

# City of Capitola

## City Council Meeting Agenda

### Thursday, June 23, 2022 – 6:00 PM



City Council Chambers  
420 Capitola Avenue, Capitola, CA 95010

**Mayor:** Sam Storey  
**Vice Mayor:** Margaux Keiser  
**Council Members:** Jacques Bertrand, Yvette Brooks, Kristen Brown

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### Regular Meeting of the Capitola City Council – 6 PM

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

#### 1. Roll Call and Pledge of Allegiance

Council Members Jacques Bertrand, Yvette Brooks, Kristen Brown, Margaux Keiser, and Mayor Sam Storey.

#### 2. Additions and Deletions to the Agenda

#### 3. Presentations

*Presentations are limited to eight minutes.*

[A.](#) Proclaim July 2022 Parks and Recreation Month

#### 4. Additional Materials

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

#### 5. Oral Communications by Members of the Public

*Please review the Notice of Remote Access for instructions. Oral Communications allows time for members of the Public to address the City Council on any “Consent Item” on tonight’s agenda, or on any topic within the jurisdiction of the City that is not on the “General Government/Public Hearings” section of the Agenda. Members of the public may speak for up to three minutes, unless otherwise specified by the Mayor. 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. **A maximum of 30 minutes** is set aside for Oral Communications.*

#### 6. Staff / City Council Comments

*Comments are limited to three minutes.*

#### 7. Consent Items

*All items listed as “Consent Items” 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 City Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following General Government. Note that all Ordinances*

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

- A.** Consider the minutes from the June 9, 2022, regular City Council meeting  
Recommended Action: Approve minutes.
- B.** Capitola Historical Museum Annual Report  
Recommended Action: Receive report.
- C.** Resolution Approving the 2022-23 Road Maintenance and Rehabilitation Account Expenditures  
Recommended Action: Approve a resolution adopting a list of road maintenance and rehabilitation projects for fiscal year 2022/23 funded by Senate Bill 1: the Road Repair and Accountability Act of 2017.
- D.** Consider a Resolution Calling the Election for November 8, 2022  
Recommended Action: Adopt a resolution ordering an election, requesting Santa Cruz County Elections to conduct the election, and requesting consolidation of the statewide general election in the City of Capitola on Tuesday, November 8, 2022.
- E.** Receive Update on Pandemic Response and Consider Adopting Proposed Resolution Allowing for the Continuation of Teleconferencing  
Recommended Action: 1) Make the determination that all hazards related to the worldwide spread of the coronavirus (COVID-19) as detailed in Resolution No. 4168 adopted by the City Council on March 12, 2020, still exist and there is a need to continue action; and 2) Adopt the proposed resolution authorizing the City Council (along with the Planning Commission and all advisory bodies) to continue to conduct teleconferencing meetings.

## **8. General Government / Public Hearings**

*All items listed in “General Government / Public Hearings” are intended to provide an opportunity for public discussion of each item listed. The following procedure pertains to each General Government item: 1) Staff explanation; 2) Council questions; 3) Public comment; 4) Council deliberation; 5) Decision.*

- A.** Consider a resolution for the Levy of Capitola Village and Wharf Business Improvement Area Assessments for Fiscal Year 2022-23  
Recommended Action: Conduct the noticed public hearing and adopt the proposed resolution levying the Fiscal Year 2022-23 Capitola Village and Wharf Business Improvement Area (CVWBIA) Assessments and accepting the CVWBIA Annual Plan and budget.
- B.** Coastal Commission Recommended Modifications to Capitola’s Outdoor Dining Ordinance  
Recommended Action: Adopt a resolution accepting the California Coastal Commission modifications to repeal and replace Capitola Municipal code section 17.96.170 Outdoor Dining in Public Right of Way and amend Municipal Code Sections 17.44.150(B)(3) and 17.120.030.
- C.** Potential Second Home Tax Follow Up  
Recommended Action: Provide direction to staff to either 1) Continue preparing the materials necessary to place a second home tax on the November 2022 ballot; OR 2) Do not proceed with placing a second home tax on the November 2022 ballot.
- D.** Consider the Fiscal Year 2022-2023 Budget and Capital Improvement Program for the City of Capitola  
Recommended Action: Approve the proposed resolution adopting the Fiscal Year 2022-23 City Budget and Capital Improvement Program.
- E.** FY 22-23 Fee Schedule

Recommended Action: Conduct the noticed public hearing on the proposed City Fee Schedule for Fiscal Year 2022/2023 and adopt the proposed resolution amending the current fee schedule.

**F.** Consider the 2022 – 2023 Salary Schedule

Recommended Action: Approve the proposed resolution authorizing the Fiscal Year 2022- 2023 annual salary adjustment, consistent with existing employee labor agreements.

## 9. Adjournment

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### Notice of Remote Access

In accordance California Senate Bill 361, the City Council meeting is not physically open to the public and in person attendance cannot be accommodated.

**To watch:**

- Online at <https://www.cityofcapitola.org/meetings>
- Spectrum Cable Television channel 8
- City of Capitola, California YouTube Channel

**To Join Zoom by Computer or Phone:**

- Meeting ID: **814 9248 3812**
- Meeting Passcode: **426714**
- Meeting link: <https://us02web.zoom.us/j/81492483812?pwd=bnJjN25aYkRhRHlUajAzM3o1cnpDQT09>
- Or dial one of these phone numbers: **1 (669) 900 6833, 1 (408) 638 0968, 1 (346) 248 7799**

**To make public comment:**

When submitting public comment, one comment (via phone or email, not both), per person, per item is allowed. If you send more than one email about the same item, the last received will be read. You will have three minutes to speak, and emails will be read aloud for no longer than three minutes. The Mayor will announce the public comment period for each agenda item.

