, plus 7 efts totaling \$130,627.72, for a total disbursement of \$243,380.65, have been reviewed and authorized for distribution by the City Manager.

As of 03/25/2016 the unaudited cash balance is \$4,793,330.33.

CASH POSITION - CITY OF CAPITOLA 03/25/2016

	<u>Net Balance</u>
General Fund	\$438,854.78
Payroll Payables	\$27,464.86
Contingency Reserve Fund	\$1,848,645.66
PERS Contingency Fund	\$150,000.00
Facilities Reserve Fund	\$154,870.00
Capital Improvement Fund	\$1,881,615.29
Stores Fund	\$18,777.90
Information Technology Fund	\$80,965.74
Equipment Replacement	\$76,308.99
Self Insurance Liability Fund	\$47,405.14
Worker's Comp. Ins. Fund	\$75,351.79
Compensated Absences Fund	(\$6,929.82)
TOTAL UNASSIGNED GENERAL FUNDS	<u><u>\$4,793,330.33</u></u>

The Emergency Reserve Fund Balance is \$1,155,705.54 (not included above).



 Jamie Goldstein, City Manager

03/25/2016

 Date

Attachment: City Check Register 03/25/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/25/2016

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
83110	03/25/2016	Open			A TOOL SHED	\$1,075.00
	Invoice		Date	Description		Amount
	1106768-5		03/17/2016	3 Ton excavator rental		\$1,075.00
83111	03/25/2016	Open			ACCESS COMPLIANCE SERVICES	\$168.75
	Invoice		Date	Description		Amount
	2246		01/29/2016	Building dept. consulting services		\$168.75
83112	03/25/2016	Open			ADAMS ASHBY GROUP INC	\$960.00
	Invoice		Date	Description		Amount
	1645		03/01/2016	Feb. housing authority general admin. closing documents 1350 - CDBG Grants		\$960.00
83113	03/25/2016	Open			ADRIENNE HARRELL	\$1,164.80
	Invoice		Date	Description		Amount
	Harrell031816		03/18/2016	Early Spring Instructor Payments 2016		\$1,164.80
83114	03/25/2016	Open			AHA CONSULTING INC.	\$2,400.00
	Invoice		Date	Description		Amount
	2010151		03/01/2016	Annual subscription web service 2211 - ISF - Information Technology		\$2,400.00
83115	03/25/2016	Open			AIMEE FITZGERALD	\$304.20
	Invoice		Date	Description		Amount
	Fitzgerald031816		03/18/2016	Early Spring Instructor Payments 2016		\$304.20
83116	03/25/2016	Open			ALEX MCGREGOR	\$350.00
	Invoice		Date	Description		Amount
	2343		02/09/2016	Duke Designs-signage designs		\$350.00
83117	03/25/2016	Open			ANDERSON BRULE ARCHITECTS INC.	\$2,650.00
	Invoice		Date	Description		Amount
	14.1202.2-6		03/10/2016	February services: library color rendering, council amendment		\$2,650.00
83118	03/25/2016	Open			ANDREW PORTER	\$800.80
	Invoice		Date	Description		Amount
	Porter031816		03/18/2016	Early Spring Instructor Payments 2016		\$800.80
83119	03/25/2016	Open			ANTHEM SPORTS	\$468.82
	Invoice		Date	Description		Amount
	150721		03/10/2016	Softball Equipment		\$468.82
83120	03/25/2016	Open			APTOS LANDSCAPE SUPPLY INC.	\$40.05
	Invoice		Date	Description		Amount
	414059		03/10/2016	Sawdust		\$40.05
83121	03/25/2016	Open			ART OF MINE	\$130.00
	Invoice		Date	Description		Amount
	ArtOfMine031816		03/18/2016	Early Spring Instructor Payments 2016		\$130.00

Attachment: City Check Register 03/25/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/25/2016

Invoice	Date	Description	Amount	
83122	03/25/2016	Open	AT&T/CALNET 2	\$1,854.44
Invoice	Date	Description	Amount	
0007817017	03/13/2016	Monthly Telephone Service & T-1 Access	\$1,854.44	
		1000 - General Fund	\$1,540.77	
		2211 - ISF - Information Technology	\$313.67	
83123	03/25/2016	Open	B & B SMALL ENGINE REPAIR	\$155.10
Invoice	Date	Description	Amount	
344812	03/17/2016	Stil 034 AV chainsaw - sn# 117955034	\$116.24	
344841	03/17/2016	Bumper strip, air filter	\$39.53	
83124	03/25/2016	Open	BANK OF AMERICA	\$16.00
Invoice	Date	Description	Amount	
0012206029	03/15/2016	February 2016 analysis charge	\$16.00	
83125	03/25/2016	Open	BAYSIDE OIL II INC.	\$140.00
Invoice	Date	Description	Amount	
19747	03/18/2016	used oil and antifreeze disposal	\$140.00	
83126	03/25/2016	Open	BEAR ELECTRICAL SOLUTIONS INC.	\$6,355.00
Invoice	Date	Description	Amount	
3149	02/29/2016	February 2016 Maintenance - RESPONSE	\$688.00	
3068	02/29/2016	February 2016 Traffic Signal Maintenance - ROUTINE	\$616.00	
3114	02/29/2016	Traffic signal repairs - Capitola PD Incident Report #16C0211	\$5,051.00	
		1310 - Gas Tax Fund		
83127	03/25/2016	Open	BECKY ADAMS	\$291.20
Invoice	Date	Description	Amount	
Adams03182016	03/18/2016	Early Spring Instructor Payments 2016	\$291.20	
83128	03/25/2016	Open	BIOBAG AMERICAS INC.	\$1,271.17
Invoice	Date	Description	Amount	
439904	03/10/2016	Dog waste bags	\$1,271.17	
83129	03/25/2016	Open	BOBBY'S PIT STOP INC.	\$81.14
Invoice	Date	Description	Amount	
0347442	03/22/2016	2000 Ford F-150 smog test	\$40.75	
0347413	03/21/2016	2011 Ford Crown Vic smog test	\$40.75	
83130	03/25/2016	Open	BRUCE INK	\$889.20
Invoice	Date	Description	Amount	
INK031816	03/18/2016	Early Spring Instructor Payments 2016	\$889.20	
83131	03/25/2016	Open	CAPITOLA PEACE OFFICERS ASSOCIATION	\$1,653.00
Invoice	Date	Description	Amount	
POA03212016	03/18/2016	POA Dues PPE 03-12-16	\$1,653.00	
		1001 - Payroll Payables		
83132	03/25/2016	Open	CAROL HILL MORGAN	\$514.80
Invoice	Date	Description	Amount	
Morgan031816	03/18/2016	Early Spring Instructor Payments 2016	\$514.80	

Attachment: City Check Register 03/25/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/25/2016

Invoice #	Date	Description	Amount	
83133	03/25/2016	Open	CASEY PRINTING	\$4,684.87
Invoice 30471011	Date 03/09/2016	Description Recreation Brochure Late Spring 2016	Amount \$4,684.87	
83134	03/25/2016	Open	CHARMAINE MONIZ	\$57.20
Invoice moniz031816	Date 03/18/2016	Description Early Spring Instructor Payments 2016	Amount \$57.20	
83135	03/25/2016	Open	CHUCK DICKS	\$222.30
Invoice Dicks03182016	Date 03/18/2016	Description Early Spring Instructor Payments 2016	Amount \$222.30	
83136	03/25/2016	Open	COMMUNITY TELEVISION OF SANTA CRUZ (\$450.00
Invoice 2270	Date 03/15/2016	Description February televised council & planning meetings	Amount \$450.00	
83137	03/25/2016	Open	CPS	\$993.30
Invoice SOP41282	Date 03/18/2016	Description new hire testing materials	Amount \$993.30	
83138	03/25/2016	Open	DAWN MAC LAUGHLIN	\$973.70
Invoice MacLaughlin031816	Date 03/18/2016	Description Early Spring Instructor Payments 2016	Amount \$973.70	
83139	03/25/2016	Voided	DEITER, MICHELE	\$99.00
Invoice NNA032316	Date 03/18/2016	Description Two year notary membership M. Deiter	Amount \$99.00	
83140	03/25/2016	Open	DIXON AND SON INC.	\$195.50
Invoice 197901	Date 03/16/2016	Description JD 544H road service and mounting	Amount \$195.50	
83141	03/25/2016	Open	EWING IRRIGATION	\$88.44
Invoice 1033637	Date 03/03/2016	Description Fertilizer	Amount \$88.44	
83142	03/25/2016	Open	FASTENAL COMPANY	\$382.15
Invoice CASAT35839	Date 02/29/2016	Description SS rivets	Amount \$68.74	
CASAT35838	Date 02/29/2016	Description Threaded rod	Amount \$235.15	
CASAT35857	Date 03/01/2016	Description Washers	Amount \$78.42	
		1000 - General Fund	\$68.74	
		1311 - Wharf Fund	\$313.57	
83143	03/25/2016	Open	FERESHTEH FATEMI	\$351.00
Invoice Fatemi03182016	Date 03/18/2016	Description Early Spring Instructor Payments 2016	Amount \$351.00	

Attachment: City Check Register 03/25/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/25/2016

Invoice #	Date	Description	Amount
83144 03/25/2016 Open FLYERS ENERGY LLC \$2,849.1			
Invoice	Date	Description	Amount
16-222178	03/11/2016	90 gallon diesel	\$196.05
16-222177	03/11/2016	436 gallons ethanol	\$1,060.84
16-215272	02/29/2016	455 gallons ethanol	\$1,153.61
16-215274	02/29/2016	100 gallons diesel	\$198.47
16-218905	03/07/2016	414 gallons ethanol	\$107.68
16-218907	03/07/2016	60 gallons diesel	\$133.19
83145 03/25/2016 Open FRANK PERRY \$139.21			
Invoice	Date	Description	Amount
Perry032116	03/16/2016	collection postcards reimbursement	\$139.21
83146 03/25/2016 Open GARRETT-FRIAS, BARBARA \$564.07			
Invoice	Date	Description	Amount
Garrett03182016	03/18/2016	Cape Training reimbursement	\$564.07
83147 03/25/2016 Open GEORGE H WILSON INC \$2,208.99			
Invoice	Date	Description	Amount
115485	03/15/2016	Police Dept. quarterly maintenance	\$285.00
115542	03/17/2016	Wharf House water heater	\$1,659.99
115548	03/18/2016	Lawn Way pump inspection	\$264.00
		1000 - General Fund	\$549.00
		1311 - Wharf Fund	\$1,659.99
83148 03/25/2016 Open GEORGE McMENAMIN \$925.00			
Invoice	Date	Description	Amount
44	03/22/2016	Riparian Restoration 15/16	\$925.00
83149 03/25/2016 Open GLOBAL ENVIRONMENTAL PRODUCTS INC \$1,019.73			
Invoice	Date	Description	Amount
630400	03/03/2016	sweeper pumps (4)	\$881.41
630498	03/09/2016	sweeper switch toggle, circuit breaker, deflector	\$137.73
		1310 - Gas Tax Fund	
83150 03/25/2016 Open GRANITE ROCK COMPANY \$1,575.98			
Invoice	Date	Description	Amount
946241	02/29/2016	Sheetrock supplies	\$26.04
949166	03/12/2016	Granitepatch cold mix	\$1,326.98
949440	03/12/2016	Fieldstone	\$222.94
		1000 - General Fund	\$248.98
		1310 - Gas Tax Fund	\$1,326.98
83151 03/25/2016 Open HANYA FOJACO \$1,170.00			
Invoice	Date	Description	Amount
Fojaco031816	03/18/2016	Early Spring Instructor Payments 2016	\$1,170.00
83152 03/25/2016 Open HELENA FOX \$436.80			
Invoice	Date	Description	Amount
Fox031816	03/18/2016	Early Spring Instructor Payments 2016	\$436.80

Attachment: City Check Register 03/25/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/25/2016

Invoice #	Date	Description	Amount
83153	03/25/2016	Open	HO KUK MU SUL CORPORATION
Invoice	Date	Description	Amount
HoKuk03182016	03/18/2016	Early Spring Instructor Payments 2016	\$50.05
83154	03/25/2016	Open	HOUSING AUTHORITY OF THE COUNTY OF :
Invoice	Date	Description	Amount
16-8CDBG	03/03/2016	February housing rehab and ownership program 1350 - CDBG Grants	\$2,334.25
83155	03/25/2016	Open	ICMA RETIREMENT TRUST 457
Invoice	Date	Description	Amount
41144527	03/18/2016	457 contributions PPE 3-12-16 1001 - Payroll Payables	\$4,542.01
83156	03/25/2016	Open	INTERSTATE BATTERY SYSTEMS OF SAN J
Invoice	Date	Description	Amount
50255080	02/29/2016	car batteries	\$432.66
83157	03/25/2016	Open	JOHANNA WEINSTEIN
Invoice	Date	Description	Amount
Weinstein031816	03/18/2016	Early Spring Instructor Payments 2016	\$448.50
83158	03/25/2016	Open	KELLY MOORE PAINT COMPANY INC.
Invoice	Date	Description	Amount
803-00000633106	03/14/2016	Painting supplies	\$67.66
803-00000634548	03/22/2016	Street painting supplies	\$30.84
83159	03/25/2016	Open	KINGS PAINT AND PAPER INC.
Invoice	Date	Description	Amount
A0232419	03/21/2016	Spray gun filter	\$7.52
A0232420	03/21/2016	Paint thinner	\$53.74
83160	03/25/2016	Open	LABORMAX STAFFING
Invoice	Date	Description	Amount
26-58864	03/11/2016	Seasonal labor	\$993.46
26-59114	03/18/2016	Seasonal labor	\$993.46
83161	03/25/2016	Open	LAS ANIMAS CONCRETE
Invoice	Date	Description	Amount
116546	03/08/2016	Slurry - Riverview pathway	\$399.30
83162	03/25/2016	Open	LIFE INSURANCE CO OF NORTH AMERICA-C
Invoice	Date	Description	Amount
CIGNA030116	03/01/2016	March Life, AD&D, STD, LTD insurance	\$2,227.96
		1000 - General Fund	\$9.68
		1001 - Payroll Payables	\$2,218.28
83163	03/25/2016	Open	LLOYDS TIRE SERVICE
Invoice	Date	Description	Amount
300779	03/09/2016	flat repair and balance	\$125.60

Attachment: City Check Register 03/25/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/25/2016

Invoice #	Date	Description	Amount
83164	03/25/2016	Open	
Invoice	Date	Description	Amount
Kinnamon031816	03/18/2016	Early Spring Instructor Payments 2016	\$29.25
LORRAINE KINNAMON			
83165	03/25/2016	Open	
Invoice	Date	Description	Amount
Faia03182016	03/18/2016	Early Spring Instructor Payments 2016	\$910.00
MICHELE FAIA			
83166	03/25/2016	Open	
Invoice	Date	Description	Amount
52628	03/15/2016	City letterhead, gas tags, stickers	\$696.60
		1000 - General Fund	\$289.60
		2210 - ISF - Stores Fund	\$407.00
MISSION PRINTERS			
83167	03/25/2016	Open	
Invoice	Date	Description	Amount
Miles031816	03/18/2016	Early Spring Instructor Payments 2016	\$1,359.15
MITCHELL A. MILES JR.			
83168	03/25/2016	Open	
Invoice	Date	Description	Amount
254177	03/14/2016	door handle assembly	\$18.27
NORTH BAY FORD			
83169	03/25/2016	Open	
Invoice	Date	Description	Amount
2763-176260	02/04/2016	circuit testers	\$65.21
O'REILLY AUTO PARTS			
83170	03/25/2016	Open	
Invoice	Date	Description	Amount
PG1134895	03/10/2016	Upper Esplanade fence	\$509.57
PACIFIC GALVANIZING			
83171	03/25/2016	Open	
Invoice	Date	Description	Amount
9249207-0	03/09/2016	ink cartridge	\$15.21
9250682-0	03/14/2016	exhibit supplies	\$12.51
PALACE OFFICE SUPPLIES			
83172	03/25/2016	Open	
Invoice	Date	Description	Amount
9820288	03/03/2016	JD 544H Loader parts	\$4,735.39
9820147	02/23/2016	JD 544H loader o-ring	\$30.97
9808509	02/23/2016	JD 544H loader heat exchanger	\$592.10
PAPE MACHINERY			
83173	03/25/2016	Open	
Invoice	Date	Description	Amount
Evans03182016	03/18/2016	Early Spring Instructor Payments 2016	\$222.30
PAT EVANS			
83174	03/25/2016	Open	
Invoice	Date	Description	Amount
Bliss03182016	03/18/2016	Early Spring Instructor Payments 2016	\$692.90
PAULA BLISS			
83175	03/25/2016	Open	
Invoice	Date	Description	Amount
283282	03/10/2016	Gloves	\$112.01
283327	03/10/2016	Safety glasses and ear plugs	\$143.55
PK SAFETY SUPPLY			

Attachment: City Check Register 03/25/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/25/2016

Invoice #	Date	Description	Amount
83176	03/25/2016	Open	PLACEWORKS
58606	02/29/2016	February Draft Zoning Code Update 1313 - General Plan Update and Maint	\$9,287.50
83177	03/25/2016	Open	PRAXAIR DISTRIBUTION INC.
54959953	03/20/2016	high pressure acetylene	\$110.23
83178	03/25/2016	Open	PsPrint LLC
2713436	03/18/2016	postcards for arts and culture	\$225.83
83179	03/25/2016	Open	RAVI KEN LAMB
Lamb031816	03/18/2016	Early Spring Instructor Payments 2016	\$513.50
83180	03/25/2016	Open	SANDY MARRUJO
Marrujo031816	03/18/2016	Early Spring Instructor Payments 2016	\$709.80
83181	03/25/2016	Open	SANTA CRUZ COUNTY MENTAL HEALTH
SCC031516	03/15/2016	EPSDT Match Commitment for Parents Center community grant	\$1,000.00
83182	03/25/2016	Open	SHERRI BETZ
Betz03182016	03/18/2016	Early Spring Instructor Payments 2016	\$5,782.40
83183	03/25/2016	Open	SHERWIN-WILLIAMS
8715-6	03/10/2016	Painting supplies	\$134.24
83184	03/25/2016	Open	SUELLEN MCCUTCHEN
McCutchen031816	03/18/2016	Early Spring Instructor Payments 2016	\$107.25
83185	03/25/2016	Open	SUPPLYWORKS
1774504-00	03/04/2016	Cleaning supplies	\$1,749.32
83186	03/25/2016	Open	THE CLEANING MACHINE INC.
6033	03/17/2016	Sidewalk cleaning	\$2,680.00
83187	03/25/2016	Open	THE WESTGATE HOTEL
6463231	03/23/2016	SLI Daily POST	\$422.91
83188	03/25/2016	Open	TRENISE POT
Pot031816	03/18/2016	Early Spring Instructor Payments 2016	\$2,107.95

Attachment: City Check Register 03/25/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/25/2016

Invoice #	Date	Description	Amount
83189	03/25/2016	TYLER TECHNOLOGIES	\$17,910.00
048762	04/15/2016	New World/Tyler Technologies annual software contract 2211 - ISF - Information Technology	\$17,910.00
83190	03/25/2016	UNITED WAY OF SANTA CRUZ COUNTY	\$50.00
UW03222016	03/18/2016	United Way Contribution PPE 03-12-16 1001 - Payroll Payables	\$50.00
83191	03/25/2016	UPEC LIUNA LOCAL 792	\$1,218.00
UPEC03222016	03/18/2016	UPEC Dues PPE 03-12-2016 1001 - Payroll Payables	\$1,218.00
83192	03/25/2016	US BANK PARS	\$99.83
PARS03222016	03/18/2016	PARS contributions PPE 03-12-16 1001 - Payroll Payables	\$99.83
83193	03/25/2016	WATSONVILLE BLUEPRINT	\$259.42
59764	03/17/2016	Rispin/Peery park prints 1200 - Capital Improvement Fund	\$259.42
83194	03/25/2016	Yolozochitz Hunter	\$234.00
Hunter031816	03/18/2016	Early Spring Instructor Payments 2016	\$234.00
83195	03/25/2016	ZUMAR INDUSTRIES INC.	\$1,111.62
0163762	03/14/2016	Signs 1310 - Gas Tax Fund	\$1,111.62
83196	03/25/2016	Katy Foster	\$81.00
2002482.002	03/17/2016	Refunds - Rec	\$81.00
83197	03/25/2016	Maggie Bannerman	\$85.00
2002481.002	03/16/2016	Class refund	\$85.00
83198	03/25/2016	FLYERS ENERGY LLC	\$900.00
16-218905b	03/07/2016	remaining due for 414 gallons ethanol	\$900.00
83199	03/25/2016	NATIONAL NOTARY ASSOCIATION	\$99.00
Member153169135	02/18/2016	2 year notary membership Deiter	\$99.00
Type Check Totals:			\$112,851.00

Attachment: City Check Register 03/25/2016 (1284 : Approval of City Check Registers)

City Checks Issued 03/25/2016

EFT

Invoice	Date	Description	Amount
242	03/25/2016	Open	
0000627579-in	02/29/2016	Feb 2016 monthly COBRA and FSA	\$148.00
243	03/25/2016	Open	
ADP03252016	03/25/2016	March ADP payroll fees 2211 - ISF - Information Technology	\$242.97
244	03/22/2016	Open	
1983	03/22/2016	April health insurance 1000 - General Fund 1001 - Payroll Payables	\$52,314.38
245	03/21/2016	Open	
OIJ8AQK6657	03/21/2016	Garnishment 3-18-16 pay day 1001 - Payroll Payables	\$1,117.84
246	03/21/2016	Open	
270648185436510	03/21/2016	Federal tax deposit PPE 03-12-16 1001 - Payroll Payables	\$25,434.77
247	03/21/2016	Open	
0339651712	03/21/2016	State tax deposit 3-18-16 1001 - Payroll Payables	\$6,103.32
248	03/21/2016	Open	
PERS031816	03/21/2016	PERS contributions 3-18-16 pay day 1000 - General Fund 1001 - Payroll Payables	\$45,266.44
Type EFT Totals:			\$130,627.00

Attachment: City Check Register 03/25/2016 (1284 : Approval of City Check Registers)

CITY - Main City Totals

	Counts:	Totals:
Checks	90	\$112,851.00
EFTs	7	\$130,627.00
All	96	\$243,380.65



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 28, 2016

FROM: Community Development

SUBJECT: Set Public Hearing Date to Consider an Appeal of the Planning Commission's Decision to Approve the Monterey Avenue Skate Park

RECOMMENDED ACTION: Set a hearing date of June 23, 2016.

BACKGROUND: On March 31 2016, the Planning Commission voted unanimously to approve the proposed Monterey Avenue Skate Park. The Planning Commission approval included shifting the location of the skate park closer to the Monterey Park parking lot as described in Alternative 1 of the Environmental Impact Report and several additional conditions of approval. Two separate appeals of the Planning Commission decision were filed prior to the appeal deadline (Attachments 1 and 2).

DISCUSSION: In accordance with Municipal Code Section 2.52.030, staff can either schedule an appeal hearing for the next City Council meeting or shall, at the next City Council meeting, request the City Council set the time and place of the hearing.

Based on the Planning Commission's decision to approve a modified location for the proposed skate park, the applicant will develop revised plans prior to the City Council considering the appeals and a right-of-entry agreement. Preparing revised plans and association documentation will require additional time to complete; therefore, staff recommends the City Council schedule a hearing date of June 23, 2016 at 7:00 pm.

FISCAL IMPACT: None.

ATTACHMENTS:

1. Skate Park Appeal - Richard Lippi
2. Skate Park Appeal - Wittwer Parkin LLP

Report Prepared By: Rich Grunow
Community Development Director

Reviewed and Forwarded by:

Jamie Goldstein, City Manager

4/21/2016

April 13, 2016

CAPITOLA CITY COUNCIL MEMBERS
 Capitola City Hall
 420 Capitola Ave
 Capitola, CA 95010

APR 13 2016
 CITY OF CAPITOLA
 CITY CLERK

Reference: Skate Park at Monterey Park, Application #15-068, APN: 036-151-01

Subject: Appeal of the Planning Commission's Approval of the Architectural and Site Review;
 Appeal of the Planning Commission's Approval of the Conditional use Permit, Coastal
 Permit and Final Environmental Impact Report

Dear Council Members,

I am appealing the subject approvals of the Capitola Planning Commission given on March 31, 2016, in connection with the referenced application as the project that they discussed on March 31, 2016 was NOT the project that was represented to, and subsequently approved for submittal by, the City Council on February 11, 2015 and there were NO drawings or specifications submitted for review on March 31, 2016 reflecting the project that the Planning Commission (PC) approved. More specific reasons for my appeal are as follows:

1. The revised proximity of the skatepark to my residence was NOT discussed at the meeting. I should have been given advanced notice of anything that would bring the proposed skatepark closer than 63 feet from my sleeping quarters as was the advertised design layout. Worse yet, no one knew after the March 31, 2016 meeting where the relocated skatepark would end up.
2. The revised location of the proposed skatepark was NOT laid out prior to the PC meeting so the general public could not offer feedback on that location. In fact, the layout for the proposed skatepark was staked out on-or-about November 20, 2015 at the south end of Monterey Park and that staking remained in place until April 5, 2016. I request that a staked layout be provided the general public for at least 30 days prior to a public meeting. I also request that open netting be installed indicating the location and finished height of the wrought iron fencing. Where the sound barriers will be there should be solid material so the general public can assess sound attenuation and visual access. This netting and solid material is also critical for the users of the park so they can "feel" the loss of space in Monterey Park.
3. The 80 foot wide x 100 foot long x 115 high eucalyptus grove of shade trees was to be protected and preserved. The sudden and unexpected relocation of the skatepark gave rise to the complete elimination of the eucalyptus trees which was NOT submitted by the applicant in their drawings or specifications. Here's what is very wrong about that:
 - a. Staff is supposed to be impartial about this project. Why are they recommending a relocation of the project that would cause the removal of the only usable shade

Reference: Application #15-068
 Subject: Appeal of the Planning Commission's Approvals

April 13, 2016

- trees at Monterey Park when the applicant did not request that in their drawings or specifications?
- b. The EIR certainly did not address the environmental impact of removing the eucalyptus trees as noted in items #14 and #15 of the Wittwer/Parkin letter of January 8, 2016.
 - c. The EIR did not address the environmental impact of removing the large grove of eucalyptus trees with respect to:
 - i. Increased watering needs for the lawn area left unprotected from the sun;
 - ii. Loss of hunting perches for the birds of prey;
 - iii. Loss of the visual beauty;
 - iv. Loss of life-giving oxygen offered by the large canopy
 - d. There was NO landscape drawing offered for the relocated skatepark. How many trees would be planted in the place of the eucalyptus grove and how will new trees ever replace the shade that was provided for the majority of the baseball field?
4. The skatepark project that was represented to the City Council (and to the general public) on February 11, 2015 was for a skatepark of 6,000 square feet. The project submitted, and subsequently approved by the PC was for a 6,811 square foot enclosure.
 5. The skatepark project that was represented to the City Council (and to the general public) on February 11, 2015 was for a skatepark that had "softened" features (from the 9,000 square foot 2012 design) to make it less noisy. The project submitted, and subsequently approved by the PC, was a simple "scaled down" version of the potentially noisy, multi-featured skatepark that was rejected in 2012.
 6. The skatepark project that was represented to the City Council (and to the general public) on February 11, 2015 was for a skatepark that would be safer for younger, beginner skaters. The project submitted, and subsequently approved by the PC was for a skatepark that would be MORE hazardous for younger, beginner skateboarders as there was no separation provided between beginner and more advanced skaters in the project drawings.
 7. There was NO public notice given that the skatepark that would be discussed by the PC would be relocated 60-140 feet to the north, and the eucalyptus trees would be removed.
 8. Monterey Park is surrounded by a noise-sensitive residential neighborhood, the noise-sensitive offices of the Soquel Union Elementary School District, the noise-sensitive school at New Brighton Middle School and the noise-sensitive St. Joseph's Catholic Church. To permanently increase the noise level 5-7sdB in this area is unthinkable.
 - a. The PC considered reducing the hours of operation so as not to conflict with the activities at the SUESD or New Brighton Middle School. The PC opted to do nothing. I submit that there should be a reduction of hours until it can be shown that extended hours from 8AM to Sunset will not be a significant impact to all sensitive receptors.
 - b. The PC voted to have the noise output of the skatepark checked 6 months after being put in operation and make any necessary modifications to the noise barriers, if needed. I submit that sound studies should be conducted immediately as

Reference: Application #15-068
 Subject: Appeal of the Planning Commission's Approvals

April 13, 2016

sensitive receptors will be impacted immediately. It's not the PC can un-ring a bell. Once the damage is done, it cannot be undone.

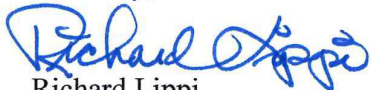
- c. The PC never discussed removing noise-producing features of the skatepark, as was requested back in 2012, to lessen the impact on the neighborhood.
9. The PC did not address my concern that skateboard noise can be heard 700 feet from the Performing Arts Center to Monterey Park. The reverse is likely to be true affecting the educational environment of New Brighton Middle School.

In conclusion, I would like to say that I was genuinely surprised and disappointed in the lack of attention the PC gave to resolving the important issues of this highly controversial project. I feel the PC has passed the buck to the City Council without due diligence being exercised within the Planning Commission's purview. Below is a quote from Commissioner Linda Smith that illustrates my expectations of the Planning Commission process.

