



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

CITY COUNCIL CHAMBERS: 420 CAPITOLA AVENUE, CAPITOLA

**CLOSED SESSION**

**5:30 P.M.**

**JOINT CITY COUNCIL/REDEVELOPMENT AGENCY REGULAR MEETING**

**7:00 P.M.**

*Elected Officials*

*Dennis Norton, Mayor  
Michael Termini, Vice Mayor  
Stephanie Harlan, Council Member  
Kirby Nicol, Council Member  
Sam Storey, Council Member  
  
Jacques Bertrand, City Treasurer*

*City Staff Members*

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

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

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

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

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

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

**Televised Meetings:** City Council/Redevelopment Agency meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed at 12:00 Noon on the Saturday following the meetings on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed "Live" on the City's website at [www.ci.capitola.ca.us](http://www.ci.capitola.ca.us) by clicking on the Home Page link "View Capitola Meeting Live On-Line." Archived meetings can be viewed from the website at anytime.

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



# AGENDA

## Regular Joint Meeting of the CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY Thursday, July 14, 2011

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

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

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

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

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

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

Veronica Shepardson, et al. (residents of Surf & Sand Mobile Home Park) vs. City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case No. CV 171269]

#### **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9:  
One Case – Alice Hanratty vs. City of Capitola (Pacific Cove Mobile Home Park flood claim)

Initiation of litigation pursuant to subdivision (c) of Government Code §54956.9: One Case.

#### **LIABILITY CLAIMS** (Govt. Code §54956.95)

Claimant: Maxine Dee Viola, et al.

Claimant: Vern Ballantyne

Claimant: Victoria Brett

Claimant: Jim Castellanos

Claimant: Blane Warhurst, et al.

Claimant: Suzanne Silverberg, et al.

Agency claimed against: City of Capitola

**7:00 P.M. - REGULAR JOINT MEETING  
OF THE CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY**

**ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

**\* \* \* PRESENTATIONS \* \* \***

Presentation by Michelle Williams, Executive Director  
of the Cultural Council of Santa Cruz County

**1. REPORT ON CLOSED SESSION**

**2. ORAL COMMUNICATIONS**

A. Additions and Deletions to Agenda

B. Public Comments

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

C. Staff Comments

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

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

E. Committee Appointments

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

F. Approval of Check Register Reports

- 1) City: Approval of City Check Register Reports dated June 17, June 24, and July 1, 2011.
- 2) RDA: Approval of Redevelopment Agency Check Register Reports dated June 24, 2011.

**3. CONSENT CALENDAR**

*All matters listed under "Consent Calendar" are considered by the City Council/Redevelopment Agency to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Council votes on the action unless members of the public or the Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following "Other Business."*

- A. Approve Reading by Title of all Ordinances and Resolutions and declare that said Titles which appear on the Public Agenda shall be determined to have been read by Title and Further Reading Waived.
- B. City/RDA: Approve Minutes of the Special City Council Meeting of June 15, 2011, and the Special Joint Budget Study Session of the City Council/Redevelopment Agency of June 15, 2011.
- C. Receive Planning Commission Action Minutes for the Regular Meeting of July 7, 2011.
- D. Deny liability claims and forward to the City's liability insurance carrier.
  - 1) Vern Ballantyne: \$160,000
  - 2) Victoria Brett: \$8,423.37
  - 3) Jim Castellanos: \$10,000
  - 4) Blane Warhurst, et al.: \$27,515.47
  - 5) Suzanne Silverberg, et al.: \$40,533.43
- E. Receive Quarterly Sales Tax and Transient Occupancy Tax Status Report for the Third Quarter of FY 2010-2011 (Unaudited).
- F. Authorize the City Manager to enter into a contract with Desmond, Marcello & Amster in an amount not to exceed \$18,000 for preparation of appraisals for consideration of Pacific Cove Mobile Home Park Closure.



### 3. CONSENT CALENDAR – Continued

- G. Adopt Resolution accepting a Homeland Security Grant in the amount of \$14,733 and Amending the FY2011-12 General Fund Operating Budget by Increasing both Revenues and Expenditures by \$14,733.
- H. Adopt Ordinance Adding Section 9.12.080 to the Capitola Municipal Code pertaining to Noise [2<sup>nd</sup> Reading].
- I. Adopt Ordinance Amending Sections 10.44.020 and 10.44.070 of the Capitola Municipal Code pertaining to Bicycle Licenses [2<sup>nd</sup> Reading].
- J. Adopt Resolution Consenting to and Approving of the Assignment of the Cable Franchise Agreement and System with Charter Communications Properties, LLC, to CCO SoCal I, LLC.
- K. Adopt Resolution approving a Memorandum of Understanding with the Police Captain for the period of July 1, 2011 to June 30, 2012.

### 4. PUBLIC HEARINGS

*Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is followed for each Public Hearing listed: 1) Staff Explanation; 2) Public Discussion; 3) Council Comments; 4) Close public portion of the Hearing; 5) City Council discussion; and 6) Decision.*

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.

- A. Public Hearing to Consider a Resolution Amending the City’s Fee Schedule to Increase Various City Fees by the Consumer Price Index or by Actual Cost of Service and Adding New Fees to be effective July 15, 2011. Presentation: City Manager’s Department.
- B. Public Hearing to Consider Rispin Mansion Future Use Planning Report and Continued Property Hazard Abatement. Presentation: Community Development and Public Works Departments.

**5. OTHER BUSINESS**

- A. Funding for the 211 Health and Human Service Information and Referral System with United Way. Staff recommendation: Council direction.
- B. Community Room and City Hall Annex Transition Plan. Staff recommendation: receive report.
- C. Financing Plan for parking structure on the Pacific Cove Parking Lot. Staff recommendation: receive report and provide direction to staff.
- D. Resolution establishing a four-hour parking limit on 40<sup>th</sup> Avenue between Clares Street and Deanes Lane. Staff recommendation: adopt resolution.
- E. TsunamiReady Program. Staff recommendation: accept tsunami hazard zone signs from California Emergency Management Agency as part of statewide TsunamiReady Program, authorize installation of signs, and authorize staff to work with state agency to develop brochure regarding the hazards of tsunamis.

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

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

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



## CITY COUNCIL AGENDA REPORT

### MEETING OF JULY 14, 2011

FROM: FINANCE DEPARTMENT

DATE: July 6, 2011

SUBJECT: APPROVAL OF CITY CHECK REGISTER REPORTS

**Recommended Action:** By motion and roll call vote, that the City Council approve the attached Check Register Reports for June 17, June 24 and July 1, 2011.

#### **DISCUSSION**

The attached Check Registers for:

Date	Starting Check #	Ending Check #	Total Checks	Amount
6/17/11	66568	66631	64	\$129,742.00
6/24/11	66632	66726	95	\$249,516.09
7/1/11	66727	66807	81	\$744,198.92
6/17/11 Payroll				\$208,630.68
7/1/11 Payroll				\$207,271.05
Total				\$1,539,358.74

The check register of 6/10/11 ended with check #66567.

Wires issued, and a brief description of the expenditure:

Date	Issued to:	Dept.	Purpose	Amount
6/17/11	PERS Payment	CM	CALPERS - Payroll Contr. for 6/17/11 payroll	\$46,344.50
7/6/11	PERS Payment	CM	CALPERS - Payroll Contr for 7/1/11 payroll	\$45,758.69

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

Check	Issued to:	Dept.	Purpose	Amount
66593	ICMA Retirement Trust	CM	Retirement Contr, Employee Funded	\$29,003.30
66603	North Bay Ford	PW	Ford F-250 4x4	\$29,955.23
66655	Community Bridges	CM	Q4 FY10/11 Community Grant	\$27,632.25
66670	Garden City Construction Inc.	PW	Rispin Mansion Stabilization	\$105,383.83
66689	Pacific Gas & Electric	PW	Monthly Gas & Elec, all sites	\$12,760.67
66737	CalPERS Health Insurance	CM	Employee Health Ins, Employee funded	\$51,483.36
66753	George Wilson Inc.	PW	HVAC Installation, PD	\$27,962.00
66791	Wells Fargo Bank	CM	Pension Oblig Bond Payment, FY11/12	\$570,090.68

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

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

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

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

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

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

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

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

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

- Triple flip delay of Sales Tax from monthly to December and April (~\$500,000/2x year)
- One quarter of the annual Worker's Compensation premium is due in July (\$100,000)
- One half of the Self Insurance/Liability annual payment is due in July (\$32,669)
- One third of the Police Communication JPA annual payment is due in July (\$146,121)

As of 7/06/11 the total cash available is \$3,255,708. The General Operating Fund has a negative cash balance of (\$386,733). Internal Service Funds (#2210 through #2214) were created for City budget purposes and are reclassified for financial reporting into the General Fund. The Compensated Absences Fund (#2216) has a positive cash balance of \$36,114. The Capital Improvement Projects has a positive cash balance of \$1,161,779. By Council direction the Emergency Reserves Fund (#1020) may not participate in cash loans; the Emergency Reserves Fund has a fund balance of \$333,301.

For cash flow purposes these funds are available to the General Fund. A consolidation of these cash balances results in a cash position of \$3,255,708.

The following table shows the funds that are consolidated:

**CASH POSITION - CITY OF CAPITOLA 7/6/11**

	<u>Temporary Loan</u>	<u>Net Balance</u>
General Fund		(386,733)
<i>Loan from Contingency Reserve</i>		386,733
Worker's Comp. Ins. Fund		174,779
Self Insurance Liability Fund		284,202
Stores Fund		20,138
Information Technology Fund		177,192
Equipment Replacement		305,933
Compensated Absences Fund		36,114
Contingency Reserve Fund	1,247,152	
<i>Loan to General Fund</i>	<u>(386,733)</u>	
<i>Net Contingency Reserve Fund Balance</i>		860,419
Public Employee Retirement - PERS		234,896
Open Space Fund		256
Capital Improvement Projects		<u>1,161,779</u>
<b>TOTAL GENERAL FUND &amp; COUNCIL DESIGNATED FUNDS</b>		<u><u>3,255,708</u></u>

**Negative Fund Balances:** Periodically, the balance(s) above may be negative during the fiscal year for numerous reasons including timing differences and especially the State Triple-Flip. (The State Triple Flip defers approximately \$1 million of City sales tax revenue each year.)

These negative fund balances are temporarily paid for first by the General Fund, if available, then by the Contingency Reserve Fund and finally by the Internal Service Funds.

The Emergency Reserve Fund balance is \$333,301.12 and is not included above.

**ATTACHMENTS**

Check Registers for June 17, June 24, and July 1, 2011.

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

**Reviewed and Forwarded  
by City Manager:**

\_\_\_\_\_

Checks dated 6/17/11 numbered 66568 to 66631 for a total of \$129,742.00 have been reviewed and authorized for distribution by the City Manager and City Treasurer.

As of 6/17/11 the unaudited cash balance is \$3,453,605

**CASH POSITION - CITY OF CAPITOLA 6/17/11**

	<u>Net Balance</u>
General Fund	979,709
Worker's Comp. Ins. Fund	56,529
Self Insurance Liability Fund	248,502
Stores Fund	13,297
Information Technology Fund	153,565
Equipment Replacement	280,933
Compensated Absences Fund	64,738
Contingency Reserve Fund	-
Public Employee Retirement - PERS	274,034
Open Space Fund	256
Capital Improvement Projects	1,382,044
<b>TOTAL GENERAL FUND &amp; COUNCIL DESIGNATED FUNDS</b>	<u><u>3,453,605</u></u>

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

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

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

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

  
 \_\_\_\_\_  
 Jamie Goldstein, City Manager

\_\_\_\_\_  
 6/17/11  
 Date

  
 \_\_\_\_\_  
 Jacques J.J. Bertrand, City Treasurer

\_\_\_\_\_  
 6.23.11  
 Date

# City Checks Issued 6/17/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66568	06/17/2011	Open			ALPHA GRAPHICS	\$594.45
	Invoice		Date	Description		Amount
	25508		05/13/2011	FY11/12 proposed budget copies		\$594.45
66569	06/17/2011	Open			AMERICAN ASSOCIATION OF STATE & LOCAL HISTORY	\$115.00
	Invoice		Date	Description		Amount
	96181		05/20/2011	Member#340173, FY11/12 Membership		\$115.00
66570	06/17/2011	Open			AT&T	\$19.12
	Invoice		Date	Description		Amount
	Jun2011		06/01/2011	24813422096246-Jun11		\$7.81
	674-3Jun11		06/01/2011	24813424216743-Jun11		\$11.31
				Fund 2211, Info Technology		
66571	06/17/2011	Open			BACK TO EDEN LANDSCAPING INC.	\$575.00
	Invoice		Date	Description		Amount
	2707		05/18/2011	May2011 Landscape Maint fee, Pac Cove		\$575.00
66572	06/17/2011	Open			BOWMAN & WILLIAMS, INC.	\$1,563.75
	Invoice		Date	Description		Amount
	6605		06/06/2011	May Engineering Svc, Trotter Street storm		\$1,563.75
66573	06/17/2011	Open			CA DEPARTMENT OF JUSTICE	\$32.00
	Invoice		Date	Description		Amount
	852772		06/03/2011	Fingerprinting-Rec		\$32.00
66574	06/17/2011	Open			California Conservation Corps	\$4,140.00
	Invoice		Date	Description		Amount
	R33082		05/16/2011	3/29/11 Mud removal, Pac Cove MHP		\$4,140.00
66575	06/17/2011	Open			CAPITOLA PEACE OFFICERS ASSOC.	\$754.62
	Invoice		Date	Description		Amount
	POA6-17-11		06/16/2011	POA Dues, Employee Funded		\$754.62
66576	06/17/2011	Open			CATTO'S GRAPHICS, INC.	\$461.43
	Invoice		Date	Description		Amount
	60127		06/09/2011	30 Polo shirts-PD		\$461.43
66577	06/17/2011	Open			CHANTICLEER VET HOSPITAL	\$132.90
	Invoice		Date	Description		Amount
	14340-May 2011		05/31/2011	Animal Control Expense, PD		\$132.90
66578	06/17/2011	Open			CHESHIRE RIO PROPERTY MGMT	\$95.00
	Invoice		Date	Description		Amount
	525a		05/20/2011	Carpet Cleaning, Space 45		\$95.00
66579	06/17/2011	Open			CLASSIFIED SOUND	\$1,650.00
	Invoice		Date	Description		Amount
	Jun2011		06/09/2011	Sound Engineer, Twilight Concerts, 1/3 tot		\$1,650.00



# City Checks Issued 6/17/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66580	06/17/2011	Open			COASTAL WATERSHED COUNCIL	\$1,466.25
	Invoice		Date	Description	Amount	
	1085		05/31/2011	Storm Water Education and Outreach Svc	\$1,466.25	
66581	06/17/2011	Open			COCKTAIL MONKEYS	\$1,000.00
	Invoice		Date	Description	Amount	
	20110629		06/09/2011	Jun 29 Twilight Concert Artist	\$1,000.00	
66582	06/17/2011	Open			CRYSTAL SPRINGS WATER CO.	\$164.00
	Invoice		Date	Description	Amount	
	060094-May 2011		05/31/2011	May 2011 Drinking Water, all sites	\$164.00	
66583	06/17/2011	Open			CVS PHARMACY INC.	\$82.92
	Invoice		Date	Description	Amount	
	CVS-7914		06/08/2011	Sun tan lotion-Lifeguards	\$82.92	
66584	06/17/2011	Open			EARTHWORKS PAVING CONTRACTOR	\$2,160.00
	Invoice		Date	Description	Amount	
	4206		06/07/2011	Street patching, Jewell St. Fund 1200, CIP	\$2,160.00	
66585	06/17/2011	Open			GALLI UNIFORM COMPANY	\$97.64
	Invoice		Date	Description	Amount	
	17547		05/23/2011	Uniform Stripes, Minium	\$97.11	
	17529		05/18/2011	Uniform Exp., Explorer Osborne	\$267.39	
	17539		05/20/2011	Uniform Exp., Explorer Osborne	\$62.63	
	CM17470		05/20/2011	Credit for Overpayment, Inv17470	(\$329.49)	
66586	06/17/2011	Open			Geo. H. Wilson, Inc.	\$5,000.00
	Invoice		Date	Description	Amount	
	8573		06/14/2011	Police Dept HVAC System-Phase 1 Fund 1200, CIP	\$5,000.00	
66587	06/17/2011	Open			GREEN LINE	\$1,216.50
	Invoice		Date	Description	Amount	
	56383		05/10/2011	Pump wells - flood Fund 1020, Emergency Reserve	\$1,216.50	
66588	06/17/2011	Open			GREENWIRE INC.	\$175.00
	Invoice		Date	Description	Amount	
	1296		05/11/2011	Software Training On Line access Fund 2211, Info Tech	\$175.00	
66589	06/17/2011	Open			HADLEY, MICHAEL, D.	\$1,000.00
	Invoice		Date	Description	Amount	
	20110622		06/09/2011	Twilight Concert Artist, June 22 2011	\$1,000.00	
66590	06/17/2011	Open			HALLSTEN CORPORATION	\$530.50
	Invoice		Date	Description	Amount	
	11286-01		05/18/2011	Gangway Wheels, Wharf Fund 1311, Wharf Fund	\$530.50	
66591	06/17/2011	Open			HOUSING AUTHORITY OF SCC	\$189.94
	Invoice		Date	Description	Amount	
	11-11 CREHAB		06/02/2011	Housing Rehabilitation Program Fund 1372, Housing Trust	\$189.94	



City of Capitola  
**City Checks Issued 6/17/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66592	06/17/2011	Open			HOWARD, CHARLIE	\$1,310.00
	Invoice		Date	Description		Amount
	05/30-06/03/11		06/13/2011	Mechanic		\$590.00
	06/06-06/10/11		06/13/2011	Mechanic		\$720.00
66593	06/17/2011	Open			ICMA RETIREMENT TRUST 457	\$29,003.30
	Invoice		Date	Description		Amount
	ICMA6-17-11		06/16/2011	Retirement Plan Contribution, Employee Funded		\$29,003.30
66594	06/17/2011	Open			INTERSTATE BATTERY SYSTEM OF S	\$199.82
	Invoice		Date	Description		Amount
	70216183		06/02/2011	Auto Parts		\$199.82
66595	06/17/2011	Open			LABOR READY SOUTHWEST INC.	\$1,873.69
	Invoice		Date	Description		Amount
	56951559		05/27/2011	FY 10/11 Temporary Staff-PW		\$1,040.30
	57181559		06/03/2011	FY 10/11 Temporary Staff-PW		\$833.39
66596	06/17/2011	Open			LEWIS TREE SERVICE INC.	\$1,450.00
	Invoice		Date	Description		Amount
	18298		06/09/2011	Pac Cove MHP Tree Removal		\$1,450.00
66597	06/17/2011	Open			LIUNA PENSION FUND	\$484.00
	Invoice		Date	Description		Amount
	Dues6-17-11		06/16/2011	Pension Dues, Employee Funded		\$484.00
66598	06/17/2011	Open			MEDCO SUPPLY CO.	\$109.09
	Invoice		Date	Description		Amount
	41353729		05/19/2011	Ice Packs, 2 cases-Rec		\$109.09
66599	06/17/2011	Open			MID-COUNTY AUTO SUPPLY	\$227.29
	Invoice		Date	Description		Amount
	263365		05/27/2011	auto parts		\$26.65
	262940		05/24/2011	auto parts		\$74.08
	263298		05/26/2011	auto parts		\$114.59
	262836		05/23/2011	auto parts-Dozer		\$11.97
66600	06/17/2011	Open			MV TRANSPORT INC.	\$1,633.50
	Invoice		Date	Description		Amount
	33774		06/02/2011	2010 Beach Shuttle Service		\$1,633.50
66601	06/17/2011	Open			NELLA OIL COMPANY	\$7,116.46
	Invoice		Date	Description		Amount
	11-610480		05/27/2011	500 Gal Gas		\$2,053.16
	11-610481		05/27/2011	342 Gal Diesel		\$1,431.18
	11-612442		06/01/2011	235 Gal Diesel		\$993.68
	11-613360		06/03/2011	510 Gal Gas, 145 Gal Diesel		\$2,638.44
66602	06/17/2011	Open			NORCAL AMATEUR SOFTBALL ASSO(	\$330.00
	Invoice		Date	Description		Amount
	2011-00000804		06/03/2011	ASA Team Dues Spring 2011		\$330.00

City of Capitola  
**City Checks Issued 6/17/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66603	06/17/2011	Open			NORTH BAY FORD	\$29,955.23
	Invoice		Date	Description		Amount
	33383		06/14/2011	Ford 4x4 F-250 with Dump Bed		\$26,605.41
	FOCS267648		06/09/2011	Transmission Replacement, PD071		\$3,349.82
				Fund 2212-Equip Replacement=\$26,605		
66604	06/17/2011	Open			ORCHARD SUPPLY HARDWARE	\$427.60
	Invoice		Date	Description		Amount
	6014-33394		05/26/2011	Misc.		\$22.92
	6013-1216898		05/27/2011	Beach/lagoon supplies		\$347.11
	6009-1218820		05/31/2011	Snips		\$17.47
	6005-2430996		05/06/2011	Landscape Supplies, PW		\$40.10
66605	06/17/2011	Open			PACIFIC VETERINARY SPECIALISTS II	\$113.85
	Invoice		Date	Description		Amount
	188893		05/20/2011	Animal Control Expense		\$113.85
66606	06/17/2011	Open			PALACE ART & OFFICE SUPPLIES	\$312.77
	Invoice		Date	Description		Amount
	903873-2		05/27/2011	Office supplies		\$30.02
	907842		06/01/2011	Office Supplies, City Hall-Fund2210, Store		\$142.59
	C898173-0		06/03/2011	Return Toner Cartridges, Rec		(\$240.33)
	908751		06/01/2011	Office Supplies City Hall		\$326.45
	908751-1		06/08/2011	Office Supplies, City Hall		\$44.44
	908954		06/09/2011	Office Supplies, City Hall		\$9.60
66607	06/17/2011	Open			PHIL ALLEGRI ELECTRIC, INC.	\$275.46
	Invoice		Date	Description		Amount
	15980		05/16/2011	install new feed for pump motor @ Stocktc		\$275.46
66608	06/17/2011	Open			PRAXAIR DISTRIBUTION INC.	\$54.38
	Invoice		Date	Description		Amount
	39693395		05/20/2011	Gases, Corp Yard		\$54.38
66609	06/17/2011	Open			ProBUILD COMPANY LLC	\$360.61
	Invoice		Date	Description		Amount
	5517284		05/10/2011	Sports supplies-Rec		\$360.61
66610	06/17/2011	Open			RED SHIFT INTERNET SERVICES	\$115.11
	Invoice		Date	Description		Amount
	1450734		06/01/2011	Acct 34284, Jun2011 Internet Service		\$49.94
	1450733		06/01/2011	Acct 34284, Jun2011 Internet Access		\$65.17
66611	06/17/2011	Open			REPUBLIC ITS INC.	\$6,557.20
	Invoice		Date	Description		Amount
	RI-111387A		05/24/2011	Signal Repair @ Capitola Rd & 38th		\$1,602.08
	RI-111387B		05/24/2011	Signal Repair @ Capitola Rd & 38th		\$1,466.07
	RI-111389		05/24/2011	Signal Repair @ 41st & Capitola Rd		\$3,489.05
				Fund 1310, Gas Tax		
66612	06/17/2011	Open			ROSEMAN, LEWIS	\$2,947.24
	Invoice		Date	Description		Amount
	5232011		05/23/2011	May 2011 Parking Meter Svc		\$2,947.24

# City Checks Issued 6/17/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66613	06/17/2011	Open			SCC AUDITOR-CONTROLLER	\$9,768.00
	Invoice		Date	Description		Amount
	May2011		06/09/2011	Citation Pass Thrus, May 2011		\$9,768.00
66614	06/17/2011	Open			SCC INFORMATION SERVICES	\$502.78
	Invoice		Date	Description		Amount
	SCAN-Jun11		05/25/2011	June 2011 Open Query (SCAN) Charges		\$502.78
66615	06/17/2011	Open			SANTA CRUZ MUNICIPAL UTILITIES	\$968.90
	Invoice		Date	Description		Amount
	Apr-May2011		05/25/2011	WATER BILLS FOR STREET MEDIANS		\$968.90
66616	06/17/2011	Open			SANTA CRUZ SENTINEL	\$759.29
	Invoice		Date	Description		Amount
	2040516-May2011		05/29/2011	May Advertising Fund 1321, BIA=\$485.13		\$759.29
66617	06/17/2011	Open			SPORT ABOUT	\$4,008.96
	Invoice		Date	Description		Amount
	3649		05/20/2011	TShirts & Sweatshirts for Jr Guards & Carr		\$1,343.75
	3648		05/20/2011	TShirts & Sweatshirts for Jr Guards & Carr		\$2,665.21
66618	06/17/2011	Open			SPORT SUPPLY GROUP INC.	\$150.23
	Invoice		Date	Description		Amount
	94026526		05/23/2011	Playing Field marking wheel		\$150.23
66619	06/17/2011	Open			STATE CONTROLLERS OFFICE	\$100.00
	Invoice		Date	Description		Amount
	2011Audit		06/09/2011	Report of Payments, FY10/11, for Audit		\$100.00
66620	06/17/2011	Open			STEWART TITLE OF CALIFORNIA, INC	\$400.00
	Invoice		Date	Description		Amount
	E379960		04/29/2011	Cancellation Fee, Escrow #379960		\$400.00
66621	06/17/2011	Open			SUMMIT UNIFORM CORP	\$863.08
	Invoice		Date	Description		Amount
	41425		05/24/2011	Uniform Purchase, Weagle-PD		\$863.08
66622	06/17/2011	Open			TRI-COUNTY BUSINESS SYSTEMS INC	\$98.08
	Invoice		Date	Description		Amount
	CNIN006685		05/17/2011	Copier Maint, Jul-Sep2011 Fund 2210, Stores		\$98.08
66623	06/17/2011	Open			UNION BANK OF CALIFORNIA	\$866.38
	Invoice		Date	Description		Amount
	PARS6-17-11		06/16/2011	PARS Contr, Employee Funded		\$866.38
66624	06/17/2011	Open			UNITED PARCEL SERVICE	\$20.39
	Invoice		Date	Description		Amount
	954791231		06/04/2011	Shipping-PD		\$20.39
66625	06/17/2011	Open			UPEC LIUNA LOCAL 792	\$1,781.25
	Invoice		Date	Description		Amount
	Union-Jun11		06/16/2011	Pension Dues, Jun2011, Employee Funde		\$1,781.25

# City Checks Issued 6/17/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66626	06/17/2011	Open			WATSONVILLE BLUEPRINT	\$30.81
	Invoice		Date	Description		Amount
	29611		06/15/2011	prints		\$30.81
66627	06/17/2011	Open			Brookvale Terrace Property Owner's Ass	\$500.00
	Invoice		Date	Description		Amount
	11-040		06/15/2011	Refund Tree Deposit for permit #11-040		\$500.00
66628	06/17/2011	Open			Capitola Pump Company, Inc.	\$442.23
	Invoice		Date	Description		Amount
	30401		05/11/2011	LSP07AF Goulds Sump Pump		\$442.23
66629	06/17/2011	Open			Higgins, Tamara	\$175.00
	Invoice		Date	Description		Amount
	2000899-002		06/13/2011	JG Refund		\$175.00
66630	06/17/2011	Open			Mid-County Youth Soccer	\$156.00
	Invoice		Date	Description		Amount
	2000901-002		06/13/2011	Refund		\$156.00
66631	06/17/2011	Open			Tousseau, Martha	\$78.00
	Invoice		Date	Description		Amount
	2000695-002		06/13/2011	Refund		\$78.00
Check Totals:				Count	64	Total \$129,742.00

Checks dated 6/24/11 numbered 66632 to 66726 for a total of \$249,516.09 have been reviewed and authorized for distribution by the City Manager and City Treasurer.

As of 6/24/11 the unaudited cash balance is \$3,775,090


**CASH POSITION - CITY OF CAPITOLA 6/24/11**

	<u>Temporary Loan</u>	<u>Net Balance</u>
General Fund		(43,884)
<i>Loan from Contingency Reserve</i>		43,884
Worker's Comp. Ins. Fund		56,529
Self Insurance Liability Fund		248,502
Stores Fund		13,075
Information Technology Fund		150,120
Equipment Replacement		280,933
Compensated Absences Fund		64,738
Contingency Reserve Fund	1,247,152	
<i>Loan to General Fund</i>	<u>(43,884)</u>	
<i>Net Contingency Reserve Fund Balance</i>		1,203,268
Public Employee Retirement - PERS		489,534
Open Space Fund		256
Capital Improvement Projects		<u>1,268,135</u>
<b>TOTAL GENERAL FUND &amp; COUNCIL DESIGNATED FUNDS</b>		<u><u>3,775,090</u></u>


**Negative Fund Balances:** Periodically, the balance(s) above may be negative during the fiscal year for numerous reasons including timing differences and especially the State Triple-Flip. (The State Triple Flip defers approximately \$1.3 million of City sales tax revenue each year.)

These negative fund balances are temporarily paid for first by the General Fund, if available, then by the Contingency Reserve Fund and finally by the Internal Service Funds.

The Emergency Reserve Fund balance is \$335,142.58 and is not included above.

  
 \_\_\_\_\_  
 Jamie Goldstein, City Manager

6/24/11  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Jacques J. Bertrand, City Treasurer

7.1.11  
 \_\_\_\_\_  
 Date

City of Capitola  
**City Checks Issued 6/24/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66632	06/24/2011 Invoice 2011-00000786	Open	Date 06/01/2011	Description FY10/11 Q4 Comm Grant Payment	ADVOCACY INC.	\$1,058.75
66633	06/24/2011 Invoice 42330	Open	Date 06/17/2011	Description Keys for the PD	ALLSAFE LOCK COMPANY	\$21.80
66634	06/24/2011 Invoice 2011-00000798	Open	Date 06/01/2011	Description FY10/11 Q4 Comm Grant Payment	AMERICAN RED CROSS, SC CHAPTE	\$344.75
66635	06/24/2011 Invoice 0511805A	Open	Date 05/31/2011	Description 2010-2011 CDBG PTA Grant Application Fund 1313, Gen Plan	APPLIED DEVELOPMENT ECONOMIC	\$3,569.05
66636	06/24/2011 Invoice 314096	Open	Date 06/02/2011	Description Firbark	APTOS LANDSCAPE SUPPLY, INC.	\$75.21
66637	06/24/2011 Invoice 2011-00000839	Open	Date 06/21/2011	Description Summer 1 - First Instr. Payments	ARITCHITA, WIND, C.	\$257.40
66638	06/24/2011 Invoice CC-May-Jun2011	Open	Date 06/17/2011	Description May/Jun2011 Credit Card Charges Fund 2211, IT=\$1045.67	BANK OF AMERICA	\$6,781.24
66639	06/24/2011 Invoice 2011-00000770	Open	Date 06/01/2011	Description FY10/11 Q4 Comm Grant Payment	BIG BROTHERS BIG SISTERS OF SC	\$690.50
66640	06/24/2011 Invoice 710653/CAMP 710653/JG	Open	Date 06/01/2011 06/01/2011	Description Sunblock for Camp Capitola Sunblock for Junior Guards	BODY THERAPEUTIC PRODUCTS	\$301.19
66641	06/24/2011 Invoice 2011-00000836	Open	Date 06/21/2011	Description Summer 1 - First Instr. Payments	BOSSO, AMY	\$1,137.50
66642	06/24/2011 Invoice 2011-00000779	Open	Date 06/01/2011	Description FY10/11 Q4 Comm Grant Payment	CABRILLO COLLEGE STROKE CENTI	\$1,689.50
66643	06/24/2011 Invoice 2011-00000764	Open	Date 06/01/2011	Description FY10/11 Q4 Comm Grant Payment	CALIFORNIA GREY BEARS INC.	\$3,485.25

## City Checks Issued 6/24/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66644	06/24/2011	Open			CALIFORNIA RURAL LEGAL ASSISTAN	\$906.50
	Invoice		Date	Description	Amount	
	2011-00000788		06/01/2011	FY10/11 Q4 Comm Grant Payment	\$906.50	
66645	06/24/2011	Open			CALPELRA	\$885.00
	Invoice		Date	Description	Amount	
	2012Conf		06/17/2011	FY11/12 Membership & Conf Reg, Goldste	\$885.00	
66646	06/24/2011	Open			CAMARILLO, GINA, A	\$1,137.50
	Invoice		Date	Description	Amount	
	2011-00000838		06/21/2011	Summer 1 - First Instr. Payments	\$1,137.50	
66647	06/24/2011	Open			CAMPUS KIDS CONNECTION INC.	\$4,141.25
	Invoice		Date	Description	Amount	
	2011-00000780		06/01/2011	FY10/11 Q4 Comm Grant Payment	\$4,141.25	
66648	06/24/2011	Open			CASA OF SANTA CRUZ COUNTY	\$556.75
	Invoice		Date	Description	Amount	
	2011-00000797		06/01/2011	FY10/11 Q4 Comm Grant Payment	\$556.75	
66649	06/24/2011	Open			CDW GOVERNMENT INC.	\$2,248.60
	Invoice		Date	Description	Amount	
	XNV0345		06/02/2011	5 HP Laptop Computers Fund 2211, IT	\$2,248.60	
66650	06/24/2011	Open			CENTRAL COAST BAT RESEARCH G	\$2,400.00
	Invoice		Date	Description	Amount	
	176		06/20/2011	Rispin Mansion Hazard Elimination Project Fund 1200, CIP	\$2,400.00	
66651	06/24/2011	Open			CENTRAL COAST CENTER FOR INDE	\$3,674.25
	Invoice		Date	Description	Amount	
	2011-00000784		06/01/2011	FY10/11 Q4 Comm Grant Payment	\$3,674.25	
66652	06/24/2011	Open			CLEAN BUILDING MAINTENANCE	\$3,542.00
	Invoice		Date	Description	Amount	
	8418		05/31/2011	May 2011 Cleaning Service	\$3,542.00	
66653	06/24/2011	Open			CLEAN SOURCE	\$2,096.39
	Invoice		Date	Description	Amount	
	1255079		05/31/2011	Cleaning supplies	\$1,850.58	
	1255079-01		06/03/2011	Doggie bags	\$245.81	
66654	06/24/2011	Open			COMMUNITY ACTION BOARD OF SC	\$339.00
	Invoice		Date	Description	Amount	
	2011-00000783		06/01/2011	FY10/11 Q4 Comm Grant Payment	\$339.00	
66655	06/24/2011	Open			COMMUNITY BRIDGES	\$27,632.25
	Invoice		Date	Description	Amount	
	2011-00000767		06/01/2011	FY10/11 Q4 Comm Grant Payment	\$27,632.25	
66656	06/24/2011	Open			CONFLICT RESOLUTION CTR OF SC	\$689.50
	Invoice		Date	Description	Amount	
	2011-00000795		06/01/2011	FY10/11 Q4 Comm Grant Payment	\$689.50	



City of Capitola  
**City Checks Issued 6/24/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66657	06/24/2011	Open			CULTURAL COUNCIL OF SCC	\$1,036.75
	Invoice		Date	Description	Amount	
	2011-00000778		06/01/2011	FY10/11 Q4 Comm Grant Payment	\$1,036.75	
66658	06/24/2011	Open			CVS PHARMACY INC.	\$68.05
	Invoice		Date	Description	Amount	
	2011-00000826		06/14/2011	Supplies-Rec	\$68.05	
66659	06/24/2011	Open			D & G SANITATION	\$256.74
	Invoice		Date	Description	Amount	
	187471		05/31/2011	Portable toilets, Wharf, May 26-Jun25 Fund 1311, Wharf	\$256.74	
66660	06/24/2011	Open			DIENTES COMMUNITY DENTAL CARI	\$344.50
	Invoice		Date	Description	Amount	
	2011-00000777		06/01/2011	FY10/11 Q4 Comm Grant Payment	\$344.50	
66661	06/24/2011	Open			DIGBY, JOHN, W.	\$1,600.00
	Invoice		Date	Description	Amount	
	001		06/16/2011	Visqueen removal, main beach	\$1,600.00	
66662	06/24/2011	Open			ENDEMAN, LINCOLN, TUREK & HEAT	\$4,864.96
	Invoice		Date	Description	Amount	
	291838		05/25/2011	Apr2011 Legal Services, Surf & Sand	\$3,393.38	
	291769		05/25/2011	Apr2011 Legal Services, Pac Cove Closure	\$390.19	
	291840		05/25/2011	Apr2011 Legal Services, Castle	\$1,081.39	
66663	06/24/2011	Open			ENTERSECT CORP	\$26.40
	Invoice		Date	Description	Amount	
	39178		05/31/2011	EPO live search May 2011-PD	\$26.40	
66664	06/24/2011	Open			EWING IRRIGATION	\$468.70
	Invoice		Date	Description	Amount	
	3310659		05/26/2011	Shovels & rakes	\$164.00	
	3317823		05/27/2011	Irrigation supplies	\$135.76	
	3340817		06/02/2011	Irrigation supplies	\$142.30	
	3340818		06/02/2011	Carson box lid	\$26.64	
66665	06/24/2011	Open			FAMILIES IN TRANSITION	\$605.50
	Invoice		Date	Description	Amount	
	2011-00000794		06/01/2011	FY10/11 Q4 Comm Grant Payment	\$605.50	
66666	06/24/2011	Open			FAMILY SERVICE AGENCY OF THE CENTRAL COAST	\$2,149.75
	Invoice		Date	Description	Amount	
	2011-00000771		06/01/2011	FY10/11 Q4 Comm Grant Payment	\$2,149.75	
66667	06/24/2011	Open			FELLOWS, LESLIE	\$915.00
	Invoice		Date	Description	Amount	
	20110620		06/20/2011	Jun 20 Art & Music at the Beach event coord	\$915.00	
66668	06/24/2011	Open			FLYNN, CAROLYN	\$3,100.00
	Invoice		Date	Description	Amount	
	CBF-5-2011-2		05/31/2011	Misc Grant Asst, Fund 1313, Gen Plan	\$3,100.00	



City of Capitola  
**City Checks Issued 6/24/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66669	06/24/2011	Open			GALLI UNIFORM COMPANY	\$113.62
	Invoice		Date	Description		Amount
	17556		05/25/2011	Uniform Exp, Sandretti-PD Explorer		\$82.65
	17584		06/06/2011	Uniform Purchase, Dally-PD		\$23.47
	17597		06/09/2011	Uniform Purchase, Zamora-PD		\$7.50
66670	06/24/2011	Open			GARDEN CITY CONSTRUCTION INC.	\$105,383.83
	Invoice		Date	Description		Amount
	G10330-1CIP		05/25/2011	Rispin Mansion Stabilization Fund 1200, CIP		\$105,383.83
66671	06/24/2011	Open			GOV'T FINANCE OFFICERS ASSOC.	\$176.00
	Invoice		Date	Description		Amount
	20110617		06/17/2011	Government Finance Guidelines		\$176.00
66672	06/24/2011	Open			HILL, CAROL	\$234.00
	Invoice		Date	Description		Amount
	2011-00000837		06/21/2011	Summer 1 - First Instr. Payments		\$234.00
66673	06/24/2011	Open			HOMELESS SERVICE CENTER OF S/	\$627.00
	Invoice		Date	Description		Amount
	2011-00000792		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$627.00
66674	06/24/2011	Open			HOSPICE of SANTA CRUZ COUNTY	\$345.00
	Invoice		Date	Description		Amount
	2011-00000793		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$345.00
66675	06/24/2011	Open			JIM CLARK BACKFLOW	\$135.00
	Invoice		Date	Description		Amount
	53111		05/31/2011	Annual Backflow tests		\$135.00
66676	06/24/2011	Open			KERKO, BRYAN, T.	\$6,125.00
	Invoice		Date	Description		Amount
	003		06/01/2011	Rispin Mansion Hazard Elimination Project Construction Mgmt-Fund 1200, CIP		\$6,125.00
66677	06/24/2011	Open			KING'S CLEANERS	\$582.00
	Invoice		Date	Description		Amount
	20110618		06/18/2011	uniform cleaning-PD		\$582.00
66678	06/24/2011	Open			LABOR READY SOUTHWEST INC.	\$942.59
	Invoice		Date	Description		Amount
	57561559		06/10/2011	FY 10/11 Temporary Staff-2		\$942.59
66679	06/24/2011	Open			LOOMIS	\$1,217.17
	Invoice		Date	Description		Amount
	10880708		05/31/2011	Armored Car Service, May 2011		\$1,217.17
66680	06/24/2011	Open			MID COUNTY POST	\$230.00
	Invoice		Date	Description		Amount
	032573		05/31/2011	Advertising-Camp Capitola		\$230.00