- **If you have joined the Zoom Meeting:** Use participant option to “raise hand”. The moderator will unmute you
- **If called in over the phone:** Dial \*9 on your phone to “raise your hand”. The moderator will unmute you
- **If you want to send an email:** During the meeting, email written public comment to [publiccomment@ci.capitola.ca.us](mailto:publiccomment@ci.capitola.ca.us)
  - Emailed comments on items will be accepted after the start of the meeting until the Mayor announces that public comment for that item is closed
  - Emailed comments should be a maximum of 450 words, which corresponds to approximately 3 minutes of speaking time
  - Emails received by [publiccomment@ci.capitola.ca.us](mailto:publiccomment@ci.capitola.ca.us) outside of the comment period outlined above will not be included in the record

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

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

**Agenda and Agenda Packet Materials:** The City Council Agenda and the complete Agenda Packet are available for review on the City’s website: [www.cityofcapitola.org](http://www.cityofcapitola.org) and at Capitola City Hall prior to the meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue Capitola. Need more information? Contact the City Clerk’s office at 831-475-7300.

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

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

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

**City of Capitola**  
**Mayor's Proclamation**  
**Proclaiming July 2022**  
**"Parks & Recreation Make Life Better!" Month**

*WHEREAS, Parks and Recreation creates memorable experiences through youth sports and enrichment activities, teen centers and programs, senior activity centers, adult fitness and enrichment programs, free community events, and beyond; and the City of Capitola Recreation division is dedicated promoting physical, emotional and mental health and wellness for all through programming designed around fitness, creativity, play, and activity; and*

*WHEREAS, Parks are an integral part of the community by enriching our connections with nature and with one another,*

*WHEREAS, Parks and Recreation fosters social cohesiveness in communities by celebrating diversity, providing spaces to come together peacefully, modeling compassion, promoting social equity, connecting social networks, and ensuring all people have access to its benefits; and*

*WHEREAS, Parks and Recreation supports human development and endless learning opportunities that foster social, intellectual, physical and emotional growth in people of all ages and abilities; and*

*WHEREAS, Capitola Recreation offers an Afterschool Rec Club, for students to enjoy a safe and fun place to get homework help, a healthy snack, participate in activities and develop confidence in learning new skills; and Main St Elementary, Soquel Elementary and New Brighton students from 1st grade through middle school able to enroll in the program;*

*WHEREAS, Parks and Recreation strengthens community identity by providing facilities and services that reflect and celebrate community character, heritage, culture, history, aesthetics and landscape; and*

*WHEREAS, Parks and Recreation supports safe, vibrant, attractive, progressive communities that make life better through positive alternatives offered in their recreational opportunities; and*

*WHEREAS, Capitola Recreation currently has about 51 employees and offers nearly 100 different classes and other programming including Camp, Junior Guards, Classes, Events, Rentals & Sports; and*

*WHEREAS, The California Park & Recreation Society has released a statewide public awareness campaign, "Parks Make Life Better!®" to inform citizens of the many benefits of utilizing parks, facilities, programs, and services; and*

**NOW, THEREFORE, I, Sam Storey, Mayor of the City of Capitola, do hereby proclaim June 2022, as **Parks & Recreation Make Life Better! Month** and encourage all citizens of the City of Capitola to join me in this observance.**

*Sam Storey, Mayor*  
*Signed and sealed this 23<sup>rd</sup> day of June, 2022*

# Capitola City Council Agenda Report

**Meeting:** June 9, 2022

**From:** City Manager Department

**Subject:** Consider the minutes from the May 26, 2022, regular City Council meeting



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Recommended Action: Approve minutes.

Discussion: Attached for Council review and approval are the draft minutes from the regular City Council meeting held on May 26, 2022.

Attachments:

1. May 26 draft

Report Prepared By: Chloé Woodmansee, City Clerk

Reviewed/Approved By: Jamie Goldstein, City Manager

# City of Capitola

## City Council Meeting Minutes

### Thursday, June 09, 2022 – 7:00 PM



City Council Chambers  
420 Capitola Avenue, Capitola, CA 95010

**Mayor:** Sam Storey  
**Vice Mayor:** Margaux Keiser  
**Council Members:** Jacques Bertrand, Yvette Brooks, Kristen Brown

### Regular Meeting of the Capitola City Council – 7 PM

#### 1. Roll Call and Pledge of Allegiance

Council Members Jacques Bertrand, Yvette Brooks, Kristen Brown, Margaux Keiser, and Mayor Sam Storey.

#### 2. Additions and Deletions to the Agenda

#### 3. Presentations

##### A. Introduction of newly appointed Central Fire District Chief Jason Nee

Fire Chief Nee thanked Council and highlighted the merger between Aptos and Central to create the much larger seven-station Central Fire District. Council welcomed Chief Nee and thanked him and his team for their service and dedication to public safety. Chief Nee invited Council and the public to a virtual strategic plan workshop on June 29.

##### B. Proclaim June 2022 Elder Abuse Awareness Month

Mayor Storey thanked Gabriel Barraza, who accepted the proclamation on behalf of his department of SC County.

##### C. Report on Tobacco Grant & Outreach at New Brighton Middle School

Sergeant Sandretti presented on recent outreach at New Brighton Middle School regarding the negative effects of tobacco use. Council Member Brooks thanked Sergeant Sandretti for going above and beyond in this important work.

#### 4. Additional Materials

#### 5. Oral Communications by Members of the Public – none

#### 6. Staff / City Council Comments

Clerk Woodmansee announced a virtual Candidate Information Night on Monday, June 20 at 6pm.

Council Member Brooks discussed recent work between the Youth Action Network and Capitola Foundation to create a punch-card reward system to engage youth in the community.

Council Member Brown invited the public to the Capitola Rod and Custom Car Show on June 11 and 12 in the Village.

Council Member Bertrand thanked staff for the summer lineup of events.

Mayor Storey announced the first Twilight Concert on Wednesday, June 15 at 6pm.

