

City of Capitola Agenda

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



CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, AUGUST 14, 2014

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

CLOSED SESSION – 6:00 PM CITY MANAGER’S OFFICE

An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council on closed session items only. There will be a report of any final decisions in City Council Chambers during the City Council's Open Session Meeting.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Govt. Code §54956.(9A)]
Rae Ellen Leonard vs. the City of Capitola et al. [United States District, Case #C13-3714]

CONFERENCE WITH REAL PROPERTY NEGOTIATOR [Govt. Code § 54956.8]
Property: New Brighton Middle School Gymnasium (City of Capitola, Owner)
City Negotiator: City Manager
Negotiating Parties: City of Capitola; Soquel Union Elementary School District
Under Negotiation: Real Property Sale

CONFERENCE WITH LABOR NEGOTIATOR [Govt. Code §54957.6]
Negotiator: Jamie Goldstein, City Manager
Employee Organizations: (1) Capitola Police Captains; and (2) Department Head Group

LIABILITY CLAIMS [Govt. Code §54956.95]
Claimant: Anthony Lopez Ortiz
Agency claimed against: City of Capitola

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

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Stephanie Harlan, Dennis Norton, Ed Bottorff, Michael Termini, and Mayor Sam Storey

2. PRESENTATIONS

A. Presentation of a proclamation for September's Childhood Cancer Awareness Month.

B. Presentation regarding a donation received from Ozzi Dog Park Inc.

3. REPORT ON CLOSED SESSION

4. ADDITIONAL MATERIALS

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

5. ADDITIONS AND DELETIONS TO AGENDA

6. PUBLIC COMMENTS

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

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

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

8. CONSENT CALENDAR

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

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

A. Consider approving the July 24, 2014, Regular City Council Meeting Minutes, and the July 31, 2014, Special City Council Meeting Minutes.

RECOMMENDED ACTION:

Approve Minutes.

CAPITOLA CITY COUNCIL REGULAR MEETING - Thursday, August 14, 2014

- B. Receive Planning Commission Action Minutes for the Regular Meeting of August 7, 2014.
RECOMMENDED ACTION:
Receive Minutes.
- C. Approval of City Check Register Reports dated July 18, 2014; July 25, 2014; and August 1, 2014.
RECOMMENDED ACTION:
Approve the City Check Register Reports.
- D. Consider a Resolution amending the City's Bail Schedule to add new fines.
RECOMMENDED ACTION:
Adopt Resolution.
- E. Consider denying liability claim of Anthony Lopez Ortiz in the amount of \$200 and forward to the City's liability insurance carrier.
RECOMMENDED ACTION:
Deny Liability Claim.
- F. Receive the Third Quarter Sales Tax Report.
RECOMMENDED ACTION:
Receive Report.
- G. Consider an agreement with Carolyn Flynn for professional services related to Affordable Housing Programs, grant writing, and grant management.
RECOMMENDED ACTION:
Approve Agreement.

9. GENERAL GOVERNMENT / PUBLIC HEARINGS

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

- A. Presentation by Santa Cruz Regional 9-1-1 General Manager Dennis Kidd regarding the budget, cost allocation, and services.
RECOMMENDED ACTION:
Receive Presentation.
- B. Consider an agreement with Soquel Union Elementary School District related to the transfer of title to the New Brighton Middle School Gym, the City's recreation fees and the Jade Street Community Center.
RECOMMENDED ACTION:
 - 1. Approve a Resolution authorizing the reconveyance of real property and execution of Grant Deed, and authorizing the City Manager to execute an agreement with the Soquel Union Elementary School District (School District) to transfer title of the New Brighton Middle School Gymnasium (Gymnasium) to the School District and make a one-time payment of \$65,000 for Gymnasium property maintenance; and
 - 2. Accept and file a letter from the School District which clarifies the City may continue to use the Community Center at Jade Street (Community Center) until 2032.

CAPITOLA CITY COUNCIL REGULAR MEETING - Thursday, August 14, 2014

- C. Consider a Resolution establishing Department Heads' and Chief of Police's Compensation and Benefits Plan effective August 15, 2014.

RECOMMENDED ACTION:

Adopt Resolution.

- D. Consider a loan agreement and approve a budget amendment to fund the Successor Agency's share of the settlement regarding the Leonard litigation.

RECOMMENDED ACTION:

1. Approve a loan agreement with the City of Capitola for \$88,500; and
2. Approve a budget adjustment of \$147,500 to amend the Fiscal Year 14/15 Budget to fund the Successor Agency's share of the Settlement Agreement.

10. ADJOURNMENT

Adjourn to the next Regular Meeting of the City Council on Thursday, September 11, 2014, at 7:00 PM, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

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

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

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

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

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

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

City of Capitola Mayor's Proclamation

Honoring Jacob's Heart Children's Cancer Support Services and Declaration of Childhood Cancer Awareness Month

WHEREAS, each day 42 children in the United States are diagnosed with cancer and more than 40,000 children undergo treatment for cancer each year; and

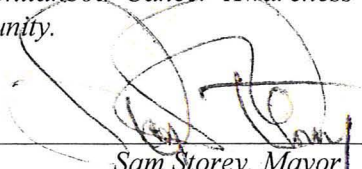
WHEREAS, according to the National Childhood Cancer Foundation, cancer remains the leading cause of death by disease among children - more than asthma, diabetes, cystic fibrosis, congenital anomalies, and AIDS combined; and

WHEREAS, families of children with cancer in The City of Capitola receive essential services from Jacob's Heart Children's Cancer Support Services, a local organization that has gained national awards and recognition for improving the quality of life for more than 500 local children with cancer and their families; and

WHEREAS, the oncology department at Lucile Packard Children's Hospital at Stanford has worked closely with Jacob's Heart for the past 16 years as a trusted community partner in providing family-centered care that addresses the emotional, practical and financial struggles of families of children with cancer in Capitola; and

WHEREAS, it is important for all Capitola residents to recognize the impact of pediatric cancer on families within our community and honor the lives of children in our community whose lives have been cut short by cancer; and

NOW, THEREFORE, I, Sam Storey, Mayor of Capitola, do hereby declare September as Childhood Cancer Awareness Month in the City of Capitola and do hereby honor Jacob's Heart Children's Cancer Support Services for 16 years of outstanding support to our community and acknowledge the organization's contributions to Childhood Cancer Awareness Month, honoring children with cancer in our community.



Sam Storey, Mayor

Signed and sealed this 14th day of August 2014



THIS PAGE INTENTIONALLY LEFT BLANK



CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 14, 2014

FROM: OFFICE OF THE CITY CLERK

SUBJECT: MINUTES OF THE JULY 24, 2014, REGULAR MEETING AND THE JULY
31, 2014, SPECIAL COUNCIL MEETING

RECOMMENDED ACTION: Approve the subject minutes as submitted.

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

ATTACHMENTS:

1. July 24, 2014, Regular Meeting Minutes
2. July 31, 2014, Special Meeting Minutes

Report Prepared By: Susan Sneddon, CMC
City Clerk

Reviewed and Forwarded
By City Manager: _____

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

THIS PAGE INTENTIONALLY LEFT BLANK

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, JULY 24, 2014**

**CLOSED SESSION – 6:00 PM
CITY MANAGER’S OFFICE**

Mayor Storey called the meeting to order at 6:00 PM. He announced the items to be discussed in Closed Session, as follows:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Govt. Code § 54956.8)

Property: 420 Capitola Avenue, Capitola, CA (City of Capitola, Owner)

City Negotiator: City Manager

Negotiating Parties: Moss Beach Associates, LLC

Under Negotiation: Real Property Sale

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Govt. Code
§54956.9**

One potential case: Monarch Cove Development Application/Environmental Impact Report

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

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Stephanie Harlan, Dennis Norton, Ed Bottorff, Michael Termini, and Mayor Sam Storey

2. REPORT ON CLOSED SESSION

City Attorney Barisone stated that City Council received a status report on real property negotiations with Moss Beach Associates, LLC, regarding property located at 420 Capitola Avenue, Capitola; the City Council authorized the City Manager to negotiate the possible property sale; there was no reportable action. Mr. Barisone reported that Mayor Storey recused himself from participating on the following closed session item because his residential property is within 500 feet of the subject property; he left the room. The City Council then received a status report regarding the following anticipated litigation: Monarch Cove Development Application/Environmental Impact Report; there was no reportable action.

3. ADDITIONAL MATERIALS

Mayor Storey stated that City Council received additional material from a construction industry representative regarding Item 8.A. (McGregor Park Project construction bids).

4. ADDITIONS AND DELETIONS TO AGENDA (none provided)

5. PUBLIC COMMENTS

Adam Samuels, Depot Hill resident, thanked the City Council for their support regarding the July 4th event at Depot Hill. In addition, he stated concerns regarding the conditional use permit related to the Monarch Cove Inn, and recommended that the City initiate a review of the conditional use permit.

Clara Brunner, Depot Hill resident, inquired as to the process for reporting issues related to the Monarch Cove Inn.

6. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Police Chief Escalante announced that the Santa Cruz to Capitola Wharf to Wharf Race will be held on Sunday, July 27, 2014.

Council Member Harlan announced that the Soquel Pioneer Annual Picnic will be held on Saturday, July 26, 2014.

Council Member Termini stated that next Begonia Festival Fundraiser will be held at Shadowbrook on Sunday, August 3, 2014.

Council Member Termini stated that due to the timing to place a local ballot measure on the November 2014 ballot he proposed a Special Council Meeting to be scheduled on Thursday, July 31, 2014, for Council to discuss adding a ballot measure regarding an increase in the Transient Occupancy Tax.

ACTION

Motion made by Council Member Termini, seconded by Council Member Norton, to approve the scheduling of a Special City Council meeting to be held at 5:30 p.m., Thursday, July 31, 2014. Items to be included are as follows: (1) Consideration of a Resolution calling for a General Municipal Election for the submission to the voters of a local ballot measure regarding an amendment to the City's Municipal Code pertaining to Visitor Services Fee (Transient Occupancy Tax), and requesting the Santa Cruz County Elections Department to consolidate a General Municipal Election on November 4, 2014. The motion carried unanimously.

7. CONSENT CALENDAR

Council Member Norton requested that **Item 7.C.** be pulled for discussion (Approval of City Check Register Reports).

Council Member Harlan requested that **Item 7.D.** be pulled for discussion (Approval of the Final Report to close out the Sustainable Communities Planning Grant for the sustainability component of the General Plan Update).

- A. Consider approving the June 26, 2014, and the July 10, 2014, Regular City Council Meeting Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of July 17, 2014. [740-50]
- C. Approval of City Check Register Reports dated June 20, 2014; June 27, 2014; July 3, 2014; and July 11, 2014. [300-10]
- D. Consider approving the Final Report to close out the Sustainable Communities Planning Grant (Proposition 84) for the sustainability component of the General Plan Update. [740-50]

CAPITOLA CITY COUNCIL ACTION SUMMARY – Thursday, July 24, 2014

ACTION Motion made by Council Member Termini, seconded by Council Member Harlan, to approve the following Consent Calendar items: 7.A. and 7.B. The motion was passed unanimously.

ACTION Motion made by Council Member Norton, seconded by Council Member Harlan, to approve Item. 7.C. regarding the City Check Register Reports dated June 20, 2014; June 27, 2014; July 3, 2014; and July 11, 2014. The motion was passed unanimously.

ACTION Motion made by Council Member Harlan, seconded by Council Member Termini, to approve Item. 7.D. regarding the Final Report to close out the Sustainable Communities Planning Grant (Proposition 84) for the sustainability component of the General Plan Update. The motion was passed unanimously.

8. GENERAL GOVERNMENT / PUBLIC HEARINGS

A. Receive report on the McGregor Park Project construction bids. [1040-20]

ACTION Motion made by Council Member Termini, seconded by Council Member Bottorff, to continue the discussion regarding the McGregor Park Project construction bids to the July 31, 2014, Special City Council meeting. The motion was passed unanimously.

B. Consider a Resolution pertaining to the November 4, 2014, General Municipal Election by selecting one of the following recommended actions: [560-10]

(1) Adopt a Resolution calling for a General Municipal Election, and requesting the Santa Cruz County Elections Department to consolidate a General Municipal Election on Tuesday, November 4, 2014.

OR

(2) Adopt a Resolution calling for a General Municipal Election for the submission to the voters of a local ballot measure to make the Office of the City Treasurer appointed, and requesting the Santa Cruz County Elections Department to consolidate a General Municipal Election on November 4, 2014.

City Treasurer McBroom, Finance Advisory Committee (FAC) Chair, stated that the FAC recommends that the City not move forward on a November 2014 local ballot measure regarding the Office of the City Treasurer being changed from elected to appointed. In addition, she stated that the FAC offered to participate in a larger role in recruiting and vetting future candidates for the City Treasurer position.

The following community members provided their support for the City Treasurer position to remain an elected position.

- Jacques Bertrand
- Kathy Howard
- Mary Jones

ACTION Motion made by Council Member Termini, seconded by Council Member Harlan, to not adopt a Resolution for the submission to the voters of a local ballot measure to make the Office of the City Treasurer appointed. The motion was passed unanimously.

(The City Council unanimously voted earlier in the meeting to schedule a Special City Council meeting on July 31, 2014, to consider a Resolution calling for a General Municipal Election including the submission to the voters of a local ballot measure regarding an amendment to the City's Municipal Code pertaining to Visitor Services Fee (Transient Occupancy Tax), and requesting the Santa Cruz County Elections Department to consolidate a General Municipal Election on Tuesday, November 4, 2014).

- C. Consider a request from Lifestyle Escapes for a Special Event Permit for the Surfers Path 10K/5K Run Walk Race in Capitola on Sunday, November 9, 2014. [1050-70]

Thomas Bradley, Surfers Path 10K/5K Race Director, reviewed the plans for the event and was available for comments.

ACTION **Motion made by Council Member Norton, seconded by Council Member Bottorff, to approve a request from Lifestyle Escapes for a Special Event Permit for the Surfers Path 10K/5K Run Walk Race in Capitola on Sunday, November 9, 2014. The motion was passed unanimously.**

ADJOURNMENT

Mayor Storey adjourned the meeting at 8:30 p.m. to the special meeting of the City Council to be held on Thursday, July 31, 2014, at 5:30 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Sam Storey, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

**CAPITOLA CITY COUNCIL
CITY COUNCIL SPECIAL MEETING MINUTES
THURSDAY, JULY 31, 2014**

SPECIAL MEETING OF THE CAPITOLA CITY COUNCIL – 5:30 PM

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Stephanie Harlan, Dennis Norton, Ed Bottorff, Michael Termini, and Mayor Sam Storey

2. ADDITIONAL MATERIALS

Mayor Storey stated that City Council received additional material regarding **Item No. 5.A.** (McGregor Park Project), and **Item No. 5.B.** (November 4, 2014, General Municipal Election).

3. PUBLIC COMMENTS

Police Chief Escalante provided a report regarding the Capitola beach temporary closure that occurred on Friday, July 25th.

Laurie Hill, Capitola Begonia Festival President, stated that on August 3rd there will be a Begonia Festival fundraiser at Shadowbrook Restaurant.

4. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Harlan stated that she attended the Soquel Pioneer Picnic on Saturday, July 26, 2014.

5. GENERAL GOVERNMENT / PUBLIC HEARINGS

A. Consider awarding a contract to Earthworks Paving of Capitola for the McGregor Park Project.

Liz Toshikian, Cliffwood Heights resident, stated that she supports the McGregor Park Project, and suggested that a safe pedestrian access be established.

Tory Del Favero, local resident, stated the need for drinking fountains at the proposed McGregor Park.

Maria Martorella, local resident, requested that Optional Bid Item A regarding the proposed skate park at McGregor Park be postponed until a permanent site is identified.

Tricia Proctor, local resident, stated that she is not in favor of a skate park at McGregor Park. She and others have been discussing an alternate permanent skate park in the City.

Terry Champion, Santa Cruz Boardroom owner, stated concerns regarding the skate park at the proposed McGregor Park.

ACTION **Motion made by Council Member Termini, seconded by Council Member Bottorff, to approve the following:**

- **Award contract to Earthworks Paving of Capitola with a bid in the amount of \$207,002, including Optional Bid Item A; and**
- **Direct the Public Works Director to issue a contract change order to remove Bid Items 6, 8, and 23 from the contract, reducing the contract price to \$183,013; and**

- Direct the Public Works Director to review the remaining contract elements and determine if further cost reductions can be made; and
- Approve a budget amendment in the amount of \$36,513 to cover the maximum anticipated contract costs; and
- Prior to construction of the skate park included as Optional Bid Item A, staff shall return with an update on the private funding for the skate park and a design plan for review and approval by the Council.

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

- B. Consider a Resolution pertaining to the November 4, 2014, General Municipal Election.

City Treasurer McBroom stated that additional Transient Occupancy Tax (TOT) funds would help cover costs of the many City hosted public events.

Ted Burke, Shadowbrook Restaurant owner, stated he opposes a TOT increase.

Dan Aspromonte, Best Western and Marriott Fairfield Inn, suggested holding off in raising the City's TOT at this time because the Santa Cruz County Tourism Marketing District (TMD) is up for renewal this year.

ACTION

Motion made by Council Member Termini, seconded by Council Member Bottorff, to adopt Resolution No. 3997 calling for a General Municipal Election for the submission to the voters of a local ballot measure regarding an amendment to the City's Municipal Code pertaining to Visitor Services Fee (Transient Occupancy Tax), and requesting the Santa Cruz County Elections Department to consolidate a General Municipal Election on November 4, 2014. The motion carried with the following vote: AYES: Council Members Norton, Termini, and Bottorff. NOES: Council Member Harlan and Mayor Storey. ABSENT: None. ABSTAIN: None.

ADJOURNMENT

Mayor Storey adjourned the meeting at 7:35 p.m. to the regular meeting of the City Council to be held on Thursday, August 14, 2014, at 7:00 PM, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Sam Storey, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk



**ACTION SUMMARY MINUTES
CAPITOLA PLANNING COMMISSION
THURSDAY, AUGUST 7, 2014
7 P.M. CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners: Ron Graves, Mick Routh, and TJ Welch and Chairperson Gayle Ortiz
Absent: Linda Smith

2. ORAL COMMUNICATIONS

- A. Additions and Deletions to Agenda
- B. Public Comments
- C. Commission Comments
- D. Staff Comments

3. APPROVAL OF MINUTES

- A. July 17, 2014, Draft Planning Commission Minutes

ACTION: Approved 4-0

4. CONSENT CALENDAR – No items

5. PUBLIC HEARINGS

- A. **127 Monterey Ave #14-056 APN: 035-244-03**

Conditional Use Permit and Design Permit for the remodel of a Historic Resource located in the CV (Central Village) zoning district. This project is located in the Coastal Zone but does not require a Coastal Development Permit. Environmental Determination: Categorical Exemption Property Owner: Craig French, applied: 04/22/14 Representative: Dennis Diego AIA (Architect)

ACTION: APPROVED 4-0

- B. **111 Central Ave #14-099 APN: 036-112-08**

Design Permit for a second story addition and Variance for the required parking at the existing Single Family Residence in the R-1 (Single-Family Residential) Zoning District. This project is in the Coastal Zone and requires a Coastal Development Permit, which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City. Environmental Determination: Categorical Exemption Property Owner: Anh Do Representative: Devlin Jones, filed 6/24/14

ACTION: CONTINUED TO THE SEPT. 4, 2014, MEETING

6. DIRECTOR'S REPORT

- A. Standard Conditions for Commercial Uses
- B. Community Development Department Work Plan

Item #: 8.B. Minutes.pdf

CAPITOLA PLANNING COMMISSION ACTION SUMMARY – Thursday, August 7, 2014

2

7. COMMISSION COMMUNICATIONS

8. ADJOURNMENT

Adjourned at 8:13 p.m. to the next Planning Commission meeting Thursday, Sept. 4, 2014, at 7 p.m., in the Capitola City Council Chambers, 420 Capitola Ave., Capitola, California.



CITY COUNCIL AGENDA REPORT MEETING OF AUGUST 14, 2014

FROM: FINANCE DEPARTMENT

SUBJECT: CITY CHECK REGISTER REPORT

RECOMMENDED ACTION: Approve the attached Check Register Reports for July 18, July 25, and August 1, 2014

DISCUSSION: Check Registers are attached for:

Date	Starting Check #	Ending Check #	Total Checks/EFT	Amount
7/18/14	77885	77954	71	\$488,842.52
7/25/14	77955	78043	92	\$234,725.08
8/1/14	78044	78088	47	\$227,411.80

The check register of July 11, 2014 ended with check #77884.

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
77894	City of Santa Cruz	PD	Lifeguard Services	\$25,500.00
77913	I Bank	FIN	Lease Pymt, Parking Lot	\$70,961.62
77924	New World Systems	FIN	Purch of Payroll Software	\$20,919.71
77937	SC Regional 911	PD	Q1 Operating & SCRMS	\$137,736.20
77945	Water Rock Construction	PW	Pac Cove Progress Pymt	\$121,349.00
EFT	CalPERS	CM	Pension Pymt, 6/27 Payroll	\$61,283.85
77987	Kimley-Horn & Assoc	CDD	Safe Routes to Schools Study	\$18,400.00
78004	SCC Auditor-Controller	PD	Jun Citation Surcharges	\$17,023.50
EFT	IRS	FIN	Fed Tax & MCare, 7/25 Payroll	\$28,622.07
EFT	CalPERS	CM	Pension Pymt, 7/11 Payroll	\$64,231.65
78052	Community Action Board	CDD	Jun Emerg Housing Assistance	\$12,681.69
78070	New World Systems	FIN	Purch of Payroll Software	\$18,700.00
78075	SCC Conf & Visitor Counc.	FIN	Q4 FY13/14 TMD	\$33,769.40
EFT	CalPERS	FIN	Health Ins, Aug2014	\$63,146.33
EFT	CalPERS	FIN	Pension Pymt, 7/25 Payroll	\$64,256.28

ATTACHMENTS:

1. Check Register for July 18, 2014
2. Check Register for July 25, 2014
3. Check Register for August 1, 2014

Report Prepared By: Linda Benko
Accounts Payable Clerk

Reviewed and Forwarded
by City Manager: 

THIS PAGE INTENTIONALLY LEFT BLANK

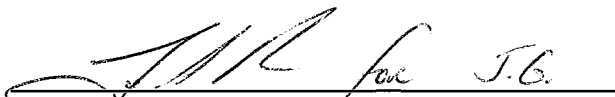
Checks dated 7/18/14 numbered 77885 to 77954 plus one EFT for a total of \$488,842.52 have been reviewed and authorized for distribution by the City Manager

As of 7/18/14 the unaudited cash balance is \$3,632,869

CASH POSITION - CITY OF CAPITOLA 7/18/14

	<u>Net Balance</u>
General Fund	\$ 1,277,958
Contingency Reserve Fund	\$ 1,621,346
Worker's Comp. Ins. Fund	\$ 218,003
Self Insurance Liability Fund	\$ 151,028
Stores Fund	\$ (498)
Information Technology Fund	\$ 141,663
Equipment Replacement	\$ 91,676
Compensated Absences Fund	\$ 131,694
TOTAL UNASSIGNED GENERAL FUNDS	\$ 3,632,869

The Emergency Reserve Fund Balance is \$784,105.54 (not included above).



 Jamie Goldstein, City Manager *(out of office)*

7/18/2014

 Date

 Christine McBroom, City Treasurer

 Date

City Check Register 7/18/14

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
77885	07/18/2014	Open			A TOOL SHED	\$120.00
	Invoice		Date	Description	Amount	
	981002-5		06/19/2014	Mower attachment	\$120.00	
77886	07/18/2014	Open			ACCESS COMPLIANCE SERVICES	\$150.00
	Invoice		Date	Description	Amount	
	2107		06/29/2014	Access Consultant Services	\$150.00	
77887	07/18/2014	Open			ALLSAFE LOCK COMPANY	\$56.00
	Invoice		Date	Description	Amount	
	46128		06/13/2014	Lock repair	\$56.00	
77888	07/18/2014	Open			ASTRO EVENTS OF SAN JOSE	\$427.50
	Invoice		Date	Description	Amount	
	J-550		07/11/2014	Astro jump for Camp	\$427.50	
77889	07/18/2014	Open			BAY PHOTO LAB	\$246.00
	Invoice		Date	Description	Amount	
	3924011		06/27/2014	Museum Display Expense	\$246.00	
77890	07/18/2014	Open			BEAR ELECTRICAL SOLUTIONS, INC	\$2,249.00
	Invoice		Date	Description	Amount	
	1505		06/30/2014	June 2014 Traffic Signal Maint-Routine	\$616.00	
	1504		06/30/2014	June 2014 Traffic Signal Maint-Call Outs	\$1,633.00	
				Fund 1310, Gas Tax		
77891	07/18/2014	Open			BIG CREEK LUMBER	\$191.20
	Invoice		Date	Description	Amount	
	226186		06/19/2014	Memorial plaque wood-Fund 1311, Wharf	\$78.38	
	226212		06/19/2014	Park Ave. fence	\$112.82	
77892	07/18/2014	Open			CALIFORNIA BUILDING OFFICIALS	\$555.00
	Invoice		Date	Description	Amount	
	Sep2014		06/27/2014	Training, VanSon	\$555.00	
77893	07/18/2014	Open			CALIFORNIA COAST UNIFORM COMI	\$833.47
	Invoice		Date	Description	Amount	
	2725		06/23/2014	Uniform Expense, Evans-PD	\$252.14	
	2715		06/19/2014	Uniform Expense, Damsen-PD	\$59.76	
	2640		06/03/2014	Uniform Expense, Valdez	\$521.57	
77894	07/18/2014	Open			CITY OF SANTA CRUZ	\$25,500.00
	Invoice		Date	Description	Amount	
	004921-023854		06/19/2014	Lifeguards	\$25,500.00	
77895	07/18/2014	Open			CLASSIFIED SOUND	\$1,800.00
	Invoice		Date	Description	Amount	
	140611-0702A		06/01/2014	Twilight Concert Sound Engineer	\$1,500.00	
	140611-0702B		07/11/2014	Twilight Concert Sound Engineer	\$300.00	

City Check Register 7/18/14

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
77896	07/18/2014	Open			COASTAL WATERSHED COUNCIL	\$5,792.78
	Invoice		Date	Description		Amount
	1287		06/30/2014	Stormwater Educational Services Jun2014		\$828.07
	1289		06/30/2014	CapPEAIP 6/1/14-6/30/14		\$925.00
	1288		06/30/2014	Urban Watch 6/1-6/30/14		\$4,039.71
77897	07/18/2014	Open			COMMUNITY TELEVISION OF SCC	\$600.00
	Invoice		Date	Description		Amount
	2083		07/02/2014	Broadcast June Council & Budget Meeting Fund 1320, PEG		\$600.00
77898	07/18/2014	Open			CRYSTAL SPRINGS WATER CO.	\$138.25
	Invoice		Date	Description		Amount
	Jun2014		06/30/2014	Drinking Water, June 2014		\$138.25
77899	07/18/2014	Open			D & G SANITATION	\$1,461.20
	Invoice		Date	Description		Amount
	213395		06/30/2014	Portable toilets Fund 1311, Wharf Fund		\$1,461.20
77900	07/18/2014	Open			DE LAGE LANDEN FINANCIAL SERVICES, INC.	\$335.61
	Invoice		Date	Description		Amount
	41752827		06/20/2014	Contract 25065541 Copier Lease Fund 2210, Stores		\$335.61
77901	07/18/2014	Open			DOUVILLE, DESIREE	\$295.00
	Invoice		Date	Description		Amount
	20140708		07/08/2014	Bag Ban Ordinance Revision Ad		\$295.00
77902	07/18/2014	Open			ELITE K-9 INC.	\$253.70
	Invoice		Date	Description		Amount
	79216		06/30/2014	Animal service supplies		\$253.70
77903	07/18/2014	Open			EWING IRRIGATION	\$44.58
	Invoice		Date	Description		Amount
	8308569		07/03/2014	Misc.		\$44.58
77904	07/18/2014	Open			FARWEST NURSERY	\$63.62
	Invoice		Date	Description		Amount
	720267		06/23/2014	Plants		\$63.62
77905	07/18/2014	Open			FERRASCI-HARP, AMY	\$900.00
	Invoice		Date	Description		Amount
	37		07/04/2014	June 2014 BIA Services Fund 1321, BIA		\$900.00
77906	07/18/2014	Open			FREITAS & FREITAS, INC.	\$1,980.00
	Invoice		Date	Description		Amount
	20140701		07/01/2014	June Professional Services, Monarch Cov		\$1,980.00
77907	07/18/2014	Open			GENE BREGMAN & ASSOCIATES	\$6,000.00
	Invoice		Date	Description		Amount
	2015-00000033		07/10/2014	Survey Development and Implementation		\$6,000.00