City of Capitola  
**City Checks Issued 6/24/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66681	06/24/2011	Open			MID-COUNTY AUTO SUPPLY	\$492.70
	Invoice		Date	Description		Amount
	263158		05/26/2011	Auto Parts-Gem Elec Vehicle Battery		\$293.89
	264069		06/03/2011	Auto Parts-PD Emergency Lights		\$141.84
	263739		06/01/2011	Auto Parts, PD082		\$56.97
66682	06/24/2011	Open			MILLER'S TRANSFER & STORAGE	\$253.45
	Invoice		Date	Description		Amount
	82117		06/02/2011	June Records Storage, May Records Hand		\$253.45
66683	06/24/2011	Open			MUNISERVICES, LLC	\$1,922.10
	Invoice		Date	Description		Amount
	24911		05/31/2011	Sales Tax Audit, Q4 CY2010		\$1,782.18
	24912		05/31/2011	Sales Tax Audit Q4 CY2010, District Tax		\$139.92
66684	06/24/2011	Open			NATIVE ANIMAL RESCUE	\$297.00
	Invoice		Date	Description		Amount
	2011-00000789		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$297.00
66685	06/24/2011	Open			NELLA OIL COMPANY	\$2,780.10
	Invoice		Date	Description		Amount
	11-613880		06/07/2011	150 Gal Diesel		\$645.71
	11-615032		06/09/2011	100 Gal Diesel		\$420.66
	11-615031		06/09/2011	428 Gal Ethanol		\$1,713.73
66686	06/24/2011	Open			O'NEILL SEA ODYSSEY	\$1,454.00
	Invoice		Date	Description		Amount
	2011-00000765		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$1,454.00
66687	06/24/2011	Open			ORCHARD SUPPLY HARDWARE	\$255.54
	Invoice		Date	Description		Amount
	6007-4799600		06/01/2011	Misc.		\$10.90
	6005-2095553		06/01/2011	Misc.-Fund 1311, Wharf		\$26.89
	6014-1084460		06/01/2011	Misc. Supplies, PW		\$66.48
	6013-5728152		06/02/2011	Wharf supplies-Fund 1311, Wharf		\$11.94
	6013-3188352		06/03/2011	Batteries		\$28.37
	6010-1084204		06/03/2011	Misc. Supplies, PW		\$7.84
	6007-9062242		06/13/2011	Lifeguard supplies		\$89.45
	6007-4791240		06/09/2011	Lifeguard supplies		\$13.67
66688	06/24/2011	Open			OUTDOOR WORLD	\$371.43
	Invoice		Date	Description		Amount
	872514		06/15/2011	Shade Pop-Ups, Rec		\$371.43
66689	06/24/2011	Open			PACIFIC GAS & ELECTRIC	\$12,760.67
	Invoice		Date	Description		Amount
	2538442101-9Jun		06/14/2011	Monthly Elec		\$12,760.67
				Fund 1311=\$2064, Fund 1310=\$6965		
66690	06/24/2011	Open			PACIFIC GAS & ELECTRIC	\$629.25
	Invoice		Date	Description		Amount
	PacCove-Jun11		06/15/2011	Pac Cove MHP Elec and Gas		\$629.25

City of Capitola  
**City Checks Issued 6/24/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66691	06/24/2011	Open			PALACE ART & OFFICE SUPPLIES	\$356.75
	Invoice		Date	Description		Amount
	908343		06/06/2011	Paper-PD		\$45.78
	908325		06/06/2011	Office Supplies, City Hall		\$121.62
	908462		06/06/2011	Office Supplies, City Hall		\$5.16
	908347		06/06/2011	Misc Supplies		\$71.00
	908152		06/03/2011	Printer cartridges-Corp Yard		\$117.95
	908701		06/08/2011	Office Supplies, City Hall		\$60.81
	909133		06/10/2011	Office Supplies, City Hall		\$23.38
	C908751-0		06/14/2011	Return Office Supplies, City Hall		(\$79.35)
	908751-A		06/14/2011	Return Office Supplies, City Hall		(\$9.60)
	908636		06/07/2011	Office Supplies, City Hall		\$60.81
	C908636		06/14/2011	Return Office Supplies		(\$60.81)
66692	06/24/2011	Open			PARENTS CENTER OF SANTA CRUZ	\$1,772.00
	Invoice		Date	Description		Amount
	2011-00000772		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$1,772.00
66693	06/24/2011	Open			POT, TRENISE	\$977.60
	Invoice		Date	Description		Amount
	2011-00000517		02/11/2011	Winter Instructor Payments 2011		\$977.60
				Check Replacement, lost check		
66694	06/24/2011	Open			PRINTWORX	\$1,426.99
	Invoice		Date	Description		Amount
	10495-IN		05/31/2011	Twilight Concert Postcard printing (12,000)		\$1,426.99
66695	06/24/2011	Open			ProBUILD COMPANY LLC	\$174.35
	Invoice		Date	Description		Amount
	5526431		06/07/2011	Bolts		\$45.05
	5526797		06/08/2011	Posts		\$129.30
66696	06/24/2011	Open			ROSSI'S TOWING	\$225.00
	Invoice		Date	Description		Amount
	11c01051		06/01/2011	Towed car 11c 01051 3 day storage		\$225.00
66697	06/24/2011	Open			SANTA CRUZ AIDS PROJECT	\$2,287.50
	Invoice		Date	Description		Amount
	2011-00000774		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$2,287.50
66698	06/24/2011	Open			SANTA CRUZ COMMUNITY COUNSEL	\$1,721.50
	Invoice		Date	Description		Amount
	2011-00000791		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$1,721.50
66699	06/24/2011	Open			SCC OFFICE OF EDUCATION	\$339.00
	Invoice		Date	Description		Amount
	2011-00000766		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$339.00
66700	06/24/2011	Open			SCC SHERIFF-CORRECTIONS	\$679.32
	Invoice		Date	Description		Amount
	May 2011		06/01/2011	May 2011 Booking fees		\$679.32

City of Capitola  
**City Checks Issued 6/24/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66701	06/24/2011	Open			SANTA CRUZ SENTINEL	\$16.32
	Invoice		Date	Description		Amount
	310939-Mar2011		03/31/2011	Public auction for found property-PD		\$16.32
66702	06/24/2011	Open			SANTA CRUZ TODDLER CARE CTR	\$308.50
	Invoice		Date	Description		Amount
	2011-00000796		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$308.50
66703	06/24/2011	Open			SECOND HARVEST FOOD BANK	\$2,456.25
	Invoice		Date	Description		Amount
	2011-00000769		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$2,456.25
66704	06/24/2011	Open			SEGURA, ROY	\$3,000.00
	Invoice		Date	Description		Amount
	20110624		06/17/2011	Pre-payment, Art Wall Project Fund 1315, Public Art		\$3,000.00
66705	06/24/2011	Open			SENIOR CITIZENS LEGAL SERVICES	\$2,435.75
	Invoice		Date	Description		Amount
	2011-00000776		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$2,435.75
66706	06/24/2011	Open			SENIOR NETWORK SERVICES, INC.	\$615.25
	Invoice		Date	Description		Amount
	2011-00000782		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$615.25
66707	06/24/2011	Open			SENIORS COUNCIL OF SC COUNTY	\$819.25
	Invoice		Date	Description		Amount
	2011-00000773		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$819.25
66708	06/24/2011	Open			SPORT ABOUT	\$228.63
	Invoice		Date	Description		Amount
	3680		06/03/2011	TShirts, Jr Guard Instructors		\$228.63
66709	06/24/2011	Open			SUMMIT UNIFORM CORP	\$168.25
	Invoice		Date	Description		Amount
	41460		05/26/2011	Pepper Spray, Blankenship-PD		\$17.48
	14321		05/26/2011	Uniform Purchase, Weagle-PD		\$150.77
66710	06/24/2011	Open			SURVIVORS HEALING CENTER	\$132.00
	Invoice		Date	Description		Amount
	2011-00000785		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$132.00
66711	06/24/2011	Open			UNITED STATES POSTAL SERVICE	\$950.00
	Invoice		Date	Description		Amount
	Summer2011News		06/17/2011	Summer Newsletter Postage		\$950.00
66712	06/24/2011	Open			UNITED WAY OF SANTA CRUZ COUP	\$1,526.75
	Invoice		Date	Description		Amount
	2011-00000787		06/01/2011	FY10/11 Q4 Comm Grant Payment		\$1,526.75
66713	06/24/2011	Open			US BANCORP EQUIPMENT FINANCE	\$250.06
	Invoice		Date	Description		Amount
	179340229		06/07/2011	Copier Lease, PD		\$250.06

## City Checks Issued 6/24/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66714	06/24/2011 Invoice 0982642566	Open	Date 06/03/2011	Description Wireless Internet Access Fund 2211, IT	VERIZON WIRELESS-ACCT#5720158	\$150.66
66715	06/24/2011 Invoice 2011-00000775	Open	Date 06/01/2011	Description FY10/11 Q4 Comm Grant Payment	VISTA CENTER FOR THE BLIND	\$460.25
66716	06/24/2011 Invoice 2011-00000768	Open	Date 06/01/2011	Description FY10/11 Q4 Comm Grant Payment	VOLUNTEER CENTERS OF SCC	\$339.00
66717	06/24/2011 Invoice 2011-00000781	Open	Date 06/01/2011	Description FY10/11 Q4 Comm Grant Payment	WOMEN'S CRISIS SUPPORT	\$903.25
66718	06/24/2011 Invoice 2011-00000790	Open	Date 06/01/2011	Description FY10/11 Q4 Comm Grant Payment	WOMENCARE	\$566.25
66719	06/24/2011 Invoice 2000905.002	Open	Date 06/13/2011	Description Refund-Rec	Bourke, Arusha	\$248.00
66720	06/24/2011 Invoice 2000908-002	Open	Date 06/14/2011	Description Refunds-Rec	Diaz, Maria	\$198.00
66721	06/24/2011 Invoice 2011-00000840	Open	Date 06/22/2011	Description Reimb Rifle Slings and K-9/Officer vests	Gonzalez, Mark	\$220.73
66722	06/24/2011 Invoice 2000923-002	Open	Date 06/20/2011	Description Refund-Rec	Griffin, Hazel	\$500.00
66723	06/24/2011 Invoice 2000919-002	Open	Date 06/20/2011	Description Refund-Rec	Ho'opai, Bonnie	\$410.00
66724	06/24/2011 Invoice 2011-00000827	Open	Date 06/08/2011	Description Rent for PD sub station at the Mall	Macerich Partnership	\$10.00
66725	06/24/2011 Invoice 2000917-002	Open	Date 06/15/2011	Description Refund-Rec	Rositano, Stacey	\$206.00
66726	06/24/2011 Invoice 2000922-002	Open	Date 06/20/2011	Description Refund-Rec	Seftel, Francis	\$12.00
Check Totals:				Count	95	Total \$249,516.09

Checks dated 7/1/11 numbered 66727 to 66807 for a total of \$744,198.92 have been reviewed and authorized for distribution by the City Manager and City Treasurer.

As of 7/1/11 the unaudited cash balance is \$3,236,047

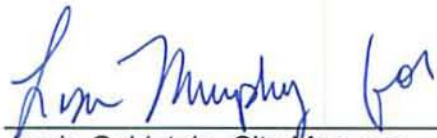
**CASH POSITION - CITY OF CAPITOLA 7/1/11**

	<u>Temporary Loan</u>	<u>Net Balance</u>
General Fund		(520,825)
<i>Loan from Contingency Reserve</i>		520,825
Worker's Comp. Ins. Fund		174,779
Self Insurance Liability Fund		284,202
Stores Fund		20,138
Information Technology Fund		177,192
Equipment Replacement		305,933
Compensated Absences Fund		36,114
Contingency Reserve Fund	1,247,152	
<i>Loan to General Fund</i>	<u>(520,825)</u>	
<i>Net Contingency Reserve Fund Balance</i>		726,327
Public Employee Retirement - PERS		279,946
Open Space Fund		256
Capital Improvement Projects		<u>1,231,161</u>
TOTAL GENERAL FUND & COUNCIL DESIGNATED FUNDS		<u><u>3,236,047</u></u>

**Negative Fund Balances:** Periodically, the balance(s) above may be negative during the fiscal year for numerous reasons including timing differences and especially the State Triple-Flip. (The State Triple Flip defers approximately \$1.3 million of City sales tax revenue each year.)

These negative fund balances are temporarily paid for first by the General Fund, if available, then by the Contingency Reserve Fund and finally by the Internal Service Funds.

The Emergency Reserve Fund balance is \$334,897.34 and is not included above.

  
 \_\_\_\_\_  
 Jamie Goldstein, City Manager

7/1/11  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Jacques J.J. Bertrand, City Treasurer

\_\_\_\_\_  
 Date



City of Capitola  
**City Checks Issued 7/1/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66727	07/01/2011	Open			PUALANI'S RETAIL CONSULTING SVC	\$37.50
	License		Date	Description		Amount
	Business		6/24/2011	Refund Business License		\$37.50
66728	07/01/2011	Open			AFLAC	\$536.78
	Invoice		Date	Description		Amount
	895956		06/24/2011	June Health Ins, Employee Funded		\$536.78
66729	07/01/2011	Open			AKERS & ASSOCIATES, INC.	\$8,615.00
	Invoice		Date	Description		Amount
	0003773		05/31/2011	May 2011 Rispin Haz Elim Proj-Civil Eng		\$6,075.00
	003774		06/23/2011	Prof Services, Mar-Jun2011, Plan Checkin Fund 1200, CIP=\$6075.00		\$2,540.00
66730	07/01/2011	Open			APTOS LANDSCAPE SUPPLY, INC.	\$706.32
	Invoice		Date	Description		Amount
	314507		06/09/2011	Pathway Gravel		\$176.58
	314552		06/09/2011	Pathway Gravel		\$147.15
	314529		06/09/2011	Pathway Gravel		\$147.15
	314514		06/09/2011	Pathway Gravel		\$147.15
	314544		06/09/2011	Pathway Gravel		\$88.29
66731	07/01/2011	Open			AT&T/CALNET 2	\$1,960.30
	Invoice		Date	Description		Amount
	Apr-May2011		05/20/2011	Apr-May2011 Telephone Service, all sites Fund 2211, IT=\$286.05		\$1,960.30
66732	07/01/2011	Open			AUTOMATED TEST ASSOCIATES	\$92.00
	Invoice		Date	Description		Amount
	37555		06/23/2011	Pacific Cove MHP June 2011 utility billing		\$67.00
	37554		06/23/2011	Wharf Meter Reading June 2011-Fund131		\$25.00
66733	07/01/2011	Open			BRESLIN-KESSLER, PAUL	\$892.50
	Invoice		Date	Description		Amount
	BK-Jun4		06/28/2011	Private Lessons, 6/28/11		\$892.50
66734	07/01/2011	Open			CA DEPARTMENT OF TRANSPORTATI	\$3,846.91
	Invoice		Date	Description		Amount
	99000154		06/15/2011	Signals & Lighting billing for July10-April11 Fund 1310, Gas Tax		\$3,846.91
66735	07/01/2011	Open			CAL TRAFFIC	\$123.95
	Invoice		Date	Description		Amount
	16559		05/23/2011	Traffic sign		\$63.14
	16588		06/15/2011	Traffic sign W9-1		\$60.81
66736	07/01/2011	Open			CALIFORNIA LAW ENFORCEMENT AS	\$390.00
	Invoice		Date	Description		Amount
	CLEA-Jul2011		06/16/2011	Long Term Disability Ins, PD		\$390.00
66737	07/01/2011	Open			CalPERS Health Insurance	\$51,483.36
	Invoice		Date	Description		Amount
	0806-000Jul2011		06/15/2011	Employee Health Ins, Employee Funded		\$51,483.36

City of Capitola  
**City Checks Issued 7/1/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66738	07/01/2011 Invoice POA-Jul1	Open	Date 06/29/2011	Description POA Dues, Employee Funded	CAPITOLA PEACE OFFICERS ASSOCI Amount \$728.62	\$728.62
66739	07/01/2011 Invoice 428329	Open	Date 06/01/2011	Description Jul-Dec2011 Advertising-BIA Fund 1321, BIA	CERTIFIED FOLDER DISPLAY SERVIC Amount \$3,045.41	\$3,045.41
66740	07/01/2011 Invoice 5646-Jul2011	Open	Date 06/11/2011	Description Acct 8203-11-008-0198562, Jun-Jul2011 Fund 2211, IT	Charter Communications Amount \$129.99	\$129.99
66741	07/01/2011 Invoice 59996	Open	Date 06/22/2011	Description City Hall door	CHIP'S CUSTOM CREATIONS Amount \$50.00	\$50.00
66742	07/01/2011 Invoice R211501 R211476	Open	Date 06/14/2011 03/23/2011	Description Memorial plaques Memorial plaques	CRESTOR INC. Amount \$695.42 \$869.28	\$1,564.70
66743	07/01/2011 Invoice 0020	Open	Date 06/21/2011	Description Camp supplies	CVS PHARMACY INC. Amount \$21.83	\$21.83
66744	07/01/2011 Invoice D-8775x	Open	Date 06/01/2011	Description Twilight Concert Postcard Mailing	D-MAIL INC. Amount \$415.44	\$415.44
66745	07/01/2011 Invoice 20110706	Open	Date 06/09/2011	Description Jul 6 Twilight Concert Artist	DONOGHUE, ZACHARY, A. Amount \$1,000.00	\$1,000.00
66746	07/01/2011 Invoice 3348472 3348473 3390020	Open	Date 06/03/2011 06/03/2011 06/10/2011	Description Irrigation supplies Irrigation supplies Irrigation supplies	EWING IRRIGATION Amount \$35.36 \$39.27 \$33.75	\$108.38
66747	07/01/2011 Invoice 062023	Open	Date 06/23/2011	Description Radiator Repair, Corp Yd	FABRICATION EFFECTS, INC. Amount \$300.00	\$300.00
66748	07/01/2011 Invoice 7764	Open	Date 06/16/2011	Description Plants	FARWEST NURSERY Amount \$37.80	\$37.80
66749	07/01/2011 Invoice 7-531-26559	Open	Date 06/17/2011	Description May-Jun2011 Shipping Exp	FEDERAL EXPRESS Amount \$144.85	\$144.85



# City Checks Issued 7/1/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66750	07/01/2011	Open			FIRST ALARM	\$113.34
	Invoice		Date	Description		Amount
	449780		06/16/2011	Capitola Mall Annex Alarm Monitoring		\$113.34
66751	07/01/2011	Open			FLAGHOUSE	\$55.89
	Invoice		Date	Description		Amount
	PO4421060101		06/01/2011	Plastic Cones, Rec		\$55.89
66752	07/01/2011	Open			GALLI UNIFORM COMPANY	\$253.19
	Invoice		Date	Description		Amount
	17585		06/06/2011	Uniform Expense, Keane		\$253.19
66753	07/01/2011	Open			Geo. H. Wilson, Inc.	\$27,962.00
	Invoice		Date	Description		Amount
	8584		06/20/2011	PD HVAC-Progress billing, thru 6/30/11 Fund 1200, CIP		\$27,962.00
66754	07/01/2011	Open			GOLDFARB & LIPMAN, LLP	\$373.00
	Invoice		Date	Description		Amount
	101681		06/17/2011	May11 City Legal Services Fund 1372, Housing Trust		\$373.00
66755	07/01/2011	Open			HARRIS & ASSOCIATES	\$780.00
	Invoice		Date	Description		Amount
	13900		06/13/2011	Design for Cherry St Road Impr Proj Fund 1200, CIP		\$780.00
66756	07/01/2011	Open			HILL, FRANK	\$350.00
	Invoice		Date	Description		Amount
	20110623		06/24/2011	Museum Display Exp		\$350.00
66757	07/01/2011	Open			HOPE REHABILITATION SERVICES	\$1,400.00
	Invoice		Date	Description		Amount
	S139525		06/15/2011	Litter Abatement & Street Cleaning Jun1-1		\$1,400.00
66758	07/01/2011	Open			HOSE SHOP	\$233.55
	Invoice		Date	Description		Amount
	339139		06/08/2011	Auto Parts-Beach Sand Sifter		\$42.59
	339117		06/08/2011	Auto Parts-Sweeper & Sand Sifter		\$190.96
66759	07/01/2011	Open			HOWARD, CHARLIE	\$1,410.00
	Invoice		Date	Description		Amount
	20110617		06/27/2011	Mechanic, 6/13-6-17		\$690.00
	20110624		06/27/2011	Mechanic, 6/20-6/24		\$720.00
66760	07/01/2011	Open			ICMA RETIREMENT TRUST 457	\$6,831.97
	Invoice		Date	Description		Amount
	ICMA-Jul1		06/29/2011	Retirement Plan Contr, Employee Funded		\$6,831.97
66761	07/01/2011	Open			INTERWEST CONSULTING GROUP INC	\$622.38
	Invoice		Date	Description		Amount
	10904		05/02/2011	5040 Garnet Street plan review		\$622.38

City of Capitola  
**City Checks Issued 7/1/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66762	07/01/2011	Open			LAW ENFORCEMENT PSYCH SERVI	\$350.00
	Invoice		Date	Description		Amount
	0611389		06/07/2011	Psych Eval, PD New Hire (Weagle)		\$350.00
66763	07/01/2011	Open			LEWIS TREE SERVICE INC.	\$850.00
	Invoice		Date	Description		Amount
	18337		06/17/2011	Remove Acacia		\$850.00
66764	07/01/2011	Open			LUICH, JAY	\$154.00
	Invoice		Date	Description		Amount
	2011-00000861		06/28/2011	Sports Officials June 4 to June 25 2011		\$154.00
66765	07/01/2011	Open			MALLON/SINGING WOOD MARIMBA	\$400.00
	Invoice		Date	Description		Amount
	20110710		06/24/2011	Sunday Music at the Beach, Jul 10		\$400.00
66766	07/01/2011	Open			MEDCO SUPPLY CO.	\$99.14
	Invoice		Date	Description		Amount
	41358297		06/02/2011	First Aid Supplies, Rec		\$99.14
66767	07/01/2011	Open			MID-COUNTY AUTO SUPPLY	\$840.74
	Invoice		Date	Description		Amount
	264423		06/07/2011	Auto Parts-F-150 PU, ESO II, PD		\$82.82
	264476		06/07/2011	Auto Parts		\$6.07
	264644		06/08/2011	Auto Parts-Parks 1999 F-150		\$75.11
	264346		06/06/2011	Auto Parts-ESO II, PD		\$40.00
	264341		06/06/2011	Auto Parts-Shop & ESO II		\$127.65
	263755		06/01/2011	Auto Parts-PD082		\$40.00
	264722		06/09/2011	Auto Parts, 1999 F-150, Parks		\$305.25
	264874		06/10/2011	Return Auto Parts		(\$87.40)
	265447		06/15/2011	parts, Beach Sand Sifter		\$188.10
	265396		06/15/2011	Auto parts 2011 F-250		\$51.69
	265167		06/13/2011	Auto parts, 2011 F-250		\$11.45
66768	07/01/2011	Open			NELLA OIL COMPANY	\$2,705.20
	Invoice		Date	Description		Amount
	11-617049		06/16/2011	175 Gal Diesel		\$730.43
	11-616986A		06/16/2011	497 Gal Ethanol		\$1,974.77
66769	07/01/2011	Open			O'Neill Surf Shop	\$1,209.28
	Invoice		Date	Description		Amount
	CJR 2011-01		06/20/2011	Boogie boards for JG's		\$1,209.28

City of Capitola  
**City Checks Issued 7/1/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66770	07/01/2011	Open			ORCHARD SUPPLY HARDWARE	\$905.09
	Invoice		Date	Description		Amount
	6005-3526463		06/06/2011	Paint		\$11.77
	6012-2098478		06/06/2011	Drill bits		\$25.31
	6005-3526681		06/07/2011	Misc.		\$42.55
	6007-4790831		06/07/2011	Beach/lagoon plastic		\$305.89
	6007-4790832		06/07/2011	Snow fence		\$117.06
	6013-5729039		06/08/2011	Wharf sinks		\$7.55
	60019-120409		06/17/2011	Supplies - REC		\$44.07
	6007-3593039		06/17/2011	Auto parts, 2011 F-250		\$19.64
	6013-120333		06/17/2011	Auto parts 2011 F-250		\$103.11
	6005-2438314		06/16/2011	Auto parts, 2011 F-250		\$90.01
	6009-2430202		06/11/2011	Nuts & bolts		\$5.12
	6005-9067472		06/11/2011	Bolts		\$2.76
	6007-9066159		06/13/2011	Doggie bag dispenser		\$26.20
	6010-2096159		06/15/2011	Cultivator		\$34.94
	6005-2438152		06/15/2011	Misc. Supplies		\$54.92
	6009-6091603		06/16/2011	Batteries		\$14.19
66771	07/01/2011	Open			OUTDOOR WORLD	\$797.47
	Invoice		Date	Description		Amount
	Rct #870799		06/07/2011	JG supplies-Pop-Ups		\$797.47
66772	07/01/2011	Open			PALACE ART & OFFICE SUPPLIES	\$541.76
	Invoice		Date	Description		Amount
	8632823-0		06/08/2011	Office supplies		\$79.39
	909190		06/10/2011	Paper-PD		\$45.78
	8635020-0		06/14/2011	Office Supplies, Rec		\$34.17
	909518		06/14/2011	Office Supplies, City Hall		\$85.17
	909597		06/14/2011	Office Supplies, City Hall		\$3.26
	909576		06/14/2011	Office supplies - PD		\$6.54
	910147		06/17/2011	Office supplies-PD		\$137.98
	8631175		06/03/2011	Office Supplies, Museum		\$82.44
	8636253		06/17/2011	Office Supplies, Museum		\$99.43
	908943		06/09/2011	Office Supplies, City Hall		\$51.19
	C908943		06/22/2011	Return Office Supplies		(\$51.19)
	C910147		06/22/2011	Return Office Supplies		(\$6.22)
	C909518		06/22/2011	Return Office Supplies		(\$26.18)
66773	07/01/2011	Open			PENINSULA COMMUNICATIONS	\$601.71
	Invoice		Date	Description		Amount
	13775		06/07/2011	Programming Software Fund 2211, IT		\$601.71
66774	07/01/2011	Open			POM INCORPORATED	\$282.06
	Invoice		Date	Description		Amount
	19572		06/07/2011	Parking Meter Maint Supplies-PD		\$282.06
66775	07/01/2011	Open			PROVANTAGE	\$710.74
	Invoice		Date	Description		Amount
	5952604		06/02/2011	Server Rack, Rec (IT) Fund 2211, IT		\$710.74

# City Checks Issued 7/1/11

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66776	07/01/2011	Open			PUBLIC ENGINES, INC.	\$597.00
	Invoice		Date	Description		Amount
	13410		06/01/2011	Subscription Renewal, 7/1 to 9/30/11		\$597.00
66777	07/01/2011	Open			ROBERT DEACON	\$2,010.13
	Invoice		Date	Description		Amount
	Jul2011		06/24/2011	Monthly Rent, PD Annex		\$2,010.13
66778	07/01/2011	Open			RODGERS, PETER, A	\$154.00
	Invoice		Date	Description		Amount
	2011-00000860		06/28/2011	Sports Officials June 4 to June 25 2011		\$154.00
66779	07/01/2011	Open			ROSEMAN, LEWIS	\$2,947.24
	Invoice		Date	Description		Amount
	61511		06/15/2011	June 2011 Parking meter services		\$2,947.24
66780	07/01/2011	Open			SPRINT	\$2,754.94
	Invoice		Date	Description		Amount
	974855313-114		06/03/2011	Monthly Cell Phone Service		\$2,754.94
66781	07/01/2011	Open			SWIFT, STEVE	\$170.36
	Invoice		Date	Description		Amount
	HD-6-22-11		06/22/2011	Reimb Shelving Purchase, Museum		\$170.36
66782	07/01/2011	Open			THACHER & THOMPSON ARCHITECTS	\$2,157.34
	Invoice		Date	Description		Amount
	8261		06/15/2011	Rispin - architectural design Fund 1200, CIP		\$2,157.34
66783	07/01/2011	Open			THE HARTFORD -PRIORITY ACCOUNT	\$1,892.66
	Invoice		Date	Description		Amount
	5453514-1		06/15/2011	City Employee Life and Disability Ins-Jul11		\$1,892.66
66784	07/01/2011	Open			THE SKYLIGHT PLACE INC.	\$326.97
	Invoice		Date	Description		Amount
	84840		06/02/2011	Window replacement		\$326.97
66785	07/01/2011	Open			THILL, WENDY	\$80.00
	Invoice		Date	Description		Amount
	2011-00000859		06/28/2011	Sports Officials June 4 to June 25 2011		\$80.00
66786	07/01/2011	Open			UNION BANK OF CALIFORNIA	\$3,132.43
	Invoice		Date	Description		Amount
	PARS-Jul1		06/29/2011	PARS Contr for Jul 1 PR, Employee Funde		\$3,132.43
66787	07/01/2011	Open			UNITED WAY OF SANTA CRUZ COUN	\$20.00
	Invoice		Date	Description		Amount
	UW-Jul1		06/29/2011	United Way Payroll Deductions, Jul 1		\$20.00
66788	07/01/2011	Open			URS Corporation	\$245.21
	Invoice		Date	Description		Amount
	4736288		06/22/2011	Engineering Services-Fund 1020, Emerg F Storm Drain System @ Pac Cove MHP		\$245.21

City of Capitola  
**City Checks Issued 7/1/11**

Check Number.	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
66789	07/01/2011	Open			VANTAGE POINT TRANSFER AGENTS	\$28,208.54
	Invoice		Date	Description		Amount
	401A-Jul1		06/29/2011	Deferred Comp Investment, Hill		\$28,208.54
66790	07/01/2011	Open			WATSONVILLE BLUEPRINT	\$92.22
	Invoice		Date	Description		Amount
	29753		06/24/2011	prints		\$92.22
66791	07/01/2011	Open			WELLS FARGO BANK	\$570,090.68
	Invoice		Date	Description		Amount
	22349200-11/12		07/01/2011	Pension Obligation Bond Payment, FY11/1 Fund 1410, Pension Obl Bond		\$570,090.68
66792	07/01/2011	Open			WITMER-TYSON IMPORTS INC.	\$500.00
	Invoice		Date	Description		Amount
	T8647		06/01/2011	May 2011 K-9 Training		\$500.00
66793	07/01/2011	Open			Cartwright, Jake	\$82.00
	Invoice		Date	Description		Amount
	2011-00000848		06/27/2011	Camp Jr. Leaders		\$82.00
66794	07/01/2011	Open			Charles, Dorothy	\$49.50
	Invoice		Date	Description		Amount
	2000937-002		06/27/2011	Class refund		\$49.50
66795	07/01/2011	Open			Cushnir, Eli	\$75.50
	Invoice		Date	Description		Amount
	2011-00000849		06/27/2011	Camp Jr. Leaders		\$75.50
66796	07/01/2011	Open			Doherty, David	\$79.00
	Invoice		Date	Description		Amount
	2011-00000850		06/27/2011	Camp Jr. Leaders		\$79.00
66797	07/01/2011	Open			Greenfield, Bianca	\$159.95
	Invoice		Date	Description		Amount
	2011-00000852		06/27/2011	Camp Jr. Leaders		\$159.95
66798	07/01/2011	Open			Gross, Daniel	\$85.50
	Invoice		Date	Description		Amount
	2011-00000851		06/27/2011	Camp Jr. Leaders		\$85.50
66799	07/01/2011	Open			Horton, Madeline	\$87.00
	Invoice		Date	Description		Amount
	2011-00000853		06/27/2011	Camp Jr. Leaders		\$87.00
66800	07/01/2011	Open			Jouras, Cameron	\$105.49
	Invoice		Date	Description		Amount
	8270		06/27/2011	JG First Aid supplies		\$105.49
66801	07/01/2011	Open			Jouras, Cameron	\$37.09
	Invoice		Date	Description		Amount
	8207		06/27/2011	JG supplies		\$37.09

City of Capitola  
**City Checks Issued 7/1/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount	
66802	07/01/2011	Open			Leisure West Camper Shells	\$412.02	
	Invoice		Date	Description		Amount	
	16562		06/14/2011	Bedliner & steps for new Ford F250 4x4		\$412.02	
66803	07/01/2011	Open			Pauly, Caitlyn	\$83.00	
	Invoice		Date	Description		Amount	
	2011-00000854		06/27/2011	Camp Jr. Leaders		\$83.00	
66804	07/01/2011	Open			Richey, Krystal	\$158.00	
	Invoice		Date	Description		Amount	
	2011-00000855		06/27/2011	Camp Jr. Leaders		\$158.00	
66805	07/01/2011	Open			Rosenblum, Ivan	\$186.00	
	Invoice		Date	Description		Amount	
	2000929-002		06/27/2011	Refund - Youth Basketball		\$186.00	
66806	07/01/2011	Open			Spangler, Katie	\$79.50	
	Invoice		Date	Description		Amount	
	2011-00000857		06/27/2011	Camp Jr. Leaders		\$79.50	
66807	07/01/2011	Open			Sprague, Tate	\$75.50	
	Invoice		Date	Description		Amount	
	2011-00000856		06/27/2011	Camp Jr. Leaders		\$75.50	
Check Totals:				Count	81	Total	\$744,198.92



Item #: 2.F.2)

## CAPITOLA REDEVELOPMENT AGENCY AGENDA REPORT

MEETING OF JULY 14, 2011

FROM: FINANCE DEPARTMENT  
DATE: July 6, 2011  
SUBJECT: APPROVAL OF RDA CHECK REGISTER REPORT

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**Recommended Action:** By motion and roll call vote, that the RDA Board approve the Check Register Report dated June 24, 2011 as submitted.

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### DISCUSSION

The attached Check Register for the referenced date:

Date	Starting Check #	Ending Check #	Total Checks	Amount
6/24/11	2964	2974	11	\$448,578.70

The prior RDA check register report of May 10, 2011 ended with check number 2963.

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

Check	Issued to:	Dept.	Purpose	Amount
2966	Central Fire Protection Dist	CM	FY10/11 pass thru	\$326,357.28
2967	Critical Solutions Inc.	CDD	Capitola Library Study	\$10,639.64
2969	Garden City Construction	PW	Rispin Stabilization	\$32,000.00
2973	SCC Auditor-Controller	CM	FY10/11 Library & Spec Distr pass thru	\$66,026.00

As of 7/6/11 the unaudited cash balance in the RDA account is \$3,188,460.96 allocated as follows:

RDA Operating Fund	\$2,311,209.85
RDA Low/Mod Housing Fund	\$877,251.11

### ATTACHMENTS

Check Register Report dated:  
June 24, 2011

Report Prepared By: Linda Benko  
AP Clerk

Reviewed and Forwarded  
By Executive Director:

City of Capitola  
**RDA Checks Issued 6/24/11**

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
2964	06/24/2011 Invoice	Open			CAPITOLA CITY TREASURER	\$1,096.60
	Co-OpMay2011		Date 06/09/2011	Description May 2011 Co-Op Agreement		Amount \$1,096.60
2965	06/24/2011 Invoice	Open			CAPITOLA CITY TREASURER	\$4,000.00
	DirSal		Date 06/09/2011	Description RDA Director's Salary, FY10/11		Amount \$4,000.00
2966	06/24/2011 Invoice	Open			CENTRAL FIRE PROTECTION DISTRICT	\$326,357.28
	Jul2010		Date 08/23/2010	Description Jul2010 Pass Thru		Amount \$521.08
	PassThru-Sep10		Date 09/30/2010	Description Fire Pass Thru-Sep10		Amount \$7,442.88
	Oct 2010		Date 11/12/2010	Description Fire pass Thru, Oct 2010		Amount \$2,296.95
	Dec2010		Date 01/11/2011	Description Dec 2010 Fire pass Thru		Amount \$165,624.03
	Dec II		Date 02/09/2011	Description Dec 2010 Pass Thru-II		Amount \$13.25
	Jan2011		Date 02/25/2011	Description Fire Pass Thru, Jan 2011		Amount \$4,214.30
	PassThruApr11		Date 04/21/2011	Description Fire Pass Thru, April 2011		Amount \$118,181.40
	PassThru-Mar11		Date 04/21/2011	Description Fire Pass-Thru, March 2011		Amount \$1,006.21
	Apr2011		Date 04/19/2011	Description Fire Pass Thru, Apr 2011		Amount \$25,172.37
	May2011		Date 06/09/2011	Description Fire pass Thru, May 2011		Amount \$1,884.81
2967	06/24/2011 Invoice	Open			CRITICAL SOLUTIONS INC.	\$10,639.64
	5		Date 06/08/2011	Description Capitola Library Study		Amount \$10,639.64
2968	06/24/2011 Invoice	Open			FLYNN, CAROLYN	\$1,000.00
	CBF-5-2011-1		Date 05/31/2011	Description Affordable Housing Plan Assis/RDA Low		Amount \$350.00
	CBF-5-2011-11		Date 05/31/2011	Description Grant Writing and Economic Development		Amount \$650.00
2969	06/24/2011 Invoice	Open			GARDEN CITY CONSTRUCTION INC.	\$32,000.00
	G10330-1RDA		Date 05/25/2011	Description Rispin Mansion Stabilization		Amount \$32,000.00
2970	06/24/2011 Invoice	Open			GOLDFARB & LIPMAN, LLP	\$1,717.89
	100942		Date 03/16/2011	Description RDA legal services		Amount \$1,708.50
	101554x		Date 05/18/2011	Description Mar2011 On-Line research charge		Amount \$9.39
2971	06/24/2011 Invoice	Open			SCC HOUSING AUTHORITY	\$4,368.00
	11-11 CSD		Date 06/02/2011	Description Security Deposit Program		Amount \$2,403.00
	11-11CGPS		Date 06/01/2011	Description May11 General Professional Services		Amount \$1,965.00
2972	06/24/2011 Invoice	Open			PACIFIC GAS & ELECTRIC	\$73.29
	Rispin-Jul		Date 06/07/2011	Description May-Jun Electric Bill, Rispin		Amount \$73.29
2973	06/24/2011 Invoice	Open			SCC AUDITOR-CONTROLLER	\$66,026.00
	10-11Distr		Date 06/23/2011	Description Library & Spec Distr Pass Thru, 10-11, Yr		Amount \$66,026.00



# RDA Checks Issued 6/24/11


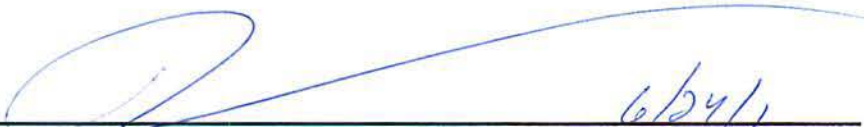
2974	06/24/2011	Open		WHARF RD MANOR HOME OWNERS	\$1,300.00
	Invoice		Date	Description	Amount
	2011-2		06/03/2011	Rent Subsidy April-June 2011	\$1,300.00
Check Totals:			Count	11	Total \$448,578.70

The above listed checks have been printed and released under the RDA Executive Director's approval. Included are checks numbered 2964 through 2974 for \$448,578.70.

These checks has been reviewed and authorized for distribution.

The unaudited cash balance in the RDA account as of 6/10/11 is \$3,220,460.96

RDA Operating Fund	\$2,343,209.85
Low/Mod Housing Fund	\$877,251.11


6/24/11


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Jamie Goldstein, City Manager
 Date
Debbie Johnson, Treasurer – RDA
Date



Item #: **3.B.**

# CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA REPORT

## MEETING OF JULY 14, 2011

FROM: OFFICE OF THE CITY CLERK/REDEVELOPMENT AGENCY SECRETARY

DATE: JULY 7, 2011

SUBJECT: **CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY MINUTE APPROVAL:**  
MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF JUNE 15, 2011,  
AND THE SPECIAL JOINT BUDGET STUDY SESSION OF THE CITY COUNCIL/  
REDEVELOPMENT AGENCY OF JUNE 15, 2011

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

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### **DISCUSSION**

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

### **ATTACHMENTS**

Minutes of Special Council Meeting of June 15, 2011  
Minutes of Special Joint Council/RDA Meeting of June 15, 2011

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

**Reviewed and Forwarded by**  
**City Manager/Executive Director:** \_\_\_\_\_

June 15, 2011

Capitola, California

**CAPITOLA CITY COUNCIL**

**MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL**

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

At 5:00 p.m. in the City Hall Council Chambers, Mayor Norton noted that all council members were present, with the exception of Council Member Storey. He made an announcement regarding the items to be discussed in Closed Session pursuant to the Notice and Call of a Special Meeting issued on June 14, 2011, as follows:

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

Veronica Shepardson, et al. (residents of Surf & Sand Mobile Home Park) vs. City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case #CV 171269]

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION** (Govt. Code §54957)

Title: City Attorney and City Manager

Mayor Norton asked if there were anyone who wanted to address the City Council regarding items on the Closed Session.