## 7. Consent Items

**Motion: Approve, Adopt, Confirm, Appoint, Authorize, and Determine as recommended**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Bertrand

**Second:** Council Member Brooks

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Brown

- A. Consider the minutes from the May 26, 2022, regular City Council meeting  
Recommended Action: Approve minutes.
- B. Approval of City Check Registers Dated May 6 and May 20  
Recommended Action: Approve check registers.
- C. GreenWaste Annual Rate Adjustment  
Recommended Action: Adopt the proposed Resolution approving the Rate Schedule for Residential and Commercial Garbage Collection and Recycling in Capitola effective July 1, 2022.
- D. Three-year Extension of Library Financing Authority Joint Powers Agreement  
Recommended Action: Approve the fourth Amendment to the Joint Exercise of Powers Agreement establishing the Santa Cruz County Library Financing Authority, and authorize the City Manager to sign the amendment.
- E. Consider the City Investment Policy  
Recommended Action: Confirm the City's Administrative Policy Number III-1: Investment Policy as recommended by the Finance Advisory Committee.
- F. Appoint Representatives to the Historical Museum Board  
Recommended Action: 1) Reappoint incumbent members Niels Kisling, Emmy Mitchell-Lynn, and David Peyton to serve additional terms and 2) Extend the recruitment period for applicants to June 24 with the intention to appoint two representatives to the remaining vacant Board seats on July 28.
- G. Consider the Adoption of a Resolution Setting the Fiscal Year 2022/23 Appropriation Limit  
Recommended Action: Adopt a resolution setting the Fiscal Year 22/2023 appropriation limit.
- H. Consider a resolution of intention to levy business improvement assessments for fiscal year 2022-2023  
Recommended Action: Adopt the proposed resolution of intention that provides notification of the City's intent to levy business improvement assessments for Fiscal Year 2022/2023; receives the annual report and proposed budget of the CVWBIA; sets the date for a public hearing to be held on Thursday, June 23, 2022; and outlines noticing requirements.
- I. Approval to Send Letter of Support for the County of Santa Cruz's Grant Application for Coastal Rail Trail Segments 10 and 11  
Recommended Action: Authorize the Mayor to sign letter of support for the County of Santa Cruz's Grant Application for an Active Transportation Program Grant for Coastal Rail Trail Segments 10 and 11.
- J. Receive Update on Pandemic Response and Consider Adopting Proposed Resolution Allowing for the Continuation of Teleconferencing  
Recommended Action: 1) Make the determination that all hazards related to the worldwide spread of the coronavirus (COVID-19) as detailed in Resolution No. 4168 adopted by the City



Council on March 12, 2020, still exist and there is a need to continue action; and 2) Adopt the proposed resolution authorizing the City Council (along with the Planning Commission and all advisory bodies) to continue to conduct teleconferencing meetings.

## 8. General Government / Public Hearings

### A. Pavement Management Plan Update and 5-Year Road Repair Plan

Recommended Action: Approve the proposed 5-year street improvement schedule list, and direct staff to prepare a resolution for adoption at the June 23 City Council meeting approving the list of streets receiving 2022/23 Road Repair and Rehabilitation (SB 1) funds.

Public Works Director Jesberg introduced Joe Ririe, who presented on the state of the streets in Capitola and made recommendations for how to repair and rehabilitate them.

Council Member Bertrand asked about pavement additives; Mr. Ririe replied that initial testing shows that some additives can make pavement stronger, however the materials must be observed for long periods of time to make educated findings on their cost effectiveness, etc.

Council Member Brown asked if the City is already using rubberized pavement; Director Jesberg said that staff has considered it, however the type of pavement is not made locally.

Mayor Storey confirmed that Capitola's average street index number ("grade") is in line with other local cities.

Director Jesberg presented a proposed schedule of street repairs for the next five years.

Council Member Brooks confirmed that the roads identified last year are currently in the process of being repaired.

Mayor Storey asked why the low rated streets are not recommended for repair first. Mr. Ririe explained that the recommendation is prioritizing streets be fixed prior to them falling into the next level of disrepair, which ultimately saves money by making less costly repairs first, before more expensive repairs are required. The Mayor asked that the City prepare a list of all streets that are rated less than 25.

Vice Mayor Keiser confirmed that the rehabilitation of Stockton Bridge will not impact pavement; Director Jesberg agreed and said that the rehab money is set aside for flood protection.

In public comment, Heidi Kellison and Kate Watts advocated for Upper Cherry and Terrace Way be repaired sooner rather than later.

**Motion: Approve proposed lists of streets, swapping Terrace Way and Reposa Avenue in the repair timeline, and direct staff to prepare resolution for adoption at the June 23 Council meeting**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Brooks

**Second:** Council Member Brown

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Brown

### B. Potential Second Home Tax Follow Up

Recommended Action: Receive report regarding potential second home tax, and either: 1) Provide policy input regarding structure for a second home tax for the November ballot and direct staff to prepare documentation necessary to place on item on the ballot; OR 2) Determine not to propose a second home tax to voters at this time.

City Manager Goldstein presented on a potential tax measure for the November ballot.

In response to a question from Council Member Brooks, City Manager Goldstein said that signatures have been collected and a citizen initiative regarding a second home tax is expected to qualify for the City of Santa Cruz election. Council Member Brooks confirmed that a potential Ad-Hoc committee could explore holding off on a second-home tax measure until the Presidential election in 2024.

Vice Mayor Keiser asked about the timeline of drafting a second-home tax ordinance and about conducting community outreach. She noted that the tax could be linked to affordable housing to garner more support.

Council Member Brown discussed drafting an ordinance now, and the merits of using that draft in two years for the November 2024 election.

There was no public comment.

Council Member Brooks thanked staff for the research on this type of tax; she said she valued the opportunity that a second-home tax could represent, but said she was concerned about the timing of placing the tax on the November 2022 ballot. She expressed support for beginning groundwork regarding a second-home tax for its eventual placement on the November 2024 ballot.

Council Member Bertrand agreed and highlighted that the use of the tax revenue is the most important piece to determine.

After further discussion on the timing of placing the tax on the ballot, the necessity of a campaign, and community outreach/education, Vice Mayor Keiser made a motion:

**Motion: 1) Direct City Attorney to begin drafting a vacant home tax ordinance to be placed on the November 2022 ballot incorporating: the \$4,000/\$2,000 margin, a 90 day threshold, and the staff suggested exemptions; 2) Form an Ad Hoc Committee of two Council Members to determine the feasibility of placing such a tax measure on the November 2022 ballot by assessing community support, potentially creating an outreach plan, and analyzing recommended uses of such a tax**

**Result: Failed (no second)**

**Mover:** Vice Mayor Keiser

**Motion: 1) Direct City Attorney to begin drafting a vacant home tax ordinance incorporating: the \$4,000/\$2,000 margin, a 90 day threshold, and the staff suggested exemptions; 2) Council to determine, as allowed by the Brown Act, the feasibility of placing such a tax measure on the November 2022 ballot by assessing community support, potentially creating an outreach plan, and analyzing recommended uses of such a tax 3) Commit to directing staff to work to place such a measure on the ballot, or not, at the June 23 City Council meeting.**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Brown

**Second:** Council Member Brooks

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Brown

C. Establish Timeline for Returning to In-Person City Council Meetings

Recommended Action: Establish date for City Council (along with the Planning Commission and all advisory bodies) to hold in person meetings with remote attendance options for members of the public.