City Check Register 7/18/14

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
77908	07/18/2014	Open			GONZALEZ, ESMERALDA	\$606.57
	Invoice		Date	Description		Amount
	523024		07/10/2014	Reimb. Office supplies		\$219.46
	20140625		07/11/2014	Travel Reimb, Car Seat Technician Tng		\$58.36
	20140618		06/18/2014	Reimburse school books		\$328.75
77909	07/18/2014	Open			GONZALEZ, MARK	\$507.59
	Invoice		Date	Description		Amount
	20140712		07/11/2014	Reimb Travel Expenses, Leadership Inst.		\$507.59
77910	07/18/2014	Open			HANNA, CARIN	\$645.73
	Invoice		Date	Description		Amount
	20140705		07/05/2014	Reimb BIA Expenses Fund 1321, BIA		\$645.73
77911	07/18/2014	Open			HOME DEPOT CREDIT SERVICES	\$50.99
	Invoice		Date	Description		Amount
	6968-0000222034		06/24/2014	Park Ave handrail project		\$29.37
	0213686		07/14/2014	Pruning saw		\$21.62
77912	07/18/2014	Open			HOPE REHABILITATION SERVICES	\$1,925.00
	Invoice		Date	Description		Amount
	S151933		06/30/2014	Crew Services June 16-30, 2014		\$1,925.00
77913	07/18/2014	Open			I Bank	\$70,961.62
	Invoice		Date	Description		Amount
	61511		07/11/2014	IBank Fac Lease, Bch & Village Pkg Lot Fund 1421, Pac Cove		\$70,961.62
77914	07/18/2014	Open			INTERNAT'L ASSOC. OF ELECTRICAL INSPECTC	\$102.00
	Invoice		Date	Description		Amount
	7030310-2014		06/27/2014	Membership, Wheeler		\$102.00
77915	07/18/2014	Open			INTERSTATE BATTERIES	\$97.82
	Invoice		Date	Description		Amount
	50241902		06/23/2014	Auto Parts, PD 2004 Tahoe		\$97.82
77916	07/18/2014	Open			INTERWEST CONSULTING GROUP	\$1,238.48
	Invoice		Date	Description		Amount
	18094		06/27/2014	Plan Review, May 2014		\$1,238.48
77917	07/18/2014	Open			LABORMAX STAFFING	\$2,011.70
	Invoice		Date	Description		Amount
	26-36513		07/11/2014	Supplemental Labor, Public Works		\$2,011.70
77918	07/18/2014	Open			LLOYD'S TIRE SERVICE INC.	\$876.71
	Invoice		Date	Description		Amount
	266544		06/24/2014	Tires, PD Camry		\$876.71
77919	07/18/2014	Open			MBS BUSINESS SYSTEMS	\$664.35
	Invoice		Date	Description		Amount
	211036		06/19/2014	Photocopy Expense-Fund 2211, IT		\$664.35

City Check Register 7/18/14

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
77920	07/18/2014	Open			MID-COUNTY AUTO SUPPLY	\$1,599.56
	Invoice		Date	Description	Amount	
	386407		06/24/2014	Shop Tools: Drill Press	\$623.74	
	386405		06/24/2014	Shop Tool	\$16.26	
	385955		06/20/2014	Auto Parts, PD Motorcycle	\$23.82	
	385708		06/18/2014	Tool Box, PW 061	\$444.78	
	386215		06/23/2014	Auto Parts, PD 112	\$274.76	
	385665		06/18/2014	Booster Cable	\$45.95	
	385659		06/18/2014	Auto Parts, PD CSO-I	\$170.25	
77921	07/18/2014	Open			MILLER'S TRANSFER & STORAGE	\$246.60
	Invoice		Date	Description	Amount	
	85697		06/05/2014	Records Storage (Jun) & Handling (May)	\$246.60	
77922	07/18/2014	Open			MISSION LINEN SUPPLY	\$875.64
	Invoice		Date	Description	Amount	
	Jun2014		06/30/2014	June 2014 Mat, Mop, and PW Uniforms	\$875.64	
77923	07/18/2014	Voided	Incorrect Customer	07/18/2014	MONTEREY BAY AREA SELF INS.	\$0.00
	Invoice		Date	Description	Amount	
	3924011		06/27/2014	Prints, Museum	\$266.91	
77924	07/18/2014	Open			NEW WORLD SYSTEMS	\$20,919.71
	Invoice		Date	Description	Amount	
	35886		05/31/2014	Purchase of HR and Payroll Integrated So	\$2,219.71	
	36007		06/28/2014	Purchase of HR and Payroll Integrated So	\$18,700.00	
				Fund 2211, IT		
77925	07/18/2014	Open			O'Reilly Auto Parts	\$174.88
	Invoice		Date	Description	Amount	
	2763-433374		06/25/2014	Auto Parts, PD Black Impala	\$174.88	
77926	07/18/2014	Open			ORCHARD SUPPLY HARDWARE	\$25.50
	Invoice		Date	Description	Amount	
	6005-7896791		07/06/2014	Supplies	\$25.50	
77927	07/18/2014	Open			PALACE ART & OFFICE SUPPLIES	\$775.86
	Invoice		Date	Description	Amount	
	271317		07/07/2014	Office Supplies, City hall	\$116.19	
	21548		07/03/2014	Office Chair, Grindy	\$338.36	
	271896		07/10/2014	Office supplies-PD	\$258.60	
	271929		07/10/2014	Office supplies-PD	\$62.71	
				Fund 1000, Gen Fund=\$321.31		
				Fund 2210, Stores=\$454.55		
77928	07/18/2014	Open			PEARSON, DENICE	\$116.48
	Invoice		Date	Description	Amount	
	20140628		07/11/2014	Car Seat Technician Training, Travel Rein	\$116.48	
77929	07/18/2014	Open			PHOENIX GROUP INFORMATION SY:	\$2,593.94
	Invoice		Date	Description	Amount	
	052014070		06/02/2014	Citation Processing, May 2014	\$2,593.94	

City Check Register 7/18/14

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
77930	07/18/2014	Open			PITNEY BOWES INC.	\$208.99
	Invoice		Date	Description		Amount
	8538-Jun14		07/04/2014	Postage for postage meter-Rec		\$208.99
77931	07/18/2014	Open			PRAXAIR DISTRIBUTION INC.	\$114.02
	Invoice		Date	Description		Amount
	49670727		06/20/2014	Gases, Corp Yd		\$114.02
77932	07/18/2014	Open			ROYAL WHOLESALE ELECTRIC	\$22.29
	Invoice		Date	Description		Amount
	7719-582492		06/16/2014	Electrical supplies - Wetlands		\$22.29
77933	07/18/2014	Open			SAN LORENZO/ProBUILD COMPANY	\$242.70
	Invoice		Date	Description		Amount
	55-39256		06/13/2014	Master locks		\$242.70
77934	07/18/2014	Open			SCC HEALTH SERVICES	\$130.00
	Invoice		Date	Description		Amount
	20140626		06/26/2014	Dec 2013 -Jan 2014 Blood Alcohol Testin		\$130.00
77935	07/18/2014	Open			SANTA CRUZ FIRE EQUIPMENT CO.	\$226.74
	Invoice		Date	Description		Amount
	96720		06/18/2014	3 fire extinguishers for new evidence room		\$226.74
				Fund 1300, SLESF		
77936	07/18/2014	Open			SC OCCUPATIONAL MEDICAL CTR	\$184.00
	Invoice		Date	Description		Amount
	I-12202		06/30/2014	New Employee Physical		\$184.00
77937	07/18/2014	Open			SANTA CRUZ REGIONAL 911	\$137,736.20
	Invoice		Date	Description		Amount
	20140701		07/01/2014	SCCReg911-14/15-1st qtr. operating		\$128,339.40
	SCCReg911-14/15		07/01/2014	14/15 1st qtr SCRMS		\$9,396.80
77938	07/18/2014	Open			SANTA CRUZ SENTINEL	\$162.00
	Invoice		Date	Description		Amount
	0000783229		06/30/2014	Advertising, Rec		\$162.00
77939	07/18/2014	Open			SANTA CRUZ SENTINEL	\$313.95
	Invoice		Date	Description		Amount
	11300009371-15		07/02/2014	Annual Subscription, 7/14 thru 7/15		\$313.95
77940	07/18/2014	Open			SOQUEL NURSERY GROWERS, INC.	\$102.05
	Invoice		Date	Description		Amount
	321248		07/07/2014	Plants		\$102.05
77941	07/18/2014	Open			SPORT ABOUT	\$2,620.13
	Invoice		Date	Description		Amount
	6492		07/02/2014	Camp T-shirts		\$1,382.35
	6490		06/26/2014	Jr Guards Uniforms		\$1,237.78

City Check Register 7/18/14

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
77942	07/18/2014	Open			SUMMIT UNIFORM CORP	\$91.36
	Invoice		Date	Description		Amount
	14588		06/20/2014	Uniform Expense, VIP Rice		\$45.68
	14587		06/20/2014	Uniform Expense, VIP Howard		\$45.68
77943	07/18/2014	Open			SWANK MOTION PICTURES INC.	\$16.34
	Invoice		Date	Description		Amount
	RG1927871		05/13/2014	Movies at the Beach Movie		\$8.17
	RG1927872		05/13/2014	Movies at the Beach Movie		\$8.17
77944	07/18/2014	Open			TRI-COUNTY BUSINESS SYSTEMS	\$1,234.03
	Invoice		Date	Description		Amount
	CNIN056081		07/01/2014	Copier Expense Fund 2210, Stores		\$1,234.03
77945	07/18/2014	Open			WATER ROCK CONSTRUCTION COR	\$121,349.00
	Invoice		Date	Description		Amount
	#7v1		07/02/2014	Progress Payment #7v1 Fund 1421, Pac Cove		\$121,349.00
77946	07/18/2014	Open			WATSONVILLE BLUEPRINT	\$27.67
	Invoice		Date	Description		Amount
	47148		07/11/2014	city hall plans		\$27.67
77947	07/18/2014	Open			WELLS FARGO BANK	\$3,185.59
	Invoice		Date	Description		Amount
	Jul2014		07/02/2014	City Credit Card Charges, Jun-Jul2014 Fund 1000, Gen Fund=\$1972.08 Fund 1300, SLESF=\$133.72 Fund 2210, Stores=\$139.35 Fund 2211, IT=\$940.44		\$3,185.59
77948	07/18/2014	Open			WELLS FARGO BANK	\$1,500.00
	Invoice		Date	Description		Amount
	1093606		07/03/2014	Pension Obligation Bond Fee Fund 1410, POB		\$1,500.00
77949	07/18/2014	Open			WESTERN EXTERMINATOR CO	\$100.00
	Invoice		Date	Description		Amount
	2363850		06/30/2014	City Hall		\$50.00
	2331317		06/30/2014	Turnouts		\$50.00
77950	07/18/2014	Open			WHITLOW CONCRETE, INC.	\$250.00
	Invoice		Date	Description		Amount
	6026		06/13/2014	Walk in front of Britannia Arms-Monterey A Fund 1310, Gas Tax		\$250.00
77951	07/18/2014	Open			Baker, Shelli	\$96.00
	Invoice		Date	Description		Amount
	12137068		07/14/2014	Refund cite 12137068		\$96.00
77952	07/18/2014	Open			Hernandez, Tracie	\$130.21
	Invoice		Date	Description		Amount
	2015-00000035		07/14/2014	New evidence room Fund 1300, SLESF		\$130.21

City Check Register 7/18/14

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
77953	07/18/2014	Open			Lacrosse, Kier or Sharon	\$39.00
	Invoice		Date	Description		Amount
	12137892		07/15/2014	Refund cite 12137892		\$39.00
77954	07/18/2014	Open			AFLAC	\$466.76
	Invoice		Date	Description		Amount
	511914		06/25/2014	Suppl Health Ins, Employee Funded		\$466.76
Type Check Totals:						\$427,558.67
CITY - Main City Totals						

Checks	Count	Transaction Amount	Reconciled Amount
Open	69	\$427,558.67	\$0.00
Reconciled	0	\$0.00	\$0.00
Voided	1	\$266.91	\$0.00
Stopped	0	\$0.00	\$0.00
Total	70	\$427,825.58	\$0.00

WELLS FARGO - Payroll Acct

EFT

539	07/16/2014	Open			CalPERS Member Services Division	\$61,283.85
	Invoice		Date	Description		Amount
	2015-00000039		07/16/2014	Retirement Acct Payment, 6/27/14 Payroll		\$61,283.85

Type EFT Totals: \$61,283.85

EFTs	Count	Transaction Amount
Open	1	\$61,283.85
Reconciled	0	\$0.00
Voided	0	\$0.00
Stopped	0	\$0.00
Total	1	\$61,283.85

GRAND TOTALS

All	Count	Transaction Amount
Open	70	\$488,842.52
Reconciled	0	\$0.00
Voided	1	\$266.91
Stopped	0	\$0.00
Total	71	\$489,109.43

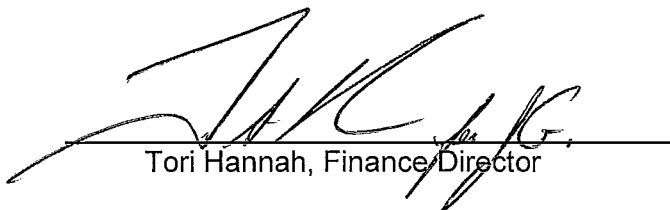
Checks dated 7/25/14 numbered 77955 to 78043 and three EFT's for a total of \$234,725.08 have been reviewed and authorized for distribution by the Finance Director.

As of 7/25/14 the unaudited cash balance is \$3,331,341

CASH POSITION - CITY OF CAPITOLA 7/25/14

	<u>Net Balance</u>
General Fund	\$ 1,002,981
Contingency Reserve Fund	\$ 1,621,346
Worker's Comp. Ins. Fund	\$ 218,003
Self Insurance Liability Fund	\$ 151,028
Stores Fund	\$ (2,857)
Information Technology Fund	\$ 117,471
Equipment Replacement	\$ 91,676
Compensated Absences Fund	\$ 131,694
TOTAL UNASSIGNED GENERAL FUNDS	<u>\$ 3,331,341</u>

The Emergency Reserve Fund Balance is \$784,105.54 (not included above).



 Tori Hannah, Finance Director

7/25/2014

 Date

 Christine McBroom, City Treasurer

 Date

Payments Issued 7/25/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
77955	07/25/2014	Open			ABSOLUTE AUTO GLASS INC.	\$198.00
	Invoice		Date	Description		Amount
	1045652		07/10/2014	Remove & Install Black Glass, PW 002		\$198.00
77956	07/25/2014	Open			AERO-ENVIRONMENTAL CONSULTING	\$1,130.00
	Invoice		Date	Description		Amount
	2898		07/18/2014	Hazardous Material Survey		\$1,130.00
				Fund 1025, Facilities Res Fund		
77957	07/25/2014	Voided	Incorrect Amount	07/25/2014	ALLEY, DONALD	\$0.00
	Invoice		Date	Description		Amount
	714-02		07/21/2014	Fish and Wildlife Monitoring of Soquel Cre		\$9,700.65
77958	07/25/2014	Open			ANIMAL CARE EQUIPMENT & SERVICE	\$159.22
	Invoice		Date	Description		Amount
	27967		07/15/2014	Animal control equipment		\$159.22
77959	07/25/2014	Open			APTOS LANDSCAPE SUPPLY, INC.	\$49.78
	Invoice		Date	Description		Amount
	378223		07/10/2014	Top soil		\$49.78
77960	07/25/2014	Open			AT&T	\$8.78
	Invoice		Date	Description		Amount
	674-Jul2014		07/01/2014	Jul 2014 Long Distance		\$4.31
	624-Jul2014		07/01/2014	Jul 2014 Long Distance		\$4.47
77961	07/25/2014	Open			BAY PHOTO LAB	\$59.93
	Invoice		Date	Description		Amount
	3927468		06/30/2014	Large Print, Museum		\$31.47
	3934071		07/03/2014	Museum Expense		\$8.16
	3924011-Adj		07/01/2014	Adj Inv to include sales tax		\$20.30
77962	07/25/2014	Open			BEYERS, FRED C	\$264.00
	Invoice		Date	Description		Amount
	2015-00000078		07/22/2014	Softball Umpire July 7 to July 18 2014		\$264.00
77963	07/25/2014	Open			BOWMAN & WILLIAMS, INC.	\$6,808.25
	Invoice		Date	Description		Amount
	8474		06/30/2014	Capitola Mall Transit Center 6/1-6/30/14		\$4,841.25
	8465		06/30/2014	Professional Services 6/1-6/30/14		\$1,967.00
				Fund 1000, Gen Fund=\$4841.25		
				Fund 1421, Pac Cove=\$1967.00		
77964	07/25/2014	Open			BRINKS AWARDS & SIGNS	\$591.58
	Invoice		Date	Description		Amount
	70653		07/21/2014	Jr. Guards awards		\$591.58
77965	07/25/2014	Open			CA DEPARTMENT OF TRANS.	\$4,929.66
	Invoice		Date	Description		Amount
	SL141064		07/15/2014	Signals & Lighting April 2014 through June		\$4,929.66
				Fund 1310, Gas Tax		
77966	07/25/2014	Open			CALE AMERICA INC.	\$20.41
	Invoice		Date	Description		Amount
	133160		07/15/2014	Parts		\$20.41

Payments Issued 7/25/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
77967	07/25/2014	Open			CALIFORNIA COAST UNIFORM CO	\$378.17
	Invoice		Date	Description		Amount
	2750		06/26/2014	Uniform Expense, Moreno-PD		\$70.63
	2743		06/25/2014	Uniform Expense, Zamora-PD		\$57.58
	2765		07/01/2014	Uniform Expense, Blankenship-PD		\$179.33
	2756		06/27/2014	VIP Howard		\$70.63
77968	07/25/2014	Open			CAPITOLA PEACE OFFICERS ASSOC.	\$1,657.75
	Invoice		Date	Description		Amount
	POA7-25-14		07/22/2014	POA Dues-Employee Funded		\$1,657.75
77969	07/25/2014	Open			Charter Communications	\$2,204.29
	Invoice		Date	Description		Amount
	Jul2014		07/21/2014	Internet Access		\$2,204.29
				Fund 1000, Gen Fund=\$984.42		
				Fund 2211, IT=\$1219.87		
77970	07/25/2014	Open			CLEAN SOURCE	\$1,913.37
	Invoice		Date	Description		Amount
	1488255		07/01/2014	Cleaning supplies		\$1,913.37
77971	07/25/2014	Open			COMMUNITY PRINTERS	\$1,302.80
	Invoice		Date	Description		Amount
	10655011		06/30/2014	Summer Newsletter		\$1,302.80
77972	07/25/2014	Open			COVELLO & COVELLO PHOTO	\$2,474.06
	Invoice		Date	Description		Amount
	6061		07/09/2014	Photos purchased for separate fee-Rec		\$2,474.06
77973	07/25/2014	Open			DIXON AND SON, INC	\$1,633.18
	Invoice		Date	Description		Amount
	187056		07/02/2014	Tires, PW F-150		\$749.32
	187077		07/03/2014	Tires, PW F-250		\$883.86
77974	07/25/2014	Open			EWING IRRIGATION	\$193.56
	Invoice		Date	Description		Amount
	8300950		07/02/2014	Jute netting - B&V II		\$193.56
77975	07/25/2014	Open			FEDERAL EXPRESS	\$33.92
	Invoice		Date	Description		Amount
	2-720-66611		07/18/2014	Shipping Charges		\$33.92
77976	07/25/2014	Open			FELLOWS, LESLIE	\$505.00
	Invoice		Date	Description		Amount
	20140721		07/21/2014	Art at the Beach Coordinator		\$505.00
77977	07/25/2014	Voided	Incorrect Amount	07/25/2014	FIRST CALL	\$0.00
	Invoice		Date	Description		Amount
	2763-436939		07/09/2014	Sweeper Parts		\$3,206.00

Payments Issued 7/25/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
77978	07/25/2014	Open			FLYERS ENERGY, LLC	\$5,445.52
	Invoice		Date	Description		Amount
	14-984875		07/07/2014	120 Gal Diesel		\$476.90
	14-984874		07/07/2014	470 Gal Ethanol		\$1,961.92
	14-986914		07/11/2014	505 Gal Ethanol		\$1,988.39
	14-986915		07/10/2014	100 Gal Diesel		\$386.42
	14-984944		07/07/2014	55 Gal Motor Oil		\$631.89
77979	07/25/2014	Open			FLYNN, CAROLYN	\$4,700.00
	Invoice		Date	Description		Amount
	CBF-6-2014		06/30/2014	June 2014 CDD Services		\$4,700.00
				Fund 1000, Gen Fund=\$400		
				Fund 1372, Housing Trust=\$4300		
77980	07/25/2014	Open			HOPE REHABILITATION SERVICES	\$1,750.00
	Invoice		Date	Description		Amount
	S152081		07/15/2014	Crew Services July 1- 3, 7-11, 14-15, 2014		\$1,750.00
77981	07/25/2014	Open			HOSE SHOP	\$94.00
	Invoice		Date	Description		Amount
	368982		07/07/2014	Parts, Old Sweeper		\$94.00
77982	07/25/2014	Open			IAPMO/INTER ASSOC OF PLUMBING & MECH	\$150.00
	Invoice		Date	Description		Amount
	201408-1500079		07/14/2014	Annual Membership, Wheeler		\$150.00
77983	07/25/2014	Open			ICMA RETIREMENT TRUST 457	\$4,349.16
	Invoice		Date	Description		Amount
	ICMA7-25-14		07/22/2014	Retirement Contr, Employee Funded		\$4,349.16
77984	07/25/2014	Voided	Payment made previ 07/25/2014		INTERNAT'L ASSOC. OF PLUMBING &	\$0.00
	Invoice		Date	Description		Amount
	201408-1500079		06/17/2014	Membership Renewal, Wheeler		\$150.00
77985	07/25/2014	Voided	Payment made previ 07/25/2014		INTERNATIONAL CODE COUNCIL	\$0.00
	Invoice		Date	Description		Amount
	FY14-15		07/01/2014	Membership Dues, Wheeler		\$30.00
	ICCPen-FY14-15		05/28/2014	Membership Dues, Wheeler		\$45.00
77986	07/25/2014	Open			JOE'S UPHOLSTERY	\$460.31
	Invoice		Date	Description		Amount
	655195		07/14/2014	Repair Seat, PW002		\$460.31
77987	07/25/2014	Open			KIMLEY-HORN AND ASSOCIATES, INC	\$18,400.00
	Invoice		Date	Description		Amount
	5641235		03/31/2014	Safe Routes to Schools Study		\$3,950.00
	5735307		04/30/2014	Safe Routes to Schools Study		\$4,150.00
	5811546		05/31/2014	Safe Routes to Schools Study		\$10,300.00
77988	07/25/2014	Open			LABORMAX STAFFING	\$5,655.72
	Invoice		Date	Description		Amount
	26-36792		07/18/2014	PW Contract Labor, Jul 5-18, 2014		\$3,770.48
	26-35398		06/13/2014	PW Contract Labor, 6/7 to 6/13/14		\$1,885.24

Payments Issued 7/25/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
77989	07/25/2014	Open			LARSON, CYNTHIA	\$1,000.00
	Invoice		Date	Description		Amount
	20140806		07/01/2014	Twilight Concerts Band, 8/6/14		\$1,000.00
77990	07/25/2014	Open			LLOYD'S TIRE SERVICE INC.	\$385.28
	Invoice		Date	Description		Amount
	266682		06/26/2014	Auto Parts, PD 2006 Impala		\$385.28
77991	07/25/2014	Open			LOOMIS	\$812.90
	Invoice		Date	Description		Amount
	11451532		06/30/2014	Loomis		\$812.90
77992	07/25/2014	Open			McMENAMIN, GEORGE	\$2,375.00
	Invoice		Date	Description		Amount
	Riparian 25		06/30/2014	Riparian Restoration services 6/13-6/30/14		\$2,375.00
77993	07/25/2014	Open			MID-COUNTY AUTO SUPPLY	\$696.83
	Invoice		Date	Description		Amount
	386812		06/27/2014	Auto Parts, PW F-250		\$415.47
	386691		06/26/2014	Auto Parts Shop Truck		\$93.57
	386649		06/26/2014	Water Jug for shop		\$24.96
	387085		06/30/2014	Auto Parts, Shop Equipment		\$21.02
	387187		07/01/2014	Auto Parts, DUI Trailer, PD		\$19.95
	387183		07/01/2014	Parts, Street Sweeper		\$102.58
	387241		07/01/2014	Parts, Street Sweeper		\$15.80
	387197		07/01/2014	Parts, Street Sweeper		\$3.48
77994	07/25/2014	Open			MUNISERVICES, LLC	\$1,789.04
	Invoice		Date	Description		Amount
	34275		07/11/2014	Q1 2104 Sales Tax Reporting		\$1,186.00
	34335		07/11/2014	Q1 Sales & Use Tax		\$603.04
77995	07/25/2014	Open			O'Reilly Auto Parts	\$57.55
	Invoice		Date	Description		Amount
	2763-135350		07/03/2014	Filter, Sweeper		\$57.55
77996	07/25/2014	Open			ORCHARD SUPPLY HARDWARE	\$82.05
	Invoice		Date	Description		Amount
	6007-1590893		07/04/2014	Graffiti		\$21.59
	6011-1594270		07/07/2014	Broom		\$19.02
	6010-4765351		07/07/2014	graffiti		\$14.32
	6007-3521581		07/07/2014	Misc.		\$3.21
	6009-1358255		07/10/2014	Fertilizer		\$23.91
77997	07/25/2014	Open			PACIFIC MONARCH	\$225.00
	Invoice		Date	Description		Amount
	43568x		07/21/2014	Regionals lodging for bus drivers		\$225.00
77998	07/25/2014	Open			PALACE ART & OFFICE SUPPLIES	\$195.63
	Invoice		Date	Description		Amount
	271542		07/08/2014	Office Supplies, City hall		\$183.67
	271319		07/08/2014	Nameplate, Fin Director Fund 2210, Stores		\$11.96