City Attorney Barisone announced that two items have come to staff's attention, which need to be dealt with prior to the next regular meeting of the City Council. One item relates to a potential claim against the City from Alice Hanratty for which the City Manager is seeking settlement authority from the City Council, and the second matter relates to the ongoing administration of the Surf and Sand Mobile Home Park settlement agreement.

**ACTION:** Council Member Nicol moved, seconded by Council Member Termini, to add the following two items to the Closed Session agenda with the finding that the matter arose after the posting of the agenda and needs to be acted upon prior to the Council's next regular meeting scheduled for June 23, 2011:

**Liability Claim** (Government Code §54956.95)

Claimant: Alice Hanratty

Agency claimed against: City of Capitola

**Conference with Legal Counsel - Existing Litigation** (Government Code §54956.9a)

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

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

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

The City Council adjourned at 5:05 p.m. to the Special Closed Session in the City Manager's Office.

**6:00 P.M. - OPEN SESSION**

Mayor Norton called the Special Meeting of the Capitola City Council/Redevelopment Agency to order at 6:05 p.m. on Wednesday, June 15, 2011, in the Capitola City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

**ROLL CALL AND PLEDGE OF ALLEGIANCE**

**PRESENT:** Council Members Stephanie Harlan, Michael Termini, Kirby Nicol, Sam Storey, and Mayor Norton  
**ABSENT:** None  
**STAFF:** City Manager Jamie Goldstein, Community Development Director Derek Johnson, Chief of Police Michael Card, Public Works Director Steve Jesberg, Assistant to the City Manager Lisa Murphy, and City Clerk Pamela Greeninger  
**OTHERS:** City Treasurer Jacques Bertrand and Redevelopment Agency Treasurer Debbie Johnson

**REPORT ON CLOSED SESSION**

City Attorney Barisone announced that the City Council met in Closed Session to discuss the Existing Litigation matter between Veronica Shepardson, et al. vs. City of Capitola, and the Public Employee Performance Evaluations of the City Attorney and the City Manager pursuant to the Notice and Call of a Special Meeting issued on June 14, 2011.

In addition, prior to meeting in Closed Session, the Council made the necessary findings to add two additional items to the Closed Session agenda: 1) a potential claim from Alice Hanratty regarding Pacific Cove Mobile Home Park, Space 49, and 2) the ongoing administration of the Surf and Sand Mobile Home Park settlement agreement.

City Attorney Barisone reported that the Council first discussed the Alice Hanratty claim with the City Manager and the City Attorney, and the City Council gave instructions regarding ongoing negotiations and settlement of that claim.

The council then discussed the recently-filed lawsuit, Veronica Shepardson, et al., vs. City of Capitola, challenging the provisions of the settlement agreement with the Surf & Sand Mobile Home Park tenants as it relates to eligibility for a long-term lease as called for by the settlement agreement. City Attorney Barisone and Adair Paterno, Deputy City Attorney, briefed the Council on that matter. No reportable action was taken.

The Council received an update on the administration of the Surf and Sand Mobile Home Park settlement from the City Attorney and the City Manager. Staff answered questions of council members regarding that matter. No reportable action was taken in closed session.

The council had a brief performance evaluation of the City Manager pertaining to tasks he has been performing. No reportable action was taken.

**ORAL COMMUNICATIONS**

Delores Price, resident of Capitola since 1962, said she has been affiliated with the Grey Bears for the past ten years, and she commented on the good work they do for the local community. Ms. Price said they were told the Council may cut back their grant awards for the next fiscal year, and she urged the Council to fund Grey Bears at the requested amount. **[330-30 Community Grants]**

Mayor Norton announced that pursuant to the Notice and Call of a Special Meeting issued on June 14, 2011, the City Council would conduct the following public hearing, prior to convening for the Special Joint Budget Study Session:

**PUBLIC HEARING**

1. **Public Hearing to receive public comments regarding the City's Application to State of California 2008 Disaster Recovery Initiative Allocation of the State CDBG Program for \$250,000 for development of the City's Local Hazard Mitigation Plan and Safety Element of the General Plan Update approved on June 9, 2011. [700-10]**

City Manager Goldstein provided a brief staff report informing the City Council that, due to noticing requirements, it is necessary to conduct a second public hearing for this item to receive public comment on the proposed application for grant funds. City Manager Goldstein noted that the prior action taken by the City Council on June 9, 2011, stands.

Mayor Norton opened the public hearing at 6:12 p.m. Seeing no one, the public hearing was closed.

**ACTION:** The City Council conducted the public hearing, received no public comments, and took no action.

**ADJOURNMENT**

The Special Meeting of the City Council was adjourned at 6:12 p.m. to the Special Joint Budget Study Session of the City Council/Redevelopment Agency to commence immediately.

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Dennis R. Norton, Mayor

ATTEST:

\_\_\_\_\_, MMC  
Pamela Greeninger, City Clerk

**MINUTES WERE UNANIMOUSLY APPROVED ON 7/14/2011**

**CAPITOLA CITY COUNCIL/  
REDEVELOPMENT AGENCY**

June 15, 2011  
Capitola, California

**MINUTES OF A SPECIAL JOINT BUDGET STUDY SESSION  
OF THE CITY COUNCIL/REDEVELOPMENT AGENCY**

**SPECIAL JOINT BUDGET STUDY SESSION**

Mayor/Chairperson Norton called the Special Joint Budget Study Session of the Capitola City Council and the Redevelopment Agency of Wednesday, June 15, 2011, to order at 6:13 p.m. in the Capitola City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

**1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

- PRESENT:** Council Members/Directors Stephanie Harlan, Michael Termini, Kirby Nicol, Sam Storey, and Mayor/Chairperson Norton
- ABSENT:** None
- STAFF:** City Manager/Executive Director Jamie Goldstein, Community Development Director/ Deputy Executive Director Derek Johnson, Chief of Police Michael Card, Public Works Director Steve Jesberg, Assistant to the City Manager Lisa Murphy, and City Clerk/ Secretary Pamela Greeninger
- OTHERS:** City Treasurer Jacques Bertrand and Redevelopment Agency Treasurer Debbie Johnson

**2. ORAL/COUNCIL COMMUNICATIONS**

A) Council Member/Director Storey commented on the lease documents that have been sent out to the residents of Surf and Sand Mobile Home Park. He expressed concerns that the park owner and the owner’s attorney are involved in practices that are not in conformance with the City’s agreement, and he wanted to make the Council aware of those issues. He is particularly concerned about the timing of this, and that the residents are being asked to sign a lease before they know into which classification they will be placed. **[750-25]**

Community Development Director Johnson said he, the city manager, and the city attorney’s office have been in active conversations with the attorneys and representatives of Surf and Sand Mobile Home Park and will continue to work with Mr. Alpert to address those concerns.

B) Mayor Norton said the city received notification from PG&E that SmartMeters will begin installation in mid-July. He commented on an opt-out provision that should be approved by the State soon. He explained that the opt-out provision requires customers to pay an up-front fee of \$135 and a \$20 per month payment, over and above the usage bill; or to pay \$270 up-front and a \$14 per month fee. Mayor Norton said it will cost customers not to have a SmartMeter. He then provided the toll-free number for customers to call to opt-out of installation of a SmartMeter on their property: 866-743-0263. **[565-30]**

Karen Nevis, Capitola resident, thanked the city council for taking the action it did adopting the urgency ordinance prohibiting the installation of SmartMeters in Capitola. She commented on the possible wired option and the ability to opt-out. Ms. Nevis discussed the information she has received about these meters, and she is extremely concerned about the health effects of SmartMeters. In closing, Ms. Nevis urged the Council to take a stand on its agenda this matter again for further discussion.

Mayor Norton asked if the council wanted to agenda this matter at a future meeting. Council discussion was followed by this action:

2. B) ORAL/COUNCIL COMMUNICATIONS (Continued)

**ACTION:** It was the consensus of the City Council to schedule this matter on a future agenda prior to mid-July to receive an update on the SmartMeter Program and to consider further implementation of the City's present moratorium ordinance.

3. **BUSINESS**

**A. Continued Joint Budget Study Session on the Proposed 2011/2012 and 2012/2013 Fiscal Year Budget for the City of Capitola General Fund, the Capitola Redevelopment Agency, and the Five-Year Capital Improvement Program [330-05 CITY/760-25 RDA/330-20 CIP/330-30 Community Grants]**

City Manager/Executive Director Goldstein announced that tonight is the third hearing on the proposed 2011/12 Fiscal Year Budget. He provided a verbal staff report utilizing a PowerPoint Presentation and responded to questions of Council Members/Agency Directors.

Community Development Director Johnson commented on information released last night from the state pertaining to California Redevelopment Agencies and the need for further analysis by staff regarding the effects on the City's Redevelopment Agency.

City Manager/Executive Director Goldstein reviewed the pending council/agency actions necessary for adoption of the proposed FY2011/12 Budget, as well as the options proposed by the Finance Advisory Committee and staff. He responded to questions of council members/directors pertaining to the RDA Administrative Loan and the various budget options.

**1) Receive Finance Advisory Committee Recommendations.**

Finance Advisory Committee Chair Bob Begun complimented the City Council on the work it has done to date, stating that this has been a very difficult year. He discussed the recommendations of the Finance Advisory Committee for the Council/Agency Directors to consider in adopting the 2011/12 Fiscal Year budget and responded to questions of council members/directors.

**2) Consider Community Grant Funding Requests and determine allocation of current budget amount. [City] [330-30 Community Grants]**

Mayor Norton asked for a recommendation from the city manager about how staff would prefer the council handle the community groups.

Council Member Storey announced that since he has a conflict of interest as Executive Director of Community Bridges, which is one of the community grant recipients, he recused himself from the decision-making process on this item, and he left the council chambers.

At 7:00 p.m., Mayor Norton opened this item up to the public for comment.

The following people addressed the council members, urging them to reject the recommendation of the Finance Advisory Committee to approve only 45% of the requested community grant funding and to recognize the essential services these groups provide and approve full funding:



3. A. 2) BUSINESS – Community Grant Funding (Continued)

Will O’Sullivan, Capitola resident and representative of the Human Care Alliance  
Kathleen Johnson, Executive Director of Advocacy, Inc. (Ombudsman program)  
Lisa Berkowitz, Meals on Wheels  
Lucila Sanchez, Women’s Crisis Support ~ Defensa de Mujeres  
Bill McCabe, Santa Cruz Community Counseling Center – Youth Services  
Clay Kemp, Executive Director of Seniors Council (Area Agency on Aging)  
Randy Chelsey, Vista Center for the Blind and Visually Impaired  
Karen Delany, Volunteer Center  
Janet Dollar, California Rural Legal Assistance  
David Bianche, Family Service Agency  
Geri McGillicuddy, WomenCare  
Debora Bone, Cabrillo Stroke and Disability Center  
Ken Goldstein, Executive Director of CASA – Court Appointed Special Advocates  
Patricia Castagnola, Santa Cruz Aids Project  
Brenda Moss, Senior Network Services  
Marie Cubillas, Big Brothers Big Sisters

Finance Advisory Committee Chair Begun commented on the committee’s recommendation, on the council’s continued support to the community groups, and the cuts that have occurred in other jurisdictions. He asked how many people are served by the community groups.

Mayor Norton commented that when this was previously discussed, the idea was not to cut funding, but to approve a portion of the grant in our budget for the first six months and to then review the balance at mid-year. He said the Finance Advisory Committee took a different stand.

There was considerable Council discussion prior to the following action being taken:  
**ACTION:** Council Member Termini moved to maintain flat funding for the community groups at \$275,000. Council Member Termini also said that since the American Red Cross has not requested funding, the amount of \$1,379 listed for the Red Cross be allocated to Save our Shores. Council Member Harlan seconded the motion.

Council members expressed their individual comments and concerns regarding the motion.

City Manager Goldstein suggested a possible solution to prepare the contracts for the total amount approved; but to include a clause to say it was a two-phase contract, with city manager approval required prior to proceeding with and billing Phase 2 services.

Council Member Termini suggested we enter into a contract for the full amount, only committing to disburse the first half of the year, and that as soon as the City receives \$500,000 or more from insurance or the state or federal government, it automatically releases the second half of the contract.

After considerable additional discussion on the motion, Council Member Termini clarified that his motion is to commit \$275,000 funding to the Community Groups, but that the City reserve payment of the last two quarters until or unless the City receives \$500,000 in flood reimbursement via the insurance, the state or federal government, or Zone 5, at which time the other half of community grant funding is automatically released.

3. A. 2) BUSINESS – Community Grant Funding (Continued)

There was additional discussion, and Council Member Harlan withdrew her second to the motion.

Mayor Norton then seconded the motion and clarified that Save our Shores would be funded at the same rate as the American Red Cross, \$1,379, since the Red Cross did not request funding.

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

The Council/Directors took a short break at 8:21 p.m. and reconvened at 8:28 p.m. Council Member/Director Storey returned to the meeting at this time.

**3) City Council/RDA Director Deliberation and Direction**

Mayor/Chairperson Norton opened this item to other members of the public or staff for comment. No one spoke.

Staff responded to various questions of council members/directors regarding the proposed budget and capital improvement program.

Council Member/Director Termini commented that he would like the council to consider a similar funding plan for the CIP as was approved for Community Groups; that is, if we get sufficient reimbursement from other sources (insurance, FEMA, etc.) that staff automatically replenish the CIP in the amount of \$300,000. He also agreed that the budget be approved utilizing the \$375,000 options provided by staff. Council Member/Director Termini believes the Council/Agency Directors are in a position tonight, with the recommendations from the Finance Advisory Committee and the city manager to make up the \$375,000, with the decision that was made for the community groups and with the city's intentions to infill emergency and contingency reserves immediately with any repayments, that we are in a position for a motion to adopt the budget.

City Manager/Executive Director Goldstein asked for clarification regarding the \$300,000 for the CIP. Council Member/Director Termini said that when reimbursement of \$300,000 from other sources arrives, those funds immediately release the CIP budget. Mayor/Chairperson Norton clarified that the council has authorized immediate release of the entire community group allocation when \$500,000 is received. In the event the city is repaid \$800,000 (\$500,000 for community groups and \$300,000 for CIP) then the Capital Improvement Program budget is released. If not, this should be brought back for consideration at mid-year.

After considerable deliberation, the following action was taken by the City Council:

**CITY COUNCIL ACTION:** Council Member Termini moved, seconded by Council Member Nicol, to adopt **Resolution No. 3874, Resolution Adopting the 2011/12 Fiscal Year City and Capital Improvement Program (CIP) Budgets**, to include the city manager's recommendations pertaining to the \$375,000, incorporate the Community Grant Awards previously approved in the amount of \$275,000, and, in the event the city is reimbursed \$800,000, \$500,000 would be released to community groups and \$300,000 would be released for the Capital Improvement Program.

3. A. 3) BUSINESS – Council/Agency Budget Deliberation (Continued)

There was additional discussion prior to the motion carrying on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None. *(Note: Council Member Storey abstained from voting on Exhibit A-3 Community Grant Awards.)*

The Redevelopment Agency Directors then took the following actions:

**REDEVELOPMENT AGENCY ACTION:** Director Harlan moved, seconded by Director Termini, to adopt the proposed Redevelopment Agency resolutions as recommended:

1) Adopted **Agency Resolution No. 2011-8, Resolution of the Redevelopment Agency of the City of Capitola Adopting the 2011/12 FY Redevelopment Agency Budget**, as submitted; and

2) Adopted **Agency Resolution No. 2011-9, Resolution of the Redevelopment Agency of the City of Capitola Making a Determination regarding the Planning and Administrative Expenditures of the Low and Moderate Income Housing Fund for Fiscal Year 2011/12 and the Determination that the use of Low and Moderate Income Housing Funds Outside of the Project Area will be of Benefit to the Project Area**, as submitted.

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

4. **ADJOURNMENT**

The Joint Budget Study Session was adjourned at 8:45 p.m. to the next Joint Regular Meeting of the Capitola City Council/Redevelopment Agency to be held on Thursday, June 23, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

---

Dennis R. Norton, Mayor  
Redevelopment Agency Chairperson

ATTEST:

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\_\_\_\_\_, MMC  
Pamela Greeninger, City Clerk  
Redevelopment Agency Secretary

**MINUTES WERE UNANIMOUSLY APPROVED ON 7/14/2011**



## CITY COUNCIL AGENDA REPORT

MEETING OF JULY 14, 2011

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

---

**1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

Commissioners: Graves, Newman, Routh, Smith and Chairperson Ortiz  
Staff: Community Development Director Johnson  
Minute Clerk Uharriet

**2. ORAL COMMUNICATIONS**

- A. Additions and Deletions to Agenda - NONE
- B. Public Comments - NONE
- C. Commission Comments - NONE
- D. Staff Comments - NONE

**3. APPROVAL OF MINUTES**

- A. June 2, 2011 Regular Planning Commission Meeting

Commissioner Graves: Page 1: Chairperson Ortiz Vice-Chairperson Graves called the Regular Meeting of the Capitola Planning Commission to order at 7:03 p.m.

Commissioner Smith: Page 6, fifth paragraph: Derek Van Lasting Alstine, project designer, spoke in support of the application. Seventh paragraph: Commissioner Smith stated setback requirements for building articulation are met with the 6" setback in the plan. ~~that the second floor is inset 6" from the first floor.~~

**4. CONSENT CALENDAR**

NONE

**5. PUBLIC HEARINGS**

**A. 705 RIVERVIEW DRIVE**

**#11-058**

**APN: 035-042-27**

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

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

Environmental Determination: Categorical Exemption

Property Owner: Mario & Linda Beltramo, filed 6/1/11

Representative: Thacher & Thompson

**APPROVED 5-0**

**B. 1066 41<sup>st</sup> AVENUE, A105**

**#11-062**

**APN: 035-0711-01**

Conditional Use Permit and a Sign Permit for a take-out restaurant use (Amazon Juice) with outdoor seating in the CC (Community Commercial) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Joao Luiz Freta, filed 6/7/11

Representative: Steve Elmore

**APPROVED CONDITIONAL USE PERMIT AND CONTINUED THE SIGN PERMIT TO THE AUGUST 4, 2011 MEETING, 5-0**

**6. PLANNING COMMISSION GENERAL PLAN AND ZONING ORDINANCE PRIORITIES**

**7. DIRECTOR'S REPORT**

**8. COMMISSION COMMUNICATIONS**

**9. ADJOURNMENT**

Adjourn to a Regular Meeting of the Planning Commission to be held on Thursday, August 4, 2011 at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.



Item #: 3.D.

## CITY COUNCIL AGENDA REPORT

MEETING OF JULY 14, 2011

FROM: CITY MANAGER'S DEPARTMENT

DATE: JUNE 23, 2011

SUBJECT: LIABILITY CLAIMS

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**RECOMMENDED ACTION:** Deny liability claims and forward to the City's liability insurance carrier.

---

### **DISCUSSION**

The following claimants have filed liability claims against the City of Capitola:

1. Vern Ballantyne: \$160,000
2. Victoria Brett: \$8,423.37
3. Jim Castellanos: \$10,000
4. Blane Warhurst, et al.: \$27,515.47
5. Suzanne Silverberg, et al.: \$40,533.43

**ATTACHMENTS:** None

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

**Reviewed and Forwarded  
By City Manager:** \_\_\_\_\_



# CITY COUNCIL AGENDA REPORT

## MEETING OF JULY 14, 2011

FROM: FINANCE DEPARTMENT

DATE: JUNE 28, 2011

SUBJECT: QUARTERLY SALES TAX AND TRANSIENT OCCUPANCY TAX – Q3, FY2010-11

**Recommended Action:**

By motion, City Council receive and file Third Quarter 2010-11 Sales Tax and Transient Occupancy Tax Status Report (unaudited) for the City of Capitola.

**BACKGROUND**

The State Board of Equalization (SBOE) advances a portion of the City’s anticipated sales tax on a monthly basis. Quarterly, the SBOE trues up the actual sales tax results with the advances. This final true-up calculation, and resulting payment or reimbursement to the state, is made approximately three months after the end of the quarter. As a result, the final figures for third quarter FY 2010-11 shown below reflect transactions that took place in the City for January, 2011 through March, 2011.

**DISCUSSION & FISCAL IMPACT**

In late June, the City received its final true up from the SBOE for the quarter ending March 31, 2011.

Sales Tax Revenue							
Third Quarter	Final 2010-11 Budget			2010-11 Act. vs.		2010-11 Act. Vs.	
	2009-10 Actual	Allocation	2010-11 Actual	2009-10 Act.		10-11 Budget	
Quarterly sales tax - Q3	\$ 857,433.00	\$ 875,537.00	\$ 868,182.52	\$ 10,750	1.3%	\$ (7,354)	-0.8%
Triple Flip/adjustments	\$ 500,618.00	\$ 493,811.00	\$ 527,623.00	\$ 27,005	5.4%	\$ 33,812	6.8%
<b>Total</b>	<b>\$ 1,358,051.00</b>	<b>\$ 1,369,348.00</b>	<b>\$ 1,395,805.52</b>	<b>\$ 37,754.52</b>	<b>2.8%</b>	<b>\$ 26,457.52</b>	<b>1.9%</b>
<b>Year-to-date</b>							
Quarterly sales tax - YTD	\$ 2,883,693.00	\$ 2,922,933.00	\$ 2,943,301.01	\$ 59,608	2.1%	\$ 20,368	0.7%
Triple Flip/adjustments	\$ 1,157,452.00	\$ 1,021,218.00	\$ 1,038,218.05	\$ (119,234)	-10.3%	\$ 17,000	1.7%
<b>Total</b>	<b>\$ 4,041,145.00</b>	<b>\$ 3,944,151.00</b>	<b>\$ 3,981,519.06</b>	<b>\$ (59,625.94)</b>	<b>-1.5%</b>	<b>\$ 37,368.06</b>	<b>0.9%</b>
Memo: YTD Local Tax	\$ 643,040.00	\$ 641,285.00	\$ 647,966.78	\$ 4,927	0.8%	\$ 6,682	1.0%

Third quarter sales tax performance was 1.3% above prior year and 0.8% below budget. Combined with the final Triple Flip payment, sales tax revenue was \$37,750 or 2.8% above 2009-10 and \$26,450 or 1.9% higher than budget.

Year-to-date comparisons to last fiscal year (2009-10) reflect the opening in fiscal 2009-10 of Kohl’s, Whole Foods, IHOP, Main Street Bagels, Michael’s Pizza, and Pizza My Heart (replacing Armadillo Willy’s) along with the closing of Hollywood Video.



Year-to-date taxable sales were 2.1% above prior year and 0.7% above budget. Total sales tax revenue was \$59,650 or 1.5% below 2009-10 due to a one-time State Board of Equalization (SBOE) positive adjustment in fiscal 2009-10 partially offset by a \$233,000 negative SBOE adjustment in 2009-10 for an overpaid advance from 2008-09.

Year-to-date local ¼% sales tax contribution is \$648,000.

**Transient Occupancy Tax**

Capitola’s Municipal Code, Section 3.32 requires any operator that rents to transients (defined as a stay of 30 days or less) to charge, collect, and remit to the City a 10% tax of the room rate. Transient Occupancy Tax (TOT) revenues are recorded in the General Fund for unrestricted use.

Quarterly Transient Occupancy Tax (TOT) Revenue						
Fiscal Quarter	TOT Revenue		2010-11 vs. 2009-10		% of full year	
	2009-10 Actual	2010-11 Actual	\$	%	2009-10 Actual as % of Total Year	2010-11 Actual as % of Total Budget
Q1	\$ 230,200	\$ 233,100	\$ 2,900	1.3%	38.9%	33.3%
Q2	\$ 104,000	\$ 118,100	\$ 14,100	13.6%	17.6%	16.9%
Q3	\$ 91,500	\$ 87,600	\$ (3,900)	-4.3%	15.5%	12.5%
Interest/penalties	\$ 5,400	\$ 3,400	\$ (2,000)	-37.0%	0.9%	0.5%
Year-to-date total	\$ 431,100	\$ 442,200	\$ 11,100	2.6%	72.8%	63.2%
Q4	\$ 160,800				27.2%	
Full year	\$ 591,900				100.0%	
2010-11 Budget		\$ 700,000				
2010-11 Actual vs. Budget		\$ (257,800)				

Third quarter 2010-11 TOT was \$3,900 or 4.3% below same quarter 2009-10. Year-to-date total TOT receipts are \$11,100 or 2.6% above the same point in time last fiscal year. Transient occupancy tax figures are recorded on a cash basis. Year-to-date TOT is 63.2% of the full year budget as compared to 72.8% for the first three quarters of 2009-10.

**ATTACHMENTS:** None

**Report Prepared By:** Lonnie Wagner  
Accountant II

**Reviewed and Forwarded  
By City Manager:** \_\_\_\_\_



## CITY COUNCIL AGENDA REPORT

MEETING OF JULY 14, 2011

FROM: CITY MANAGER'S DEPARTMENT

DATE: JULY 8, 2011

SUBJECT: CONSIDER A CONTRACT WITH DESMOND, MARCELLO & AMSTER IN AN AMOUNT NOT TO EXCEED \$18,000 FOR APPRAISALS REQUIRED FOR CONSIDERATION OF PACIFIC COVE MOBILE HOME PARK CLOSURE

---

**Recommended Action:** By motion and roll call vote, that the City Council authorize the City Manager to enter into a contract with Desmond, Marcello & Amster (DM&A) in an amount not to exceed \$18,000 for the preparation of appraisals for consideration of Pacific Cove Mobile Home Park Closure.

---

### **BACKGROUND**

In March of this year the pipe that conveys Noble Gulch Creek underneath Pacific Cove Mobile Home Park (MHP) failed resulting in significant flooding. At a City Council meeting on April 28, 2011, Council directed staff to prepare the documents necessary to consider the closure of the City-owned mobile home Park. In May, the City hired Overland Pacific and Cutler to prepare a Relocation Impact Report (RIR) and Relocation Plan.

### **DISCUSSION**

In late June staff released a Request for Proposals for appraisal services necessary to prepare the RIR for Pacific Cove MHP. Three proposals were received. Based on staff's review of the submitted proposals, and consultation with the firms' previous clients, staff is recommending DM&A as the most qualified firm to prepare the appraisals.

DM&A has been identified by staff as the most qualified firm based on their extensive experience with mobile home parks and recommendations from past clients. City purchasing policy requires selection based on experience rather than cost alone for the preparation of technical documentation.

<b>Firm</b>	<b>Bid</b>
DM&A	\$16,000 + \$1,000 per hearing + for testimony
Beccaria and Webber	\$18,600 + \$2,500 per hearing + \$250/hr for additional
Anderson & Brabant	\$22,500 + \$3,500 per hearing

### **SCOPE OF WORK**

The proposed contract with DM&A includes appraisals for the 31 privately owned mobile homes in Pacific Cove meeting all requirements of the Capitola Municipal Code and applicable state law. In addition, the contract includes attendance at up to two public hearings.

**FISCAL IMPACT**

Costs associated with this contract are included in the adopted FY2011-12 budget line item for \$50,000 for "Pacific Cove Relocation Plan" as an expenditure related to the City's flood-response. Those expenditures will be funded from the Emergency/Contingency Reserves.

**ATTACHMENTS**

DM&A Proposal

**Report Prepared By:** Jamie Goldstein  
City Manager

**Reviewed and Forwarded  
By City Manager:**

\_\_\_\_\_



*Desmond, Marcello & Amster, LLC  
Valuation and Litigation Consultants*

6060 Center Drive, Suite 825  
Los Angeles, CA 90045  
Tel : (310) 216-1400  
Fax: (310) 216-0800  
Toll Free: (888) 240-5184

225 Bush Street, 16<sup>th</sup> Floor  
San Francisco, CA 94104  
Tel : (415) 439-8390  
Fax: (415) 449-3643

www.dmavalue.com

*VIA EMAIL AND U.S. MAIL*

June 30, 2011

Mr. Jamie Goldstein  
City Manager  
City of Capitola  
420 Capitola Avenue  
Capitola, CA 95010

Re: *Proposal for Appraisal Services for 31 Mobile Homes in Pacific Cove Mobile Home Park,  
Located at 426 Capitola Avenue, Capitola, California  
To be Prepared for the City of Capitola*

Dear Mr. Goldstein:

At your request, submitted herein is Desmond, Marcello & Amster's ("DM&A") proposal to provide appraisal services for 31 mobile homes located in Pacific Cove Mobile Home Park, 426 Capitola Avenue, Capitola, California. It is my understanding that the City of Capitola ("the City") is considering closing the mobile home park that houses these homes. The function of these appraisals is to assist the City with valuations and other relevant information for its Relocation Impact Report.

#### Scope of Services

DM&A proposes to provide a full narrative appraisal report in triplicate and one electronic copy of the valuations for each of the 31 mobile homes. The reports will include an estimate of the fair market value in place and "Manufactured Home Value" (value of the mobile home only in its current condition) and will be prepared in conformance with Section 17.90.030 and Chapter 17.90 of the City of Capitola Municipal Code, California Government and Civil Codes, Mobile Home Residency Law and the Mello Act. Furthermore, appraisal procedures will be guided by the Uniform Standards of Professional Appraisal Practice (USPAP).

In preparing these comprehensive appraisals, DM&A will perform the following:

- Prepare and mail appraisal notification letters to the mobile home owners;
- Schedule mobile home inspections;
- Interview mobile home owners (in person or via telephone), review documents, and gather relevant information for valuation for each mobile home;
- Physically inspect the exterior and interior (with home owner's permission) of each home;

Mr. Jamie Goldstein

June 30, 2011

Page 2

- Prepare a detailed listing of each mobile home with dimensions, square footage, manufacturer, model, age, upgrades, condition, and purchase price (when provided);
- Utilize generally accepted valuation methodology to estimate the fair market value in place and "Manufactured Home Value" of the 31 mobile homes; and
- Identify mobile homes which cannot be moved due to type, age or other considerations.

#### Timeline and Fee Estimates

Assuming we receive cooperation from the mobile home owners and do not encounter any unforeseen valuation issues, we anticipate completion of this assignment within 40 days of your authorization to proceed. We foresee the scope of our assignment to follow the schedule below:

Days 1 – 14: Mailing of appraisal notification letters to the owners and scheduling of inspections.

Days 14 – 21: Physical inspections of the 31 mobile homes being appraised and research of confirmed sales of mobile homes in nearby mobile home parks.

Days 21 – 30: Valuation process and further site field inspections, if needed.

Days 30 – 40: Report preparation, draft report reviews, and final submission of mobile home appraisal report.

DM&A's fees are based on standard hourly rates. The standard hourly rates for fixture, equipment and mobile home appraisal services are \$100 to \$150 per hour depending upon the appraiser assigned and the functions performed. Marcus Pigrom, ASA and Steve Hjelmstrom, ASA will be handling all aspects of this appraisal assignment. Our resumes are enclosed and our mobile home park appraisal experience is noted below. DM&A bills progressively as the engagement proceeds and invoices are payable upon receipt.

Based on our understanding of the scope of this assignment, we estimate the following fee of \$18,000 for completion of the mobile home appraisal report and attendance of up to two public hearings.

This fee estimate is exclusive of any time that may be incurred for review of opposing appraisal reports, court preparation and/or testimony. Rates for deposition and court testimony range from \$150 to \$200 per hour.

Should we encounter any new information during the appraisal process that would significantly change our fee estimate, we will contact you immediately.

#### Experience

Marcus Pigrom, ASA and Steve Hjelmstrom, ASA have extensive experience in the valuation of mobile homes as a result of park closures. We realize that mobile home park closure appraisals are very sensitive situations, as no one wants to be forced out of their homes. As a neutral third party in this matter, we conduct ourselves with understanding, respect and professionalism at all times. Marcus Pigrom has prior experience in attending a public meeting involving a park closure and in answering appraisal questions raised by the mobile home owners.

Mr. Jamie Goldstein  
June 30, 2011  
Page 3

Below is a list of the mobile home parks for which DM&A successfully completed appraisals as a result of park closures:

- Capistrano Terrace Mobile Home Park, San Juan Capistrano, CA
- Village Trailer Mobile Home Park, Santa Monica, CA
- Bell Abbey Mobile Home Park, Carson, CA
- Circle S Mobile Home Park, San Pablo, CA
- Sky Terrace Mobile Home Park, Lakeview Terrace, CA

References

Mark Labonte – Partner  
Overland, Pacific & Cutler  
2280 Market Street  
Riverside, CA 92501  
(951) 683-2353

Del Richardson – Principal  
Del Richardson & Associates  
510 South La Brea Avenue  
Inglewood, CA 90301  
(310) 645-3729 Ext. 225

If you have any questions regarding this proposal, please do not hesitate to contact me. Thank you for your consideration of Desmond, Marcello & Amster for your valuation needs.

Very truly yours,

*DESMOND, MARCELLO & AMSTER*



Marcus Pigrom, ASA

MP/bc

Enclosure

G:\users\F & E\Capitola\Proposal - Pacific Cove Mobile Home Park.doc

## PROFESSIONAL QUALIFICATIONS

### MARCUS R. PIGROM, ASA SENIOR MANAGER, TANGIBLE ASSETS

Mr. Pigrom joined DM&A in 2005 as a fixtures and equipment appraiser and became Senior Manager, Tangible Assets in 2009. He has successfully completed hundreds of appraisal assignments in connection with eminent domain proceedings. His appraisal experience includes a wide variety of business types in the manufacturing, retail, and service sectors. Representative projects include the appraisal of mobile homes, industrial machinery and equipment, recording studios, and service stations. His experience in eminent domain includes coordinating appraisal activities with real estate appraisers to avoid duplication of compensation and making determinations of equipment classifications under California Code of Civil Procedure §1263.205.

Mr. Pigrom has prepared fixture and equipment appraisals for numerous agencies across California including Caltrans, Los Angeles Unified School District, City of Santa Ana Public Works, and Los Angeles Community Redevelopment Agency. Having testified at deposition and at trial as an expert witness regarding fixtures and equipment valuation, Mr. Pigrom assists attorneys with litigation support services in his area of expertise.

He has been an Accredited Senior Appraiser (ASA) of the American Society of Appraisers in the Machinery and Technical Specialties discipline since 2010.

In his previous position Mr. Pigrom managed plant operations at LeVecke Corp., a local bottling company, from 2002 to 2004.

Mr. Pigrom graduated from Loyola Marymount University in June 2002 with a bachelor's degree in business administration with an emphasis in business law and a minor in history.

#### Court Testimony

*Los Angeles Unified School District v. Bono-Pacific View LP, et. al.* (January 2011)  
Valuation of Fixtures and Equipment of Clinica Popular, Inc.



## **PROFESSIONAL QUALIFICATIONS**

### **STEVEN M. HJELMSTROM, ASA VALUATION CONSULTANT**

Mr. Hjelmstrom is an Accredited Senior Appraiser (ASA) of the American Society of Appraisers as a certified fixtures and equipment appraiser with over six years of experience. He is responsible for preparing and supervising valuation appraisals covering major machinery and equipment in the commercial, industrial, residential, and public sectors. His extensive national valuation background includes preparation of appraisal studies for purposes of eminent domain, sales/purchase, insurance, financing, ad valorem tax, and allocation of purchase. He has prepared appraisals for all types of industrial facilities, retail, office and medical buildings, shopping centers, and mobile home valuations as a result of park closures. Mr. Hjelmstrom has worked for many public agencies throughout California.

Mr. Hjelmstrom's appraisal education includes a B.S. in Industrial Engineering from California State University Long Beach and an Executive Program Management certification from Stanford University.



Item #: **3.G.**

## CITY COUNCIL AGENDA REPORT

MEETING OF JULY 14, 2011

FROM: POLICE DEPARTMENT

DATE: JULY 6, 2011

SUBJECT: ADOPT RESOLUTION ACCEPTING A HOMELAND SECURITY GRANT IN THE AMOUNT OF \$14,733 AND AMENDING THE FY 2011-12 GENERAL FUND OPERATING BUDGET BY INCREASING BOTH REVENUES AND EXPENDITURES BY \$14,733

---

**Recommended Action:** By motion and roll call vote, adopt the proposed Resolution Amending the General Fund FY 2011-12 Operating Budget to Accept Homeland Security Grant Program Funds in the Amount of \$14,733 and Authorizing Budget Expenditures of \$14,733 for the purchase of mobile radios.

---

### **BACKGROUND**

The City of Capitola, in conjunction with other public safety and health care agencies in Santa Cruz County, applied for and received Homeland Security Grant Program funding for FY 2011-12. The City's share of the Homeland Security Grant Program is \$14,733. Funding for this grant is based on each city or jurisdiction's proportion of the total county population. Funding for this Homeland Security Grant is designed to provide financial support to the City to purchase federally mandated narrow banded emergency communications equipment.

### **DISCUSSION**

As required by the grant, the Police Department intends to utilize the funds to pay for the purchase of P-25 compliant (narrowband) mobile radios.

### **FISCAL IMPACT**

All of the funds from this grant must be used for the purchase of P-25 compliant (narrowband) mobile radios for the Police Department.

### **ATTACHMENT**

1. Draft Resolution
2. Letter from County of Santa Cruz OES

**Prepared by:** Mike Card, Chief of Police

**Reviewed and Forwarded  
By City Manager:** \_\_\_\_\_

**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
AMENDING THE GENERAL FUND FY2011-12 OPERATING BUDGET  
TO ACCEPT HOMELAND SECURITY GRANT PROGRAM FUNDS IN THE  
AMOUNT OF \$14,733 AND AUTHORIZING BUDGET EXPENDITURES  
OF \$14,733 FOR THE PURCHASE OF MOBILE RADIOS**

WHEREAS, the Capitola Police Department will be awarded \$14,733 in Homeland Security Grant Program funds for FY 2011-2012.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Capitola hereby will accept Homeland Security Grant Program Funds totaling \$14,733 and authorizes FY2011-2012 General Fund budget amendments to increase both revenues and expenditures by \$14,733, with expenditures of \$14,733 allocated for the purchase of P-25 compliant mobile radios.

BE IT FURTHER RESOLVED that the Finance Director shall record these changes into the City's accounting records in accordance with appropriated accounting practices.

BE IT FURTHER RESOLVED that these grants will be expended pursuant to the conditions of the grant program.

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 14<sup>th</sup> day of July, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

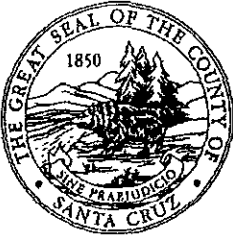
DISQUALIFIED:

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Dennis R. Norton, Mayor

ATTEST:

\_\_\_\_\_, MMC  
Pamela Greeninger, City Clerk



# COUNTY OF SANTA CRUZ

OFFICE OF EMERGENCY SERVICES  
 495 UPPER PARK ROAD, SANTA CRUZ, CA 95065-2121  
 (831) 458-7150 FAX: (831) 458-7139  
 PAUL HORVAT, OES  
[paul.horvat@co.santa-cruz.ca.us](mailto:paul.horvat@co.santa-cruz.ca.us)

Chief Mike Card  
 City of Capitola Police Department  
 420 Capitola Avenue  
 Capitola, CA 95010

June 24, 2011

Dear Chief Vogel, *Card*

I'm pleased to inform you that on June 14, 2011 the Board of Supervisors accepted the 2010 State Homeland Security Grant that allocates a total of \$14,733 to the City of Santa Cruz for interoperable communications equipment. With this approval, you can proceed with the approved projects in accordance with your City's financial procedures.

As with previous grants, this grant is funded on a reimbursement basis. Because of the project-based allocation method that separates the funding sources for each project, it will be necessary to keep your records so that charges can be tracked. When requesting reimbursement, please separate your claim by project number and funding source within each project. The attached instruction sheet will also provide additional information necessary for us to process your reimbursement expeditiously. Please be sure to follow Chapter VI of the Grant Guidelines in regard to all of your solution areas. The State is instituting tighter monitoring and auditing requirements and will be reviewing files to assure that all requirements have been met. **Because of this we are requiring that requests for reimbursement and supporting documentation be submitted to our office in PDF form in addition to hard copy.**

Submit your reimbursement requests along with documentation of your expenses to Carol Johnson at 701 Ocean Street, Room 330 and we will process and submit reimbursement requests to the State. As soon as cash is received from the State, we'll make payment to your department. As you know, our experience with State reimbursements is that it can take as long as three or four months before cash is actually received.