Time mark 2:40:50: After Commissioner Westman suggested sending an undefined project package on to the City Council so "they can deal with that" Commissioner Smith commented, ***"I hear what you're saying but Council relies on us for I think to do a lot of the detail work and my fear is that if it, if it just goes to them it's going to have a conceptual kind of an approval and I think that the details are much more important and that's why I think the details should come back to the Planning Commission because that's sort of what we're Chartered to do."***

Thank you for your attention to this matter.

Sincerely,



Richard Lippi
 620 Monterey Ave, Capitola

Attachment: Skate Park Appeal - Richard Lippi (1413 : Monterey Avenue Skate Park - Set Hearing)

wittwer / parkin

April 14, 2016

APR 14 2016
CITY OF CAPITOLA
CITY CLERK

VIA HAND DELIVERY

Susan Sneddon
City Clerk
City of Capitola
420 Capitola Ave
Capitola, CA 95010

Re: Appeal of Planning Commission Decision on March 31, 2016 to Approve the Monterey Park Skate Park and Certify the EIR

Dear Ms. Sneddon:

This law firm submits this written appeal to the City Council on behalf of Friends of Monterey Park regarding the Planning Commission's decision on March 31, 2016 to approve a Design Permit, Conditional Use Permit, and Coastal Development Permit and certify the Environmental Impact Report (EIR) for the Monterey Park Skate Park.

Pursuant to Capitola City Code section 2.52.050, the City Council hears this appeal *de novo*. However, the City Council must independently certify the EIR regardless of this appeal because the City Council must also approve a Right-of-Entry Permit for the development. Thus, with regard to the EIR, an appeal is unnecessary. We request that the City Council independently certify the EIR because it is a decisionmaking body and is required by the California Environmental Quality Act (CEQA) to certify the EIR. If the City Council refuses to do so, we appeal the decision on this basis and for the reasons stated below. Even on appeal, the Council must also make findings regarding the EIR pursuant to CEQA. *See*, 14 Cal. Code Regs. § 15185(b). We also incorporate our comments on the EIR into this appeal letter by reference and attached hereto for the City's convenience, and these comments raise additional issues in this appeal.

The City Council should not certify the EIR because it is legally inadequate for the reasons set forth below. Further, the City Council should independently deny the skate park project because a larger skate park less than a mile away is scheduled to open this summer and will fulfill the project objectives set forth for the project at issue.

WITTWER PARKIN LLP / 147 S. RIVER ST., STE. 221 / SANTA CRUZ, CA / 95060 / 831.429.4055

WWW.WITTWERPARKIN.COM / LAWOFFICE@WITTWERPARKIN.COM

Attachment: Skate Park Appeal - Wittwer Parkin LLP (1413 : Monterey Avenue Skate Park - Set Hearing)

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 Page 2

I. The EIR Lacks Reasonable Range of Feasible Project Alternatives

The Draft EIR acknowledges that pursuant to the CEQA Guidelines, “if the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” (Draft EIR 5-13). The Draft EIR acknowledges that the no project alternative in this case would be the environmentally superior alternative. And so, the Draft EIR ostensibly selected an environmentally superior alternative among the other alternatives, Alternative 1. However, it would be a mistake to qualify Alternative 1 as environmentally superior since the most that the Draft EIR could conclude regarding Alternative 1 is that it “could *potentially reduce* the significant noise impact to a less-than-significant level to some residences and also could *potentially reduce* the significant of potential impacts to nesting birds. However, depending on the layout and configuration, trees may be removed with Alternative 1. Alternatives 2 and 3 would result in potential tree removal, and mitigation for potential impacts to nesting birds potentially would be required for all alternatives.” (Draft EIR 5-13) (emphasis added).

The analysis from the Draft EIR concluded that all three alternatives aside from the no project alternative may require tree removal as well as mitigation for potential impacts to nesting birds. And so, the reasons provided for why Alternative 1 is the environmentally superior alternative, that it could potentially reduce noise impact and potentially reduce impacts to nesting birds, are unconvincing. In fact, the failure to consider an appropriate range of project alternatives resulted in the erroneous conclusion that Alternative 1 is the environmentally superior alternative.

The CEQA Guidelines makes clear that: “An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” 14 Cal. Code Regs § 15126.6(a). While an EIR is not required to consider alternatives which are infeasible, nonetheless the City, as the lead agency, “is responsible for selecting a *range of project alternatives for examination* and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.” *Id.* (emphasis added). The California Supreme Court has stated: “The core of an EIR is the mitigation and alternatives sections.” *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564.

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The Draft EIR and the EIR advance only three alternatives aside from the no project alternative. With regards to alternative locations, the Draft EIR identified only one possible alternative location, Cortez Park, which it then ruled out as having potentially more significant noise impacts. The EIR failed to properly address the comments submitted regarding considering privately-owned sites as possible alternative locations to Monterey Park. In response to the suggestion of Capitola Mall as an alternative location the EIR responded: "Privately owned properties were not evaluated because a public skate park is not an allowed use on residential, commercial, or industrial zoned properties. Furthermore, neither applicants nor the City have development rights on other privately owned properties." (Final EIR 4-23). First, our comments concerning the lack of alternatives in no way suggested that the City should consider the project on land for which recreational use is prohibited. Next, the applicant does not own development rights to the subject property here as it is City property and further, it should be made clear that the City is not the project proponent and so it is unclear why the lack of development rights precluded consideration of other properties.

The EIR does not adequately respond to why private sites were not considered for a project that is privately funded. Moreover, we can find nothing in the City Municipal Code that prohibits skate parks in other zone districts. For instance, in Community Commercial zone districts, "Commercial entertainment establishments such as theaters, bowling alleys, billiard and pool parlors, dancehalls and skating rinks, and amusement centers" are permitted. Skate park facilities clearly fit within this zone district.

Stating that neither the applicant nor the City currently have development rights on other privately owned properties is not the same as concluding that it would be infeasible to consider other privately owned properties for the purposes of satisfying CEQA alternatives analysis. Neither the Draft EIR nor the Final EIR address the key question set forth under the CEQA Guidelines concerning alternative locations: "The key question and first step in analysis is whether any of the significant effects of the project **would be avoided or substantially lessened by putting the project in another location**. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR." 14 Cal. Code Regs § 15126.6(f)(2). Given that many of the significant effects of the current location concern noise, impacts to nesting birds, and also biological resources such as trees, considering an alternative location, such as Capitola Mall, is reasonable because this alternative site would likely avoid or substantially lessen significant effects of the project identified at Monterey Park.

By wholly refusing to consider private sites as alternative locations, the EIR put the cart before the horse, rejecting consideration of an entire category of possibly environmentally

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superior alternatives prior to performing the analysis necessary to determine if these sites are feasible under the definition set forth under CEQA:

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives.

14 Cal. Code Regs § 15126.6(f)(1).

As is made clear under the CEQA Guidelines, “whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)” is a *question* to be considered. Contrary to the position set forth within the EIR, it is not a foregone conclusion that alternative locations cannot be considered simply because they are privately owned. The City Council should not approve this EIR where the EIR failed to consider feasible alternatives, including alternative locations which may achieve substantial project objectives in an environmentally superior manner.

II. Failure to Recirculate

Recirculation of an EIR is required “when significant new information is added to the EIR. . . . As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information.” 14 Cal. Code Regs § 15088.5(a). Here, the Final EIR expanded the following sections in the Draft EIR: CEQA Considerations, Noise, Drainage & Water Quality, Aesthetics, Construction Activities, as well as the Project Description itself. (Final EIR 3-2, 3-3, 3-4, 3-5, 3-7). Of particular significance are the changes to the Project Description:

“An approximately 2-foot high retaining wall is proposed on the southern site boundary adjacent to the New Brighton Middle School site; A drainage bioswale location is shown just north of the proposed retaining wall; Square-footage breakdowns are provided for the skate park component/features, and fenced in area are shown, resulting in a total skate park size of 6,028 square fee; The previously proposed rock slant bank feature has been removed from the proposed skate park.” (Final EIR 3-2).

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The shifting description of the project and its components violate CEQA: “An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR.” *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 199. Further, the EIR contains significant new information that was unavailable for review when the Draft EIR was circulated, such as essential details regarding the actual footprint of the skate park area, 6,028 square foot, and the park as a whole, 6,811 square-feet. (Final EIR 3-9). While “[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modification in an adequate EIR[,]” 14 Cal. Code Regs § 15088.5(b), these expansions are not mere insignificant modifications to the Project, the expansions constitute significant new information requiring recirculation for public review. The public was deprived of the right to comment on the adequacy of additional discussion and measures.

III. Improper Deferral of Analysis of Environmental Impacts

The Planning Commission approved Alternative site 1 as the location for the proposed skate park. The Draft EIR described this alternative to be an onsite relocation “approximately 60-140 feet northeast of the currently proposed location.” (Draft EIR 5-9). In the EIR, it states: “It is also noted that the project does not propose removal of trees. However, as discussed in the Initial Study (Draft EIR Appendix A, pages 22-23), the City may require removal. Therefore, potential tree removal, if required by the City, has been considered in the Initial Study and applicable EIR analyses.” (Final EIR 3-2). As an initial matter, given the close proximity of the skate park to trees (*See* Figure 1-2 Skate Park Location in Monterey Park pg. 7-2, Draft EIR) movement of the skate park northeast from where it was initially proposed to Alternative site 1, which is currently still a range (approximately 60-140 feet northeast) and not a fixed location, would almost certainly result in removal of trees.

The Draft EIR and the Final EIR’s failure to state where the physical boundaries of Alternative Site 1 would fall along with failure to state with certainty whether any trees will be removed results in an unstable project description, which is not allowed. In addition, the EIR’s response to the comments regarding tree removal do not address where replanting would be available onsite in the likelihood that trees are in fact removed. While the conditions of approval require onsite replanting and Capitola Municipal Code explicitly requires tree replanting “at some other location on the subject property” Capitola City Code section 12.12.190(A), the EIR nonetheless lacks assessment of where the replanting would take place. The Planning Commission attempted to cure these inadequacies with conditions. However, the absence of analysis in the EIR is fatal.

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Within the staff report presented to the Planning Commission on March 31 concerning the project at issue, the staff provided background regarding development of a public skate park. The staff report noted that the City Council held a public hearing to discuss the possibility of developing a skate park in Monterey Park in 2011. By 2013 the City Council had approved plans for a multi-use public park on McGregor Drive which included a 9,000 square-foot skate park. This skate park is scheduled to open this summer. Given that a 9,000 square-foot public skate park, less than a mile away from the proposed location, has not even opened yet for public use, it seems that the current project objectives: “(1) Develop an approximate 6,000 square-foot public skate park in Capitola that is centrally located and easily accessible to children, teens, and young adults. (2) Provide skate park features and elements which can be enjoyed by beginner to intermediate level skaters[,]” will be satisfied this summer once the McGregor Drive skate park opens. (Draft EIR 3-2).

IV. The City Failed to Adequately Respond to Comments on the EIR

The responses to comments were incomplete, unresponsive, or deferred analysis to a later date. For instance, Response 4-4 states that illegal nighttime use is not an environmental issue subject to CEQA. However, noise from illegal use of the skate park is an environmental issue. As another example, Response 4-10 states temporary events would be reviewed if there was consideration of permits for temporary events. The Planning Commission conditioned the project so that no such events can occur. But, this is not a mitigation that is incorporated into the EIR that would be enforceable as a mitigation measure. Therefore, the Planning Commission simply put a bandage on a CEQA problem and any future commission or council could change this condition at will. There are numerous other deficiencies in the responses to comments.

The evaluation and response to public comments is an essential part of the CEQA process. Failure to comply with the requirement can lead to disapproval of the project. *Environmental Protection Information Center v. Johnson* (1985) 170 Cal.App.3d 604, 627. “There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.” 14 Cal. Code Regs. § 15088(b). If the comment proposes a new or modified mitigation measure, the agency must first ascertain whether the impact to which it relates would otherwise be significant and unavoidable, and then assess whether the proposed measure may be feasible. *Los Angeles Unified School District v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1028-1030.

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In this case, the EIR has failed in its obligation to fully address all comments.

V. Conclusion

In conclusion, the City Council should not certify the EIR and the Council should deny the proposed project for the reasons stated above. Thank you for your consideration.

Very truly yours,
WITTWER PARKIN LLP



Pearl Kan

Encl.

cc: client



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 28, 2016

FROM: City Manager Department

SUBJECT: Consider an Amendment to Mid-Management Memorandum of Understanding

RECOMMENDED ACTION: Consider Approval of Amendment to the Mid-Management Employees Memorandum of Understanding (MOU) in order to change the Fair Labor Standards Act (FSLA) status of the Environmental Projects Manager and Building Official to exempt effective April 1, 2016.

BACKGROUND: The FSLA status of the Environmental Projects Manager and the Building Official are not listed as exempt in the Mid-Management Employees MOU.

DISCUSSION: The Mid-Management Employees Group has members that are exempt from overtime and employees who receive overtime pay. The positions that are considered professional are listed in the MOU, and are considered exempt from overtime compensation. The positions listed as FSLA exempt are eligible for administrative time off. The Environmental Projects Manager and the Building Official are not listed as FSLA exempt in the MOU.

The Environmental Projects Manager position was created in 2013 (Resolution No. 3982). The position was classified as FSLA exempt, however, the language was not added to the MOU. The Building Official position was reclassified to the Mid-Management Group in 2010 (Resolution No. 3783). The job description does not state if the position should be exempt or non-exempt and the current Building Official is non-exempt. After researching the job classification of Building Official in other cities, overwhelmingly the position is classified as FSLA exempt.

FISCAL IMPACT: The Building Official will become eligible for 80 hours administrative time off per calendar year, prorated in 2016. There will a potential reduction in overtime compensation for the Building Official.

ATTACHMENTS:

1. Amendment to the Mid-Management Employees MOU

Report Prepared By: Larry Laurent
Assistant to the City Manager

Reviewed and Forwarded by:

Jamie Goldstein, City Manager

4/21/2016

**AMENDMENT TO THE AGREEMENT
BETWEEN
CITY OF CAPITOLA AND
MID-MANAGEMENT EMPLOYEES**

WHEREAS, the City of Capitola (City) and the Mid Management Employees, (collectively, the Union) have a Memorandum of Understanding; and

WHEREAS, the City and the Union have an existing MOU with a term that began on July 1, 2012 and expires on June 30, 2018; and

WHEREAS, the positions of Environmental Program Manager and Building Official are considered professional positions; and,

WHEREAS, professional positions are considered exempt under Fair Labor Standards Act (FLSA); and,

WHEREAS, exempt employees are not entitled to overtime compensation and are therefore eligible for administrative time off.

IT IS HEREBY AGREED, SECTION 1, article 3 of the Mid-Management Employees Memorandum of Understanding shall be modified to reflect these changes.

SECTION I. WAGE SCHEDULES/HOURLY RATES/EMPLOYEE STATUS

3. Overtime

All employees within the Mid-Management unit, except for the position of Senior Planner, Senior Accountant, Environmental Projects Manager, and Building Official which are exempt from FLSA, are hourly employees and can accrue overtime subject to the laws, rules, regulations and any other MOU provisions of the City, state and federal government.

The normal regular work week commences on Sunday and consist of forty (40) hours except that the regular work week of public works department personnel engaged in maintenance activities shall be as approved by the City Manager. Except for employees exempt under the FLSA, overtime will be compensated at the rate of one and one-half times the base rate of pay for all hours worked over 40 hours per week in a workweek. Such additional compensation shall, at the employee’s election, be either in cash or compensatory time off, in accordance with Labor Code section 204.3.

With regard to this section “hours worked” shall not include sick leave. Nor shall such a definition include vacation or compensated leave time off not scheduled in advance by at least ten working days. “Hours Worked” shall also not include workers compensation time off unless immediate treatment is required on the date of injury for the injury incurred, in which case overtime is allowed providing the overtime accrued is an extension of the workday and the hours worked for the week exceed 40 hours.

The position of Senior Planner, Senior Accountant, Environmental Projects Manager, and Building Official are professional positions exempt under FLSA, and therefore not entitled to overtime compensation. An Employee filling exempt positions are entitled to ten days per year of administrative time off. Administrative leave is non-cumulative. It may not be converted to cash. One year’s worth of Administrative Leave becomes available on the first day of the calendar year. The exception is persons hired mid-year, in which case administrative leave is prorated for the applicable period. (Reso. #3486).

Attachment: Amendment to the Mid-Management Employees MOU (1415 : Amendment to Mid Management MOU)

Mid Management Employees

City of Capitola

Jamie Goldstein, City Manager
Dated: _____

Dated: _____



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 28, 2016

FROM: City Manager Department

SUBJECT: Consider a Resolution Authorizing Capitola's Participation in the CalRecycle Payment Program

RECOMMENDED ACTION: Approve Resolution.

BACKGROUND: The City has applied for, and has been awarded, funds from the CalRecycle Payment Program the past few years. This year, CalRecycle is requiring a Resolution to be approved prior to submitting to the Payment Program. The award has been used to help fund regional media campaigns emphasizing the importance of recycling.

FISCAL IMPACT: The City has been awarded grants in the amount \$5,000 for the past six years. The grant award goes to help fund the regional Central Coast Media Coalition for Recycling media campaigns.

Report Prepared By: Larry Laurent
Assistant to the City Manager

Reviewed and Forwarded by:

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

Jamie Goldstein, City Manager

4/21/2016

DRAFT RESOLUTION NO. ____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
AUTHORIZING SUBMITTAL OF APPLICATION FOR CALRECYCLE PAYMENT
PROGRAMS AND RELATED AUTHORIZATIONS**

WHEREAS, pursuant to Public Resources Code sections 48000 et seq., 14581, and 42023.1(g), the Department of Resources Recycling and Recovery (CalRecycle) has established various payment programs to make payments to qualifying jurisdictions; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the payment programs; and

WHEREAS, CalRecycle’s procedures for administering payment programs require, among other things, an applicant’s governing body to declare by resolution certain authorizations related to the administration of the payment program.

NOW, THEREFORE, BE IT RESOLVED that City of Capitola is authorized to submit an application to CalRecycle for any and all payment programs offered; and

BE IT FURTHER RESOLVED that the City Manager, or his/her designee, is hereby authorized as Signature Authority to execute all documents necessary to implement and secure payment; and

BE IT FURTHER RESOLVED that this authorization is effective until rescinded by the Signature Authority or this governing body.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 28th day of April 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ed Bottorff, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 28, 2016

FROM: Capitola Police Department

SUBJECT: Approve a Fiscal Year 2015-2016 Budget Amendment to Purchase Two Unmarked Police Vehicles

RECOMMENDED ACTION: Amend the Fiscal Year 2015-2016 State Supplemental Law Enforcement Services Fund (SLESF) Budget to increase expenditures by \$40,020.

BACKGROUND: The California Legislature passed the “State Supplemental Law Enforcement Services Fund” (SLESF) bill. This bill is also known as the “Citizens Option for Public Safety” (COPS). Funds from the grant are to be exclusively used for supporting front line law enforcement and cannot be used to supplant existing funding. Funds from this program must be used for personnel and/or equipment. The Police Department was granted \$100,000 in Fiscal Year 2014-2015 and has \$55,020 remaining that must be used by June 30, 2016, or forfeited. Of the \$55,020 available, \$15,000 is already designated to capital projects in the Department.

DISCUSSION: To support the City’s front line law enforcement efforts, the Department intends to use \$43,415.77 of the grant funds to purchase two unmarked vehicles. The City currently has seven unmarked vehicles and plans to reduce the fleet to six unmarked vehicles. One of the vehicles will replace an unmarked vehicle for the police detectives. The purchased vehicle will come from the City’s local vendor, Toyota of Santa Cruz, and will replace a 2002 Chevy Impala. The second vehicle to be purchased will be a 2016 Gem e4 electrical vehicle from Hollister Powersports, the City’s police motorcycle vendor. This new electric vehicle will replace two other vehicles: 2008 Gem vehicle that is non-operative and cannot be repaired and the 1989 Mazda truck that is utilized for parking enforcement and traffic control. With a new electric vehicle the Department will be removing one traditional fuel vehicle from the City’s fleet. The remaining \$11,604.23 of the fund balance will be used for range training supplies.

FISCAL IMPACT: The attached budget amendment will have no impact on the General Fund. Sufficient funds are available in the Unassigned SLESF Fund Balance.

ATTACHMENTS:

1. GEM Quote
2. Toyota Quote
3. Budget Amendment

Report Prepared By: Rudy Escalante

Police Chief

Reviewed and Forwarded by:

Jamie Goldstein, City Manager

4/21/2016

Amend 2015-2016 Budget to Purchase Electric Vehicle
April 28, 2016



City of Capitola

April 8, 2016

	<u>Items</u>	<u>MSRP</u>
Model:	2016 GEM e4	\$11,999.00
	Destination Charge	\$ 795.00
	Body Color, White (or Red or Black or Blue)	No Charge
Options:	Carrier, S-Box (330lb capacity)	\$ 2,000.00
	Doors, Full Hard Doors (White, Red, Black or Blue)	\$ 3,249.00
	Bumper, Black Rugged Front and Rear	\$ 700.00
	AGM Batteries (maintenance free)	\$ 753.00
	Beacon Light	\$ 150.00
	Windshield Defroster	\$ 325.00
	Heater/Fan	\$ 499.00
Sub TOTAL:		\$20,470.00
Hollister Powersports Discount:		<\$1,230.00>
Net Sale Price:		\$19,240.00

Additional Fees not included in the Sub Total price (Fee's are subject to change until the GEM is ordered): Sales Tax (\$1,707.13), Tire Fee (\$7.00), Doc Fee (\$80.00), Electronic Filing Fee (\$29.00), Registration Fee (exempt), Setup Fee (\$190.00), Delivery Fee (\$0.00).

Estimated grand total delivered to Capitola = \$ 21,253.13

Neal Zook, Sales Mgr
Hollister Powersports
(831) 630-5200 office



**RETAIL INSTALLMENT SALE CONTRACT – SIMPLE FINANCE CHARGE
(WITH ARBITRATION PROVISION)**

DEAL 45352

Dealer Number _____ Contract Number _____ R.O.S. Number _____ Stock Number 74715

Buyer Name and Address (Including County and Zip Code) CITY OF CAPITOLA 422 CAPITOLA AVE CAPITOLA CA 95010 SANTA CRUZ COUNTY	Co-Buyer Name and Address (Including County and Zip Code)	Seller-Creditor (Name and Address) TOYOTA OF SANTA CRUZ 4200 AUTO PLAZA DRIVE CAPITOLA, CA 95010
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You, the Buyer (and Co-Buyer, if any), may buy the vehicle below for cash or on credit. By signing this contract, you choose to buy the vehicle on credit under agreements on the front and back of this contract. You agree to pay the Seller - Creditor (sometimes "we" or "us" in this contract) the Amount Financed and Finance Charge in U.S. funds according to the payment schedule below. We will figure your finance charge on a daily basis. The Truth-in-Lending Disclosures below are part of this contract.

New Used	Year	Make and Model	Odometer	Vehicle Identification Number	Primary Use For Which Purchased Personal, family or household, unless otherwise indicated below <input type="checkbox"/> business or commercial
NEW	2016	TOYOTA CAMRY	3	4T1BF1FKXGU58491	<input type="checkbox"/> business or commercial

FEDERAL TRUTH-IN-LENDING DISCLOSURES

ANNUAL PERCENTAGE RATE The cost of your credit as a yearly rate.	FINANCE CHARGE The dollar amount the credit will cost you.	Amount Financed The amount of credit provided to you or on your behalf.	Total of Payments The amount you will have paid after you have made all payments as scheduled.	Total Sale Price The total cost of your purchase on credit, including your down payment of \$1500.00
0.00 %	\$ 0.00 (e)	\$ 22162.64	\$ 22162.83 (e)	\$ 23662.83 (e)

(e) means an estimate

YOUR PAYMENT SCHEDULE WILL BE:

Number of Payments:	Amount of Payments:	When Payments Are Due:
One Payment of	N/A	N/A
One Payment of	N/A	N/A
One Payment of	N/A	N/A
1	22162.64	Monthly beginning 03/24/2016
N/A	N/A	N/A
One final payment		N/A

Late Charge. If payment is not received in full within 10 days after it is due, you will pay a late charge of 5% of the part of the payment that is late. Prepayment. If you pay off all your debt early, you may be charged a minimum finance charge.
Security Interest. You are giving a security interest in the vehicle being purchased.
Additional Information: See this contract for more information including information about nonpayment, default, any required repayment in full before the scheduled date, minimum finance charges, and security interest.

ITEMIZATION OF THE AMOUNT FINANCED (Seller may keep part of the amounts paid to others.)

1. Total Cash Price

A. Cash Price of Motor Vehicle and Accessories	\$ 21644.04 (A)
1. Cash Price Vehicle	\$ 21644.04
2. Cash Price Accessories	\$ N/A
3. Other (Nontaxable)	\$ N/A
Describe	\$ N/A
Describe	\$ N/A
B. Document Processing Charge (not a governmental fee)	\$ 80.00 (B)
C. Emissions Testing Charge (not a governmental fee)	\$ N/A (C)
D. (Optional) Theft Deterrent Device (to whom paid)	\$ N/A (D)
E. (Optional) Theft Deterrent Device (to whom paid)	\$ N/A (E)
F. (Optional) Theft Deterrent Device (to whom paid)	\$ N/A (F)
G. (Optional) Surface Protection Product (to whom paid)	\$ N/A (G)
H. (Optional) Surface Protection Product (to whom paid)	\$ N/A (H)
I. EV Charging Station (to whom paid)	\$ N/A (I)
J. Sales Tax (on taxable items in A through I)	\$ 1900.85 (J)

STATEMENT OF INSURANCE

NOTICE: No person is required as a condition of financing the purchase of a motor vehicle to purchase or negotiate insurance through a particular insurance company, agent or broker. You are not required to buy any other insurance to obtain credit. Your decision to buy or not buy other insurance will not be a factor in the credit approval process.

Vehicle Insurance

	Term	Premium
\$ N/A Ded. Comp., Fire & Theft	N/A Mos.	\$ N/A
\$ N/A Ded. Collision	N/A Mos.	\$ N/A
Bodily Injury \$ N/A Limits	N/A Mos.	\$ N/A
Property Damage \$ N/A Limits	N/A Mos.	\$ N/A
Medical N/A	N/A Mos.	\$ N/A
N/A	N/A Mos.	\$ N/A
Total Vehicle Insurance Premiums		\$ N/A

UNLESS A CHARGE IS INCLUDED IN THIS AGREEMENT, PUBLIC LIABILITY OR PROPERTY DAMAGE INSURANCE, PAYMENT FOR SUCH COVERAGE IS NOT PROVIDED BY THIS AGREEMENT.
 You may buy the physical damage insurance this contract requires (see back) from anyone you choose who is acceptable to us. You are not required to buy any other insurance to obtain credit.

Buyer X
 Co-Buyer X N/A
 Seller X **TOYOTA OF SANTA CRUZ**

If any insurance is checked below, policies or certificates from named insurance companies will describe the terms and conditions:

Application for Optional Credit Insurance

Credit Life: Buyer Co-Buyer Both
 Credit Disability (Buyer Only)

	Term	Exp.	Premium
Credit Life	N/A Mos.	N/A	N/A
Credit Disability	N/A Mos.	N/A	N/A
Total Credit Insurance Premiums		\$	N/A
Insurance Company Name		N/A	
Home Office Address			

Credit life insurance and credit disability insurance are not required to obtain credit. Your decision to buy or not buy credit life and credit disability insurance will not be a factor in the credit approval process. They will not be provided unless you sign and agree to pay the extra cost. Credit life insurance based on your original payment schedule. This insurance may not pay all you owe on this contract if you make late payments. Credit disability insurance does not cover any increase in your payment or in the number of payments. Coverage for credit life insurance and credit disability insurance ends on the original due date for the last payment unless a different term for the insurance is shown above.

Attachment: Toyota Quote (1435 : Amend 2015-2016 Budget to Purchase Electric Vehicle)

K. Electronic Vehicle Registration or Transfer Charge (not a governmental fee) (to whom paid) HVSC \$ 29.00 (K)

L. (Optional) Service Contract (to whom paid) N/A \$ N/A (L)

M. (Optional) Service Contract (to whom paid) N/A \$ N/A (M)

N. (Optional) Service Contract (to whom paid) N/A \$ N/A (N)

O. (Optional) Service Contract (to whom paid) N/A \$ N/A (O)

P. (Optional) Service Contract (to whom paid) N/A \$ N/A (P)

Q. Prior Credit or Lease Balance paid by Seller to N/A (e) \$ N/A (Q)

(see downpayment and trade-in calculation)

R. (Optional) Gap Contract (to whom paid) N/A \$ N/A (R)

S. (Optional) Used Vehicle Contract Cancellation Option Agreement N/A \$ N/A (S)

T. Other (to whom paid) N/A For N/A \$ N/A (T)

Total Cash Price (A through T) \$ 23653.89 (1)

2. Amounts Paid to Public Officials ESTIMATE

A. Vehicle License Fees \$ N/A (A)

B. Registration/Transfer/Titling Fees \$ N/A (B)

C. California Tire Fees \$ 8.75 (C)

D. Other N/A \$ N/A (D)

Total Official Fees (A through D) \$ 8.75 (2)

3. Amount Paid to Insurance Companies (Total premiums from Statement of Insurance column a + b) \$ N/A (3)

4. State Emissions Certification Fee or State Emissions Exemption Fee \$ N/A (4)

5. Subtotal (1 through 4) \$ 23662.64 (5)

6. Total Downpayment

A. Agreed Trade-In Value Yr N/A Make N/A Model N/A Odom N/A VIN N/A \$ N/A (A)

B. Less Prior Credit or Lease Balance (e) \$ N/A (B)

C. Net Trade-In (A less B) (indicate if a negative number) \$ N/A (C)

D. Deferred Downpayment \$ N/A (D)

E. Manufacturer's Rebate \$ N/A (E)

F. Other \$ 1500.00 (F)

G. Cash \$ N/A (G)

Total Downpayment (C through G) \$ 1500.00 (6)

(If negative, enter zero on line 6 and enter the amount less than zero as a positive number on line 1Q above)

7. Amount Financed (5 less 6) \$ 22162.64 (7)

above. Your signature below means that you agree that: (1) You are not eligible for insurance 8.F.2 reached your 65th birthday. (2) You are eligible for disability insurance only if you are working for wages or profit 30 hours a week or more on the Effective Date. (3) Only the Primary Buyer is eligible for disability insurance. **DISABILITY INSURANCE MAY NOT COVER CONDITIONS FOR WHICH YOU HAVE SEEN A DOCTOR OR CHIROPRACTOR IN THE LAST 6 MONTHS** (Refer to "Total Disabilities I Covered" in your policy for details). You want to buy the credit insurance.