Payments Issued 7/25/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
77999	07/25/2014	Open			PAPE MACHINERY	\$3,528.19
	Invoice		Date	Description		Amount
	9042962		07/09/2014	Parts, John Deere Loader		\$2,693.16
	9042973		07/02/2014	Parts, John Deere Loader		\$684.12
	9042985		07/06/2014	Parts, John Deere Loader		\$30.41
	9042699		07/02/2014	Parts, John Deere Loader		\$120.50
78000	07/25/2014	Open			PFX PET SUPPLY, LLC	\$398.40
	Invoice		Date	Description		Amount
	CD12565965		07/14/2014	Dog food		\$398.40
78001	07/25/2014	Open			REED, DANIEL H.	\$99.00
	Invoice		Date	Description		Amount
	2015-00000080		07/22/2014	Softball Umpire July 7 to July 18 2014		\$99.00
78002	07/25/2014	Open			ROGERS, ANDERSON, MALODY & SCOTT, LLP	\$6,000.00
	Invoice		Date	Description		Amount
	42250		06/30/2014	FY13/14 Audit Progress Billing		\$6,000.00
78003	07/25/2014	Open			SAN LORENZO/ProBUILD COMPANY	\$155.73
	Invoice		Date	Description		Amount
	55-48556		07/07/2014	Round posts - Grand Ave. bollards		\$45.44
	55-51249		07/21/2014	Field line marking paint		\$110.29
78004	07/25/2014	Open			SCC AUDITOR-CONTROLLER	\$17,023.50
	Invoice		Date	Description		Amount
	Jun2014		07/21/2014	Jun2014 Citation Surcharges		\$17,023.50
78005	07/25/2014	Open			SANTA CRUZ COUNTY SHERIFF	\$5,975.00
	Invoice		Date	Description		Amount
	SANE-FY14-15		07/01/2014	FY14/15 Sexual Assault Nurse Examiner		\$5,975.00
78006	07/25/2014	Open			SANTA CRUZ COUNTY SHERIFF	\$5,868.18
	Invoice		Date	Description		Amount
	June 2014		07/01/2014	June 2014 Jail access fees		\$5,868.18
78007	07/25/2014	Open			SANTA CRUZ SENTINEL	\$1,244.51
	Invoice		Date	Description		Amount
	2040516-Jun14		06/30/2014	June 2014 Legal Notices		\$1,244.51
				Fund 1000, Gen Fund=\$409.48		
				Fund 1200, CIP=\$238.58		
				Fund 1321, BIA=\$596.45		
78008	07/25/2014	Open			SOQUEL CREEK WATER DISTRICT	\$6,818.28
	Invoice		Date	Description		Amount
	2015-00000065		07/14/2014	Semi-Monthly Water Usage, Irrigation		\$6,818.28
				Fund 1000, Gen Fund=\$6167.48		
				Fund 1311, Wharf Fund=\$650.80		
78009	07/25/2014	Open			STAPLES	\$363.20
	Invoice		Date	Description		Amount
	10988		07/10/2014	IT Supplies		\$355.16
	Jun2014		07/04/2014	IT Supplies		\$8.04
				Fund 2211, IT		

Payments Issued 7/25/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
78010	07/25/2014	Open			STATE DISBURSEMENT UNIT	\$1,080.46
	Invoice		Date	Description	Amount	
	2015-00000077		07/22/2014	GARNISHMENT - Garnishment	\$1,080.46	
78011	07/25/2014	Open			TASHNICK, BILL	\$99.00
	Invoice		Date	Description	Amount	
	2015-00000079		07/22/2014	Softball Umpire July 7 to July 18 2014	\$99.00	
78012	07/25/2014	Open			UNITED WAY OF SCC	\$50.00
	Invoice		Date	Description	Amount	
	2015-00000075		07/22/2014	UNITED WAY - United Way Contribution*	\$50.00	
78013	07/25/2014	Open			UPEC LIUNA LOCAL 792	\$1,162.00
	Invoice		Date	Description	Amount	
	UPEC7-25-14		07/22/2014	UPEC Dues, Employee Funded	\$1,162.00	
78014	07/25/2014	Open			US BANCORP EQUIPMENT FINANCE	\$340.33
	Invoice		Date	Description	Amount	
	257128405		07/04/2014	Contract 500-0332346-000, C452 Copier	\$259.85	
	257685727		07/14/2014	Contract 500-0306481-000, IR2525	\$80.48	
				Fund 1000, GenFund=\$259.85		
				Fund 2211, IT=\$80.48		
78015	07/25/2014	Open			US Bank Institutional Trust-Western Reg	\$3,032.21
	Invoice		Date	Description	Amount	
	PARS-7-25-14		07/22/2014	Retirement Contr, Employee Funded	\$3,032.21	
78016	07/25/2014	Open			Anderson, Megan	\$208.00
	Invoice		Date	Description	Amount	
	2015-00000045		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14	\$208.00	
78017	07/25/2014	Open			Bennett, Jason	\$96.00
	Invoice		Date	Description	Amount	
	2015-00000046		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14	\$96.00	
78018	07/25/2014	Open			Biddick, Samuel	\$112.00
	Invoice		Date	Description	Amount	
	2015-00000047		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14	\$112.00	
78019	07/25/2014	Open			Bien, George	\$136.00
	Invoice		Date	Description	Amount	
	2015-00000048		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14	\$136.00	
78020	07/25/2014	Open			Bochat, Brandon	\$120.00
	Invoice		Date	Description	Amount	
	2015-00000049		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14	\$120.00	
78021	07/25/2014	Open			Cabrales, Cynthia	\$112.00
	Invoice		Date	Description	Amount	
	2015-00000050		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14	\$112.00	

Payments Issued 7/25/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
78022	07/25/2014	Open			Carson, Lindsay	\$104.00
	Invoice		Date	Description		Amount
	2015-00000051		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14		\$104.00
78023	07/25/2014	Open			Clark, Joel	\$208.00
	Invoice		Date	Description		Amount
	2015-00000052		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14		\$208.00
78024	07/25/2014	Open			Cornwell, Shae	\$136.00
	Invoice		Date	Description		Amount
	2015-00000053		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14		\$136.00
78025	07/25/2014	Open			Gayton, Allison	\$112.00
	Invoice		Date	Description		Amount
	2015-00000054		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14		\$112.00
78026	07/25/2014	Open			Gresham, Sandra	\$1,500.00
	Invoice		Date	Description		Amount
	2015-00000068		07/21/2014	Refund deposit for bandstand		\$1,500.00
78027	07/25/2014	Open			Helms, Dylan	\$232.00
	Invoice		Date	Description		Amount
	2015-00000055		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14		\$232.00
78028	07/25/2014	Open			Homer, Daniel	\$32.00
	Invoice		Date	Description		Amount
	2015-00000056		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14		\$32.00
78029	07/25/2014	Open			Horton, Madeline	\$152.00
	Invoice		Date	Description		Amount
	2015-00000057		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14		\$152.00
78030	07/25/2014	Open			Jagat, Taylor	\$160.00
	Invoice		Date	Description		Amount
	2015-00000058		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14		\$160.00
78031	07/25/2014	Open			Kisling, Niels	\$223.91
	Invoice		Date	Description		Amount
	664741422		07/19/2014	Reimb Museum Items Purchased		\$223.91
78032	07/25/2014	Open			Larson, Hans	\$144.00
	Invoice		Date	Description		Amount
	2015-00000059		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14		\$144.00
78033	07/25/2014	Open			Pedrotti, Nathan	\$8.00
	Invoice		Date	Description		Amount
	2015-00000060		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14		\$8.00
78034	07/25/2014	Open			Philipp, Shiho	\$182.00
	Invoice		Date	Description		Amount
	2015-00000063		07/21/2014	JG Refund		\$182.00

Payments Issued 7/25/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
78035	07/25/2014	Open			Reilly, Shane	\$8.00
	Invoice		Date	Description		Amount
	2015-00000061		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14		\$8.00
78036	07/25/2014	Open			Sheraton San Diego Hotel & Marina	\$283.68
	Invoice		Date	Description		Amount
	611070095		07/17/2014	SLI Gonzalez POST		\$283.68
78037	07/25/2014	Open			Spencer, Brian	\$36.00
	Invoice		Date	Description		Amount
	14141498		07/09/2014	Refund cite 14141498		\$36.00
78038	07/25/2014	Open			Suarez, Jorge	\$122.00
	Invoice		Date	Description		Amount
	2015-00000064		07/21/2014	JG Refund		\$122.00
78039	07/25/2014	Open			Wilson, Gary	\$55.00
	Invoice		Date	Description		Amount
	791		07/21/2014	Refund Art/Beach Booth rental fee		\$55.00
78040	07/25/2014	Open			Wilson, Natalie	\$152.00
	Invoice		Date	Description		Amount
	2015-00000062		07/21/2014	Jr. Leader payments S2, 6/30-7/18/14		\$152.00
78041	07/25/2014	Open			Woodward, Connie, Lee	\$10.00
	Invoice		Date	Description		Amount
	14139630		07/16/2014	Refund cite 14139630		\$10.00
78042	07/25/2014	Open			INTERNATIONAL CODE COUNCIL	\$45.00
	Invoice		Date	Description		Amount
	ICCPen-FY14-15		05/28/2014	Membership Dues, Wheeler		\$45.00
78043	07/25/2014	Open			ALLEY, DONALD	\$1,602.30
	Invoice		Date	Description		Amount
	714-02z		07/24/2014	Fish and Wildlife Monitoring of Soquel Cre		\$1,602.30
Type Check Totals:						\$147,801.23
<u>EFT</u>						
5	07/24/2014	Open			EMPLOYMENT DEVELOPMENT DEPT	\$7,201.78
	Invoice		Date	Description		Amount
	2015-00000083		07/24/2014	State withholding, 7/25/14 Pay Date		\$7,201.78
6	07/24/2014	Open			INTERNAL REVENUE SERVICE	\$28,622.07
	Invoice		Date	Description		Amount
	2015-00000084		07/24/2014	Fed Tax and Medicare, 7/25/14 Pay Date		\$28,622.07
7	07/24/2014	Open			CalPERS Member Services Division	\$64,231.65
	Invoice		Date	Description		Amount
	2015-00000085		07/11/2014	PERS Pymt for 7/11/15 Pay Date		\$64,231.65
Type EFT Totals:						\$100,055.50
CITY - Main City Totals						

Payments Issued 7/25/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
--------------	----------------	--------	--------------	-------------	------------	--------------------

Checks	Count	Transaction Amount
Open	85	\$134,669.58
Reconciled	0	\$0.00
Voided	4	\$13,131.65
Stopped	0	\$0.00
Total	89	\$147,801.23

EFTs	Count	Transaction Amount
Open	3	\$100,055.50
Reconciled	0	\$0.00
Stopped	0	\$0.00
Total	3	\$100,055.50

All	Count	Transaction Amount
Open	88	\$234,725.08
Reconciled	0	\$0.00
Voided	4	\$13,131.65
Stopped	0	\$0.00
Total	92	\$247,856.73

Checks dated 8/1/14 numbered 78044 to 78088 plus two EFT's for a total of \$227,411.80 have been reviewed and authorized for distribution by the City Manager

As of 8/1/14 the unaudited cash balance is \$3,332,451

CASH POSITION - CITY OF CAPITOLA 8/1/14

	<u>Net Balance</u>
General Fund	\$ 1,002,042
Contingency Reserve Fund	\$ 1,621,346
Worker's Comp. Ins. Fund	\$ 218,003
Self Insurance Liability Fund	\$ 151,028
Stores Fund	\$ (2,985)
Information Technology Fund	\$ 119,647
Equipment Replacement	\$ 91,676
Compensated Absences Fund	\$ 131,694
TOTAL UNASSIGNED GENERAL FUNDS	<u>\$ 3,332,451</u>

The Emergency Reserve Fund Balance is \$784,105.54 (not included above).



 Jamie Goldstein, City Manager

8/1/2014

 Date

 Christine McBroom, City Treasurer

 Date

City Payments Issued 8/1/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
78044	08/01/2014	Open			A SIGN ASAP	\$212.06
	Invoice		Date	Description		Amount
	140523		07/09/2014	Signs		\$212.06
78045	08/01/2014	Open			APTOS LANDSCAPE SUPPLY, INC.	\$84.44
	Invoice		Date	Description		Amount
	378992		07/21/2014	Top soil		\$42.22
	379393		07/28/2014	Top soil		\$42.22
78046	08/01/2014	Open			B & B SMALL ENGINE REPAIR	\$161.76
	Invoice		Date	Description		Amount
	309627		07/09/2014	Lanyard & line		\$35.62
	309736		07/10/2014	Pruning tools		\$126.14
78047	08/01/2014	Open			BEYERS, FRED	\$165.00
	Invoice		Date	Description		Amount
	2015-0000092		07/31/2014	Softball Umpire June17 to July 2 2014		\$165.00
78048	08/01/2014	Open			CALI BEE MUSIC INC.	\$1,000.00
	Invoice		Date	Description		Amount
	20140813		07/11/2014	Twilight Concerts Band 8/13/14		\$1,000.00
78049	08/01/2014	Open			CALIFORNIA COAST UNIFORM CO	\$43.45
	Invoice		Date	Description		Amount
	2780		07/03/2014	Equipment Purchase, Zamora		\$43.45
78050	08/01/2014	Open			CALIFORNIA LAW ENFORCEMENT ASSOC	\$514.50
	Invoice		Date	Description		Amount
	Aug2014		07/18/2014	POA Long Term Disability		\$514.50
78051	08/01/2014	Open			CLEAN SOURCE	\$1,520.75
	Invoice		Date	Description		Amount
	1492869-00		07/11/2014	Cleaning Supplies		\$1,520.75
78052	08/01/2014	Open			COMMUNITY ACTION BOARD OF SCC	\$12,681.69
	Invoice		Date	Description		Amount
	EHAP-JUN2014		07/23/2014	Emergency Housing Assistance prog, Jun		\$12,681.69
78053	08/01/2014	Open			D-MAIL INC.	\$463.47
	Invoice		Date	Description		Amount
	D-14258		07/07/2014	City Newsletter Production		\$463.47
78054	08/01/2014	Open			EWING IRRIGATION	\$187.87
	Invoice		Date	Description		Amount
	8366158		07/15/2014	Topper		\$27.54
	8374205		07/16/2014	Fertilizer		\$160.33
78055	08/01/2014	Open			EXTREME TOWING	\$125.00
	Invoice		Date	Description		Amount
	129054		07/14/2014	Tow PW F-250		\$125.00

City Payments Issued 8/1/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
78056	08/01/2014	Open			FARWEST NURSERY	\$24.82
	Invoice		Date	Description		Amount
	207224		07/29/2014	Plants		\$24.82
78057	08/01/2014	Open			FIRST CALL	\$32.60
	Invoice		Date	Description		Amount
	2763-436939Z		07/09/2014	Sweeper parts		\$32.60
78058	08/01/2014	Open			GOLDFARB & LIPMAN, LLP	\$2,828.00
	Invoice		Date	Description		Amount
	112648		06/18/2014	May 2014 Legal Fees		\$2,828.00
78059	08/01/2014	Open			HARRIS & ASSOCIATES	\$802.50
	Invoice		Date	Description		Amount
	25377		07/29/2014	Planning & Design for Clares Street Traffic		\$802.50
78060	08/01/2014	Open			HOME DEPOT CREDIT SERVICES	\$164.21
	Invoice		Date	Description		Amount
	9022585		04/30/2014	Rags		\$12.93
	6026789		05/13/2014	Tub - beach		\$14.05
	6564905		05/13/2014	Misc.		\$36.20
	9011331		05/30/2014	Misc.		\$28.17
	5020389		04/24/2014	Misc. Maint Supplies		\$72.86
78061	08/01/2014	Open			INTERSTATE BATTERIES	\$86.89
	Invoice		Date	Description		Amount
	326877		07/08/2014	2 radio batteries		\$86.89
78062	08/01/2014	Open			LABORMAX STAFFING	\$1,885.24
	Invoice		Date	Description		Amount
	26-37064		07/25/2014	Supplemental Labor, Public Works		\$1,885.24
78063	08/01/2014	Open			MARCHESE, HELEN	\$429.15
	Invoice		Date	Description		Amount
	Jul2014		07/24/2014	Petty Cash Replenishment		\$346.73
	Jul2014x		07/24/2014	Replenish Petty Cash		\$82.42
78064	08/01/2014	Open			MEDCO SUPPLY CO.	\$91.40
	Invoice		Date	Description		Amount
	41828273		07/09/2014	First aid supplies for Camp & JG's		\$91.40
78065	08/01/2014	Open			MICROFLEX CORP #774353	\$389.12
	Invoice		Date	Description		Amount
	in1476290		07/08/2014	Latex Gloves-PD		\$389.12
78066	08/01/2014	Open			MID-COUNTY AUTO SUPPLY	\$212.11
	Invoice		Date	Description		Amount
	387547		07/03/2014	Global Sweeper Parts		\$33.11
	387362		07/02/2014	Allianz Sweeper Parts		\$33.87
	387749		07/07/2014	Battery, Black Impala, PD		\$111.47
	387750		07/07/2014	Credit return battery core		(\$16.32)
	387716		07/07/2014	Auto Parts, Fleet		\$49.98

City Payments Issued 8/1/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
78067	08/01/2014	Open			MILLER'S TRANSFER & STORAGE CO	\$277.55
	Invoice		Date	Description		Amount
	85781		07/03/2014	Records Mgmt: June Handling, Jul Storage		\$277.55
78068	08/01/2014	Open			Montano Plumbing, Inc.	\$424.28
	Invoice		Date	Description		Amount
	23963		07/22/2014	Esplanade shower meter		\$424.28
78069	08/01/2014	Open			MONTEREY BAY UNIFIED AIR POLLUTION COM	\$2,737.00
	Invoice		Date	Description		Amount
	3538-5643		07/08/2014	FY14/15 Per Capita Assessment		\$2,737.00
78070	08/01/2014	Open			NEW WORLD SYSTEMS	\$18,700.00
	Invoice		Date	Description		Amount
	36007		06/28/2014	Purchase of HR and Payroll Integrated Sol		\$18,700.00
78071	08/01/2014	Open			PALACE ART & OFFICE SUPPLIES	\$1,032.82
	Invoice		Date	Description		Amount
	272298		07/15/2014	Office Supplies, City Hall		\$40.03
	272536		07/16/2014	Office Supplies, City Hall		\$78.94
	272554		07/16/2014	Labels		\$3.95
	272653		07/17/2014	Office Supplies, City Hall		\$4.38
	272562		07/16/2014	Office Supplies		\$97.55
	9048985		07/17/2014	Print cartridge		\$49.20
	21688		07/16/2014	Tables & chairs		\$768.86
	C271896		07/15/2014	Return Office Supplies		(\$10.09)
78072	08/01/2014	Open			REAL COLOR	\$107.66
	Invoice		Date	Description		Amount
	21470		07/09/2014	Banner		\$107.66
78073	08/01/2014	Open			SAN LORENZO LUMBER	\$115.26
	Invoice		Date	Description		Amount
	56-27056		07/12/2014	Plants		\$24.09
	55-53440		07/24/2014	Metal posts		\$68.72
	55-54243		07/28/2014	Wood shims		\$22.45
78074	08/01/2014	Open			SANTA CRUZ AUTO PARTS INC.	\$86.89
	Invoice		Date	Description		Amount
	14508-175717		07/09/2014	Wiper Blades, Fleet		\$86.89
78075	08/01/2014	Open			SCC CONFERENCE & VISITORS COUNCIL	\$33,769.40
	Invoice		Date	Description		Amount
	Q4TOT		07/24/2014	Q4 FY13/14 TMD		\$33,769.40
78076	08/01/2014	Open			SANTA CRUZ MUNICIPAL UTILITIES	\$566.00
	Invoice		Date	Description		Amount
	Jun-Jul2014		07/23/2014	WATER BILLS FOR STREET MEDIANS		\$566.00
78077	08/01/2014	Open			SOQUEL CREEK WATER DISTRICT	\$3,601.17
	Invoice		Date	Description		Amount
	2015-00000066		07/21/2014	Semi-monthly water use (late)		\$3,601.17

City Payments Issued 8/1/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
78078	08/01/2014	Open			SOQUEL NURSERY GROWERS, INC.	\$73.72
	Invoice		Date	Description		Amount
	321669		07/23/2014	Plants		\$23.53
	321510		07/15/2014	Plants		\$50.19
78079	08/01/2014	Open			SPORT ABOUT	\$3,182.55
	Invoice		Date	Description		Amount
	6496		07/28/2014	JG t-shirts		\$3,182.55
78080	08/01/2014	Open			UNITED STATES LIFESAVING ASSOC.	\$20.00
	Invoice		Date	Description		Amount
	20140724		07/28/2014	Membership for Regionals participant		\$20.00
78081	08/01/2014	Open			WALSH CONSTRUCTION AND ASSOC	\$6,582.21
	Invoice		Date	Description		Amount
	80139		07/07/2014	Pac Cove Trailer construction service		\$6,582.21
78082	08/01/2014	Open			WILSON, LORRIE	\$460.11
	Invoice		Date	Description		Amount
	20140418		07/24/2014	Reimb Travel Expenses		\$460.11
78083	08/01/2014	Open			ZAP MANUFACTURING INC.	\$2,027.72
	Invoice		Date	Description		Amount
	42862		07/06/2014	Traffic signs		\$2,027.72
78084	08/01/2014	Open			BAY POINT LEGAL SERVICES	\$275.00
	Invoice		Date	Description		Amount
	2015-00000086		07/24/2014	Refund Witness Fee		\$275.00
78085	08/01/2014	Open			Hudson, Tiffany	\$188.00
	Invoice		Date	Description		Amount
	2015-00000071		07/28/2014	JG refund		\$188.00
78086	08/01/2014	Open			McInturff, Robert	\$67.50
	Invoice		Date	Description		Amount
	2015-00000070		07/28/2014	Camp refund		\$67.50
78087	08/01/2014	Open			Westfall, Sholeh	\$1,138.00
	Invoice		Date	Description		Amount
	14-074		07/24/2014	Refund Planner Cost Recovery Fee		\$1,138.00
78088	08/01/2014	Open			White, Denise	\$470.32
	Invoice		Date	Description		Amount
	2015-00000088		07/24/2014	Reimb Rooms for Jr Guard Competition		\$470.32
Type Check Totals:						\$100,009.19
<u>EFT</u>						
4	08/01/2014	Open			CalPERS Health Insurance	\$63,146.33
	Invoice		Date	Description		Amount
	2015-00000081		07/15/2014	Aug2014 GROUP HEALTH - Employee fu		\$63,146.33

City Payments Issued 8/1/2014

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
8	07/30/2014 Invoice 2015-00000089	Open	Date 07/25/2014	Description PERS Payment for 7/25/14 Payroll	CalPERS Member Services Division	\$64,256.28 \$64,256.28

Type EFT Totals: \$127,402.61
 CITY - Main City Totals

Checks	Count	Transaction Amount	Reconciled Amount
Open	45	\$100,009.19	\$0.00
Reconciled	0	\$0.00	\$0.00
Voided	0	\$0.00	\$0.00
Stopped	0	\$0.00	\$0.00
Total	45	\$100,009.19	\$0.00

EFTs	Count	Transaction Amount	Reconciled Amount
Open	2	\$127,402.61	\$0.00
Reconciled	0	\$0.00	\$0.00
Voided	0	\$0.00	\$0.00
Stopped	2	\$127,402.61	\$0.00
Total			

All	Count	Transaction Amount	Reconciled Amount
Open	47	\$227,411.80	\$0.00
Reconciled	0	\$0.00	\$0.00
Voided	0	\$0.00	\$0.00
Stopped	0	\$0.00	\$0.00
Total	47	\$227,411.80	\$0.00



CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 14, 2014

FROM: CITY CLERK'S OFFICE

SUBJECT: RESOLUTION AMENDING THE CITY'S BAIL SCHEDULE TO ADD FINES
PURSUANT TO ADOPTED ORDINANCES

RECOMMENDED ACTION: Adopt the proposed Resolution repealing Resolution No. 3963 and amending the City of Capitola Bail Schedule (Schedule), and direct staff to forward the new Schedule to the Santa Cruz County Court.

BACKGROUND: Annual review and update of the Schedule is necessary to incorporate Ordinances applicable in keeping the Schedule current and clearly defined for the Santa Cruz County Court database, and for the City's Police Department in processing citations of Municipal Code offenders.

DISCUSSION: Below is a list of two newly adopted Ordinances regarding the City's Municipal Code sections that need to be added to the Schedule.¹ In addition, clarification and correction of a duplication regarding an existing parking violation has also been included for deletion. The City Attorney and Chief of Police have recommended the proposed bails indicated in red.

- | | |
|--|------------|
| 1. <u>Ordinance No. 989</u>
9.61.010 Medical Marijuana Processing and Cultivation. | \$1,000.00 |
| 2. <u>Ordinance Nos. 993</u>
10.32.030C Remaining on Median prohibited. | \$ 20.00 |
| 10.32.030D Entering a Roundabout is prohibited. | \$ 20.00 |
| 10.32.030E Subsequent Offense within 6 Months. | \$ 100.00 |
| 3. <u>Clarification and correction of a duplication to be deleted.</u>
10.36.045 Parking within a meter zone without paying
results in an infraction plus fine. (Covered under "EXPIRED METER ZONE") | \$ 25.00 |

FISCAL IMPACT: The fiscal impact for the new violations is unknown at this time.

ATTACHMENTS:

1. Draft Resolution
2. Draft Bail Schedule - Exhibit A to Resolution
3. Resolution No. 3963 (2013 Bail Schedule - Current)

Report Prepared by: Michele Deiter, CMC
Records Coordinator

Reviewed and Forwarded
By City Manager: 

¹ These Ordinances can be viewed online at <http://www.codepublishing.com/ca/capitola/> from the "Ordinance List and Disposition Table" located and listed last in the left column of the website.

THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION NO. ____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
REPEALING RESOLUTION NO. 3963 AND ADOPTING
A NEW BAIL SCHEDULE FOR THE CITY OF CAPITOLA**

WHEREAS, the City Council of the City of Capitola adopted Resolution No. 3963 amending the City's Bail Schedule on September 12, 2013; and

WHEREAS, the City Council has adopted Ordinances which require inclusion of fines and changes to existing fines from its last adoption of the City's Bail Schedule in 2013; and

WHEREAS, the City of Capitola determines the fines for violating the Capitola Municipal Code; and

WHEREAS, staff has conducted a thorough review of the City's Bail Schedule and has determined and recommends City Council approval of the proposed additions and corrections presented to the City Council at its meeting of August 14, 2014.