Thanks for all your help in bringing this project together. As always, if there's any way in which I can assist your office in meeting the grant requirements, please let me know.

Sincerely,

Paul Horvat  
 Emergency Services Manager

Attachment: 06/14/11 Board of Supervisors Agenda Item Letter  
 10/27/10 Cal EMA Letter -- Approval of Grant #2010-0085, CalEMA ID# 087-00000

Cc: Tom Held, Captain



Item #: **3.H.**

## CITY COUNCIL AGENDA REPORT

### MEETING OF JULY 14, 2011

FROM: OFFICE OF THE CITY CLERK  
DATE: JUNE 29, 2011  
SUBJECT: ORDINANCE ADDING SECTION 9.12.080 TO THE CAPITOLA MUNICIPAL CODE  
PERTAINING TO NOISE [2<sup>nd</sup> READING]

---

**Recommended Action:** By motion and roll call vote, adopt the proposed Ordinance Adding Section 9.12.080 to the Capitola Municipal Code Pertaining to Noise, as submitted.

---

#### **BACKGROUND**

At its meeting of June 23, 2011, the Capitola City Council considered an amendment to the Municipal Code pertaining to the addition of Section 9.12.080, which would provide exemptions to the city's noise ordinance for public health and safety.

#### **DISCUSSION**

The City Council received a report from the Public Works Director regarding the proposed amendment to the noise ordinance. There were no comments from the public. After discussion of the proposed ordinance, the City Council took the following action:

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

- 1) Passed the proposed Ordinance Adding Section 9.12.080 to the Capitola Municipal Code defining exemptions to the noise prohibitions for public health and safety, to a second reading; and
- 2) Approved a Notice of Exemption from CEQA based on Section 15061 (b) (3), as submitted.

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

The proposed ordinance is before the City Council for its second reading and final adoption. If adopted, the ordinance will take effect in thirty (30) days; on August 13, 2011.

#### **ATTACHMENT**

Draft Ordinance

**Report Prepared By:** Pamela Greeninger, MMC  
City Clerk

**Reviewed and Forwarded  
by City Manager:** \_\_\_\_\_

# DRAFT

## ORDINANCE NO.

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA ADDING SECTION 9.12.080 TO THE CAPITOLA MUNICIPAL CODE PERTAINING TO NOISE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAPITOLA AS FOLLOWS:

Section 1: Section 9.12.080 is hereby added to the Capitola Municipal Code to read as follows:

#### **“9.12.080 Exemptions for Public Health and Safety.**

A. This chapter shall not apply to refuse collection, recyclable collection, beach maintenance or street sweeping activities undertaken by, or pursuant to contract with, the city of Capitola. Similarly, this chapter shall not apply to any other activity undertaken by the city, or city contractor for public health and safety purposes when, in the judgment of the city, such activity cannot be undertaken effectively or efficiently in compliance with the regulations set forth in this chapter.

B. The noise curfew regulations set forth in Section 9.12.010 shall not apply to any person engaged in performance of a contract for public works awarded by the City of Capitola or other governmental agency where the City of Capitola director of public works determines that the project has the potential to disrupt traffic and that this disruption could be alleviated by authorizing construction work during noise curfew hours or that due to time constraints on project completion it is necessary to allow the contractor to work during noise curfew hours.

C. This chapter shall not apply to any person engaged in performance of a contract for public works awarded by the city of Capitola or another governmental agency in the event of emergency and if the city manager of Capitola so authorizes such work.”

Section 2. This ordinance shall take effect and be in full force thirty (30) days after its final adoption.

This ordinance was introduced on the 23<sup>rd</sup> day of June, 2011, and was passed and adopted by the City Council of the City of Capitola on the 14<sup>th</sup> day of July, 2011, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:  
DISQUALIFIED:

APPROVED:

\_\_\_\_\_  
Dennis R. Norton, Mayor

ATTEST:

\_\_\_\_\_, MMC  
Pamela Greeninger, City Clerk



Item #: **3.I.**

## CITY COUNCIL AGENDA REPORT

### MEETING OF JULY 14, 2011

FROM: OFFICE OF THE CITY CLERK

DATE: JUNE 29, 2011

SUBJECT: ORDINANCE AMENDING SECTIONS 10.44.020 AND 10.44.070 OF THE CAPITOLA MUNICIPAL CODE PERTAINING TO BICYCLE LICENSES [2<sup>nd</sup> READING]

---

**Recommended Action:** By motion and roll call vote, adopt the proposed Ordinance Amending Sections 10.44.020 and 10.44.070 of the Capitola Municipal Code pertaining to the Bicycle Licenses, as submitted.

---

#### **BACKGROUND**

At its meeting of June 23, 2011, the Capitola City Council considered an amendment to Municipal Code Sections 10.44.020 and 10.44.070 pertaining to Bicycle Licenses, which would update the code to reflect the current practice.

#### **DISCUSSION**

The City Council received a report from the City Manager and the Chief of Police regarding the proposed Municipal Code amendments. The Council also heard from Capitola resident Nathan Sterling Cross objecting to the proposed ordinance. After receiving public comments and deliberating on that matter, the City Council took the following action with respect to the proposed ordinance amendment:

**ACTION:** Council Member Harlan moved, seconded by Council Member Termini, to pass the proposed Ordinance Amending Sections 10.44.020 and 10.44.070 of the Capitola Municipal Code Pertaining to Bicycle Licenses to a second reading, as submitted. The motion carried on the following vote: AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

The proposed ordinance is before the City Council for its second reading and final adoption. If adopted, the ordinance will take effect in thirty (30) days; on August 13, 2011.

#### **ATTACHMENT**

Draft Ordinance

**Report Prepared By:** Pamela Greeninger, MMC  
City Clerk

**Reviewed and Forwarded  
by City Manager:** \_\_\_\_\_



# DRAFT

## ORDINANCE NO.

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AMENDING SECTIONS 10.44.020 AND 10.44.070 OF THE CAPITOLA MUNICIPAL CODE PERTAINING TO BICYCLE LICENSES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAPITOLA AS  
FOLLOWS:

Section 1. Subsection A. of Section 10.44.020 of the Capitola Municipal Code is hereby amended to read as follows:

**“10.44.020 License—Issuance—Term.**

A. The police department is authorized and directed to issue bicycle licenses upon request and payment of established license fee. Bicycle licenses shall not expire; however, if a bicycle is still in operation 20 years after the original date of issuance, the permit must be renewed at no cost. Said licenses when issued shall entitle the licensee to operate such bicycle for which said license has been issued, upon all the streets, alleys and public highways, exclusive of the sidewalks thereof, in the city.”

Section 2. Section 10.44.070 of the Capitola Municipal Code is hereby amended to read as follows:

**“10.44.070 License—Fee.**

The license fee to be paid for each bicycle shall be set by resolution of the city council. All license fees collected under this chapter shall be paid into the general fund of the city.

Section 3. This ordinance shall take effect and be in full force thirty (30) days after its final adoption.

This ordinance was introduced on the 23<sup>rd</sup> day of June, 2011, and was passed and adopted by the City Council of the City of Capitola on the 14<sup>th</sup> day of July, 2011, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

APPROVED:

\_\_\_\_\_  
Dennis R. Norton, Mayor

ATTEST:

\_\_\_\_\_, MMC  
Pamela Greeninger, City Clerk



## CITY COUNCIL AGENDA REPORT

### MEETING OF JULY 14, 2011

FROM: CITY MANAGER'S OFFICE

DATE: JULY 5, 2011

SUBJECT: RESOLUTION AUTHORIZING CHARTER COMMUNICATIONS PROPERTIES, LLC, TO TRANSFER THE CABLE FRANCHISE AGREEMENT TO CCO SoCal I, LLC

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**Recommended Action:** By motion and roll call vote, that the City Council adopt the proposed Resolution Authorizing the transfer of the Cable Franchise Agreement with Charter Communications Properties, LLC to CCO SoCal I, LLC, as submitted.

---

#### **BACKGROUND**

The City of Capitola has a Franchise Agreement with Charter Communications, LLC, (Charter) to operate the Cable System in the City until 2014. Recently, Charter Communications has requested the City authorize the transfer of the Cable Franchise Agreement to CCO SoCal I, LLC, which is another entity within the Charter organization and eventually to direct ownership by Charter Communications Operating, LLC. The transfer is to consolidate and reduce the total number of entities in the Charter organization.

#### **DISCUSSION**

Charter has submitted an application to the City requesting the transfer of the franchise agreement as per the requirements of Ordinance No. 816 (Attachment 4). The application requests the City authorize the transfer of the Franchise Agreement to CCO SoCal I, LLC. The City Attorney has reviewed the FCC Form 394 Application for Franchise Authority Consent to Assignment of Cable Television Franchise from Charter Communications Properties, LLC, to CCO SoCal I, LLC, dated June 15, 2011. The City Attorney agrees that the assignment meets the requirements of the Franchise Agreement between Charter Communications Properties, LLC, and the City of Capitola and provides the information required by Ordinance No. 816.

Staff has also confirmed that Charter is in compliance with the provisions of the franchise agreement and finds no reason to withhold approval and, therefore, recommends approval of the transfer request.

For informational purposes, once the Franchise Agreement expires in 2014, Charter will no longer be subject to a franchise agreement with the City, but rather to the State of California.

#### **FISCAL IMPACT**

Charter Communications submitted a transfer application fee in the amount of \$4,725 to the City to reimburse the City for costs associated with processing and reviewing the application.

#### **ATTACHMENTS**

1. Draft Resolution
2. Charter Letter Dated June 15, 2011
3. Application (FCC Form 394) [**Note:** Complete application with exhibits is on file with the City Clerk]
4. Excerpts of Ordinance No. 816 & Franchise Agreement

**Report Prepared By:** Lisa G. Murphy  
Administrative Services Director

**Reviewed and Forwarded  
By City Manager:** \_\_\_\_\_

**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
CONSENTING TO AND APPROVING OF THE ASSIGNMENT OF  
THE CABLE FRANCHISE AND SYSTEM TO CCO SOCIAL I, LLC**

WHEREAS, Charter Communications Properties, LLC d/b/a Charter Communications (“CCP”) currently holds a local cable franchise granted by the City of Capitola, California to own and operate a cable system in the Community (as amended to date, the “Franchise”); and

WHEREAS, on June 1, 2011, Grantee entered into an Asset Contribution Agreement (the “Agreement”) whereby Grantee will contribute certain cable system assets, including the Franchise, to CCO SoCal I, LLC (“CCO SoCal I”); and

WHEREAS, following the transactions contemplated by the Agreement, 100% of the equity interests in CCO SoCal I will be distributed to its indirect parent company, Charter Communications Operating, LLC, via a series of internal transactions (together with the contribution of the Franchise and certain cable system assets to CCO SoCal I, the “Transfer”); and

WHEREAS, CCP and CCO SoCal I have filed an FCC Form 394 with the City of Capitola, and have provided all information required by applicable law related to the Transfer to the Community (collectively, the “Application”); and

WHEREAS, the City of Capitola has reviewed the Application and has determined that CCO SoCal I meets the legal, technical, and financial criteria to operate the cable system under the Franchise and all applicable local, state and federal laws.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola that:

1. The City of Capitola consents to the Transfer to the extent required by the terms of the Franchise.
2. The City of Capitola confirms that (a) the Franchise is valid and outstanding and in full force and effect; (b) Grantee is in compliance with the provisions of the Franchise; (c) there are no defaults under the Franchise, or events which, with the giving of notice or passage of time or both, could constitute events of default thereunder; and (d) effective upon the transfer of the Franchise to CCO SoCal I, CCO SoCal I will be entitled to all rights and privileges granted by the City of Capitola pursuant to the Franchise.
3. The City of Capitola further authorizes CCO SoCal I to assign or transfer its assets, including the Franchise, to a parent or affiliate of CCO SoCal I and to assign or pledge, or otherwise grant or convey one or more liens or security interests in, its assets, including its rights, obligations and benefits in and to the Franchise and the cable system, to any lender providing financing to CCO SoCal I, in each case without the consent of the City of Capitola.
4. The City of Capitola releases CCP, effective upon the transfer of the Franchise and related cable system assets to CCO SoCal I from all obligations and liabilities under the Franchise that accrue on and after such date; provided that CCO SoCal I shall assume and be responsible for any obligations and liabilities under the Franchise that accrue on and after such date.

5. This Resolution shall have the force of a continuing agreement with the City of Capitola, CCP and CCO SoCal I, and the City of Cpitola shall not amend or otherwise alter this Resolution without the written consent of CCP and CCO SoCal I.
6. This Resolution shall take effect upon its passage.

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 14<sup>th</sup> day of July, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Dennis R. Norton, Mayor

ATTEST:

\_\_\_\_\_, MMC  
Pamela Greeninger, City Clerk

June 15, 2011

Ms. Lisa Murphy  
Assistant to City Manager  
City of Capitola  
420 Capitola Avenue  
Capitola, CA 95010

**VIA FEDERAL EXPRESS**

Re: Request to Transfer Cable Franchise

Dear Ms. Murphy:

As you know, Charter Communications Properties, LLC (“CCP”) currently holds a cable franchise with your community (the “Franchise”). We are in the process of consolidating some of Charter Communications’ legal entities, and CCP is one of the entities that has been selected for this consolidation. As a result, CCP intends to contribute the Franchise and the cable system associated with the Franchise to its affiliate CCO SoCal I, LLC (“CCO SoCal I”). At some point following the transfer of the Franchise and cable system to CCO SoCal I, CCO SoCal I will be distributed, via a series of internal transactions, to direct ownership by Charter Communications Operating, LLC (“CCO”). The Franchise and the cable system will remain directly held by CCO SoCal I following this distribution. We refer to the transfer of the Franchise and cable system from CCP to CCO SoCal I, LLC and the subsequent distribution of CCO SoCal I, LLC to CCO collectively as the “Transfer.” The purpose of this letter is to request your consent to the Transfer to the extent it is required by the Franchise. We intend to consummate the transfer of the Franchise and the cable system to CCO SoCal I immediately upon receiving your consent.

We do not expect that there will be any changes to the operations or management of your Franchise or the local cable system as a result of the Transfer.

We have enclosed an original and two copies of the Federal Communications Commission Form 394 “Application for Franchise Authority Consent to Assignment or Transfer of Control of Cable Television Franchise” with additional information related to the Transfer. If you conclude that your consent to the Transfer is required, we would appreciate your review and adoption of the attached resolution consenting to the Transfer at your earliest possible convenience and returning a copy of the resolution to the following address:

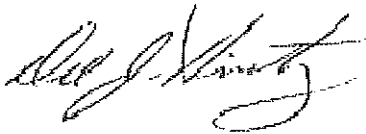
Constance C. Kovach  
Director and Senior Counsel - Corporate  
12405 Powerscourt Drive  
Saint Louis, Missouri 63131  
Facsimile (314) 965-6640  
[connie.kovach@chartercom.com](mailto:connie.kovach@chartercom.com)

Please feel free to contact me at 626-430-3426 or [Del.Heintz@chartercom.com](mailto:Del.Heintz@chartercom.com) with any questions or if you need additional information regarding this request, the FCC Form 394 or the Transfer.

Thank you for your consideration. We greatly appreciate your assistance in this matter, and we look forward to working with you.

Sincerely,

Charter Communications Properties, LLC  
By: Charter Communications, Inc., its Manager

A handwritten signature in black ink, appearing to read "Del J. Heintz". The signature is stylized with a large, sweeping flourish at the end.

Del J. Heintz  
CA/TX Director – Government Relations

Enclosures

**FCC 394**

**APPLICATION FOR FRANCHISE AUTHORITY  
CONSENT TO ASSIGNMENT OR TRANSFER OF CONTROL  
OF CABLE TELEVISION FRANCHISE**

FOR FRANCHISE AUTHORITY USE ONLY

**SECTION I. GENERAL INFORMATION**

DATE	June 15, 2011	1. Community Unit Identification Number:	CA0027
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2. Application for:  Assignment of Franchise  Transfer of Control

3. Franchising Authority:		City of Capitola, California
4. Identify community where the system/franchise that is the subject of the assignment or transfer of control is located:		
City of Capitola, California		
5. Date system was acquired or (for system's constructed by the transferor/assignor) the date on which service was provided to the first subscriber in the franchise area:		N/A
6. Proposed effective date of closing of the transaction assigning or transferring ownership of the system to transferee/assignee:		Upon consent

7. Attach as an Exhibit a schedule of any and all additional information or material filed with this application that is identified in the franchise as required to be provided to the franchising authority when requesting its approval of the type of transaction that is the subject of this application.

Exhibit No.  
**N/A**

**PART I - TRANSFEROR/ASSIGNOR**

1. Indicate the name, mailing address, and telephone number of the transferor/assignor.

Legal name of Transferor/Assignor (if individual, list last name first)			
Charter Communications Properties, LLC			
Assumed name used for doing business (if any)			
Charter Communications			
Mailing street address or P.O. Box			
12405 Powerscourt Drive			
City	State	ZIP Code	Telephone No. (include area code)
Saint Louis	MO	63131	314-965-0555

2.(a) Attach as an Exhibit a copy of the contract or agreement that provides for the assignment or transfer of control (including any exhibits or schedules thereto necessary in order to understand the terms thereof). If there is only an oral agreement, reduce the terms to writing and attach. (Confidential trade, business, pricing or marketing information, or other information not otherwise publicly available, may be redacted).

Exhibit No.  
**1**

(b) Does the contract submitted in response to (a) above embody the full and complete agreement between the transferor/assignor and the transferee/assignee?

Yes  No

If No, explain in an Exhibit.

Exhibit No.  
**N/A**

**\* NOTE: The complete FCC 394 Application (including Exhibits) in  
On file in the Office of the Clerk for public review.**



PART II - TRANSFEREE/ASSIGNEE

1.(a) Indicate the name, mailing address, and telephone number of the transferee/assignee.

Legal name of Transferee/Assignee (if individual, list last name first) <b>CCO SoCal I, LLC</b>			
Assumed name used for doing business (if any) <b>Charter Communications</b>			
Mailing street address or P.O. Box <b>12405 Powerscourt Drive</b>			
City <b>Saint Louis</b>	State <b>MO</b>	ZIP Code <b>63131</b>	Telephone No. (include area code) <b>314-965-0555</b>

(b) Indicate the name, mailing address, and telephone number of person to contact, if other than transferee/assignee.

Name of contact person (list last name first) <b>Heintz, Del</b>			
Firm or company name (if any) <b>Charter Communications</b>			
Mailing street address or P.O. Box <b>4781 Irwindale Avenue</b>			
City <b>Irwindale</b>	State <b>CA</b>	ZIP Code <b>91706</b>	Telephone No. (include area code) <b>626-430-3426</b>

(c) Attach as an Exhibit the name, mailing address, and telephone number of each additional person who should be contacted, if any.

Exhibit No. <b>N/A</b>
---------------------------

(d) Indicate the address where the system's records will be maintained.

Street address <b>12405 Powerscourt Drive</b>		
City <b>Saint Louis</b>	State <b>MO</b>	ZIP Code <b>63131</b>

2. Indicate on an attached exhibit any plans to change the current terms and conditions of service and operations of the system as a consequence of the transaction for which approval is sought.

Exhibit No. <b>2</b>
-------------------------

SECTION II. TRANSFEREE'S/ASSIGNEE'S LEGAL QUALIFICATIONS

1. Transferee/Assignee is:

Corporation

a. Jurisdiction of incorporation:	d. Name and address of registered agent in jurisdiction:
b. Date of incorporation:	
c. For profit or not-for-profit:	

Limited Partnership

a. Jurisdiction in which formed:	c. Name and address of registered agent in jurisdiction:
b. Date of formation:	

General Partnership

a. Jurisdiction whose laws govern formation:	b. Date of formation:
--	-----------------------

Individual

Other. Describe in an Exhibit.

Exhibit No. 3
------------------

2. List the transferee/assignee, and, if the transferee/assignee is not a natural person, each of its officers, directors, stockholders beneficially holding more than 5% of the outstanding voting shares, general partners, and limited partners holding an equity interest of more than 5%. Use only one column for each individual or entity. Attach additional pages if necessary. (Read carefully - the lettered items below refer to corresponding lines in the following table.)

- (a) Name, residence, occupation or principal business, and principal place of business. (If other than an individual, also show name, address and citizenship of natural person authorized to vote the voting securities of the applicant that it holds.) List the applicant first, officers, next, then directors and, thereafter, remaining stockholders and/or partners.
- (b) Citizenship.
- (c) Relationship to the transferee/assignee (e.g., officer, director, etc.).
- (d) Number of shares or nature of partnership interest.
- (e) Number of votes.
- (f) Percentage of votes.

(a)	See Exhibit 3		
(b)			
(c)			
(d)			
(e)			
(f)			

3. If the applicant is a corporation or a limited partnership, is the transferee/assignee formed under the laws of, or duly qualified to transact business in, the State or other jurisdiction in which the system operates?  
If the answer is No, explain in an Exhibit.

Yes  No

Exhibit No.  
N/A

4. Has the transferee/assignee had any interest in or in connection with an applicant which has been dismissed or denied by any franchise authority?  
If the answer is Yes, describe circumstances in an Exhibit.

Yes  No

Exhibit No.  
4

5. Has an adverse finding been made or an adverse final action been taken by any court or administrative body with respect to the transferee/assignee in a civil, criminal or administrative proceeding, brought under the provisions of any law or regulation related to the following: any felony; revocation, suspension or involuntary transfer of any authorization (including cable franchises) to provide video programming services; mass media related antitrust or unfair competition; fraudulent statements to another government unit; or employment discrimination?  
If the answer is Yes, attach as an Exhibit a full description of the persons and matter(s) involved, including an identification of any court or administrative body and any proceeding (by dates and file numbers, if applicable), and the disposition of such proceeding.

Yes  No

Exhibit No.  
N/A

6. Are there any documents, instruments, contracts or understandings relating to ownership or future ownership rights with respect to any attributable interest as described in Question 2 (including, but not limited to, non-voting stock interests, beneficial stock ownership interests, options, warrants, debentures)?  
If Yes, provide particulars in an Exhibit.

Yes  No

7. Do documents, instruments, agreements or understandings for the pledge of stock of the transferee/assignee, as security for loans or contractual performance, provide that: (a) voting rights will remain with the applicant, even in the event of default on the obligation; (b) in the event of default, there will be either a private or public sale of the stock; and (c) prior to the exercise of any ownership rights by a purchaser at a sale described in (b), any prior consent of the FCC and/or of the franchising authority, if required pursuant to federal, state or local law or pursuant to the terms of the franchise agreement will be obtained?  
If No, attach as an Exhibit a full explanation.

Yes  No

Exhibit No.  
5

**SECTION III. TRANSFEREE'S/ASSIGNEE'S FINANCIAL QUALIFICATIONS**

1. The transferee/assignee certifies that it has sufficient net liquid assets on hand or available from committed resources to consummate the transaction and operate the facilities for three months.  
2. Attach as an Exhibit the most recent financial statements, prepared in accordance with generally accepted accounting principals, including a balance sheet and income statement for at least one full year, for the transferee/assignee or parent entity that has been prepared in the ordinary course of business, if any such financial statements are routinely prepared. Such statements, if not otherwise publicly available, may be marked CONFIDENTIAL and will be maintained as confidential by the franchise authority and its agents to the extent permissible under local law.

Yes  No

Exhibit No.  
6

**SECTION IV. TRANSFEREE'S/ASSIGNEE'S TECHNICAL QUALIFICATIONS**

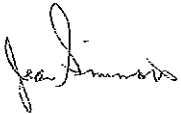
Set forth in an Exhibit a narrative account of the transferee's/assignee's technical qualifications, experience and expertise regarding cable television systems, including, but not limited to, summary information about appropriate management personnel that will be involved in the system's management and operations. The transferee/assignee may, but need not, list a representative sample of cable systems currently or formerly owned or operated.

Exhibit No.  
7

SECTION V - CERTIFICATIONS

Part I - Transferor/Assignor

All the statements made in the application and attached exhibits are considered material representations, and all the Exhibits are a material part hereof and are incorporated herein as if set out in full in the application.

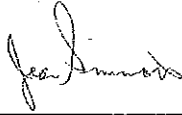
I CERTIFY that the statements in this application are true, complete and correct to the best of my knowledge and belief and are made in good faith.	Signature 
WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.	Date June 15, 2011
	Print full name Jean Simmons
Check appropriate classification: <input type="checkbox"/> Individual <input type="checkbox"/> General Partner <input checked="" type="checkbox"/> Corporate Officer (Indicate Title) <input type="checkbox"/> Other. Explain: <p style="text-align: center;">Vice President &amp; General Manager Charter Communications, Inc., Manager of Charter Communications Properties, LLC</p>	

Part II - Transferee/Assignee

All the statements made in the application and attached Exhibits are considered material representations, and all the Exhibits are a material part hereof and are incorporated herein as if set out in full in the application.

The transferee/assignee certifies that he/she:

- (a) Has a current copy of the FCC's Rules governing cable television systems.
- (b) Has a current copy of the franchise that is the subject of this application, and of any applicable state laws or local ordinances and related regulations.
- (c) Will use its best efforts to comply with the terms of the franchise and applicable state laws or local ordinances and related regulations, and to effect changes, as promptly as practicable, in the operation system, if any changes are necessary to cure any violations thereof or defaults thereunder presently in effect or ongoing.

I CERTIFY that the statements in this application are true, complete and correct to the best of my knowledge and belief and are made in good faith.	Signature 
WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.	Date June 15, 2011
	Print full name Jean Simmons
Check appropriate classification: <input type="checkbox"/> Individual <input type="checkbox"/> General Partner <input checked="" type="checkbox"/> Corporate Officer (Indicate Title) <input type="checkbox"/> Other. Explain: <p style="text-align: center;">Vice President &amp; General Manager Charter Communications, Inc., Manager of CCO SoCal I, LLC</p>	

FRANCHISE AGREEMENT BETWEEN CHARTER  
COMMUNICATIONS PROPERTIES LLC AND THE CITY OF CAPITOLA

F. The fee shall be payable quarterly, by no later than the first day of the second month following the end of each calendar quarter for which payment is due.

G. Grantor and Grantee expressly agree and acknowledge that the monies paid to the Grantor, or its designee, or any nonprofit corporation established by the Grantor, or expended to fund and facilitate the improvements, maintenance, studio, personnel, supplies, rent and equipment provided to the Grantor (or its designee) pursuant to this Franchise Agreement for Public, Educational, and Governmental Access programming support, and are not "Franchise Fees" within the meaning of Section 622 of the Cable Act and are thus not to be offset or offsettable against Franchise Fees or license fees due to the Grantor under this Franchise.

11. Itemization and Recovery of Expenses. Grantee shall not pass-through to Subscribers, by way of line itemization, surcharge or addition to an otherwise permissible rate, or charge to Grantor, any amounts relating to any provision of this Franchise unless expressly authorized by applicable law. Any authorized recovery of PEG Access support costs shall be allocated and amortized over the entire remaining Franchise term unless specified otherwise in this Franchise.

Grantee agrees not to itemize PEG Access support costs separately on Subscriber bills unless such costs are itemized on Subscriber bills in other Cable Systems owned or operated by Grantee, or an affiliate of Grantee, in Santa Cruz County.

12. Hold Harmless. Grantee shall indemnify, defend and hold Grantor, its officers, elected officials, agents and employees harmless from any liability, claims, damages, costs or expenses, including reasonable attorney's fees, arising from injury to persons or damages to property to the extent caused by any conduct undertaken by the Grantee, its officers, agents or employees, by reason of the Franchise. Grantee shall at its sole cost and expense, upon demand of Grantor, appear in and defend any and all suits, actions or other legal proceedings, whether judicial, quasi-judicial, administrative, legislative or otherwise, brought or instituted or had by third persons or duly constituted authorities, against or affecting Grantor, its officers, agents or employees, and/or any conduct of the Grantee, its agents or employees which is within the scope of this indemnity.

13. Franchise Not Transferable. Charter shall not sell, transfer, lease or assign this Agreement except as may be permitted under Section 208 of the Ordinance.

14. Ordinance Terms and Conditions Apply. All terms and conditions of the Ordinance shall apply to this Franchise Agreement unless otherwise specifically provided for by this Agreement or other agreements between City and Charter that may apply.

(c) Except as otherwise provided by law, no acceptance of any payment by a Grantee shall be construed as a release or as an accord and satisfaction of any claim the Grantor may have for further or additional sums payable as a Franchise Fee under this Chapter or for the performance of any other obligation of the Grantee.

(d) If any Franchise payment or recomputed amount is not paid on or before the dates specified in the Franchise Agreement, Grantee shall pay as additional compensation:

(1) An interest charge, computed from such due date, at an annual rate equal to 10% or the legal rate, whichever is more during the period for which payment was due; and

(2) If a payment is late for forty-five (45) days or more, a late penalty payment of five percent (5%) of the amount due in order to defray those additional expenses and costs incurred by the Grantor by reason of delinquent payment.

(3) The Grantee shall pay all attorney's fees incurred in collecting of unpaid amount.

#### **Section 208 Transfer of Franchise.**

(a) Any Person desiring a transfer of a Cable System Franchise shall file a transfer application with the Grantor. A nonrefundable transfer application fee of an amount up to seventy-five hundred (\$7500.00) dollars established by the Grantor shall accompany the application to reimburse the Grantor for all costs associated with processing and reviewing the application, including without limitation, costs of administrative review, financial, legal and technical evaluation of the applicant, consultants (including technical and legal experts and all costs incurred by such experts), notice and publication requirements with respect to the consideration of the application and document preparation expenses. In the event such costs exceed the application fee, the selected applicant(s) shall pay the difference to the City within thirty (30) days following receipt of an itemized statement of such costs.

(b) Grantee shall not sell, transfer, lease, assign, sublet or dispose of, in whole or in part, either by forced or involuntary sale, or by ordinary sale, contract, consolidation or otherwise, the Franchise or any of the rights or privileges therein granted, without the prior consent of the Grantor and then only upon such terms and conditions as may be prescribed by the Grantor, which consent shall not be unreasonably denied or delayed. Any attempt to sell, transfer, lease, assign or otherwise dispose of the Franchise without the consent of the Grantor shall be null and void. The granting of a security interest in any Grantee assets, or any mortgage or other hypothecation, shall not be considered a transfer for the purposes of this Section.

(c) The requirements of Subsection (a) of this Section 208 shall restrict any change in the control of Grantee. The word control as used herein is not limited

to major stockholders or partnership interests, but includes actual working control in whatever manner exercised. If Grantee is a corporation, partnership, limited liability company or other business organization, prior approval of the Grantor shall be required where ownership or control of more than ten percent (10%) of the voting stock of Grantee is acquired by a person or group of persons acting in concert, none of whom own or control the voting stock of Grantee as of the effective date of the Franchise, singularly or collectively.

(d) Grantee shall notify Grantor in writing of any foreclosure or any other judicial sale of all or a substantial part of the Cable System of the Grantee or upon the termination of any lease or interest covering all or a substantial part of said Cable System. Such notifications shall be considered by Grantor as notice that a change in control of ownership of the Franchise has occurred and the provisions under this Section governing the consent of Grantor to such change in control ownership shall apply.

(e) In determining whether it shall consent to such change, transfer, or acquisition of control, Grantor may inquire into the financial and other qualifications of the prospective transferee or controlling party, and Grantee shall assist Grantor in any such inquiry. In seeking Grantor's consent to any change of ownership or control, Grantee shall have the responsibility of insuring that the transferee completes an application in the form and substance reasonably satisfactory to Grantor, which application shall include information required under Subsections (a) through (h) of Section 302 of this Chapter. Grantee shall also provide such reasonable additional information that Grantor deems applicable. An application shall be submitted to Grantor not less than one hundred and twenty (120) days before the proposed date of transfer. The transferee shall be required to establish that it possesses the qualifications and financial and technical capability to operate and maintain the Cable System and comply with all Franchise requirements for the remainder of the term of the Franchise Agreement. If, after considering the legal, financial, character, technical and other public interest qualities of the applicant and determining that they are satisfactory, the Grantor finds that such transfer is acceptable, the Grantor may allow the transfer and assign most of the rights and obligations of such Franchise as may be in the public interest. The consent of the Grantor to such transfer shall not be unreasonably withheld.

(f) Any financial institution having a pledge of the Grantee or its assets for the advancement of money for the construction and/or operation of the Franchise shall have the right to notify the Grantor that it or its designee satisfactory to the Grantor shall take control of and operate the Cable System, if a Grantee defaults in its financial obligations. Further, said financial institution shall also submit a plan for such operation within one hundred-twenty (120) days of assuming such control that will insure continued service and compliance with all Franchise requirements during the term the financial institution exercises control over the system. The financial institution shall not exercise control over the system for a period exceeding one (1) year unless extended by the Grantor in its discretion and during said period of time it shall have the right to petition the Grantor to transfer the Franchise to another Grantee. The Grantor shall have the right to



terminate the Franchise at the end of the one (1) year period of time that a financial institution exercises control over the system.

#### **Section 209 Geographical Coverage.**

(a) Grantee shall design, construct and maintain the Cable System to have the capability to pass every dwelling unit in the City, subject to any service area line extension requirements of the Franchise documents.

(b) After service has been established by activating trunk and/or distribution cables for any Service Area, Grantee shall provide service to any requesting Subscriber within that Service Area within thirty (30) days from the request, provided that the Grantee is able to secure all rights-of-way and encroachment permits necessary to extend service to such Subscriber within such thirty (30) day period on reasonable terms and conditions mutually acceptable to Grantee and such subscriber.

### **Article 3. Application for Franchise**

#### **Section 301 Franchise Applications.**

Any person desiring a Cable System Franchise shall file an application with the Grantor. A reasonable nonrefundable application fee will be established by the Grantor. The application fee shall accompany the application to cover all costs associated with processing and reviewing the application, including without limitation, costs of administrative review, financial, legal and technical evaluation of the applicant, consultants (including technical and legal experts and all costs incurred by such experts), notice and publication requirements with respect to the consideration of the application and document preparation expenses. If such costs exceed the application fee, the selected applicant(s) shall pay the difference to the City within thirty (30) days following receipt of an itemized statement of such costs.

#### **Section 302 Applications - Contents.**

An application for a Franchise for a Cable System shall contain:

- (a) A description of the proposed Franchise and Service Area;
- (b) Résumé of prior history of applicant, including the expertise of applicant in the cable television field;
- (c) List of partners, general and limited, and their ownership interests, of the applicant, if a partnership, or the percentage of stock owned or controlled by each shareholder or member, if a corporation or limited liability company;
- (d) Identity of officers, directors and managing employees of applicant, together with a description of the background of each such person;
- (e) The names and addresses of any parent or subsidiary of applicant or any other business entity owning or controlling applicant in whole or in part, or owned or controlled in whole or in part by applicant;



Item #: 3.K.

## CITY COUNCIL AGENDA REPORT

MEETING OF JULY 14, 2011

FROM: CITY MANAGER'S DEPARTMENT  
DATE: JULY 5, 2011  
SUBJECT: RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING WITH THE POLICE CAPTAINS FOR THE PERIOD OF JULY 1, 2011 THROUGH JUNE 30, 2012

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**Recommended Action:** By motion and roll call vote, adopt the proposed Resolution approving a Memorandum of Understanding with the Police Captains for the period July 1, 2011 to June 30, 2012.

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### **BACKGROUND**

The Police Captains' Memorandum of Understanding expired on June 30, 2011. As required by state law, the City negotiated with the Police Captains' bargaining unit on salary and benefits and working conditions. The City and the Captain have reached a tentative agreement on the new terms of the MOU.

### **DISCUSSION**

The Police Captains' MOU sets forth salaries, benefits and terms and conditions of employment for just the Captain. The City negotiating team and the Captain have come to a tentative agreement to the existing MOU which extends the term of the MOU for one additional year. There are no changes to the existing salary or benefits.

### **FISCAL IMPACT**

There are no changes to the salary or benefits during the term of this agreement. The Captain's position was budgeted in the FY11-12 budget with no changes from the previous year.

### **ATTACHMENT**

1. Draft Resolution
2. Police Captain MOU

**Report Prepared By:** Lisa G. Murphy  
Administrative Services Director

**Reviewed and Forwarded  
By City Manager:** \_\_\_\_\_

**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE POLICE  
CAPTAINS FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2012**

WHEREAS, the current Memorandum of Understanding with the Police Captains expired on June 30, 2011; and

WHEREAS, in conformance with Section 3500 et seq. of the State of California Government Code, the City of Capitola has met and conferred in good faith with the Police Captain on wages, hours and working conditions; and

WHEREAS, both parties have come to an agreement on all parts of the negotiations for a term of one year, effective July 1, 2011 and expiring on June 30, 2012, and it is appropriate to have the agreement approved by the City of Capitola City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Capitola does hereby approve the executed Memorandum of Understanding between the Police Captains and the City of Capitola for the Period July 1, 2011 through June 30, 2012, and authorizes the City Manager to execute the MOU on behalf of the City.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola at its Regular Meeting held on the 14<sup>th</sup> day of July, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Dennis R. Norton, Mayor

ATTEST:

\_\_\_\_\_, MMC  
Pamela Greeninger, City Clerk

MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
POLICE CAPTAINS AND CITY OF CAPITOLA  
PERIOD 7/1/11-6/30/12

This Memorandum of Understanding (MOU) shall become effective upon ratification by the Police Captains (Employees) and approval by the City of Capitola City Council. This MOU shall be in effect from July 1, 2011 to June 30, 2012.

In recognition of the need to prevent compaction between the Captains and the Police Officer Association (POA) employees, the Captains shall not receive less than the cost of living adjustments received by the Police Officers Association for any given year under consideration. Should an increase of the POA cost of living be more than the Captains salary adjustment for that contract year, the Captain's salary shall be adjusted by the increased amount and such adjustment shall occur at the time the POA adjustment is implemented. It also is the City's goal to maintain a minimum 15% differential in compensation between a top step Sergeant and a top step Captain taking into account salary, education incentive pay, shift differential and longevity pay.

1. Personnel Rules

The Personnel Rules and Regulations of the City of Capitola, existing or hereafter adopted, are not altered, changed or modified unless by explicit provisions of this MOU.

2. Salary

- A. Attached hereto is a salary schedule applicable to Police Captains.
- B. Except as provided in Section 3, Employee's monthly salary shall be as shown on the attached schedule. "Salary" does not include, and is in addition to: flex plan, PERS, or other benefits to which Employee is entitled. For the purposes of this contract, Police Captains start at Step E of the attached pay scale that was in effect at the time of promotion.

3. Longevity Pay Incentive

Employees having 10 consecutive years of full time employment with the City of Capitola are eligible for a 5% longevity enhancement, which shall be applied to base salary. Employees having 15 consecutive years of full time employment with the City of Capitola are eligible for an additional compounded 5% longevity enhancement.

4. Vacation

- A. Vacation  
Vacation Accrual

Vacation accrues on a prorated basis, based upon a 30-day month. The rates of accrual are as follows:

<u>Years of Employment</u>	<u>Vacation Days</u>
1 and 2	12
3 and 4	14
5 through 9	17
10 through 19	22
20 and higher	27

B. Accumulation

- (1) An employee, may generally not accumulate more than 540 hours of vacation, but instead each year must cash out, pursuant to Sections 4C and 4D below, all accumulated vacation in excess of 67.5 days (540 hours), except that
- (2) An employee who had accumulated more than 67.5 vacation days (540 hours) as of 6/30/94 may maintain that level: provided, however, that if accumulated vacation falls below 67.5 days (540 hours), the provisions of (B) (1), above shall thereafter apply.

C. Vacation Cash Out On Termination

An employee who has unused vacation and who leaves the City service for any reason will not continue to accrue vacation after the last day of regular on-the-job employment (separation date) and will be paid at the then applicable rate for all accumulated but unused vacation leave to the date of separation.

D. Vacation Cash Out Before Termination

Employee will be eligible to convert up to 40 hours per fiscal year of accumulated vacation time to cash. The pay out rate is calculated by converting Employee's salary, at the rate applicable on the cash out date, to an hourly rate in the manner set forth in attached section 2 of Standard MOU Provisions.

5. Holidays/Personal Holidays

Holiday compensation is covered by Section 40 of the attached "Standard" and "Additional" MOU provisions, with the following exceptions:

Employee shall also be entitled to 3 personal holidays per calendar year. Unused personal holidays are not cumulative.