Clerk Woodmansee presented a staff report. There was no public comment.

**Motion: Direct staff and Council to return for in-person (hybrid) Council meetings starting on August 25, 2022.**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Brown

**Second:** Council Member Bertrand

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Brown

## 9. Adjournment

The meeting was adjourned at 10:17pm to the next regular Council Meeting on June 23, 2022.

**ATTEST:**

\_\_\_\_\_  
Sam Storey, Mayor

\_\_\_\_\_  
Chloé Woodmansee, City Clerk

DRAFT

# Capitola City Council

## Agenda Report

**Meeting:** June 23, 2022

**From:** City Manager Department

**Subject:** Capitola Historical Museum Annual Report



Recommended Action: Receive report.

Background: During 2021-22, the Capitola Historical Museum was able to open to the public and return to a more normal schedule. Because the museum was closed most of 2020 and part of 2021 due to the COVID-19 pandemic, the planned “Capitola Then and Now” exhibit was held through all of 2021. The museum is currently open to the public Friday through Sunday and has been for most of 2022.

Deborah Osterberg began at the Capitola Historical Museum in June 2021 after Frank Perry, the City’s previous curator, retired.

Discussion: Some of the work that the Museum has undertaken in 2021 and 2022 includes the following:

- Installed new annual exhibition “Perspectives – Capitola in the Eye of the Beholder”
- Hosted a museum reception for the premiere of the Ann Thiermann painting depicting Indigenous people fishing and foraging for sea life at Capitola Beach and Lagoon
- Began rotating exhibits in the new Capitola Library
- Installed new smart television in the Museum to display the content of the Museum’s YouTube Channel for public
- Created a museum management archive for Museum Storage
- Formalized the Museum’s Image Reproduction and Research Policy
- Updated the Volunteer brochure and flier
- Revised and updated the Volunteer Manual
- Created special exhibits for on and off-site events with display tables
- Published four issues of its *Capitola Sunset* newsletter
- Continued to provide monthly set of historic images and captions for the Santa Cruz Sentinel’s Sunday issue “Focal Point” feature
- Created a “Museum Collections” section of the Museum website including posting 360-degree images of some artifacts.
- Co-hosted 2022 Museum Advocacy Day event for Santa Cruz County
- Participated in the Santa Cruz History Fair
- Gave Capitola history lectures and walking tours

More than 6,000 people have visited the museum since July 2021. The number of people that follow the museum Facebook page has increased to more than 2,100, and the page has received more than 1,900 likes since July 2021.

Volunteers continue to support the Capitola Historical Museum. In addition to the Museum Board members, volunteers contributed 550+ hours at the museum front desk.

In addition to her Capitola museum work, Curator Deborah Osterberg was the subject of an article in the Santa Cruz Sentinel in August 2021 and the Capitola Beach Neighborhood Spotlight in June 2022.

Fiscal Impact: None.

Attachments:

1. 2021-22 Capitola Museum Annual Report.

Report Prepared By: Larry Laurent, Assistant to the City Manager

Reviewed By: Chloé Woodmansee, City Clerk

Approved By: Jamie Goldstein, City Manager

# Capitola Historical Museum – Annual Report 2021-2022

## CULTURE & LEISURE

### MISSION

The Capitola Historical Museum preserves and promotes the history of Capitola through creating exhibitions, maintaining a collection of historic photographs and artifacts, conducting oral histories, and participating in special events.

### DEPARTMENT PURPOSE

To promote, through the establishment and maintenance of a museum and allied projects, a program that will bring a better understanding and appreciation by the Capitola community of its history, architecture, culture, technology, and its creative and natural environments.

**MUSEUM HOURS** With a lower number of volunteers returning due to the pandemic, decided to set public hours as Friday through Sunday from noon until 4:00 p.m.

**INCIDENT** On February 7, 2022, a fire ignited next to the railroad trestle above the Museum, approximately 50 feet from the Bathhouse. The Capitola Fire Department quickly responded and extinguished the fire.

### Statistics

Visitors (July 2021-mid June 2022) 6,015 – (During the last full year 2019 visitation was 6,840)

### Exhibitions

- Museum continued to feature the 2020 exhibition “Capitola – Then & Now” until the first week of January 2022.
- Added an Indigenous section to the “Capitola – Then & Now” exhibition.
- March 2022 - posted a permanent Indigenous people acknowledgement panel at the museum.
- January-February 2022 - dismantled “Capitola – Then & Now” exhibition and returned artifacts to storage and returned incoming loans to owners.
- March 2022 - Installed new annual exhibition “Perspectives – Capitola in the Eye of the Beholder”
- Contracted with local artist Ann Thiermann for a painting depicting Indigenous people fishing and foraging for sea life at Capitola Beach and Lagoon. Assisted Ms. Thiermann in research and assembled a painting review panel.
- April 2022 - hosted a museum reception for the premiere of the Ann Thiermann painting.
- Installed QR codes for several of the exhibit cases (*The Architects* links to the Rispin Centennial website; *Plein Air* links to their event website; *The Residents* links to the Museum’s YouTube Channel and *The Ladies of Campo Del Mar* links to a brief history of the pottery on the Museum website). Added a QR code to the Museum’s front porch bulletin board and flier for the Esplanade kiosk linking to the main page of the Museum website.
- Began rotating exhibits in the new Capitola Library (predecessor installed a Capitola postcard exhibit; initiated the “My Neighborhood ...” series and installed three exhibits under this theme.

- Purchased and installed a new smart television. in the Museum to display the content of the Museum's YouTube Channel for public.