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

1. Resolution No. 3963 is hereby repealed in its entirety.
2. The City of Capitola Bail Schedule, attached hereto as Exhibit A, is hereby approved.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 14th day of August, 2014, by the following vote:

AYES:
 NOES:
 ABSENT:
 ABSTAIN:

 Sam Storey, Mayor

ATTEST:

_____, CMC
 Susan Sneddon, City Clerk

THIS PAGE INTENTIONALLY LEFT BLANK

DRAFT

RESOLUTION NO. ____

**EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE**

<u>Code Section</u>	<u>Violation Description</u>	<u>Base Bail</u>
1.40.020	CAMPAIGN CONTRIBUTION LIMITATIONS VIOLATION	\$ 250.00
3.34.040	FAILURE BY MOBILEHOME PARK OWNER TO SUBMIT RESIDENT LIST	\$ 50.00
4.04.010	VIOLATION OR FAILURE TO COMPLY WITH CODE PROVISIONS:	\$ 1,000.00
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD OFFENSE	\$ 500.00
5.06.030	PEDDLING OR SOLICITING WITHOUT A BUSINESS LICENSE IS PROHIBITED	\$ 75.00
5.06.040	PEDDLING, SOLICITING, OR CANVASSING UPON PREMISES WHERE "NO SOLICITORS" ARE INDICATED IS PROHIBITED	\$ 75.00
5.06.050	PEDDLING, SOLICITING, OR CANVASSING OUTSIDE OF DESIGNATED HOURS ARE PROHIBITED	\$ 75.00
5.08.230A	VALID TAXICAB OWNER'S PERMIT REQUIRED	\$ 40.00
5.08.230B	VALID TAXICAB OWNER'S DRIVER'S PERMIT REQUIRED	\$ 40.00
5.14.040	FAILURE TO REGISTER SECURITY ALARM SYSTEM	\$ 100.00
5.14.090	FALSE ALARM FINES:	
	THREE (3) OR FOUR (4) FALSE ALARMS IN ANY CALENDAR YR	\$ 100.00
	FIVE (5) FALSE ALARMS IN ANY CALENDAR YEAR	\$ 150.00
	SIX (6) OR MORE FALSE ALARMS IN ANY CALENDAR YEAR	\$ 200.00
5.24.020	ENTERTAINMENT PERMIT REQUIRED	\$ 110.00
5.24.090	ENTERTAINMENT PERMITS - VIOLATION OF PERMIT CONDITIONS	\$ 110.00
5.32.030	FIREARMS LICENSE REQUIRED	\$ 500.00
5.40.020	VENDING MACHINE SALES OF TOBACCO PRODUCTS ARE PROHIBITED	\$ 75.00
5.40.030	VENDING MACHINE SALES OF TOBACCO PRODUCTS ARE ALLOWED ONLY IF MACHINES ARE TOKEN OPERATED	\$ 250.00
5.40.040	VENDOR-ASSISTED SALE OF TOBACCO PRODUCTS IS REQUIRED	\$ 250.00
6.08.020	INTERFERENCE WITH POUNDMASTER	\$ 100.00
6.08.120	FAILURE OR REFUSAL TO STATE TRUE NAME/EVIDENCE OF RABIES VACCINATION/LICENSE	\$ 50.00
6.12.030	VICIOUS/DANGEROUS ANIMALS	\$ 50.00
6.14.010	DOG LICENSE REQUIRED	\$ 30.00
6.14.020	DISPLAY DOG LICENSE REQUIRED	\$ 25.00
6.14.040	VACCINATION REQUIRED	\$ 40.00
6.14.130	NUMBER OF FEMALE DOG KEPT IN ONE PLACE	\$ 20.00
6.14.200	DOGS IN PUBLIC PLACES - PROHIBITED LOCATIONS	\$ 40.00
6.14.215	FAILURE OF OWNER TO PICK UP AFTER DOG DEFECATING	\$ 25.00
6.14.380	ANIMALS DOGS DEFECATING IN PUBLIC PROHIBITED	\$ 30.00
6.14.310	DOGS AT LARGE PROHIBITED	\$ 35.00
6.14.320	LEASH REQUIRED FOR DOGS OFF PREMISES	\$ 30.00
6.14.330	SAFETY OF ANIMALS IN MOTOR VEHICLES REQUIRED	\$ 60.00
6.14.340	SAFETY OF ANIMALS IN PARKED VEHICLES REQUIRED	\$ 60.00
6.14.380	ANIMALS DEFECATING ON PUBLIC/PRIVATE PROPERTY	\$ 30.00

RESOLUTION NO. _____

DRAFT

	PROHIBITED	
6.14.390	ANIMAL NOISE NUISANCE	\$ 30.00
6.14.400	DOGS THREATENING OR INJURING PERSONS PROHIBITED	\$ 100.00
6.14.410	DOMESTICATED ANIMAL KILLING OR INJURING OTHER DOMESTICATED ANIMALS	\$ 100.00
6.14.420	PROHIBITION OF LIVESTOCK OR WILD ANIMALS TO BE AT LARGE	\$ 30.00
6.14.430	PROHIBITION AGAINST DOGS THREATENING OR INJURING WILD GAME OR LIVESTOCK	\$ 100.00
6.14.440	DOGS THREATENING OR INJURING PERSONS PROHIBITED	\$ 100.00
6.14.445	POSSESSION OF WILD ANIMAL SPECIES PROHIBITED	\$ 110.00
6.14.455	USE OF STEEL-JAWED LEG-HOLD TRAPS PROHIBITED	\$ 110.00
6.14.590	DUTY TO REPORT ANIMAL BITES REQUIRED	\$ 50.00
6.16.030	MANDATORY SPAYING/NEUTERING	\$ 110.00
6.16.040	CARE OF FERAL CATS PROHIBITED WITHOUT SIGNED STATEMENT	\$ 50.00
6.18.060	PERMIT FOR WILD ANIMALS REQUIRED	\$ 110.00
6.18.070	KEEPING DISEASED ANIMALS PROHIBITED	\$ 50.00
6.18.100	PLACEMENT OF DEAD ANIMALS IN PUBLIC PLACES PROHIBITED	\$ 20.00
6.18.120	WILLFUL INJURY TO WILDLIFE PROHIBITED	\$ 30.00
6.20.020	FEEDING WATERFOWL/PIGEONS IN RESTRICTED AREA PROHIBITED	\$ 60.00
6.20.030	SELLING WATERFOWL/PIGEONS PROHIBITED	\$ 60.00
6.20.040	RELEASING WATERFOWL/PIGEONS IN RESTRICTED AREA PROHIBITED	\$ 30.00
6.24.010	FEEDING WILD RODENTS AND VERMIN PROHIBITED	\$ 30.00
8.04.020	ACCUMULATION OF REFUSE - PUBLIC/PRIVATE PROPERTY	\$ 30.00
8.04.040	ACCUMULATION OF COMMERCIAL GARBAGE	\$ 100.00
8.04.050	PLACE, DEPOSIT, KEEP, BURY ANY GARBAGE ON, IN, OR UNDER ANY PREMISES	\$ 100.00
8.04.060	ACCUMULATION OF GARBAGE IN PUBLIC	\$ 50.00
8.04.070	GARBAGE CONTAINERS OUT OF PUBLIC VIEW ON NON-COLLECTION DAYS	\$ 50.00
8.04.068	MANDATORY GARBAGE SERVICE	\$ 50.00
8.04.080	HAULING OF TRASH BY ANY PERSON, FIRM, OR CORPORATION BESIDES THOSE DESIGNATED BY THE CITY TO BE EXCEPTIONS IS PROHIBITED.	\$ 250.00
8.04.120	UNAUTHORIZED USE OF DUMPSTER	\$ 100.00
8.06.035	RECYCLING REQUIRED	\$ 50.00
8.06.050	RECYCLABLE WASTE MATERIAL - UNAUTHORIZED COLLECTION	\$ 50.00
8.07.070	REDUCTION OF SINGLE-USE PLASTIC AND PAPER CARRYOUT BAGS	
	1ST OFFENSE (30 days or more after first warning)	\$ 100.00
	2ND OFFENSE (60 days or more after first warning)	\$ 200.00
	3RD OFFENSE (90 days or more after first warning)	\$ 500.00
8.20.010	POWER BOATS PROHIBITED ON SOQUEL CREEK	\$ 100.00
8.24.290	WATER WELL VIOLATION	\$ 100.00

DRAFT

RESOLUTION NO. ____

8.36.030	PROHIBITED FOOD SERVICE WARE:	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.36.035	PROHIBITED RETAIL SALES OF POLYSTYRENE FOAM PRODUCTS:	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.36.040	REQUIRED BIODEGRADABLE AND COMPOSTABLE DISPOSABLE FOOD SERVICE WARE:	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.38.050	PROHIBITION OF SMOKING IN INDOOR PUBLIC PLACES	\$ 30.00
8.38.055	PROHIBITION OF SMOKING IN OUTDOOR PUBLIC PLACES	\$ 30.00
8.38.110	BUSINESSES' POSTINGS OF SIGNS THAT SELL TOBACCO PRODUCTS REQUIRED	\$ 50.00
8.38.112	REGULATING THE SALE OF TOBACCO PRODUCTS REQUIRED	\$ 50.00
8.38.130A	OWNER/MANAGER FAILURE TO COMPLY WITH SMOKING PROVISIONS	\$ 50.00
8.38.130B	SMOKING IN AREA WHERE SMOKING PROHIBITED	\$ 30.00
8.46.030	BOAT MOORING	\$ 60.00
8.60.020	GRAFFITI PROHIBITED	\$ 500.00
8.60.050	DISPLAYING AEROSOL SPRAY PAINT CONTAINERS AND MARKER PENS IN ANY AREA ACCESSIBLE TO THE PUBLIC WITHOUT EMPLOYEE ASSISTANCE IS PROHIBITED.	\$ 250.00
8.64.060	ANY VIOLATION OF ORDERS OR DIRECTIVES FOR WATER SPORTS AND EQUIPMENT IS PROHIBITED.	\$ 100.00
8.68.010	ANY TRANSFERRING OF OWNERSHIP OF A FIREARM WITHOUT AN EFFECTIVE TRIGGER LOCK AND PRINTED MATERIAL ADVISING SAFE STORAGE PRACTICES IS PROHIBITED	\$ 250.00
9.04.030	PUBLIC NUDITY	\$ 75.00
9.10.010	REMAINING ON BUSINESS PROPERTY AFTER REQUESTED TO LEAVE	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 250.00
9.12.010	NOISE PROHIBITED, 10PM TO 8AM	\$ 110.00
9.12.015A	MECHANICAL SWEEPERS, PARKING LOT VACUUM MACHINES, AND LEAF BLOWERS ON NON-RESIDENTIAL PRIVATE PROPERTY PROHIBITED BETWEEN 11 PM TO 7 AM	\$ 50.00
9.12.015B	MECHANICAL SWEEPERS, PARKING LOT VACUUM MACHINES, AND LEAF BLOWERS ON RESIDENTIAL PRIVATE PROPERTY PROHIBITED WEEKDAYS BETWEEN 5 PM AND 8 AM AND WEEKENDS BETWEEN 4 PM AND 10 AM	\$ 50.00
9.12.015C	LEAF BLOWERS IN EXCESS OF 65 dBA PROHIBITED	\$ 50.00
9.12.015D	UNLAWFUL TO CAUSE LEAVES OR DEBRIS FROM LEAF BLOWER OPERATIONS TO BE BLOWN OR DEPOSITED ON OTHER PROPERTY	\$ 50.00
9.12.040	AMPLIFIED SOUND WITHOUT A PERMIT	\$ 100.00
9.12.070	SOUND AMPLIFICATION PERMITS - VIOLATION OF PERMIT CONDITIONS	\$ 100.00

RESOLUTION NO. _____

DRAFT

9.20.010	DISCHARGING FIREARMS	\$ 250.00	
9.20.015	POSSESSION OF FIREARMS ON CITY PROPERTY OR PUBLIC PROPERTY IN THE VICINITY OF A SCHOOL PROHIBITED	\$ 500.00	
9.22.050	ANY DISPLAY OR TRANSFER OF OWNERSHIP OF A FIREARM ON THE SATURDAY NIGHT SPECIALS LIST IS PROHIBITED	\$ 250.00	
9.24.010	UNLAWFUL SALE OF FIREWORKS	\$ 500.00	
9.24.020	UNLAWFUL DISCHARGE OF FIREWORKS	\$ 500.00	
9.28.010	NO VEHICLES ON BEACH	\$ 100.00	
9.28.020	ILLEGAL CAMPING ON BEACH	\$ 50.00	
9.28.030	NO OPEN FIRES ON BEACHES	\$ 50.00	
9.30.030	VIOLATION OF SURF SCHOOL REGULATIONS:		
	1ST OFFENSE	\$ 50.00	
	2ND OFFENSE	\$ 100.00	
	3RD OFFENSE	\$ 250.00	
9.32.030	ALCOHOL CONSUMPTION/OPEN CONTAINERS PROHIBITED ON STREET, PARK, SCHOOL GROUNDS, BEACH	\$ 50.00	
9.34.010	PUBLIC URINATION / DEFECATION PROHIBITED	\$ 50.00	
9.48.020	CAMPING PROHIBITED	\$ 50.00	
9.61.010	MEDICAL MARIJUANA PROCESSING AND CULTIVATION	\$ 1,000.00	Ord. 989
10.04.030	PERSONS OTHER THAN OFFICIALS NOT TO DIRECT TRAFFIC	\$ 50.00	
10.04.040	OBEDIENCE TO POLICE OR OTHER AUTHORIZED OFFICERS	\$ 100.00	
10.04.070	BICYCLES PROHIBITED ON SIDEWALKS	\$ 30.00	
10.04.080	OPERATION OF DEVICES ON SIDEWALKS	\$ 30.00	
10.04.100	OBSTRUCTION OR INTERFERENCE/ERASED CHALK MARKS	\$ 70.00	
10.28.010	DRIVING THROUGH FUNERAL PROCESSION	\$ 50.00	
10.28.020	CLINGING TO MOVING VEHICLES	\$ 50.00	
10.28.030	COMMERCIAL VEHICLES USING PRIVATE DRIVEWAYS	\$ 50.00	
10.28.040	RIDING OR DRIVING ON SIDEWALK	\$ 50.00	
10.28.050	NEW PAVEMENT MARKINGS	\$ 30.00	
10.28.060	LIMITED ACCESS	\$ 30.00	
10.28.070	RESTRICTIONS ON USE OF FREEWAYS	\$ 30.00	
10.28.080	OBEDIENCE TO BARRIERS AND SIGNS	\$ 50.00	
10.28.090	OBSTRUCTING INTERSECTION OR CROSSWALK	\$ 50.00	
10.28.100	TRAFFIC BARRIERS	\$ 50.00	
10.32.020	PEDESTRIANS MUST USE CROSSWALKS BUSINESS DISTRICT	\$ 30.00	
10.32.030C	REMAINING ON MEDIANS PROHIBITED	\$ 20.00	Ord. 993
10.32.030D	ENTERING A ROUNDABOUT IS PROHIBITED	\$ 20.00	Ord. 993
10.32.030E	SUBSEQUENT OFFENSE WITHIN 6 MONTHS	\$ 100.00	Ord. 993
10.36.010	PARKING PERMIT REQUIRED	\$ 48.00	
10.36.020	STOPPING OR STANDING IN PARKWAYS	\$ 23.00	
10.36.040	NO PARKING AREAS AS POSTED	\$ 41.00	
10.36.045	EXPIRED METER ZONE	\$ 36.00	
10.36.045	PARKING WITHIN A METER ZONE WITHOUT PAYING IS AN INFRACTION (Covered under "EXPIRED METER ZONE")	\$ 25.00	Delete duplicate.
10.36.060	CITY HALL PARKING LOT USE: ONE-HOUR AND PERMIT PARKING	\$ 23.00	
10.36.065	PARKING METER TAMPERING PROHIBITED	\$ 100.00	

DRAFT

RESOLUTION NO. ____

10.36.070	STORAGE OF VEHICLE ON STREET +72 HOURS:	
	1ST OFFENSE	\$ 73.00
	2ND OFFENSE	\$ 98.00
	3RD OFFENSE	\$ 128.00
10.36.070A	PARKING A VEHICLE ON A STREET OR ALLEY FOR MORE THAN 72 CONSECUTIVE HOURS IS PROHIBITED	\$ 65.00
10.36.070B	STORAGE OF COMMERCIAL VEHICLE ON PUBLIC STREET	
10.36.070B	1ST OFFENSE	\$ 50.00
10.36.070B	2ND OFFENSE	\$ 100.00
10.36.090	REPAIRING VEHICLE ON PUBLIC STREET	\$ 50.00
10.36.110	PARKING ADJACENT TO SCHOOLS	\$ 23.00
10.36.120	PARKING ON NARROW STREET: ON OR BETWEEN WHITE LINES	\$ 38.00
10.36.130	PARKING ON GRADES: WHEELS NOT CURBED	\$ 38.00
10.36.140	PEDDLER AND VENDOR PARKING	\$ 23.00
10.36.140B	VENDOR LICENSE REQUIRED	\$ 50.00
10.36.150	EMERGENCY PARKING SIGNS	\$ 30.00
10.36.160	DISABLED COMMERCIAL VEHICLES: WARNING SIGNALS	\$ 20.00
10.36.170A	RED ZONE	\$ 43.00
10.36.170B	YELLOW ZONE	\$ 41.00
10.36.170C	PASSENGER ZONE WHITE CURB	\$ 41.00
10.36.170D	GREEN CURB - 24 MINUTES	\$ 41.00
10.36.180	PARKING OF TALL VEHICLES WITHIN 100 FT OF AN INTERSECTION:	
10.36.180	1ST OFFENSE	\$ 50.00
10.36.180	2ND OFFENSE	\$ 100.00
10.36.195	NO PARKING WEEKENDS AND HOLIDAYS WITHOUT PERMIT	\$ 48.00
10.36.210	PARALLEL PARKING 18 INCHES FROM CURB: ONE-WAY STREETS	\$ 38.00
10.36.220	DIAGONAL PARKING	\$ 31.00
10.36.230	PARKED OUT OF SPACE	\$ 31.00
10.36.240	NO STOPPING ZONES	\$ 23.00
10.36.250	TAXICAB STANDS	\$ 23.00
10.36.270	HEAVY VEHICLES - USE OF STREETS	\$ 30.00
10.36.280	HEAVY VEHICLES - PARKING	\$ 53.00
10.36.290	PARKING RESTRICTIONS AUTHORIZED: TWO-HOUR PARKING	\$ 39.00
10.36.360	STOPPING OR STANDING OR PARKING IN ALLEYS	\$ 38.00
10.36.380	PARKING RESTRICTIONS CITY-CONTROLLED OFF-STREET PARKING	\$ 30.00
10.44.010	BICYCLE LICENSE REQUIRED	\$ 25.00
10.44.040	BICYCLE SECONDHAND DEALER REPORT REQUIRED	\$ 100.00
10.44.050	BICYCLE SALE REPORT REQUIRED	\$ 100.00
10.44.060	BICYCLE LICENSE PLATE OR SERIAL NUMBER DESTRUCTION	\$ 100.00
10.48.010	TRUCK ROUTES	\$ 50.00
10.48.020	ADVERTISING VEHICLES WITH SOUND AMPLIFYING LOUDSPEAKER	\$ 50.00
10.48.040	COMMERCIAL VEHICLES PROHIBITED FROM STREETS	\$ 50.00
10.56.010	MAXIMUM VEHICLE LENGTH	\$ 73.00
12.12.110	PERMITS ARE REQUIRED FOR ANY WORK DONE TO A HERITAGE TREE, DISREGARDING MAINTENANCE TRIMMING	\$250 / \$1,000

RESOLUTION NO. _____

DRAFT

12.12.120	ANY DESTRUCTION VISITED UPON ANY PUBLIC TREE, OR DESTRUCTION TO A PRIVATE TREE THAT COULD SUBSEQUENTLY HARM A PUBLIC TREE WITHOUT FIRST OBTAINING A PERMIT IS PROHIBITED	\$250 / \$1,000
12.12.130	FAILURE TO PROTECT OR MAINTAIN TREES ON CONSTRUCTION/DEMOLITION SITES IS A VIOLATION	\$250 / \$1,000
12.12.160	CUTTING OR REMOVAL OF TREES IN THE CITY WITHOUT A TREE REMOVAL PERMIT IS PROHIBITED	\$250 / \$1,000
12.12.270	VIOLATION OF COMMUNITY TREE / FOREST MANAGEMENT ORDINANCE	TREE REPLACE- MENT VALUE
12.42.010	DEPOT HILL BLUFF - PROHIBITION AGAINST GRADING, DISTURBING, ERECTING ANY STRUCTURE, MINING OR EXTRACTING MATERIALS:	
	1ST OFFENSE IN A 12-MONTH PERIOD	\$ 100.00
	2ND OFFENSE IN A 12-MONTH PERIOD	\$ 250.00
	3RD OFFENSE IN A 12-MONTH PERIOD	\$ 500.00
12.44.010	PROHIBITION LIMITING BOATS ON CAPITOLA BEACH DURING WORKING HOURS	\$ 50.00
12.48.010	DOGS PROHIBITED ON WHARF	\$ 50.00
12.48.020	DIVING AND JUMPING FROM WHARF PROHIBITED	\$ 50.00
12.48.030	TYING BOATS TO WHARF PROHIBITED	\$ 50.00
12.48.040	OVERHEAD CASTING FROM WHARF PROHIBITED	\$ 30.00
12.48.050	UNAUTHORIZED VEHICLES PROHIBITED ON WHARF	\$ 108.00
12.48.060	BURNING ON WHARF PROHIBITED	\$ 50.00
12.48.070	TRESPASSING ON WHARF WHILE CLOSED PROHIBITED	\$ 50.00
12.48.090	JET SKIING, CAPITOLA BEACH	\$ 50.00
12.48.110	POWER BOAT, CAPITOLA BEACH	\$ 50.00
12.48.120	30 MINUTE FLOATING DOCK LIMIT	\$ 30.00
12.48.130	PRIVATE VOLLEYBALL NETS ON BEACH PROHIBITED DURING THE SUMMER PERIOD	\$ 30.00
12.48.140	GLASS CONTAINERS AND ALCOHOLIC BEVERAGE CONTAINERS LARGER THAN ONE GALLON PROHIBITED ON PUBLIC BEACH	\$ 30.00
12.52.010	SKATEBOARDING IS PROHIBITED IN (NEARLY ALL OF) ESPLANADE /CAPITOLA VILLAGE AREA	\$ 30.00
12.52.010A	SKATEBOARDING PROHIBITED ON SIDEWALKS OR CURBS	\$ 30.00
12.52.010B	SKATEBOARDING PROHIBITED - ESPLANADE PARK/RESTROOMS	\$ 30.00
12.52.010C	SKATEBOARDING PROHIBITED - PACIFIC COVE MOBILEHOME PARK AND PACIFIC COVE PARKING LOT	\$ 30.00
12.52.010D	SKATEBOARDING PROHIBITED - SIDEWALKS OF CERTAIN STREETS LOCATED IN CAPITOLA VILLAGE	\$ 30.00
12.52.010E	SKATEBOARDING PROHIBITED - SIDEWALKS OF CERTAIN STREETS LOCATED IN CAPITOLA VILLAGE	\$ 30.00
12.52.020	SKATEBOARDING PROHIBITED IN ANY AREAS NOT INCLUDED IN SECTION 12.52.010 IF ONE OR MORE SIGNS IS POSTED PROHIBITING SKATEBOARDING	\$ 30.00
12.52.030A	SKATEBOARDING - STOP AT ALL STOP SIGNS/RED LIGHTS	\$ 30.00
12.52.030B	SKATEBOARDING - YIELD TO VEHICLES AT YIELD SIGNS	\$ 30.00
12.52.030C	SKATEBOARDING - YIELD TO PEDESTRIANS AT CROSSWALKS	\$ 30.00
12.52.030D	SKATEBOARDING - DO NOT IMPEDE TRAFFIC OR INTERFERE WITH THE FLOW OF VEHICULAR TRAFFIC	\$ 30.00

DRAFT

RESOLUTION NO. ____

12.52.030E	SKATEBOARDING - YIELD TO APPROACHING VEHICLES WHEN ENTERING ANY ROADWAY	\$ 30.00
12.52.030F	SKATEBOARDING - DO NOT BE TOWED BY A MOTOR VEHICLE OF ANY SPEED OR A BICYCLE AT ANY UNSAFE SPEED	\$ 50.00
12.52.030G	SKATEBOARDING - YIELD BICYCLE LANES TO BICYCLES	\$ 30.00
12.52.030H	SKATEBOARDING - DO NOT TRAVEL INTO PATH OF A CLOSE VEHICLE CONSTITUTING AN IMMEDIATE HAZARD	\$ 30.00
12.52.030I	SKATEBOARDING WITH DUE CARE AT A SAFE SPEED VIOLATION	\$ 50.00
12.52.040	WHEN SKATEBOARDING ON SIDEWALKS THAT ARE NOT PROHIBITED, SKATEBOARDERS MUST YIELD TO ALL PEDESTRIANS AND PROCEED WITH CARE WHEN NEAR PEDESTRIANS	\$ 30.00
12.56.010	ENCROACHMENT WITHOUT PERMIT	\$ 100.00
12.56.090	INSTALLING PRIVATE IMPROVEMENTS OR OBSTRUCTIONS IN ANY PUBLIC RIGHT-OF-WAY IS PROHIBITED, BARRING THE SPECIFIED EXCEPTIONS	\$ 100.00
12.58.030	ENTERING OR REMAINING ON POSTED PROPERTY WITHOUT WRITTEN PERMISSION OF CITY MANAGER	
	1ST OFFENSE IN A 12-MONTH PERIOD	\$ 100.00
	2ND OFFENSE IN A 12-MONTH PERIOD	\$ 200.00
	3RD OFFENSE IN A 12-MONTH PERIOD	\$ 500.00
12.64.020	DISPLAY OR SALE OF MERCHANDISE PROHIBITED	\$ 50.00
13.02.090	FAILURE TO COMPLY WITH PLUMBING FIXTURE RETROFIT REQUIREMENTS IS PROHIBITED	\$ 100.00
13.04.050	PUBLIC SEWAGE CONNECTION REQUIRED FOR BUILDINGS INTENDED FOR HUMAN HABITATION	\$ 500.00
13.16.180	VIOLATION OR FAILURE TO COMPLY WITH STORM WATER POLLUTION PREVENTION AND PROTECTION ORDINANCE MAY BE SUBJECT TO ENFORCEMENT ACTIONS OUTLINED IN TITLE 4	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD OFFENSE	\$ 500.00
15.04.020	BUILDING CODE VIOLATIONS	\$ 100.00
15.12.010	ILLEGAL USE OF MOBILEHOME	\$ 50.00
15.14.010	TRANSPORTING A MOBILEHOME ACROSS PUBLIC STREETS/ALLEYS WITHOUT A PERMIT IS PROHIBITED	\$ 250.00
15.14.020	APPLICATION TO TRANSPORT A MOBILEHOME, FILED 3 DAYS PRIOR TO ANTICIPATED TRANSPORTATION IS REQUIRED	\$ 250.00
15.14.030	MOBILEHOME: A FIFTY DOLLAR PERMIT FEE IS REQUIRED	\$ 250.00
15.14.040	ALLOWING A MOBILEHOME TO STAND ON A PUBLIC STREET/ALLEY FOR MORE THAN 12 HOURS IS PROHIBITED	\$ 250.00
17.54.070	ERECTING FENCE WITHOUT A PERMIT	\$ 100.00
17.57.020	PERMIT REQUIRED FOR SIGN	\$ 100.00
17.57.040	SIGN PROHIBITED VIOLATION	\$ 100.00
17.57.050	TEMPORARY SIGN VIOLATION	\$ 100.00
17.57.060	CENTRAL VILLAGE SIGN VIOLATION	\$ 100.00
17.57.070	PERMANENT SIGN VIOLATION	\$ 100.00
17.60.020	FAILURE TO OBTAIN CONDITIONAL USE PERMIT	\$ 100.00
17.81.060	ANIMAL OFFENSIVE OR ENDANGER TO NEIGHBORS	\$ 100.00
17.81.060B	NUMBER OF ANIMALS ALLOWED IN SINGLE-FAMILY DWELLING	\$ 100.00

RESOLUTION NO. _____

DRAFT

17.81.110	ACCESSORY STRUCTURE WITHOUT A PERMIT	\$ 100.00
17.81.140	DISH ANTENNAE PROHIBITED	\$ 80.00
17.98.080	WIRELESS COMMUNICATION FACILITIES ARE PROHIBITED WITHIN 500 FEET OF SPECIFIED ZONING DISTRICTS (FAMILY RESIDENCE, SCHOOLS, PARKS AND OPEN SPACE, PUBLIC FACILITIES, ETC.) AND WITHIN 3,000 FEET OF COASTLINE	\$ 250.00

RESOLUTION NO. 3963

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
REPEALING RESOLUTION NO. 3934 AND ADOPTING
A NEW BAIL SCHEDULE FOR THE CITY OF CAPITOLA

WHEREAS, the City Council of the City of Capitola adopted Resolution No. 3934 amending the City's Bail Schedule on September 13, 2012; and

WHEREAS, the City Council has adopted Ordinances which require inclusion of fines and changes to existing fines from its last adoption of the City's Bail Schedule in 2012; and

WHEREAS, the City of Capitola determines the fines for violating the Capitola Municipal Code; and

WHEREAS, staff has conducted a thorough review of the City's Bail Schedule and has determined and recommends City Council approval of the proposed additions and corrections presented to the City Council at its meeting of September 12, 2013.