Date X Buyer Signature N/A Ac

Date X Co-Buyer Signature N/A Ac

OPTIONAL GAP CONTRACT A gap contract (debt cancellation contract) is not required to obtain credit and will not be provided unless you sign below and agree to pay the charge. If you choose to buy a gap contract, the charge is shown in item 1R of the Itemization of Amount Financed. See your contract for details on the terms and conditions it provides. a part of this contract.

Term N/A Mos. N/A Name of Gap Contract N/A

I want to buy a gap contract. N/A

Buyer Signs X N/A

OPTIONAL SERVICE CONTRACT(S) You want purchase the service contract(s) written with the following company(ies) for the term(s) shown below for the charge shown in item 1L, 1M, 1N, 1O, and/or 1P.

1L Company N/A Term N/A Mos. or N/A Mi

1M Company N/A Term N/A Mos. or N/A Mi

1N Company N/A Term N/A Mos. or N/A Mi

1O Company N/A Term N/A Mos. or N/A Mi

1P Company N/A Term N/A Mos. or N/A Mi

Buyer X N/A

SELLER ASSISTED LOAN
BUYER MAY BE REQUIRED TO PLEDGE SECURITY FOR THE LOAN, AND WILL BE OBLIGATED FOR THE INSTALLMENT PAYMENTS ON BOTH THIS RETAIL INSTALLMENT SALE CONTRACT AND THE LOAN.

Proceeds of Loan From: N/A

Amount \$ N/A Finance Charge \$ N/A

Total \$ N/A Payable in N/A installments of \$ N/A

from this Loan is shown in item 6D.

AUTO BROKER FEE DISCLOSURE
If this contract reflects the retail sale of a new motor vehicle, the sale is not subject to a fee received by an autobroker from us unless the following box is checked:

Name of autobroker receiving fee, if applicable:

HOW THIS CONTRACT CAN BE CHANGED.
This contract contains the entire agreement between us and you relating to this contract. Any change to this contract must be in writing and both you and we must sign it. No oral changes are binding.

Buyer Signs X N/A

Co-Buyer Signs X N/A

SELLER'S RIGHT TO CANCEL If Buyer and Co-Buyer sign here, the provisions of the Seller's Right to Cancel section on the back giving the Seller the right to cancel if Seller is unable to assign this contract to a financial institution will apply.

Buyer N/A Co-Buyer N/A

Agreement to Arbitrate: By signing below, you agree that, pursuant to the Arbitration Provision on the reverse side of this contract, you or we may elect to resolve any dispute by neutral binding arbitration and not by a court action. See the Arbitration Provision for additional information concerning the agreement to arbitrate.

Buyer Signs X CITY OF CAPITOLA Co-Buyer Signs X N/A

OPTION: You pay no finance charge if the Amount Financed, item 7, is paid in full on or before _____ Year. SELLER'S INITIALS _____

THE MINIMUM PUBLIC LIABILITY INSURANCE LIMITS PROVIDED IN LAW MUST BE MET BY EVERY PERSON WHO PURCHASES A VEHICLE. IF YOU ARE UNSURE WHETHER YOUR CURRENT INSURANCE POLICY WILL COVER YOUR NEWLY ACQUIRED VEHICLE IN THE EVENT OF AN ACCIDENT, YOU SHOULD CONTACT YOUR INSURANCE AGENT.

WARNING: YOUR PRESENT POLICY MAY NOT COVER COLLISION DAMAGE OR MAY NOT PROVIDE FOR FULL REPLACEMENT COSTS FOR THE VEHICLE BEING PURCHASED. IF YOU DO NOT HAVE FULL COVERAGE, SUPPLEMENTAL COVERAGE FOR COLLISION DAMAGE MAY BE AVAILABLE TO YOU THROUGH YOUR INSURANCE AGENT OR THROUGH THE SELLING DEALER. HOWEVER, UNLESS OTHERWISE SPECIFIED, THE COVERAGE YOU OBTAIN THROUGH THE DEALER PROTECTS ONLY THE DEALER, USUALLY UP TO THE AMOUNT OF THE UNPAID BALANCE REMAINING AFTER THE VEHICLE HAS BEEN REPOSSESSED AND SOLD.

FOR ADVICE ON FULL COVERAGE THAT WILL PROTECT YOU IN THE EVENT OF LOSS OR DAMAGE TO YOUR VEHICLE, YOU SHOULD CONTACT YOUR INSURANCE AGENT.

THE BUYER SHALL SIGN TO ACKNOWLEDGE THAT HE/SHE UNDERSTANDS THESE PUBLIC LIABILITY TERMS AND CONDITIONS.

Attachment: Toyota Quote (1435 : Amend 2015-2016 Budget to Purchase Electric Vehicle)

City of Capitola Budget Adjustment Form



Date 4/8/2016

Requesting Department Police

Administrative Council

Item #
Council Date: 4/28/2016
Council Approval

Revenues		
Account #	Account Description	Increase/Decrease
Total		\$0

Expenditures		
Account #	Account Description	Increase/Decrease
1300-00-00-000-4650.400	Capital Outlay Machinery & Equipment	\$28,416
1300-00-00-000-4450.500	Supplies General Supplies	11,604
Total		\$40,020

Net Impact (40,020)

Purpose: Unmarked Vehicles & Range Training Supplies

Department Head Approval _____

Finance Department Approval _____

City Manager Approval _____

Attachment: Budget Amendment (1435 : Amend 2015-2016 Budget to Purchase Electric Vehicle)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 28, 2016

FROM: Community Development

SUBJECT: Appeal of a Planning Commission Approval of a Design Permit and Variance for a Garage Addition to a Single-family Home Located at 4980 Garnet Street

RECOMMENDED ACTION: Uphold the Planning Commission's decision to approve the project as conditioned.

BACKGROUND: The City Council reviewed the subject appeal on April 14, 2016, and indicated their intention to uphold the Planning Commission's decision to approve the Design Permit and Variance application. However, the Council noticed a discrepancy between the proposed floor plan and elevations, specifically the placement of the front door. The City Council asked that the applicant revise the plans to address the discrepancy, and then continued the application to the April 28, 2016, City Council hearing (Attachment 2).

DISCUSSION: The applicant submitted revised plans on April 19, 2016, (Attachment 1), which adjusted the floor plan to show the correct location of the front door and removed the exterior stairwell and water heater structure from the plans. The revised project plans now accurately depict the front entry wall, which contains an entrance to an exterior courtyard area in the side yard. The courtyard contains a trellis cover, and provides a concrete walkway to the main entrance located off the side yard. The applicant also removed the exterior stairwell from the proposal per the request of the neighboring property to the east, and replaced the proposed water heater structure in the western side yard with a tank-less water heater.

STAFF RECOMMENDATION: Staff recommends that the City Council uphold the Planning Commission approval of the variance due to the existing non-conforming setbacks throughout Garnet Street, the presence of 12 additional feet of unutilized right of way between the property line and the curb, and the proposed garage enclosure complements the existing character of the neighborhood.

FISCAL IMPACT: None

ATTACHMENTS:

1. Revised Project Plans 4-19-16
2. Draft City Council Minutes 4-14-16
3. City Council Agenda Packet
Staff Report 4-14-16

and

Report Prepared By: Ryan Safty
Assistant

Planner

4980 Garnet St Design Permit and Variance Appeal
April 28, 2016

Reviewed and Forwarded by:



Mark Welch, Finance Director

4/22/2016

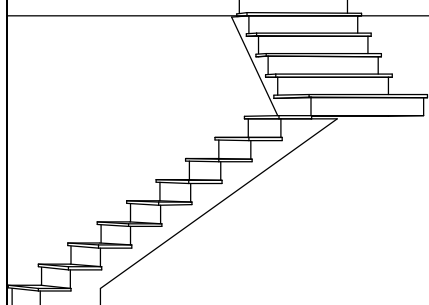
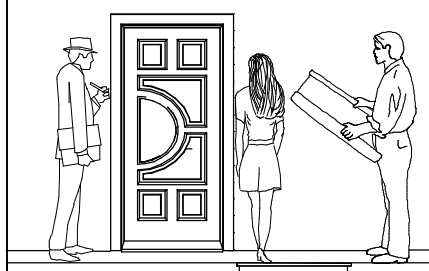
AARON RESIDENCE

4980 GARNET STREET CAPITOLA, CALIFORNIA 95010



- SHEET INDEX**
- A1) COVER SHEET, SITE PLAN, VICINITY MAP AREA CALCULATIONS
 - A2) (E) & (P) 1ST FLOOR PLAN
 - A3) (E) & (P) 2ND FLOOR PLAN
 - A4) (E) & (P) ELEVATIONS
 - A5) (E) & (P) ELEVATIONS
 - A6) DRAINAGE PLAN
 - A7) PROPOSED 3 D'S/COLOR BOARD

PLAN DATE:
12-07-15
A.P.N. 034-043-16



REFERENCED STANDARDS

BUILDING OCCUPANCY GROUP:
R-3/U

TYPE OF CONSTRUCTION:
TYPE VB

STORIES: TWO

TOTAL FLOOR AREA:

ENERGY METHOD: N/A

SPRINKLER SYSTEM: NON-SPRINKLERED

FIRE RET. ROOFING: CLASS B

GEOTECH REPORT: N/A

CODE EDITION:
2013 CA BUILDING CODE OF REGULATIONS TITLE 24
2013 CA BUILDING 1 & 2 CODE
2013 CA RESIDENTIAL CODE
2013 CA MECHANICAL CODE
2013 CA ELECTRICAL CODE
2013 CA PLUMBING CODE
2013 CA FIRE CODE
2013 CA GREEN BUILDING STANDARDS CODE
2013 CA ENERGY CODE

CONSULTANTS:

BUILDING DESIGNER:
CHRISTOPHER SANDMAN
508 SANTA MARGUARITA DRIVE
APTOS, CALIFORNIA 95003
PHONE 831- 345-6892
EMAIL: CADHOMES@NETSCAPE.COM

PROJECT DATA:

PROJECT ADDRESS:
4980 GARNET STREET
CAPITOLA, CA 95010

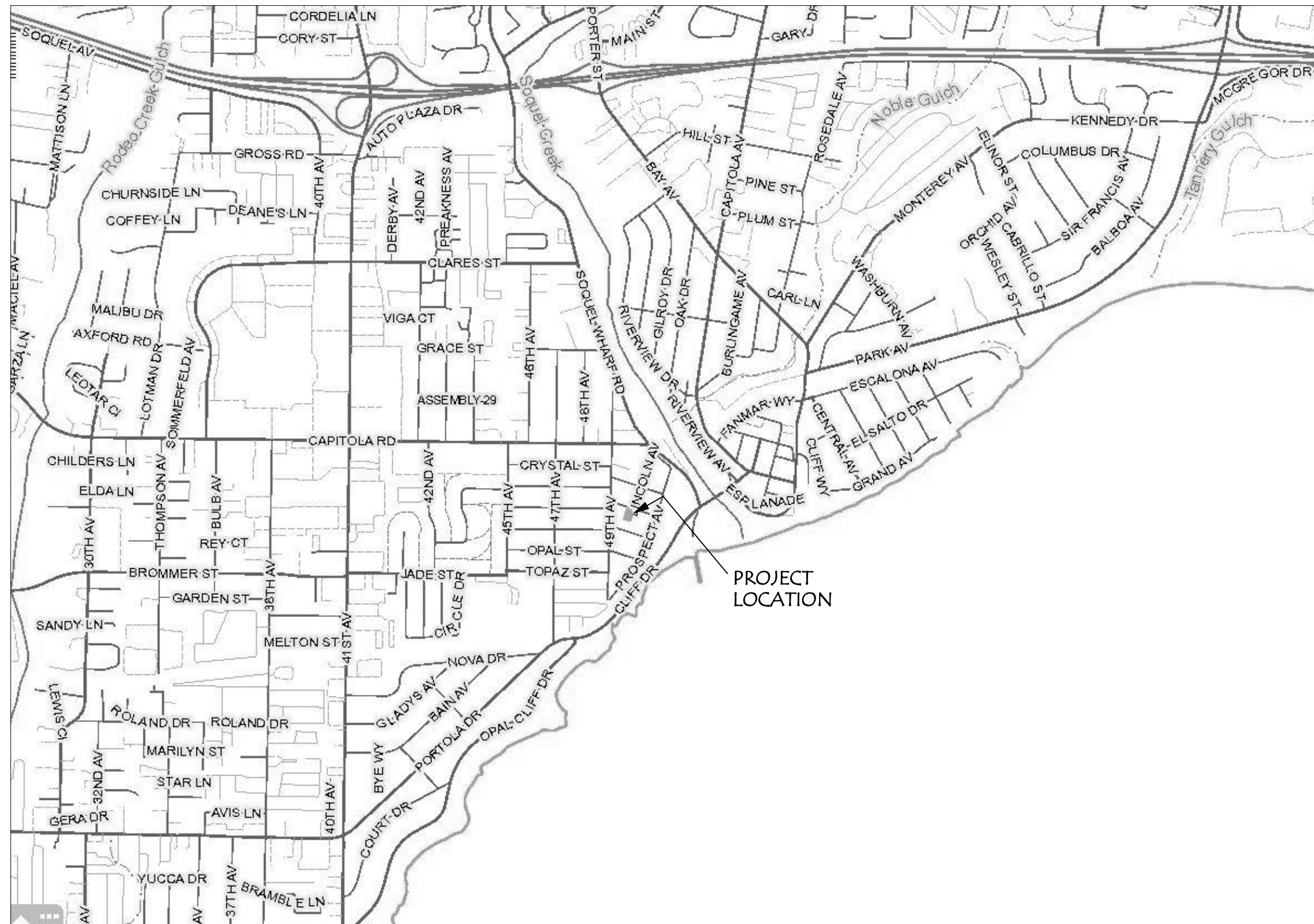
ASSESSOR'S PARCEL NUMBER:
034-043-16

OWNER CONTACT INFORMATION:
DAVID & DEB AARON
4980 GARNET STREET
408-396-1631

PROJECT DESCRIPTION:

PROPOSAL TO OBTAIN A VARIANCE TO ADD 5'x22' ONTO EXISTING CARPORT APPROXIMATELY 6 FEET INTO FRONT YARD SETBACK RESULTING IN A 430 SQFT 2-CAR GARAGE. SCOPE OF WORK TO INCLUDE A KITCHEN REMODEL, LOWER BATH REMODEL/ADDITION & ADD CLOSET IN 1ST FLOOR SOUTHWEST BEDROOM

VICINITY MAP N.T.S.



PROJECT DESCRIPTION:

PROPOSAL TO OBTAIN A VARIANCE TO ADD 5'x22' ONTO EXISTING CARPORT APPROXIMATELY 6 FEET INTO FRONT YARD SETBACK RESULTING IN A 430 SQFT 2-CAR GARAGE. SCOPE OF WORK TO INCLUDE A KITCHEN REMODEL, LOWER BATH REMODEL/ADDITION & ADD CLOSET IN 1ST FLOOR SOUTHWEST BEDROOM

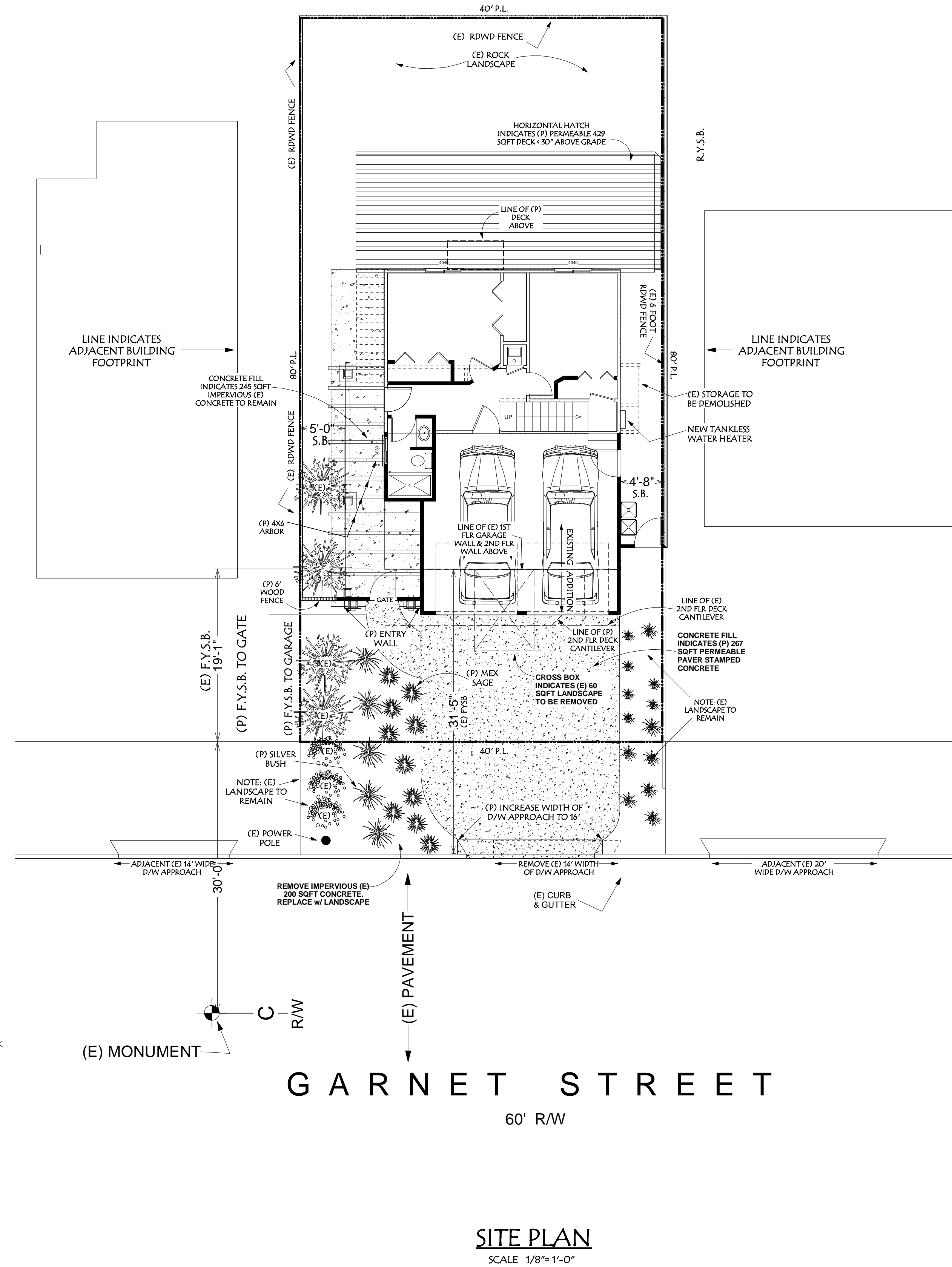
EXISTING CONDITIONS

ALL INFORMATION RELATING TO EXISTING CONSTRUCTION IS GIVEN AS BEING THE BEST INFORMATION AVAILABLE. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS, DIMENSIONS AND BUILDING DATUMS AT THE JOB SITE. ANY DISCREPANCIES REQUIRING MODIFICATIONS TO THE CONSTRUCTION DOCUMENTS SHALL BE REPORTED TO THE BUILDING DESIGNER IMMEDIATELY. NO MODIFICATIONS SHALL BE MADE BY THE CONTRACTOR WITHOUT APPROVAL BY THE BUILDING DESIGNER.

AREA CALCULATIONS

APPLICANT	CADHOMES BUILDING DESIGN	
A.P.N.	034-043-16	
LOT AREA	3200 SQFT	
ALLOWABLE LOT COVERAGE		
LOT COVERAGE		
	EXISTING	PROPOSED
RESIDENCE @ 1ST LEVEL	468 SQFT	40 SQFT (P) BATH
COVERED PATIO / PORCH		
UNHEATED STORAGE	18 SQFT	-18 SQFT
CANTILVER >18" ABOVE GRADE		
GARAGE / CARPORT	390 SQFT	40 SQFT
DECKS >30" ABOVE GRADE	386 SQFT	-386 SQFT + 20' SQFT + 2ND FLR REAR DECK
TOTALS	1262 SQFT	-304 SQFT
TOTAL LOT COVERAGE	958 SQFT	
TOTAL LOT COVERAGE IN %	29.93 %	

FLOOR AREA RATIO	
PARCEL SIZE	3200 SQFT
1ST FLOOR (ENCLOSED)	468 SQFT (P) BATH
2ND FLOOR (ENCLOSED)	858 SQFT
DECK: (E) 386 SQFT- 376 SQFT+ (P) 10 SQFT- 150 SQFT CREDIT= 0 SQFT	
FLOOR AREA (UNHEATED)	
GARAGE	390 SQFT -70 SQFT
DEMOLISH (E) WEST STORAGE	-18 SQFT
(E) WEST STORAGE	18 SQFT
SUB TOTAL	1734 SQFT -48 SQFT
TOTALS	1686 SQFT
FLOOR AREA RATIO	52.68 %



GARNET STREET
60' R/W

SITE PLAN
SCALE 1/8"=1'-0"

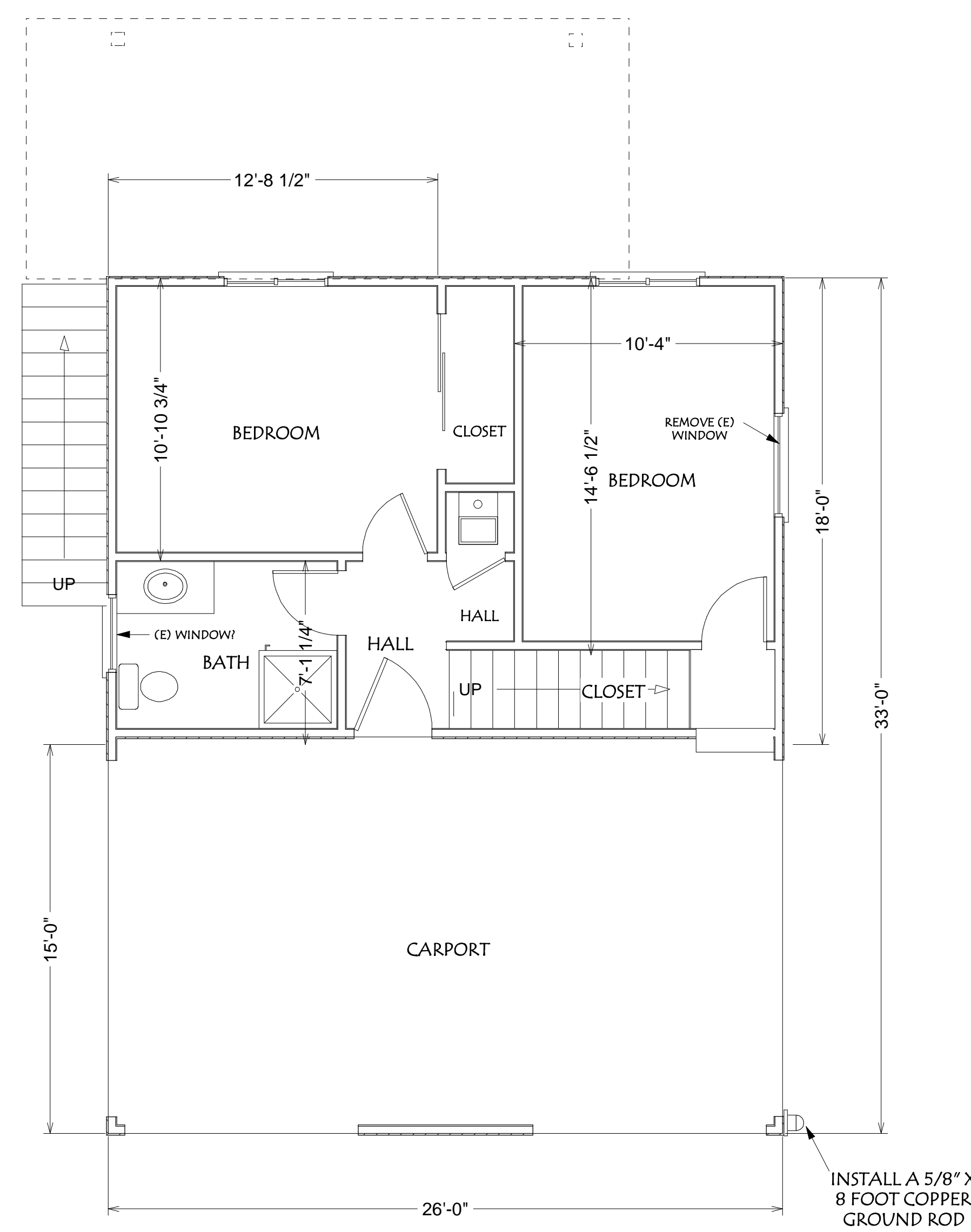
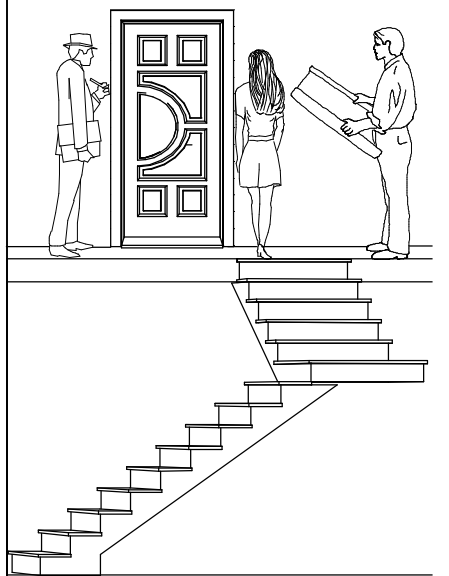
PROPOSED REMODEL:

DAVID AND DEB AARON
4980 GARNET STREET
CAPITOLA, CA 95010

A.P.N. 034-043-16

SHEET NUMBER

A1

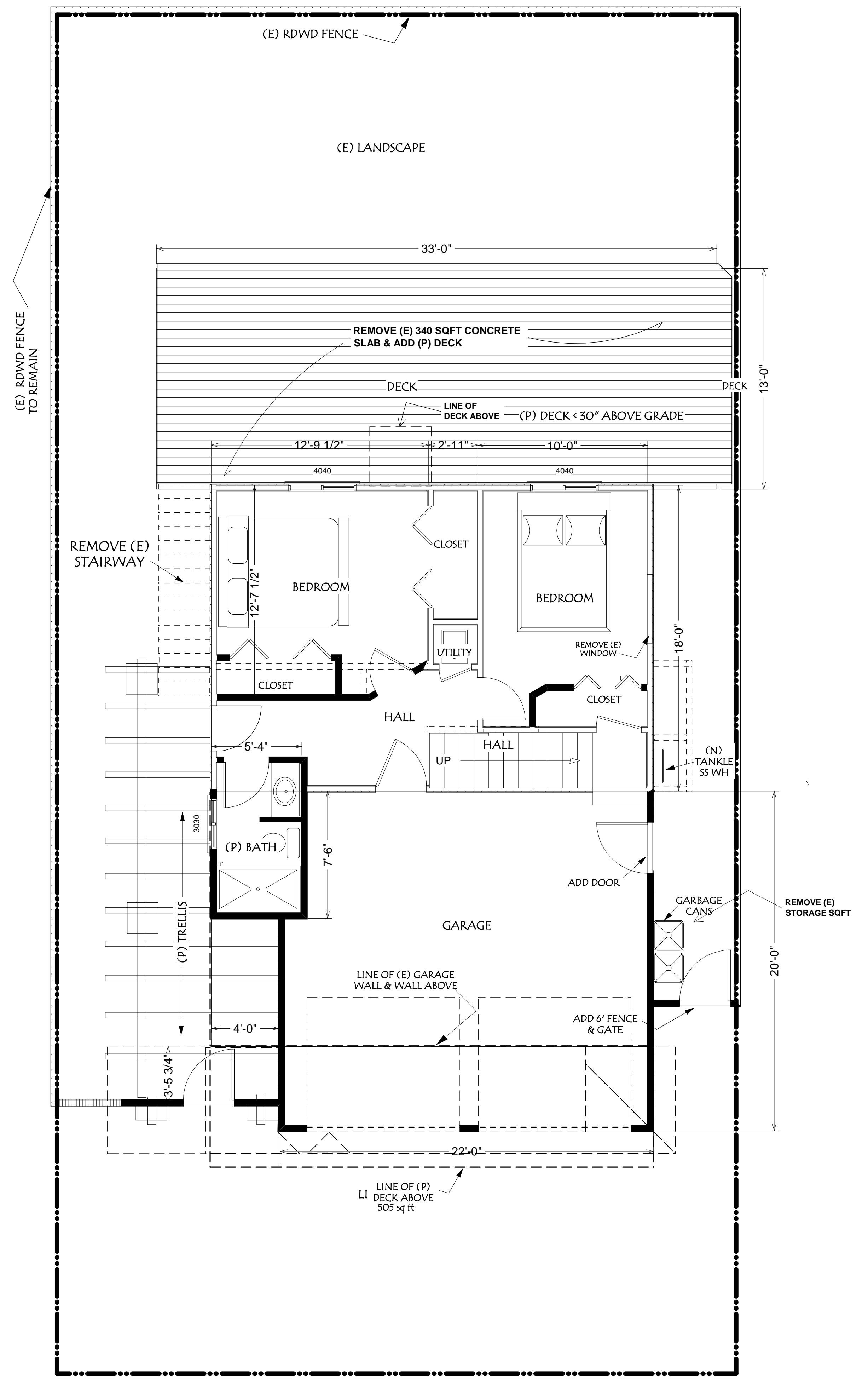


LIVING AREA
456 sq ft

EXISTING 1ST FLOOR PLAN
scale 1/4" = 1'-0"