### **Curatorial Management**

- Reorganized the Curator's Office (removal of built-in desk/table, installation of new Uplift desk/table and new lighting).
- Initiated a review of predecessor's files and created a museum management archive for Museum Storage.
- Formalized the Museum's Image Reproduction and Research Policy.
- Created Museum Agreement for One Time Use of Scan(s) by Researcher.
- Created Agreement for Capitola Historical Museum Use of Scans.
- Purchased a file safe for the establishment of accession files.
- Purchased archival supplies including two Logtags to monitor and download relative humidity and temperature data for the Collections Storage rooms and several polypropylene corrugated boxes for emergency evacuation of artifacts.
- Participated in museum catalog software webinar for Past Perfect Web Edition in preparation for obtaining the software upgrade.
- Joined the California Association of Museums (CAM) and the American Association of State and Local History (AASLH).

### **Collections Storage**

- Upgraded and improved storage of Museum collections by initiating move of non-collection items (mannequins, exhibit cases, display mounts, etc.) out of the Artifact and Archives Storage Rooms. Upgraded to the next size storage unit for supplies.
- Began scanning Capitola ephemera collection stored in file safe in Archives Storage Room.
- Processed outgoing loan of two bathing suits and an exhibit case to the Santa Cruz Museum of Natural History for their exhibition "Remembering Castle Beach" June 11-August 21, 2022.
- Received 11 artifacts/photograph donations – highlights included four Olaf Palm paintings.
- Purchased two artifacts for the collection – rare Campo Del Mar Ikebana vase with candleholder and a train conductor's cap.

### **Volunteers**

- Volunteer hours at the museum desk – 560
- December 2021 - Hosted Museum Holiday Open House (Meet the Curator) for Volunteers.

- Contracted with Videographer Kath D'Angelo to make a silent video preview of the new 2022 exhibition for use in the Volunteer Orientation Zoom session. Subsequently posted the exhibition preview on the Museum YouTube Channel.
- March 2022 - Gave a Volunteer Orientation Zoom session.
- Updated the Volunteer brochure and flier.
- Revised and updated the Volunteer Manual.

## Outreach

- Created special exhibits for on and off-site events with display tables (2021 Capitola Art & Wine Festival; 2021 Capitola Beach Festival; 2022 Laura Hecox Day at the Santa Cruz Museum of Natural History and the 2022 Santa Cruz County History Fair).
- Published four issues of its *Capitola Sunset* newsletter.
- Continued to provide monthly set of historic images and captions for the Santa Cruz Sentinel's Sunday issue "Focal Point" feature and this year initiated the participation of other local history museums in the feature.
- Wrote articles and announcements on museum activities for local newspapers: August 2021 *Capitola Currents*; *Capitola Festivals* programs 2021 "Capitola – Then & Now" (1922-1923 Builders' Exchange Conventions at Capitola) and 2022 "What's in a Street Name?"; March 2022 *Capitola Waves* "Historical Museum Open House; January 2022 *Capitola-Soquel Times* "The Capitola Ballroom: Ella, Louis & Duke"; and April 2022 *Capitola-Soquel Times* "The First People of Capitola"
- August 2021 – Museum Curator featured in *Santa Cruz Sentinel* article "A historical homecoming: Capitola native takes over at museum June 2022 - Museum Curator featured in the *Capitola Beach Neighborhood Spotlight* magazine.
- Created a "Museum Collections" section of the Museum website including posting 360-degree images of some artifacts. Wrote a brief history of the Campo Del Mar Pottery.
- Participated in countywide, monthly museum discussions remotely and in-person. One project, in progress, is creation of a website portal for all Santa Cruz County museums.
- March 2022 - Co-hosted 2022 Museum Advocacy Day event for Santa Cruz County.
- Gave Capitola history lectures (City Academy for Capitola) and Santa Cruz County Pro-SCCP (Realtors Group) & tours (2 Village walking tours by request).
- Managed the Museum YouTube Channel (new content - Interview with Frank Perry – "Tips on Creating Exhibits for Small Museums" and prepared a list of videos including all oral history indexes and posted in the Volunteer Manual and on the Museum website under new category "Museum YouTube Channel"
- Museum Facebook Page (to date - 49 Facebook posts July 2021-June 2022). People who follow the page 2,123. Likes increased from approximately 1,490 to 1,939.



## Research

- Completed the transcription of Helen Benbow letters.
- Responded to approximately 31 research inquiries.
- Drafted a journal article on the Y.W.C.A. Conventions at Capitola (1900-1910) in preparation for submitting to the Santa Cruz Museum of Art & History Journal.

# Capitola City Council

## Agenda Report



**Meeting:** June 23, 2022

**From:** Department of Public Works

**Subject:** Resolution Approving the 2022-23 Road Maintenance and Rehabilitation Account Expenditures

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**Recommended Action:** Approve a resolution adopting a list of road maintenance and rehabilitation projects for fiscal year 2022/23 funded by Senate Bill 1: the Road Repair and Accountability Act of 2017.

**Background:** On June 9, 2022, during a public hearing City Council approved a 5-year list of street and road projects based on projected funding for the City including funding from the Road Maintenance and Rehabilitation Account, also known as Senate Bill (SB 1). The 2022-23 project list includes resurfacing and road repairs on Capitola Road from 41<sup>st</sup> Avenue to 30<sup>th</sup> Avenue, including both intersections.

**Discussion:** In 2022-23 Capitola is programmed to receive \$230,021 from SB 1. All SB 1 funds will be spent on rehabilitating Capitola Road as listed in the 5-year list of projects.

**Fiscal Impact:** The revenue and expenditures of \$230,021 for SB 1 are accounted for in the Special Revenue fund for the Road Maintenance and Rehabilitation Account.

**Attachments:**

1. Draft Resolution

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

**Reviewed By:** Chloé Woodmansee, City Clerk

**Approved By:** Jamie Goldstein, City Manager

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2022/23 FUNDED BY  
SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

**WHEREAS**, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

**WHEREAS**, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project’s completion, and the estimated useful life of the improvement; and

**WHEREAS**, the City will receive an estimated \$230,021 in RMRA funding in Fiscal Year 2022/23 from SB 1; and

**WHEREAS**, this is the sixth year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

**WHEREAS**, the City has undergone a public process to ensure public input into our community’s transportation priorities/the project list; and

**WHEREAS**, the City completed an update to the pavement management program in 2022 to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the City’s priorities for transportation investment; and

**WHEREAS**, the funding from SB 1 will help the City complete needed pavement management improvement projects; and

**WHEREAS**, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will provide a dedicated source of funding for roadway projects.

**NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND** by the City Council of the City of Capitola, State of California, as follows:

1. The foregoing recitals are true and correct.
2. The following list of proposed projects will be funded in-part or solely with Fiscal Year 2022/23 Road Maintenance and Rehabilitation Account revenues:

Project Title	Description	Location	Schedule	Useful Life
Capitola Road Improvements	Pavement repairs along Capitola Road. Dig outs, overlays, slurry seals	41 <sup>st</sup> Avenue to 30 <sup>th</sup> Avenue	Spring 2023	15-20 years

**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 23<sup>rd</sup> day of June, 2022, by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
Sam Storey, Mayor

ATTEST:

\_\_\_\_\_  
Chloé Woodmansee, City Clerk

# Capitola City Council

## Agenda Report

**Meeting:** June 23, 2022

**From:** City Manager Department

**Subject:** Consider a Resolution Calling the Election for November 8, 2022



**Recommended Action:** Adopt a resolution ordering an election, requesting Santa Cruz County Elections to conduct the election, and requesting consolidation of the statewide general election in the City of Capitola on Tuesday, November 8, 2022.

**Background/Discussion:** Capitola Municipal Code Chapter 1.30 requires general municipal elections to be held on the same day as statewide general elections. The 2022 election will be held in Capitola on Tuesday, November 8, 2022. The City's elections have traditionally been consolidated with other local elections and conducted by Santa Cruz County Elections Department, at the City's request. The County requires the City Council adopt a resolution (Attachment 1) ordering the election, requesting consolidation, and requesting County Elections to conduct the election.

The purpose of the 2022 General Municipal Election will be to elect three members of the City Council for the full term of four years. If during the June 23 meeting, City Council directs staff to bring materials forward for the placement of a second-home tax on the November 2022 ballot, a resolution will be included on the July 28, 2022, agenda for potential adoption. The deadline for the County Clerk to receive resolutions directing measures be placed on the November 2022 ballot is August 12.

An information sheet regarding the offices to be filled and nomination procedure is included as Attachment 2. The City must also publish a Notice of Election between July 4 and July 18, 2022.

**Fiscal Impact:** The cost estimate for the November 2022 election is between \$2.50 to \$4 per voter. According to data from February 2022, the City of Capitola has 6,993 active registered voters. The November 2022 election is estimated to cost between \$17,482.50 and \$27,972.

### Attachments:

1. Proposed resolution
2. Capitola general municipal election info sheet

**Report Prepared By:** Chloé Woodmansee, City Clerk

**Report Reviewed By:** Samantha Zutler, City Attorney

**Approved By:** Jamie Goldstein, City Manager

## RESOLUTION NO. \_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA ORDERING AN ELECTION, REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION, AND REQUESTING CONSOLIDATION OF THE GENERAL MUNICIPAL ELECTION IN THE CITY OF CAPITOLA ON TUESDAY, NOVEMBER 8, 2022**

**WHEREAS**, pursuant to Elections Code Section 10002, the governing body of any City may by Resolution request the Board of Supervisors of the County to permit the County Elections Official to render specified services to the City relating to the conduct of an election; and

**WHEREAS**, the Resolution of the governing body of the City shall specify the services requested; and

**WHEREAS**, pursuant to Elections Code Section 10002, the City shall reimburse the County in full for the services performed upon presentation of a bill to the City; and

**WHEREAS**, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional District, Public District, City, County, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

**WHEREAS**, pursuant to Elections Code Section 10400, such election for cities may be either completely or partially consolidated; and

**WHEREAS**, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot, acknowledging that the consolidation election will be held and conducted in the manner prescribed in Section 10418. Upon such request, the Board of Supervisors may order the consolidation; and

**WHEREAS**, pursuant to Elections Code Section 10418, if consolidated, the consolidated election shall be held and conducted, election boards appointed, voting precincts designated, candidates nominated, ballots printed, polls opened and closed, voter challenges determined, ballots counted and returned, returns canvassed, results declared, certificates of election issued, recounts conducted, election contests presented, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the statewide or special election, or the election held pursuant to Section 1302 or 1303, as applicable.

**WHEREAS**, the Resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the Ordinance, Resolution, or order calling the election; and

**WHEREAS**, various District, County, State and other political subdivision elections may be or have been called to be held on November 8, 2022; and

**WHEREAS**, the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Election Department, each a certified copy of this Resolution; and

**WHEREAS**, the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the City Council of the City of Capitola hereby orders an election be called and consolidated with any and all elections also called to be held on November 8, 2022, insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the City of Capitola and requests the Board of

Supervisors of the County of Santa Cruz to order such consolidation under Elections Code Sections 10401, 10403 and 10418; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED** that the City Council of the City of Capitola acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code section 10418.

**NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED** that the City Council of the City of Capitola hereby requests the Board of Supervisors to permit the Santa Cruz County Elections Department to provide any and all services necessary for conducting the election and agrees to pay for said services; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED** the City Council hereby directs the City Clerk to (i) publish a notice of elections, including all information required by Elections Code Section 12101; (ii) take necessary actions to ensure the placement of all three of the below mentioned vacant City Council seats on the November 8, 2022 ballot; and (iii) coordinate with the County of Santa Cruz and take all necessary actions to oversee and certify the November 8, 2022 election process as required by the Elections Code; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED** the notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form and manner as required by law; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED** that the City Clerk is hereby directed to file a certified copy of this resolution with the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED** in all particulars not recited in this resolution, the election shall be held and conducted as provided by State law for holding municipal elections; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED** that the Santa Cruz County Elections Department conduct the election for the following offices to be voted on at the November 8, 2022, election:

<u>Seats Open</u>	<u>Office</u>	<u>Term</u>
Three (3)	Member of the City Council	Four (4) Years

**I HEREBY CERTIFY** that the foregoing Resolution was passed and adopted by the City Council of the City of Capitola on the 23<sup>rd</sup> day of June, 2022, by the following vote:

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

\_\_\_\_\_  
Sam Storey, Mayor

ATTEST:

\_\_\_\_\_  
Chloé Woodmansee, City Clerk



# Capitola General Municipal Election

The City of Capitola will hold its General Municipal Election concurrently with the November 8, 2022, statewide election. Three of the five City Council at-large seats are up for election. These are currently held by:

- Jacques Bertrand (cannot run again; termed out)
- Yvette Brooks
- Sam Storey

Terms are for four years, from December 2022 through December 2026. Council members can only hold office for two consecutive terms before “terming out”.