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

1. Resolution No. 3934 is hereby repealed in its entirety.
2. The City of Capitola Bail Schedule, attached hereto as Exhibit A, is hereby approved.


I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 12th day of September, 2013, by the following vote:

AYES: Council Members Storey, Bottorff, Termini, and Mayor Harlan

NOES: None

ABSENT: None

ABSTAIN: Council Member Norton


Stephanie Harlan, Mayor

ATTEST:

 CMC
Susan Sneddon, City Clerk

7946

RESOLUTION NO. 3963

EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE

<u>Code Section</u>	<u>Violation Description</u>	<u>Base Bail</u>
1.40.020	CAMPAIGN CONTRIBUTION LIMITATIONS VIOLATION	\$ 250.00
3.34.040	FAILURE BY MOBILEHOME PARK OWNER TO SUBMIT RESIDENT LIST	\$ 50.00
4.04.010	VIOLATION OR FAILURE TO COMPLY WITH CODE PROVISIONS:	\$ 1,000.00
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD OFFENSE	\$ 500.00
5.06.030	PEDDLING OR SOLICITING WITHOUT A BUSINESS LICENSE IS PROHIBITED	\$ 75.00
5.06.040	PEDDLING, SOLICITING, OR CANVASSING UPON PREMISES WHERE "NO SOLICITORS" ARE INDICATED IS PROHIBITED	\$ 75.00
5.06.050	PEDDLING, SOLICITING, OR CANVASSING OUTSIDE OF DESIGNATED HOURS ARE PROHIBITED	\$ 75.00
5.08.230A	VALID TAXICAB OWNER'S PERMIT REQUIRED	\$ 40.00
5.08.230B	VALID TAXICAB OWNER'S DRIVER'S PERMIT REQUIRED	\$ 40.00
5.14.040	FAILURE TO REGISTER SECURITY ALARM SYSTEM	\$ 100.00
5.14.090	FALSE ALARM FINES:	
	THREE (3) OR FOUR (4) FALSE ALARMS IN ANY CALENDAR YR	\$ 100.00
	FIVE (5) FALSE ALARMS IN ANY CALENDAR YEAR	\$ 150.00
	SIX (6) OR MORE FALSE ALARMS IN ANY CALENDAR YEAR	\$ 200.00
5.24.020	ENTERTAINMENT PERMIT REQUIRED	\$ 110.00
5.24.090	ENTERTAINMENT PERMITS - VIOLATION OF PERMIT CONDITIONS	\$ 110.00
5.32.030	FIREARMS LICENSE REQUIRED	\$ 500.00
5.40.020	VENDING MACHINE SALES OF TOBACCO PRODUCTS ARE PROHIBITED	\$ 75.00
5.40.030	VENDING MACHINE SALES OF TOBACCO PRODUCTS ARE ALLOWED ONLY IF MACHINES ARE TOKEN OPERATED	\$ 250.00
5.40.040	VENDOR-ASSISTED SALE OF TOBACCO PRODUCTS IS REQUIRED	\$ 250.00
6.08.020	INTERFERENCE WITH POUNDMASTER	\$ 100.00
6.08.120	FAILURE OR REFUSAL TO STATE TRUE NAME/EVIDENCE OF RABIES VACCINATION/LICENSE	\$ 50.00
6.12.030	VICIOUS/DANGEROUS ANIMALS	\$ 50.00
6.14.010	DOG LICENSE REQUIRED	\$ 30.00
6.14.020	DISPLAY DOG LICENSE REQUIRED	\$ 25.00
6.14.040	VACCINATION REQUIRED	\$ 40.00
6.14.130	NUMBER OF FEMALE DOG KEPT IN ONE PLACE	\$ 20.00
6.14.200	DOGS IN PUBLIC PLACES - PROHIBITED LOCATIONS	\$ 40.00
6.14.215	FAILURE OF OWNER TO PICK UP AFTER DOG DEFECATING	\$ 25.00
6.14.380	ANIMALS DOGS DEFECATING IN PUBLIC PROHIBITED	\$ 30.00
6.14.310	DOGS AT LARGE PROHIBITED	\$ 35.00
6.14.320	LEASH REQUIRED FOR DOGS OFF PREMISES	\$ 30.00
6.14.330	SAFETY OF ANIMALS IN MOTOR VEHICLES REQUIRED	\$ 60.00
6.14.340	SAFETY OF ANIMALS IN PARKED VEHICLES REQUIRED	\$ 60.00

RESOLUTION NO. 3963

7947

6.14.380	ANIMALS DEFECATING ON PUBLIC/PRIVATE PROPERTY PROHIBITED	\$ 30.00
6.14.390	ANIMAL NOISE NUISANCE	\$ 30.00
6.14.400	DOGS THREATENING OR INJURING PERSONS PROHIBITED	\$ 100.00
6.14.410	DOMESTICATED ANIMAL KILLING OR INJURING OTHER DOMESTICATED ANIMALS	\$ 100.00
6.14.420	PROHIBITION OF LIVESTOCK OR WILD ANIMALS TO BE AT LARGE	\$ 30.00
6.14.430	PROHIBITION AGAINST DOGS THREATENING OR INJURING WILD GAME OR LIVESTOCK	\$ 100.00
6.14.440	DOGS THREATENING OR INJURING PERSONS PROHIBITED	\$ 100.00
6.14.445	POSSESSION OF WILD ANIMAL SPECIES PROHIBITED	\$ 110.00
6.14.455	USE OF STEEL-JAWED LEG-HOLD TRAPS PROHIBITED	\$ 110.00
6.14.590	DUTY TO REPORT ANIMAL BITES REQUIRED	\$ 50.00
6.16.030	MANDATORY SPAYING/NEUTERING	\$ 110.00
6.16.040	CARE OF FERAL CATS PROHIBITED WITHOUT SIGNED STATEMENT	\$ 50.00
6.18.060	PERMIT FOR WILD ANIMALS REQUIRED	\$ 110.00
6.18.070	KEEPING DISEASED ANIMALS PROHIBITED	\$ 50.00
6.18.100	PLACEMENT OF DEAD ANIMALS IN PUBLIC PLACES PROHIBITED	\$ 20.00
6.18.120	WILLFUL INJURY TO WILDLIFE PROHIBITED	\$ 30.00
6.20.020	FEEDING WATERFOWL/PIGEONS IN RESTRICTED AREA PROHIBITED	\$ 60.00
6.20.030	SELLING WATERFOWL/PIGEONS PROHIBITED	\$ 60.00
6.20.040	RELEASING WATERFOWL/PIGEONS IN RESTRICTED AREA PROHIBITED	\$ 30.00
6.24.010	FEEDING WILD RODENTS AND VERMIN PROHIBITED	\$ 30.00
8.04.020	ACCUMULATION OF REFUSE - PUBLIC/PRIVATE PROPERTY	\$ 30.00
8.04.040	ACCUMULATION OF COMMERCIAL GARBAGE	\$ 100.00
8.04.050	PLACE, DEPOSIT, KEEP, BURY ANY GARBAGE ON, IN, OR UNDER ANY PREMISES	\$ 100.00
8.04.060	ACCUMULATION OF GARBAGE IN PUBLIC	\$ 50.00
8.04.070	GARBAGE CONTAINERS OUT OF PUBLIC VIEW ON NON-COLLECTION DAYS	\$ 50.00
8.04.068	MANDATORY GARBAGE SERVICE	\$ 50.00
8.04.080	HAULING OF TRASH BY ANY PERSON, FIRM, OR CORPORATION BESIDES THOSE DESIGNATED BY THE CITY TO BE EXCEPTIONS IS PROHIBITED.	\$ 250.00
8.04.120	UNAUTHORIZED USE OF DUMPSTER	\$ 100.00
8.06.035	RECYCLING REQUIRED	\$ 50.00
8.06.050	RECYCLABLE WASTE MATERIAL - UNAUTHORIZED COLLECTION	\$ 50.00
8.07.070	REDUCTION OF SINGLE-USE PLASTIC AND PAPER CARRYOUT BAGS	
	1ST OFFENSE (30 days or more after first warning)	\$ 100.00
	2ND OFFENSE (60 days or more after first warning)	\$ 200.00
	3RD OFFENSE (90 days or more after first warning)	\$ 500.00
8.20.010	POWER BOATS PROHIBITED ON SOQUEL CREEK	\$ 100.00
8.24.290	WATER WELL VIOLATION	\$ 100.00

7948

RESOLUTION NO. 3963

8.36.030	PROHIBITED FOOD SERVICE WARE:	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.36.035	PROHIBITED RETAIL SALES OF POLYSTYRENE FOAM PRODUCTS:	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.36.040	REQUIRED BIODEGRADABLE AND COMPOSTABLE DISPOSABLE FOOD SERVICE WARE:	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.38.050	PROHIBITION OF SMOKING IN INDOOR PUBLIC PLACES	\$ 30.00
8.38.055	PROHIBITION OF SMOKING IN OUTDOOR PUBLIC PLACES	\$ 30.00
8.38.110	BUSINESSES' POSTINGS OF SIGNS THAT SELL TOBACCO PRODUCTS REQUIRED	\$ 50.00
8.38.112	REGULATING THE SALE OF TOBACCO PRODUCTS REQUIRED	\$ 50.00
8.38.130A	OWNER/MANAGER FAILURE TO COMPLY WITH SMOKING PROVISIONS	\$ 50.00
8.38.130B	SMOKING IN AREA WHERE SMOKING PROHIBITED	\$ 30.00
8.46.030	BOAT MOORING	\$ 60.00
8.60.020	GRAFFITI PROHIBITED	\$ 500.00
8.60.050	DISPLAYING AEROSOL SPRAY PAINT CONTAINERS AND MARKER PENS IN ANY AREA ACCESSIBLE TO THE PUBLIC WITHOUT EMPLOYEE ASSISTANCE IS PROHIBITED.	\$ 250.00
8.64.060	ANY VIOLATION OF ORDERS OR DIRECTIVES FOR WATER SPORTS AND EQUIPMENT IS PROHIBITED.	\$ 100.00
8.68.010	ANY TRANSFERRING OF OWNERSHIP OF A FIREARM WITHOUT AN EFFECTIVE TRIGGER LOCK AND PRINTED MATERIAL ADVISING SAFE STORAGE PRACTICES IS PROHIBITED	\$ 250.00
9.04.030	PUBLIC NUDITY	\$ 75.00
9.10.010	REMAINING ON BUSINESS PROPERTY AFTER REQUESTED TO LEAVE	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 250.00
9.12.010	NOISE PROHIBITED, 10PM TO 8AM	\$ 110.00
9.12.015A	MECHANICAL SWEEPERS, PARKING LOT VACUUM MACHINES, AND LEAF BLOWERS ON NON-RESIDENTIAL PRIVATE PROPERTY PROHIBITED BETWEEN 11 PM TO 7 AM	\$ 50.00
9.12.015B	MECHANICAL SWEEPERS, PARKING LOT VACUUM MACHINES, AND LEAF BLOWERS ON RESIDENTIAL PRIVATE PROPERTY PROHIBITED WEEKDAYS BETWEEN 5 PM AND 8 AM AND WEEKENDS BETWEEN 4 PM AND 10 AM	\$ 50.00
9.12.015C	LEAF BLOWERS IN EXCESS OF 65 dBA PROHIBITED	\$ 50.00
9.12.015D	UNLAWFUL TO CAUSE LEAVES OR DEBRIS FROM LEAF BLOWER OPERATIONS TO BE BLOWN OR DEPOSITED ON OTHER PROPERTY	\$ 50.00
9.12.040	AMPLIFIED SOUND WITHOUT A PERMIT	\$ 100.00
9.12.070	SOUND AMPLIFICATION PERMITS - VIOLATION OF PERMIT CONDITIONS	\$ 100.00

RESOLUTION NO. 3963

7949

9.20.010	DISCHARGING FIREARMS	\$ 250.00
9.20.015	POSSESSION OF FIREARMS ON CITY PROPERTY OR PUBLIC PROPERTY IN THE VICINITY OF A SCHOOL PROHIBITED	\$ 500.00
9.22.050	ANY DISPLAY OR TRANSFER OF OWNERSHIP OF A FIREARM ON THE SATURDAY NIGHT SPECIALS LIST IS PROHIBITED	\$ 250.00
9.24.010	UNLAWFUL SALE OF FIREWORKS	\$ 500.00
9.24.020	UNLAWFUL DISCHARGE OF FIREWORKS	\$ 500.00
9.28.010	NO VEHICLES ON BEACH	\$ 100.00
9.28.020	ILLEGAL CAMPING ON BEACH	\$ 50.00
9.28.030	NO OPEN FIRES ON BEACHES	\$ 50.00
9.30.030	VIOLATION OF SURF SCHOOL REGULATIONS:	
	1ST OFFENSE	\$ 50.00
	2ND OFFENSE	\$ 100.00
	3RD OFFENSE	\$ 250.00
9.32.030	ALCOHOL CONSUMPTION/OPEN CONTAINERS PROHIBITED ON STREET, PARK, SCHOOL GROUNDS, BEACH	\$ 50.00
9.34.010	PUBLIC URINATION / DEFECATION PROHIBITED	\$ 50.00
9.48.020	CAMPING PROHIBITED	\$ 50.00
10.04.030	PERSONS OTHER THAN OFFICIALS NOT TO DIRECT TRAFFIC	\$ 50.00
10.04.040	OBEDIENCE TO POLICE OR OTHER AUTHORIZED OFFICERS	\$ 100.00
10.04.070	BICYCLES PROHIBITED ON SIDEWALKS	\$ 30.00
10.04.080	OPERATION OF DEVICES ON SIDEWALKS	\$ 30.00
10.04.100	OBSTRUCTION OR INTERFERENCE/ERASED CHALK MARKS	\$ 70.00
10.28.010	DRIVING THROUGH FUNERAL PROCESSION	\$ 50.00
10.28.020	CLINGING TO MOVING VEHICLES	\$ 50.00
10.28.030	COMMERCIAL VEHICLES USING PRIVATE DRIVEWAYS	\$ 50.00
10.28.040	RIDING OR DRIVING ON SIDEWALK	\$ 50.00
10.28.050	NEW PAVEMENT MARKINGS	\$ 30.00
10.28.060	LIMITED ACCESS	\$ 30.00
10.28.070	RESTRICTIONS ON USE OF FREEWAYS	\$ 30.00
10.28.080	OBEDIENCE TO BARRIERS AND SIGNS	\$ 50.00
10.28.090	OBSTRUCTING INTERSECTION OR CROSSWALK	\$ 50.00
10.28.100	TRAFFIC BARRIERS	\$ 50.00
10.32.020	PEDESTRIANS MUST USE CROSSWALKS BUSINESS DISTRICT	\$ 30.00
10.36.010	PARKING PERMIT REQUIRED	\$ 48.00
10.36.020	STOPPING OR STANDING IN PARKWAYS	\$ 23.00
10.36.040	NO PARKING AREAS AS POSTED	\$ 41.00
10.36.045	EXPIRED METER ZONE	\$ 36.00
10.36.045	PARKING WITHIN A METER ZONE WITHOUT PAYING IS AN INFRACTION	\$ 25.00
10.36.060	CITY HALL PARKING LOT USE: ONE-HOUR AND PERMIT PARKING	\$ 23.00
10.36.065	PARKING METER TAMPERING PROHIBITED	\$ 100.00
10.36.070	STORAGE OF VEHICLE ON STREET +72 HOURS:	
	1ST OFFENSE	\$ 73.00
	2ND OFFENSE	\$ 98.00
	3RD OFFENSE	\$ 128.00
10.36.070A	PARKING A VEHICLE ON A STREET OR ALLEY FOR MORE THAN 72 CONSECUTIVE HOURS IS PROHIBITED	\$ 65.00

7950

RESOLUTION NO. 3963

10.36.070B	STORAGE OF COMMERCIAL VEHICLE ON PUBLIC STREET	
10.36.070B	1ST OFFENSE	\$ 50.00
10.36.070B	2ND OFFENSE	\$ 100.00
10.36.090	REPAIRING VEHICLE ON PUBLIC STREET	\$ 50.00
10.36.110	PARKING ADJACENT TO SCHOOLS	\$ 23.00
10.36.120	PARKING ON NARROW STREET: ON OR BETWEEN WHITE LINES	\$ 38.00
10.36.130	PARKING ON GRADES: WHEELS NOT CURBED	\$ 38.00
10.36.140	PEDDLER AND VENDOR PARKING	\$ 23.00
10.36.140B	VENDOR LICENSE REQUIRED	\$ 50.00
10.36.150	EMERGENCY PARKING SIGNS	\$ 30.00
10.36.160	DISABLED COMMERCIAL VEHICLES: WARNING SIGNALS	\$ 20.00
10.36.170A	RED ZONE	\$ 43.00
10.36.170B	YELLOW ZONE	\$ 41.00
10.36.170C	PASSENGER ZONE WHITE CURB	\$ 41.00
10.36.170D	GREEN CURB - 24 MINUTES	\$ 41.00
10.36.180	PARKING OF TALL VEHICLES WITHIN 100 FT OF AN INTERSECTION:	
10.36.180	1ST OFFENSE	\$ 50.00
10.36.180	2ND OFFENSE	\$ 100.00
10.36.195	NO PARKING WEEKENDS AND HOLIDAYS WITHOUT PERMIT	\$ 48.00
10.36.210	PARALLEL PARKING 18 INCHES FROM CURB: ONE-WAY STREETS	\$ 38.00
10.36.220	DIAGONAL PARKING	\$ 31.00
10.36.230	PARKED OUT OF SPACE	\$ 31.00
10.36.240	NO STOPPING ZONES	\$ 23.00
10.36.250	TAXICAB STANDS	\$ 23.00
10.36.270	HEAVY VEHICLES - USE OF STREETS	\$ 30.00
10.36.280	HEAVY VEHICLES - PARKING	\$ 53.00
10.36.290	PARKING RESTRICTIONS AUTHORIZED: TWO-HOUR PARKING	\$ 39.00
10.36.360	STOPPING OR STANDING OR PARKING IN ALLEYS	\$ 38.00
10.36.380	PARKING RESTRICTIONS CITY-CONTROLLED OFF-STREET PARKING	\$ 30.00
10.44.010	BICYCLE LICENSE REQUIRED	\$ 25.00
10.44.040	BICYCLE SECONDHAND DEALER REPORT REQUIRED	\$ 100.00
10.44.050	BICYCLE SALE REPORT REQUIRED	\$ 100.00
10.44.060	BICYCLE LICENSE PLATE OR SERIAL NUMBER DESTRUCTION	\$ 100.00
10.48.010	TRUCK ROUTES	\$ 50.00
10.48.020	ADVERTISING VEHICLES WITH SOUND AMPLIFYING LOUDSPEAKER	\$ 50.00
10.48.040	COMMERCIAL VEHICLES PROHIBITED FROM STREETS	\$ 50.00
10.56.010	MAXIMUM VEHICLE LENGTH	\$ 73.00
12.12.110	PERMITS ARE REQUIRED FOR ANY WORK DONE TO A HERITAGE TREE, DISREGARDING MAINTENANCE TRIMMING	\$250/\$1,000
12.12.120	ANY DESTRUCTION VISITED UPON ANY PUBLIC TREE, OR DESTRUCTION TO A PRIVATE TREE THAT COULD SUBSEQUENTLY HARM A PUBLIC TREE WITHOUT FIRST OBTAINING A PERMIT IS PROHIBITED	\$250/\$1,000
12.12.130	FAILURE TO PROTECT OR MAINTAIN TREES ON CONSTRUCTION/DEMOLITION SITES IS A VIOLATION	\$250/\$1,000
12.12.160	CUTTING OR REMOVAL OF TREES IN THE CITY WITHOUT A TREE REMOVAL PERMIT IS PROHIBITED	\$250/\$1,000

RESOLUTION NO. 3963

7951

12.12.270	VIOLATION OF COMMUNITY TREE / FOREST MANAGEMENT ORDINANCE	TREE REPLACE- MENT VALUE
12.42.010	DEPOT HILL BLUFF - PROHIBITION AGAINST GRADING, DISTURBING, ERECTING ANY STRUCTURE, MINING OR EXTRACTING MATERIALS:	
	1ST OFFENSE IN A 12-MONTH PERIOD	\$ 100.00
	2ND OFFENSE IN A 12-MONTH PERIOD	\$ 250.00
	3RD OFFENSE IN A 12-MONTH PERIOD	\$ 500.00
12.44.010	PROHIBITION LIMITING BOATS ON CAPITOLA BEACH DURING WORKING HOURS	\$ 50.00
12.48.010	DOGS PROHIBITED ON WHARF	\$ 50.00
12.48.020	DIVING AND JUMPING FROM WHARF PROHIBITED	\$ 50.00
12.48.030	TYING BOATS TO WHARF PROHIBITED	\$ 50.00
12.48.040	OVERHEAD CASTING FROM WHARF PROHIBITED	\$ 30.00
12.48.050	UNAUTHORIZED VEHICLES PROHIBITED ON WHARF	\$ 108.00
12.48.060	BURNING ON WHARF PROHIBITED	\$ 50.00
12.48.070	TRESPASSING ON WHARF WHILE CLOSED PROHIBITED	\$ 50.00
12.48.090	JET SKIING, CAPITOLA BEACH	\$ 50.00
12.48.110	POWER BOAT, CAPITOLA BEACH	\$ 50.00
12.48.120	30 MINUTE FLOATING DOCK LIMIT	\$ 30.00
12.48.130	PRIVATE VOLLEYBALL NETS ON BEACH PROHIBITED DURING THE SUMMER PERIOD	\$ 30.00
12.48.140	GLASS CONTAINERS AND ALCOHOLIC BEVERAGE CONTAINERS LARGER THAN ONE GALLON PROHIBITED ON PUBLIC BEACH	\$ 30.00
12.52.010	SKATEBOARDING IS PROHIBITED IN (NEARLY ALL OF) ESPLANADE /CAPITOLA VILLAGE AREA	\$ 30.00
12.52.010A	SKATEBOARDING PROHIBITED ON SIDEWALKS OR CURBS	\$ 30.00
12.52.010B	SKATEBOARDING PROHIBITED - ESPLANADE PARK/RESTROOMS	\$ 30.00
12.52.010C	SKATEBOARDING PROHIBITED - PACIFIC COVE MOBILEHOME PARK AND PACIFIC COVE PARKING LOT	\$ 30.00
12.52.010D	SKATEBOARDING PROHIBITED - SIDEWALKS OF CERTAIN STREETS LOCATED IN CAPITOLA VILLAGE	\$ 30.00
12.52.010E	SKATEBOARDING PROHIBITED - SIDEWALKS OF CERTAIN STREETS LOCATED IN CAPITOLA VILLAGE	\$ 30.00
12.52.020	SKATEBOARDING PROHIBITED IN ANY AREAS NOT INCLUDED IN SECTION 12.52.010 IF ONE OR MORE SIGNS IS POSTED PROHIBITING SKATEBOARDING	\$ 30.00
12.52.030A	SKATEBOARDING - STOP AT ALL STOP SIGNS/RED LIGHTS	\$ 30.00
12.52.030B	SKATEBOARDING - YIELD TO VEHICLES AT YIELD SIGNS	\$ 30.00
12.52.030C	SKATEBOARDING - YIELD TO PEDESTRIANS AT CROSSWALKS	\$ 30.00
12.52.030D	SKATEBOARDING - DO NOT IMPEDE TRAFFIC OR INTERFERE WITH THE FLOW OF VEHICULAR TRAFFIC	\$ 30.00
12.52.030E	SKATEBOARDING - YIELD TO APPROACHING VEHICLES WHEN ENTERING ANY ROADWAY	\$ 30.00
12.52.030F	SKATEBOARDING - DO NOT BE TOWED BY A MOTOR VEHICLE OF ANY SPEED OR A BICYCLE AT ANY UNSAFE SPEED	\$ 50.00
12.52.030G	SKATEBOARDING - YIELD BICYCLE LANES TO BICYCLES	\$ 30.00
12.52.030H	SKATEBOARDING - DO NOT TRAVEL INTO PATH OF A CLOSE VEHICLE CONSTITUTING AN IMMEDIATE HAZARD	\$ 30.00
12.52.030I	SKATEBOARDING WITH DUE CARE AT A SAFE SPEED VIOLATION	\$ 50.00

7952

RESOLUTION NO. 3963

12.52.040	WHEN SKATEBOARDING ON SIDEWALKS THAT ARE NOT PROHIBITED, SKATEBOARDERS MUST YIELD TO ALL PEDESTRIANS AND PROCEED WITH CARE WHEN NEAR PEDESTRIANS	\$ 30.00
12.56.010	ENCROACHMENT WITHOUT PERMIT	\$ 100.00
12.56.090	INSTALLING PRIVATE IMPROVEMENTS OR OBSTRUCTIONS IN ANY PUBLIC RIGHT-OF-WAY IS PROHIBITED, BARRING THE SPECIFIED EXCEPTIONS	\$ 100.00
12.58.030	ENTERING OR REMAINING ON POSTED PROPERTY WITHOUT WRITTEN PERMISSION OF CITY MANAGER	
	1ST OFFENSE IN A 12-MONTH PERIOD	\$ 100.00
	2ND OFFENSE IN A 12-MONTH PERIOD	\$ 200.00
	3RD OFFENSE IN A 12-MONTH PERIOD	\$ 500.00
12.64.020	DISPLAY OR SALE OF MERCHANDISE PROHIBITED	\$ 50.00
13.02.090	FAILURE TO COMPLY WITH PLUMBING FIXTURE RETROFIT REQUIREMENTS IS PROHIBITED	\$ 100.00
13.04.050	PUBLIC SEWAGE CONNECTION REQUIRED FOR BUILDINGS INTENDED FOR HUMAN HABITATION	\$ 500.00
13.16.180	VIOLATION OR FAILURE TO COMPLY WITH STORM WATER POLLUTION PREVENTION AND PROTECTION ORDINANCE MAY BE SUBJECT TO ENFORCEMENT ACTIONS OUTLINED IN TITLE 4	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD OFFENSE	\$ 500.00
15.04.020	BUILDING CODE VIOLATIONS	\$ 100.00
15.12.010	ILLEGAL USE OF MOBILEHOME	\$ 50.00
15.14.010	TRANSPORTING A MOBILEHOME ACROSS PUBLIC STREETS/ALLEYS WITHOUT A PERMIT IS PROHIBITED	\$ 250.00
15.14.020	APPLICATION TO TRANSPORT A MOBILEHOME, FILED 3 DAYS PRIOR TO ANTICIPATED TRANSPORTATION IS REQUIRED	\$ 250.00
15.14.030	MOBILEHOME: A FIFTY DOLLAR PERMIT FEE IS REQUIRED	\$ 250.00
15.14.040	ALLOWING A MOBILEHOME TO STAND ON A PUBLIC STREET/ALLEY FOR MORE THAN 12 HOURS IS PROHIBITED	\$ 250.00
17.54.070	ERECTING FENCE WITHOUT A PERMIT	\$ 100.00
17.57.020	PERMIT REQUIRED FOR SIGN	\$ 100.00
17.57.040	SIGN PROHIBITED VIOLATION	\$ 100.00
17.57.050	TEMPORARY SIGN VIOLATION	\$ 100.00
17.57.060	CENTRAL VILLAGE SIGN VIOLATION	\$ 100.00
17.57.070	PERMANENT SIGN VIOLATION	\$ 100.00
17.60.020	FAILURE TO OBTAIN CONDITIONAL USE PERMIT	\$ 100.00
17.81.060	ANIMAL OFFENSIVE OR ENDANGER TO NEIGHBORS	\$ 100.00
17.81.060B	NUMBER OF ANIMALS ALLOWED IN SINGLE-FAMILY DWELLING	\$ 100.00
17.81.110	ACCESSORY STRUCTURE WITHOUT A PERMIT	\$ 100.00
17.81.140	DISH ANTENNAE PROHIBITED	\$ 80.00
17.98.080	WIRELESS COMMUNICATION FACILITIES ARE PROHIBITED WITHIN 500 FEET OF SPECIFIED ZONING DISTRICTS (FAMILY RESIDENCE, SCHOOLS, PARKS AND OPEN SPACE, PUBLIC FACILITIES, ETC.) AND WITHIN 3,000 FEET OF COASTLINE	\$ 250.00



CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 14, 2014

FROM: CITY MANAGER'S DEPARTMENT
SUBJECT: LIABILITY CLAIM

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

DISCUSSION:

The following claimant has filed a liability claim against the City of Capitola:

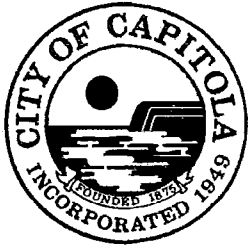
1. Anthony Lopez Ortiz: \$200.00

ATTACHMENTS: None

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

Reviewed and Forwarded
by City Manager: 

THIS PAGE INTENTIONALLY LEFT BLANK



CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 14, 2014

FROM: FINANCE DEPARTMENT

SUBJECT: QUARTERLY REPORTS - THIRD QUARTER SALES TAX REPORT

RECOMMENDED ACTION: Receive the Third Quarter Sales Tax Report.