6. Incorporated Provisions

The following sections of the "Standard" and "Additional" MOU are attached hereto and incorporated herein: 2 (Wage Schedule/Hourly Rates), 3 (Service), 4 (Types of Appointments), 5 (Beginning Salary Rates), 6 (Advancement Within

Schedule), 7 (Promotion To New Position), 9 (Personnel Rules), 10 (Effective Date of Pay Increase), 13 (Sick Leave Defined), 16 (Bereavement Leave), 17 (Family and Medical Leave Act of 1993), 19 (Accruals After Date of Separation), 22 (Drug Free Policy), 26 (Re-opener), 40 (Holidays), and 50 (Education Reimbursement).

7. Sick Leave Accrual/Medical Report

Sick leave accrues on a prorated basis, based upon a 30-day month. Twelve days (96 hours) accrue each calendar year.

8. Sick Leave Cash Out

Employees shall have no right to cash out any sick leave. With the exception of Captain Tom Held who is subject to a memorandum dated May 22, 2003 from the City Manager which states under item #3, "A second set of employees are those who have accumulated more than 240 hours of sick leave as of 6/30/94 and who have been employed for at least ten years. These employees are identified by name on a list maintained by the Executive Assistant to the City Manager, and these employees have their cashable sick leave capped at the amount accumulated on that 6/30/94 date, and this amount of cashable sick leave shall remain as cashable sick until: 1) all or any portion of the cashable sick leave is cashed out, in which case the amount of accumulated cashable sick leave hours is permanently reduced by the amount of hours cashed out and shall not ever be increased; 2) all or any portion of the cashable sick leave is reduced through use, in which case the amount of cashable sick leave hours is permanently reduced by the number of hours used and shall not ever be increased; 3) termination, at which time all remaining cashable sick leave shall be cashed out, unless an agreement to extend the period of cash out is reached between the City and employee." At the time of ratification of this MOU, Captain Held has 517.68 eligible cashable sick leave hours.

9. Insurance

The City will provide term life insurance in the amount of \$50,000 and long-term disability insurance to date of separation.

10. Physical Examinations

The City, in conjunction with the comprehensive health care insurance program, will provide an annual physical examination for Employee only. City will pay the amount not covered by the health care program.

11. Retirement Program

The City participates in the Public Employees Retirement System operated by the State of California. Benefits provided are detailed in separate publications, depending upon the plan. The City pays the employee and employer share of the retirement contributions and has a 3% at 50 program for safety programs. The parties understand that when the City's PERS Excess Assets have significantly decreased, the City's Total Employer Rate will increase: Each member of the bargaining unit agrees to a cap on the amount that the City will pay to PERS. That cap will be 28.291%. The Cap is calculated as follows:

	2008-09 MOU Cap
	<u>Net POB</u>
Employer Variable:	16.955%
Employer paid employee costs	9.000%
Employer paid member contrib. (a)	1.526%
Employer paid member contrib. (b)	<u>0.810%</u>
TOTAL	28.291%

Should at any time the PERS costs to the City exceed the percentages defined above, the employees agree that the portion of the employer paid employee costs or employer paid contributions will be reduced and assumed by the employee in an equal percent or any part of a percent that actual PERS costs exceed the above caps. If at any time the employer paid employee costs or employer paid member contributions are wholly paid by the employee and PERS costs continue to increase the employee will also assume those increases. It is agreed by the City and the Captains that this provision expires with the termination of this Memorandum of Understanding and is open for negotiation for renewal of the next Memorandum of Understanding.

With regard to the "Amortization of Side Fund" portion of the employer rate, i.e. the portion of the employer rate attributable to the City's unfunded liability, if PERS should in the future decrease that rate as a direct result of a City payment to reduce the Side Fund, the City's cap would reduce by the percentage decrease that PERS identifies as resulting from the City payment. This also applies to the 2007 Capitola Pension Obligation Bond.

12. Jury Duty

Leave of absence with pay shall be granted to Employee while serving on jury duty. Any jury fee awarded shall be deposited with the City Treasurer.

13. Grievance Procedure

- A. Definition. Until modified by adoption of City-wide Personnel Rules, grievance is defined as an allegation by an employee or group of employees that the Employer has failed to provide a condition of employment, which is established by law, Compensation Plan, by an pertinent written City or departmental rules, provided that the enjoyment of such right is not made subject to the discretion of the Employer by the terms of this Compensation Plan and, provided further, that if the grievance pertains to "conditions of employment" the subject is a matter that is within "scope of representation" as defined in California Government Code Section 3504.
- B. Department Review and Adjustment of Grievances. The following is the procedure to be followed in the resolution of grievances.
  - 1. Employee shall have the right to consult with and be assisted by a representative of his own choice in this and all succeeding steps of this section and may thereafter file a grievance in writing with the



immediate supervisor. Within five actual working days after receipt of any written grievance, the immediate supervisor shall return a copy of the written grievance to Employee with his/her answer thereto, in writing.

2. If the grievance is not resolved at the first level, Employee shall have five actual working days after receipt of the answer within which to file an appeal with the City Manager.
3. The City Manager shall have five actual working days in which to review, and if necessary, hold hearings, and answer the grievance in writing. Unless waived by the mutual agreement of Employee or his representative and the City Manager, a hearing is required at this step, and Employee, and his representative, shall have the right to be present and participate in such hearing. The time limit at this step may be extended by mutual agreement between the City Manager and Employee or his representative.

C. Effect of Failure of Timely Action. Failure of Employee to file an appeal within the required time limit at any step shall constitute an abandonment of the grievance. Failure of the Employer to respond within the time limit at any step shall result in an automatic advancement of the grievance to the next step.

D. Limitation on Stale Grievances. A grievance shall be void unless presented within thirty (30) calendar days from the day upon which the Employer has allegedly failed to provide a condition of employment, or within thirty (30) calendar days from the time at which an employee might reasonably have been expected to learn of such alleged failure to provide. In no event shall any grievance include a claim for salary or similar monetary relief for more than the thirty-day period plus such reasonable discovery period.

14. Administrative Leave

As an exempt employee, Employee is entitled to 10 days per year of Administrative Leave (time off). Administrative Leave is non-cumulative. It may not be converted to cash.

15. Mileage Reimbursement

Employees required to use their personal vehicles while on City business will be reimbursed at the most recent rate set by the Internal Revenue Service.

16. Flexible Spending Arrangement Contributions

The City makes a flexible spending arrangement ("Flex Plan") contribution on behalf of each qualified employee. For those employees who have selected health coverage through PERS, from the monthly contribution set forth herein, \$108 per month effective January 1, 2011, will be paid to PERS for what is sometimes



referred to as "employer contribution". For all employees the City will no longer charge to the employee the \$1.50 per paycheck plan fee. The contribution for full-time regular employees is as follows:

- Employee Only: \$650 per month
- Employee + 1: \$799 per month
- Employee + 2 or more: \$999 per month

Employees who can verify to the City's satisfaction that: they have equivalent health coverage for medical (including dental & vision) provided through their spouse, which will remain in effect until the next enrollment date; or who purchase a CalPERS Health Plan and dental and vision coverage, but do not use their entire monthly contribution may use the remaining funds to purchase benefits other than medical (including dental & vision) coverage or take this amount in cash for the employee only contribution amount. (If a cash payment is taken, it is not included in the employee's compensation for the CalPERS retirement plan).

The city reserves the option of adding additional programs to the cafeteria plan, as they may become available.

17. Uniform Allowance

Each year Employer shall pay \$29.00 per pay period as and for a uniform allowance. Employer has made no representation as to the tax treatment of such allowance.

Compensation paid or the monetary value for the purchase, rental and/or maintenance of required uniforms will be reported to CalPERS, to the extent allowable by CalPERS.

18. Workers Compensation

Workers Compensation is payable as provided in the California Labor Code.

19. Reserved

20. Captain probation

Probation for the position of Captain shall be six months and shall be governed by the attached Standard MOU Provisions.

CITY OF CAPITOLA

By: \_\_\_\_\_

Date: \_\_\_\_\_

**EMPLOYEE**

By: T. E. A. #503

Date: 7/5/11

## EXCERPTS FROM STANDARD MOU PROVISIONS

### 2. Wage Schedules/Hourly Rates

The wage schedules contained in, or attached to, this Memorandum of Understanding set forth the base pay, subject to such adjustments (such as longevity pay) as are specifically set forth in this MOU. Letters, such as "A" to "F", designate the respective pay steps for each position. The rates contained in the wage schedule do not include overtime or benefits.

Whenever it is necessary to compute an hourly pay rate in order to apply an provision of this MOU, that will be done by multiplying any monthly rate by 12 in order to derive an annual rate, and dividing the annual rate by 2080 (or proportionate number of hours for part time positions, e.g., 1040 for a half-time position).

### 3. Service

The word "service" as used in this Memorandum of Understanding means continuous full-time service in the position in which the employee is being considered for salary advancement, service in a higher position, or service in a position allocated to the same salary schedule and having generally similar duties and requirements. A lapse of service of any employee for a period of time longer than thirty days by reason of resignation or discharge shall serve to eliminate the accumulated length of service time of such employee, and any such employee re-entering the service of the City shall be considered as a new employee.

### 4. Types of Appointment

The following types of appointment may be either full-time, as established by the City Manager:

#### a. Probationary appointment

A probationary appointment is for a specified period of time, during which job performance is evaluated as a basis for subsequent regular appointment.

#### b. Regular appointments.

A regular appointment ordinarily follows successful completion of a probationary period. "Regular" means a position that is, regardless of the number of hours worked per week, intended to be continuous and uninterrupted (except for authorized paid or unpaid leave). Positions intended to be seasonal, of a limited term, on call only, emergency, intermittent, substitute, or on any other irregular basis are not "regular." The positions set forth in the wage schedule are all regular positions, and unless specifically stated, the pay rate is applicable to a

full-time position. All positions covered by the section are half time or more.

c. Acting appointments.

An acting appointment occurs when an employee is temporarily assigned to, and performs all the duties of a position other than the position he/she normally occupies, or when an employee is assigned an acting appointment pending evaluation of the employee's ability to perform the duties of the position.

d. Accruals for part time positions.

When a position is less than full time it will be classified by a fraction. For example "half-time" regular employment is expected to average 20 hours per week; "three-quarters" employment is expected to average 30 hours per week. Vacation accrual, sick leave accrual, Flex Plan contributions, holidays, personal holidays are paid or accrued according to these classifications. Thus, compared to a full time employee, a half-time employee, even if actual time occasionally exceeds or falls below 20 hours in a week, when compared to a full time employee: receives one-half the Flex Plan contribution; accrues one-half the number of hours of vacation or sick leave; and is paid for four hours on a holiday or personal holiday.

5. Beginning Salary Rates

A new employee's base pay shall be computed by using the rate shown as step "A" in the schedule allocated to the class of employment for which the employee has been hired, except that upon recommendation of the department head under whom the employee will serve and with the approval of the City Manager, such new employee may be employed at a higher step, depending upon the employee's qualifications.

6. Advancement Within the Schedule

The following provisions govern salary advancement within the schedule:

a. Probationary advancement

Upon successful completion of probation, an employee (except an employee that was hired at the top step) will advance one step.

b. Regular Merit advancement

An employee may be considered for advancement upon completion of the minimum length of service specified for step increases. Unless specifically otherwise stated, this will be 12 months for full-time appointments and proportionately adjusted for other appointments. For instance half-time appointments will be evaluated for regular merit

adjustments every 24 months. Advancement to higher steps shall be granted only for continued meritorious and efficient service and continued improvement by the employee in the effective performance of the duties of the position held.

c. Special Merit advancement

When an employee consistently demonstrates exceptional ability and proficiency in the performance of assigned duties, the supervising department head may recommend to the City Manager that said employee be advanced to higher pay step without regard to the minimum length of service provisions contained in this resolution. The City Manager may approve and effect such advancement.

d. Denial of advancement

When an employee has not been approved for advancement to the next higher wage step, such employee may be reconsidered for such advancement after the completion of three months of additional service.

7. Promotion to New Position

When an employee is promoted to a position in a higher classification, such employee shall be assigned to step "a" in the appropriate schedule for the higher classification. However, if such employee is already being paid at a rate equal to or higher than step "A", he/she shall be placed in the step in the appropriate salary schedule which will grant such employee a salary increase of not less than 5%.

9. Personnel Rules

The City retains the right to amend and create personnel rules, provided they are not in conflict with specific provisions of the MOU. Where appropriate, City will meet and confer with applicable employee group or groups (Government Code Section 3300 and following), before amending or creating new personnel rules.

10. Effective Date of Pay Increase

A merit-pay advancement for an employee shall become effective on the first day of the pay period in which the minimum length of service has been satisfactorily completed. Any other mid-pay period payroll adjustments will occur at the beginning of the pay period in which the adjustment falls for all odd numbered calendar years; and, at the beginning of the following pay period for the even number calendar years.

13. Sick Leave Defined

Employees have the right under federal and state law (see Section 17 below) to be absent from regularly scheduled work without being reprimanded, disciplined, or discharged. They may also have additional rights under their MOUs. "Sick

leave" as used herein refers to an employee's rights to be compensated, by means other than Workers Compensation benefits, while on medical leave or where so allowed, by specific provisions in the MOU, such as bereavement leave.

16. Bereavement Leave

Leave of absence with pay because of death in the immediate family of an employee shall be granted for a period not to exceed three days. Entitlement to leave of absence under this section shall be in addition to any other entitlement for sick leave, or any other leave. For purposes of this section, "immediate family" means mother, step-mother, father, step-father, husband, wife, son, step-son, daughter, step-daughter, brother, sister, foster parent, foster child, brother-in-law, sister-in-law, mother-in-law, father-in-law and grandparents.

17. Family & Medical Leave Act of 1993

The City shall follow the provisions provided for family leave as specified in the federal Family & Medical Leave Act of 1993, and the state Family Rights Act as it applies to public employees.

19. Accruals after Date of Separation

An employee's separation date is the last date actually worked, except that an employee who, as of the last day worked, has not used all of his/her yearly allotment of vacation may extend the separation date by the number of days necessary to reach the full yearly allotment. "Yearly allotment" means the amount of vacation that the employee was entitled to accrue in his/her last year of employment. Unless otherwise provided by state law, none of the following accrue after the date of separation: sick leave, vacation, personal holidays, holiday pay, administrative leave, Flex Plan contributions, or the insurance described in Section 20.

22. Drug Policy

The City is implementing its "Drug Free Workplace Policy".

26. Re-opener

Upon request of any bargaining unit, the parties will negotiate whether specific provisions will be added to the MOU about awards of days off for five years of accident free work

40. Holiday Schedule

There shall be twelve (12) holidays granted annually for the life of the MOU. The holidays to be observed during the calendar year 2011 are set forth below.

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New Year's Day	1/01
Martin Luther King Day	*
Lincoln's Birthday	2/12
Washington's Birthday	*
Memorial Day	*
Independence Day	7/4
Labor Day	*
Columbus Day	*
Veterans' Day	11/11
Thanksgiving Day	*
Friday Following Thanksgiving	*
Christmas Day	12/25

\*These Holidays are taken at the same time as the federal holiday is scheduled.  
Holidays listed above occurring on a Saturday shall be observed on Friday.  
Holidays occurring on a Sunday shall be observed on Monday.

In addition, City hall will be closed for one week during the Christmas holidays during which employees affected by the closure will be permitted to use vacation, personal holidays or sick leave in order not to lose compensation.

50. Education Reimbursement Program

The City will reimburse employees for tuition and textbooks upon the completion of courses approved in advance by the City Manager in accordance with the following schedule:

State supported California colleges and universities - 100% tuition and textbook reimbursement.

Private colleges and universities - 100% of tuition or the tuition of the University of California whichever is less. Textbook reimbursement will be at 100%.

## SALARY SCHEDULE

July 1, 2011 Salary Rate	Step A	Step B	Step C	Step D	Step E	Step F
Captain	\$ 8,037	\$ 8,439	\$ 8,861	\$ 9,305	\$ 9,771	\$ 10,260



## CITY COUNCIL AGENDA REPORT

### MEETING OF JULY 14, 2011

FROM: CITY MANAGER'S OFFICE

DATE: JUNE 28, 2011

SUBJECT: PUBLIC HEARING TO CONSIDER A RESOLUTION AMENDING THE CITY'S FEE SCHEDULE TO INCREASE VARIOUS CITY FEES BY THE CONSUMER PRICE INDEX OR BY ACTUAL COST OF SERVICE AND ADDING NEW FEES

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**Recommended Action:** That the City Council conduct the noticed public hearing on the proposed City Fee Schedule for Fiscal Year 2011/12 and, by motion and roll call vote, adopt the proposed Resolution Repealing Resolutions No. 3823 and Amending the City's Fee Schedule to Increase Various City Fees by the Consumer Price Index or by Actual Cost of the Service and Adding New Fees for Greywater System Permits and Electric Vehicle Charging Permits to become effective July 15, 2011.

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#### **BACKGROUND**

The City updates the resolution setting fees for various City services such as planning services, encroachment permits, use permits, and many other similar fees on an annual fiscal year basis. Generally the updated fee schedule is effective on July 1. Due to a later adoption of the City's budget and noticing requirements for the hearing, staff had to schedule the annual fee schedule review after July 1. State law requires that a public hearing be set and testimony taken before any fees are added or existing fees are changed. In FY2010-11 staff presented the fee schedule to the Council for consideration of a CPI increase of 1.7%. The Council chose not to implement any fee increases at that time. This year the CPI is 2.8%. Staff proposes to combine last year's CPI with this year's CPI for a total fee increase of 4.5%.

#### **DISCUSSION**

The City Council adopted Resolution No. 3285 on May 22, 2003, which provides that the flat fees contained on the fee schedule are to be adjusted by July 1<sup>st</sup> of each year in accordance with the Consumer Price Index (CPI) for the San Francisco, Oakland, San Jose area, with the exception of those fees that are established by law. The City uses the April CPI to determine the July increase. The CPI for April of 2010 was 1.7% and for April 2011 was 2.8%. At this time any fees that have been adopted throughout the year are also added to the fee schedule. Fees that are set by resolution, ordinance, or by State Law have not been adjusted.

Staff has attached a "Draft Fee Schedule for Various Services" (Attachment 2) and a proposed "Animal Services Fees" schedule (Attachment 3), which shows the current fees and the proposed fees highlighted in yellow. Most flat fees have been adjusted by 4.5%, with the exception of a few fees that have been raised to reflect actual costs. The Recreation fees for the Junior Guard Program is proposed to be increased by 10% and the Camp Capitola fees are proposed to be increased by 15% to keep the City's fees in line with other local jurisdictions. Staff also is proposing to eliminate the residency status for Soquel Elementary School District residents who are not necessarily Capitola residents. The approved fees will be incorporated into Exhibits which will be made part of the fee schedule resolution.



Two new fees are being added to the fee schedule: Greywater System Permits and Electric Vehicle Charging Permits. Those fees are proposed to be added to Community Development Department Fees, Building Fees, as follows:

<u>Electric Vehicle Charging Permits:</u>		
a.	Level I (120 volts)	\$100.00
b.	Level II (208-240 volts)	\$150.00
c.	Level III (480 volts)	\$200.00
<u>Greywater System Permit</u>		\$150.00

### **FISCAL IMPACT**

The majority of the flat fees will only increase by \$1 to \$25 dollars. The recreation fee increases will result in a \$25,000 in FY11/12 and \$50,000 in FY12/13. The proposed fee schedule will become effective July 15, 2011.

### **ATTACHMENTS**

1. Draft Resolution
2. Draft Fee Schedule for Various Services
3. Proposed Animal Services Fees
4. Public Hearing Notice

**Report Prepared By:** Lisa G. Murphy  
Administrative Services Director

**Reviewed and Forwarded  
By City Manager:** \_\_\_\_\_

**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
REPEALING RESOLUTION NO. 3823 AND AMENDING THE CITY'S FEE SCHEDULE  
TO INCREASE VARIOUS CITY FEES BY THE CONSUMER PRICE INDEX OR BY  
ACTUAL COST OF THE SERVICE AND ADDING NEW FEES FOR GRAY WATER SYSTEM  
PERMITS AND ELECTRIC VEHICLE CHARGING PERMITS  
TO BECOME EFFECTIVE JULY 15, 2011**

**WHEREAS**, the Government Code of the State of California, Section 6601(a) requires local agencies to notice and hold at least one open and public meeting prior to levying a new fee or increasing an existing fee; and

**WHEREAS**, the City Council of the City of Capitola has held a duly noticed public hearing on July 14, 2011, to consider increases to existing fees charged for various City services; and

**WHEREAS**, this fee schedule sets forth the City's cost recovery fee programs, which includes minimum deposits against which staff costs, adjusted for overhead, are assessed; and

**WHEREAS**, the City Council adopted Resolution No. 3285 on May 22, 2003, stating that all flat fees, with the exception of those established by law, shall be adjusted annually by the Consumer Price Index (CPI) for the San Francisco, Oakland, San Jose area, which was 2.8% for April 2011; and

**WHEREAS**, the Council chose not to levy the CPI increase in 2010 which was 1.7%, the CPI for 2011 will be combined with the 2010 CPI for a combined increase of 4.5%; and

**WHEREAS**, since the Building Department is no longer a separate department within the City and now falls under the Community Development Department, the Building Fees will be included under "Community Development Department Fees;" and

**WHEREAS**, new fees for Greywater System Permits and Electric Vehicle Charging Permits shall be added to the City's fee schedule; and

**WHEREAS**, the City of Capitola has made available to the public the required data pursuant to Government Code Section 6601(a) for at least ten days prior to adoption of a revised fee schedule.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Capitola does hereby resolve as follows:

1. The reference to Building Department shall be changed to "Building Fees" under the "Community Development Department Fees;" and
2. Under "Community Development Department Fees – Building Fees" there shall be added:

<u>Electric Vehicle Charging Permits:</u>	
a. Level I (120 volts)	\$100.00
b. Level II (208-240 volts)	\$150.00
c. Level III (480 volts)	\$200.00
<u>Greywater System Permit</u>	\$150.00

**BE IT FURTHER RESOLVED** that the City of Capitola Fee Schedule for Various City Services as identified in Exhibit A, and the Animal Services Fees identified in Exhibit B attached hereto are hereby approved to become effective on July 15, 2011.

**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 14<sup>th</sup> day of July, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Dennis R. Norton, Mayor

ATTEST:

\_\_\_\_\_, MMC  
Pamela Greeninger, City Clerk

DRAFT FEE SCHEDULE FOR FY11-12: Effective July 15, 2011- June 30, 2012		
CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES		CPI 2.8% + 1.7% from last year
Description	CURRENT FEES (07/1/10)	Proposed
<b>Miscellaneous Fees</b>		
Bingo Permit (Municipal Code § 5.16.190) can change by resolution	\$57	\$ 60
Capitola Municipal Code	\$571	\$ 597
Capitola Municipal Code Supplement Service (Per year)	\$171	\$ 179
Copies:		
1 – 5 copies	\$0	
6 or more copies (Per copy)	\$0.10/page	\$0.25/page
Gov't Code § 81008 (Political Reform Act) statements/reports (Per copy)	\$0.10/page	
DVD's / Cassette Tapes (Per tape)	\$26	\$ 27
Entertainment Permit Application Fee	\$31	\$ 35
Single Event Permit	\$31	\$ 35
Minor Entertainment Permit	\$140	\$ 146
Regular Entertainment Permit	\$524	\$ 548
Pet Shops and Kennel License Fee (Municipal Code § 5.20.020) set only by ordinance	\$25	\$ 26
Returned Check Fee	\$31	\$ 35
Business License Overpayment Refund Fee (resolution 3532, ord 871)	\$31	\$ 35
Business License Late Payment Penalty Admin. Fee (Reso. 3532)	\$31 + 10% each month late	\$32 + 10%
Business License Application Fee (Reso. 3532)	\$31	\$ 35
Temporary, Publicly Attended Activities, Application Fee (Municipal Code § 9.36.040)	\$30	\$ 31
Public Art (Total Building Valuation \$250,000 or more) (Municipal Code Chapter 2.58)	2% of TBV or 1% in lieu to City	
Notice of Intent to Circulate Initiative Petition (Elections Code § 9103(b))	\$200	
Mobile Home Park Administrative Service Fee (raise by a public hearing)	\$240/per year	
Bandstand Rental Fee	\$200/4 hrs or \$600 all day/ deposit \$1,500	\$210/4 hrs or \$630 all day
Notary Service Fees		
Acknowledgment or proof of a deed, or other instrument, to include the seal and writing of the certificate	\$10/signature	
Administering an oath or affirmation to one person and executing the jurat, including the seal	\$10/signature	
<b>CITY ATTORNEY DEPARTMENT FEES</b>		
Whenever any City permit or approval requires the preparation of a deed, contract, or other formal legal instrument by the City Attorney, an hourly fee shall be charged.	cost + 17%	
<b>HISTORICAL MUSEUM FEES</b>		
Research Fee - 1/2 hour minimum charge	Cost	
Print of an electronically available Photograph in Collection	\$6	\$ 7



**CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES**

Description	CURRENT FEES (07/1/10)	Proposed
Digital Copies of Collection Items	\$16	\$ 17
Scan High Resolution Tiff File of any collection item for a customer	\$20	\$ 21
<b><u>COMMUNITY DEVELOPMENT DEPARTMENT FEES</u></b>		
<b><u>BUILDING FEES</u></b>		
The cost of a “combination building permit” and its associated plan check shall be 1.5 times the amounts shown in Table 1-A. A “combination building permit” is defined as a permit for a scope of construction work regulated by two or more of the model codes. The model codes are the building code, the plumbing code, the mechanical code and the electrical code.		
The cost of a “building permit” and its associated plan check shall be the amounts shown in Table 1-A. A “building permit” is defined as a permit for a scope of construction work regulated solely by a single model code. The model codes are the building code, the plumbing code, the mechanical code and the electrical code.		
<b>TABLE 1-A</b>		
<b>Total Valuation</b>	<b>FEES</b>	
\$1.00 to \$500.00	\$23.50	
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof.	
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1000.00 or fraction thereof.	
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00 or fraction thereof.	
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof.	
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00 or fraction thereof.	
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof.	
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00 or fraction thereof.	
<b>Greywater System Permit</b>		<b>\$ 150.00</b>
<b>Electric Vehicle Charging Permits</b>		
<b>a. Level I (120 volts)</b>		<b>\$ 100</b>
<b>b. Level II (208-240 volts)</b>		<b>\$ 150</b>
<b>c. Level III (480 volts)</b>		<b>\$ 200</b>
Research Fee - 1/2 hour minimum charge	Cost	
Information Technology Fee (Resolution No. 3786 adopted 11/12/09)	5% of Permit Fee	

**CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES**

Description	CURRENT FEES (07/1/10)	Proposed
<b>PLANNING FEES</b>		
<b>Administration/Documents</b>		
Public Notice (without newspaper published notice)	\$166	\$ 173
Public Notice (with newspaper published notice)	\$360	\$ 376
Application Withdrawal (prior to public hearing) Amount of refund	40%refund of the unused portion of deposit	
Request for Continuance by Applicant (2nd and each after)	\$141	\$ 147
Extra Meetings Fee (each ZA/CPC >2; CC >1)	Cost	
Staff Billing Rate	Cost	
Records Search/Special Report--Minor	\$80/hour minimum 1/2 hour	\$84/hour minimum 1/2 hour
Records Search/Special Report--Major	Cost	
General Plan with Map	\$56	\$ 60
General Plan Map Alone	\$9	\$ 10
General Plan Maintenance Fee	Total Building Valuation X 0.6% with a cap of \$100,000 per project	revised 10/22/09
Zoning Ordinance with Map	\$34	\$ 36
Zoning Map alone	\$8	\$ 10
Development Application Intake Fee	\$500/Application	\$510/Application
Preliminary Review Fee	\$200	\$ 210
Conceptual Review Fee	\$1,500 deposit	
<b>Architectural and Site Review Committee</b>		
Residential-New or >= 50% addition/remodel	cost; \$3,500 min. deposit	
Residential-New <50% Addition/Remodel	cost; \$3,000 min deposit	
Commercial New, Addition or Exterior Remodel	cost; \$5,500 min. deposit	
Floodplain Elevation/Certification Review	cost + 17%	
Geologic/Engineering Report Review	cost + 17%	
Archaeological Survey Report Review	cost + 17%	
Biotic Report review	cost + 17%	
Traffic Report Review	cost + 17%	
Architectural Historian Report Review	cost + 17%	
NOTE: third party review costs to be required as necessary		
Temporary Signs and Banner Permits	\$34	\$ 36
Signs (staff approval) per permit application	\$116	\$ 121
Signs (CPC approval) per permit application	cost; \$ 500 min deposit	
Master Sign Program CPC approval	cost; \$3,000 min deposit	
Fence Permit (Staff approval)	\$39	\$ 41
Fence Permit (CPC approval)	cost; \$750 min deposit	
<b>Code Compliance</b>		
	Double Application Fees	



**CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES**

Description	CURRENT FEES (07/1/10)	Proposed
All code compliance fees and costs	Minimum statutory fees and fines plus any staff costs and any contract costs incurred + 17%	
<b>Use Permits</b>		
Home Occupation Use Permit	\$255	\$ 266
Mobile home Park Change of Use or Closure	cost	
Condo Conversion	cost	
CUP for Significant Alteration of Historic Feature	cost; \$2,000 min. deposit	
Transient Rental Occupancy Use Permit	cost; \$1,500 min. deposit	
Master Conditional Use Permit --CPC approval	cost; \$3,500 min. deposit	
Tenant Use Permit (MCUP)--Staff approval	\$70	\$ 73
Conditional Use Permit--ZA/Staff approval	cost; \$2,000 min. deposit	
Conditional Use Permit--CPC approval	cost; \$3,000 min. deposit	
CV/CN Outdoor Display Merchandise	\$200	\$ 210
Temporary Uses	\$73	\$ 76
Commercial Sidewalk/Parking Lot Sale Permit	\$69	\$ 72
<b>Variances</b>		
Single Family Residences (each)	cost; \$2,000 min. deposit	
Flood Ordinance Variance	cost; \$2,000 min. deposit	
All Other (each)	cost; \$2,500 min. deposit	
<b>Coastal Permits</b>		
All	cost; \$1,500 min. deposit	
Coastal Permit Exclusion	\$80	\$ 84
<b>Environmental Review Fees</b>		
CEQA Exemption Determination	\$101	\$ 106
Initial Study (ND/EIR Determination)	cost; \$2,000 min deposit	
Negative Declaration (and Mitigated ND)	cost; \$2,000 min deposit	
EIR Processing	cost; + 17% of consultant; \$10,000 min deposit	
Mitigation Monitoring Program	cost + 17%	
NEPA Compliance	cost + 17%	
<b>General Plan Amendment</b>		
General Plan Amendment (map and/or text)	cost; \$5,000 min. deposit	
<b>Local Coastal Plan Amendment</b>		
Local Coastal Plan Amendment	cost; \$5,000 min. deposit	

**CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES**

Description	CURRENT FEES (07/1/10)	Proposed
Local Coastal Plan Amendment if also paying for General Plan Amendment or rezoning	see GPA	
<b><u>Rezoning</u></b>		
Zoning Ordinance Amendment (map and/or text)	cost; \$5,000 min. deposit	
<b><u>Planned Developments</u></b>		
PD Preliminary Development Plan Approval	cost; \$3,500 min. deposit	
PD Rezoning Fee	cost; \$5,000 min. deposit	
<b><u>Subdivisions</u></b>		
Certificate of Compliance	cost; \$1,500 min. deposit	
Boundary Line Adjustment/Merger/Reversion	cost; \$1,500 min. deposit	
Parcel Map (4 Parcels or Less)	cost; \$2,000 min. deposit	
Tentative Map (5 parcels or more)	cost; \$5,000 min. deposit	
Final Map	cost; \$3,000 min. deposit	
Subdivision Modification	cost; \$3,500 min. deposit	
<b><u>Historic Structures</u></b>		
Applicant Request for Historic Feature Removal	cost; \$3,000 min. deposit	
Conditional Use Permit for Significant Alteration of Historic Feature	cost; \$2,000 min. deposit	
<b><u>Affordable Housing In-Lieu Fees</u></b>		
<b>For Sale Housing Developments of two to six units (Municipal Code Chapter 18.02/Reso. 3473) :</b>		
All Units	\$10 per sq. ft.	
For Sale Housing Developments of Seven or more units		
#Units	#Units Built	
7	1	\$0
8-13	1	Total # units minus 7 @ \$10 per avg. sq. ft. per unit
14	2	\$0
15-20	2	Total # units minus 14 @ \$10 per avg. sq. ft. per unit
21	3	\$0
22-27	3	Total # units minus 21 @ \$10 per avg. sq. ft. per unit
28	4	\$0
Rental Multi-Family	\$6 per sq. ft.	
One Unit:		
New SF Unit	\$2.50 per sq. ft.	



**CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES**

Description	CURRENT FEES (07/1/10)	Proposed
Demolish/Re-build	\$2.50 per sq. ft.	
Addition/Remodel adding 50% or more square ft. (note: Sq. Ft. calculations to exclude garages and decks)	\$2.50 per sq. ft.	
<b><u>Other Planning Fees</u></b>		
Street Abandonment	\$1,276	\$ 1,333
Annexation	costs+ overhead/ \$3,000 min. deposit	
Appeals-by other than city official	\$136	\$ 142
Appeals of coastal permits	\$0	
Development Agreement	cost; \$5,000 min. deposit	
Research Fee - 1/2 hour minimum charge	Cost	
Specific Plan	cost; \$5,000 min. deposit	
Time Extension	50% of Orig. Fee	
Encroachment Agreement Private Improvements (CPC)	\$397	\$ 415
Green Building Educational Resource Fund Fee (Municipal Code 17.10.080)	Fee equals .0025 times the overall building permit valuation of the project.	
Information Technology Fee (Resolution No. 3786 adopted 11/12/09)	5% of Permit Fee	
<b><u>Building Plan Check/Final Inspection Fees</u></b>		
Planning Plan Check & Final Inspection	20% of Building Permit Fee	
Repeat Planning Final Inspections	\$114	\$ 120
Building Permit Zoning Consistency Review	\$69	\$ 72
Structural Review of Engineering Plans	cost + 17%	
Advanced Plan Review	cost + 17%	
<b><u>Tree Removal</u></b>		
Tree Removal--any tree subject to ordinance--staff approval	\$114	\$ 120
Tree Removal--any tree subject to ordinance--CPC hearing	cost; \$1,000 min deposit	
Tree Removal -- 3 or more trees on a property	250 +hrly cost for staff beyond 3 hrs.	\$257 + hrly cost for staff beyond
Tree/Landscape Installation/Maintenance Agreement	\$114	\$ 120
<b><u>Major Development Projects Fee</u></b>		
Projects with Building Valuation of \$2,000,000 +	cost; \$5,000 min. deposit	
<b><u>POLICE DEPARTMENT FEES</u></b>		
Special Event Permit	\$54	\$ 56
Amplified Sound Permit (Municipal Code 9.12.040)	\$27	\$ 28
<b>DUI Cost Recovery Fee (Res. 3533)</b>	Not to exceed \$12,000	
Copies of reports: Crime Reports, Special Reports, etc, regardless of number of pages	\$23	\$ 24
Copies of: Citations, Code sections, Ordinances, etc.	\$5	\$ 6

**CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES**

Description	CURRENT FEES (07/1/10)	Proposed
Police Reports	\$23	\$ 24
Bicycle Licenses (New)	\$9	\$ 10
Bicycle Licenses (Renewal)	\$6	\$ 7
Citation Sign-Offs	\$13	\$ 14
Photographs	\$17+ administration fees	\$18 + admin fees
VIN verifications	\$13	14
Video or cassette Tapes	\$50 1st Hour (Minimum)+\$25/hour	
Local Fire Arm dealers (set by state)		
New application	\$325	
Renewal	\$100	
Second Dealers License (set by state)		
Application	\$100	
Renewal	\$10	
Taxi Fee per application	\$54	\$ 56
Civil Subpoena (per case) (set by state)	\$150	
<b>Parking Permits (separate action by the Council)</b>		
Neighborhoods per year (Resolution No. 3733)	\$25	
Village Preferential Permit (Resolution No. 3733)	\$50 per year	
Village Employer/Employee Permit (Resolution No. 3733)	\$50/per year	
Pacific Cove Lot Permit	\$25	
Morning Village Parking Permit (Resolution No. 3715)	\$50 per year	
Concealed Weapon Permits (set by state)		
Application		
Standard	\$340	
Judicial	\$357	
Employment	\$323	
Renewal		
Standard	\$42	
Judicial	\$59	
Employment	\$25	
Firearm Surrender Fees (set by state law)		
1-5 guns	\$0	
6+guns	\$0	
Vehicle Storage per day	\$23	\$ 24
Administrative fee to release Impounded Vehicle	\$114	\$ 119
<b>Surf School Permit Fee ( Resolution No. 3695)</b>	<b>\$52</b>	
<b>Animal Services Fees</b>		
See Exhibit B "Animal Services Fees"		



**CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES**

Description	CURRENT FEES (07/1/10)	Proposed
<b><u>PUBLIC WORKS DEPARTMENT FEES</u></b>		
<b>Encroachment Permits</b>		
Non-Construction Items (includes materials storage within right-of-way road and sidewalk closures)	\$56	\$ 59
<b>Construction Items</b>		
\$0 to \$1,500 of valuation	\$81	\$ 85
\$1,500 to \$50,000 valuation	\$82+5% of value over \$1,501	\$86+5%
over \$50,000 valuation	\$2500+3% of value over \$50,001	\$2,500 + 3%
<b>Utility Fees</b>		
Connection/Minor & Local Roads	\$277	\$ 290
Arterial Road Connections: Inspection estimation	\$100 per hour	\$110 per hour
All other projects: Inspection estimation	\$100 per hour	\$110 per hour
Blanket Permits (repair and maintenance of existing facilities)	\$852	\$ 890
<b>Private Improvement Permits/Encroachment Agreement</b>		
Applications for Minor Permits	\$56	\$ 60
Applications for Major Permits	\$341	\$ 356
Memorial Bench	\$1,160	\$ 1,212
Memorial Plaque (wharf)	\$555	\$ 580
Memorial Plaque (Grand Ave)	\$555	\$ 580
Memorial Plaque (tree)	355 + cost of tree	\$360 + cost of tree
Memorial Picnic Table	\$1,460	\$ 1,526
<b>Seasonal Boat Storage Permits</b>		
Seasonal Permit	\$100 per month	\$125 per month
Short Term Permit	\$7 per day	\$10 per day
Research Fee - 1/2 hour minimum charge	Cost	
Information Technology Fee (Resolution No. 3796 adopted 11/12/09)	5% of Permit Fee	
<b><u>Government Access Channel Fees</u></b>		
Preprogramming or live coverage hourly rate	Cost	
City Scroll	\$28/hr; min 1 hour	
<b><u>Parks and Recreation Fees</u></b>		
All fees are evaluated annually to determine if they are competitive with other recreation programs in Santa Cruz County		
<b><u>Classes</u></b>		
Negotiated Instructor Activity Fee (instructor receives 65% of this fee, department retains 35%)	Negotiated	
Registration Fee - Resident (dept. retains this fee)	\$14.00 per class	
Non-Resident (dept. retains this fee)	\$12.00 per class	

**CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES**

	CURRENT FEES (07/1/10)	Proposed
Description		
Senior Discount	10%	
<b>Sports</b>		
<u>League Fees</u>	Costs + 30% admin fee	
League fees will change depending upon number and type of leagues offered, number of games per league, number of officials, amount of equipment needed, field/site prep and maintenance, and whether or not playoffs & awards are offered. Fees are calculated based on direct costs + 30% admin fee.		
<u>Junior Guards</u>		
5 weeks resident/non resident	\$220/\$250	\$242/\$275
4 weeks resident/non resident	\$175/\$200	\$192/\$220
<u>Camp Capitola</u>		
All day 2 week session, resident/non resident	\$207/\$228	\$238/\$262
1/2 day resident/non resident	\$118/\$133	\$135/\$152
All day 3 week session, resident/non resident	\$307/\$338	\$353-\$389
1/2 day resident/non resident	\$160/\$175	\$184/\$201
Extended Care--daily resident/non resident	\$7.50	\$8
Extended Care--weekly resident/non resident	\$30	\$35
Transportation fee to Jr. Guards (1st Session / 2nd Session)	\$47/\$37	\$54/\$42
<u>Facility Rentals</u>		
Softball & Soccer fields hourly rental; non profit youth groups/other non profit & Cap residents/all others	\$13/\$25/\$33	
Gym hourly rental; non profit youth groups/other non profits & Cap residents/all others	\$19/\$32/\$43	
<u>Jade Street Community Center</u>		
Rooms A&B hourly rent	\$42	
Room C hourly rent	\$58	
Kitchen hourly rent	\$21	
Entire Center hourly rent	\$150.00	
Non profit discount of Jade Street Facility rents	25%	
Field Prep and/or additional staffing required to prepare for or supervise the rental	\$13.00/hr	
Notes:		

**CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES**

Description	CURRENT FEES (07/1/10)	Proposed
<p>Costs mean staff costs adjusted for benefits, department overhead, and City overhead as calculated by the City Manager. Costs can also mean direct cost of a consultant. When consultant costs are included <u>17%</u> of such costs will be charged to cover staff time for contract management. <i>Staff costs do not accrue during an appeal unless appeal is made by applicant.</i></p>		
<p>Deposits are stated as minimums. Actual deposits depend on the evaluation by staff of an individual project or application. The City Manager may lower minimum deposits if the application or project justifies a lower deposit. When an application involves multiple minimum fees the highest minimum fee applies.</p>		



**Proposed City of Capitola Fee Schedule July 15, 2011**

<b>Adoption Fees</b>		<u>Animal Services Fees</u>	
Dogs	\$ 110	<u>License Fee</u>	
Cats	\$ 90	Altered	\$20
Rabbits	\$ 50	Unaltered	\$50
Rodents	\$ 10	Late Penalty	\$15
Small Caged birds	\$ 20	Failure to License	\$50
Exotic birds	\$ 75	Sr. Citizen (65+ for lifetime of altered dog)	\$20
Small Livestock	\$ 75	Unaltered Certificate	\$100 (one time, renewal if owner moves)
Large Livestock	\$ 100	<b>Quarantine Fees</b>	
Horse	\$ 250	Home	\$75
Chicken/Rooster	\$ 10	Protective Custody	\$30 + daily board fees
<b>Impound Fees</b>		Altered	Unaltered*
Cat	First Impound	\$30	30 +Penalty \$35
	Second Impound	\$50	50 +Penalty \$50
	Third Impound	\$75	75 +Penalty \$100
	Fourth/Subsequent	\$75	75 +Penalty \$100
Dog	First Impound	\$60	60 +Penalty \$35
	Second Impound	\$115	115 +Penalty \$50
	Third Impound	\$195	195 +Penalty \$100
	Fourth/Subsequent	\$225	225 +Penalty \$100
Livestock	First Impound	\$100	
	Second/Subsequent	\$125	
<b>Board Fees (per day)</b>		<b>Animal Control Officers Services</b> \$75/hour	
Cats	\$ 16.00	\$18	<b>Field Return of Owned Animal</b> \$45/hour
Dogs	\$ 23.00	\$23 -30 depends on weight	
Small Livestock	\$ 20.00		
Emergency Boarding	\$40		
<b>Miscellaneous Service Fees</b>		<b>Protective Custody Fees</b>	
Microchip	\$ 15.00	\$65.00	Owner Arrest 1st \$50/2nd \$75/3rd \$95
Dog/Cat trap rental	n/c		Confiscate/Humane 1st \$50/2nd \$75/3rd \$95
Dog Humane Trap Deposit	\$ 250.00		Emergency \$ 25.00
Cat Humane Trap Deposit	\$ 55.00		
Pick Up animal in a trap	\$ 50.00		
Pick Up of Owned Animal	\$ 50.00		
Owner Surrender of Animal	\$ 25.00		
Owner Requested Euthanasia	\$30 + Disposal		
Refund Processing Fee	\$ 30.00		
Returned Check Fee	\$ 30.00		
		<b>Disposal of Dead Animals</b>	
		Up to 19 lbs	\$25
		20 - 69 lbs	\$35
		70 - 99 lbs	\$50
		100 - up	\$70

\*Unaltered animal penalty fee provided under Calif. Food and Agriculture Code Section 31751.7

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CITY OF CAPITOLA

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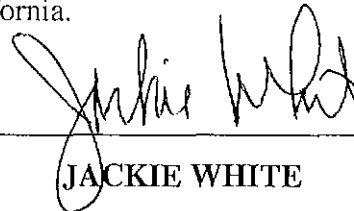
## Public Notice


### I, THE UNDERSIGNED, DECLARE:

That I am over the age of eighteen and not interested in the herein-referenced matter; that I am now, and at all times embraced in the publication herein mentioned was, a principal employee of the printer of the Santa Cruz Sentinel, a daily newspaper printed, published and circulated in the said county and adjudged a, newspaper of general circulation by the Superior Court of California in and for the County of Santa Cruz, under Proceeding No. 25794; that the advertisement (of which the annexed is a true printed copy) was published in the above-named newspaper on the following dates, to wit: **July 1, 2011**

**I DECLARE** under penalty of perjury that, the foregoing is true and correct to the best of my knowledge.

This 1st day of **July, 2011**, at Santa Cruz, California.