The nomination period runs from **July 18 to August 12, 2022**. Candidates for City office must be nominated by not less than 20 nor more than 30 Capitola voters. Nomination papers are obtained from and filed with the City Clerk; there is no fee for filing nomination papers. The nomination petition includes an affidavit of the nominee (candidate) stating that they will accept the office if elected. Candidates may supply a statement, no more than 200 words, the cost of which is paid for to the County (charge dependent on: online only or print & online; English only or English & Spanish translation).

If you would like to run for a Council seat, please **schedule an appointment** to receive and review the required paperwork. Candidates must be 18 years or older and registered voters of the City at the time they pull nomination papers. Please provide your name and address as it appears on your voter registration at the time you make an appointment, so that staff can confirm qualifications and prepare nomination documents.

Potential candidates who wish to raise or spend money must also file paperwork with the Fair Political Practices Commission (FPPC) **before** taking any financial action, even if no other papers have been filed. The City uses NetFile, an electronic filing resource, to file campaign reports for this election cycle. Capitola has a \$200 per person limit on campaign contributions.

Information and links are available on Capitola’s website, [CityofCapitola.org](http://CityofCapitola.org). Please call ahead or email to make an appointment.

## Important Dates:

June 20: Virtual Candidate Information Workshop (via Zoom)

August 12 at 5PM: Last day to file nomination papers

September (date TBD): City Council Candidates’ Orientation

October (date TBD): Chamber of Commerce Candidates’ Forum

Contact: City Clerk, Chloé Woodmansee, [cwoodmansee@ci.capitola.ca.us](mailto:cwoodmansee@ci.capitola.ca.us)  
(831) 475-7300, ext. 220



# Capitola City Council

## Agenda Report

**Meeting:** June 23, 2022

**From:** City Manager Department

**Subject:** Receive Update on Pandemic Response and Consider Adopting Proposed Resolution Allowing for the Continuation of Teleconferencing



**Recommended Action:** 1) Make the determination that all hazards related to the worldwide spread of the coronavirus (COVID-19) as detailed in Resolution No. 4168 adopted by the City Council on March 12, 2020, still exist and there is a need to continue action; and 2) Adopt the proposed resolution authorizing the City Council (along with the Planning Commission and all advisory bodies) to continue to conduct teleconferencing meetings.

**Background:** In December 2019, an outbreak of a respiratory illness linked to the novel coronavirus (COVID-19) was first identified. In March 2020, the State of California, the County of Santa Cruz, and the City of Capitola each declared a state of emergency due to the virus. Also in March 2020, the World Health Organization declared COVID-19 a pandemic.

State and local health officers issued health orders to stop the spread of COVID-19; in Santa Cruz County this included March, April, and May 2020 Shelter-In-Place orders that were more restrictive than statewide guidance. Since then, the County Health Officer has incorporated all Orders of the State Public Health Officer, which set baseline statewide restrictions on travel and business activities.

Currently (and since February 2022), there are no State required COVID-19 restrictions, other than minimal masking requirements in certain settings. COVID-19 public safety economic restrictions were mostly removed in June 2021 when the state met the criteria to fully reopen the economy and moved beyond the Blueprint for a Safer Economy.

The State released the SMARTER Plan on February 17, 2022, which focuses on Shots, Masks, Ventilation, Tests, Isolation, and Treatment as the keys to prepare for future COVID-19 surges or variants.

As of June 14, 2022, more than 6.3 million people worldwide have died of COVID-19. One million of those deaths have been in the United States. This is likely an undercount of all those that have died from the virus. There have been 535 million cases reported worldwide, though this is an undercount of all those that have been infected with COVID-19. At least 5.2 million children have lost a parent or caretaker due to the virus.

In the United States, more than one million people have died from Covid since the beginning of the pandemic. Per National Public Radio reports, "so many people died from COVID-19, that a disease that didn't exist three years ago became the third leading cause of death in [America], after heart disease and cancer". More than 85 million COVID-19 cases have been reported in the U.S. On May 5, 2022, The World Health Organization said that "nearly 15 million more people died during the pandemic than would have in normal times".

According to reports from NBC News, "two years into the pandemic, the number of children who have lost a parent or other in-home caregiver to Covid across the United States is estimated to exceed 200,000."

Discussion: In California 91,107 deaths due to COVID-19 have been reported since the beginning of the pandemic. According to data from June 14, 2022, the average new COVID-19 case count per 100k was 41.1 (on May 31 the average was 33.1). There is currently a daily average of 11 deaths a day, up from 8 two-weeks ago. In California, at least 1 in 4 residents have been infected with COVID-19.

*Surge*

The New York Times reported on May 26 that “the United States is averaging about 110,000 new cases each day, a roughly 30 percent increase over the last two weeks...Daily case reports are four times as high as they were in April, but still a fraction of the numbers seen in January when the initial Omicron surge was at its worst”.

*Boosters*

On March 29, 2022, the Center for Disease Control (CDC) announced a recommendation that certain individuals (outlined below) receive an additional mRNA booster (a Moderna or Pfizer shot). Those recommended for an additional booster are:

- 1) Immunocompromised individuals
- 2) People over the age of 50 who received an initial booster dose at least 4 months ago
- 3) Adults who received a primary vaccine and booster dose of Johnson & Johnson’s Janssen COVID-19 vaccine at least 4 months ago

*CDC - Covid Community Levels*

According to the Center of Disease Control (CDC) guidelines, thirteen counties in California moved into “high” levels of COVID and are recommended to require masking in indoor public spaces. Mask mandates however are under the jurisdiction of the state or County Health Officers and not the CDC. As of June 14, the thirteen counties with “high” levels of COVID are:

- |               |                  |
|---------------|------------------|
| 1. Mendocino  | 8. Placer        |
| 2. Lake       | 9. Yuba          |
| 3. Napa       | 10. Amador       |
| 4. Yolo       | 11. San Joaquin  |
| 5. Solano     | 12. Contra Costa |
| 6. Sutter     | 13. Alameda      |
| 7. Sacramento |                  |

According to the CDC community level check, Santa Cruz County has a “medium” community level of COVID-19. Neighboring counties of San Mateo, Santa Clara, San Benito, and Monterey are also ranked at the “medium” community level.