WALL LEGEND

EXISTING WALLS	—
PROPOSED WALLS	—
ALTERED WALLS	—
TO BE REMOVED	- - - -



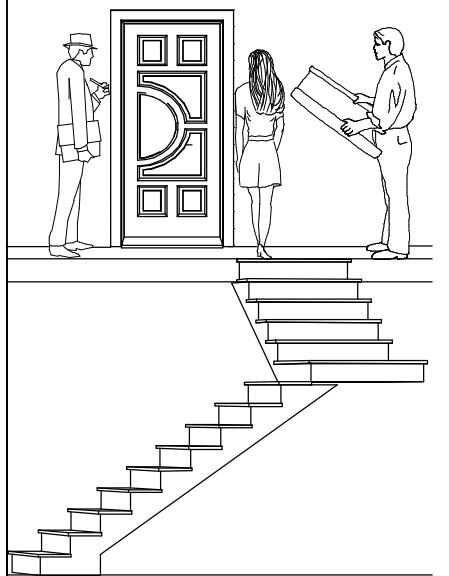
PROPOSED 1ST FLOOR PLAN
scale 1/4" = 1'-0"



PLAN DATE:

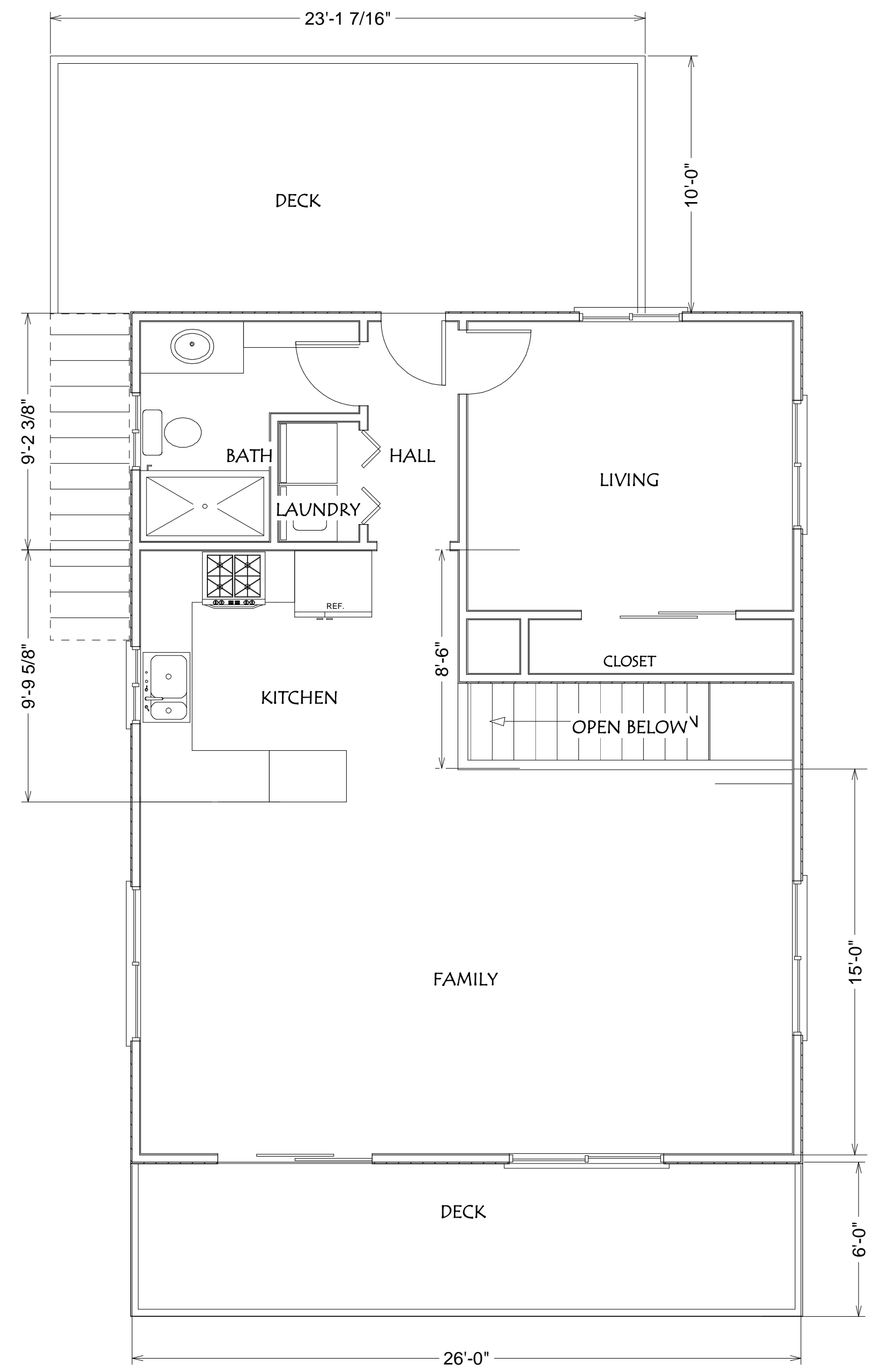
12-07-15

A.P.N. 034-043-16



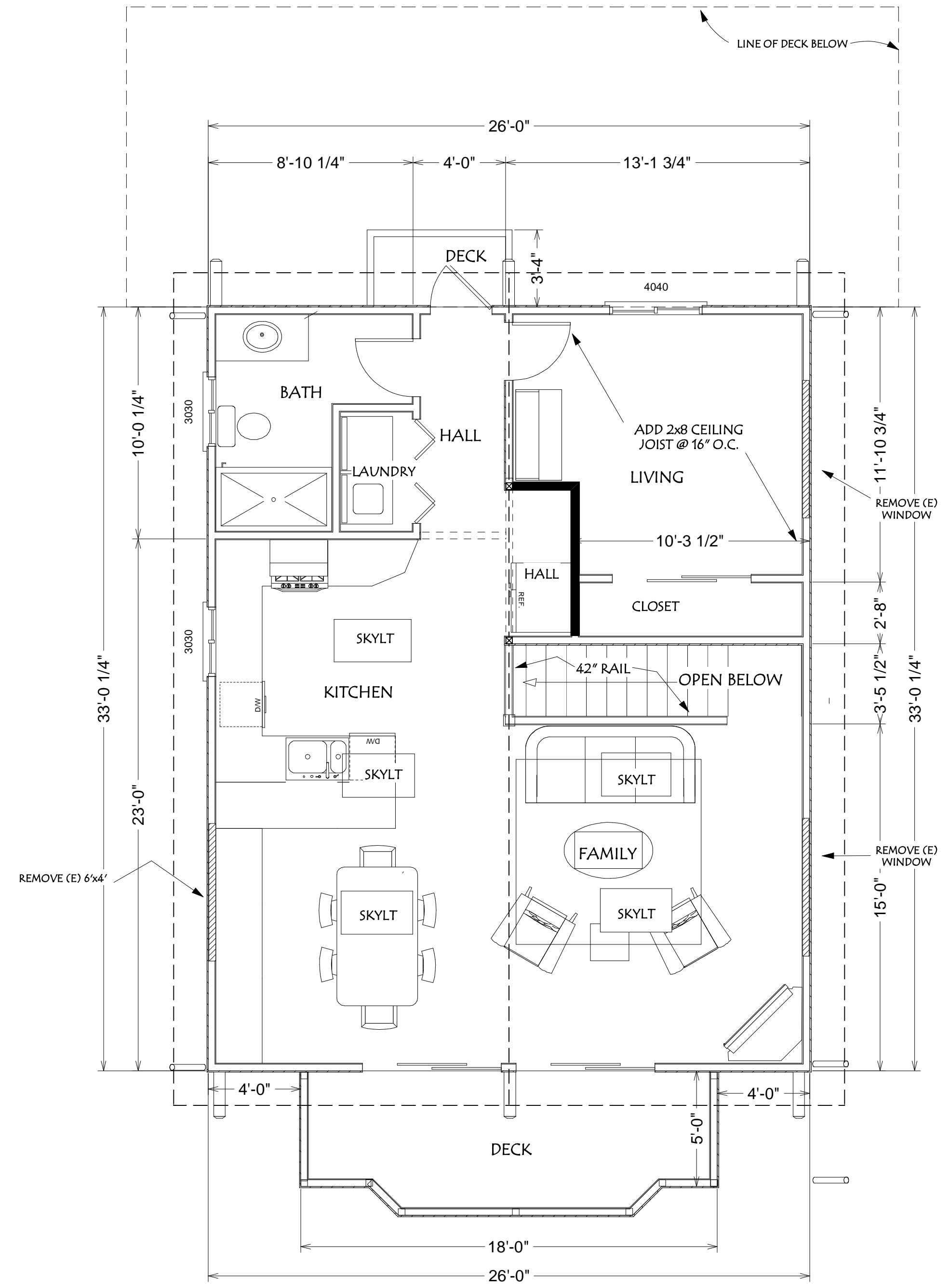
WALL LEGEND

- EXISTING WALLS
- PROPOSED WALLS
- ALTERED WALLS
- TO BE REMOVED



LIVING AREA
813 sq ft

EXISTING 2ND FLOOR PLAN
scale 1/4" = 1'-0"



LIVING AREA
813 sq ft

PROPOSED 2ND FLOOR PLAN
scale 1/4" = 1'-0"

Attachment: Revised Project Plans 4-19-16 (1438 : 4980 Garnet St. Design Permit and Variance Appeal)

PROPOSED REMODEL:

DAVID AND DEB AARON
4980 GARNET STREET
CAPITOLA, CA 95010

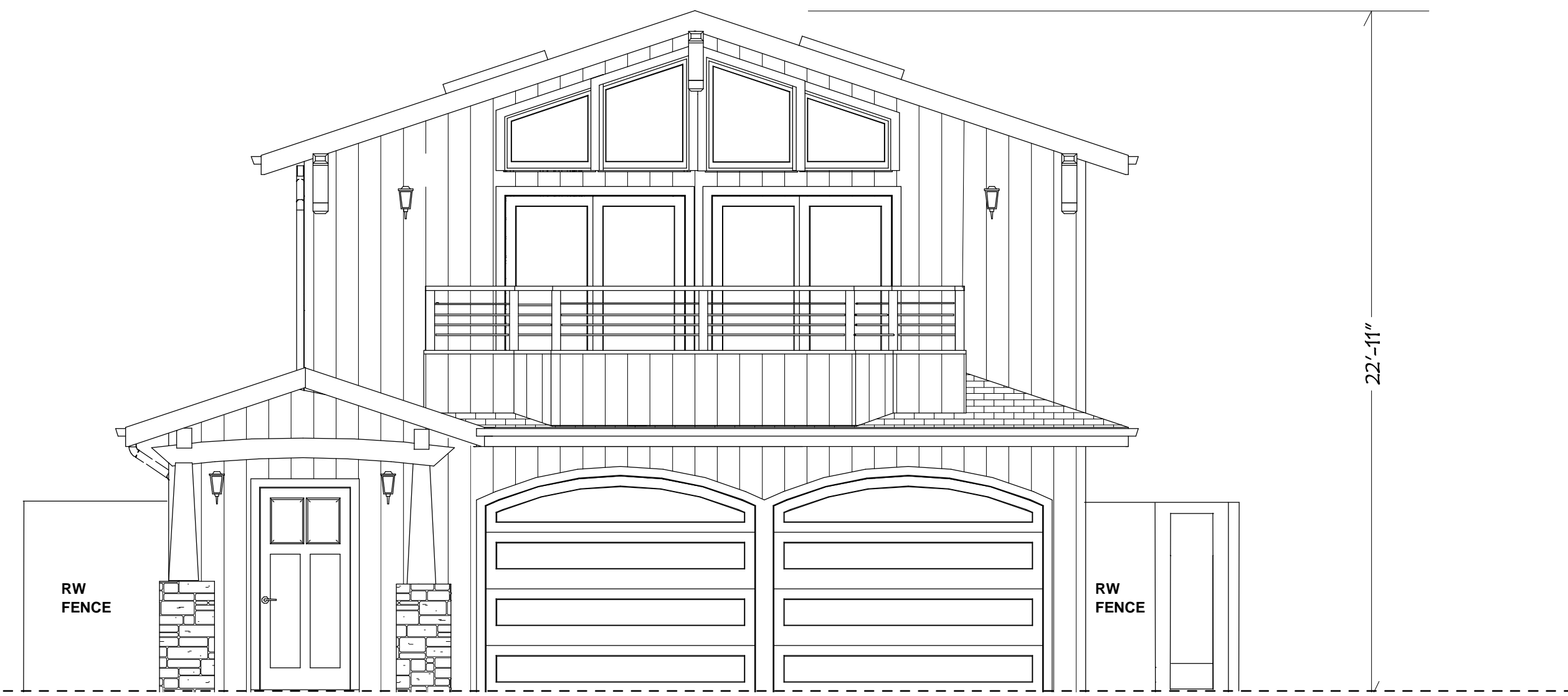
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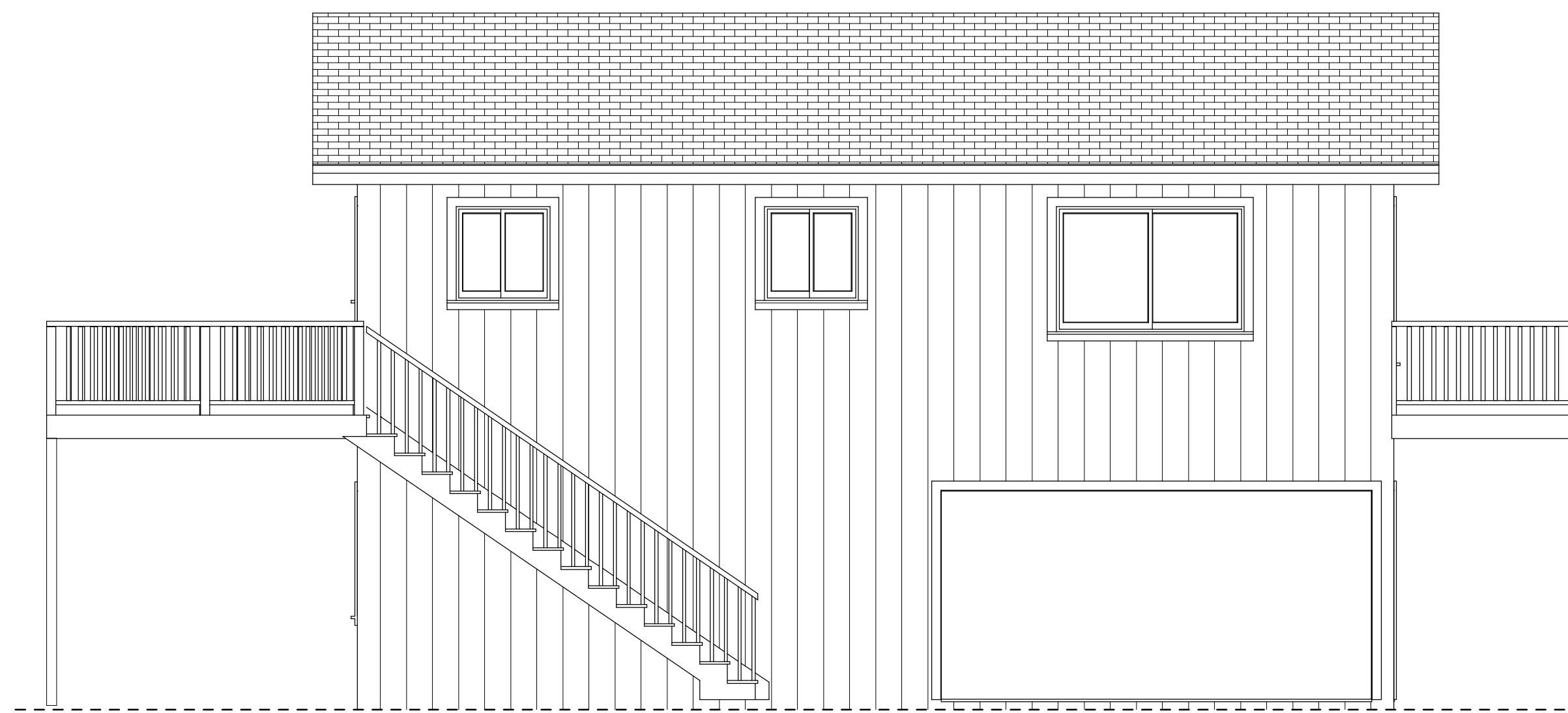
A3



EXISTING NORTH ELEVATION
scale 1/4"=1'-0"



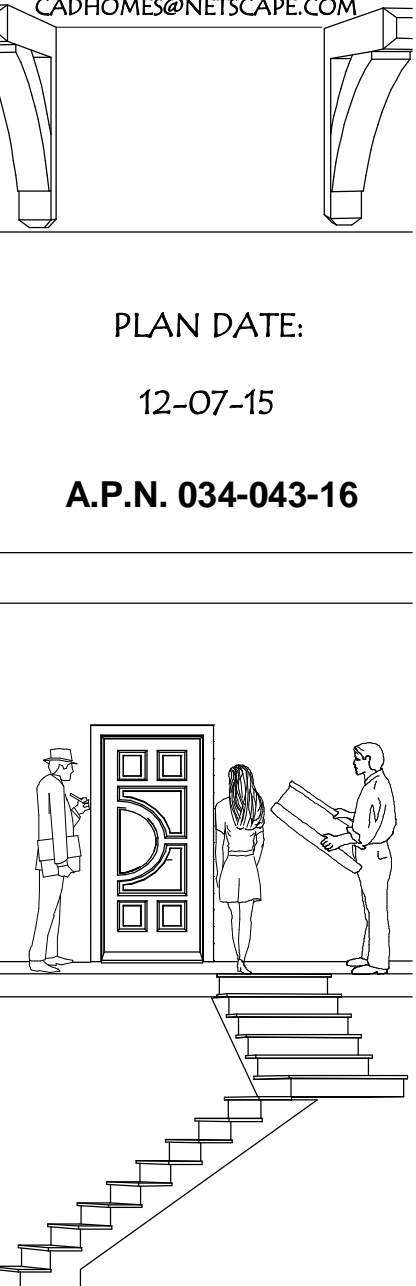
PROPOSED NORTH ELEVATION
scale 1/4"=1'-0"



EXISTING EAST ELEVATION
scale 1/4"=1'-0"



PROPOSED EAST ELEVATION
scale 1/4"=1'-0"



PLAN DATE:

12-07-15

A.P.N. 034-043-16

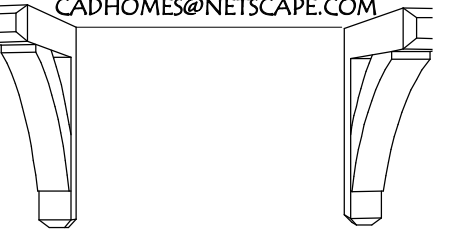
PROPOSED REMODEL:
DAVID AND DEB AARON
4980 GARNET STREET
CAPITOLA, CA 95010

Attachment: Revised Project Plans 4-19-16 (1438 : 4980 Garnet St. Design Permit and Variance Appeal)

A.P.N. 034-043-16

SHEET NUMBER

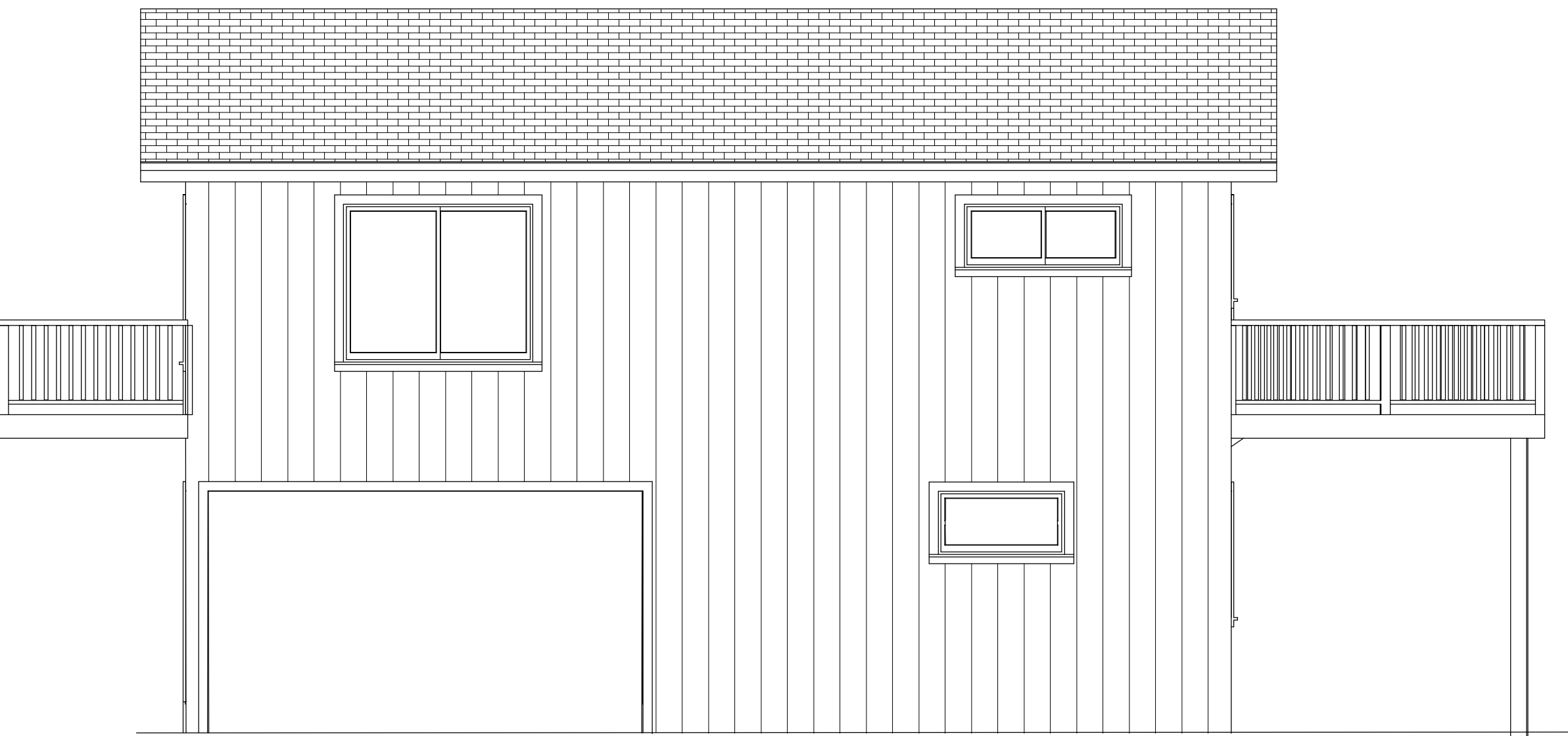
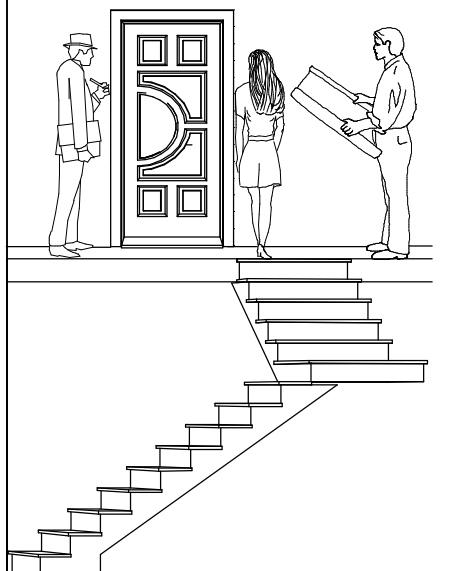
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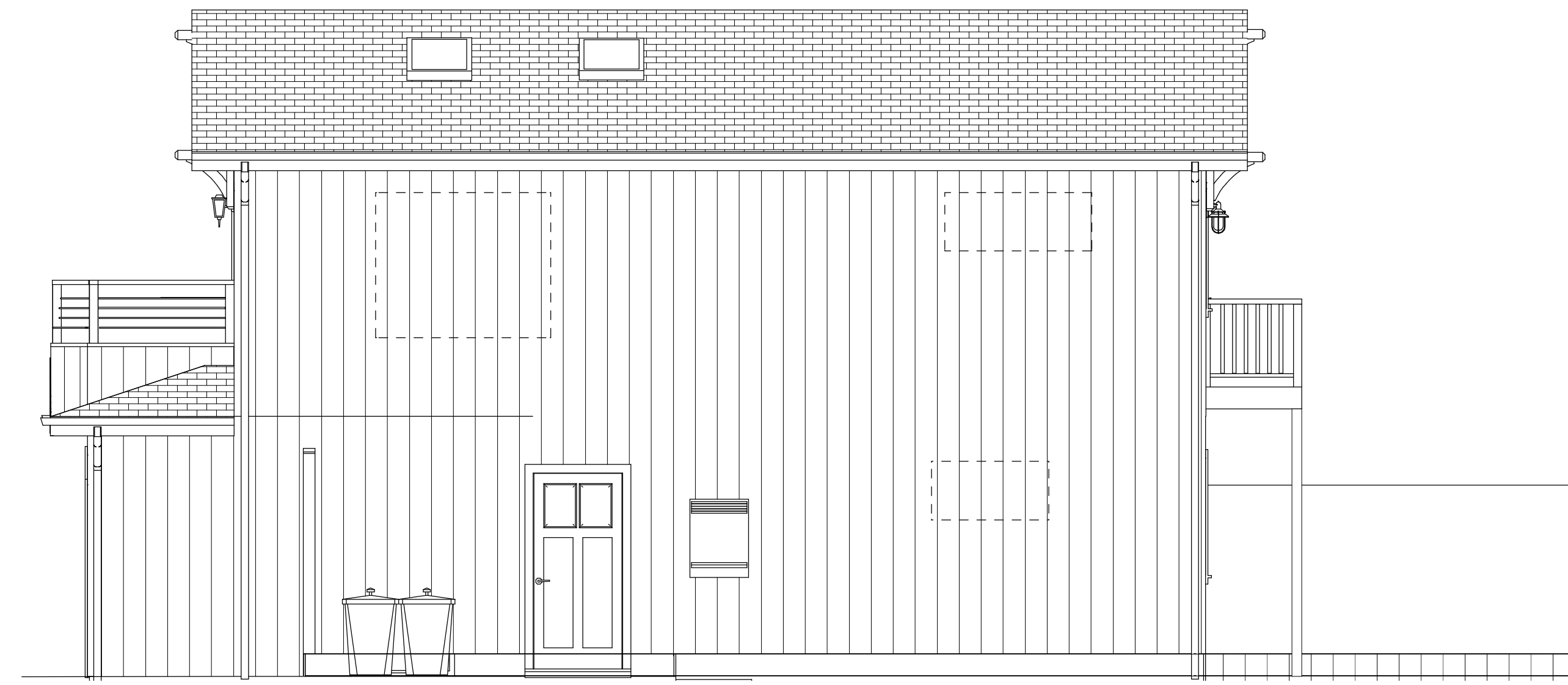
PLAN DATE:

12-07-15

A.P.N. 034-043-16



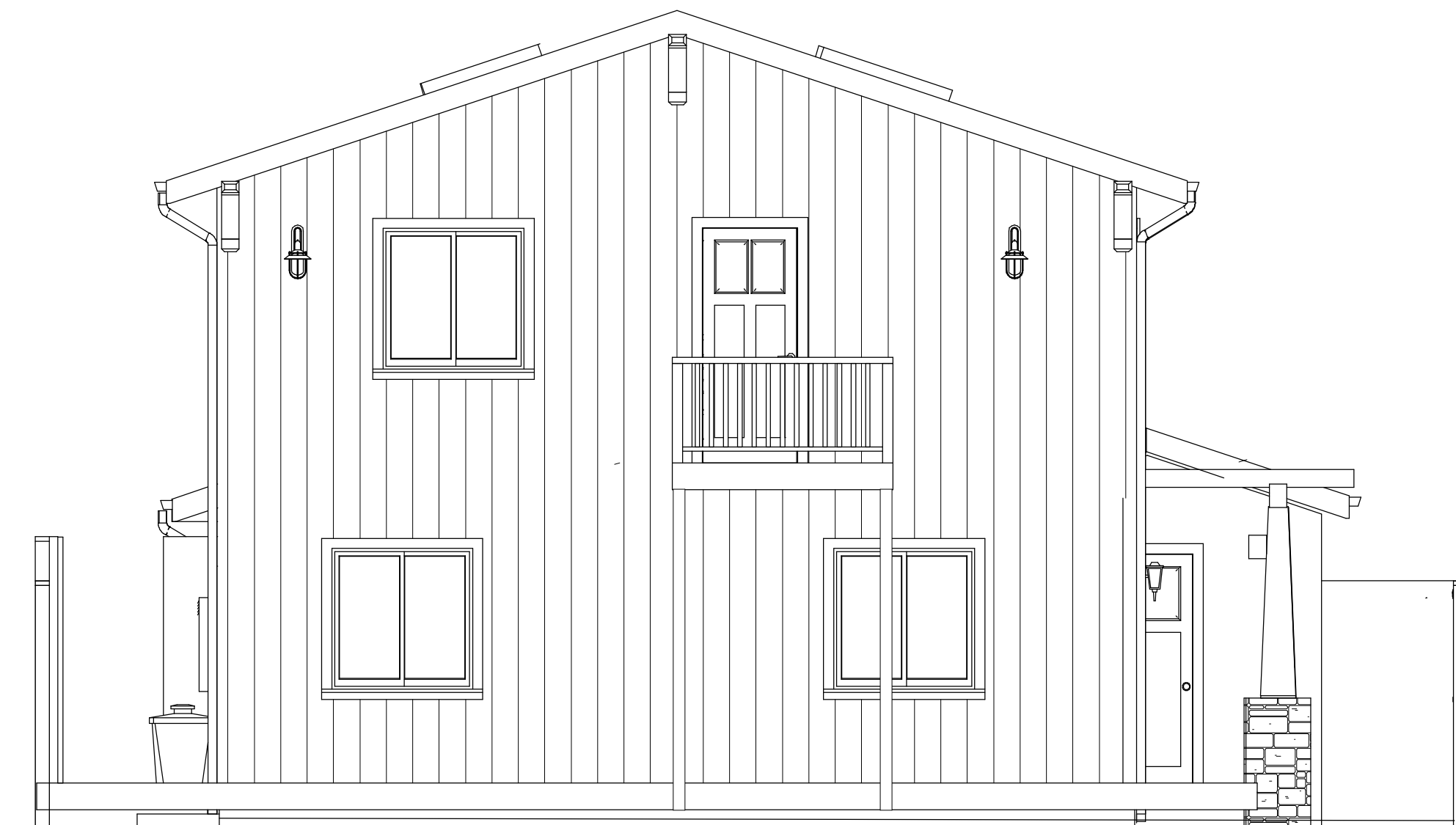
EXISTING WEST ELEVATION
scale 1/4"=1'-0"



PROPOSED WEST ELEVATION
scale 1/4"=1'-0"



EXISTING SOUTH ELEVATION
scale 1/4"=1'-0"



PROPOSED SOUTH ELEVATION
scale 1/4"=1'-0"

PROPOSED REMODEL:

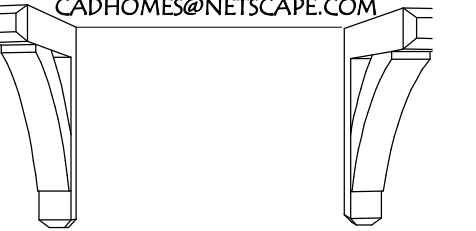
DAVID AND DEB AARON
4980 GARNET STREET
CAPITOLA, CA 95010

Attachment: Revised Project Plans 4-19-16 (1438 : 4980 Garnet St. Design Permit and Variance Appeal)

A.P.N. 034-043-16

SHEET NUMBER

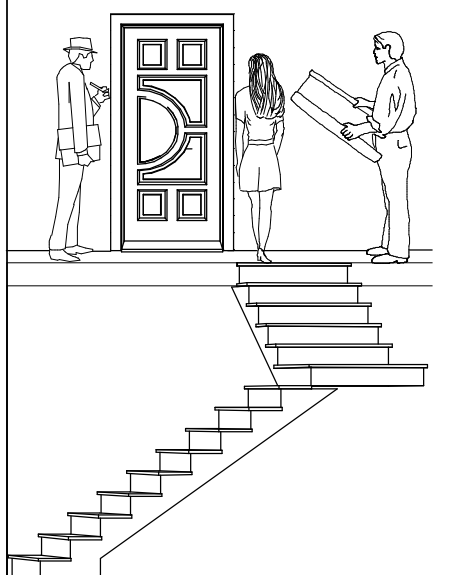
A5



PLAN DATE:

12-07-15

A.P.N. 034-043-16



COLORS & MATERIALS

- 1) BODY COLOR: LIGHT FRENCH BLUE
- 2) TRIM COLOR: PURE WHITE
- 3) OGEE GUTTER: DOVER WHITE
- 4) ROOFING: (E) GRAY CLASS 'B' COMP SHINGLES
- 5) FRONT DOOR: MAHOGANY STAINED WOOD
- 6) WINDOWS: WHITE VINYL MILGUARD
- 7) EXISTING FENCE: UNTREATED REDWOOD
- 8) ROCK POST BASE: COUNTRY LEDGESTONE
- 9) DECK RAILING: 4x4 RDWD POSTS w/ CABLE BALUSTRADE
- 10) SIDE & REAR DECK RAILINGS: 4x4 RDWD POST w/ 2x2 BALUSTRADE
- 11) MATCH EXISTING T1-11 FIR SIDING



EXISTING NEIGHBORHOOD SETBACKS



PROPOSED REMODEL:

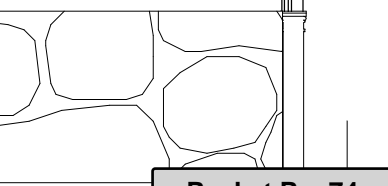
DAVID AND DEB AARON

4980 GARNET STREET
CAPITOLA, CA 95010

A.P.N. 034-043-16

SHEET NUMBER

A7



**DRAFT MINUTE EXCERPT
CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, APRIL 14, 2016**

9. GENERAL GOVERNMENT / PUBLIC HEARINGS

B. Appeal of a Planning Commission Approval of a Design Permit and Variance for a Garage Addition to a Single-family Home Located at 4980 Garnet Street

RECOMMENDED ACTION: Uphold the Planning Commission's decision to approve the project as conditioned.

David Aaron, applicant, provided information on the proposed garage addition for his single-family home located at 4980 Garnet Street.

Jan Caldarella, appellant, provided reasoning for appealing this item.

Bret Gresley, 5010 Garnet Street, stated that he supports the appeal.

Motion by Council Member Termini, second by Council Member Harlan, to uphold the Planning Commission's decision to approve the project as conditioned. After discussion, the motion and second were withdrawn.

RESULT:	NO ACTION TAKEN REGARDING UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE A DESIGN PERMIT AND VARIANCE FOR A GARAGE ADDITION FOR A SINGLE-FAMILY HOME LOCATED AT 4980 GARNET STREET; AND TO CONTINUE THIS ITEM WHEN THE APPLICANT'S FINAL PLANS ARE RECEIVED [UNANIMOUS]
MOVER:	Michael Termini, Council Member
SECONDER:	Stephanie Harlan, Vice Mayor
AYES:	Norton, Bottorff, Bertrand, Harlan, Termini

ATTEST:



Susan Sneddon, City Clerk

Attachment: Draft City Council Minutes 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)

City of Capitola Agenda

Mayor: Ed Bottorff
 Vice Mayor: Stephanie Harlan
 Council Members: Jacques Bertrand
 Dennis Norton
 Michael Termini
 Treasurer: Christine McBroom



REVISED

CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, APRIL 14, 2016

7:00 PM

**CITY COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010**

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

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Dennis Norton, Stephanie Harlan, Jacques Bertrand, Michael Termini and Mayor Ed Bottorff

2. PRESENTATIONS

A. Introduction of Sergeant Mark Gonzalez and Senior Officer Sara Ryan

RECOMMENDED ACTION: None.

3. ADDITIONAL MATERIALS

Additional information submitted to the City after distribution of the agenda packet.

A. Item 9.B. Public Communications regarding Design Permit for 4980 Garnet Street

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA
April 14, 2016

4. **ADDITIONS AND DELETIONS TO AGENDA**

5. **PUBLIC COMMENTS**

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

6. **CITY COUNCIL / CITY TREASURER / STAFF COMMENTS**

City Council Members/City Treasurer/Staff may comment on matters of a general nature or identify issues for staff response or future council consideration.

7. **REPORT FROM CITY REPRESENTATIVES TO REGIONAL BOARDS / COMMISSIONS**

8. **CONSENT CALENDAR**

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

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

- A. Consider the March 24, 2016, Regular City Council Minutes
RECOMMENDED ACTION: Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Special Meetings of March 17 and March 31, 2016
RECOMMENDED ACTION: Receive Minutes.
- C. Award Construction Contract to Monterey Peninsula Engineering for the Rosedale Area Paving Project
RECOMMENDED ACTION: Award a contract to Monterey Peninsula Engineering for the Rosedale Area Paving Project with a bid in the amount of \$228,676.50 for construction of the Rosedale Avenue Paving Project, and authorize the Public Works Director to add a section of Plum Street from Rosedale Avenue to the Brookvale Terrace Mobile Home Park into the project at an estimated cost of \$12,000.
- D. Approve Contract Change Order No. 1 for the Stockton and Esplanade Improvement Project
RECOMMENDED ACTION:
 1. Approve Contract Change Order No. 1 for the Stockton Avenue and Esplanade Intersection Improvements in the amount of \$44,645 for the addition of sidewalk adjacent the David Lyng Real Estate office at the corner

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA
April 14, 2016

of Stockton Avenue and Capitola Avenue; and

2. Authorize and budget amendment receiving unanticipated revenue in the amount of \$10,000 from David Lyng for this project; and
3. Authorize the transfer of \$34,645 within the Capital Improvement Fund to cover the balance of this change order with funding coming from the Village Sidewalk Cooperative Project funding bank.

E. Professional Services Agreement with Ben Noble: Urban and Regional Planning for the Zoning Code Update

RECOMMENDED ACTION: Authorize the City Manager to enter into an agreement with Ben Noble Urban and Regional Planning in the amount of \$26,110 for completion of the Zoning Code Update.

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. Accept Report on the Capitola Wharf Condition Assessment and Wharf Resiliency Study (Study) and Provide Direction to Staff
RECOMMENDED ACTION: Accept the Study and provide direction to staff on a 10-year plan of improvements for the Capitola Wharf.

B. Appeal of a Planning Commission Approval of a Design Permit and Variance for a Garage Addition to a Single-family Home Located at 4980 Garnet Street
RECOMMENDED ACTION: Uphold the Planning Commission's decision to approve the project as conditioned.

C. Consider a Wharf House Lease Extension
RECOMMENDED ACTION: Give staff direction on the terms of the Wharf House Lease Extension and whether to prepare a competitive proposal process for the facility.

10. ADJOURNMENT

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

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

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA
April 14, 2016

Agenda and Agenda Packet Materials: The City Council Agenda and the complete Agenda Packet are available for review on the City's website: www.cityofcapitola.org and at Capitola City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, prior to the meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola. Need more information? Contact the City Clerk's office at 831-475-7300.

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

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

Televised Meetings: City Council meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be rebroadcasted at 8:00 a.m. on the Wednesday following the meetings and at 1:00 p.m. on Saturday following the first rebroadcast on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed "Live" on the City's website at www.cityofcapitola.org by clicking on the Home Page link "Meeting Video." Archived meetings can be viewed from the website at anytime.

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: James Salata <jsalata@GardenCityConst.com>
Sent: Thursday, February 25, 2016 11:23 AM
To: PLANNING COMMISSION
Subject: FW: Item #10.D. regarding Appeal of Design Permit and Variance for a Garage Addition Located at 4980 Garnet Street.

To The Members of the Planning Commission

My wife and I reside at 1505 Lincoln Ave. in Capitola across directly from the above mentioned project. On several occasions we have gone to the City of Capitola for permits. Once for a fence and once to close in a porch on the second story. In both instances we were instructed that we need to stick to the rules and ordinances in effect. In fact they were adamantly applied. The proposed variance at 4980 throws off the rhythm of the street and it does not matter how good the architecture supposedly is as that has nothing whatsoever to do with it. If you look at the street you can see and feel how all the houses line up as per the ordinances in place. There should be no exception for this property and this opens up the possibility of everyone asking for a variance. The laws and rules should be applied equally to all as they have been to us and they are there to provide consistency to the block.

Our neighborhood folks respect each other and try to be tolerant of each other but to encroach and throw the blocks architecture out of rhythm is flat wrong and sets a very poor precedent moving into the future.

Please do NOT approve this variance.

James A. Salata



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Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)

Copies hand
Monday, March 7
9.A.3

March 3, 2016

City Council
City of Capitola
420 Capitola Avenue
Capitola, California 95010

APR 13 2016
CITY OF CAPITOLA
CITY CLERK

Re: Appeal from issuance of Variance by the Capitola Planning Commission
for 4980 Garnet Street
#15-181 APN: 034-043-16

Dear Capitola City Council:

On February 4, 2016, during its regularly scheduled meeting, the Capitola Planning Commission voted 4 to 0 in favor of granting our request for a Design Permit and Variance that included a garage addition to be located in the front setback area of our home at 4980 Garnet Street. The Planning Commission’s decision was made following consideration of the Community Development Staff Report (“Staff Report”) and its recommendation for approval, and written and public comments from undersigned property owners and appellant Jan Caldarella. This letter (a) supplements our letter to the Planning Commission, dated January 28, 2016 (“Support Letter”) attached as Attachment 1 to this letter, supporting our request for a Design Permit and Variance, and (b) responds to certain matters raised by appellant Caldarella’s letter to the City Council, dated February 14, 2016 (“Letter of Appeal”).

Our family has lived in Santa Cruz county for the past 11 years, and we purchased our home at 4980 Garnet Street in October 2015 to be our full time residence. As we worked to enhance the functionality of the home to fit our family’s needs, we also tried to design a home that blended with the community. We believe the proposed additional 5 feet of length to our garage will create only minimal visual impact on the neighborhood, and that granting the requested Variance will not create special privileges for us in light of existing structures in the neighborhood.

The Staff Report references 12 properties on two blocks of Garnet Street with less than 15 feet setbacks. We believe that granting our Variance permitting an additional 5 feet of encroachment into the setback area will not constitute a special privilege in light of those 12 properties. Furthermore, we note that the Staff Report does not include homes that are built across the 20 foot setback but which have greater than 15 feet setbacks. For example, if a home had an 18 foot setback (still less than the 20 foot code requirement), that home would not appear on the Staff Report but it would still violate the setback requirement. The Staff Report is focused on two blocks of Garnet Street, but there are also many properties in the Jewel Box on nearby streets that also do not comply. Below is a photograph showing three additional examples on Lincoln Avenue and Prospect Avenue of houses not on Garnet Street but in very close proximity. We would disagree with the contention that the setback requirement applies only to the three houses at 5010 Garnet, 4980 Garnet, and 4960 Garnet. It applies to the entire neighborhood, so the entire neighborhood should be considered in evaluating

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)

whether the granting of our Variance request would constitute a special privilege.



Appellants Mr. and Mrs. Caldarella have filed an appeal of the Planning Commission decision, and have been joined by certain other property owners in the neighborhood. We would like to respectfully address and clarify certain elements of that Letter of Appeal:

- We currently have a 6 foot deck overhang at the front of our home. The requested Variance to increase the length of our garage by 5 feet applies only to the first floor of the structure, and sits entirely under an existing 6 foot deck overhang. In fact, our plans decrease the size overall mass of that second story deck, thereby minimizing the impact on visual site corridor and light on adjoining parcels. Our new 5 feet of garage space will sit entirely under the existing deck overhang (see yellow shaded area below). Appellants do not object to the blue shaded area, but do object to the yellow shaded area.



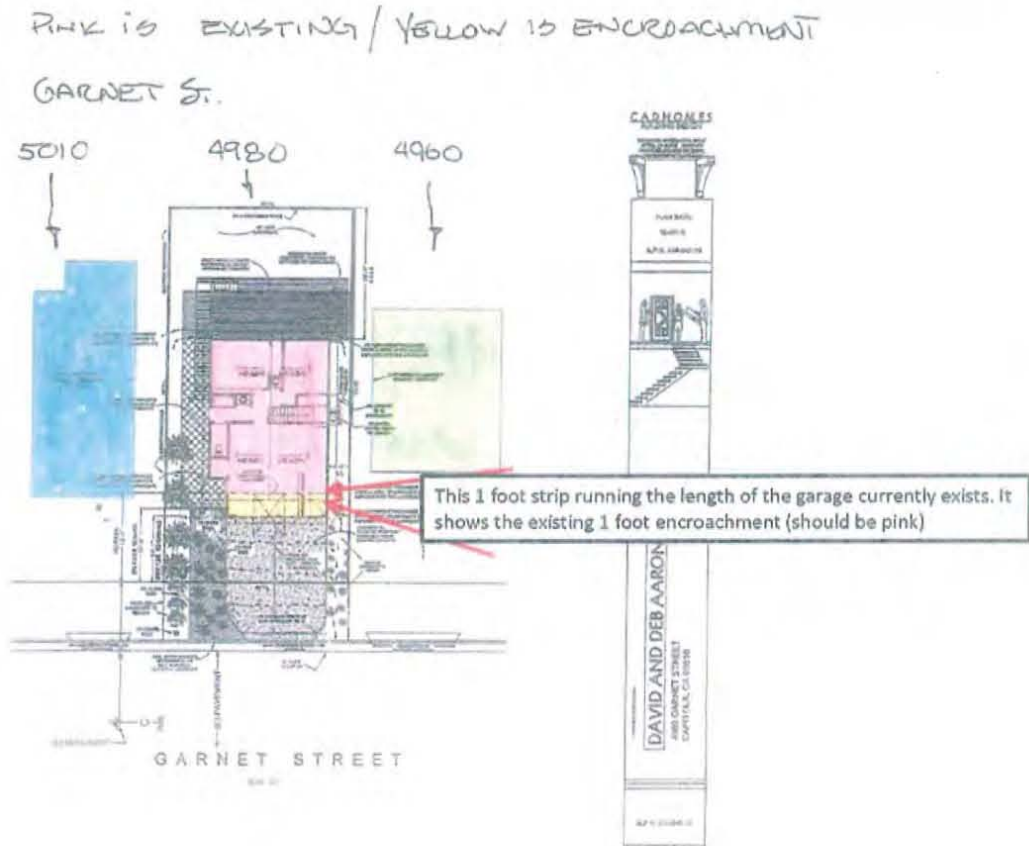
Before



After

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)

- Our house is already built 1 foot across the 20 foot setback. Currently, there exists 19 feet between the house and the property line, and then there is an additional 12 feet of unutilized right of way between the property line and the curb for a total of 31 feet. Our Variance request seeks to increase the current encroachment by 25% (5 feet divided by 20 feet = 25%). The Letter of Appeal characterizes those facts differently, and says that we are requesting a 6 foot encroachment that amounts to a 30% (notwithstanding the fact that the 1 foot encroachment currently exists). Numbers can be interpreted different ways. However, from a visual perspective, a person is unable to visually detect the location of property line. When viewed from the street, the 5 foot encroachment increase is a change of 16% from the existing house to the curb (5 feet divided by 31 feet = 16%). Even if you were to consider the total encroachment at 30%, we believe the additional 5 feet of first floor garage (built under the existing deck overhang) will only slightly modify the character of the neighborhood given the 12 foot unutilized right of way.
- We believe Page 4 of the Letter of Appeal mischaracterizes what is “existing” versus what is “encroaching.” The pink shaded area reflects what currently exists should also extend 1 foot into the yellow shaded area. The heading is misleading in that it suggests the 1 foot yellow strip shown below does not currently exist. We believe a more accurate description would show the 1 foot strip as both pink (existing) and also yellow (1 foot is the existing encroachment plus 5 feet under the requested Variance). Note, regardless of color, the entire 5 foot garage extension will sit under the deck shown in the picture.



Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)

- Page 3 of the Letter of Appeal includes an overhead picture from Google maps showing the “current alignment of houses in existing area.” We believe this perfectly demonstrates our point. This “current alignment” view will not change, as the requested 5 feet of garage space will sit entirely under the existing deck overhang. With the Variance, a future Google map picture showing this same street will show no change to the alignment. See the photo below from Page 3 of the Letter of Appeal:



CURRENT ALIGNMENT OF HOUSES IN IMPACTED AREA

- Appellants acknowledge in their Letter of Appeal that three properties on this block of Garnet Street do not meet the setback requirement, and suggest those properties should be disregarded. Nevertheless, these three properties do exist. They do not observe the 20 foot setback requirement. They do impact the overall look and feel of the neighborhood. Those facts on the ground cannot be disregarded, and those properties should not be discounted when considering whether our granting our Variance constitutes a special privilege.
- The alternative recommended by the Letter of Appeal (add 5 feet of garage space in the opposite direction toward the back of the house) would require the demolition of the immediately adjacent downstairs bathroom, the immediately adjacent staircase to access the upstairs of the house, a portion of the two small first floor bedrooms, require an entire redesign of the upstairs to accommodate the relocated staircase, as well as impact numerous structural and load bearing walls. It is neither practical nor financially viable to tear down the structure to pursue this alternative. We like the layout of the house, and want to maintain its overall flow. Our goal has been to enhance the existing home lot to better suit our family, while also complying with the city’s code requirements and variance procedures.

The plans we submitted with our Design Permit and Variance are not about us requesting a bigger house, or just about the 5 foot Variance. Our designs also provide benefits to adjoining neighbors:

- We are removing the second story windows at the front of both sides of the house, which will improve privacy and reduce noise for neighbors on the east and west adjoining parcels. Currently, these windows open directly into the neighbor's side yards and look directly into similarly placed windows on both neighbors' houses.
- We are removing the first floor window on the back bedroom on the west side of our house, which will also decrease noise and improve privacy for the west side adjoining neighbor.
- Our current front deck extends the length of the front of the house from the west to east side of the property, giving us a line of site view into our neighbor's yards on both sides. We are decreasing the size of the front deck so that it does not extend to the outer edges of the property and thereby improve privacy for both east and west side neighbors.
- We are removing the large cement driveway in front of our house, and replacing it with a permeable material with significantly smaller footprint. This will reduce water runoff to the street and adjoining parcels.

Our house to lot size ratio is currently 39.43%, which is greater than the maximum 30% ratio under the current code. Our designs will bring the house to lot ratio down to 29.5% (shrinking the size), and bringing it into conformance with current code requirements. We have made trade-offs and other significant reductions to bring the overall size of the house into compliance with code, even with the 5 foot garage extension.

Based on the foregoing, we believe the Planning Commission was correct, and request that you affirm their decision by granting our request for a Design Permit and Variance. Thank you for your consideration. We are happy to answer questions or provide additional information about the proposed project. Attachment 1 and the Staff Report are incorporated herein by this reference.

Very truly yours,



David & Deb Aaron



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 14, 2016

FROM: Community Development

SUBJECT: Appeal of a Planning Commission Approval of a Design Permit and Variance for a Garage Addition to a Single-family Home Located at 4980 Garnet Street

RECOMMENDED ACTION: Uphold the Planning Commission's decision to approve the project as conditioned.

BACKGROUND: The Planning Commission considered an application on February 4, 2016, for a Design Permit and variance for a garage addition to an existing single-family home at 4980 Garnet Street. The existing home is located in the R-1 (Single-Family Residential) zoning district. The proposed home addition includes converting the existing two-car carport into a garage, replacing the existing decks with smaller decks, and creating a new entryway along the front elevation. The applicant is seeking a variance to extend the proposed garage six feet into the required 20 foot front yard setback. The remodel also includes modifications to window and door placement to create increased privacy along the side elevations and an updated appearance of the front elevation (Attachment 3).

The existing carport is non-conforming in that it does not meet the front yard setback requirement of 20 feet and is not large enough to contain a legal, 20 foot deep covered parking space. The existing carport is setback 19 feet from the property line and the interior is only 15 feet in depth. In order to enclose the existing carport and create the two conforming, covered parking spaces, the applicant is requesting a variance from the front yard setback requirements to further extend the non-conforming covered parking area an additional five feet into the required front yard setback. The finished garage would have a 14 foot front yard setback, however there are 12 feet of unutilized right-of-way between the property line and the curb in this sidewalk exempt neighborhood. As proposed, the garage would be located 26 feet from the curb, which allows for two full-sized uncovered parking spaces in the front yard.

The existing home also contains a non-conforming second story deck in the front that is setback 13 feet from the front property line. The applicant proposes to reduce the size of the deck from 156 to 104 square feet, but continue the non-conforming setback at 13 feet. The variance for the garage addition will allow the front wall of the garage to encroach within 14 feet of the front property line, thus the garage will be setback further than the existing second story deck. Prior to the Planning Commission hearing, the applicant submitted additional material to represent the massing proposed in the front setback areas relative to neighboring properties (Attachment 6).

From a cursory review of the neighborhood, staff found that there are other properties within this neighborhood that do not meet the front yard setback requirements, and that the existing home at 4980 Garnet Street is the only home within this block of Garnet that has a carport instead of an enclosed garage (Attachment 7).

4980 Garnet St Design Permit and Variance Appeal
April 14, 2016

After considering the staff report and testimony from the applicant and members of the public, the Planning Commission voted unanimously to approve the Design Permit and Variance request (Attachment 1). The Planning Commission based their decision on the fact that the project will have minimal impacts on the neighborhood due to the non-conforming setbacks of neighboring properties, and that the subject property will be able to utilize the sidewalk exempt right-of-way in front of their property for uncovered parking. The Planning Commission felt that the impact on the neighborhood was minimal, and that the project would enhance the existing character of the neighborhood by enclosing the existing carport. An appeal of the Planning Commission decision was received on February 16, 2016.

DISCUSSION: On February 16, 2016, the City received an appeal of the Planning Commission decision (Attachment 8). The appeal cites concerns with the impact to community character as it relates to the uniformity of the surrounding neighborhood and that the garage variance would constitute the granting of a special privilege.

Community Character: The appellants identified concerns that the proposed garage enclosure and front yard setback encroachment would have a negative effect on the character and “uniformity” of the existing neighborhood. Specifically, *“this variance reflects a 30% encroachment of the front yard setback, which is unprecedented in the 4900 block of Garnet Street. Currently the homes on this block line up visually as a result of the setback ordinance.”*

Staff conducted a survey on the Garnet Street neighborhood (Attachment 7). The survey identifies 12 other properties in the area that do not meet front yard setback requirements along the entirety of Garnet Street, and three that do not conform within the specific 4900 block of Garnet. The appellant claims that these three homes (5005, 4955, and 5080 Garnet St) are not comparable.

The property at 5005 Garnet Street received a variance in 1999 to reduce parking requirements on a property that did not meet setback standards. 4955 Garnet Street is an existing, non-conforming property that was remodeled in 2000. 5080 Garnet Street is an existing apartment complex that, in 1987, apparently met all setback requirements. However, the plans submitted did not accurately represent the property setbacks, and after construction, staff realized the error. Staff required the applicant to resubmit for a variance in 1988 for the deck encroachment, which was approved. Although the three properties are not identical in nature to the subject property at 4980 Garnet St, they similarly benefit from reduced setback requirements.

Staff also observed that the home at 4980 Garnet Street is the only home within 4900 block that has a carport rather than a garage. The proposed remodel would update the property with a more compatible aesthetic to the existing homes within the block.

Variance Findings: The appellants identified concerns that the variance approval constitutes a granting of a special privilege as the existing parcel contains sufficient space to incorporate the new garage within allowable setbacks by pushing the home further into the rear yard.

During the Planning Commission review, it was noted that there is adequate room on the lot to accommodate a single-family home which complies with front yard setback requirements. However, to do so, the applicant would need to remove the existing stairwell located behind the back wall of the garage, which would require the applicant to demolish and rebuild much of the existing lower and upper floors of the home.

4980 Garnet St Design Permit and Variance Appeal
 April 14, 2016

Although there are no special circumstances applicable to the subject property in terms of size, shape, or configuration, several other properties in the vicinity and under identical zoning enjoy privileges of decreased front yard setbacks.

Staff recommends that the City Council uphold the Planning Commission approval of the variance due to the existing non-conforming setbacks throughout Garnet Street, the presence of 12 additional feet of unutilized right of way between the property line and the curb, and because the garage enclosure will complement the existing character of the neighborhood.

FISCAL IMPACT: None

ATTACHMENTS:

1. Planning Commission 2-4-16 minutes
2. Planning Commission 2-4-16 Staff Report
3. Project Plans
4. Permissible Structural Alterations Calculation
5. Applicant's Variance Request
6. Applicant Presentation 2-4-16 Planning Commission Hearing
7. Neighborhood Setback Survey
8. Appeal Letter

Report Prepared By: Ryan Safty
 Assistant Planner

Reviewed and Forwarded by:


 Mark Welch, Finance Director

4/7/2016



**FINAL MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, FEBRUARY 4, 2016
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

C. 4980 Garnet St #15-181 APN: 034-043-16

Design Permit and Variance request for a garage addition to be located in the front yard setback area of an existing residence in the R-1 (Single-Family Residential) Zoning District. This project is in the Coastal Zone but does not require a Coastal Development Permit. Environmental Determination: Categorical Exemption
Property Owner: David Aaron
Representative: Chris Sandman, filed 11/4/15

Commissioner Smith recused herself since she owns property within 500 feet of the project and left the dais.

Assistant Planner Safty presented the staff report. He noted the project includes a reduction in the size of a nonconforming deck and that existing parking in the carport is nonconforming. The proposal creates two full-size covered spaces in exchange for additional encroachment into the front yard setback. The subject property has no special circumstances, but other properties in the area have a similar encroachment.

Dave Aaron, applicant, spoke on behalf of the project and offered images showing the impact of the additional encroachment.

Commissioner Ortiz confirmed that garbage cans will be screened behind the stairway.

Commissioner Newman confirmed the project will have four parking spaces with use of the right-of-way in the sidewalk exempt area.

Jan Caldarella, neighbor, noted that the original application notice did not include a variance. She does not feel that in the immediate neighborhood properties with encroachments are comparable and her family and others have remodeled subject to the required setback.