  
\_\_\_\_\_  
JACKIE WHITE



**NOTICE OF PUBLIC HEARING  
BEFORE THE CAPITOLA CITY COUNCIL  
RE: ADDING NEW FEES AND INCREASING  
EXISTING FEES FOR VARIOUS CITY SERVICES**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the City Council of the City of Capitola on Thursday, July 14, 2011, at the hour of 7:00 P.M. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California, to consider a Resolution Adopting New Fees and Increasing Existing Fees for Various City Services.

Interested persons are invited to attend and be heard at the Public Hearing. Testimony may be presented in person or submitted in written form prior to the hearing and made a part of the hearing record.

If you require special assistance in order to attend the meeting, including needs addressed by the Americans with Disabilities Act, please notify the City at least 3 days prior to the meeting by calling (831) 475-7300.

Further information on this subject may be obtained from the Office of the City Clerk, 420 Capitola Avenue, Capitola, CA 95010.

CITY OF CAPITOLA

DATED: July 1, 2011 \_\_\_\_\_  
Pamela Greeninger  
City Clerk 4056452

7/1



## CITY COUNCIL AGENDA REPORT

MEETING OF JULY 14, 2011

FROM: DEPARTMENT OF PUBLIC WORKS AND  
COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JULY 6, 2011

SUBJECT: RISPIN MANSION FUTURE USE PLANNING REPORT AND CONTINUED  
PROPERTY HAZARD ABATEMENT

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

1. Accept the Rispin Property Initial Process Results report from RRM Design Group dated May 18, 2011, on the facilitated meetings on the future uses of the Rispin Property;
  2. By 4/5 approval, make the determination that all hazards at the Rispin Property as detailed in the March 1, 2011, Notice of Summary Abatement Order to Abate Dangerous Buildings and Grounds have not been eliminated and that there is a need to continue action; and
  3. Authorize the Public Works and Community Development Departments to continue both hazard abatement and future use planning by hiring necessary consultants to prepare detailed park design plans, lighting plans, and environmental review.
- 

### **BACKGROUND**

In March 2011 the City began the process of abating multiple hazards on the Rispin Property with the intentions of securing the property and initiating a process to identify a future program for the property. The initial on site work, performed under an emergency declaration, focused on securing the mansion building by infilling all openings and rebuilding the damaged roof. Simultaneously the City has conducted public outreach and hearings concerning future facilities and uses on the property.

During the afternoon and evening of May 4, 2011, staff from RRM Design Group facilitated a series of key stakeholder interviews and an initial public workshop to receive input on the future uses of the Rispin Property. A summary of findings from this outreach effort are detailed in Attachment 1, The Rispin Property Initial Process Results, dated May 18, 2011 from RRM.

### **DISCUSSION**

**Future Use Planning** – Based on the input received by RRM, the public seems very supportive of using the Rispin property as a public park. There was mixed feelings among the members who attended the public workshop concerning what uses should be included at the park, whether there should be active recreational uses, passive uses, commercial uses, or a mixture. The idea of including a skate park on the property was examined and it was determined that this use may prove difficult to accommodate due to the existing conservation and public access easements over



the majority of the property leaving a very limited area where such a use could be successful. The report states “the unconstrained portion of the site is too small to support a skate park of the type desired by the skating community...” While including a skate park in the overall program was strongly supported by the skater community, even if space were available, a skate park’s consistency with the historic designation of the property would require significant study.

The concept of a passive use park, highlighting the historic nature of the property including restoring the formal landscaped gardens, providing pathways to explore the grounds and habitats was determined to be consistent with the existing easements and supported by many community members. There was also consensus to include in any park design interconnections with both the library property across Wharf Road and Peery Park located across Soquel Creek.

Based on the information gathered through the public scoping process staff is recommending that park plans be developed that incorporate the following:

- a. Restoration of the Rispin gardens
- b. Development of accessible pathways connecting different levels of the park and interconnecting with the Rispin/Peery Pathway
- c. Lighting for security and public access throughout the property
- d. Development of interpretative elements focusing on the historic site and the existing natural resources
- e. Partial removal/lowering of the wall along Wharf Road, increasing the property visibility from the road while retaining elements of the historical wall

**Hazard Abatement** – Work began on abating the hazardous conditions on April 4<sup>th</sup>. To date all the windows and doors have been filled and the structural first floor damaged by the fire has been repaired. A significant amount of time and energy has gone into re-roofing the mansion. Over half of the roof trusses were damaged by the May 2009 fire and other trusses had significant dry rot, requiring extensive repairs. Currently, new roof trusses are on order and it is anticipated the roofing work will be completed next month. Following completion of the roofing work, the remaining work will include the installation of fencing and railings, painting the mansion, and securing hazards and fencing off the well house.

The well house has been cleaned up and well has been capped. The majority of the structure is suffering from dry and termite rot and is in need of significant repair. Given that there are limited resources, the plan is to stabilize the structure and add some siding to preclude public access.

**Next Phases** – Staff is recommending that the \$375,000 allocated in next year’s RDA budget continue mansion stabilization and securitization efforts. Staff recommends that the next phase of stabilization and securitization efforts include the repair and maintenance of lighting, ADA path improvements, path and stair repairs, and removal of existing chain link fencing so that the site can be safely accessed. CEQA review will be completed before any an modification to the wall or park improvements which are not deemed to be either maintenance or stabilization.

Should Council concur with Staff’s approach, park planning would proceed and a CEQA document would be prepared to look at any new park improvements and wall modifications. Staff would return with a park plan and a CEQA document that analyzes any associated environmental impacts.

**FISCAL IMPACT**

\$650,000 was allocated for this project in FY 2010/11 and an additional \$375,000 was allocated in FY 2011/12. It is estimated at this time that this funding will be sufficient to complete the hazard

abatement work and a significant portion of the park plan development. The budget included as Attachment 2, details the costs to date and the anticipated costs.

Based on this current budget estimate, landscaping, driveway reconstruction, fountain rehabilitation, and lighting along the Rispin/Peery pathway are not funded. Staff estimates this work will require an additional \$180,000. Staff will begin searching for grants or other funding sources to complete the park project.

**ATTACHMENTS**

1. The Rispin Property, Initial Process Results dated May 18, 2011
2. Budget update

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

Derek Johnson  
Community Development Department Director

**Reviewed and Forwarded  
By City Manager:** \_\_\_\_\_

## THE RISPIN PROPERTY Initial Process Results May 18, 2011

*Prepared by T. Keith Gurnee  
Principal, RRM Design Group*

- I. **Introduction:** After being retained by the City of Capitola to facilitate a process to resolve the future use of the Rispin Mansion property, RRM Design Group conducted a series of key stakeholder interviews and facilitated an initial public workshop during the afternoon and evening of May 4, 2011. Among the groups interviewed in the afternoon included members of City staff, the Planning Commission, the City Council, an historic interest group, and a series of residential neighborhood representatives. While representatives of the skating community and advocates for a dog park were also invited, they failed to show for the interviews.

Following the interviews, a public workshop was conducted at the Jade Park Community Building. That session included two interactive exercises: an issue identification and priority setting exercise and a design brainstorming session wherein workshop participants were given maps and pens to sketch out some preliminary design ideas. While a total of 35 attendees registered on the sign-in sheets (see Exhibit 1), 44 participants used the tape dots as part of the priority setting exercise in what proved to be a lively session.

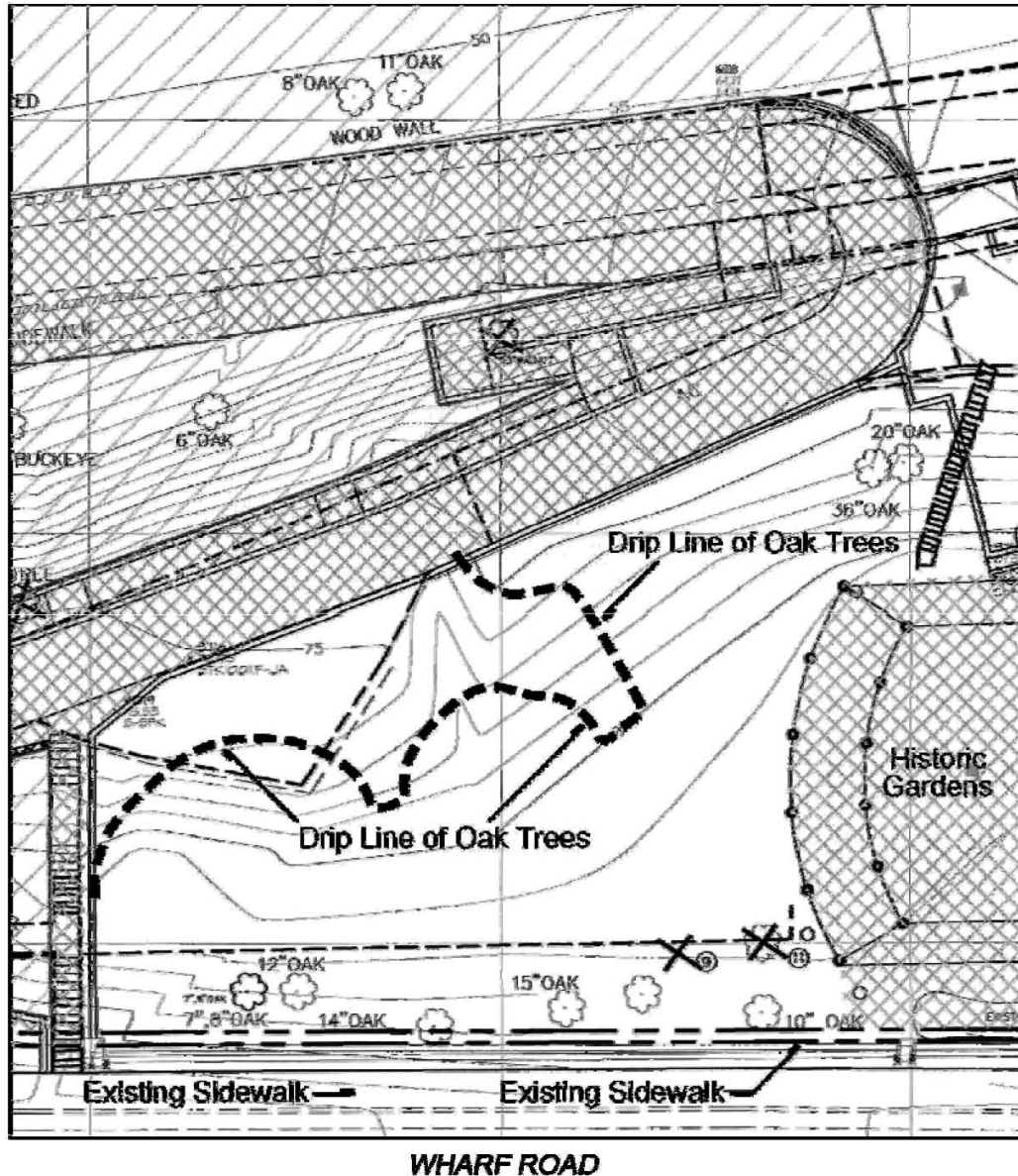
In view of the interest of the local skating community in locating a skate park on the least constrained portions of the Rispin property, RRM has taken a closer look at the most likely portion of the site to determine its physical appropriateness for such a facility. RRM has also reviewed the language of the Conservation and Public Access Easements covering the property to more precisely determine their coverage and restrictions.

As a result of the stakeholder interviews, the public workshop, and our more detailed site analysis, this report has been prepared to outline our findings and conclusions, to cite the issues that will face a planning effort on this property, and to present our preliminary recommendations as to how to proceed from here.

- II. **Summary of Findings and Conclusions:** As a result of this initial effort to engage the community of Capitola in determining the future use of the Rispin property, we can conclude the following:
  - A. The community seems to be extremely supportive of improving the Rispin property as a public park on the west side of Soquel Creek, but it is divided on the type of park it should be.

- B. There is strong support for developing the site as a passive use park with the restoration of its historic gardens, the preservation of the Rispin Mansion as a ruin and scenic backdrop, the provision of additional trail extensions and interpretive exhibits on the historic and environmental qualities of the site, and allowance of seating areas and low-key activities for residents of all ages to enjoy the site.
- C. While the skating community showed strong attendance at the public workshop as reflected in the results of that session, the level of opposition to including a skate park on the Rispin property by the neighbors on Wharf Road and along Soquel Creek as reflected in the stakeholder interviews should not be underestimated.
- D. With the strong concerns expressed about the compatibility of active use recreation uses with the language of the recorded easements, programming active recreation uses on the Rispin property could extend the timing and costs of the planning and environmental review process.
- E. A closer analysis of that portion of the site deemed to be the most likely location for a skate facility -- an approximately 4,000 sf area just north of the Rispin gardens and adjacent to Wharf Road (see Figure 1 on the following page) -- reveals that it is more physically constrained for such a use than previously thought, leading us to the following conclusions:
  - 1. The language of the Conservation and Public Access Easements would seem to preclude the construction of a skate park on those portions of the site covered by those easements without the consent of the grantee.
  - 2. While the area to the immediate north of the historic gardens is not constrained by the coverage of the Conservation or Public Access Easements, much of it is under the drip line of a number of oak trees located just inside the wall along Wharf Road and adjacent to the historic gardens.
  - 3. Use of the entire 4,000 sf site as a skate park would require extensive excavation and retaining walls under the drip lines of the oak trees that could jeopardize the health of those trees.
  - 4. The portion of this site that is outside of those drip lines is less than 1,000 sf, and much of that remaining area contains slopes.
  - 5. The unconstrained portion of the site is too small to support a skate park of the type desired by the skating community, but it could support a small "skate spot" that would require excavation and a retaining wall at or outside of the drip line.
  - 6. Whether the skate facility is 4,000 sf or less than 1,000 sf in size, it would not support the type of skate park that is seeming desired by the skate community.
- F. If a skate park is not to be in the future of Rispin Park due to the constraints of the site, the City should consider working with the skating community to find another site in Capitola for the type of facility desired by the skating community concurrently with the planning process for the Rispin property. Otherwise, omitting a skate park from the Rispin property at the outset could serve as a source of contention with the skating community that could complicate the process in resolving a future plan for the Rispin property.

FIGURE 1



THE RISPIN PROPERTY  
Potential Skate Park Site



0 20 Feet  
May 17, 2011





- G. With respect to the wall, it appears that the community is amenable to removing portions of the wall but not all of the wall. Keeping the wall as it is will only enable the continuing abuse of the property and require more frequent patrols of the property to combat graffiti and other activities. Yet the wall is viewed by some in the community as buffering them from the noise of Wharf Road. Given the previous historical analyses of the property and the wall, removing all or portions of the wall will trigger CEQA, but we do not see how a park on the Rispin property could safely function without visibility from Wharf Road.
- H. In view of the connection of the Rispin property to Perry Park and the apparent problems experienced common to both, the community seemed to be interested in planning both properties concurrently. Some members of the community expressed a desire to jointly plan the Rispin property with the library across Wharf Road. Planning these facilities as a unit is a prospect that should be considered by the City.

### **III. Preliminary Recommendations:**

- A. Consider the findings and conclusions as presented above at the City Council level, obtain direction as necessary, and proceed with a second phase of work as outlined below.
  - 1. Prepare two (2) alternative concept plans for the Rispin property as a public park to develop a consensus on the type of park it wants to have. Those alternatives would be developed around the following improvement programs:
    - a. Passive use option: To include restoration of the historic grounds and fountains, provision of an additional interpretive trails network, preservation of the mansion as a ruin, habitat restoration, etc.
    - b. Moderate use option: To include a largely passive approach to the park with the addition of a small skate park component north of the historic gardens and suggesting various areas for community activities and events.
  - 2. Concurrent with the process of developing a concept plan for the Rispin property, work with the skating community to initiate a serious search for alternative sites for a skate park facility in Capitola, i.e. Pacific Cove, Monterey Park, the library, etc.
  - 3. Present the alternative concepts and the result of the search for alternative sites at a second public workshop for public feedback and to obtain guidance for preparing and refine concept plan for Rispin Park.

Depending on the City's reaction to these recommendations, RRM would be prepared to provide a Phase II proposal to complete these activities upon a request by the City to do so.

### **IV. Outcome of Outreach Activities:**

#### **A. Key Stakeholder Interviews:**

- 1. City staff members: In meeting with Eddie Ray of Public Works, Derek Johnson and Ryan Bane of the City Planning Department, and City Manager Jamie Goldstein, we reviewed the work underway to secure the mansion, the past attempts to resolve the future use of this property, and the potential

plans for the expansion of the nearby public library. Results of these discussions revealed:

- Support for a faithful restoration of the Rispin gardens,
  - The need to entomb the building to prevent its further deterioration,
  - The need to explore a possible removal of most of the wall along Wharf Road to allow visual access to the property,
  - The desire to restore and preserve the habitat values of the property.
2. Planning Commissioners: In discussions with five planning commissioners, there was a general consensus that the property should be improved as a passive use park and nature preserve. All seemed to be reluctant to allowing a skate park or a dog park on the property. Among the other comments received were the following:
- Leave the area as open space and restore the gardens,
  - Look towards the Rispin Mansion as a “ruin” that would serve as a scenic backdrop to the historic gardens,
  - Examine what should be done with the Pacific Cove site at the same time as the Rispin site,
  - If possible, connect the library to the Rispin property.
3. City Council Members: The two council members we interviewed seemed to be more open to other uses in a future park on the Rispin site than we heard from anyone else at these sessions. Among the comments received were:
- The mansion needs to stay and the historic gardens need to be restored,
  - Need to either consider keeping the wall to buffer creekside neighbors from the noise on Wharf Road or to retain strategic sections of the wall with wrought iron between the sections to be preserved,
  - Consider a small skate park of 1,500-2,000 sf near the northern end of the garden or incorporate such a facility as part of the library expansion,
  - Consider bocce ball courts, scattered benches, weddings, acoustic performances, interpretive exhibits, low-level lighting of paths, and projection of nighttime movies on the walls of the mansion,
  - Consider initial improvements as a passive use park that could evolve into a more useable park with the mansion eventually converted into a useful facility.
4. Historic Interest Group: The Capitola Museum curator and the historic architect overseeing the protective work on the mansion were joined by two of the Planning Commissioners who had been interviewed earlier. Among the comments received from this group were the following:
- Restore the grounds and water features, and keep the features that tell the story of this special place,
  - Strive to achieve authenticity in restoring the historic gardens,
  - Preserve the gate through the wall and the pilasters of the wall with wrought iron between,
  - Skate park and dog park too noisy for the tranquil park it should be,
  - Allow more history and access, lawn bowling, weddings, plays, and performances.
5. Neighborhood Interest Groups: A significant number of representatives of the neighborhoods along Wharf Road and across Soquel Creek attended an

extended session to register their concerns about the uses that might be established on the Rispin property. While there seemed to be general support for improving the Rispin property as a park, deep concerns were expressed about locating a skate park on the site (see the "Vision for Rispin Park" document that was prepared by a group of the neighbors who attended the session that is attached to this report as Exhibit 2). Among the comments received were:

- Feelings that a skate park would create significant noise impacts to the neighbors across the creek and that such a facility would be jarring to the ambience of the property,
- Concerns were registered over the liability to be assumed by the City under State law in allowing such use of the site,
- Concerns that such a facility would become an attractive nuisance to the neighborhood,
- Keep parts of the wall to buffer noise and provide seating,
- Park needs to appeal to all age groups,
- Do not allow any active use recreation,
- Develop a plan to improve and connect both Rispin Park and Perry Park to each other,
- Provide a tot lot next to the library rather than on Rispin Park,
- Retain the wall and plant ivy on it to discourage graffiti,
- Restore the mansion as a community room or library,
- While most neighbors wanted the skate park moved to a different location, some did not want one at all in Capitola.

**B. Issue Identification and Priority Setting Exercise:** The first part of the evening public workshop was devoted to an issue identification and priority setting exercise wherein workshop participants were asked to state those issues or ideas associated with certain topics that should be considered in developing a future plan for the Rispin property. After faithfully recording the comments received, workshop participants were then given colored tape dots to indicate their support or opposition to the comments received. The tally of the tape dot exercise has been attached to this report as Exhibit 3, and the results of that tally revealed the following:

1. Most supported issue: Participants were asked to use one of their large green tape dots to indicate what they felt to be the most important issue or overall topic in resolving a concept plan for the Rispin property. The results and the number of large green dots received by topic were as follows in order of priority:
  - Skate Park (27)
  - Landscape Improvements (10)
  - Honoring History (7)
  - Park Uses (2)
  - Other Ideas/Improvements (0)
  - Trails, Bikeways, & Walkways (0)
2. Most supported ideas: Participants were asked to use their other large green dot to indicate which issue or idea written on the banners represented the one they most supported.



The results in the number of large green dots received in order of priority were as follows:

- Skater designed park (18)
  - Small non-destination family park; need sound study; cater to youth (2 each)
  - Maximize benefit for all of Capitola; bandstand; find alternative skate park site; consistency with health and safety code; competitive skating; Ben Lomand Park a good example; multiuse park; skate park inconsistent with historic site; park for small kids; remove historic wall; remove the wall for visibility; retain the entire wall; restore fountain (1 each)
3. Generally supported ideas: Participants were given a number of small green dots to indicate those issues or ideas with which they agreed. Those issues and ideas that were supported by six (6) or more small green dots and that received little or no opposition are presented below in order of priority.
    - Skater designed park (31)
    - Concerns over health and safety code; BBQ pits (13)
    - Competitive skating (10)
    - Benches and seating areas; build a skate park (9)
    - Multi-use park; skate park with street course and bowl (8)
    - Restore fountain; skateboarding Day Camp; Ben Lomand Park a good example; skate park appeal to all age groups (7)
    - Cater to youth; skate park that reflects history (6)
  4. Most opposed ideas: Participants were given one large blue dot to express their strongest opposition to an issue out or idea that came out of the session. Those ideas that received the strongest opposition are presented below in their order of priority.
    - Skate park (8)
    - Commercial use (6)
    - Honoring history (5)
    - Find alternative skate park site (3)
    - Remove eucalyptus trees; landscape improvements; uses compatible with history (2)
    - Tranquil natural park; zip line; protect butterfly habitat; daytime use only; consistency with health and safety code; need sound study; retain entire wall; retain the gate (1)
  5. Generally opposed ideas: Those ideas that received five (5) or more small blue dots were:
    - Commercial use (12)
    - Retain entire wall (9)
    - Find alternative skate park site (6)
    - Skate park on school District property; remove historic wall (5)
  6. Areas of controversy: Those issues and ideas over which the community appears to be divided are reflected below showing the total aggregate amount of support versus the aggregate amount of opposition.
    - Skate park (35-10)
    - Find alternative skate park site (11-9)
    - Remove historic wall (12-5)
    - Retain entire wall (4-10)
    - Honoring history (7-5)

**C. Design Charrette Results:** The second part of the workshop was devoted to a design charrette wherein workshop participants gathered at tables with maps and using a graphic key, they sketched out some of their ideas for improvements to be made to the property. A total of five (5) plans were prepared and submitted as Appendix A. Outlined below are the results of that exercise presented in the order of those features that were most frequently shown on the sketches descending to those less frequently shown.

1. Restoration of fountains and gardens: All five (5) plans reflected a desire to restore the historic fountains and gardens.
2. The Rispin Promenade: All five (5) plans depicted a multi-use path that ran from the southern portion of the property to the north passing the mansion and connecting to the existing path system in the northern portions of the property.
3. Additional landscaping: All five (5) of the plans appeared to be open to additional landscaping beyond retaining and restoring the historic gardens
4. Skate Park: Four (4) of the plans showed a skate park just north of the historic gardens and one of those plans extended the skate park into the northern portion of the historic gardens.
5. The Rispin Ruins: Two (2) of the plans proposed reconditioning the Rispin Mansion as a ruin and scenic backdrop for community events.
6. Additional trails: Two (2) of the plans reflected in extension of additional trails to the south and to the east of the mansion.
7. Other ideas: Among some of the other ideas presented in the drawings were "provide parking at Nob Hill," "retain strategic sections of the wall as a noise buffer," and "provide parking a library site."



Rispin Workshop  
Sign-In Sheet

Name	Address	Email	Phone Number
1 Barbara Corson	617 Riverview Dr.	corson@pacbell.net	464-6717
2 Emie TAVELLA	615 RIVERVIEW DR	TAVELLA@SBCEGLOBAL.COM	464 5830
3 Mary TAVELLA	" " "	"	"
4 Linda Beltramo	705 Riverview Dr	l.beltramo@comcast.net	559-289-3036
5 JUDITH FEINMAN	504 SUNSET DRIVE	judithfeinman@sbcglobal.net	475-7733
6 Lew FEINMAN	" " "	lewfeinman@sbcglobal.net	
7 Patricia Barrett	2155 Francesco Circle	patatgoble@yahoo.com	477-9410
8 SHIRLEY MANIS	2205 FRANCESCO CIRCLE	smanis@cruzio.com	462-4126
9 Emily Martin	2213 42nd ave	ricksaguablue@sbcglobal.net	465-1256
10 LORRY DELTAVERO	512 RIVERVIEW DR.	lorry.deltavero@sbcglobal.net	1621166
11 DON BOSTICK	158 VIA DEL MAR, APTOS CA	don@wscsb.com	916-417-7651
12 KYLE WAKE	137 S. PARKWAY SC, CA	KYLE@KYLEMWORKS.COM	831-334-1878
13 Guy J. Caputo	1910 wharf Rd. Capitola	gjelawopc@hotmail.com	408674-2015
14 RANDON IRWIN	2960 PARK AVE	IRWIR36AVE@hotmail.com	831-246-2036
15 MICHAEL DEVIKOS	4650 CRYSTAL ST. 95010	md@ironkey.com	408 422 9566
16 Kevin Pestwisch	3371 Julie lane SC CA 95062	kevinpestwisch@hotmail.com	345-7517 (831)
17 Tanya Martin	1365 45th Ave #3 Capitola CA	tanya-davisbell.net	465-1549
18 Frank Callaghan	432 Bisset Ave.	bceyc-69@yahoo.com	831 706-6795
19 NIK COLONY-WILHEM	902 Hawvers St. SC	S.kinani.kami.k@gmail.com	234-3440
20 Al Marques	701 Oak Dr Capitola	alvinomrquez@sbcglobal.net	831-332-8657
21 JACK DRIVER	1053 38th AVE SC 95062	cantoker.sk8@gmail.com	831 277-8780
22 Chad Jenkins	1963 Encina Dr. SC	chad@mbridskateboards.com	831 477 6572
23 Christy Hadland	1112 Sutherland Ln. #3 95010	christyshorterhadland@yahoo.com	
24 RON BURKE	1525 47th Ave	ronburke@ix.netcom.com	1-352-477-0146
25 Dan Cochereil	3823 Brommer Sr, SC 95062	PRB277@CO.SANTA-CRUZ.CA.US	
26 Alicia Yountwood	4550 Opal St Cap. CA 95010	scchi6@earthlink.net	231-8357.
27 JESQUES BERTIN			
28 Megan Jacobs	4815 Emerald St. #2 Cap. 95010	megsmartin@yahoo.com	
29 Bill Lopez	4725 Clares St. Capitola 95010	bilopez@hotmail.com	477-0255
30 Joel Gomez	3661 Colony CNY SoCal	Joelg@Sessions.com	246-3134
31 Jordan Austin	4250 Nova Drive Santa Cruz, CA 95062	shpattin@yahoo.com	831-277-7812





## **Vision for Rispin Park**

**A peaceful, beautiful, reflective and public natural environment**

**Usage focusing on the riparian corridor, butterfly habitat, natural environment and Capitola History**

**Collaboration opportunities with the Capitola Library and Capitola Museum for cultural and informational activities and events**

**No Skateboard Park**

### **More Information:**

#### **Financial:**

- **Given the need for other financial priorities, the park should not require a significant investment to create or maintain.**

#### **Noise & Safety:**

- **We do not support the proposed skateboard park (or any other formal sports activities) because of increased noise levels in park and in the surrounding residential communities. Sports areas already exist within Capitola and there are other sites which might accommodate increased noise levels without disturbing quiet neighborhoods. What does not exist in Capitola is a public natural space such as the Rispin property.**
- **Noise is a concern both for those using the park and for the surrounding quiet residential neighborhoods. Additionally, sound travels much farther along the riparian corridor and creek and will impact a larger number of residents.**
- **OSHA permissible sound levels are 90dB and sound greater than 80dB is considered potentially hazardous. Capitola's municipal code states that leaf blowers with noise in excess of 60 dB at 50 feet are prohibited. Certainly the same should hold true for a skatepark in a residential area.**
- **A study conducted by the Skatepark Association of the US found that noise levels can range from 64 to 96 dB. This level of noise would certainly disrupt the quiet nature of our residential neighborhoods.**

## Rispin Design Meeting

### **Vision:**

#### Ambience:

Peaceful, beautiful, reflective

Place that reflects the natural environment and Capitola history and community

Focus on riparian corridor, butterfly habitat, local flora and fauna

Open, natural space

Nature trails/interpretive trails

#### Usage:

Focus on the natural environment

Walking, relaxing, picnicking, sitting, talking, reading, listening to the birds, viewing nature.

Potential activities and events in conjunction with the library, the museum and the arts and cultural council (e.g. acoustic music, performances, story hours, tai chi, etc)

Sculpture/public art space or garden

Community Garden

A small community "room" (indoor/outdoor) could offer additional opportunities for groups to meet (school classes, book clubs, library programs, artists etc) in a beautiful setting.

Capitola is a very densely populated community (with a population of 5800 per square mile), with lots of activity and traffic. The presence of such a peaceful, serene public space as Rispin is invaluable and would be a huge benefit to many residents.

Rispin site and, therefore, the Rispin Park, is unique in Capitola. Other parks are not focused on the surrounding natural environment nor have the beauty, ambience and historic value of the Rispin site. It is important that we not treat the site as just another public park site. It is different and we should preserve that difference.

Building an athletic structure on the beautiful and historic site would detract from this value and simply does not fit with the character of the site. It would be "paving paradise and putting up a parking lot".

Other parks in our area are focused on recreational activities of various kinds (including playgrounds, softball, basketball, soccer, tennis). The beaches provides water activities.

The 5 Parks in the nearby surrounding communities of Soquel and Live Oak are also focused on athletic activities. They support various activities including: softball,

soccer, sand volleyball, basketball. One has a skateboard area (Jose Ave County Park in Live Oak). A design for the planned Chanticleer Park in Live Oak includes a skate element area for young skaters.

Does not include:

Athletic activities because

- they detract from the natural, serene environment and ambience
- the structures and venues are definitely not aesthetically pleasing and Rispin is all about beauty
- the noise and activity intrudes upon the character of the site.
- The site is too small to include conflicting types of usage
- Parking along Wharf Road can be an issue
- Supervision (passive or active) would be difficult

Athletic activities already comprise the vast majority of our public space and parks. What is missing in Capitola and the surrounding areas are the more passive activities within a serene and beautiful natural environment.

While I am not disputing that Capitola youth may have a need for a skatepark, it seems to me that other recreational areas might be repurposed or redesigned to include this activity. Another alternative might be to work with the County to site a skatepark just outside of Capitola in Live Oak or Soquel. Depending upon where one lives in Capitola, it would be just as convenient to access. Anna Jean Cummings Park certainly has the space. Most of the information I have found regarding the siting of skateparks indicates that the best fit is within an existing park with other athletic activities.

Additionally, using additional (and limited) park space to accommodate Capitola youth may not make sense, since the demographics of Capitola indicate that children and youth comprise under 20% of the population – youth between 8 – 12 (the targeted age of the proposed skatepark) would be an even smaller portion. The [move.to.com](http://www.move.to.com/) website

(<http://www.move.to.com/en/album/boards/.../capitola-975010.htm>) indicates that there are approximately 1100 youth from the ages of 7-18. Clearly the targeted population of 8-12 is well under 1000 and even if 30% of them were active and frequent skate boarders, that is a relatively small population. Perhaps a district skatepark would be more functional and useful to the community.