BACKGROUND: The City's quarterly reports are typically posted to the City's website in the last week of the month for the preceding quarter. These reports are also placed on the City Council agenda for informational purposes.

DISCUSSION: The attached quarterly report contains information for the following dates:

- Third Quarter Sales Tax Report: January 1 to March 31, 2014.

The Third Quarter sales tax report reflects revenues earned for the period listed above. Sales tax information for the quarter ended June 30, 2014, will not be available until September 2014.

The Fourth Quarter Budget Report will be available in September, with tentative year-end projections posted to the website in August. The City is anticipated to receive invoices for FY 13/14 through August 15th; with final sales tax revenue numbers received in mid-September.

FISCAL IMPACT: This action is administrative and should not result in a financial impact.

ATTACHMENTS:

1. Third Quarter Sales Tax Report

Report Prepared By: Tori Hannah
Finance Director

Reviewed and Forwarded
by City Manager: 

THIS PAGE INTENTIONALLY LEFT BLANK



Third Quarter Sales Tax Report

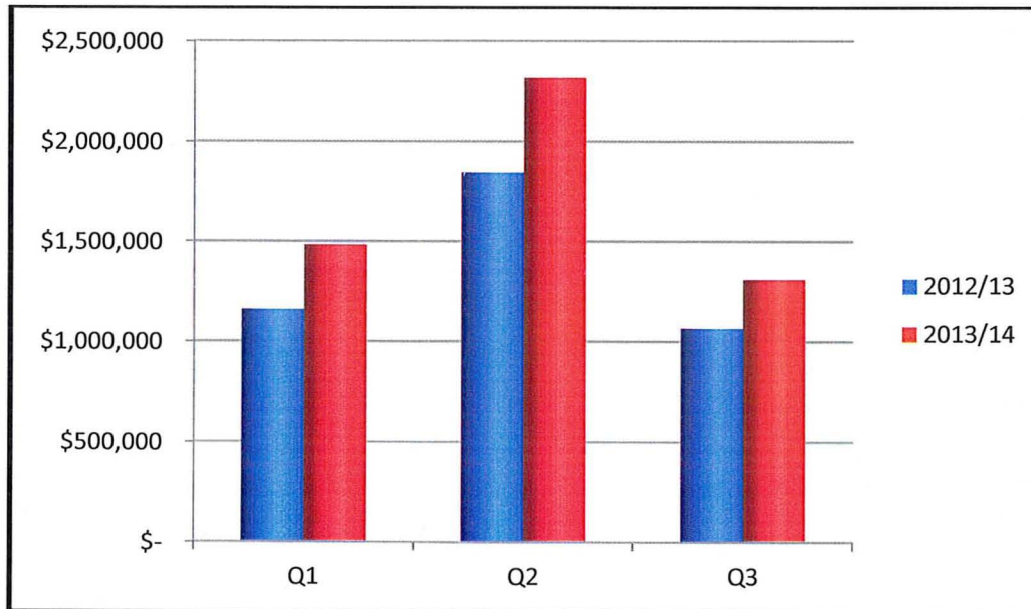
Capitola sales tax revenue for the three quarters ended March 31, 2014 of fiscal year 2013-14 was \$1,120,971 or 24.4% above the same period in the prior year, with \$750,338 or 68.15% of the increase resulting from the addition of Measure O receipts. The City also saw significant increases in Bradley Burns receipts primarily as a result of growth in General Retail sales. Higher than average late sales tax payments were the cause of higher than expected In Lieu receipts. Gains are expected to slow as the economic growth experienced over the past two years is expected to level off throughout the State.

Sales Tax Revenue

Description	2014		2013	Budget vs Actual Variance		Actual vs Actual	
	Amended Budget	Actual Amount	Actual Amount	Amount	Percentage	Amount	Percentage
Bradley Burns - 3/4%	\$ 2,857,711	\$ 2,849,987	\$ 2,735,327	\$ (7,724)	-0.3%	\$ 114,660	4.2%
In Lieu - Annual Total	1,352,332	1,352,332	1,102,417	0	0.0%	249,915	22.7%
Measure D - 1/4%	768,895	763,323	757,266	(5,572)	-0.7%	6,057	0.8%
Measure O - 1/4%	749,825	750,338	-	513	0.1%	750,338	100.0%
	<u>\$ 5,728,763</u>	<u>\$ 5,715,981</u>	<u>\$ 4,595,010</u>	<u>\$ (12,782)</u>	<u>-0.2%</u>	<u>\$ 1,120,971</u>	<u>24.4%</u>
Excluding Measure O	\$ 4,978,938	\$ 4,965,643	\$ 4,595,010	\$ (13,295)	-0.3%	\$ 370,633	8.1%

The following chart is a comparison of actual sales tax revenue collected by the City of Capitola for the first three quarters of the most recent fiscal years. The addition of Measure O revenues are reflected in the chart below, along with the effect of increased In Lieu receipts that are recorded in the second quarter.

Quarterly Sales Tax Revenue Comparison



THIS PAGE INTENTIONALLY LEFT BLANK



CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 14, 2014

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: APPROVE CONTRACT WITH CAROLYN FLYNN FOR PROFESSIONAL SERVICES RELATED TO AFFORDABLE HOUSING PROGRAMS, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM ADMINISTRATION, AND GRANT WRITING

RECOMMENDED ACTION: Approve the proposed sole source contract with Carolyn Flynn for an amount not to exceed \$44,000 for Fiscal Year 2014/15 for assistance with affordable housing programs, CDBG program administration, grant writing, and grant management.

BACKGROUND: Carolyn Flynn has provided consulting assistance with the City's Community Development Department since September 1997. Her services have covered a wide range of grant writing and administration activities, as well as professional planning services in affordable housing and economic development. She administers the City's CDBG Program, including writing grant applications, administration of grants, preparation and submittal of quarterly and annual reports, grant closeout activities, and CDBG Program income tracking and oversight.

Ms. Flynn has provided professional project management and planning assistance to the City on many Community Development Planning and Economic Development Projects. When Ms. Flynn first began consulting with the City, her primary responsibilities were with the City's growing Affordable Housing Program. She has provided affordable housing assistance as needed in recent years, including primary responsibility for managing the City's Affordable Housing program since March 2013.

Last year, Ms. Flynn wrote a grant for \$383,000 to fund improvements at Rispin Park from the State of California Housing-Related Parks Program, which was recently awarded. She also prepared and submitted a \$500,000 grant application for CDBG funds for a citywide Rehabilitation and Mortgage Assistance Program. Grant awards will be announced in late August.

DISCUSSION: The contract with Ms. Flynn is for professional services for Fiscal Year 2014/15 in an amount not to exceed \$44,000. The contract is a standard form City contract for professional services, as approved by the City Attorney. Services to be performed under this contract include:

- Administration of the City's Affordable Housing Programs;
- Administration of the Housing Successor's Programs;
- Overall CDBG Program Administration;
- Professional services for flood, FEMA, economic development and disaster related grants.

Ms. Flynn will be responsible for coordinating the Inclusionary Housing Ordinance sales, tracking the City's existing affordable housing loan portfolio; monitoring regulatory agreements with Wharf Turner Lane Mobilehome Park, Castle Mobilehome Park, Habitat for Humanity (38th Avenue & Brommer Street), and The Dakota; and working with the Community Development Director on future Affordable Housing Programs for the City. In addition, Ms. Flynn will handle affordable housing issues related to

Item #: 8.G. Staff Report.pdf

AGENDA STAFF REPORT AUGUST 14, 2014
 CAROLYN FLYNN CONTRACT FISCAL YEAR 2013/14

the prior Redevelopment Agency (RDA), on behalf of the Housing Successor. These tasks will include tracking the previous RDA affordable housing loans, monitoring regulatory agreements at Loma Vista Mobilehome Park and Wharf Road Manor Mobilehome Park, including ensuring correct income certification for new residents at these mobilehome parks.

In addition, Ms. Flynn will be responsible for quarterly reporting and annual submittals for the CDBG Program. Other duties will include overall administration and coordination of the City's Fiscal Year 2014/15 CDBG Program, including management of program income and grant writing for future grant applications.

Ms. Flynn's knowledge of the City's Affordable Housing, CDBG program, and with existing and new grants, as well as her unique knowledge of the City's Community Development Department, provides her with the required experience that no other consultant can provide without first spending a significant amount of time to learn the City's financial processes, existing CDBG grant agreements, federal reporting requirements, and community and economic development projects.

FISCAL IMPACT: The funding for this contract is available from the Housing Trust Fund, General Fund, and Housing Successor Agency.

Task	Project/Fund	Proposed FY 13/14
1.	Grant Writing & Housing Assistance/CDD Professional Assistance <i>ED & Flood Recovery Grant Assistance</i>	\$ 19,000
2.	Affordable Housing – City Housing Trust Fund <i>Provide professional assistance as needed</i>	\$ 15,000
3.	Affordable Housing – Housing Successor Fund <i>Provide professional assistance as needed</i>	\$ 10,000
TOTAL		\$ 44,000

ATTACHMENT

1. Sole Source Purchases Determination

Report Prepared By: Richard Grunow
 Community Development Director

**Reviewed and Forwarded
 By City Manager**



**Sole Source Purchase Determination
Carolyn Flynn – August 14, 2014**

BACKGROUND: The City of Capitola Purchasing and Procurement policy (Administrative Policy III-4) requires three telephone quotes, whenever feasible for purchases between \$5,000 - \$25,000. The Policy also requires a formal RFP bid procedure for purchases over \$25,000. The policy provides conditions for Sole Source (Section II) purchases that are exempt from the competitive process.

DISCUSSION: The contract with **Carolyn Flynn**, in the amount of **\$44,000**, dated **August 14, 2014** is a qualified sole source purchase within the City Administrative Policy III-4 Section II (**check one of the following**)

Materials, Supplies & Equipment:

_____ (a) Definition. Sole source purchases are used where no secondary source is reasonably available precluding the use of a competitive process.

Consultant or General Services:

 X (a.) In the case where a consulting firm has satisfactorily performed the previous stage of a project (e.g. a pre-design), or has acquired extensive background and working knowledge, the firm may be selected for follow-up work without solicitations from other firm upon written justification and recommendation of the department head and approval by the City Manager or designee.

_____ (b.) If a firm is a highly recognized authority in a field or specialty, or has unique specific knowledge regarding the project, then the firm may be selected without other solicitations for contracts and upon written justification and recommendation of the department head and approval by the City Manager or designee.

_____ (c.) Upon those infrequent occasions when confidence in the consultant and quality of service are important.

Ms. Flynn's knowledge of the City's Affordable Housing, CDBG program, and with existing and new grants, as well as her unique knowledge of the City's Community Development Department, provides her with the required experience that no other consultant can provide without first spending a significant amount of time to learn the City's financial processes, existing CDBG grant agreements, federal reporting requirements and community and economic development projects.

 Department Head

Date

 City Manager

Date

THIS PAGE INTENTIONALLY LEFT BLANK



CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 14, 2014

FROM: CITY MANAGER'S OFFICE
SUBJECT: SANTA CRUZ REGIONAL 911 PRESENTATION

RECOMMENDED ACTION: Receive report from General Manager Dennis Kidd regarding the budget and services for Santa Cruz Regional 911.

BACKGROUND: Santa Cruz Regional 911 (SCR 911), formerly the Santa Cruz Consolidated Emergency Communications Center, is a Joint Powers Authority (JPA) providing public safety and 911 dispatch services for the counties of Santa Cruz and San Benito, and the cities of Santa Cruz, Watsonville, Capitola, and Hollister. SCR 911 also provides services to ten fire districts, American Medical Response West (the local paramedic and ambulance transport provider), and County Animal Control Services. The 911 Board of Directors is comprised of the Santa Cruz County Administrative Officer and city managers from the cities of Santa Cruz, Capitola, and Watsonville.

The SCR 911 facility opened on June 19, 1996, and is located at DeLaveaga Golf Course. The building features the 2,750 square foot emergency communications center with thirteen dispatch consoles dispatching for Santa Cruz County and San Benito County agencies. SCR 911 maintains fully equipped and operational alternate sites in Watsonville and Hollister.

DISCUSSION: In 2013 Santa Cruz Regional 911 received 574,014 phone calls handled and processed; 148,047 were 911 calls and 101,785 were wireless 911 calls (69%). There were a total of 384,661 calls for service of which Capitola Police Department had 21,999 calls for services (5.71%)

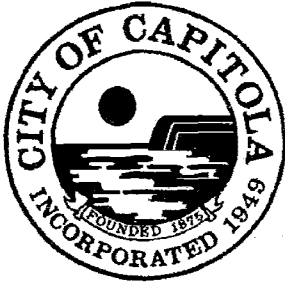
FISCAL IMPACT: None

ATTACHMENT: None

Report Prepared By: Jamie Goldstein
City Manager

Reviewed and Forwarded
By City Manager

THIS PAGE INTENTIONALLY LEFT BLANK



CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 14, 2014

FROM: OFFICE OF CITY MANAGER

SUBJECT: CONSIDER AN AGREEMENT WITH SOQUEL UNION ELEMENTARY SCHOOL DISTRICT RELATED TO THE TRANSFER OF TITLE TO THE NEW BRIGHTON MIDDLE SCHOOL GYMNASIUM, THE CITY'S RECREATION FEES AND THE JADE STREET COMMUNITY CENTER

RECOMMENDED ACTION:

1. Approve a Resolution authorizing the reconveyance of real property and execution of Grant Deed, and authorizing the City Manager to execute an agreement with the Soquel Union Elementary School District (School District) to transfer title of the New Brighton Middle School Gymnasium (Gymnasium) to the School District and make a one-time payment of \$65,000 for Gymnasium property maintenance; and
2. Accept and file a letter from the School District which clarifies the City may continue to use the Community Center at Jade Street (Community Center) until 2032.

BACKGROUND: In 1984 the School District conveyed property on Washburn Avenue (APN 036-101-37) to the City to build a gymnasium. At that time, the documents stated that the title to the gymnasium property would revert back to the School District from the City when the terms of the financing that required the City to have title to the property were satisfied and complete. In 1986, the City adopted Resolution No. 2157, which stated that title to the gymnasium property would be transferred back to the School District on March 25, 2032.

As the terms of the financing that required the City to own the Gymnasium are complete, and the City does not wish to be responsible for continued maintenance and other costs associated with the Gymnasium through March 25, 2032, City staff has met with School District staff to prepare the attached agreement to transfer ownership of the Gymnasium to the School District.

The agreement would transfer ownership of the Gymnasium from the City to the School District. Going forward, the City would receive a reduced rate to rent the facility to continue recreation programs at the Gymnasium, 25% less than the rate charged to nonprofits. The School District would be responsible for all Gymnasium maintenance and scheduling. The City would make a one-time payment of \$65,000 for Gymnasium maintenance.

Community Center at Jade Street: In 1982 the School District and the City entered into an agreement wherein the School District leased property at the Opal Cliffs site (Jade Street Park) to the City for a period of 50 years. Pursuant to that, and other agreements, the City built and has since operated a Community Center on the property. Unfortunately, the interpretation of those prior agreements has been the subject of litigation. The attached letter confirms the School District will allow the City of Capitola to remain in possession of the Community Center through the end of the term of the Lease, which is March 25, 2032.

Item #: 9.B. Staff Report.pdf

8-14-14 AGENDA REPORT

AGREEMENT WITH SOQUEL UNION ELEMENTARY SCHOOL DISTRICT

As part of the agreement transferring title of the Gymnasium, the City agrees to assess residents of the School District the same recreation fee rates as City residents while the City is allowed to use School District land for the Community Center at Jade Street Park free of charge. If approved, that change to recreation fee rates will be made as part of the pending Fee Schedule Update, and made effective for Fall 2014 classes.

FISCAL IMPACT: If approved, the Gymnasium Agreement calls for the City to pay \$65,000 to the School District for Gymnasium maintenance. The Agreement would be funded with \$39,700 that was included in the Fiscal Year 2014/2015 Budget for Gymnasium maintenance and utilities; as well as with \$25,300 in reallocated funds within the Public Works Budget. It is not anticipated that this Agreement will require a new appropriation from the General Fund's fund balance.

ATTACHMENTS:

1. Draft Resolution and Gymnasium Agreement
2. Budget Adjustment
3. Letter regarding use of the Community Center until 2032

Report Prepared by: Jamie Goldstein
City Manager

Reviewed and Forwarded
By City Manager: 

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AUTHORIZING RECONVEYANCE OF REAL PROPERTY AND EXECUTION OF GRANT DEED

WHEREAS, the Soquel Union Elementary School District ("District") formerly owned certain real property as described in the legal description included in Exhibit A-1 and Exhibit A-2 attached hereto (the "Gymnasium Property") as referenced in Exhibit 1 (the " Agreement"), which the District conveyed to the City of Capitola ("City") by grant deed executed on September 14, 1984, and recorded on September 17, 1984; and

WHEREAS, the Soquel Union Elementary School District ("District") formerly owned certain real property as described in the legal description included in Exhibit A-1 and Exhibit A-2 attached hereto (the "Gymnasium Property"), which the District conveyed to the City of Capitola ("City") by grant deed executed on September 14, 1984, and recorded on September 17, 1984; and

WHEREAS, on November 25, 1986, the City adopted Resolution No. 2157, which states that "the sale of the [Gymnasium Property] by the Soquel Union School District to the City of Capitola provided that the title to the property would revert back to the District from the City when the terms of the financing that required the City to have title to the property are satisfied and complete;" and

WHEREAS, Resolution No. 2157 further stated that the title to the Gymnasium Property shall be transferred from the City back to the District on March 25, 2032; and

WHEREAS, the terms of the financing that required the City to have title to the Gymnasium Property are satisfied and complete; and

WHEREAS, the City does not wish to be responsible for maintenance and other costs associated with the Gymnasium Property through March 25, 2032, and instead wishes to reconvey the Gymnasium Property to the District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAPITOLA, AS FOLLOWS:

1. Title to the Gymnasium Property shall be transferred from the City back to the District.
2. The City Manager is authorized to execute on behalf of the City, an Agreement (Exhibit 1) with the District for the reconveyance of the Gymnasium Property, and to execute a Grant Deed and other necessary documents to transfer the title to the Gymnasium Property, described in the legal description in Exhibit 1, to the District.

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 14th day of August, 2014, by the following vote:

AYES:
NOES:
ABSENT:

Mayor Sam Storey

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

EXHIBIT 1

AGREEMENT BETWEEN CITY OF CAPITOLA
AND
SOQUEL UNION ELEMENTARY SCHOOL DISTRICT
(GYMNASIUM PROPERTY)

THIS AGREEMENT ("Agreement") is entered into effective _____ 2014 ("Effective Date"), by and between the City of Capitola ("City") and the Soquel Union Elementary School District ("District"). City and District are sometimes hereinafter referred to collectively as the "Parties" or each individually as a "Party."

RECITALS

- A. Each of City and District has limited resources for recreational and athletic programs and wish to jointly undertake the construction, operation, and maintenance of recreational facilities that can be used by both District students and City residents in order to reduce capital and operational costs to both governmental jurisdictions.
- B. California Education Code section 10900 *et seq.* (the "Community Recreation Act") authorizes cities and school districts to organize, promote, and conduct programs of community recreation for the children and adults of the State, and to construct, operate, and maintain, recreation facilities, including recreation centers, parks, playgrounds, sports fields, swimming pools, and related facilities, including parking
- C. California Government Code sections 6500-6515 authorize public agencies through their governing bodies to jointly exercise any power common to the contracting agencies.
- D. The District formerly owned certain real property described in Exhibit A-1 and depicted on Exhibit A-2 attached hereto and incorporated by this reference ("Gymnasium Property"), which the District conveyed to the City by grant deed executed on September 14, 1984, and recorded on September 17, 1984. On November 25, 1986, the City adopted Resolution No. 2157, which states that "the sale of the [Gymnasium Property] by the Soquel Union Elementary School District to the City of Capitola provided that the title to the property would revert back to the District from the City when the terms of the financing that required the City to have title to the property are satisfied and complete." The Resolution further stated that the title to the Gymnasium Property shall be transferred from the City back to the District on March 25, 2032. As of the Effective Date of this Agreement, the terms of the financing that required the City to have title to the Gymnasium Property are satisfied and complete. The City does not wish to be responsible for maintenance and other costs associated with the Gymnasium Property through March 25, 2032, and instead wishes to reconvey the Gymnasium Property to the District.

- E. It is the desire of the Parties that the City reconvey the Gymnasium Property to the District, free and clear of any and all liens and encumbrances, and that, along with such reconveyance, the City shall pay the District for necessary repairs and maintenance of the Gymnasium Property.

NOW, THEREFORE, in consideration of the mutual promises set forth below, City and District agree as follows:

1. Recitals Included. The above recitals are hereby made a part of this Agreement and the Parties acknowledge and agree that each of said recitals is true and correct.
2. Reconveyance of the Gymnasium Property. Within thirty (30) days after both Parties have executed this Agreement, the City shall complete all actions necessary to convey fee title to the Gymnasium Property from the City to the District, including by signing and delivering a grant deed substantially in the form attached hereto as Exhibit B ("Grant Deed") to the District for District's recordation in the Official Records for the County of Santa Cruz. The City represents and warrants that, upon such reconveyance, the City shall have no interest in the Gymnasium Property, and the Gymnasium Property shall be free and clear from any and all monetary and nonmonetary liens and encumbrances recorded against the Gymnasium Property or any improvement located on the Gymnasium Property following District's conveyance of the Gymnasium Property to the City in 1984 ("Liens"). If any such Liens exist as of the Effective Date of this Agreement, or on the date of reconveyance of the Gymnasium Property by the City to the District, the City agrees to indemnify, defend, and hold harmless the District against any such Liens, and to take any and all action reasonably necessary to remove such Liens from the title to the Gymnasium Property.
3. City Payment for Gymnasium Property Maintenance. Within thirty (30) days after both Parties have executed this Agreement, the City shall pay to the District the sum of Sixty-Five Thousand Dollars (\$65,000.00) for District's use in completing necessary maintenance of the Gymnasium Property.
4. Use of the Gymnasium Property. Following reconveyance of the Gymnasium Property from the City to the District as set forth in Section 2, and continuing through the duration of the District's 2014-2015 school year, representatives of the District's staff shall meet with representatives of the City's Recreation Department to agree upon a master calendar for use of the Gymnasium Property by the City during the 2014-2015 school year.

During the District's 2015-2016 school year and all subsequent school years, scheduling and use of the Gymnasium Property shall be governed by the policies, practices, and fee schedule adopted by the District pursuant to the Civic Center Act (Ed. Code, §§38130, *et seq.*), except that the City of Capitola's Recreation Department will receive a reduced rate fee charge of twenty-five percent below the current fee that is being charged for non-profit groups who rent the gym. When rental fees are increased for the gym, Capitola's Recreation Department will continue to receive a reduced rate of twenty-five percent from current rate fee being charged.

5. Limitations Upon Use. The City shall comply with all federal, state, local and District laws, statutes, codes, ordinances, rules, regulations, policies, and requirements ("Law") regarding the use of the Gymnasium Property. The City shall not cause the Gymnasium Property to be used, occupied, or improved under this Agreement in any manner or for any purpose that is in any way in violation of any Law. If any license, permit, or other governmental authorization is required for the City's use of the Gymnasium Property, the City shall procure and maintain same to the extent required by Law. The City shall be solely and completely responsible for the safety of all persons and property associated with the City's use of the Gymnasium Property. All materials, equipment, and supplies provided by the City when using the Gymnasium Property shall fully conform to all applicable Law.
6. Responsibility for Damage. In view of City's payment for maintenance costs referenced in Paragraph 3, the District accepts the Gymnasium Property's condition "AS-IS", except that the City shall assume responsibility for any damage to the Gymnasium Property which may occur from the effective date of this Agreement to the date of the conveyance of the Gymnasium Property from the City to the District pursuant to this Agreement.
7. Recreation Fee Rates. The City agrees to assess residents of the District the same recreation fee rates as City residents while the City is authorized by the District to use District land for the Community Center at Jade Street Park free of charge.
8. Indemnification.
 - A. City Indemnification. The City shall defend, indemnify, and hold harmless the District, its elected and appointed officials, officers, employees, agents, volunteers, invitees, and contractors from and against any and all claims, demands, causes of action, liabilities, losses, damages, or expenses of any kind or nature, to the extent said claims, demands, causes of action, liabilities, losses, damages, or expenses arise from the City's intentional, negligent or malfeasant act or omission related to this Agreement or use of the City's use of the Gymnasium Property.
 - B. District Indemnification. The District shall defend, indemnify, and hold harmless the City, its elected and appointed officials, employees,

agents, volunteers, invitees, and contractors from and against any and all claims, demands, causes of action, liabilities, losses, damages, or expenses of any kind or nature, to the extent said claims, demands, causes of action, liabilities, losses, damages, or expenses arise from the District's intentional, negligent or malfeasant act or omission related to this Agreement or to the maintenance and ownership of the Gym Property.

9. Insurance. The City shall maintain in full force throughout the term of the Agreement, at its own expense, a policy of comprehensive liability insurance, which will insure the District and the City against liability for injury or death of persons and damage to the Gymnasium Property, arising from the City's use of the Gymnasium Property under this Agreement. The policy shall be for not less than \$1,000,000 per occurrence for any one person injured or killed, and not less than \$1,000,000 for property damage, and shall be maintained on an occurrence basis. The City shall provide the District with a copy of the policy, including an endorsement that states that the policy shall not be reduced or cancelled without ten (10) business day's written notice to the District and the City. The District shall be named as an additional insured, and a certificate of insurance shall be provided to the District. The City may satisfy the insurance requirements of this Agreement through either commercial insurance or through a Joint Powers Authority of which the City is a member.