Commissioner Ortiz said this is a difficult application. When she considers a variance, she asks is it moderate and does it enhance the neighborhood? She also suggested if there are many nonconforming properties in this neighborhood, perhaps an ordinance change is appropriate. Commissioner Westman agreed and noted the large second-story rear deck is being reduced.

Commissioner Newman said he feels the project is positive, but has technical concerns about meeting variance standards. Properties two blocks away with encroachments are not in the immediate neighborhood.

Chairperson Welch said he looks at the impact on the neighborhood. In this case, he feels there has been compromise and the benefits outweigh the concerns.

Motion: Approve a Design Permit and Variance with the following conditions and findings:

CONDITIONS

1. The project approval consists of a garage enclosure, deck remodel, and variance to front yard setback requirements to an existing single-family home. The maximum Floor Area Ratio for the 3,200 square foot property is 57% (1,824 square feet). The total FAR of the project is 56.6% with a total of 1,813 square feet, compliant with the maximum FAR

within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on February 4, 2016, except as modified through conditions imposed by the Planning Commission during the hearing.

2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #15-181 shall be paid in full.
8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
12. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan. Erosion and sediment control shall be installed prior to the commencement of construction and maintained throughout the duration of the construction project.

13. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
14. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
15. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
16. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
17. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
18. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

FINDINGS

A. The application, subject to the conditions imposed, secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.

The proposed garage addition at 4980 Garnet would not comply with the setback standards of the Zoning Ordinance, but special circumstances exist in relation with reduced front yard setbacks enjoyed by many surrounding properties, the presence of an additional 12 feet of unused right-of-way which provides additional separation from the street, and the predominance of enclosed garages in the neighborhood.

B. The application will maintain the character and integrity of the neighborhood.

The proposed garage addition and enclosure will slightly modify the character of the neighborhood by bringing the garage closer to the street. However, the conversion from a carport to a garage will better complement the existing character and form of the neighborhood by eliminating the presence of carports within this block of Garnet Street.

C. This project is categorically exempt under Section 15301-E of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

This project involves the addition to an existing single-family residence and a garage enclosure in the R-1 (Single-Family Residential) Zoning District. Section 15301-E of the CEQA Guidelines exempts additions to existing homes in a residential zone.

D. Special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, exist on the site and the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;

There are special circumstances applicable to the property in relation with reduced front yard setbacks enjoyed by many surrounding properties, the presence of an additional 12-feet of unused right-of-way which provides additional separation from the street, and the predominance of enclosed garages in the neighborhood.

E. The grant of a variance would not constitute a grant of a special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which subject property is situated.

The grant of a variance permit to front setbacks would not constitute the grant of a special privilege. There are at least 12 other properties on Garnet Street that similarly do not meet current front-yard setback requirements.

RESULT:	APPROVED [4 TO 0]
MOVER:	Gayle Ortiz, Commissioner
SECONDER:	Susan Westman, Commissioner
AYES:	Ortiz, Newman, Welch, Westman
RECUSED:	Smith

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: FEBRUARY 4, 2016
 SUBJECT: **4980 Garnet St #15-181 APN: 034-043-16**

Design Permit and Variance request for a garage addition to be located in the front yard setback area of an existing residence in the R-1 (Single-Family Residential) Zoning District. This project is in the Coastal Zone but does not require a Coastal Development Permit. Environmental Determination: Categorical Exemption
 Property Owner: David Aaron
 Representative: Chris Sandman, filed 11/4/15

APPLICANT PROPOSAL

The application is for a remodel at 4980 Garnet Street. The existing two-story home is located in the R-1 (Single-Family Residential) Zoning District. The existing home is not listed on Capitola's 2005 Historic Structures List. The remodel includes converting the existing two car carport into a garage, replacing the existing decks with smaller decks, and creating a new entryway along the front elevation (Attachment 1). The applicant is seeking a variance to extend the proposed garage six feet into the required 20 feet front yard setback. The remodel also includes modifications to window and door placement to create increased privacy along the side elevations and an updated appearance of the front elevation.

BACKGROUND

The above matter was reviewed by the Architectural and Site Review Committee on November 18th, 2015. The following direction was provided to the applicant in regards to the original proposal:

- City Public Works representative, Danielle Uharriet, requested that the applicant submit storm water calculations, clarify the type and location of impervious materials, obtain a Revocable Encroachment Permit for landscaping in the right-of-way, and disconnect downspouts.
- City Building Official, Brian Van Son, explained that egress rules must be met on the window on the north side of the second story bedroom and that the eastern second-story wall will need to be fire-rated.
- City Architect Representative, Frank Phanton, recommended that the applicant move the new entrance area behind the garage.
- City Landscape Architect Representative, Craig Walsh, had no comments.
- City Planner, Ryan Safty, explained that the driveway approach proposal is 20 feet wide and the maximum allowed is 40% of property width (16 feet), the shed on the first floor should be labeled "existing" on the site plan, the application requires a an 80% non-

conforming calculation, the proposed extension of the front deck does not comply with code, and the new entry wall must be 15 feet back from the property line to comply with the front yard setback.

Following the Architectural and Site Review meeting, the applicant submitted storm water calculations and obtained a revocable encroachment permit for landscape work in the right-of-way from the Public Works Department. The applicant submitted a "Construction Cost Breakdown" sheet to the Building Department, ensuring that the addition will not result in greater than an 80% increase to the structures value (Attachment 2). The applicant revised the site plan to clarify the type and location of impervious materials, reduced the driveway approach width to 16 feet, labeled the first floor shed "existing", reduced the front deck, and relocated the entryway to comply with the 15 foot front yard setback.

ZONING SUMMARY

The following table outlines the zoning code requirements for development in the R-1(Single Family Residential) Zoning District relative to the application.

R-1 (Single Family Residential) Zoning District

Development Standards				
Building Height	R-1 Regulation		Existing	Proposed
	25'-0"		22'-11"	22'-11"
Floor Area Ratio (FAR)				
Lot Size	3,200 sq. ft.			
Maximum Floor Area Ratio	57% (Max 1,824 sq. ft.)			
First Story Floor Area			468 sq. ft.	507 sq. ft.
Carport/ Garage Area			390 sq. ft.	440 sq. ft.
Second Story Floor Area			858 sq. ft.	858 sq. ft.
Second Story Decks (first 150 sq.ft. of second story decks do not count towards FAR)			386 sq. ft. (-150sq. ft.) = 236 sq. ft.	158 sq. ft. (-150 sq. ft.) = 8 sq. ft.
TOTAL FAR			1,952 sq. ft.	1,813 sq. ft.
Yards (setbacks are measured from the edge of the public right-of-way)				
	R-1 Regulation		Existing	Proposed
Front Yard 1st Story	15 ft.		19 ft.	15.6 ft.
Front Yard Garage	20 ft.		19 ft. <i>Existing Non-Conforming</i>	14 ft. Variance Requested
Front Yard 2nd Story	20 ft.		19 ft. <i>Existing Non-Conforming</i>	19 ft. <i>Existing Non-Conforming</i>
Front Yard 2nd Story Deck	20 ft.		13 ft. <i>Existing Non-Conforming</i>	13 ft. <i>Existing Non-Conforming</i>
Side Yard 1st Story	10% lot width	Lot width 40 4 ft. min.	4.6 ft. (Right) 5.5 ft (Left)	4.6 ft. (Right) 5.5 ft (Left)
Side Yard 2nd Story	15% of width	Lot width 40 6 ft. min	4.6ft. (Right) <i>Ex. non-conforming</i> 9 ft. (Left)	4.6 ft. (Right) <i>Ex. non-conforming</i> 9 ft. (Left)
Rear Yard 1st Story	20% of lot	Lot depth 80	27.6 ft	27.6 ft

	depth	16 ft. min.		
Rear Yard 2nd Story	20% of lot depth	Lot depth 80 16 ft. min	28 ft.	28 ft.
Rear Yard 2nd Story -Stairs-	10 ft.		28 ft.	15 ft.
Encroachments:	Water Heater Shed (side yard)		Encroaches 2 ft. <i>Existing Non-Conforming</i>	Encroaches 2 ft. <i>Existing Non-Conforming</i>
	2 nd Story Deck into front yard		Encroaches 6 ft. <i>Existing Non-conforming</i>	Encroaches 6 ft. <i>Existing Non-conforming</i>
Parking				
	Required		Existing	Proposed
Residential (from 1,501 up to 2,000 sq. ft.)	2 spaces total: 1 covered 1 uncovered		2 uncovered	2 covered
Underground Utilities: required with 25% increase in area			N/A	

DISCUSSION

The applicant is proposing to convert an existing carport into a two-car garage. The existing carport is only 15 feet deep when the code requires 20, and is thus undersized. The applicant is proposing to extend the garage five feet forward, converting the undersized carport into a full-sized two-car garage. A variance is required to extend the garage into the required front yard setback.

Adjacent to the garage, the applicant is proposing an entryway leading to the side patio area. The entry wall contains a front door, vertical “fir” siding, stone pillars, and a gable roof design to match the existing home and give the appearance of an enclosed front entrance. Additionally the remodel includes modifications to window and door placement to create increased privacy along the side elevations and an updated look on the front elevation.

Lastly, the applicant is proposing to modify the design of the exterior stairways and second-story deck space. The front yard second-story deck is currently non-conforming, in that it is only setback 13 feet when 20 are required (§17.15.130). The applicant is proposing to reduce the size of the deck from 156 to 104 square feet, but continue the non-conforming setback at 13 feet. The rear yard deck will be reduced from 230 to 54 square feet. In total, the second-story deck space would be reduced by 228 square feet.

Parking

The existing setbacks and parking at 4980 Garnet Street are non-conforming pursuant to section 17.15.130 of the Capitola Municipal Code. The existing 1,813 square foot home is required to have two parking spaces, one of which must be covered. Currently, the applicant has room for two full-size 18 feet by 10 feet uncovered parking spaces in the 19 foot deep driveway. Since the home is located in a sidewalk exempt area, the required length for uncovered parking spaces is reduced from 20 feet to 18. However, the existing 15 foot deep carport is undersized and therefore the applicant currently has no compliant covered parking spaces on-site. Additionally, front yard setbacks to garages are required to have 20 feet. The existing carport is located 19 feet from the property line and is non-conforming.

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)

The applicant is proposing two covered parking spaces within the garage by extending the front elevation of the first story five feet forward. The additional five feet decreases the existing front yard from 19 feet to 14 feet. Although the plan would create two full sized covered parking spaces, the new garage would increase the existing non-conforming front yard setback. The uncovered parking spaces in the front of the home will decrease from 19 feet to 14 feet in depth. It should be noted that there is an additional 12 feet of unutilized right of way between the property line and the curb. As proposed, the garage will be located 26 feet from the curb.

The Municipal Code requires minimum parking requirements be met with an increase of 10% to the existing floor area of the home. In total, the applicant is proposing to remove 139 square feet of floor area on the property and is therefore not required to meet minimum parking as a part of this remodel. However, the application as proposed will bring the site into compliance with two onsite covered parking spaces.

Variance

The applicant is requesting a variance to allow the new garage to further encroach into the front yard setback area. Pursuant to §17.66.090, the Planning Commission may grant a variance permit when it finds:

- A. There are special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
- B. That the grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which subject property is situated.

The property at 4980 Garnet Street is a regular-shaped, flat lot. Properties within the block are generally of similar size. There are no special circumstances applicable to the lot related to the size, shape, or topography.

The applicant is requesting a variance due to the current built conditions within the property. The applicant considered extending the interior wall of the carport four feet into the existing home but found this alternative would cause major changes to the internal layout of the home due to the staircase location behind the wall of the carport. The bedrooms on the bottom and top floor would be impacted. The proposed minor remodel would become a major remodel if they were required to relocate the internal staircase. The applicant is requesting the variance to maintain the staircase location and the existing internal layout of the home.

The Planning Commission could find that the grant of a variance permit would not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity. From a cursory review, staff found that there are other properties within this neighborhood that do not meet the front yard setback requirements (Attachment 3). Staff was able to locate 12 properties along Garnet Street that do not meet the required front yard setbacks. Staff also observed that the home at 4980 Garnett Street is the only home within this block that has a carport rather than a garage. The proposed remodel would update the property with a more compatible aesthetic form to the existing homes within the block.

Although there are not special circumstances applicable to the subject property, other properties in the vicinity and under identical zoning do enjoy privileges of decreased front yard setbacks. If

a variance were granted by the Planning Commission, the analysis would support that this is not a grant of special privileges. Staff recommends Planning Commission approve of the variance due to the existing non-conforming setbacks throughout Garnet Street, the presence of 12 additional feet of unutilized right of way between the property line and the curb, and because the garage enclosure will complement the existing character of the neighborhood.

CEQA REVIEW

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures. This project involves the enclosure of a garage in the front-setback area of an existing home in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** application #15-181 and associated variance request, based on the following Conditions and Findings for Approval.

CONDITIONS

1. The project approval consists of a garage enclosure, deck remodel, and variance to front yard setback requirements to an existing single-family home. The maximum Floor Area Ratio for the 3,200 square foot property is 57% (1,824 square feet). The total FAR of the project is 56.6% with a total of 1,813 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on February 4th, 2016, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit # 15-181 shall be paid in full.

8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
12. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan. Erosion and sediment control shall be installed prior to the commencement of construction and maintained throughout the duration of the construction project.
13. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
14. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
15. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
16. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
17. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.

18. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

FINDINGS

- A. **The application, subject to the conditions imposed, secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
The proposed garage addition at 4980 Garnet would not comply with the setback standards of the Zoning Ordinance, but special circumstances exist in relation with reduced front yard setbacks enjoyed by many surrounding properties, the presence of an additional 12-feet of unused right-of-way which provides additional separation from the street, and the predominance of enclosed garages in the neighborhood.
- B. **The application will maintain the character and integrity of the neighborhood.**
The proposed garage addition and enclosure will slightly modify the character of the neighborhood by bringing the garage closer to the street. However, the conversion from a carport to a garage will better complement the existing character and form of the neighborhood by eliminating the presence of carports within this block of Garnet Street.
- C. **This project is categorically exempt under Section 15301-E of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
This project involves the addition to an existing single-family residence and a garage enclosure in the R-1 (Single-Family Residential) Zoning District. Section 15301-E of the CEQA Guidelines exempts additions to existing homes in a residential zone.
- D. **Special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, exist on the site and the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;**
There are special circumstances applicable to the property in relation with reduced front yard setbacks enjoyed by many surrounding properties, the presence of an additional 12-feet of unused right-of-way which provides additional separation from the street, and the predominance of enclosed garages in the neighborhood.
- E. **The grant of a variance would not constitute a grant of a special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which subject property is situated.**
The grant of a variance permit to front setbacks would not constitute the grant of a special privilege. There are at least 12 other properties on Garnet Street that similarly do not meet current front yard setback requirements.

ATTACHMENTS:

1. Project Plans
2. Permissible Structural Alterations

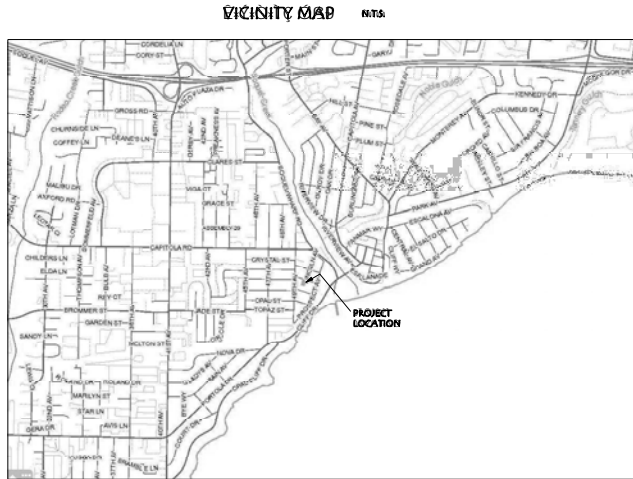
3. Neighborhood Setback Survey
4. Variance Request

Prepared By: Ryan Safty
Assistant Planner

A.P.N. 034-043-16

AARON RESIDENCE

4980 GARNET STREET CAPITOLA, CALIFORNIA 95010



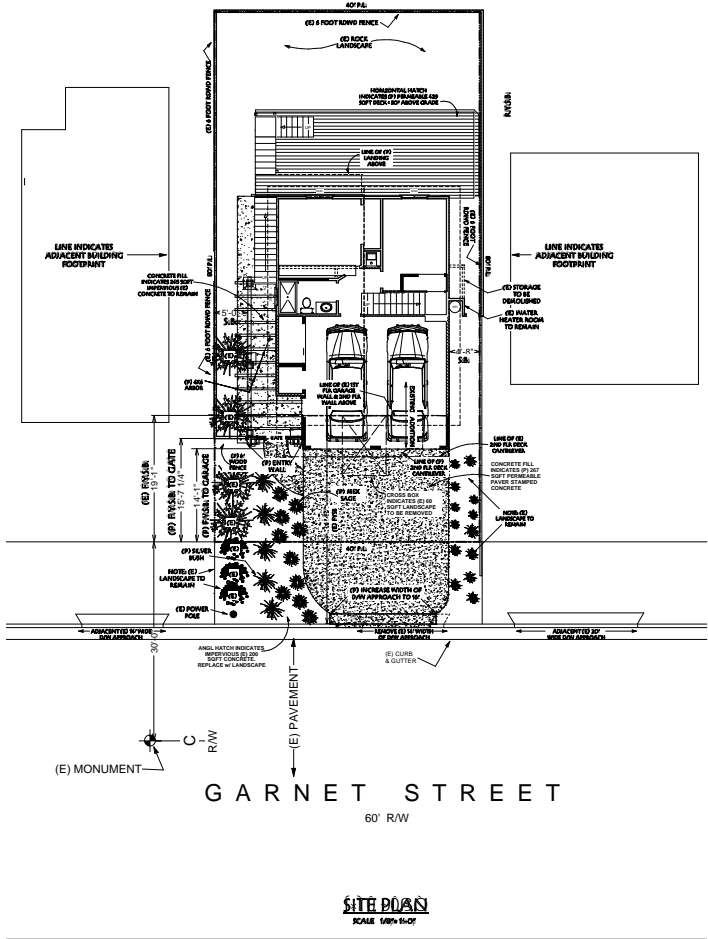
PROJECT DESCRIPTION:

PROPOSAL TO OBTAIN A VARIANCE TO ADD 5x22' ONTO EXISTING CARPORT APPROXIMATELY 6 FEET INTO FRONT YARD SETBACK RESULTING IN A 440 SQFT 2-CAR GARAGE. SCOPE OF WORK TO INCLUDE A KITCHEN REMODEL, LOWER BATH REMODEL/ADDITION & ADD CLOSET IN 1ST FLOOR SOUTHWEST BEDROOM.

AREA CALCULATIONS

PROPOSAL TO OBTAIN A VARIANCE TO ADD 5x22' ONTO EXISTING CARPORT APPROXIMATELY 6 FEET INTO FRONT YARD SETBACK RESULTING IN A 440 SQFT 2-CAR GARAGE. SCOPE OF WORK TO INCLUDE A KITCHEN REMODEL, LOWER BATH REMODEL/ADDITION & ADD CLOSET IN 1ST FLOOR SOUTHWEST BEDROOM.

APPLICANT		VARIANCE DE-04-00-0054-0	
APN:	034 043 16	LOT AREA:	11,000 sq ft
ALLOWABLE LOT COVERAGE:			
LOT COVERAGE			
RESIDENCE # 1ST LEVEL	1.00 (1) (1)	(0) (1) (1)	
COVERED PATIO / PORCH			
UNHEATED STORAGE	1.00 (1) (1)	(0) (1) (1)	
CANYONER 1/2" ABOVE GRADE			
GARAGE / CARPORT	1.00 (1) (1)	(0) (1) (1)	
DECKS 30" ABOVE GRADE	1.00 (1) (1)	(0) (1) (1)	
TOTALS	3.00 (3) (3)	(0) (3) (3)	
TOTAL LOT COVERAGE		(0) (3) (3)	
TOTAL LOT COVERAGE IN %		1.00 (1) (1)	
FLOOR AREA RATIO			
PARCEL SIZE	11,000 (1) (1)		
1ST FLOOR (ENCLOSED)	1.00 (1) (1)	(0) (1) (1)	
2ND FLOOR (ENCLOSED)	0.00 (0) (0)		
DECK (E) 30" SOFT- 228 SQFT- (P) 158 SQFT- 150 SQFT CREDIT- 8 SQFT			
FLOOR AREA (UNHEATED)	1.00 (1) (1)	(0) (1) (1)	
GARAGE	1.00 (1) (1)	(0) (1) (1)	
DEMOLISH (E) WEST STORAGE	0.00 (0) (0)		
(E) WEST STORAGE	0.00 (0) (0)		
SUB TOTAL	3.00 (3) (3)	(0) (3) (3)	
TOTALS	3.00 (3) (3)	(0) (3) (3)	
FLOOR AREA RATIO		0.00 (0) (0)	



SHEET INDEX

- A1) COVER SHEET, SITE PLAN, VICINITY MAP, AREA CALCULATIONS
- A2) (E) & (P) 1ST FLOOR PLAN
- A3) (E) & (P) 2ND FLOOR PLAN
- A4) (E) & (P) ELEVATIONS
- A5) (E) & (P) ELEVATIONS
- A6) DRAINAGE PLAN
- A7) PROPOSED 3 D'S/COLOR BOARD

REFERENCED STANDARDS

- BUILDING OCCUPANCY GROUP: R-3/U
- TYPE OF CONSTRUCTION: TYPE VB
- STORIES: TWO
- TOTAL FLOOR AREA:
- ENERGY METHOD: N/A
- SPRINKLER SYSTEM: NON-SPRINKLERED
- FIRE RET. ROOFING: CLASS B
- GEOTECH REPORT: N/A
- CODE EDITION: 2013 CA BUILDING CODE OF REGULATIONS TITLE 24, 2013 CA BUILDING 1 & 2 CODE, 2013 CA RESIDENTIAL CODE, 2013 CA MECHANICAL CODE, 2013 CA ELECTRICAL CODE, 2013 CA PLUMBING CODE, 2013 CA FIRE CODE, 2013 CA GREEN BUILDING STANDARDS CODE, 2013 CA ENERGY CODE

CONSULTANTS:

LANDSCAPE DESIGNER:
CHRISTOPHER SANDMAN
508 SANTA MARGARITA DRIVE
APT#5, CALIFORNIA 95005
PHONE 831-345-6892
EMAIL: CADHOMES@NETSCAPE.COM

PROJECT DATA:

PROJECT ADDRESS:
4980 GARNET STREET
CAPITOLA, CA 95010

ASSESSOR'S PARCEL NUMBER:
034-043-16

OWNER CONTACT INFORMATION:
DAVIE & DEB AARON
4980 GARNET STREET
408-396-1681

PROJECT DESCRIPTION:

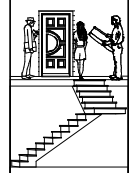
PROPOSAL TO OBTAIN A VARIANCE TO ADD 5x22' ONTO EXISTING CARPORT APPROXIMATELY 6 FEET INTO FRONT YARD SETBACK RESULTING IN A 440 SQFT 2-CAR GARAGE. SCOPE OF WORK TO INCLUDE A KITCHEN REMODEL, LOWER BATH REMODEL/ADDITION & ADD CLOSET IN 1ST FLOOR SOUTHWEST BEDROOM.



508 SANTA MARGARITA DRIVE
APT#5, CALIFORNIA 95005
PHONE 831-345-6892
EMAIL: CADHOMES@NETSCAPE.COM

PLAN DATE:
12-07-15

A.P.N. 034-043-16

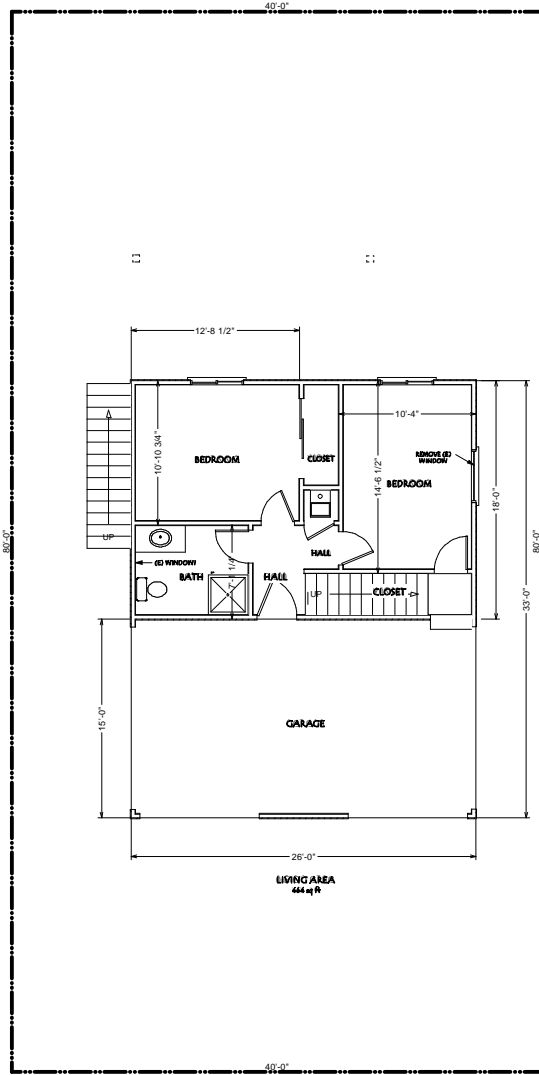


PROPOSED REMODEL:
DAVIE & DEB AARON
4980 GARNET STREET
CAPITOLA, CA 95010

A.P.N. 034-043-16

SHEET NUMBER
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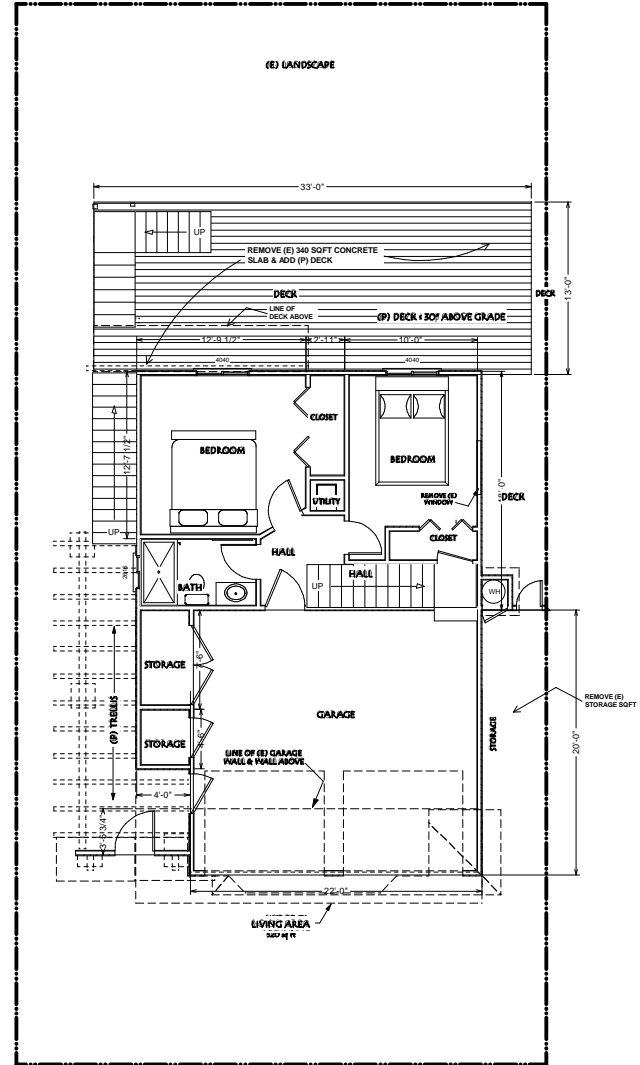
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EXISTING 1ST FLOOR PLAN
Scale 1/8" = 1'-0"

WALL LEGEND

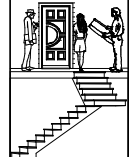
EXISTING WALLS	—
PROPOSED WALLS	—
ALTERED WALLS	—
TO BE REMOVED	----



PROPOSED 1ST FLOOR PLAN
Scale 1/8" = 1'-0"

CADHOMES
BUILDING DESIGN
308 SANTA MARICITA DRIVE
ATLANTA, GA 30307 CONTACT:
PHOTO: BRUCE/JOHN CO. DESIGN
CADHOMES@NETSCAPE.COM

PLAN DATE:
12-07-15
A.P.N. 034-043-16



PROPOSED REMOVAL:
DAVID AND DEB BARON
4980 GARNET STREET
CAPITOLA, CA 95010

A.P.N. 034-043-16

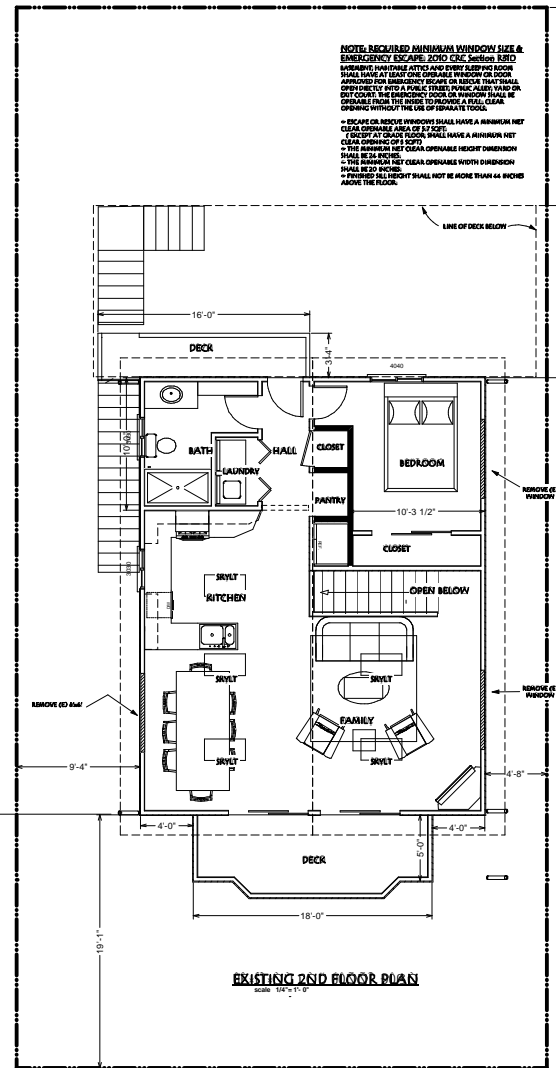
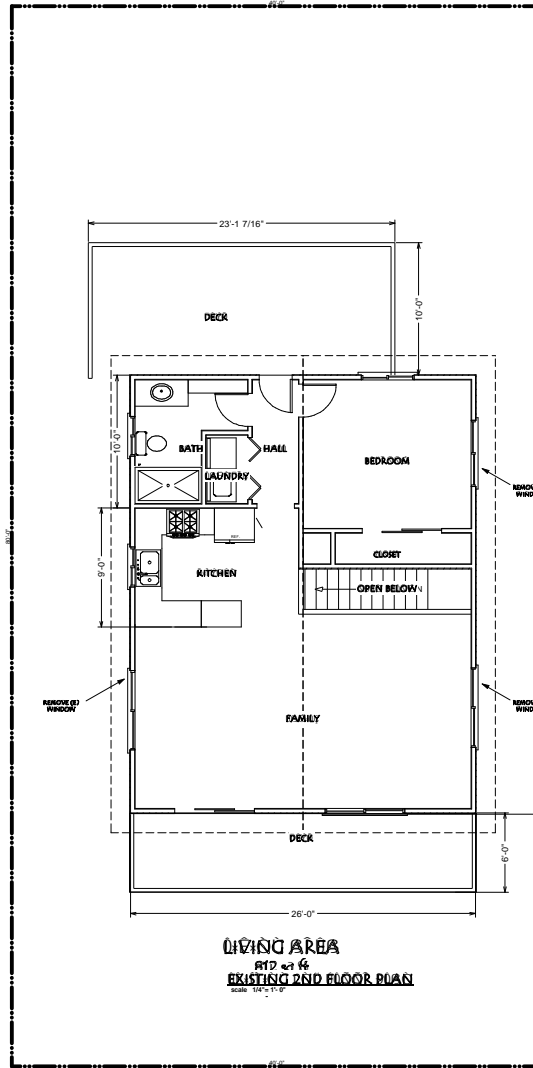
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32

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit

A.P.N. 034-043-16

WALL LEGEND

EXISTING WALLS	
PROPOSED WALLS	
ALTERED WALLS	
TO BE REMOVED	



NOTE: REQUIRED MINIMUM WINDOW SIZE & EMERGENCY ESCAPE 2010 CBC Section 7102
 REQUIREMENT: UNFINISHED ATTIC AND OTHER LEVELS BELOW SHALL HAVE AT LEAST ONE OPERABLE WINDOW OR DOOR APPROVED FOR EMERGENCY ESCAPE OR WINDOW THAT SHALL OPEN DIRECTLY INTO A PUBLIC CORRIDOR, WALKWAY, ALLEY, WARDEN EXIT CORRIDOR, THE EMERGENCY ESCAPE OR WINDOW SHALL BE OPERABLE FROM THE INSIDE WITHOUT THE USE OF TOOLS.
 - ESCAPE OR RESCUE WINDOWS SHALL HAVE A MINIMUM NET CLEAR OPERABLE AREA OF 5.7 SQ FT.
 - WINDOWS AT GRADE LEVEL SHALL HAVE A MINIMUM NET CLEAR OPERABLE AREA OF 5.7 SQ FT.
 - THE MINIMUM NET CLEAR OPERABLE WINDOW DIMENSION SHALL BE 20 INCHES.
 - THE MINIMUM NET CLEAR OPERABLE WIDTH DIMENSION SHALL BE 20 INCHES.
 - PROPOSED GLASS IT SHALL NOT BE MORE THAN 44 INCHES ABOVE THE FLOOR.