# THE Rispin Property

COMMUNITY WORKSHOP DOT EXERCISE

	Large Green (greatest support)	Small Green (support)	Large Blue (strong opposition)	Small Blue (opposition)	Total Dots
<b>SKATE PARK</b>	27	8	8	2	45
Skater designed park	18	31	0	1	50
Find alternative site	1	10	3	6	20
Consistency with health and safety code	1	13	1	1	16
Competitive skating	1	10	0	1	12
Ben Lomond Park a good example	1	7	0	1	9
Multi-use park	1	8	0	0	9
Size of Santa Cruz with street course and bowl	0	8	0	0	8
Skate park that reflects history	0	6	0	1	7
Appeal to all age groups	0	7	0	0	7
Skate park at school district property	0	0	1	5	6
Low budget	0	5	0	0	5
Inconsistent with historic site	1	1	0	3	5
Small/non-destination/family park	2	2	0	0	4
Need sound study	2	1	1	0	4
Park for small kids	1	3	0	0	4
Easy visibility for law enforcement	0	2	0	0	2
Resolve hours of operation	0	2	0	0	2
<b>Skate Park Subtotals:</b>	<b>56</b>	<b>124</b>	<b>14</b>	<b>21</b>	<b>215</b>
<b>LANDSCAPE IMPROVEMENTS</b>	10	0	2	0	12
Remove historic wall	1	11	0	5	17
Remove eucalyptus trees	0	6	2	0	8
Demonstration garden	0	5	0	0	5
Native vegetation	0	4	0	0	4
Low maintenance	0	4	0	0	4
Flower beds	0	4	0	0	4
Historical authenticity	0	2	0	0	2
Prevent transient camping	0	2	0	0	2
Small community garden	0	2	0	0	2
Drought tolerant	0	1	0	0	1
Seasonal variation color	0	1	0	0	1
Remove noxious plants	0	1	0	0	1
Flowers	0	0	0	1	1
Clear brush	0	0	0	0	0
Trellis plants on wall	0	0	0	0	0
<b>Landscape Improvements Subtotals:</b>	<b>11</b>	<b>43</b>	<b>4</b>	<b>6</b>	<b>64</b>
<b>HONORING HISTORY</b>	7	0	5	0	12
Retain entire wall	1	3	1	9	14
Restore fountain	1	7	0	0	8
Retain gate	0	5	1	1	7
Preserve as ruins	0	4	0	1	5
Uses compatible with history	0	2	2	0	4
Retain water tower	0	2	0	2	4
Tear down that needs to be removed, keep what needs to be retained	0	1	0	0	1
<b>Honoring History Subtotals:</b>	<b>9</b>	<b>24</b>	<b>9</b>	<b>13</b>	<b>55</b>





# THE Rispin Property

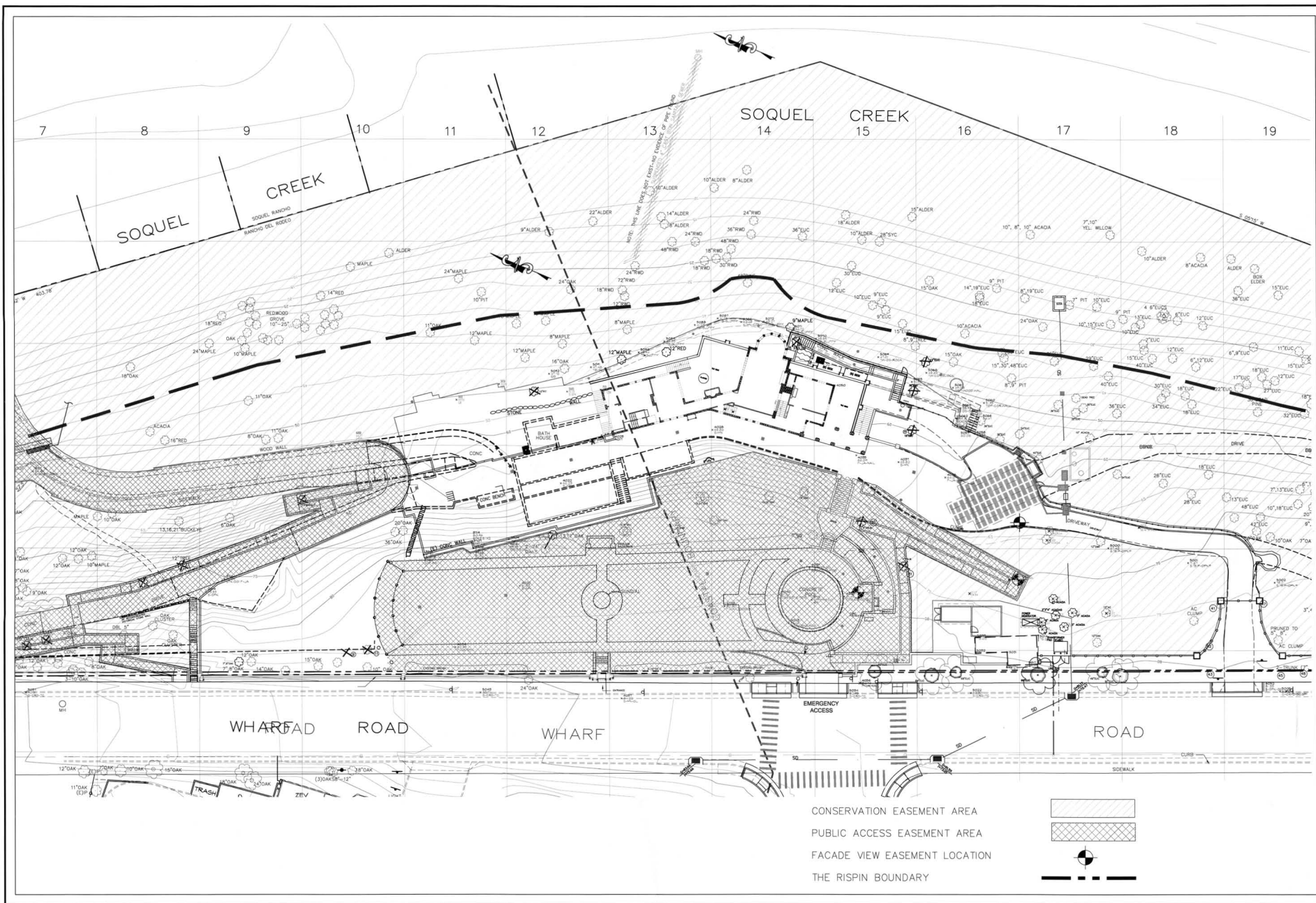
COMMUNITY WORKSHOP DOT EXERCISE

	Large Green (greatest support)	Small Green (support)	Large Blue (strong opposition)	Small Blue (opposition)	Total Dots
<b>PARK USES</b>	2	0	0	0	2
Commercial use	0	0	6	12	18
BBQ pits	0	13	0	0	13
Tranquil natural park	0	5	1	2	8
Skateboarding day camp	0	7	0	1	8
Bathroom/water	0	5	0	1	6
Zip line	0	2	1	2	5
Protect butterfly habitat - field trips	0	2	1	2	5
Bandstand	1	2	0	1	4
Daytime use only	0	2	1	1	4
A park	0	4	0	0	4
Maximize benefit for all of Capitola	1	2	0	0	3
Availability of parking	0	3	0	0	3
Safety lighting	0	3	0	0	3
Public and performing arts	0	2	0	0	2
Integrate Rispin Park with Peery Park	0	1	0	1	2
Interpretive nature trails	0	1	0	0	1
Weddings	0	1	0	0	1
Bike trails	0	1	0	0	1
<b>Park Uses Subtotals:</b>	<b>4</b>	<b>56</b>	<b>10</b>	<b>23</b>	<b>93</b>
<b>OTHER IDEAS/IMPROVEMENTS</b>	0	0	0	0	0
Build a skate park	0	9	0	2	11
Cater to youth	2	6	0	1	9
Public art	0	4	0	0	4
Emergency vehicle access	0	3	0	0	3
Park honoring nature	0	3	0	0	3
Storytelling bowl/benches	0	3	0	0	3
Corporate sponsorship	0	2	0	0	2
Public access to northern footings	0	1	0	0	1
<b>Other Ideas/Improvements Subtotals:</b>	<b>2</b>	<b>31</b>	<b>0</b>	<b>3</b>	<b>36</b>
<b>TRAILS, BIKEWAYS &amp; WALKWAYS</b>	0	0	0	0	0
Benches/seating areas	0	9	0	0	9
Remove wall for visibility	1	3	0	0	4
Police presence	0	4	0	0	4
Smooth concrete for paths	0	2	0	0	2
Low key lighting only on trails	0	2	0	0	2
ADA accessible	0	1	0	0	1
Most ecologically sensitive	0	0	0	1	1
Improve bike access to wharf	0	1	0	0	1
Honor conservation easement	0	1	0	0	1
Put paths where people want to go	0	0	0	0	0
<b>Trails, Bikeways &amp; Walkways Subtotal:</b>	<b>1</b>	<b>23</b>	<b>0</b>	<b>1</b>	<b>25</b>
<b>GRAND TOTALS:</b>	<b>83</b>	<b>301</b>	<b>37</b>	<b>67</b>	<b>488</b>

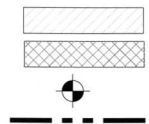
## APPENDIX A

### DESIGN CHARRETTE DIAGRAMS

APPENDIX A



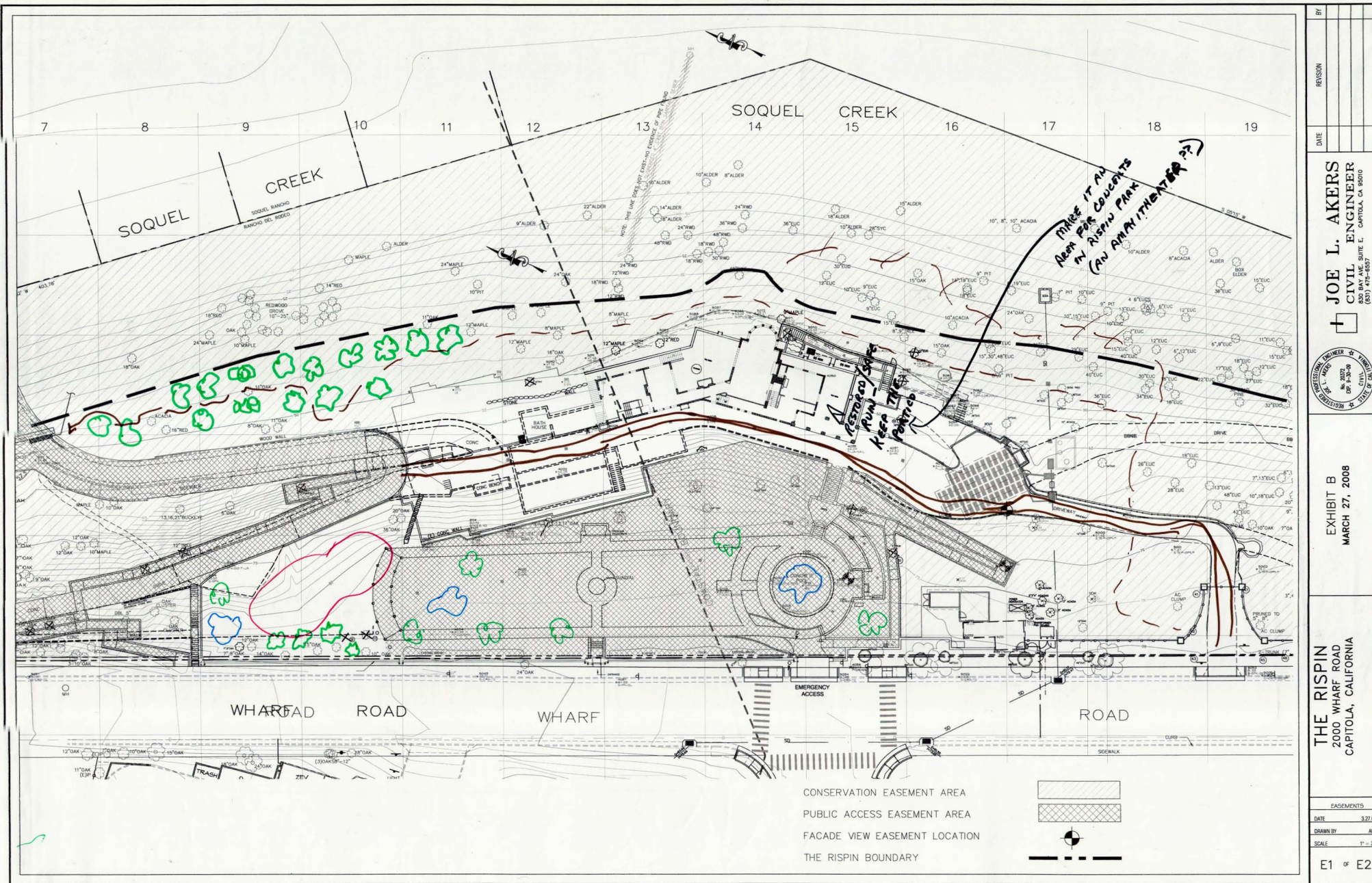
CONSERVATION EASEMENT AREA  
 PUBLIC ACCESS EASEMENT AREA  
 FACADE VIEW EASEMENT LOCATION  
 THE RISPIN BOUNDARY



DATE	REVISION	BY
<b>JOE L. AKERS</b> CIVIL ENGINEER 853 N. W. STATE C. CAPITOLA, CA 95910 (831) 472-8557		
EXHIBIT B MARCH 27, 2008		
THE RISPIN 2000 WHARF ROAD CAPITOLA, CALIFORNIA		
EASEMENTS		
DATE	3/27/08	
DRAWN BY	ALL	
SCALE	1" = 20'	
E1 OF E2		



APPENDIX A



REVISION	DATE

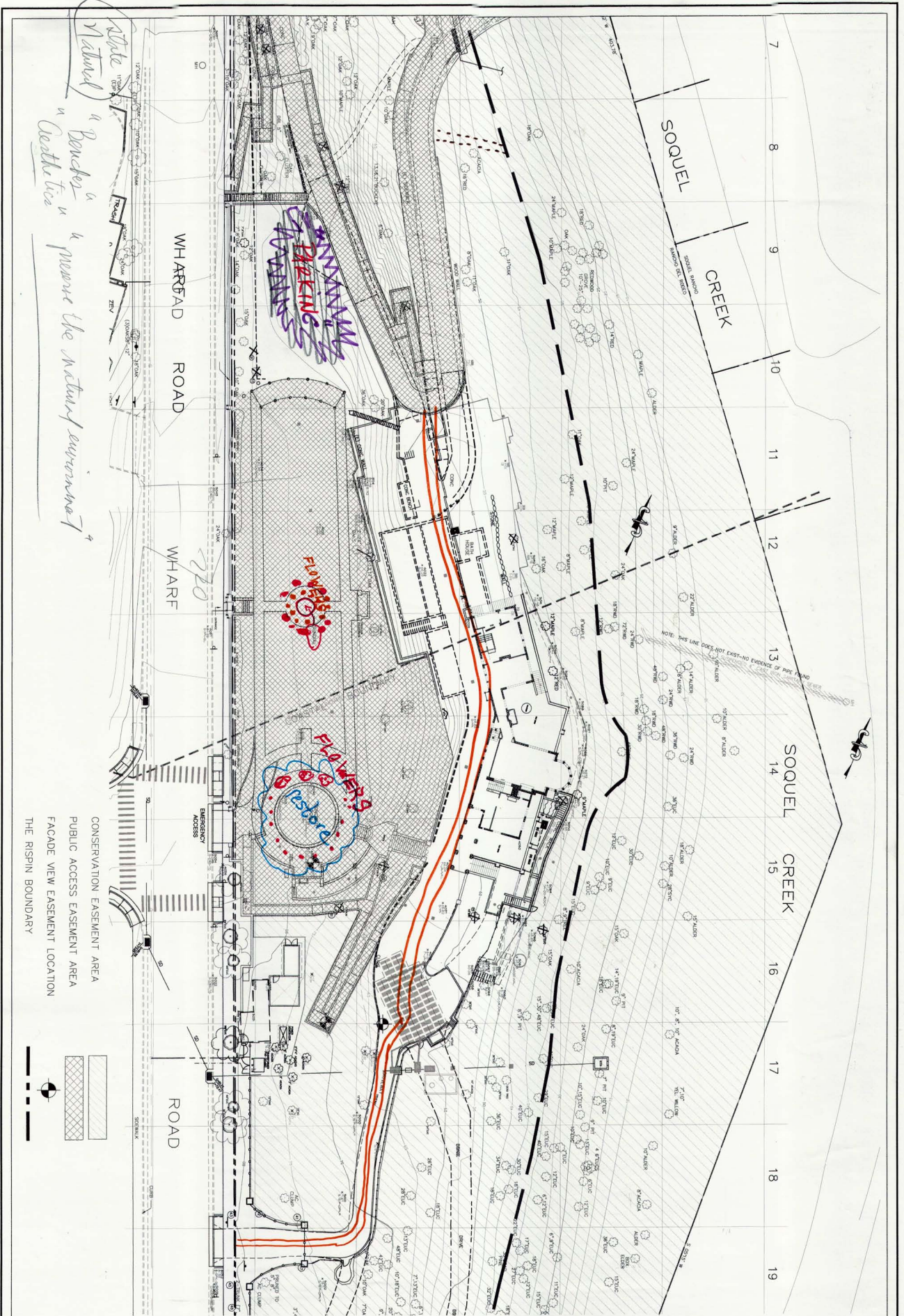
BY  
 DATE  
 REVISION  
**JOE L. AKERS**  
 CIVIL ENGINEER  
 1111 17TH AVENUE, SUITE C, CAPITOLA, CA 95010  
 (831) 475-8587

EXHIBIT B  
 MARCH 27, 2008

THE RISPIN  
 2000 WHARF ROAD  
 CAPITOLA, CALIFORNIA

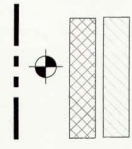
EASEMENTS
DATE: 3.27.08
DRAWN BY: ALN
SCALE: 1" = 20'





*Note: Please preserve the natural environment of the Banker's Courtyards*

CONSERVATION EASEMENT AREA  
PUBLIC ACCESS EASEMENT AREA  
FACADE VIEW EASEMENT LOCATION  
THE RISPIN BOUNDARY



DATE	3/27/08
DRAWN BY	ALL
SCALE	1" = 20'
E1	of E2

**THE RISPIN**  
2000 WHARF ROAD  
CAPITOLA, CALIFORNIA

EXHIBIT B  
MARCH 27, 2008



**JOE L. AKERS**  
CIVIL ENGINEER  
830 BAY AVE. SUITE C, CAPITOLA, CA 95010  
(831) 475-6557

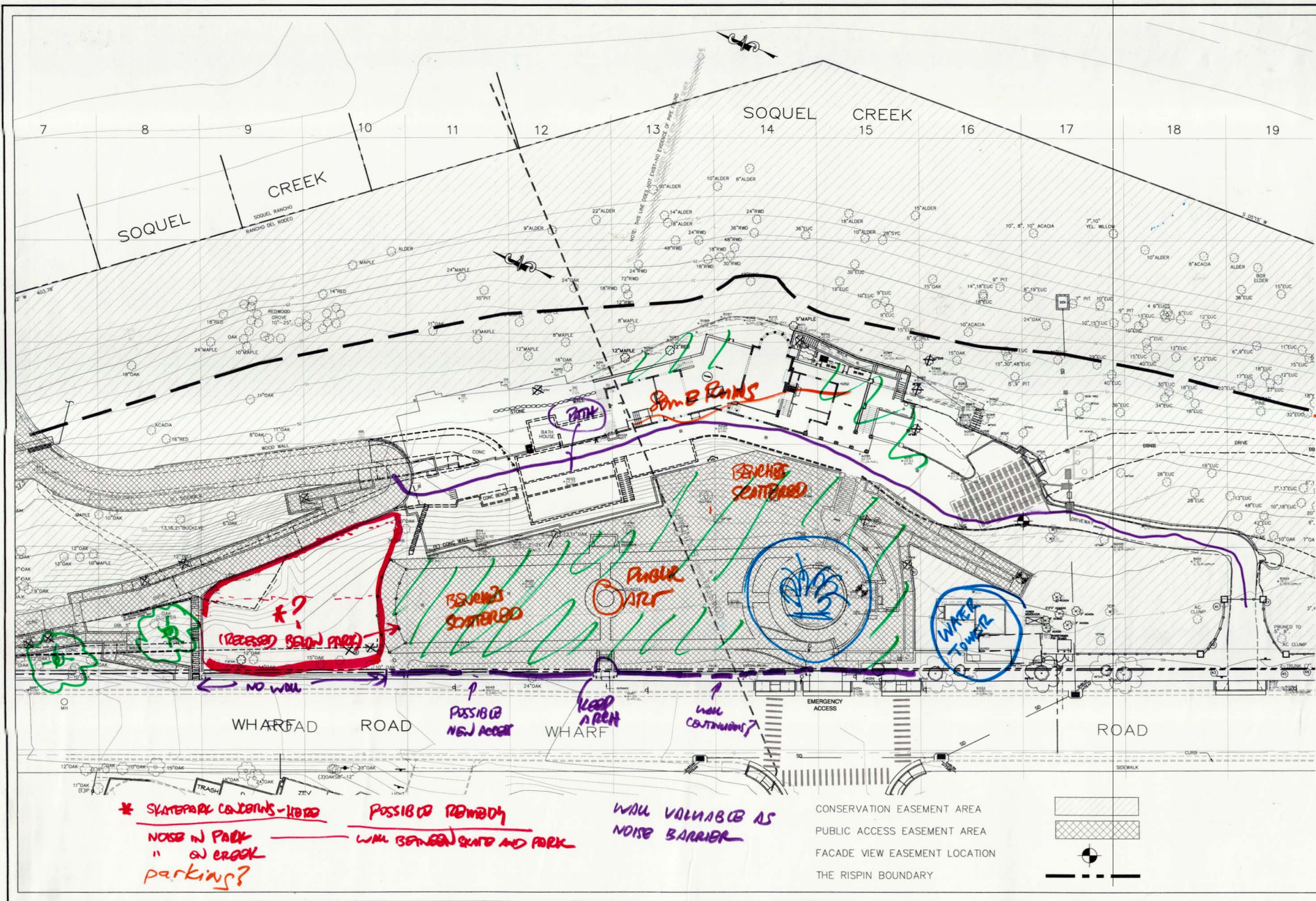
DATE	REVISION	BY







APPENDIX A



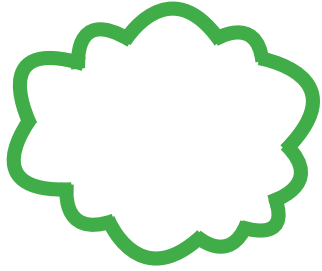
BY	REVISION
DATE	
<b>JOE L. AKERS</b> CIVIL ENGINEER 800 BAY AVE. SUITE E. CAPITOLA, CA 95010 (831) 472-8557	
EXHIBIT B MARCH 27, 2008	
<b>THE RISPIN</b> 2000 WHARF ROAD CAPITOLA, CALIFORNIA	
EASEMENTS DATE: 3.27.08 DRAWN BY: ALA SCALE: 1" = 20'	
E1 of E2	







## MAP LEGEND



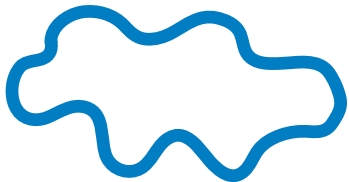
**Additional Trees**



**Potential Skate Park**



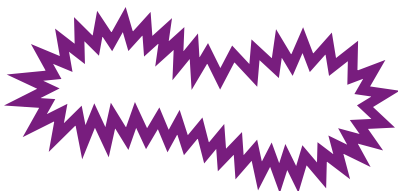
**New Trails**



**Water Feature**



**New Bikeway**



**Parking**

## ATTACHMENT 2

### Work Underway

	Costs
Site Control & Management	84,044
Demolition/Fencing/Site Cleanup	120,465
Carpentry	188,691
Roofing Materials	73,084
Doors, Finishes, Misc	91,316
anticipated credit	-14800
<b>CONSTRUCTION TOTAL</b>	<b>542,800</b>

Project Management	City	\$	25,000
Bat Survey	City	\$	2,400
Biotic Monitoring	City	\$	15,000
Landscape Architect	City	\$	5,000
Architect	City	\$	10,000
Structural Engineer	City	\$	30,000
Civil Engineer	City	\$	5,000
Structural Plan Check	City		
Special Inspections			
<b>PROFESSIONAL SERVICES TOTAL</b>		\$	<b>92,400</b>
<b>TOTAL</b>		\$	<b>635,200</b>

### Next Phases

New Consultant Costs	\$	59,800
Special Inspections	\$	2,000
Lighting Design	\$	11,000
Park lighting	\$	85,000
Stair Refurbishment	\$	25,000
ADA Pathways	\$	100,000
Fence Removal & Storage	\$	2,000
Paving repair	\$	10,000
Park Design	\$	20,000
Environmental Review	\$	25,000
Wall rehabilitation	\$	50,000
	\$	<b>389,800</b>

### Additional Items to complete park

Fountain	\$	50,000
Driveway Rehab	\$	25,000
Landscaping	\$	75,000
Rispin/Peery Park Lighting	\$	30,000
	\$	<b>180,000</b>

<b>PROJECT TOTAL</b>	\$	<b>1,205,000</b>
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Item #: **5.A.**

## CITY COUNCIL AGENDA REPORT

MEETING OF JULY 14, 2011

FROM: CITY MANAGER'S DEPARTMENT

DATE: JULY 8, 2011

SUBJECT: CONSIDER \$2,000 ALLOCATION TO UNITED WAY FOR THE 211 HEALTH AND HUMAN SERVICE INFORMATION AND REFERRAL SYSTEM

---

**Recommended Action:** Council direction.

---

### **BACKGROUND**

Last fiscal year the City provided \$2,000 in funding for United Way's 211 Helpline in a funding request outside of the Community Grant process, and directed United Way to submit an application for 211 funding in future years during the Community Grant process.

During this year's budget hearings City Council reviewed requests from Community Based Organizations for City funding, including a request for funding from United Way for \$2,000 for the 211 Helpline. That funding request was not included in the final City Council Community Grant funding list.

### **DISCUSSION**

In last year's funding application United Way indicated they would request funding for at least two years to develop the program until there was an opportunity to apply for a state-wide contract. United Way believes the state-wide contract would reduce the funding requests from the local community and spread it state-wide.

### **FISCAL IMPACT**

Should Council allocate \$2,000 for United Way's 211 Helpline, staff has identified the following options for providing funding:

1. Authorize funding from the City Manager's \$10,000 *Unanticipated Events* budget.
2. Authorize funding from Contingency Reserves, current balance \$934,844, City policy funding level, \$1.23 million.
3. Identify reduction in other program expenditures in adopted FY 11/12 Budget.

### **ATTACHMENTS**

None

**Report Prepared By:** Lisa G. Murphy  
Administrative Services Director

**Reviewed and Forwarded  
By City Manager:** \_\_\_\_\_



## CITY COUNCIL AGENDA REPORT

MEETING OF JULY 14, 2011

FROM: CITY MANAGER'S OFFICE  
DATE: July 5, 2011  
SUBJECT: COMMUNITY ROOM AND CITY HALL ANNEX TRANSITION PLAN

---

**Recommended Action:** Receive report.

---

### **BACKGROUND**

The recently adopted budget eliminated the funding for the Police Department Annex located at 411 Capitola Ave. The cost of the lease was \$30,000 per year. The Annex housed three employees and associated equipment. In addition, the space was utilized as an informal meeting room, and included a small workspace available for use by City Council Members.

### **DISCUSSION**

The FY11-12 budget had a shortfall of approximately \$375,000. One of the items used to reduce the deficit was the elimination of the Police Department Annex lease. During the budget hearings staff researched several options to relocate the three employees, computer equipment, wheelchair equipment and other stored materials and recommended the Council approve reconfiguring the Community Room to accommodate the loss of the Annex. Council authorized that action, this report is an update on the status of the project.

Utilizing the Community Room for office space will result in the loss of a highly used public meeting space. To mitigate the loss, the Council Chambers will be modified by removing three rows of chairs at the main entrance to make room for the table from the Community Room and 20 moveable chairs.

Staff researched other options to relocate the employees to a different facility other than the Community Room. Those options included the purchase of an office trailer to be located on the former Beulah House property at a cost of \$50,000, or moving them to City Hall or the Police Department but determined there was inadequate excess space in either location.

The City is beginning the process to develop a grant-funded Local Hazard Mitigation Plan. Once that document is complete, and a long-term plan for resolving Police Department flooding issues is established, the City will be prepared to apply for FEMA grant funding to relocate the Police Department out of the floodplain. This would ultimately result in returning the Community Room into a public space.

### **FISCAL IMPACT**

The cost to reconfigure the Community Room and the Council Chambers to accommodate the three employees, equipment storage, meeting table and chairs is \$10,000 which is in the adopted FY11-12 budget.

### **ATTACHMENTS** - None

**Report Prepared By:** Lisa G. Murphy  
Administrative Services Director

**Reviewed and Forwarded**  
**By City Manager:** \_\_\_\_\_





## CITY COUNCIL AGENDA REPORT

MEETING OF JULY 14, 2011

FROM: CITY MANAGER'S DEPARTMENT

DATE: JULY 8, 2011

SUBJECT: RECEIVE A DRAFT FINANCING PLAN FOR A PARKING STRUCTURE ON THE PACIFIC COVE PARKING LOT

---

**Recommended Action:** That the City Council receive the draft Financing Plan, and provide staff direction regarding the allocation of the \$50,000 included in the FY 2011/12 Budget for parking structure planning.

---

### **BACKGROUND**

On April 14, 2011, staff presented the Capitola Village Parking Structure Planning Project to City Council, which outlined two parking structure options for the Pacific Cove parking lot. At the conclusion of the hearing, Council accepted the report and directed staff to prepare a financing plan to fund development of a parking structure for further Council consideration.

Option 1 in the April 14, 2011 report described a three-level structure with 554 spaces or 320 net-new spaces, at a cost of \$12.8 million. Option 2, a four-level structure with 664 spaces or 430 new spaces, costs \$18.8 million.

In addition, off-site work including a parking management system and a roundabout or other intersection improvements at the intersection of Bay Avenue and Capitola Avenue should be considered concurrently with the parking structure, increasing costs by approximately \$1.2 million. The attached financing plan was developed to fund construction of Option 1 plus the offsite work. Option 2 could be considered if the additional \$6 million in funding can be identified.

Larger capital improvement projects are often financed through the issuance of debt for several reasons. First, historically construction costs escalate faster than the rate public institutions receive on savings. As a result, it can be difficult, if not impossible to save enough for major public improvements without increasing the annual savings rate each year.

Second, the benefit of most infrastructure projects is not enjoyed by the public until the project is physically completed. Therefore, it is often logical that the costs of a public project should be paid by the same public who receives the benefit of the improvement.

### **DISCUSSION**

The attached financing plan depicts a preliminary strategy to fund development of a parking structure. In general, the strategy relies on funding from grants, private funding from in-lieu parking fees, and public debt. While, the grant environment is becoming more competitive and scarcer, the parking structure, given its economic development and infill qualities will likely be very competitive. The plan also shows one possible option to fund the debt payments, through the establishment of increased TOT rates and a parking district, and the allocation of a portion of the projected TOT from a new hotel in the Village.

Every number in the attached report is a draft, and will likely be revised during the course of the project development. The City Council may wish to identify alternative mechanisms to finance the debt, and staff can prepare an estimate of the timelines, and possible revenue, from those mechanisms.

The current fiscal year budget includes \$50,000 for parking structure planning. Staff is anticipating those funds will be used to survey the site and prepare the studies necessary to begin environmental review for the project. Moving forward with this design work this year would allow the environmental review for the parking structure to be incorporated in the General Plan EIR. This would likely reduce overall costs and streamline the entitlement process. Alternatively, the City could allocate the \$50,000 to refine the financing options, which could include the polling and studies necessary to consider a TOT increase and establish a parking district.

### **FISCAL IMPACT**

The fiscal costs associated with developing a parking structure are depicted in the attached report.

### **ATTACHMENTS**

1. Draft Financing Plan
2. Watry parking structure options I/II site plans

**Report Prepared By:** Jamie Goldstein  
City Manager

**Reviewed and Forwarded  
By City Manager:** \_\_\_\_\_

**DRAFT Parking Structure Financing Plan**

This Financing Plan outlines alternatives to fund Option 1 described in the April 14 Watry Parking Structure report, which is a \$12.8 million three-level structure with 554 spaces or 320 net-new spaces. In addition, \$1.2 million of off-site work including a parking management system and a roundabout or other intersection improvements at the intersection of Bay Avenue and Capitola Avenue is included in this analysis, for a total funding target of \$14 million.

Option 2, a four-level structure with 664 spaces or 430 new spaces, would increase costs by \$6 million.

**Debt Types**

To finance public improvements, the City can issue two basic types of long-term debt. General Obligation (GO) Bonds can be one of the lowest cost financing options and are backed by the full faith and credit of the City. The California Constitution requires that GO bonds be approved by a majority vote of the public and sets repayment of GO debt before all other obligations of the City.

Lease-Revenue Bonds (or enterprise revenue bonds) are a form of long-term borrowing in which the debt obligation is secured by a revenue stream produced by the project. Because revenue bonds are self-liquidating and not backed by the full faith and credit of the City, they may be enacted in statute and therefore do not require voter approval. They typically have less favorable interest rates than GO bonds.

**Funding Sources**

Based on total funding target of \$14 million, staff has developed following funding source options:

<u>Source</u>	<u>Amount</u>
Private Contributions	\$ 3,150,000
CDBG Grant	\$ 1,000,000
EDA Grant	\$ 2,000,000
Transportation Grants for Roundabout	\$500,000
Bond Proceeds (net)	<u>\$ 7,350,000</u>
<b>TOTAL</b>	<b>\$14,000,000</b>

Factoring in cost of issuance, and reserve funding requirements, the bond size is estimated at \$7.6 million for purposes of this report.

Annual payments on \$7.6 million in debt are approximately \$550,000. In addition, Watry estimates annual maintenance on the parking structure will cost approximately \$200,000<sup>1</sup>. Currently the City expends approximately \$50,000 on maintenance on the Pacific Cove Parking Lot. As a result, funding for an additional \$150,000 for maintenance is included. The debt payments and increased maintenance costs will require an annual revenue stream of \$700,000.

---

<sup>1</sup> Watry Design Inc. estimate

**On-going Annual Costs:**

<u>Item</u>	<u>Estimated Cost</u>
Debt Service on \$7.6 million bond <sup>2</sup>	\$550,000
Additional operations and maintenance	\$150,000
<b>Total</b>	<b>\$700,000</b>

**Ongoing Revenue Sources** - Potential sources for revenue to pay the annual expense are as follows:

<u>Source</u>	<u>Amount</u>
Existing Pacific Cove Meters <sup>3</sup>	\$ 70,000
New revenue from Structure	\$ 70,000
Existing Parking Fund	\$ 100,000
New Village Hotel TOT <sup>4</sup> (50% total)	\$ 175,000
2% TOT increase (to 12%)	\$ 200,000
Village Parking District	\$ 85,000
	\$ 700,000

**Private Contributions** – The private contribution estimate is based on the net price per parking space, including land costs, for 100 parking spaces. Each parking space was estimate to cost \$23,000 and the land is estimated to be worth approximately \$2.0 million/ac. The site is approximately 2.35 ac in size, with 554 spaces, or \$8,500 in land costs per space.

<u>Space Cost Determination</u>	
Construction costs	\$23,000
<u>Land costs</u>	<u>\$ 8,500</u>
Total cost per space	\$ 31,500
100 parking spaces	<b>\$3,150,000</b>

It is possible that not all of the 100 in lieu parking fees will be available prior to construction of a parking structure. In that case, either the debt amount would need to be increased, or other bridge financing options could be considered.

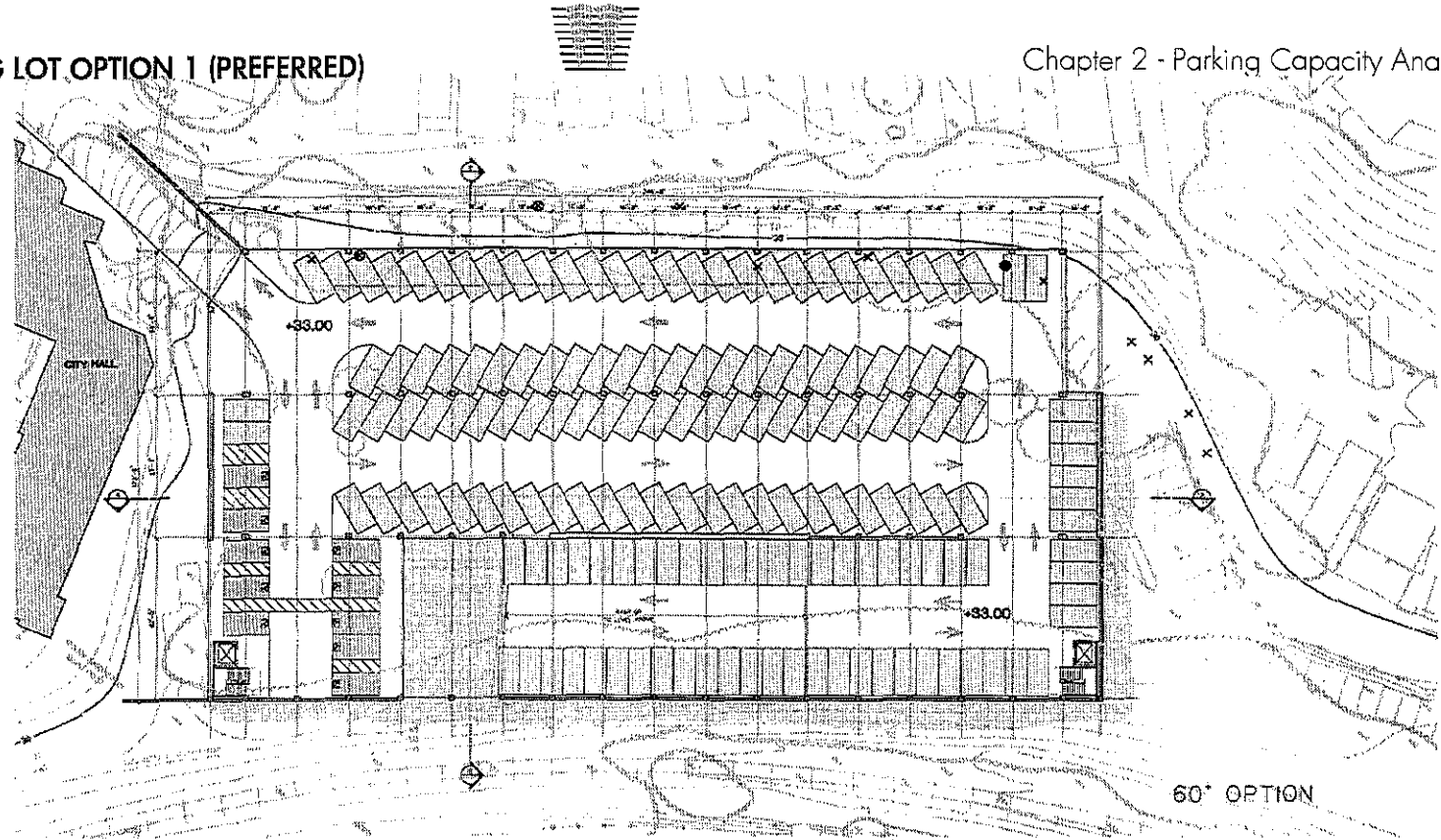
<sup>2</sup> \$7.6 million at 6% over 30 years

<sup>3</sup> Reduces General Fund revenue

<sup>4</sup> Average daily room rate \$200, 70 rooms, 70% occupancy rate

PACIFIC COVE PARKING LOT OPTION 1 (PREFERRED)

Chapter 2 - Parking Capacity Analysis



GROUND LEVEL PARKING PLAN

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

Not to Scale

TREE LEGEND

- ⊗ INDICATES MIMWOOD TREE
- ⊗ INDICATES OAK TREE
- ⊗ INDICATES PINE TREE



LEVEL	3 - LEVEL			TOTAL	AREA (SQ.FT)	SQ. FT. / STALL
	UNINSTALL (8'-0" x 18'-0")	ACCESSIBLE (12'-0" x 18'-0")	VALET (10'-0" x 18'-0")			
Level 3	175	0	0	175	52,800	301
Level 2	189	0	0	189	58,900	312
Level 1	192	10	0	202	66,600	328
TOTAL	556	10	0	566	178,300	317
Levels 1 & 2	381	10	0	391	125,500	320
Level 3 w/ Valet	185	0	101	286	82,300	270
TOTAL	446	10	101	557	168,100	302

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

February 18, 2011

Cost = \$12.8 million

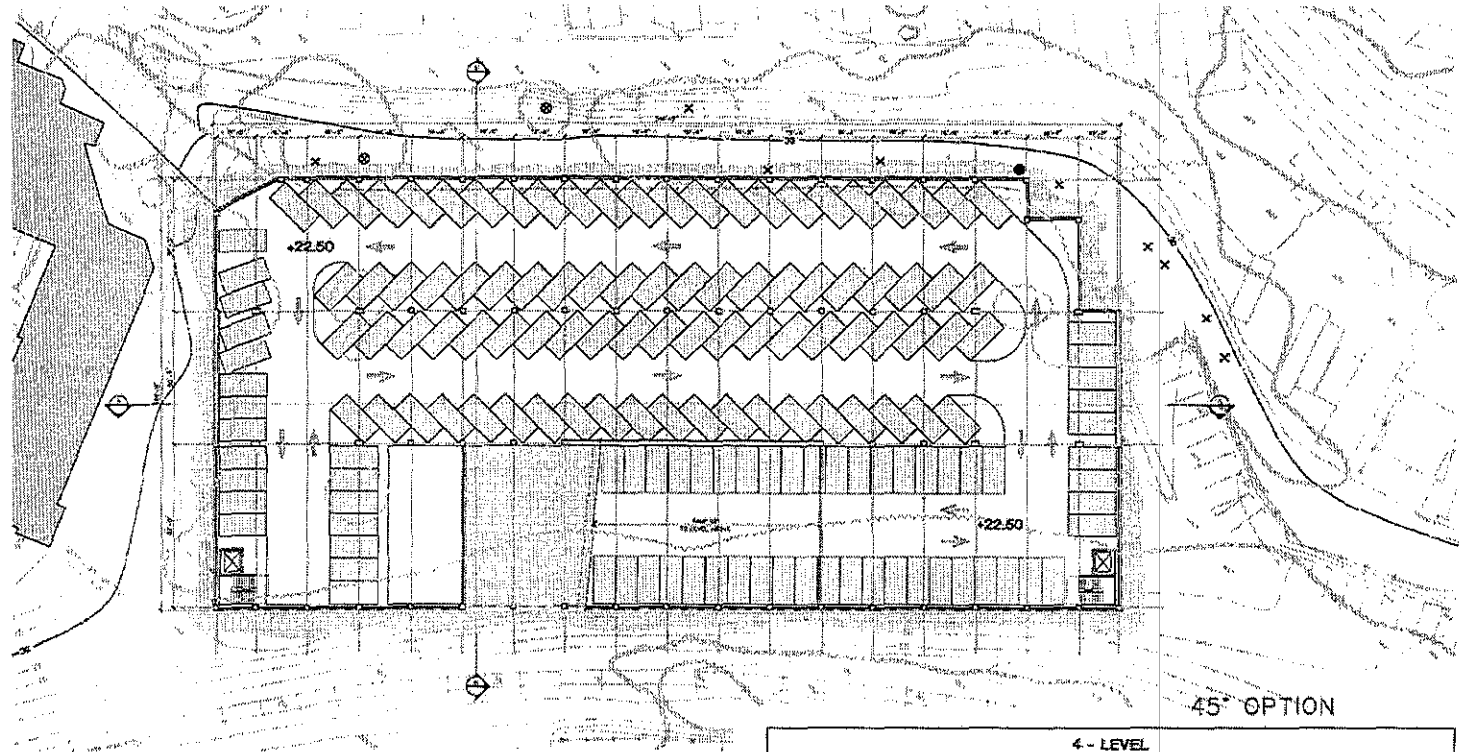
Page 7



PACIFIC COVE PARKING LOT OPTION 2



Chapter 2 - Parking Capacity Analysis



45° OPTION

**BASEMENT LEVEL PARKING PLAN**

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

Not to Scale

**TREE LEGEND**

- ⊗ INDICATES HERFORD TREE
- × INDICATES OAK TREE
- INDICATES PINE TREE



4 - LEVEL						
LEVEL	UNSTALL (8'-0" x 18'-0")	ACCESSIBLE (8'-0" x 18'-0")	VALET (8'-0" x 18'-0")	TOTAL	AREA (SQ.FT.)	SQ. FT. / STALL
Level 1	353	0	0	353	48,100	301
Level 2	306	1	0	307	55,200	331
Level 3	148	12	0	160	55,200	346
Basement	151	0	0	151	62,800	360
<b>TOTAL</b>	<b>628</b>	<b>13</b>	<b>0</b>	<b>641</b>	<b>212,300</b>	<b>331</b>
<hr/>						
Levels 1, 2 & 3	485	13	0	478	163,200	341
Level 3 w/ Valet	88	0	90	157	50,200	268
<b>TOTAL</b>	<b>663</b>	<b>13</b>	<b>90</b>	<b>666</b>	<b>213,400</b>	<b>321</b>

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

February 18, 2011

**Cost = \$18.8 million**

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Item #: 5.D.