The City shall not alter or terminate its insurance pursuant to this provision without at least ten prior days' notice to the District. Any altered or terminated insurance shall be replaced with insurance meeting the requirements of this Section, so that the terms of the replacement insurance become effective no later than the termination or alteration of the prior insurance.

10. Resolution of Disputes. If a dispute arises out of or relates to this Agreement or its material breach between the Parties, the Parties will first attempt to resolve the dispute through direct informal discussions. Any Party may convene such discussions through written notice to the other Party, providing at least ten days' notice, and setting a date, time, and place for such discussions. The convening Party shall reasonably accommodate the other Party's schedules in selecting and/or altering the date and time of the discussions.

In the event that a dispute cannot be resolved in the foregoing manner within 30 days from the date of informal discussions, the Parties agree to submit the dispute to binding arbitration pursuant to the terms of this section. Any dispute, claim, or controversy arising out of or relating to this Agreement or the breach, termination, enforcement, interpretation or validity hereof, including the scope or applicability of this agreement to arbitrate, or any dispute relating to the City's use or maintenance of the Gymnasium Property, shall be determined by arbitration in Santa Cruz, California, before one arbitrator. The arbitration shall be administered by JAMS pursuant to its Streamlined Arbitration Rules and Procedures. Judgment on the Award, as defined in Rule 19 of the JAMS Streamlined Arbitration Rules and Procedures, may be entered in any court having jurisdiction.

This clause shall not preclude parties from seeking provisional remedies in aid of arbitration from a court of appropriate jurisdiction. The arbitrator may, in the Award, allocate all or part of the costs of the arbitration, including the fees of the arbitrator and the reasonable attorneys' fees of the prevailing party.

11. Miscellaneous Provisions

A. Entire Agreement. This Agreement sets forth the entire understanding of the Parties with regard to the Gym Property, only, and replaces and supercedes all prior terms and conditions relating to the Gym Property to the extent such terms and conditions conflict with the terms of this Agreement.

B. Modification of Agreement. This Agreement may be amended only in writing signed by both City and District. City Council and District School Board must approve this Agreement and any changes or modifications thereto before any changes and/or modifications become effective.

C. Applicable Law. This Agreement shall be governed by and interpreted under the laws of the State of California applicable to instruments, persons, transactions and subject matter which have legal contacts and relationships exclusively within the State of California. Any action or proceeding seeking any relief under or with respect to this Agreement shall be brought solely in the Superior Court of the State of California for Santa Cruz County.

D. Severability. If any provision of this Agreement is held invalid, void or unenforceable by a court of competent jurisdiction, but the remainder of the Agreement can be enforced without failure of material consideration to any Party, then this Agreement shall not be affected and it shall remain in full force and effect, unless amended or modified by mutual consent of the Parties; provided, however, that if the invalidity or unenforceability of any provision of this Agreement results in a material failure of consideration, then the Party adversely affected thereby shall have the right in its sole discretion to terminate this Agreement upon providing written notice of such termination to the other Party.

E. Assignment. Neither Party may assign or transfer any of its obligations, rights, or duties under this Agreement without the prior written consent of the other Party. Any assignment or transfer made without such written consent shall be void, and at the option of the non-assigning Party, shall immediately terminate this Agreement.

F. Successors and Assigns. The terms and provisions of this Agreement shall extend to and be binding upon and inure to the benefit of the successors and permitted assigns of the respective Parties.

G. Waiver. No waiver of default in any of the terms, covenants, or conditions in this Agreement shall be a waiver of any subsequent default of the same or any other terms, covenants or conditions herein contained.

H. Future Assurances. Each of the Parties agrees to execute such further documents and take such further actions as may be reasonably necessary or appropriate to effectuate the terms of this Agreement.

I. Notices. All notices, certificates, or other communications hereunder shall be deemed given when personally delivered or mailed by certified mail, postage prepaid, to the Parties at the addresses set forth below:

To District:
Soquel Union Elementary School District
620 Monterey Avenue
Capitola, CA 95010
Attn: Superintendent

To City:
City of Capitola
420 Capitola Avenue
Capitola, CA 95010
Attn: City Manager

J. Execution in Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original of the Agreement. Facsimile signature pages transmitted to other Parties to this Agreement shall be deemed equivalent to original signatures on counterparts.

K. Warranty of Authority. Each of the persons signing this Agreement represents and warrants that such person has been duly authorized to sign this Agreement on behalf of the Party indicated, and each of the Parties by signing this Agreement warrants and represents that such Party is legally authorized and entitled to enter into this Agreement.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their respective officers thereunto duly authorized.

CITY OF CAPITOLA

SOQUEL UNION ELEMENTARY
SCHOOL DISTRICT

By: Jamie Goldstein, City Manager

By: Henry Castaniada, Superintendent

Date: _____

Date: _____

EXHIBIT A-1

[DESCRIPTION OF GYMNASIUM PROPERTY]

The land referred to herein is situated in the State of California, County of Santa Cruz, City of Capitola and described as follows:

BEING A PART OF THE LANDS CONVEYED TO SOQUEL UNION ELEMENTARY SCHOOL DISTRICT, A UNION ELEMENTARY SCHOOL DISTRICT OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, BY DEED RECORDED JULY 30, 1951 IN VOLUME 832 OF OFFICIAL RECORDS AT PAGE 446, SANTA CRUZ COUNTY RECORDS, AND MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

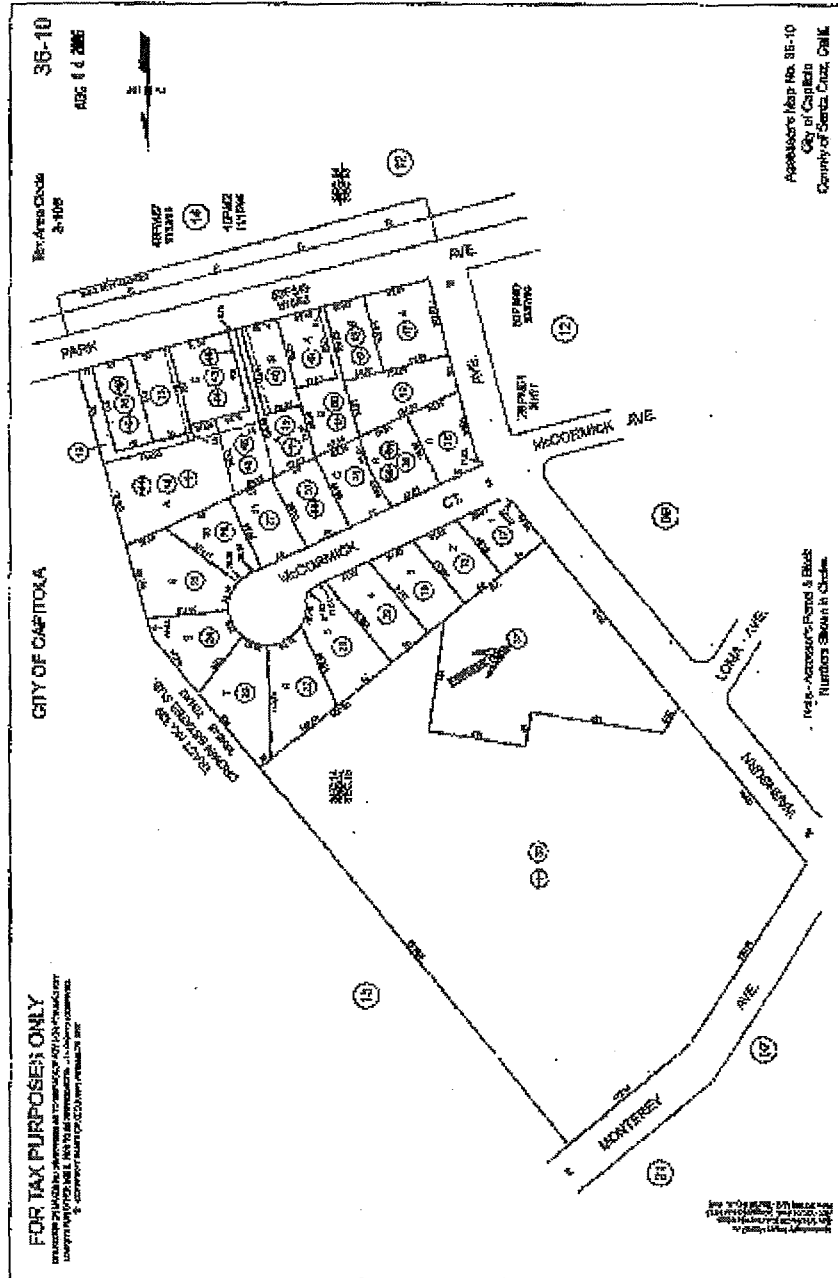
BEGINNING ON THE CENTERLINE OF WASHBURN AVENUE FROM WHICH THE WESTERN CORNER OF LAND CONVEYED TO OSCAR J. DUPONT AND WIFE BY DEED DATED JANUARY 25, 1949 AND RECORDED FEBRUARY 15, 1949 IN VOLUME 707 OF OFFICIAL RECORDS AT PAGE 304, SANTA CRUZ COUNTY RECORDS BEARS NORTH 49° 51' EAST 25.00 FEET DISTANT; THENCE FROM SAID POINT OF BEGINNING TO AND ALONG THE NORTHWESTERN LINE OF SAID LANDS OF DUPONT, NORTH 49° 51' EAST 187.00 FEET; THENCE LEAVING SAID LAST MENTIONED BOUNDARY, NORTH 6° 15' WEST 144.00 FEET; THENCE NORTH 83° 45' WEST 125.00 FEET; THENCE SOUTH 6° 15' WEST 40.00 FEET; THENCE NORTH 83° 45' WEST 167.00 FEET; THENCE SOUTH 32° 00' WEST 64.03 FEET TO THE SOUTHWESTERN BOUNDARY OF THE LANDS OF THE SOQUEL UNION ELEMENTARY SCHOOL DISTRICT AND THE CENTERLINE OF WASHBURN AVENUE; THENCE ALONG SAID LAST MENTIONED BOUNDARY AND SAID CENTERLINE, SOUTH 40° 09' EAST 263.55 FEET TO THE PLACE OF BEGINNING.

SUBJECT TO THE USE OF THE PUBLIC TO USE SO MUCH OF THE ABOVE DESCRIBED PARCEL FOR ROAD PURPOSES AS MAY LIE WITHIN THE EXTERIOR LIMITS OF SAID WASHBURN AVENUE.

APN: 036-101-37

EXHIBIT A-2

(DEPICTION OF GYMNASIUM PROPERTY)



Description: Santa Cruz, CA Assessor Map 36-10 Page: 1 of 1
Order: 00000000

EXHIBIT B

FORM OF GRANT DEED

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
Soquel Union Elementary School District
620 Monterey Avenue
Capitola, CA 95010
Attn: Superintendent

MAIL TAX STATEMENTS TO:
Same as above

Recording of this document is fee-exempt under Government Code Section 6103. No Documentary Transfer Tax is due on this document pursuant to Revenue and Taxation Code Section 11922.

GRANT DEED

Assessor's Parcel Number:

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the undersigned, City of Capitola ("Grantor"), hereby grants to Soquel Union Elementary School District, a school district duly organized and existing under the laws of the State of California ("Grantee"), that certain real property in an the City of Capitola in the County of Santa Cruz, State of California described in Exhibit "A" to Grant Deed attached hereto and incorporated herein, together with all buildings and improvements located thereon, subject to any covenants, conditions, restrictions, easements and other matters of record (the "Property").

In witness whereof, Grantor has caused this Grant Deed to be executed as of the _____ day of _____, 2014.

GRANTOR: CITY OF CAPITOLA

By: _____
Name: _____
Its: _____

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On _____, before me, _____, a Notary Public for the State of California, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT B

FORM OF GRANT DEED

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
Soquel Union Elementary School District
620 Monterey Avenue
Capitola, CA 95010
Attn: Superintendent

MAIL TAX STATEMENTS TO:
Same as above

Recording of this document is fee-exempt under Government Code Section 6103. No
Documentary Transfer Tax is due on this document pursuant to Revenue and Taxation
Code Section 11922.

GRANT DEED

Assessor's Parcel Number:

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
the undersigned, City of Capitola ("Grantor"), hereby grants to Soquel Union Elementary
School District, a school district duly organized and existing under the laws of the State
of California ("Grantee"), that certain real property in an the City of Capitola in the
County of Santa Cruz, State of California described in Exhibit "B-1" to Grant Deed
attached hereto and incorporated herein, together with all buildings and improvements
located thereon, subject to any covenants, conditions, restrictions, easements and other
matters of record (the "Property").

In witness whereof, Grantor has caused this Grant Deed to be executed as of the
day of _____, 2014.

GRANTOR: CITY OF CAPITOLA

By: _____
Name: _____
Its:

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On _____, before me, _____, a Notary Public for the State of California, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT "B-1"

TO

GRANT DEED

[LEGAL DESCRIPTION OF PROPERTY]

Real property in the City of Capitola, County of Santa Cruz, State of California, described as follows:

BEING A PART OF THE LANDS CONVEYED TO SOQUEL UNION ELEMENTARY SCHOOL DISTRICT, A UNION ELEMENTARY SCHOOL DISTRICT OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, BY DEED RECORDED JULY 30, 1951 IN VOLUME 832 OF OFFICIAL RECORDS AT PAGE 446, SANTA CRUZ COUNTY RECORDS, AND MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING ON THE CENTERLINE OF WASHBURN AVENUE FROM WHICH THE WESTERN CORNER OF LAND CONVEYED TO OSCAR J. DUPONT AND WIFE BY DEED DATED JANUARY 25, 1949 AND RECORDED FEBRUARY 15, 1949 IN VOLUME 707 OF OFFICIAL RECORDS AT PAGE 304, SANTA CRUZ COUNTY RECORDS BEARS NORTH 49° 51' EAST 25.00 FEET DISTANT; THENCE FROM SAID POINT OF BEGINNING TO AND ALONG THE NORTHWESTERN LINE OF SAID LANDS OF DUPONT, NORTH 49° 51' EAST 187.00 FEET; THENCE LEAVING SAID LAST MENTIONED BOUNDARY, NORTH 6° 15' WEST 144.00 FEET; THENCE NORTH 83° 45' WEST 125.00 FEET; THENCE SOUTH 6° 15' WEST 40.00 FEET; THENCE NORTH 83° 45' WEST 167.00 FEET; THENCE SOUTH 32° 00' WEST 64.03 FEET TO THE SOUTHWESTERN BOUNDARY OF THE LANDS OF THE SOQUEL UNION ELEMENTARY SCHOOL DISTRICT AND THE CENTERLINE OF WASHBURN AVENUE; THENCE ALONG SAID LAST MENTIONED BOUNDARY AND SAID CENTERLINE, SOUTH 40° 09' EAST 263.55 FEET TO THE PLACE OF BEGINNING.

SUBJECT TO THE USE OF THE PUBLIC TO USE SO MUCH OF THE ABOVE DESCRIBED PARCEL FOR ROAD PURPOSES AS MAY LIE WITHIN THE EXTERIOR LIMITS OF SAID WASHBURN AVENUE.

APN: 036-101-37

CERTIFICATE OF ACCEPTANCE OF GRANT DEED

This is to certify that the interest in real property conveyed by the Grant Deed dated _____, 2014, from the City of Capitola to the Soquel Union Elementary School District, a school district duly organized and existing under the laws of the State of California, is hereby accepted by the undersigned officer on behalf of the Soquel Union Elementary School District pursuant to authority conferred by the California Constitution and California Education Code sections 1240, *et seq.*, and the Soquel Union Elementary School District consents to the recordation thereof by its duly authorized officer.

Dated: _____

SOQUEL UNION ELEMENTARY
SCHOOL DISTRICT, a school district duly
organized and existing under the laws of the
State of California

By: _____

Name: Henry Castaniada

Its: Superintendent

STATE OF CALIFORNIA

COUNTY OF _____)

On _____, before me, _____, a Notary Public for the State of California, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument: I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)



Date 8/6/2014

Requesting Department Public Works / City Manager

Administrative Council

Item # _____
 Council Date 8/14/2014
 Council Approval _____

Revenues		
Account #	Account Description	Increase/Decrease
Total		-

Expenditures		
Account #	Account Description	Increase/Decrease
1000-30-31-317-375.200	New Brighton - Gas & Electric	(7,800)
1000-30-31-317-375.201	New Brighton - Sanitation District	(1,100)
1000-30-31-317-375.202	New Brighton - Water	(2,800)
1000-30-31-317-375.300	New Brighton - Janitorial Services	(13,000)
1000-30-31-317-375.501	New Brighton - Prop. Repair/Maint.	57,500
1000-30-31-317-375.550	New Brighton - Equip Repair/Maint.	(7,500)
1000-30-31-XXX-375.501	Facilities - Prop. Repair/Maint.	(19,700)
1000-30-31-XXX-375.550	Facilities - Equip Repair/Maint.	(5,600)
Total		-

Net Impact	-
------------	---

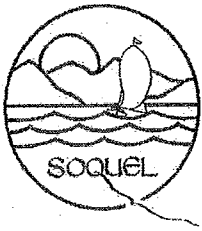
Purpose: To fund a one-time payment of \$65,000 for gymnasium property maintenance associated with the Soquel Union School District Agreement. This budget adjustment increases the Property Repair and Maintenance line item with funds from New Brighton and other Repair and Maintenance sources

Department Head Approval _____

Finance Department Approval _____

City Manager Approval _____

THIS PAGE INTENTIONALLY LEFT BLANK



SOQUEL UNION ELEMENTARY SCHOOL DISTRICT

August 8, 2014

District Administration
620 Monterey Avenue
Capitola, CA 95010

Henry J. Castaniada
Superintendent
HJCastaniada@suesd.org
(831) 464-5630
(831) 475-5196 FAX

Harley Robertson
Assistant Superintendent Business Services
HRobertson@suesd.org
(831) 464-5632
(831) 479-7182 FAX

Randall Simms
Director, Student Services
RSimms@suesd.org
(831) 464-5631
(831) 475-9087 FAX

Board of Trustees
Tory Del Favero
Judy McGooden
Phil Rodriguez
Sandra Wallace

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

Re: Community Center -- Opal Cliffs Site

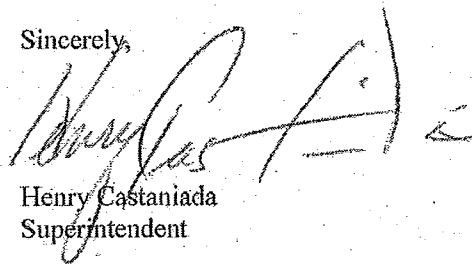
Dear Mr. Goldstein:

The following represents the understanding of the agreements between the Soquel Union Elementary School District ("District") and the City of Capitola ("City") with regard to the Opal Cliffs school site located on 47th Avenue in the City of Capitola, APN 34-101-08 ("Property") and the City's registration fees for its Recreation Programs for non-City District residents.

On March 26, 1982, the District entered into a Lease of the Property from the District to the City ("Lease"). The Lease was amended on January 8, 1985 ("First Amendment"), and November 25, 1986 ("Second Amendment"). This communication confirms the District will allow the City of Capitola to remain in possession of the Community Center located on the Property through the end of the term of the Lease, which is March 25, 2032.

This communication does not relate to or affect the remainder of the Property other than the Community Center.

Sincerely,



Henry Castaniada
Superintendent

THIS PAGE INTENTIONALLY LEFT BLANK



CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 14, 2014

FROM: CITY MANAGER'S OFFICE

SUBJECT: RESOLUTION ADOPTING DEPARTMENT HEADS' AND CHIEF OF POLICE
COMPENSATION AND BENEFITS PLAN

RECOMMENDED ACTION: Adopt the proposed Resolution establishing Department Heads' and Chief of Police Compensation and Benefits Plan effective August 15, 2014.

BACKGROUND: The City Manager is authorized by the Capitola Municipal Code to hire the Department Heads (CMC 2.08.100) and the Police Chief (CMC 2.04.460) (Employees). These Employees are "at will," serve at the pleasure of the City Manager, and can be terminated with or without notice or cause by the City Manager. When these positions are filled, the City Manager negotiates an employment contract with the new Employee which details the terms and conditions of their employment. The contract is then approved by the City Council.

This dynamic creates an unusual situation in which the City Manager who already has the authority to hire the Department Heads and the Chief of Police must seek the City Council's approval of a contract. In addition, the prospective employee is in an awkward position of having to wait for their contract to be approved in a public setting prior to giving their resignation with their current employer.

DISCUSSION: Seeking to remedy this issue, staff conducted a survey asking cities how their management staff is employed with regards to documentation. 30 cities responded to the survey, of those responses 57% utilize a Council adopted Compensation and Benefits Plan (Plan) while just three still use a contract as a means to hire the Employee. The proposed Plan is not an Employment Agreement nor a Memoranda of Understanding, rather it is a document periodically approved by the City Council as a tool to establish the compensation, benefits, and terms and conditions of employment with an effective date.

Adopting the Plan by the City Council will document what the Employees may receive regarding salary and benefits while reaffirming the City Manager's ability to act within the limitations of the Capitola Municipal Code. If the Council approves the Plan the City Manager will offer employment to the Employees based on the Plan.

The proposed Plan mirrors the terms and conditions, and compensation of the existing contracts and is simplified with the following three changes. The existing Employee contracts have a clause regarding health care and CalPers rates which states if the rates should increase during the term of the agreement, the Employees can request a re-opener to discuss. If approved, this clause will no longer be applicable. In addition, Item #14 on the Plan has been added as follows: "The City Council shall approve the recruitment process at a City Council meeting for the Chief of Police as recommended by the City Manager." Finally, a Tier 2 CalPers Retirement Plan has been added for sworn Employees. This Tier requires newly hired classic member Employees' to pay an additional 5% towards their PERS rate for five years.

Should the Council approve the Plan, the City Manager will terminate the existing contracts and the Employees will be moved to the Plan.

FISCAL IMPACT: None

ATTACHMENT: (1) Resolution

Report Prepared By: Jamie Goldstein
City Manager

Reviewed and Forwarded
By City Manager 

THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
ESTABLISHING A COMPENSATION AND BENEFITS PLAN FOR EXEMPT AT-WILL
DEPARTMENT HEADS AND THE CHIEF OF POLICE**

WHEREAS, pursuant to Title 2 of the Municipal Code the City Manager is authorized to hire the Department Heads (CMC 2.08.100) and the Police Chief (CMC 2.04.460); and

WHEREAS, exempt at-will classifications covered by this Resolution include: Chief of Police, and the following Department Heads: Administrative Services Director, Community Development Director, Finance Director, and Public Works Director, and

WHEREAS, Department Heads and Chief of Police are not part of the Personnel Merit System and do not receive consideration as provided for others in that system, and

WHEREAS, all classifications covered by this Resolution are at-will, serve at the pleasure of the City Manager, and can be terminated with or without notice or cause and with no rights of appeal, and

WHEREAS, the Compensation and Benefits Plan will establish the terms and condition of employment of the Department Heads and the Chief of Police and may be periodically adjusted by the City Council, and

WHEREAS, upon adoption of this Resolution, the City Manager will terminate existing employment contracts with the Department Heads and Chief of Police and place the afore mentioned employees on the Compensation and Benefits Plan without any loss of existing terms and conditions of their employment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAPITOLA does hereby establish a Compensation and Benefits Plan for exempt at-will Department Heads and Chief of Police as attached in Exhibit A effective August 15, 2014.

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 14th day of August, 2014, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Sam Storey, Mayor

ATTEST: _____
Susan Sneddon, City Clerk

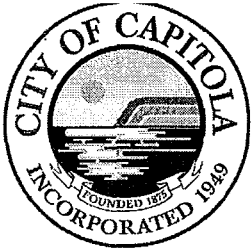


EXHIBIT A

City of Capitola

Department Head's and Chief of Police Compensation and Benefits Plan

Effective August 15, 2014

Purpose and Intent

This Compensation and Benefits Plan (Plan) is intended to establish compensation, benefits and terms and conditions of employment for Department Heads and the Chief of Police. The City Manager has the authority to hire Department Heads and the Chief of Police, and to adjust their compensation consistent with this Plan. Department Heads and Chief of Police are exempt from the Fair Labor Standards Act (FLSA), are at will employees, serve at the pleasure of the City Manager and can be terminated with or without notice or cause and with no rights of appeal.

1) SALARY SCHEDULE

- a) This Plan covers positions in the job classes and salary schedule set forth in Attachment A, incorporated in and made a part of this document.
- b) Longevity: 5% base pay increase following 12 full years of employment. (Does not apply to Chief of Police)

2) SEVERANCE PAY

If a Department Head is terminated by the City Manager, the City will pay the Department Head an amount equal to four months salary and four months Flexible Spending Arrangement Contribution benefits. Additionally, the Department Head will receive payment for all vacation leave accrued to the date of separation. The same terms apply to the Chief of Police with the exception of six months' salary and Flexible Spending Arrangement Contribution. However, if an employee is terminated because of conviction of any criminal offense or "for cause", the City shall have no obligation to continue the employment of the Department Head or pay severance pay.

3) ADMINISTRATIVE LEAVE ACCRUAL

80 hours per calendar year, prorated depending upon date of hire. No accumulation and may not be converted to cash.

4) PERSONAL HOLIDAYS

Three personal holidays per calendar year, prorated depending upon date of hire. No accumulation and may not be converted to cash.

5) VACATION

- a) Vacation Accrual:

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

- b) The City Manager has the authority to place a new Department Head or Police Chief at a specific accrual rate.

Department Head's and Chief of Police Compensation and Benefits Plan

- c) Upon termination, payment will be made for all accumulated vacation to the separation date, at a rate equal to 100% of the current hourly pay rate.
- d) Vacation Cap: All hours in excess of 360 hours on the last pay period of April of any year will be cashed out. Exception will be for any employee under a previous agreement who has accumulated more than 360 hours as of January 1, 2011; employee may maintain that level of 504 hours provided however if that if accumulated vacation falls below 504 at anytime during the year, then that will be the new allowable level until employee reaches 360 hours.
- e) Optional Vacation Cash Out: In any calendar year, Department Head or Police Chief may cash out up to 80 hours of accumulated vacation.

6) SICK LEAVE

Sick leave will accrue at a rate of 12 days per year. Unlimited accumulation and may not be converted to cash.

7) FLEXIBLE SPENDING ARRANGEMENT CONTRIBUTIONS

- a) Employees are eligible to enroll in a CalPERS medical plan, Dental and Vision Plan. The City makes a contribution on behalf of each qualified employee (Attachment A).
- b) Cash Out: Employees who can verify to the City's satisfaction that: they have equivalent health coverage for medical (including dental and vision), 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 and 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)

8) FLEXIBLE SPENDING ACCOUNTS

The City offers a Healthcare Spending Account with an annual election limit of \$2,500 and a Dependent Care Spending Account with annual election limit of \$5,000.