CAD HOMES BUILDING DESIGN
 508 SANTA ANA AVENUE, SUITE 100
 APTOS, CA 95021
 PHONE: 831.426.0100
 FAX: 831.426.0100
 WWW.CADHOMESBDR.COM

PLAN DATE:
 12-07-15

A.P.N. 034-043-16

PROPOSED FURNITURE:
DARIN AND DEB BARON
 4980 GARNET STREET
 CAPITOLA, CA 95010

A.P.N. 034-043-16

SHEET NUMBER
BB

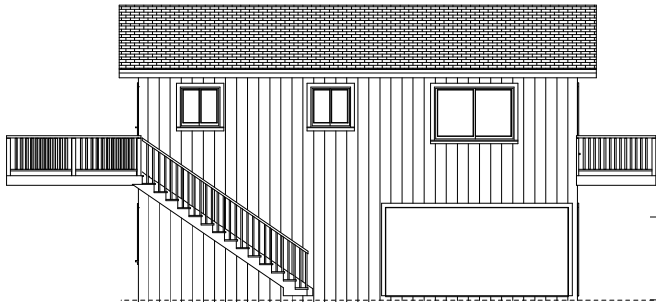
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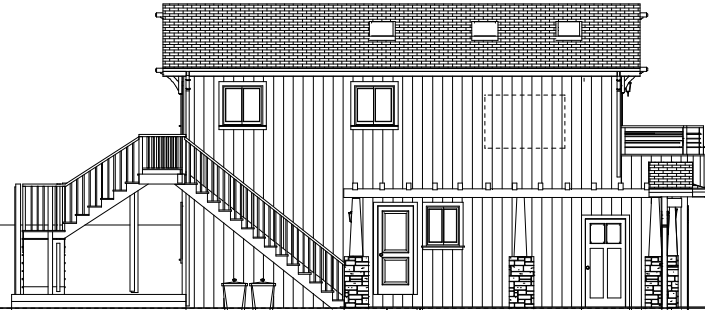
EXISTING NORTH ELEVATION
SCALE: 1/8" = 1'-0"



PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"



EXISTING EAST ELEVATION
SCALE: 1/8" = 1'-0"

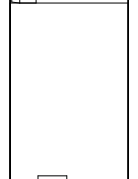
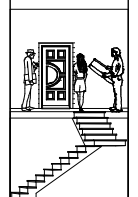


PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"

CADHOMES
BUILDING DESIGN
308 SHAWTA MARCHELITA DRIVE
AYRDS, CA 95027 CONTACT:
PHONE 916-358-0950 OR EMAIL
CADHOMES@NETSCAPE.COM



PLAN DATE:
12-07-15
A.P.N. 034-043-16

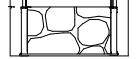


PROPOSED BY:
DAVID AND DEB BARON
4980 GARNET STREET
CAPITOLA, CA 95010

A.P.N. 034-043-16

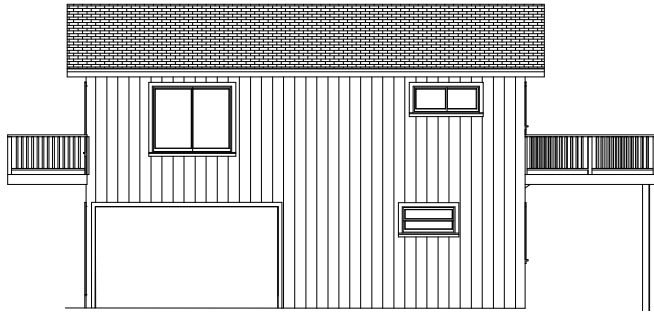
SHEET NUMBER

B4

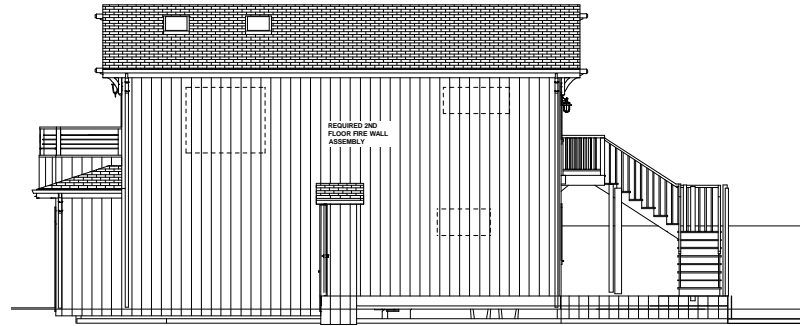


Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit

A.P.N. 034-043-16



EXISTING WEST ELEVATION
Scale 1/4" = 1'-0"



PROPOSED WEST ELEVATION
Scale 1/4" = 1'-0"



EXISTING SOUTH ELEVATION
Scale 1/4" = 1'-0"



PROPOSED SOUTH ELEVATION
Scale 1/4" = 1'-0"

CADHOMES
BUILDING DESIGN

308 SANTA MARCITA DRIVE
ATLANTA, GA 30307 CONTACT:
PHOTO: HILL/ROSE/OLYMPIA
CADHOMES@NETSCAPE.COM

PLAN DATE:
12-07-15
A.P.N. 034-043-16

PROPOSED FIREWALL:
DEB DEB DEB
4980 GARNET STREET
CAPITOLA, CA 95010

A.P.N. 034-043-16

SHEET NUMBER
B5

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit

A.P.N. 034-043-16

COLORS & MATERIALS

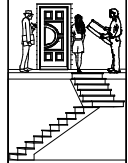
- 1) **BODY COLOR: LIGHT FRENCH BLUE**
- 2) **TRIM COLOR: PURE WHITE**
- 3) **DOOR CUTTER: DOVER WHITE**
- 4) **ROOFING: (E) GRAY CLASS 1B COMP SHINGLES**
- 5) **FRONT DOOR: MAHOGANY STAINED WOOD**
- 6) **WINDOWS: WHITE VINYL MILDWARD**
- 7) **EXISTING FENCE: EN-TREATED REDWOOD**
- 8) **ROCK POST BASE: COUNTRY LEDGESTONE**
- 9) **DECK RAILING: 4x4 RDWD POSTS w/ CABLE BALUSTRADE**
- 10) **SIDE & REAR DECK RAILINGS: 4x4 RDWD POST w/ 2x2 BALUSTRADE**
- 11) **MATCH EXISTING T1-11 FIR SIDING**



EXISTING NEIGHBORHOOD SETBACKS

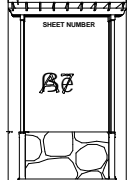


PLAN DATE:
12-07-15
A.P.N. 034-043-16



PROPOSED HOMESEL:
DEB DEB DEB
4980 GARNET STREET
CAPITOLA, CA 95010

A.P.N. 034-043-16



CADHOMES BUILDING DESIGN
 508 SANTA MARGUARITA DRIVE
 APTOS, CA. 95003
 PHONE - 831-345-6892



12-3-15

CLIENT: David and Deb Aaron
 4980 Garnet Street
 Santa Cruz, CA 95062

PROJECT: Addition & remodel to 4980 Garnet St.

Construction Cost Breakdown

EXISTING BUILDING COSTS:		
Existing Residence	1326 sqft @ \$200/sqft	\$ 265,200
Existing Garage	390 sqft @ \$90/sqft	\$ 35,100
Existing Deck	386 sqft @ \$25/sqft	\$ 9,650
Total Existing Value		\$ 309,950
80% Total Existing Value		\$ 247,960
REMODEL COSTS		
1st Floor Garage Addition	110 sqft @ \$90	\$ 9,900
1st Floor Bath (existing)	55 sqft @ \$100	\$ 5,500
1st Floor Bath (proposed)	30 sqft @ \$200	\$ 6,000
1st floor closet	19 sqft @ \$100	\$ 1,900
1st floor bedroom	18 sqft @ \$100	\$ 1,800
2nd floor closet/pantry	37 sqft @ \$100	\$ 3,700
2nd floor kitchen	118 sqft @ \$300	\$ 35,400
2nd floor family/dining	370 sqft @ \$100	\$ 37,000
2nd flr remove (E) deck	386 sqft @ \$25/sqft	-\$ 9,650
1st floor Proposed Deck	429 sqft @ \$25/sqft	\$ 10,725
2nd floor Deck Repair	104 sqft @ \$25/sqft	\$ 2,600
TOTAL	32.77 %	-\$ 104,875

#114,525

APPROVED

Signed 
 Date 12/14/15
 Permit No. 20150435

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)

CADHOMES BUILDING DESIGN
 508 SANTA MARGUARITA DRIVE
 APTOS, CA. 95003
 PHONE - 831-345-6892



11-25-15

CLIENT: David and Deb Aaron
 4980 Garnet Street
 Santa Cruz, CA 95062

PROJECT: Addition & remodel to 4980 Garnet St.

Construction Cost Breakdown

<u>EXISTING BUILDING COSTS:</u>		
Existing Residence	1326 sqft @ \$200/sqft	\$ 265,200
Existing Garage	390 sqft @ \$90/sqft	\$ 35,100
Existing Deck	386 sqft @ \$25/sqft	\$ 9,650
Total Existing Value		\$ 309,950
80% Total Existing Value		\$ 247,960
<u>REMODEL COSTS</u>		
1st Floor Bath	112 sqft @ \$100 ^{*200}	\$ 11,200
1st floor closet	19 sqft @ \$100	\$ 1,900
1st floor bedroom	18 sqft @ \$100	\$ 1,800
2nd floor closet/pantry	37 sqft @ \$100	\$ 3,700
2nd floor kitchen	118 sqft @ \$100 ^{*300}	\$ 11,800
2nd floor family/dining	370 sqft @ \$100	\$ 37,000
TOTAL	21.74%	\$ 67,400

*22,400
 *35,400
 *102,200

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)

January 28, 2016

RECEIVED

JAN 28 2016

CITY OF CAPITOLA

Katie Cattan
Senior Planner
City of Capitola Planning Commission
420 Capitola Ave.
Capitola, California 95010

Re: Design Permit and Variance request for 4980 Garnet Street
#15-181 APN: 034-043-16

Dear Ms. Cattan:

This letter is provided in support of our request for a Design Permit and Variance for a garage addition to be located in the front setback area of our home at 4980 Garnet Street. Our family has lived in Santa Cruz county for the past 11 years, and we purchased our home at 4980 Garnet Street to be our full time residence. We plan to invest a substantial portion of our savings in order to improve the appearance and functionality of the house, and to bring its condition up to match the condition of the other homes in the neighborhood. The designs submitted in support of our Design Permit and Variance reflect a Craftsman-style design appearance that is consistent with the character of the neighborhood.

We plan to live in this house for many years and be a part of this community. We are not undertaking this effort in order to resell for a profit. David works at a high tech company in Silicon Valley, and Deb is responsible for home schooling our daughter. We have walked around the neighborhood, and chose these design plans (5 foot encroachment, not greater) because we believe they conform with the overall aesthetic of the neighborhood. We believe our family and the community will benefit from the exterior improvements to the house. Our request is based on the following circumstances:

I. Variance Consistent with Houses in Neighborhood.

Other houses on Garnet Street, and the nearby Lincoln Avenue and Prospect Avenue, are already built in the front setback area. The Design Permit and Variance requested is consistent with what currently exists, so the expansion of our house in the front setback area will not be unique in the neighborhood. The grant of our requested variance would not be a special privilege inconsistent with other properties in the vicinity. Attached is an aerial photo showing the existing neighborhood setbacks. Our house is marked with a red "X". The easement is calculated from the black line in the center of the street, and the setback calculated from the thin black line ("Easement Line") that cuts across each property. The setback is 20 feet from the thin black Easement Line. So, a property in compliance with code would be 20 feet back from the Easement Line.

Aaron Design Permit and Variance
request for 4980 Garnet Street

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)

On our side of Garnet Street there are three structures that are built on or beyond the Easement Line, and which do not comply with the 20 foot setback requirement. On the opposite side of Garnet Street there are two structures build on or beyond the Easement Line, and which do not observe the 20 foot code setback. On Lincoln Avenue, there is one long structure that is built across the Easement Line, and which does not observe the 20 foot code setback. On Prospect Avenue, almost every house in the picture is built across the Easement Line (only two have arrows), and which do not observe the 20 foot code setback. If we were to expand the photo to include other neighborhood streets, this same theme is repeated over and over. Many houses are built on or across the Easement Line, and many others do not observe the 20 foot code setback.

2. Benefits to Neighborhood and Code Compliance.

Updates to the house provide benefits to adjoining neighbors:

- We are removing the second story windows at the front of both sides of the house, which will improve privacy and reduce noise for neighbors on the east and west adjoining parcels. Currently, these windows open directly into the neighbor's side yards and look directly into similarly placed windows on both neighbors' houses.
- We are also removing the first floor window on the back bedroom on the west side of our house, which will also decrease noise and improve privacy for the west side adjoining neighbor.
- Our current front deck extends the length of the front of the house from the west to east side of the property, giving us a line of site view into our neighbor's yards on both sides, We are decreasing the size of the front deck so that it does not extend to the outer edges of the property and thereby improve privacy for both neighbors.
- We are removing the large cement driveway in front of our house, and replacing it with a permeable material with significantly smaller footprint. This will reduce water runoff to the street and adjoining parcels.

Our house to lot size ratio is currently 39.43%, which is greater than the maximum 30% ratio under the current code. Our designs will bring the house to lot ratio down to 29.5%, and bringing it into conformance with current code requirements.

3. Safety.

Simply enclosing the existing carport will not provide adequate functionality or the safe environment that our family needs. If the existing carport were to be enclosed, there would be approximately 15 feet of length for a vehicle (180 inches). Our current vehicle is a mid-size car Volkswagen Passat, which is 188 inches in length. Our current car will simply not fit if we enclose but not expand the carport. Even with a smaller car there would not be adequate room for ingress and egress around the vehicle to the house. While we have a mid-sized car at this point, it is likely that someday we will purchase a full sized car, truck or SUV that will be closer

to 200 inches or longer. Even if a smaller car could be parked in the garage, the passengers would not be able to walk around the vehicle without the garage door being open.

Additionally, this is where our daughter's circumstances make the carport or a small garage personally unsafe for her. Our daughter is diagnosed with Autism and she has sensory processing challenges, creating a unique set of special circumstances for our family. She is extremely sensitive to noise, which cannot be avoided while driving in a car. Everyday noises like unexpected fire sirens, barking dogs, loud truck engines, motorcycles, or any number of common sounds trigger a fear response in her. A simple drive to the market can send her into a panic, resulting in an inability to make safe choices for herself. One way to allow her to calm herself is to park the car in the garage and sit quietly in the car until she is able to compose herself. Without having an enclosed garage, there is risk that she will run from the vehicle when we park. And, if the garage is not long enough to walk around it, we will not be able to prevent her tendency to run since the garage door would have to open to access the house. We believe that an additional 5 feet of garage length solves this safety risk in that we can safely park the car in the closed garage.

4. Security.

Although Capitola is a safe community, the configuration of the current carport on the lot creates a security risk. The carport is divided in three portions, with the west and east portions of the carport each having space for a vehicle to park. The center portion is an enclosed storage area that separates the two parking spaces. The front door to the house and an approximately 6 foot by 6 foot ingress/egress area is behind the enclosed storage area. This area behind the enclosed storage area is covered and cannot be seen from the street, nor by a car as it approaches the carport. Having this unsecured area that cannot be seen from the street creates a security risk for our family and visitors to our house because a person could remain in that area undetected. By enclosing the carport, we will eliminate this security risk.

5. Tear Down Not Financially Viable Option.

As discussed above, having an additional 5 feet added to the carport footprint is necessary for our family. The other option for the desired 20 foot garage is to add 5 feet of garage space in the opposite direction. Doing so would require the demolition of the downstairs bathroom, the staircase to access the upstairs of the house, a portion of the two small bedrooms, as well as impact numerous structural and load bearing walls. It is also not possible to expand in the rear direction of the house without crossing the rear setbacks. Our goal has been to enhance the existing home lot, while also complying with the city's code requirements. However, it is not financially viable to tear down the structure, and re-design the house to comply with our goals and the current code.

We believe that the proposed additional 5 feet of length to the garage will create only minimal impact on adjoining neighbors. The 5 foot length increase applies only to the first floor of the structure. In fact, we have decreased the size of the second story front deck, thereby minimizing the impact on visual site corridor and light on adjoining parcels. The house on the east side of the property will have little to no impact on visual and light as existing trees on the property

already block the westerly visual site corridor and some light. The house on the west side of the property will have some impact from the 5 foot expansion, however the house already has no view of the site corridor in a easterly direction because the house is set back approximately 3 feet behind the front of our existing structure. We appreciate that the requested 5 feet will have some impact their visual site line from the middle of their driveway. Any expansion in any direction would have some impact on neighbors. However, the additional 5 feet will not create a new condition from their house. The house on the west side property does not have a view of the site corridor now, so we believe the requested variance will not create an undue burden.

Thank you for your consideration of our request. We are happy to answer questions or provide additional information about the proposed project.

Very truly yours,

David & Deb Aaron

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)

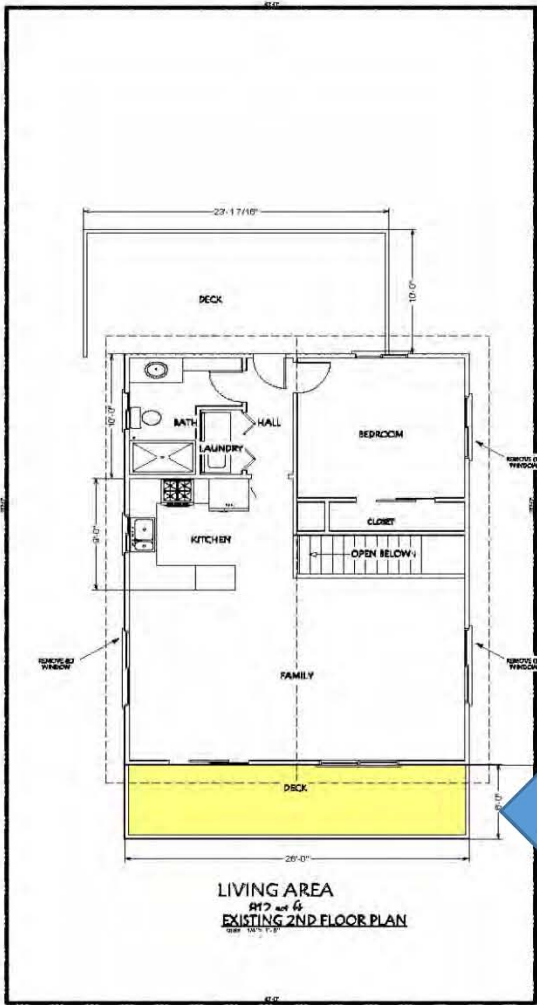


City of Capitola Planning Department
February 4, 2016 Meeting
Design Permit and Variance request for 4980 Garnet Street
David and Deb Aaron

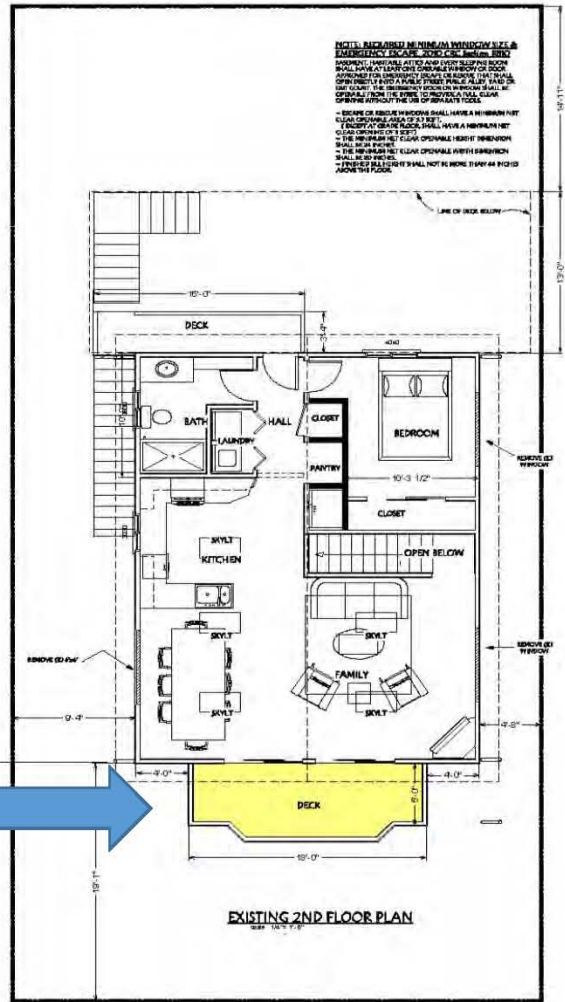


Photo from Caldarella letter, page 4 (cropped)



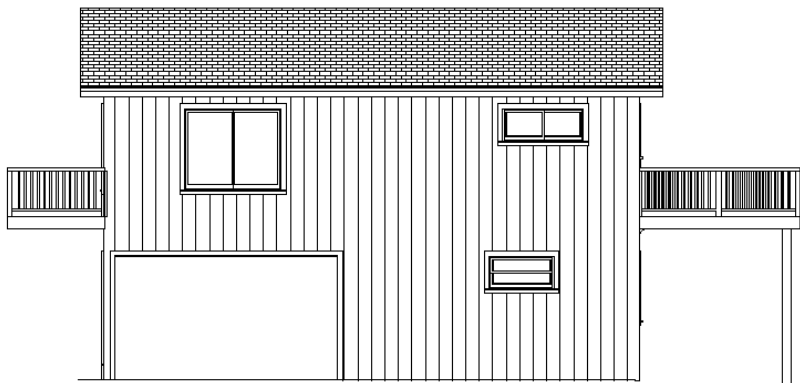


Before



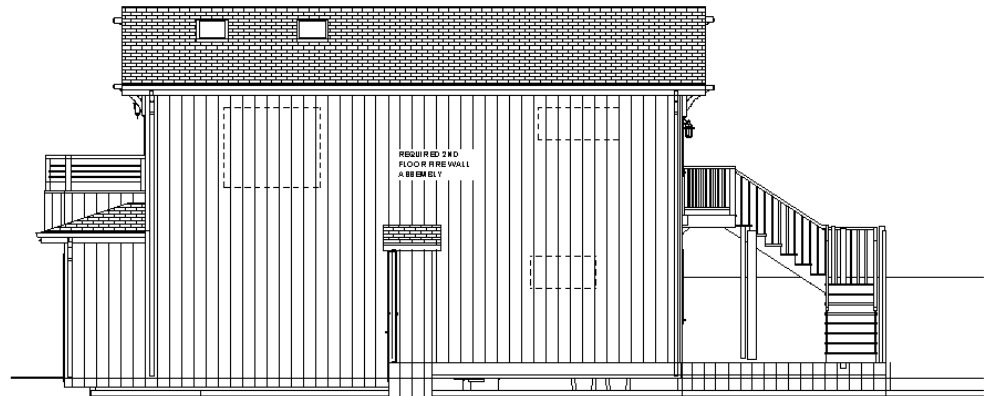
After





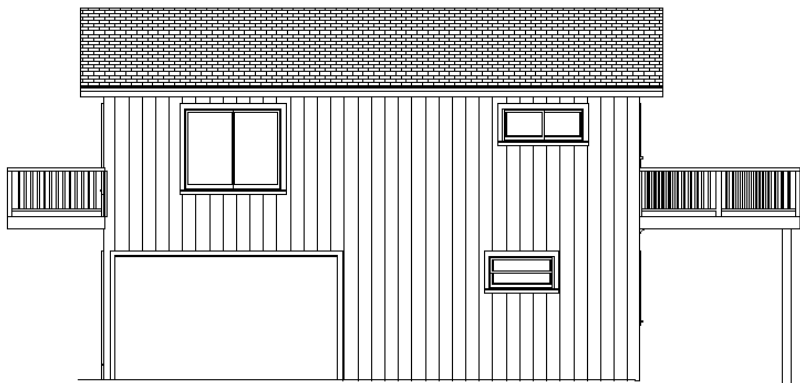
EXISTING WEST ELEVATION
SCALE 1/4" = 1'-0"

Before



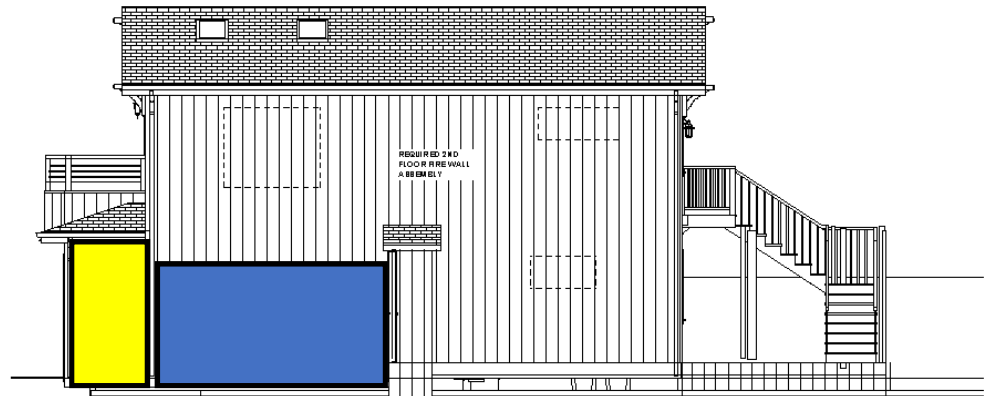
PROPOSED WEST ELEVATION
SCALE 1/4" = 1'-0"