## CITY COUNCIL AGENDA REPORT

MEETING OF JULY 14, 2011

FROM: DEPARTMENT OF PUBLIC WORKS  
DATE: JULY 5, 2011  
SUBJECT: RESOLUTION ESTABLISHING A FOUR-HOUR PARKING LIMIT  
ON 40<sup>TH</sup> AVENUE BETWEEN CLARES STREET AND DEANES LANE

---

**Recommended Action:** By motion and roll call vote, adopt the proposed resolution establishing a four-hour parking limit from 6 a.m. to 6 p.m. on both sides of 40<sup>th</sup> Avenue between Clares Street and Deanes Lane as recommended by the Capitola Police Department.

---

### **BACKGROUND**

For some time the Police Department has been dealing with a parking problem on the 2000 block of 40<sup>th</sup> Avenue involving the persistent use of the street parking for selling cars and storing large commercial vehicles. These problems are detailed in the letter from Community Service Officer Chad Keane included as Attachment 2. The Police Department has requested that the City establish parking restrictions in this area.

### **DISCUSSION**

Establishment of parking restrictions is permitted under Capitola Municipal Code Section 10.36.290, which states:

*"10.36.290 Parking restrictions—Authorized*

*The city council may, by resolution, limit the period of time in which a vehicle may be parked within a designated area of the streets. Wherever any such resolution has been adopted, the superintendent of streets shall, by sign, or other means, clearly mark any areas so designated whether or not specifically so directed by the resolution."*

The Police Department has requested that a four-hour parking time limit be established.

### **FISCAL IMPACT**

There will be a minimal cost for purchasing and installing the signs of approximately \$1,000 that can be paid out of the Public Works Street material and supply budget.

### **ATTACHMENTS**

1. Draft Resolution
2. Memorandum to Sergeant Eller from CSO Keane
3. 40<sup>th</sup> Avenue Parking Map

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

**Reviewed and Forwarded  
By City Manager:** \_\_\_\_\_

**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
ESTABLISHING A FOUR-HOUR PARKING ZONE ON 40<sup>TH</sup> AVENUE  
BETWEEN CLARES STREET AND DEANES LANE**

**WHEREAS**, the Capitola Police Department has been dealing with parking issues on 40<sup>th</sup> Avenue between Clares Street and Deanes Lane resulting from on-street parking by “For Sale” vehicles and commercial vehicle storage; and

**WHEREAS**, pursuant to 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 these parking issues while still providing the surrounding commercial properties the parking needed for their customers.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Capitola that a four-hour parking zone be established on 40<sup>th</sup> Avenue between Clares Street and Deanes Lane, with said parking restrictions in force from six a.m. to six p.m. all days of the year.

**BE IT FURTHER RESOLVED** that the Public Works Director is authorized and directed to install the necessary signage on 40<sup>th</sup> Avenue between Clares Street and Deanes Lane regarding the four-hour parking restrictions.

**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 14<sup>th</sup> day of July 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Dennis R. Norton, Mayor

ATTEST:

\_\_\_\_\_, MMC  
Pamela Greeninger, City Clerk

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**INTEROFFICE MEMORANDUM**

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TO: SERGEANT ELLER *ME #503 JMC*  
FROM: CSO CHAD KEANE  
SUBJECT: PARKING PROPOSAL FOR 40<sup>TH</sup> AVENUE  
DATE: 7/7/2011

---

This memorandum is a formal request to restrict public parking on 40<sup>th</sup> Avenue between Clares Street and Deanes Lane to 4 hour parking. This request is based on the complaints by business owners along 40<sup>th</sup> Avenue in regard to customer parking and also by the Capitola Police Department in regards to the traffic hazards the current parking situation presents.

40<sup>th</sup> Avenue has become a parking area for "For Sale Vehicles." Particularly the last 150 feet of both the east and west curb line of 40<sup>th</sup> Avenue where it intersects Clares Street. The vehicles are left unattended for many days at a time. Considerable working hours have been spent by the Capitola Police Department warning owners with 72 hour courtesy notices. This has not deterred the vehicle owners as they leave their cars for three days at a time or longer. This leaves no parking opportunity for the customers and owners of the commercial businesses. Additionally, buyers interested in these cars walk out onto the street to look over the "for sale vehicles." This presents a considerable traffic hazard and potential liability to the city.

The 40<sup>th</sup> Avenue area is a commercial area with all businesses providing off street parking. The street is non residential and not intended for overnight parking or long term parking.

The placement of "4 hour parking" signage will abate this issue and restore the street for its intended use.

The following businesses have been contacted in regards to this issue and support this change:

**Morgan Stanley/Smith Barney**

Manager: Linda Finlayson.  
2001 40<sup>th</sup> Avenue, Suite F  
Capitola, CA 95010  
(831) 479-5100

Capitola Police Department, 422 Capitola Avenue, Capitola, CA 95010

**Jenny Craig**

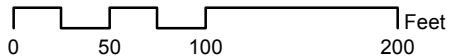
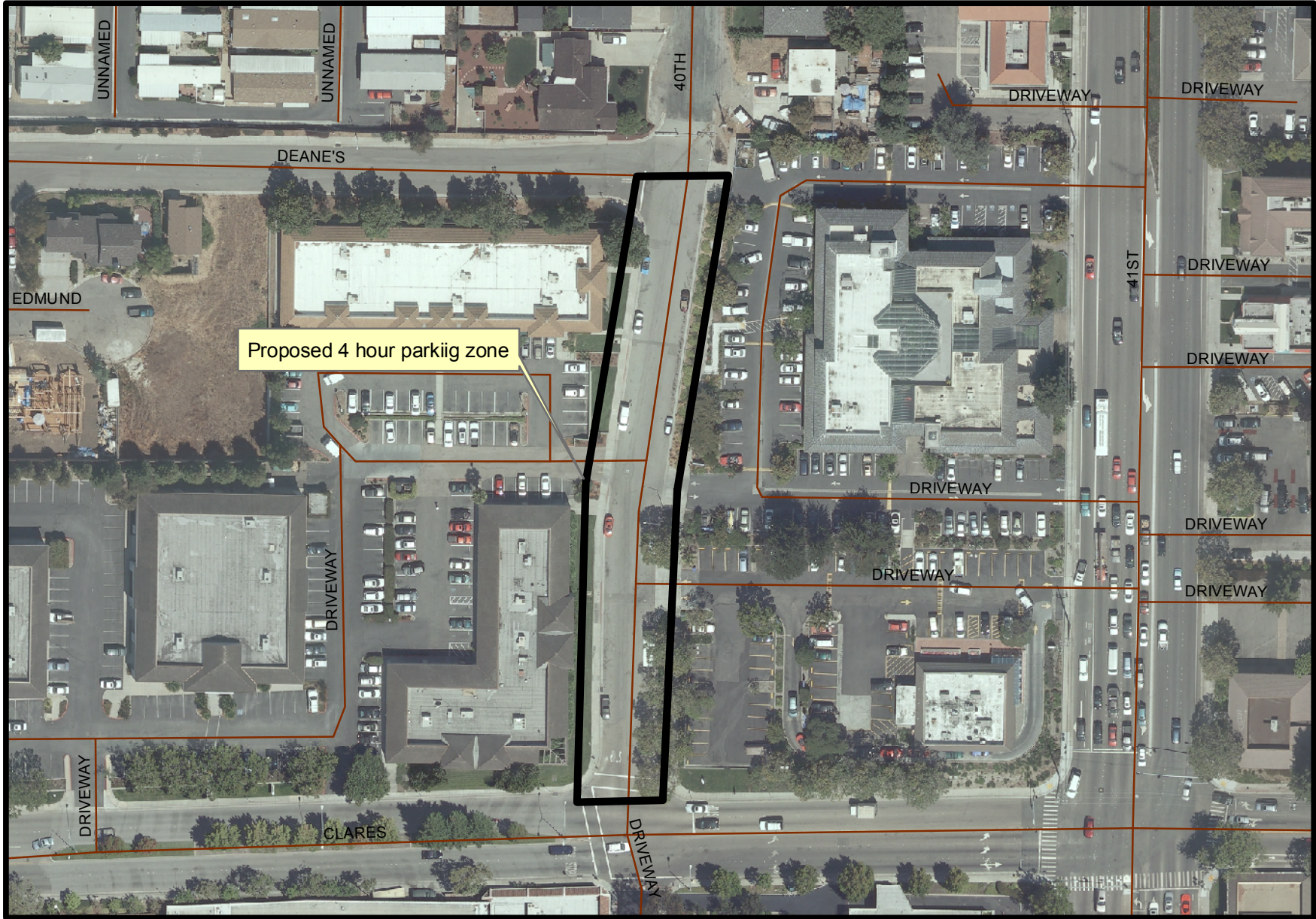
Manager: Krista Sugary  
2001 40<sup>th</sup> Avenue, Suite C  
Capitola, CA 95010  
(831) 479-7500

**Kepare**

Manager: Pablo Yee  
2001 40<sup>th</sup> Avenue.  
Capitola, CA 95010  
(831) 464-0262



# 40th Avenue Parking Map





Item #: 5.E.

## CITY COUNCIL AGENDA REPORT

MEETING OF JULY 14, 2011

FROM: DEPARTMENT OF PUBLIC WORKS

DATE: JULY 5, 2011

SUBJECT: TSUNAMI READY PROGRAM

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

1. Accept tsunami hazard zone signs from California Emergency Management Agency as part of the Statewide TsunamiReady Program;
2. Authorize the Department of Public Works to install the signs on various streets and pedestrian pathways leading to the Village; and
3. Authorize the Director of Public Works to continue to work with the California Emergency Management Agency to develop an information brochure regarding the hazards of tsunamis.

---

### **BACKGROUND**

Over the past year Public Works and Police Department staff have been working with the County of Santa Cruz Office of Emergency Services, California Emergency Management Agency (CalEMA), National Weather Service (NWS), and the California Geological Survey (CGS) to implement the TsunamiReady Program throughout the County. The Cities of Santa Cruz and Watsonville, along with State Parks are also participating in this effort.

The TsunamiReady Program, developed by the National Weather Service, is designed to help cities, towns, counties, universities and other large sites in coastal areas reduce the potential for disastrous tsunami-related consequences. Since 2009, OES has been working with local jurisdictions to achieve TsunamiReady status through a vigorous certification program that includes planning, communication, and education specifically addressing tsunami hazards. As part of this effort, County OES coordinated the creation of a Tsunami Workgroup to facilitate the certification process. Additionally, County OES hosted Tsunami Workshops throughout the County, including one in Capitola on April 12, 2011.

In 2009 CalEMA and CGS and University of Southern California finalized tsunami inundation maps for the entire California coastline. The Soquel Quadrangle map is attached that includes the City of Capitola. This information was used by City staff to develop Capitola specific maps, including the attached Tsunami Evacuation Map and a proposed Tsunami Ready Signage Plan.



**DISCUSSION**

A key element of receiving TsunamiReady status is identifying tsunami hazard zones through the placement of specific signs in the appropriate locations within and around the inundation areas. These signs will identify the perimeter of an inundation zone and appropriate action to be taken by individuals on the beach when an earthquake occurs. Examples of these signs and the proposed signage plan are attached. NWS and CGS staff have meet with City staff to review the proposed signage plan. CalEMA will be providing the signage, including replacements, for installation by the City. With approval of the City Council, staff will be finalizing the sign order with CalEMA and it is anticipated the signs will be installed by September of this year.

In addition to the signage, city staff is working with CalEMA to produce a locally based informational pamphlet on tsunamis. This pamphlet will include general information on recognizing and reacting to a tsunami threat and the City of Capitola Evacuation Map. This pamphlet will be available for distribution to area hotels, businesses, and at City Hall. A sample pamphlet is attached.

The final elements of achieving TsunamiReady status will be developing and documenting communication systems for both receiving tsunami information and transmitting this information to residents and visitors in a timely manner. For receiving updated information the City will rely on updates from County OES and NOAA weather bulletins. Based on the relatively small area in the tsunami inundation zone for Capitola, communications with residents and visitors will be through reverse 911 broadcasts from County OES and Police Department patrols using load speakers throughout the Village.

**FISCAL IMPACT**

All signage and pamphlets will be provided by CalEMA at no cost to the City. Installation of the signs by Public Works crews will be minimal and covered in the existing Public Works Streets budget.

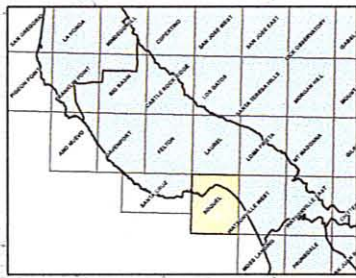
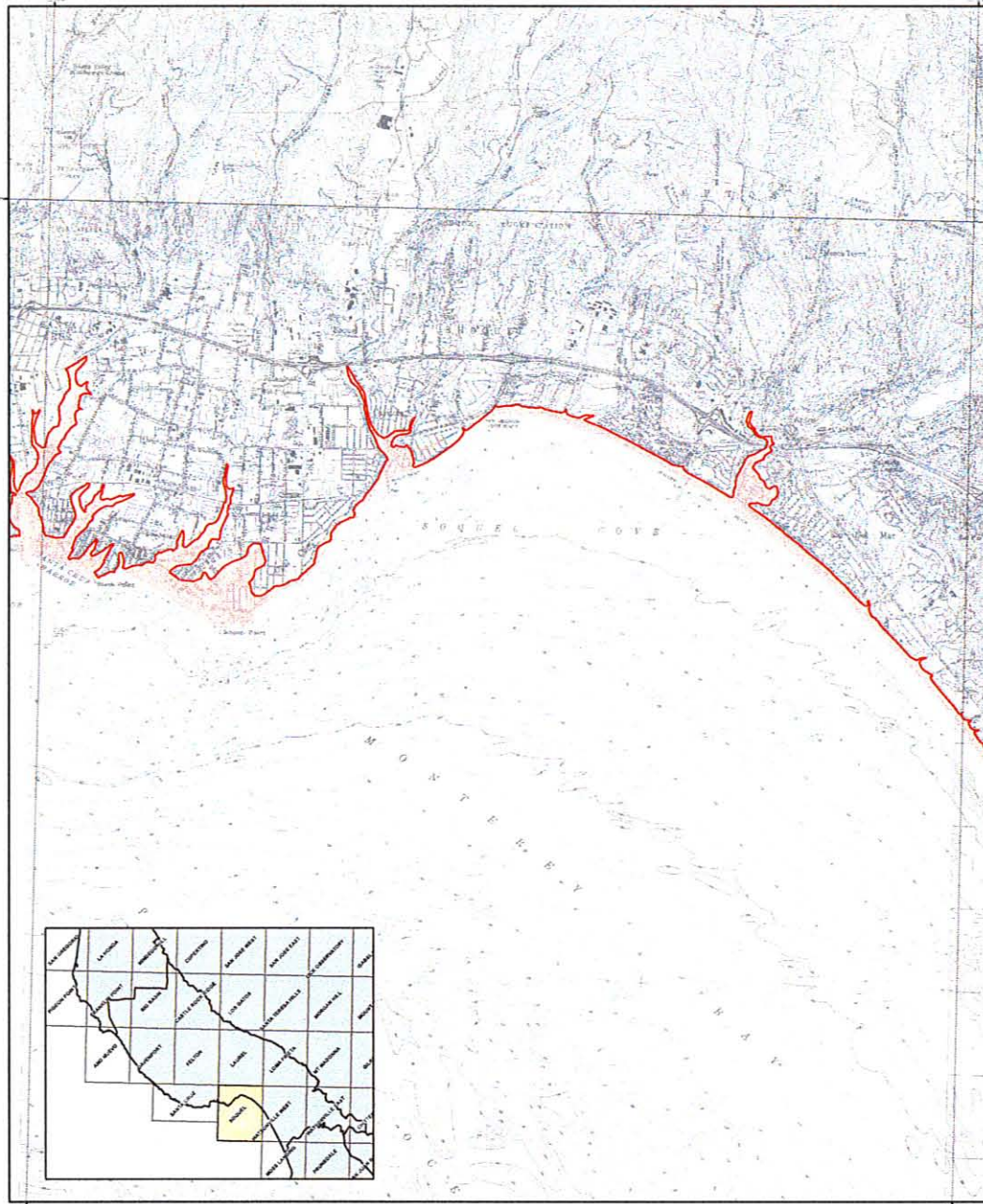
**ATTACHMENTS**

1. Tsunami Inundation map for Emergency Planning by CalEMA, et al.
2. Tsunami Evacuation Map for City of Capitola
3. Tsunami Ready Signage Plan for City of Capitola
4. Tsunami zone signs with proposed locations for City of Capitola
5. How to Survive a Tsunami pamphlet by CalEMA

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

**Reviewed and Forwarded  
By City Manager:**

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**METHOD OF PREPARATION**

Initial tsunami modeling was performed by the University of Southern California (USC) Tsunami Research Center funded through the California Emergency Management Agency (CalEMA) by the National Tsunami Hazard Mitigation Program. The modeling process utilized the MOST (Method of Splitting Tsunami) computational program (Version 3), which allows for wave evolution over a variable bathymetry and topography used for the inundation mapping (Tibv and Gorczycki, 1997; Tibv and Synolakis, 1998).

The bathymetric/topographic data that were used in the tsunami models consist of a series of nested grids: near-shore grids with a 3 arc-second (75- to 90-meter) resolution or higher, were adjusted to "Mean High Water" sea level conditions, representing a conservative sea level for the intended use of the tsunami modeling and mapping.

A suite of tsunami source events was selected for modeling, representing realistic local and distant earthquakes and hypothetical extreme undersea, near-shore landslides (Table 1). Local tsunami sources that were considered include offshore reverse-thrust faults, restraining bends on strike-slip fault zones and large submarine landslides capable of significant seafloor displacement and tsunami generation. Distant tsunami sources that were considered include great subduction zone events that are known to have occurred historically (1962 Chile and 1964 Alaska earthquakes) and others which can occur around the Pacific Ocean "Ring of Fire".

In order to enhance the result from the 75- to 90-meter inundation grid data, a method was developed utilizing high-resolution digital topographic data (3- to 10-meter resolution) that better defines the location of the maximum inundation line (U.S. Geological Survey, 1992; Intermap, 2003; NOAA, 2004). The location of the enhanced inundation line was determined by using digital imagery and terrain data on a GIS platform with consideration given to historic inundation information (Lander, et al., 1993). This information was verified, where possible, by field work coordinated with local county personnel.

The accuracy of the inundation line shown on these maps is subject to limitations in the accuracy and completeness of available terrain and tsunami source information, and the current understanding of tsunami generation and propagation phenomena as expressed in the models. Thus, although an attempt has been made to identify a credible upper bound to inundation at any location along the coastline, it remains possible that actual inundation could be greater in a major tsunami event.

This map does not represent inundation from a single scenario event. It was created by combining inundation results for an ensemble of source events affecting a given region (Table 1). For this reason, all of the inundation region in a particular area will not likely be inundated during a single tsunami event.

**References**

Intermap Technologies, Inc., 2003, Intermap product handbook and quick start guide Intermap NEXT map documents (4-meter resolution), data, 112 p.  
Lander, J.F., Lockridge, P.A., and Katsuh, M.J., 1993, Tsunami Affecting the West Coast of the United States 1805-1992, National Oceanic and Atmospheric Administration Technical Report NMFS-36, 142 p.  
National Atmospheric and Oceanic Administration (NOAA), 2004, Interim/Operational Synthetic Aperture Radar (SAR) Digital Elevation Models from GeoSAR platform (EarthData) 3-meter resolution data.  
Tibv, V.V., and Gorczycki, P.J., 1997, Implementation and Testing of the Method of Tsunami Splitting (MOST). NOAA Technical Memorandum ERL PMEL-119.  
Tibv, V.V., and Synolakis, C.E., 1998, Numerical modeling of tidal wave runup. Journal of Waterways, Port, Coastal and Ocean Engineering, ASCE, 124 (4), pp 167-171.  
U.S. Geological Survey, 1993, Digital Elevation Models: National Mapping Program, Technical Instructions, Data Users Guide 5, 48 p.

**TSUNAMI INUNDATION MAP FOR EMERGENCY PLANNING**

State of California ~ County of Santa Cruz  
SOQUEL QUADRANGLE

July 1, 2009

SCALE 1:24,000



Table 1: Tsunami sources modeled for the Santa Cruz County coastline

Local Source	Moment Magnitude used in modeled event	Areas of Inundation Map Coverage and Source Maps		
		Predecessor	State	Northern Bay Reg.
Distant Sources				
	1962 Chile Earthquake (M8.7)	X	X	X
	1964 Alaska Earthquake (M9.2)	X	X	X
	Japan Subduction Zone #2 (M8.5)	X	X	X
	South America Subduction Zone #1 (M8.5)	X	X	X
	South America Subduction Zone #2 (M8.5)	X	X	X
	Chile North Subduction Zone (M8.5)	X	X	X
	1992 Costa Rica Earthquake (M7.5)	X	X	X
	1992 Alaska Earthquake (M8.2)	X	X	X
	Japan Subduction Zone #2 (M8.5)	X	X	X
	South America Subduction Zone #1 (M8.5)	X	X	X
	South America Subduction Zone #2 (M8.5)	X	X	X
	Kuril Islands Subduction Zone (M8.5)	X	X	X
	Manawa Subduction Zone (M8.5)	X	X	X

**MAP EXPLANATION**

- Tsunami Inundation Line
- Tsunami Inundation Area

**PURPOSE OF THIS MAP**

This tsunami inundation map was prepared to assist cities and counties in identifying their tsunami hazard. It is intended for local jurisdictional, coastal evacuation planning uses only. This map and the information presented herein, is not a legal document and does not meet disclosure requirements for real estate transactions nor for any other regulatory purpose.

The inundation map has been compiled with best currently available scientific information. The inundation line represents the maximum considered tsunami runup from a number of extreme, yet realistic, tsunami sources. Tsunamis are rare events due to a lack of known occurrences in the historic record; this map includes no information about the probability of any tsunami affecting any area within a specific period of time.

Please refer to the following websites for additional information on the construction and/or intended use of the tsunami inundation map:

- State of California Emergency Management Agency, Earthquake and Tsunami Program  
<http://www.ca.gov/WeP/EarthquakeandTsunami/EC>  
S18A215831768825741F005E8D807OpenDocument
- University of Southern California - Tsunami Research Center  
<http://www.usc.edu/dept/taunama2006/index.php>
- State of California Geological Survey Tsunami Information  
<http://www.cgs.ca.gov/WeP/EarthquakeandTsunami/taunamainfo.htm>
- National Oceanic and Atmospheric Administration Center for Tsunami Research (MOST model)  
<http://trp.pmel.noaa.gov/time-background/models.html>

**MAP BASE**

Topographic base maps prepared by U.S. Geological Survey as part of the 7.5-minute Quadrangle Map Series (originally 1:24,000 scale). Tsunami inundation line boundaries may reflect updated digital orthophotographic and topographic data that can differ significantly from contours shown on the base map.

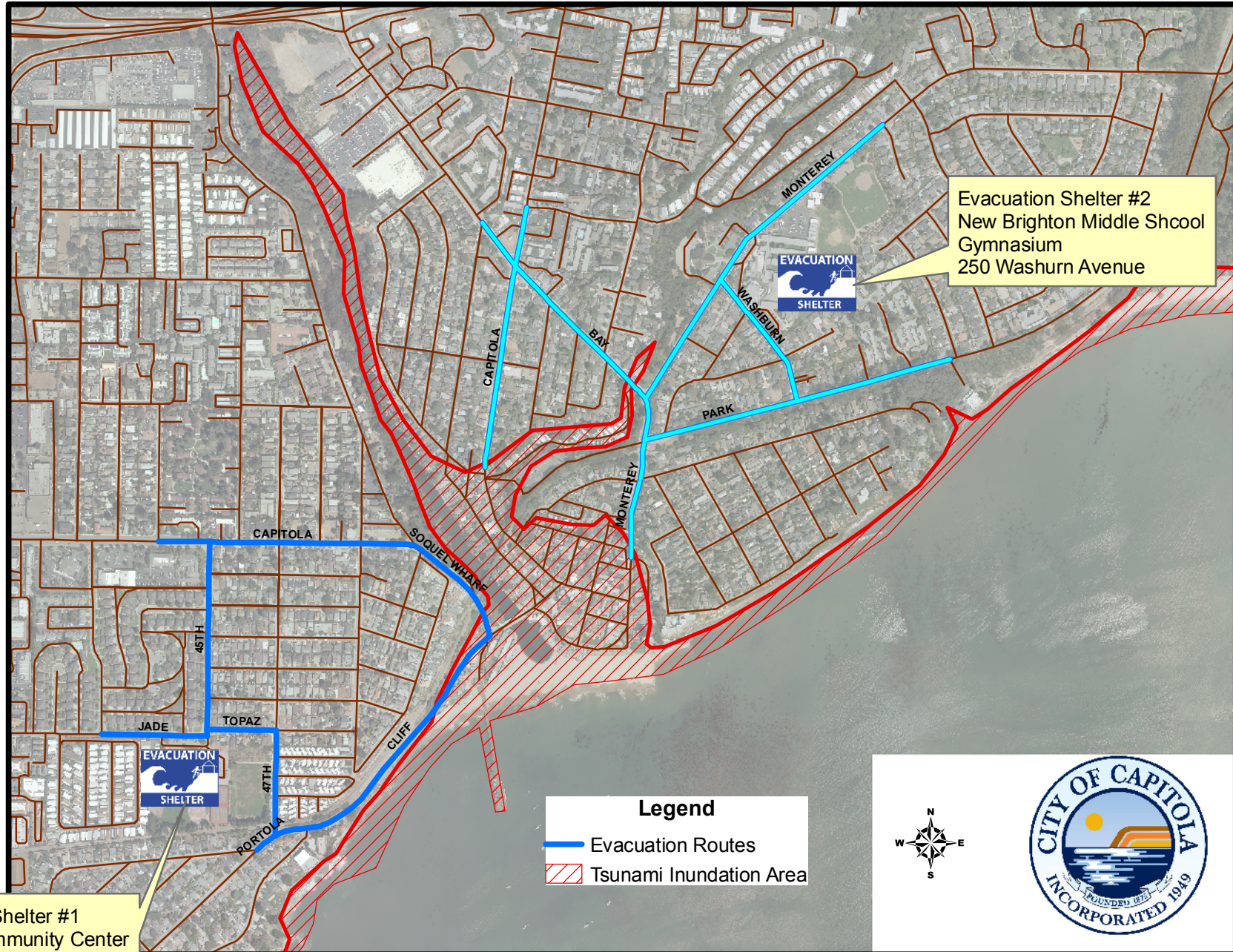
**DISCLAIMER**

The California Emergency Management Agency (CalEMA), the University of Southern California (USC) and the California Geological Survey (CGS) make no representation or warranties regarding the accuracy of this inundation map nor the data from which the map was derived. Neither the State of California nor USC shall be liable under any circumstances for any direct, indirect, special, incidental or consequential damages with respect to any claim by any user or any third party on account of or arising from the use of this map.





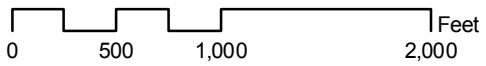
# Tsunami Evacuation Map



Evacuation Shelter #2  
New Brighton Middle School  
Gymnasium  
250 Washburn Avenue

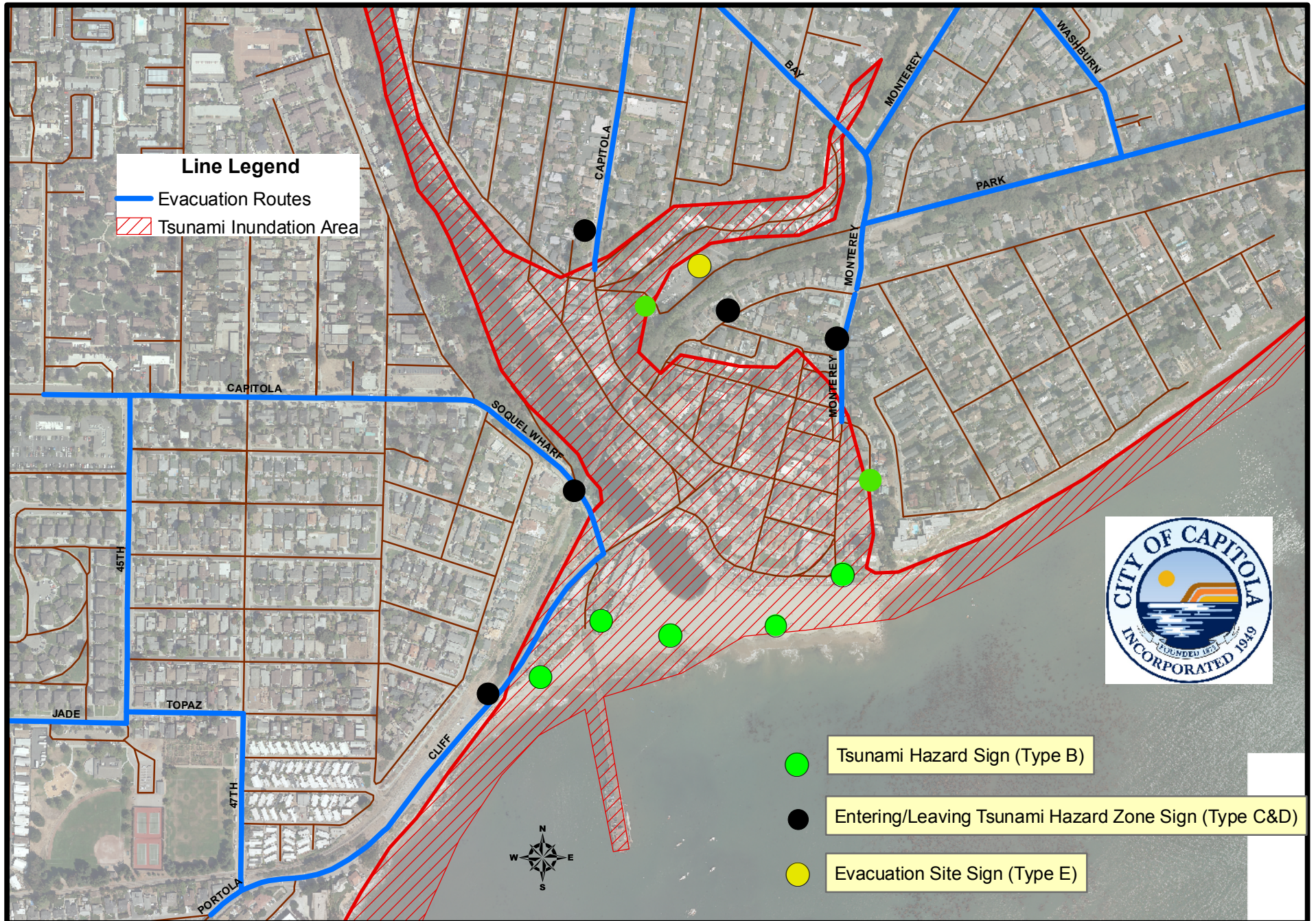
Evacuation Shelter #1  
Capitola Community Center  
Jade Street Park  
4500 Jade Street




**Legend**  
— Evacuation Routes  
▨ Tsunami Inundation Area





# Tsunami Ready Signage Plan



-  Tsunami Hazard Sign (Type B)
-  Entering/Leaving Tsunami Hazard Zone Sign (Type C&D)
-  Evacuation Site Sign (Type E)

0 325 650 1,300 Feet



# Tsunami Zone Signs

Type B.



Proposed installation sites:

1. Bottom of Hooper's Beach Stairs
2. Base of Wharf
3. Esplanade Park
4. On Lifeguard towers (2) (stickers)
5. Stairway from Pacific Cove Parking Lot to beach through City Hall with ENTERING sign.
6. Bottom of stairway from Depot Hill with ENTERING sign

Type C & D



Proposed Installation Sites: (signs to be placed either back to back on a single pole or on separate poles on each side of street)

1. Wharf Road above UPRR
2. Cliff Drive west of Wharf Road
3. Monterey Avenue south of Fanmar
4. Capitola Avenue north of Riverview Drive
5. Fanmar Ave above Terrace Way

Type E.



Proposed Installation Site: Pacific Cove Parking Lot



## IF YOU FEEL A STRONG EARTHQUAKE WHILE NEAR THE COAST:

### 1. PROTECT yourself during the earthquake



- If indoors, DROP under a sturdy table or object, COVER your head and neck and HOLD ON.
- If outdoors, move to a clear area if you can safely do so - away from trees, beach cliffs, signs and other hazards - and drop\* to the ground.
- \* If you have mobility impairments that prevent you from getting up on your own, do not drop to the ground but do cover your head and neck and hold on.

### 2. MOVE to High Ground

- As soon as it is safe to move, go to higher ground. DO NOT WAIT for an official tsunami warning.
- Avoid downed power lines and weakened overpasses.
- If you are outside of a tsunami hazard zone, stay where you are.



### 3. STAY There

- Remain on high ground. Waves from a tsunami may arrive for eight hours or longer.
- Return to the coast only when officials have announced that it is safe to do so.



## THINGS YOU SHOULD KNOW ABOUT TSUNAMIS

- A tsunami is a series of waves or surges most commonly caused by an earthquake beneath the sea floor.
- An unusual lowering of ocean water, exposing the sea floor, is a warning of a tsunami or other large wave. This "draw back" means the water will surge back strongly.
- Beaches, lagoons, bays, estuaries, tidal flats and river mouths are the most dangerous places to be. It is rare for a tsunami to penetrate more than a mile inland.
- Tsunami waves are unlike normal coastal waves. Tsunamis are more like a river in flood or a sloping mountain of water and filled with debris.
- Tsunamis cannot be surfed. They have no face for a surfboard to dig into and are usually filled with debris.
- Large tsunamis may reach heights of twenty to fifty feet along the coast and even higher in a few locales. The first tsunami surge is not the highest and the largest surge may occur hours after the first wave. It is not possible to predict how many surges or how much time will elapse between waves be for a particular tsunami.
- The entire California Coast is vulnerable to tsunamis. The Crescent City Harbor on California's North Coast suffered significant tsunami damage as recently as 2006. A dozen people were killed in California following the 1964 Alaska earthquake.

### ADDITIONAL RESOURCES:

About tsunamis: <http://wcatwcarh.noaa.gov/>

Identifying natural hazards in your neighborhood [www.myhazards.calema.ca.gov](http://www.myhazards.calema.ca.gov)

Preparing for earthquakes and tsunamis [www.earthquakecountry.org](http://www.earthquakecountry.org)

The California Geological Survey [www.consrv.ca.gov/cgs](http://www.consrv.ca.gov/cgs)

Or contact your county Office of Emergency Services.

Prepared by: California Emergency Management Agency Earthquake and Tsunami Program  
3650 Schriever Avenue, Mather, CA 95655 (916) 845-8510  
Concept and partial text from the Redwood Coast Tsunami Work Group.

This document was prepared under a grant from FEMA's Grant Program Directorate, U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's Grant Programs Directorate or the U.S. Department of Homeland Security.

7\_09

# How to Survive a Tsunami

- Protect yourself during the earthquake
- Move to high ground or inland as soon as you can
- Stay there

Prepared by:



**Cal EMA**  
CALIFORNIA EMERGENCY  
MANAGEMENT AGENCY



## TWO WAYS TO FIND OUT IF A TSUNAMI MAY BE COMING

### 1. NATURAL WARNING

Strong ground shaking, a loud ocean roar, or the water receding unusually far exposing the sea floor are all nature's warnings that a tsunami may be coming. If you observe any of these warning signs, immediately go to higher ground or inland. A tsunami may arrive within minutes and may last for eight hours or longer. Stay away from coastal areas until officials announce that it is safe to return.



### 2. OFFICIAL WARNING

You may hear that a Tsunami Warning has been issued. Tsunami Warnings might come via radio, television, telephone, text message, door-to-door contact by emergency responders, NOAA weather radios, or in some cases by outdoor sirens. Move away from the beach and seek more information on local radio or television stations. Follow the directions of emergency personnel who may request you to evacuate beaches and low-lying coastal areas. Use your phone only for life-threatening emergencies.



Natural and official warnings are equally important. Respond to whichever comes first.

## WHEN SHOULD I EVACUATE?

Evacuation should not be automatic. Before evacuating you should determine if you are in a hazard zone and consider possible hazards that may exist along your evacuation route.

- Know if you live, work, or play in a tsunami hazard zone.
- COUNT how long the earthquake lasts. If you feel more than 20 seconds of very strong ground shaking and are in a tsunami hazard zone, evacuate as soon as it is safe to do so.
- If you are on the beach or in a harbor and feel an earthquake—no matter how small—immediately move inland or to high ground.
- GO ON FOOT. Roads and bridges may be damaged.
- Avoid downed power lines.
- If evacuation is impossible, go to the third or higher floor of a sturdy building or climb a tree. This should only be used as a last resort.
- If you hear that a tsunami warning has been issued but did not feel an earthquake, get more information. Listen to the radio, television or other information sources and follow the instructions of emergency personnel.
- If you are outside of a tsunami hazard zone, take no action. You are safer staying where you are.



## WHERE SHOULD I GO?

All California coastal counties have tsunami hazard guidance maps and are in the process of posting tsunami hazard zone signs. These signs and maps will show you what areas are safe and what areas may be at risk. Use them to guide you to a safe area.

## PREPARE NOW

How you prepare will affect how you recover. And being prepared for earthquakes and tsunamis prepares you for all kinds of disasters.

- Know if you live, work, or play in a tsunami hazard zone.
- Learn what the recommended tsunami evacuation routes are in your city, county and region. Identify safety zone(s) near you, and decide on your primary and secondary evacuation routes.
- If you live or work in a tsunami hazard zone get a NOAA weather radio with the public alert feature for your home and office. It will alert you even if turned off.
- Assemble a small evacuation kit with essential documents, medications, a flashlight, a portable NOAA weather radio and batteries, water, snacks and warm clothes. Include a silver "space blanket" in your kit – it can be used to signal your location to air search teams. Keep your evacuation kit by the door so you can "grab & go".
- Walk your route – consider what you would do at night or in stormy weather.
- Make a reunification plan with your loved ones. Decide when and where you will meet if you are separated, and what out of state relative or friend you will call if it is not possible to meet at your pre-designated reunification spot.
- Discuss plans with family, coworkers and neighbors.
- Make plans for how to address any functional needs or disabilities you might have. If you need help evacuating, prearrange assistance from neighbors including transport of mobility devices and durable medical equipment. If you are mobility impaired, account for the extra time that you may need.
- Decide on the best strategy for protecting your pets.
- Prepare to be on your own for several days or longer.
- Consider joining your Community Emergency Response Team ([www.csc.ca.gov/cc/cert.asp](http://www.csc.ca.gov/cc/cert.asp))

If no maps or signs are available, go to an area 100 feet above sea level or two miles inland, away from the coast. If you cannot get this far, go as high as possible. Every foot inland or upwards can make a difference.