9) RETIREMENT

- a) CalPERS Retirement Benefits for Classic Members:
 - i) Non-Sworn Tier 1: Employees hired prior to July 1, 2012: Benefit of 2.5% @ 55 with the single highest year option. The City's contribution toward the combined employer and employee cost is capped at no more than 16.488% of reportable salary.
 - ii) Non-Sworn Tier 2: For all eligible employees hired on or after July 1, 2012, Benefit of 2.5% @ 55 with the single highest year option. The City's PERS contribution rate shall be capped at no more than 11.488% of reportable salary. Once an employee hired on or after July 1, 2012, accrues five (5) years of total service, s/he shall be entitled to the same terms that apply to all other current employees.
 - iii) Sworn Tier 1: Employees hired prior to July 1, 2012: Benefit of 3% @ 50 with the single highest year option. The City's contribution toward the combined employer and employee cost is capped at no more than 28.291% of reportable salary.
 - iv) Sworn Tier 2: For all eligible employees hired on or after July 1, 2012: Benefit of 3% @ 50 with the single highest year option. The City's PERS contribution rate shall be capped at no more than 23.291% of reportable salary. Once an employee hired on or after July 1, 2012, accrues five (5) years of total service, s/he shall be entitled to the same terms that apply to all other current employees.

b) CalPERS NEW Members:

- i) Individuals that have never been a member of any public retirement system prior to January 1, 2013, or
- ii) Individuals who moved between retirement systems with more than a six month break in service; and
- iii) In compliance with the California Public Employees' Pension Reform Act of 2013, (PEPRA), new members will receive a Local Miscellaneous benefit formula of 2% @ 62, Sworn will receive a benefit of 2.7% @ 55. Employees will contribute 50% of the normal cost as determined by CalPERS. The employee contribution from pay is on a pre-tax basis pursuant to 414(h)(2). Final compensation, for purposes of calculating the retirement benefit, is calculated on the highest average pensionable compensation earned by a member during a period of 36-consecutive months. This is also referred to as the 3-year average.

10) HOLIDAYS

12 Holidays per calendar year, as follows: New Year's Day, Martin Luther King, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Friday following Thanksgiving, Christmas Day. In addition, City Hall will be closed for one week during the Christmas holidays during which employees are permitted to use vacation, personal holiday or sick leave in order not to lose compensation.

11) INSURANCE

The City provides short-term disability for non-sworn and long-term disability insurance for both as well as term life insurance in the amount of \$50,000

12) VEHICLE USE

The Chief of Police is entitled to use a spare Captain's vehicle for commuting to and from work within Santa Cruz County and for business purposes.

13) UNIFORM

Chief of Police: City will purchase the initial uniform at a cost not to exceed \$2,500. City will pay for reasonable cleaning of the uniform at a cost not to exceed \$250/yr.

14) POLICE CHIEF RECRUITMENT

The City Council shall approve the recruitment process for the Police Chief at a City Council meeting as recommended by the City Manager.

ATTACHMENT A

DEPARTMENT HEADS AND CHIEF OF POLICE JOB CLASSES AND SALARY SCHEDULE

EFFECTIVE AUGUST 15, 2014

Positions covered by Plan

Chief of Police
 Director of Public Works
 Director of Finance
 Community Development Director
 Administrative Services Director

Salary Schedule

POSITION	Minimum	Maximum
Chief of Police	\$ 10,075	\$ 12,246
Department Heads	\$ 6,258	\$ 11,237

Salary: Cost of Living Adjustment (COLA)

a) COLA: Cost of Living Adjustment shall be as follows:

Effective the first full pay period in January 2014, through the pay period ending July 5, 2014, the employee will receive a cost of living increase based on the average U.S. Department of Labor, Bureau of Labor Statistics, San Francisco-Oakland-San Jose Consumer Price Index, All Items 1982-84 = 100 for All Urban Consumers, January 2013 through October 2013.

- i) Effective the first full pay period of July 2014, the salary shall be readjusted based on the U.S. Department of Labor, Bureau of Labor Statistics, San Francisco-Oakland-San Jose Consumer Price Index, All Items 1982-1984 = 100 for All Urban Consumers, Annual Average January - December changes for calendar year 2013.
- ii) Effective the first full pay period in July 2015, the salary range for each classification in this Unit shall be adjusted based on the U.S. Department of Labor, Bureau of Labor Statistics, San Francisco-Oakland-San Jose Consumer Price Index, All Items 1982-1984 = 100 for All Urban Consumers, Annual Average January - December changes for calendar year 2014 up to a maximum of 3.5%.
- iii) Effective the first full pay period in July 2016, the salary range for each classification in this Unit shall be adjusted based on the U.S. Department of Labor, Bureau of Labor Statistics, San Francisco-Oakland-San Jose Consumer Price Index, All Items 1982-1984 = 100 for All Urban Consumers, Annual Average January - December changes for calendar year 2015 up to a maximum of 3.5%.
- iv) Effective the first full pay period in July 2017, the salary range for each classification in this Unit shall be adjusted based on the U.S. Department of Labor, Bureau of Labor Statistics, San Francisco-Oakland-San Jose Consumer Price Index, All Items 1982-1984 = 100 for All Urban Consumers, Annual Average January - December changes for calendar year 2016 up to a maximum of 3.5%.

Flexible Spending Arrangement Contribution:

Item #: 9.C. Attach 1.pdf

Department Head's and Chief of Police Compensation and Benefits Plan

The contribution for full-time regular employees is:

Effective 7/1/2014

Employee Only	\$718
Employee + 1	\$921
Employee +2 or more	\$1,126

Effective 7/1/2015

Employee Only	\$735
Employee + 1	\$945
Employee +2 or more	\$1,155

Effective 7/1/2016

Employee Only	\$745
Employee + 1	\$968
Employee +2 or more	\$1,184

Effective 7/1/2017

Employee Only	\$773
Employee + 1	\$992
Employee +2 or more	\$1,213



CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 14, 2014

FROM: CITY MANAGER AND FINANCE DEPARTMENTS

SUBJECT: CONSIDER A LOAN AGREEMENT TO THE CAPITOLA SUCCESSOR AGENCY AND APPROVE A BUDGET AMENDMENT TO FUND THE SUCCESSOR AGENCY LOAN AND PAY FOR THE CITY'S SHARE OF THE SETTLEMENT

RECOMMENDED ACTION:

1. Approve a loan agreement with the City of Capitola Successor Agency for \$88,500;
2. Approve a budget adjustment of \$147,500 to amend the Fiscal Year 14/15 Budget to fund the Successor Agency Loan and the City's share of the Settlement Agreement.

BACKGROUND: The City and the Successor Agency have been named in a legal action regarding the Rispin/Peery Park Property. When the incident occurred the Successor Agency owned the property. The City, Successor Agency, and the Plaintiff have reached a \$295,000 Settlement Agreement, with additional injunctive relief to correct compliance issues with the Americans with Disabilities Act (ADA). The Monterey Bay Area Self Insurance Authority (MBASIA), the City's liability insurer, has agreed to pay \$147,500 of the settlement costs, while the City and Successor Agency have agreed to pay \$59,000 and \$88,500, respectively. The injunctive relief calls for repairs to park infrastructure to ensure ADA compliance. Those repairs entail modification and reconstruction of ADA pathways from the Nob Hill Shopping center to Wharf Road and must take place pursuant to a schedule over the next four years. The cost estimate for the repairs is \$800,000 - \$900,000, which will be shared 50/50 between the City and the Successor Agency. In addition to the repairs to the ADA pathways, the Nob Hill/Peery Park restroom will be closed indefinitely due ADA compliance issues.

DISCUSSION: The alleged incident took place on August 10, 2012, when the Successor Agency owned the property. The Resolution accepting the transfer of the Rispin property to the City was not effective until October 10, 2013.

The Successor Agency's share of the settlement is \$88,500; however due to the statutory timing associated with authorization and funding of Successor Agency obligations, January 1, 2015, would be the earliest date the settlement could be paid. Approval of this Loan Agreement would allow the Successor Agency to expeditiously pay the claim. The Loan Agreement would be subject to approval by the Successor Agency, Oversight Board, and the Department of Finance prior to the disbursement of funds from the Redevelopment Property Tax Trust Fund. In addition, continued repayment would be based on funding availability, as well as the legislation requirements associated with the Redevelopment Dissolution Act. The loan would be subject to quarterly interest equivalent to the Local Agency Investment Fund (LAIF) rate, which is currently 0.22%. The Successor Agency would not be penalized for early repayment.

The Successor Agency's portion of the injunctive relief repairs will be paid through future distributions from the Recognized Obligation Schedule.

FISCAL IMPACT: The fiscal impact to the Liability Fund would \$147,500, with the reimbursement of the loan amount beginning as early as January 1, 2015. The Liability Fund has sufficient fund balance to pay for this expenditure. It is estimated the minimal interest earned on this loan over an annual period would be less than \$500.

ATTACHMENTS: (1) City/Successor Agency Loan Agreement; and (2) Budget Adjustment.

Report Prepared By: Tori Hannah, Finance Director
Jamie Goldstein, City Manager

Reviewed and Forwarded
By City Manager: 

THIS PAGE INTENTIONALLY LEFT BLANK

LOAN AGREEMENT
(City Advance to Successor Agency)

This Loan Agreement (the "Loan Agreement") is made and entered into as of _____, 2014, by and between the City of Capitola, a municipal corporation (the "City"), and the Capitola Successor Agency, the successor to the former Redevelopment Agency of the City of Capitola ("Successor Agency").

RECITALS

WHEREAS, the Redevelopment Agency of the City of Capitola ("Former Agency") was a redevelopment agency in the City of Capitola ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

WHEREAS, the Former Agency was responsible for the administration of redevelopment activities within the City; and

WHEREAS, pursuant to Health and Safety Code Section 34173 adopted as part of AB1x 26 (the "Dissolution Act"), the City Council of the City of Capitola declared that the City would act as the Successor Agency for the Former Agency upon the dissolution of the Former Agency, effective February 1, 2012; and

WHEREAS, pursuant to AB 1484 ("AB 1484"), enacted June 27, 2012 to amend various provisions of the Dissolution Act, the Successor Agency is now declared to be a separate legal entity from the City; and

WHEREAS, certain property occupied by the Rispin Mansion and located at 2000 Wharf Road in the City of Capitola, County of Santa Cruz, State of California (Assessors' Parcel Numbers 035-371-01 and 035-371-02), as further described on **Exhibit A** attached hereto (the "Rispin Property"), was an asset of the Successor Agency; and

WHEREAS, on October 10, 2013, the City adopted Resolution No. 3966, confirming the transfer of the Rispin Property to the City;

WHEREAS, the City and the Successor Agency have been named in an action regarding the Rispin Property entitled *Rae Ellen Leonard v. City of Capitola et al.* [United States District Court for the Northern District of California, Case #C13-3714]

("Action") involving an incident which occurred on or about August 10, 2012, at which time the Rispin Property was an asset of the Successor Agency; and

WHEREAS, to settle the Action, the City and the Successor Agency have entered into a Court-Enforceable Settlement Agreement and General Release (the "Settlement Agreement"), whereby, the City would pay Fifty Nine Thousand Dollars (\$59,000), the Successor Agency would pay Eighty-Eight Thousand, Five Hundred Dollars (\$88,500), and the remaining One Hundred Forty Seven Thousand Dollars (\$147,500) to be paid by the Monterey Bay Area Self-Insurance Authority to settle this Action; and

WHEREAS, if the Settlement Agreement is approved by the Oversight Board and the California Department of Finance and becomes an enforceable obligation of the Successor Agency, the Successor Agency will not receive funds to pay its share of the settlement agreement until January 2, 2015 at the earliest; and

WHEREAS, the City and the Successor Agency desire to enter into this Loan Agreement with the Successor Agency under the authority granted by Health & Safety Code Sections 34173(h) and 34180(h) for the purpose of advancing the funds to the Successor Agency needed to settle the Action; and

NOW, THEREFORE, in consideration of the promises and the mutual agreements herein contained, the parties hereto do hereby agree as follows. The foregoing recitals are hereby incorporated by reference and made part of this Loan Agreement.

ARTICLE I.

LOAN PROVISIONS

Section 1.01 **Loan.** The City hereby agrees to lend to the Successor Agency the principal amount of Eighty-Eight Thousand, Five Hundred Dollars (\$88,500) (the "Loan") for the purposes set forth in Section 1.03.

Section 1.02 **Interest.**

(a) Interest. Interest on the Loan shall accrue as of the Effective Date, continuing until such time as the Loan is repaid in full, at a rate equal to the interest rate applicable to funds on deposit in the Local Agency Investment Fund, compounded quarterly.

(b) Default Interest. In the event of a Default, interest on the Loan shall begin to accrue as of the date of Default and continuing until such time as the Loan is repaid in full or the Default is cured, at the default rate of the lesser of eight percent (8%) per annum, compounded annually (the "Default Rate") or the highest rate permitted by law.

Section 1.03 Use of Loan Funds. The Successor Agency shall use the Loan for the for the purpose of paying its share of the costs under the Settlement Agreement.

Section 1.04 Repayment of Loan.

(a) Under Health & Safety Code Section 34173(h), upon the Effective Date, the Loan shall be an enforceable obligation of the Successor Agency, payable on January 2 and June 1 of each year from the Redevelopment Property Tax Trust Funds ("RPTTF") maintained by the Santa Cruz County Auditor-Controller for the purpose of paying enforceable obligations of the Successor Agency.

(b) The Loan shall be set forth in full as an enforceable obligation of the Successor Agency on the ROPS for the period from January 1, 2015 through June 30, 2015 (the "ROPS 14-15B"). It shall be due and payable in full from the Successor Agency's Redevelopment Obligation Retirement Fund ("RORF") following the January 2, 2015 payment to the RORF by the Santa Cruz County Auditor-Controller. However, should the Successor Agency receive insufficient funds from the RPTTF to pay all costs shown on ROPS 14-15B, then the amount due and payable on the Loan shall equal the amount deposited into the RORF less all other approved costs shown on ROPS 14-15B, and the balance of any principal and interest due on the Loan shall be due and payable in full on the next ROPS.

(c) The procedure described in subsection (b) of this Section shall continue to be followed for each ROPS until the principal and interest due on the Loan are paid in full. Any remaining principal and interest due on the Loan shall continue to be shown as an enforceable obligation on each ROPS until the Successor Agency has received sufficient funds to pay all principal and interest due on the Loan.

(d) All Loan payments shall first be used to pay all accrued interest and then to reduce the principal balance.

Section 1.05 Optional Prepayment of the Loan. The Successor Agency shall have the right to prepay the unpaid principal and interest of the Loan at any time.

Section 1.06 Books and Accounts; Financial Statements. The Successor Agency will keep, or cause to be kept, proper books of record and accounts showing the use of the Loan funds, interest due on the Loan, Loan repayments, and principal and interest outstanding.

ARTICLE II.

DEFAULT AND REMEDIES

Section 2.01 **Event of Default.** Failure by the Successor Agency to pay the principal or interest on the Loan when due and payable shall constitute a Default.

Section 2.02 **No Waiver.** A waiver of any Default by the City shall not affect any subsequent Default or impair any rights or remedies on the subsequent default.

Section 2.03 **Remedies Not Exclusive.** No remedy herein conferred upon or reserved to the City is intended to be exclusive of any other remedy. Every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing, at law or in equity or by statute or otherwise.

ARTICLE III.

MISCELLANEOUS

Section 3.01 **No Merger.** In entering into this Loan Agreement, the City is acting in its capacity as a municipal corporation, and, pursuant to Health & Safety Code Section 34173(g), the Successor Agency is a separate public entity from the City; and both the City and the Successor Agency are acting pursuant to the specific authority granted by the Oversight Board and by Health & Safety Code Sections 34173(h) and 34180(h) authorizing agreements between the City and the Successor Agency. In consequence, the parties to this Loan Agreement are not merged.

Section 3.02 **Successor is Deemed Included in All References to Predecessor.** Whenever in this Loan Agreement either the Successor Agency or the City is named or referred to, such reference shall be deemed to include the successors or assigns thereof, and all the covenants and agreements in this Loan Agreement contained by or on behalf of the Successor Agency or the City shall bind and inure to the benefit of the respective successors and assigns thereof whether so expressed or not.

Section 3.03 **Amendment.** This Loan Agreement may be amended by the parties hereto but only by a written instrument signed by both parties and with the approval of the Oversight Board and in the manner prescribed in Health & Safety Code Section 34179(h).

Section 3.04 **Effective Date.** This Loan Agreement shall take effect upon approval by the Oversight Board and, following that approval, at the time and in the manner prescribed in Health & Safety Code Section 34179(h) (the "Effective Date").

Section 3.05 Severability. If any Section, paragraph, sentence, clause or phrase of this Loan Agreement shall for any reason be held illegal, invalid or unenforceable, such holding shall not affect the validity of the remaining portions of this Loan Agreement. The City and the Successor Agency hereby declare that they would have adopted this Loan Agreement and each and every other Section, paragraph, sentence, clause or phrase hereof and authorized the Loan irrespective of the fact that any one or more Sections, paragraphs, sentences, clauses, or phrases of this Loan Agreement may be held illegal, invalid or unenforceable.

IN WITNESS WHEREOF, the City of Capitola and the Successor Agency have caused this Agreement to be signed by their respective officers.

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

Approved:

Date:

Jamie Goldstein, City Manager

APPROVED AS TO FORM:

John Barisone, City Attorney

**CAPITOLA SUCCESSOR AGENCY,
the successor to the former Redevelopment Agency of the City of Capitola
("SUCCESSOR AGENCY")**

Approved:

Date:

Jamie Goldstein, Executive Director

APPROVED AS TO FORM:

John Barisone, Successor Agency Attorney

Exhibit A

Legal Description

EXHIBIT A

EXHIBIT "A"

The land referred to herein is described as follows:

SITUATE IN THE CITY OF CAPITOLA, COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL ONE:

BEGINNING ON THE NORTHEASTERLY LINE OF THE COUNTY ROAD LEADING FROM SOQUEL TO SOQUEL WHARF AT THE MOST SOUTHERLY CORNER OF LOT 1 OF BLOCK "P", AS SAID LOT AND BLOCK ARE DELINEATED AND SO DESIGNATED ON THAT CERTAIN MAP ENTITLED, "MAP OF CAPITOLA HEIGHTS", ETC., FILED FOR RECORD AUGUST 15, 1907, IN BOOK 13 OF MAPS, AT PAGE 31, SANTA CRUZ COUNTY RECORDS, AND RUNNING THENCE ALONG SAID NORTHEASTERLY LINE OF SAID COUNTY ROAD, THE FOLLOWING COURSES AND DISTANCES: NORTH 21 DEGREES 27' 30" WEST 490.46 FEET; THENCE NORTH 18 DEGREES 38' WEST 110.86 FEET; THENCE NORTH 13 DEGREES 21' WEST 798.32 FEET; THENCE NORTH 26 DEGREES 37' WEST 82.32 FEET; THENCE NORTH 38 DEGREES 24' WEST 72.50 FEET; THENCE NORTH 57 DEGREES 14' WEST 88.21 FEET; THENCE LEAVING SAID NORTHEASTERLY LINE OF SAID COUNTY ROAD NORTH 51 DEGREES 58' EAST 303.23 FEET TO THE CENTER OF SOQUEL CREEK; THENCE DOWN THE CENTER OF SAID CREEK THE FOLLOWING COURSES AND DISTANCES, SOUTH 13 DEGREES 10' EAST 128.74 FEET; THENCE SOUTH 3 DEGREES 31' WEST 81.61 FEET; THENCE SOUTH 31 DEGREES 32' EAST 668.83 FEET; THENCE SOUTH 8 DEGREES 15' WEST 404.89 FEET; THENCE SOUTH 17 DEGREES 57' EAST 575.86 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF THE AFORESAID LOT 1 OF BLOCK "P" OF CAPITOLA HEIGHTS; THENCE LEAVING SAID CREEK AND ALONG SAID SOUTHEASTERLY LINE OF SAID LOT 1, SOUTH 65 DEGREES 07' 30" WEST 124.82 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM SO MUCH OF THE ABOVE DESCRIBED PARCEL OF LAND AS WAS CONVEYED TO BRADLEY M. MC DONALD, ET AL, BY DEED RECORDED ON FEBRUARY 1, 1951, IN VOLUME 808, OF OFFICIAL RECORDS, AT PAGE 520, SANTA CRUZ COUNTY RECORDS.

ALSO EXCEPTING THEREFROM SO MUCH OF THE ABOVE DESCRIBED PARCEL OF LAND AS WAS CONVEYED TO CHARLEY ASHTON, ET UX., BY DEED RECORDED JULY 26, 1957, IN VOLUME 1141, OF OFFICIAL RECORDS, AT PAGE 188, SANTA CRUZ COUNTY RECORDS.

ALSO EXCEPTING THEREFROM SO MUCH OF THE ABOVE DESCRIBED PARCEL OF LAND AS WAS CONVEYED TO EDWIN G. SPAITH, ET UX., BY DEED RECORDED SEPTEMBER 22, 1951 IN VOLUME 1425, OF OFFICIAL RECORDS, AT PAGE 402, SANTA CRUZ COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED IN THAT CERTIFICATE OF COMPLIANCE RECORDED OCTOBER 3, 1996 IN BOOK 5917, PAGE 484, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE LANDS CONVEYED TO CAPITOLA PUBLIC FACILITIES CORPORATION, A MUNICIPAL CORPORATION BY GRANT DEED DATED DECEMBER 3, 1985 AND RECORDED DECEMBER 31, 1985 IN BOOK 3826 OF OFFICIAL RECORDS AT PAGE 107, SANTA CRUZ COUNTY RECORDS, AND MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS TO WIT:

EXHIBIT "A"

The land referred to herein is described as follows:

SITUATE IN THE CITY OF CAPITOLA, COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE LANDS CONVEYED TO CAPITOLA PUBLIC FACILITIES CORPORATION, A MUNICIPAL CORPORATION BY GRANT DEED DATED DECEMBER 3, 1985 AND RECORDED DECEMBER 31, 1985 IN BOOK 3928 OF OFFICIAL RECORDS AT PAGE 107, SANTA CRUZ COUNTY RECORDS, AND MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS TO WIT:

BEGINNING AT THE NORTHWESTERN CORNER OF THE LANDS CONVEYED TO EDWIN G. SPAITH AND JUNE M. SPAITH, HIS WIFE, IN JOINT TENANCY, BY GRANT DEED DATED SEPTEMBER 18TH, 1961 AND RECORDED SEPTEMBER 22, 1961 IN VOLUME 1425 OF OFFICIAL RECORDS AT PAGE 402, SANTA CRUZ COUNTY RECORDS IN THE NORTHEAST LINE OF THE COUNTY ROAD LEADING FROM SOQUEL TO SOQUEL WHARF AS SHOWN AND DELINEATED ON THE MAP ENTITLED, "MAP OF CAPITOLA HEIGHTS", FILED FOR RECORD ON AUGUST 15, 1907 IN BOOK 13 OF MAPS AT PAGE 31, SANTA CRUZ COUNTY RECORDS;

THENCE FROM SAID POINT OF BEGINNING ALONG SAID NORTHEASTERN LINE AND BOUNDARY OF SAID FIRST MENTIONED LANDS CONVEYED TO THE CAPITOLA PUBLIC FACILITIES CORPORATION, BEING THE SOUTHWESTERN BOUNDARY OF BLOCK P AS SHOWN ON THE AFORESAID MAP NORTH 15 DEGREES 21' WEST 334.31 FEET TO AN INTERSECTION WITH THE EASTERLY PROLONGATION OF THE CENTERLINE OF GRACE STREET, 60 FEET WIDE, (SHOWN AS RODEO AVENUE ON THE AFORESAID MAP) THENCE LEAVING SAID LAST MENTIONED LINE OF THE COUNTY ROAD AND BOUNDARY OF THE LANDS OF CAPITOLA PUBLIC FACILITIES CORPORATION AND BLOCK P AND ALONG THE AFORESAID EASTERLY PROLONGATION NORTH 89 DEGREES 47' EAST 272.21 FEET TO THE NORTHEASTERN BOUNDARY OF SAID LANDS CONVEYED TO THE CAPITOLA PUBLIC UTILITIES CORPORATION IN THE CENTER OF SOQUEL CREEK; THENCE ALONG SAID LAST MENTIONED BOUNDARY AND THE CENTER OF SAID CREEK SOUTH 5 DEGREES 15' WEST 250.57 FEET, A LITTLE MORE OR LESS TO THE NORTHEASTERN CORNER OF THE AFOREMENTIONED LANDS CONVEYED TO SPAITH; THENCE ALONG SAID LAST MENTIONED BOUNDARY SOUTH 65 DEGREES 19' WEST 176.95 FEET, A LITTLE MORE OR LESS TO THE PLACE OF BEGINNING.

APN: 035-371-02

BEGINNING AT THE NORTHWESTERN CORNER OF THE LANDS CONVEYED TO EDWIN G. SPAITH AND JUNE M. SPAITH, HIS WIFE, IN JOINT TENANCY, BY GRANT DEED DATED SEPTEMBER 18TH, 1961 AND RECORDED SEPTEMBER 22, 1961 IN VOLUME 1425 OF OFFICIAL RECORDS AT PAGE 402, SANTA CRUZ COUNTY RECORDS IN THE NORTHEAST LINE OF THE COUNTY ROAD LEADING FROM SOQUEL TO SOQUEL WHARF AS SHOWN AND DELINEATED ON THE MAP ENTITLED, "MAP OF CAPITOLA HEIGHTS", FILED FOR RECORD ON AUGUST 15, 1907 IN BOOK 13 OF MAPS AT PAGE 31, SANTA CRUZ COUNTY RECORDS;

THENCE FROM SAID POINT OF BEGINNING ALONG SAID NORTHEASTERN LINE AND BOUNDARY OF SAID FIRST MENTIONED LANDS CONVEYED TO THE CAPITOLA PUBLIC FACILITIES CORPORATION, BEING THE SOUTHWESTERN BOUNDARY OF BLOCK P AS SHOWN ON THE AFORESAID MAP NORTH 15 DEGREES 21' WEST 334.31 FEET TO AN INTERSECTION WITH THE EASTERLY PROLONGATION OF THE CENTERLINE OF GRACE STREET, 80 FEET WIDE, (SHOWN AS RODEO AVENUE ON THE AFORESAID MAP) THENCE LEAVING SAID LAST MENTIONED LINE OF THE COUNTY ROAD AND BOUNDARY OF THE LANDS OF CAPITOLA PUBLIC FACILITIES CORPORATION AND BLOCK P AND ALONG THE AFORESAID EASTERLY PROLONGATION NORTH 89 DEGREES 47' EAST 272.21 FEET TO THE NORTHEASTERN BOUNDARY OF SAID LANDS CONVEYED TO THE CAPITOLA PUBLIC UTILITIES CORPORATION IN THE CENTER OF SOQUEL CREEK; THENCE ALONG SAID LAST MENTIONED BOUNDARY AND THE CENTER OF SAID CREEK SOUTH 5 DEGREES 15' WEST 260.57 FEET, A LITTLE MORE OR LESS TO THE NORTHEASTERN CORNER OF THE AFOREMENTIONED LANDS CONVEYED TO SPAITH; THENCE ALONG SAID LAST MENTIONED BOUNDARY SOUTH 65 DEGREES 19' WEST 176.95 FEET, A LITTLE MORE OR LESS TO THE PLACE OF BEGINNING.

APN: 036-371-01



Date 8/6/2014

Requesting Department City Manager / Finance Department

Administrative Council

Item # _____ 9.D.
 Council Date 8/14/2014
 Council Approval _____

Revenues		
Account #	Account Description	Increase/Decrease
Total		-

Expenditures		
Account #	Account Description	Increase/Decrease
2213-00-00-000-4385.109	Liability Claims	147,500
Total		147,500

Net Impact (147,500)

Purpose: To fund City settlement costs of \$59,000 and the related Successor Agency Loan Agreement for \$88,500 related to their share of the settlement amount.

Department Head Approval _____

Finance Department Approval _____

City Manager Approval _____

THIS PAGE INTENTIONALLY LEFT BLANK