After



EXISTING WEST ELEVATION
SCALE 1/4" = 1'-0"

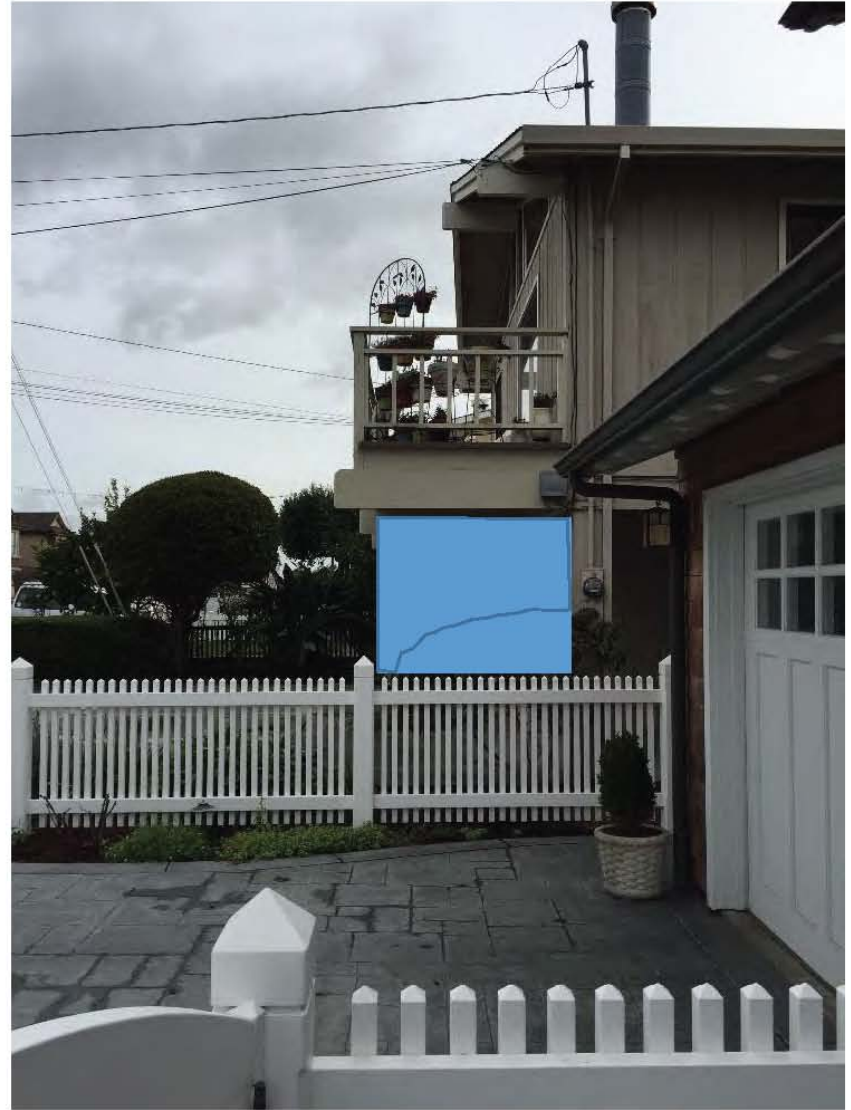
Before



PROPOSED WEST ELEVATION
SCALE 1/4" = 1'-0"

After

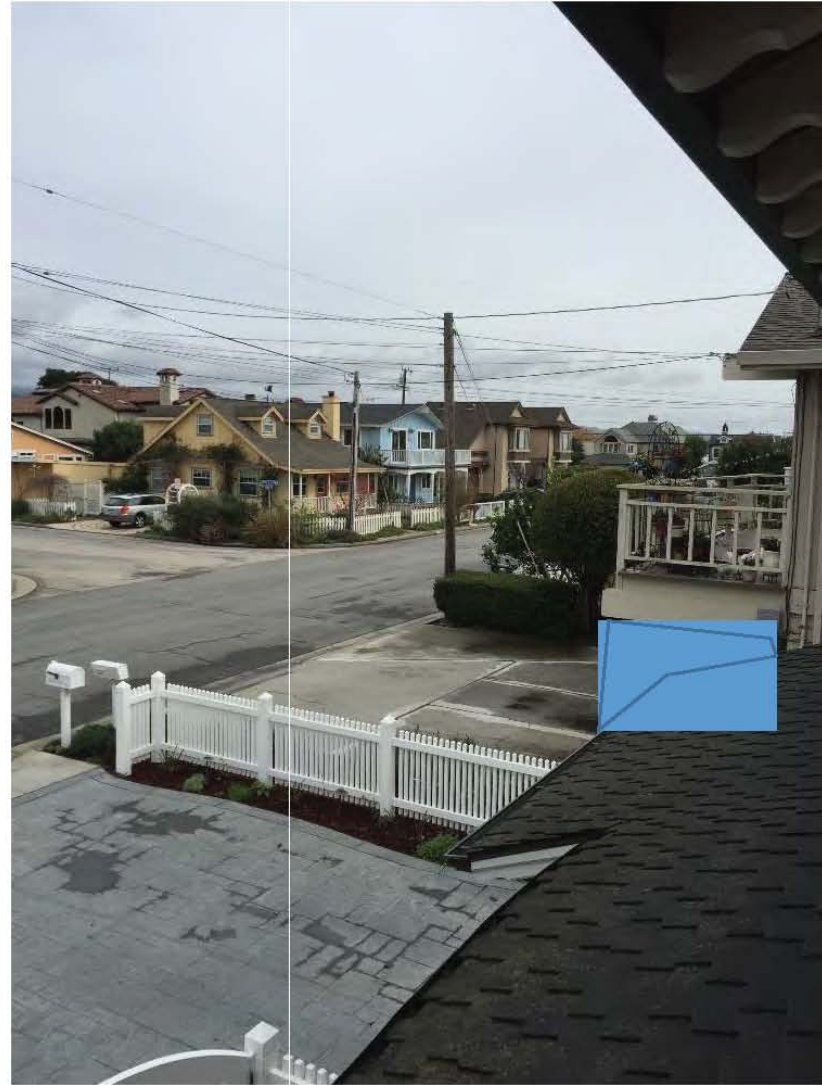
Before



After

Photo from Caldarella letter, page 5
Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit

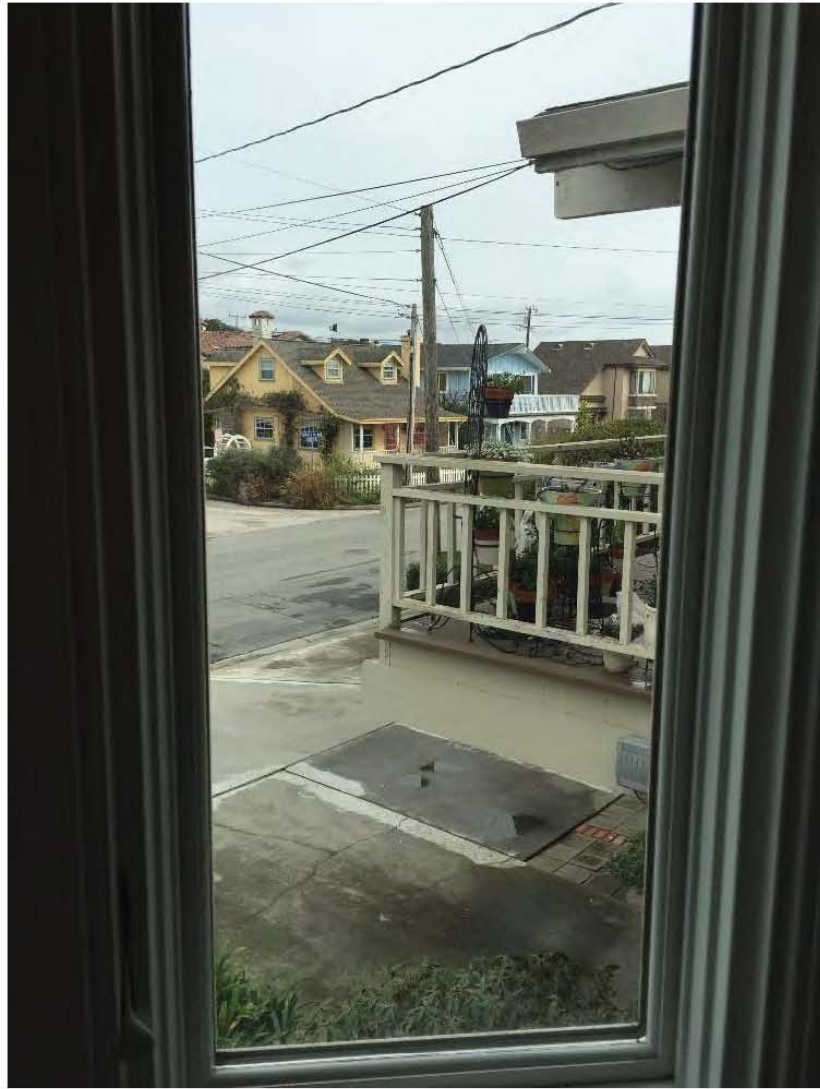
Before



After

Photo from Caldarella letter, page 5
Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit

Before



After

Photo from Caldarella letter, page 7
Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit

Garnet Street



 Property with a front yard setback less than 15ft



1525 49th Avenue – 3 ft



4610 Garnet Street – 14 ft



4650 Garnet Street – 8 ft



4670 Garnet Street – 8 ft



4675 Garnet Street – 12 ft



4725 Garnet Street – 11 ft



4755 Garnet Street – 10 feet



4760 Garnet Street – 10 ft



4810 Garnet Street – 13 ft



4955 Garnet Street – 13 ft



5005 Garnet Street – 4 ft



5080 Garnet Street – 11 ft

2/14/2016

Capitola City Council
420 Capitola Ave.
Capitola, CA 95010

FEB 16 2016
CITY OF CAPITOLA
CITY CLERK

RE: Appeal: Capitola Planning Commission Variance
4980 Garnet Street #15-181 APN:034-043-16

Dear Capitola City Council,

This submittal is an appeal of the Capitola Planning Commissions decision to grant a variance at 4980 Garnet Street for a garage addition to extend the garage six feet into the required 20-foot front yard setback. We have lived at the 4960 garnet Street for over 30-years and feel this variance would negatively affect the neighborhood.

- This variance reflects a 30% encroachment of the front yard setback, which is unprecedented in the 4900 block of Garnet Street. Currently the homes on this block line up visually as a result of the setback ordinance. There are only three properties on this block that do not meet the setback requirements and they are not comparable properties; 1) sub-standard lot with no garage 2) multi-family that has been existing for over 30-years 3) pre-existing single story.
- The approval of this variance is granting special privilege as the current lot and existing structure do support a new garage within the allowable setback without the need of a variance. Extending the first floor into the rear setback will gain the desired six feet of extra depth for the garage and would maintain the uniform and setback currently established in the neighborhood.
- Several of the neighbors within the vicinity are adamantly opposed to the variance as it will detract from the uniformity of the neighborhood and set a precedent within the neighborhood. We all disagree with the Planning Commissions opinion that bringing the garage to closer to the street will only 'slightly' modify the character of the neighborhood.

We are not opposed to the enclosure of the carport as long as it does not encroach upon the established setback. The neighborhood can be upgraded without impacting the neighbors or the look and feel of the neighborhood. As with any major remodel there are always trade-offs to be made, limitations to accept, and codes and regulations to adhere to. I'm sure that the property owners were never 100% certain that a variance would be granted, and so other building plans and budgets would have to have been a consideration and a reality.

Thanking you in advance,

Jan and Rick Caldarella
4960 Garnet Street

Len and Kathy Brewster 4940 Garnet St.

James Salet

Suzanne Dalata 1505 Lincoln Ave

Oliver Sun 1504 Lincoln Ave

Phil [Signature] 5005 Garnet St.

Kit Marton 1515 Lincoln Ave.

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)



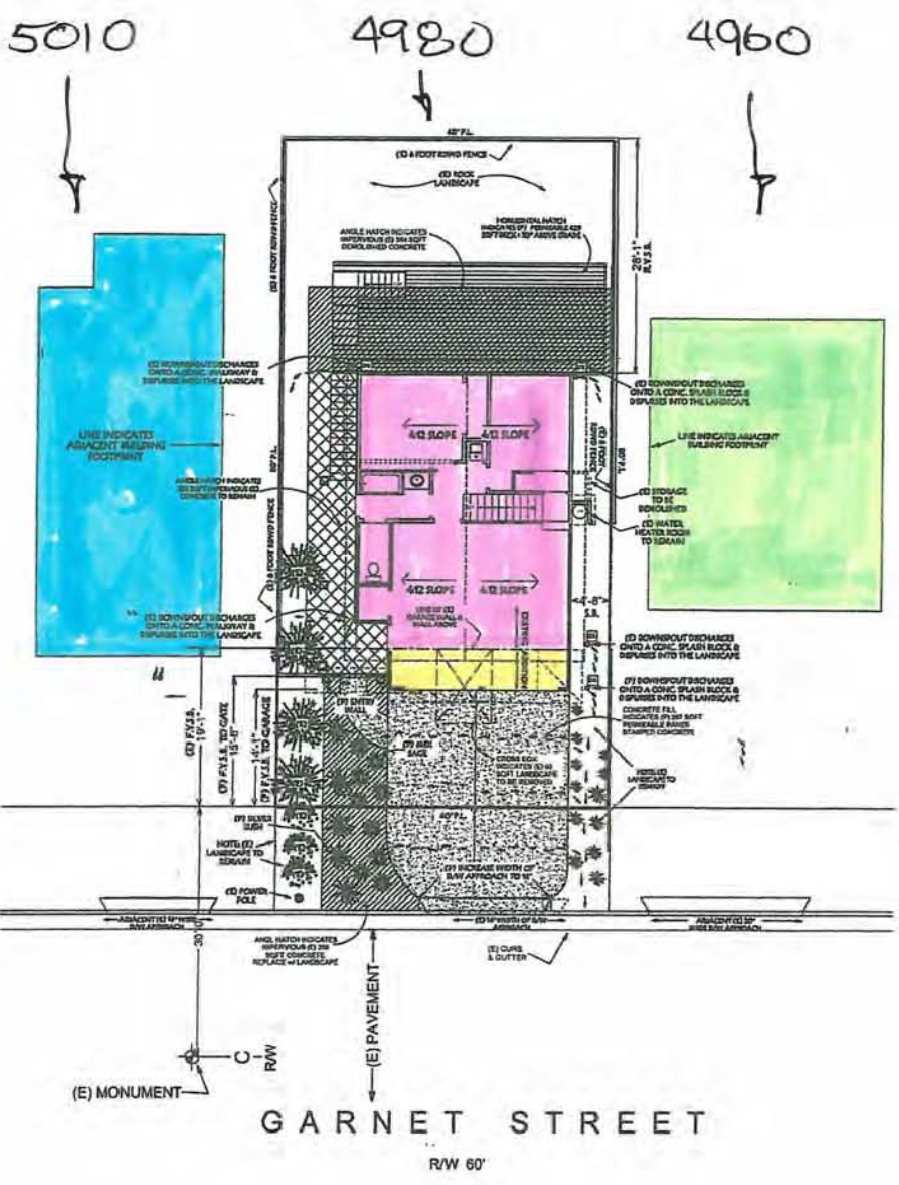
Imagery ©2016 Google, Map data ©2016 Google 20 ft

CURRENT ALIGNMENT OF HOUSES IN IMPACTED AREA

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)

PINK IS EXISTING / YELLOW IS ENCROACHMENT

GARNET ST.



CAD HOMES
BUILDING DESIGN
303 SANTA MARQUITA DRIVE
ARTES, CA 90701 CONTACT:
PHONE: 626-462-0124 OR EMAIL:
CADHOMES@GMAIL.COM

PLAN DATE
12-07-15
A.P.N. 034-043-16

DAVID AND DEB AARON
4980 GARNET STREET
CAPITOLA, CA 95010

A.P.N. 034-043-16

SHEET NUMBER
A6

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)

Safty, Ryan (rsafty@ci.capitola.ca.us)

From: Tom Evans <tcevans@sbcglobal.net>
Sent: Friday, April 01, 2016 12:34 PM
To: Safty, Ryan (rsafty@ci.capitola.ca.us)
Subject: 4980 Garnet Appeal Letter

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Ryan,

I am writing to ask you to remove my signature from the 4980 Garnet Appeal Letter.

Upon reviewing the plans and understanding the project I now support it.

As discussed, I am planning a 2nd story deck for my home at 5005 Garnet which would require a front yard setback variance, but would be comparable to other homes in the neighborhood & maintain a reasonable setback from the back of curb considering the unused right-of-way.

Thanks you & best regards,

Thomas Evans
5005 Garnet St

Attachment: City Council Agenda Packet and Staff Report 4-14-16 (1438 : 4980 Garnet St Design Permit and Variance Appeal)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 28, 2016

FROM: Community Development
SUBJECT: Community Choice Energy Status Report

RECOMMENDED ACTION: Receive presentation and authorize the City Manager to designate staff to participate in the upcoming special study sessions and ad-hoc subcommittee deliberations.

BACKGROUND: Community Choice Energy (CCE) programs allow local governments to purchase electricity and invest in energy projects, while also establishing programs that can benefit local residents and businesses. Energy transmission, distribution, repair, and customer service would remain the responsibility of the utility provider, Pacific Gas and Electric (PG&E).

On January 10, 2013, the City Council authorized the City's participation in an investigation of the technical and financial feasibility of establishing a regional, tri-county CCE program. Over the following three years, City staff participated in the Monterey Bay Community Power (MBCP) Project Development Advisory Committee (PDAC) which is comprised of representatives from 15 of the Monterey Bay region's 21 local governments participating in the feasibility study. The PDAC has hosted 26 public meetings to provide guidance and make key decisions on the scope of the feasibility study.

On October 22, 2015, the City Council adopted a Climate Action Plan (CAP) which included a number of actions to reduce the City's production of greenhouse gas emissions. The adopted CAP identifies establishment of a regional CCE program as one of the single most effective measures available to reduce greenhouse gas emissions.

DISCUSSION: A feasibility study has been completed which concluded that a CCE program is technically and financially viable for the Monterey Bay region. The study found a regional CCE could provide electricity at general rate parity with PG&E while increasing renewable energy generation, decreasing greenhouse gas emissions, and providing economic benefits to the region. An independent peer review has also been completed which concurred with the findings and conclusions of the feasibility study. The feasibility study, peer review, and other project documents can be reviewed on the Monterey Bay CCE website at www.montereybaycca.org.

The successes of existing CCE programs in California and positive findings of the feasibility study indicate that establishing a successful CCE agency in the Monterey Bay Region is feasible and worthy of further consideration. Accordingly, the PDAC adopted the following feasibility recommendation at its April 14, 2016 meeting:

PDAC Feasibility Recommendation

The prospects for CCE programs in California have improved significantly in recent years as a result of many factors:

Community Choice Energy Status Report
April 28, 2016

- *The success of Marin Clean Energy, Sonoma Clean Power, and the City of Lancaster in providing their communities with greener power at prices competitive with PG&E while investing considerable surplus funds into local renewable energy and energy efficient projects while creating local jobs;*
- *Favorable wholesale energy market condition, resulting in relatively low cost power;*
- *Recognition that a CCE program can be self-supporting for meeting climate action plan objectives and other local public policy goals;*
- *The reduced market costs of renewable power and improvements in renewable technologies; and*
- *The development of expertise, best practices, and an expanded vendor base to serve CCE programs.*

Next Steps

Over the coming months, the PDAC will host a series of public workshops and special study sessions for the Monterey Bay Community Power county and city partners and CCE experts from around the State. The PDAC has also formed two subcommittees that will meet to discuss governance, executive staff recruitment, start-up financing options and program formation. Key project activities over the next six months include:

- May 24 and June 9, 2016: The PDAC will host three special public study sessions for county and city elected officials and executive staff to review and discuss the technical study as well as options regarding governance, start-up financing, executive staff recruitment and program formation:
 - May 24, 9:30 a.m. – noon: Monterey County Board Chambers, Salinas
 - June 9, 9:30 a.m. – noon: Santa Cruz County Board Chambers, Santa Cruz
 - June 9, 3:00 p.m. – 5:30 p.m.: San Benito County Board Chambers, Hollister
- Counties and cities interested in forming a regional CCE Joint Powers Authority (JPA) may join an ad-hoc subcommittee comprised of executive staff that will develop a formation proposal for the Boards of Supervisors and City Councils' respective consideration on or before September 15, 2016 (target date). This work will be assisted by professionals who have experience in retail electricity services, program design, finance, wholesale purchasing, renewable resource development, and legal considerations.
- May through October: A comprehensive regional outreach and communications program to engage and educate the community at large will be implemented by a professional consulting firm.
- August through October: County and City governing Boards consider the ad-hoc subcommittee formation proposal and adopt ordinances and agreements with other early adoptive partners to finalize the initial CCE-Joint Powers Agreement (JPA).
- October 31, 2016: A regional CCE-JPA governing Board is seated and a final selection for the Chief Executive Officer (CEO) is made. The CEO then hires staff and Phase Two begins.

Phase Two Formation Work

Community Choice Energy Status Report
April 28, 2016

This phase involves program design, procuring energy, seeking California Public Utility Commission approval, executing a service agreement with PG&E, and expanded community engagement. Agency staff will also complete all remaining legal requirements, enroll customers and prepare to launch an independent operation. The end result of Phase Two work will to provide power to customers no later than September/October 2017. All start-up costs are reimbursable, with interest, through ratepayer revenues after program initiation.

FISCAL IMPACT: None.

Report Prepared By: Rich Grunow
Community Development Director

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

4/21/2016



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 28, 2016

FROM: Public Works Department

SUBJECT: Consider a Resolution for Widening Kennedy Drive to Allow Four Hour Parking

RECOMMENDED ACTION: Authorize the Public Works Department to issue an encroachment permit for shoulder widening on Kennedy Drive and approve a Resolution designating on-street parking as four-hour parking along Kennedy Drive between Chittenden Lane and Rosedale Avenue.

BACKGROUND: The City has received a request from a business owner at 103-105 Kennedy Drive to widen 310 feet of Kennedy Drive to provide four hour on-street public parking. The request from Sante Adairius Rustic Ales (brewery), included as Attachment 1, is in response to parking problems that have resulted along Kennedy Drive due to the success of the business. Currently customers are parking along the small shoulder of the north side of Kennedy Drive and blocking the vehicle travel lane. The Police Department has issued citations in the past and has requested to have Public Works install No Parking signs along the roadway.

DISCUSSION: Prior to installing the No Parking signs, City staff inspected the site and contacted the owners of the brewery to determine if they would be interested in creating the on street parking. The widening plan included as Attachment 2 prepared by Earthworks Paving, who are located at 310 Kennedy Drive, shows the proposed widening of Kennedy Drive in two sections along the northern side. The widened street will provide an 8 foot shoulder parking area and two 12 foot travel lanes. The two widened areas are 170 feet long and 136 feet long which will accommodate 16 new spaces. The portion of street between the two widened areas, and the remaining length of Kennedy Drive, will be posted as No Parking.

The request from the business includes designating this new parking as four hour parking to prevent the storage of vehicles in the new spaces. This designation in a commercial/industrial zone would be consistent with parking restrictions established in other commercial zoned areas such as 41st Avenue. A draft Resolution has been prepared making the four hour parking limit designation.

A notice of this hearing has been sent to all surrounding properties within 300 feet of this area.

FISCAL IMPACT: Upon approval, Public Works will issue an encroachment permit for \$840 to Earthworks Paving for the project. The applicant will pay all costs to widen Kennedy Drive. The City will bear the cost of installing the No Parking and Four Hour Parking signs.

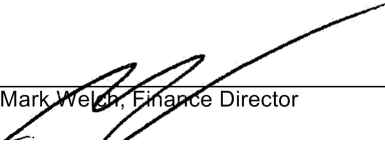
ATTACHMENTS:

1. Letter from Sante Adairius Rustic Ales (PDF)
2. Kennedy Drive Proposed Parking Plan (PDF)

Kennedy Drive Widening
April 28, 2016

Report Prepared By: Steve Jesberg
Public Works Director

Reviewed and Forwarded by:



Mark Welch, Finance Director

4/22/2016

Kennedy Drive Widening
April 28, 2016

DRAFT RESOLUTION ____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
ESTABLISHING A FOUR HOUR PARKING ZONE
ON THE NORTH SIDE KENNEDY DRIVE**

WHEREAS, businesses at 103-105 Kennedy Drive have had on-going parking problems and customers have been parking illegally along the north side of Kennedy Drive; and.

WHEREAS, the Police Department has issued parking citations in the past to vehicles parking along Kennedy Drive and have reported the problem to the Public Works Department and requested the installation of No Parking signs, and

WHEREAS, the business owner at 103-105 Kennedy Drive has proposed to pay for the widening of two sections of Kennedy Drive between Chittenden Lane and Rosedale Avenue to create two areas of legal on street parking with 16 new public parking spaces, and

WHEREAS, pursuant to Capitola Municipal Code Section 10.36.290 the City Council may, by Resolution, limit the period of time in which a vehicle may be parked within a designated area, and

WHEREAS, the establishment of a four hour parking zone will limit the storage and long term parking in the new spaces while still providing the surrounding commercial properties parking they need for their customers, and

WHEREAS, all portions of Kennedy Drive, except the designated four hour parking areas will be posted No Parking, and

WHEREAS, the designated four hour parking zone will further be restricted to allow No Parking from midnight to five in the morning every day.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola that a four hour parking zone be established for on-street parking along Kennedy Drive between Chittenden Lane and Rosedale Avenue. Said restrictions will include No Parking from midnight to five in the morning every day.

I HEREBY CERTIFY that the above and foregoing Resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 28th day of April 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ed Bottorff, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

SANTE ADAIRIUS
RUSTIC ALES



April 14, 2016

Steve Jesberg, Public Works Director
City of Capitola
420 Capitola Ave.
Capitola, CA 95010

RE: Encroachment Permit for the Expansion of Kennedy Drive

Mr. Jesberg:

My name is Adair Paterno, and I am one of two owners of Sante Adairius Rustic Ales, a small, local brewery located at 103-105 Kennedy Drive in Capitola. Our modest brewery opened four (4) years ago, and since that time we have gained considerable recognition for the beers we produce at our Capitola facility. Indeed, we were recently named 7th best brewery in the world by online beer raters, who also ranked one of our beers the best Belgian-style ale in the world. Because of this success, we have seen our brewery become a “destination” where people from all over California (and sometimes all over the country) come to Capitola to sample our beers and buy them to take home. While in Capitola, our out of town customers often visit other local businesses and stay overnight in local accommodations. We certainly did not anticipate the overwhelming response to our beers, but we are grateful for our continued success in this community and beyond.

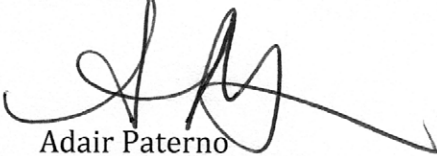
As we have grown, it has become clear to us that our busiest times overwhelm the current parking at 103-105 Kennedy Drive. Indeed, our customers (and others) have been parking along Kennedy Drive as an alternative for some time. As you are aware, the width of Kennedy Drive does not appear sufficient to handle two lanes of traffic and parking. Thus, we are seeking an encroachment permit from the City of

Capitola that will allow Capitola's Earthworks to widen Kennedy Drive approximately 6 feet (to the current fence) along approximately 310 feet of Kennedy Drive. This proposed widening will include the striping of parking spots, along with the re-striping of the center yellow line. Sante Adairius intends to bear 100% of the cost of this work, currently estimated at just under \$15,000.

In addition to the encroachment permit, we are requesting that the newly-created parking spaces be restricted to 4-hour parking. There are frequently times when cars park overnight (or for multiple days) along Kennedy Drive. Given the funds we plan to expend to provide this extra parking for our business, we would be severely disappointed if this parking were not available to our customers. We believe that 4-hours is a sufficient period of time for customers to patronize our business and the surrounding businesses.

We appreciate your review of our application and your attention to this matter. Please let me know if you have any questions or wish to meet further about the proposed project.

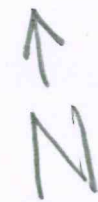
Sincerely,

A handwritten signature in black ink, appearing to read 'Adair Paterno', with a long horizontal flourish extending to the right.

Adair Paterno

Owner, Sante Adairius Rustic Ales

SRI



1" = 40'

176'

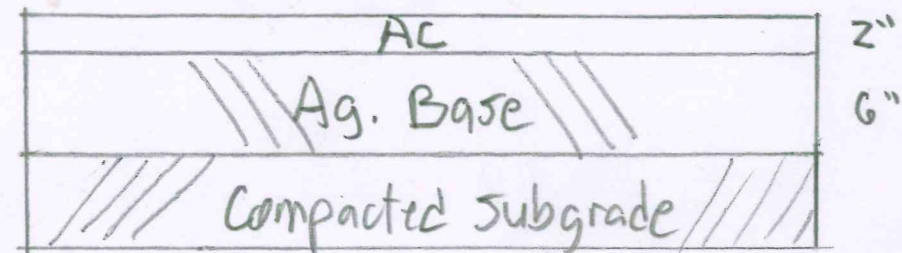
136'

Kennedy Dr.

CAPITOLA
PUMP

EARTH
WORKS

310



PARKING
Expansion

12'

12'

8'

Section Views

ROSEDALE AVE

CHITTENDEN

RECEIVED

APR 6 2016

CITY OF CAPITOLA