*California Statewide Mask Guidelines*

Masks are required in:

- Healthcare settings
- Emergency shelters
- Jails and prisons
- Homeless shelters
- Long-term care

Masks are strongly recommended in:

- Public transit, stations, terminals, and airports
- Indoor public settings
- K-12 schools
- Childcare settings

The U.S. Government is giving out free N95 masks to those that need them. Each person is eligible for three masks, and masks will be available at community health centers, pharmacies, and other stores. Locally, Walgreens and CVS are currently distribution points.

At-home tests are now more readily available at many drug stores. Four free rapid antigen at-home tests are also available for all residents, provided by the federal government. Shipments are limited per household, and you can sign up for your free delivery through the United States Postal Service with this link: <https://special.usps.com/testkits>. Tests are generally delivered within a week-and-a-half of ordering.

#### *Local Case Numbers and Statistics in Santa Cruz County*

On June 1, the active case count was 1,267; according to data from June 16 the active case count in Santa Cruz County is 1,733. The average case count per 100k is 44.5, slightly higher than the statewide average.

In our County the total death count due to COVID-19 is 264.

#### *City Hall Operations*

City Hall has been open to the public since June 2020 in one configuration or another, dependent upon applicable health guidance and local COVID-19 case levels. Staff has returned to the COVID-default setup, with the lobby open to one member of the public at a time.

#### *Virtual/Teleconferencing Meetings & In-Person Meetings*

The Governor signed Assembly Bill 361 on September 16, 2021. The Bill allows cities to continue virtual meetings (much as Capitola City Council Meetings function now) as long as the state is under a proclaimed state of emergency; through 2024 when the bill will sunset. The Bill requires legislative bodies to comply with the requirements set forth in Government Code section 54953(e)(2) to ensure the public can safely participate and observe local government meetings. One of the requirements is for Council to adopt findings every thirty days.

Attached is a resolution that makes the following findings:

- 1) Find that current conditions authorize teleconference public meetings, based on the Governor's state of emergency regarding the COVID-19 Pandemic
- 2) Authorize legislative bodies to conduct teleconference meetings, allowing Capitola City Council, Planning Commission, and other advisory bodies to continue to meet using Zoom.

During the June 9 meeting, Council directed staff to prepare for in-person meetings (with hybrid virtual options for the public) beginning on August 25. Details on how to attend that meeting, both in-person and virtually, will be included on the meeting agenda published Friday, August 19. Staff will also provide information regarding the return of in-person meeting attendance on social media and the city website.

Fiscal Impact: Fiscal impacts are continually reviewed by Staff as business restrictions and consumer behaviors change in our community. In addition, the City Council has set aside \$600,000 to help ensure the City has available resources should the pandemic result in further unforeseen impacts, which remains in the approved FY 2021/22 Budget.

#### Attachments:

1. Proposed Teleconferencing resolution

Report Prepared By: Chloé Woodmansee, City Clerk

Approved By: Jamie Goldstein, City Manager

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AND ON BEHALF OF COMMISSIONS AND COMMITTEES CREATED BY THE CITY COUNCIL PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54952(b) AUTHORIZING TELECONFERENCE MEETINGS IN COMPLIANCE WITH AB 361 (GOVERNMENT CODE SECTION 54953(e)) TO CONTINUE TO ALLOW MEMBERS OF THE PUBLIC TO SAFELY PARTICIPATE IN LOCAL GOVERNMENT MEETINGS**

**WHEREAS**, the City Council is committed to ensuring public access to observe and participate in local government meetings; and

**WHEREAS**, all meetings of the City Council and other legislative bodies created pursuant to Government Code Section 54952(b) are open and public, as required by the Ralph M. Brown Act, so that any member of the public may participate in local government meetings; and

**WHEREAS**, the recently adopted AB 361, codified at Government Code section 54953(e), makes provisions for remote teleconferencing participation in local government meetings, without compliance with the requirements of 54953(b)(3), during a Governor-proclaimed state of emergency and if the local legislative body determines, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, and

**WHEREAS**, on March 4, 2020, Governor Newsom proclaimed a State of Emergency due to the outbreak of respiratory illness due to a novel coronavirus (now known as COVID-19) and that State of Emergency is still in effect in the State of California; and

**WHEREAS**, on March 12, 2020, the Capitola City Council proclaimed the existence of a local emergency due to the worldwide spread of the coronavirus with Resolution No. 4168, pursuant to Section 8.08.020 of the Capitola Municipal Code and Section 8625 of the California Emergency Services Act in response to the COVID-19 pandemic; and

**WHEREAS**, COVID-19 continues to threaten the health and lives of City residents; and

**WHEREAS**, the SARS-CoV-2 Delta Variant (Delta Variant) is highly transmissible in indoor settings; and

**WHEREAS**, on July 28, 2021, the California Department of Public Health issued guidance calling for the use of face coverings and stating that the Delta Variant is two times as contagious as early COVID-19 variants, leading to increasing infections, the Delta Variant accounts for over 80% of cases sequenced, and cases and hospitalizations of COVID-19 are rising throughout the state; and

**WHEREAS**, the Delta Variant has caused, and will continue to cause, conditions of imminent peril to the health safety of persons within the City; and

**WHEREAS**, on October 14, November 23, and December 9, 2021, January 13, February 10, and February 27, March 10, March 24, April 14, April 28, May 12 and May 26, and June 9, 2022, the City Council adopted a resolution proclaiming the need to meet by teleconference pursuant to Government Code Section 54953; and

**WHEREAS**, the City Council, acting as a legislative body pursuant to Government Code section 54952(a) and for the benefit of the commissions, committees and other bodies that were created by the City Council pursuant to Government Code section 54952(b) (collectively referred to as "Legislative Bodies"), finds that the current conditions meet the circumstances set forth in Government Code section 54953(e)(3) to allow Legislative Bodies to continue to use

teleconferencing to hold open and public meetings if the Legislative Bodies comply with the requirements set forth in Government Code section 54953(e)(2) to ensure the public can safely participate in and observe local government meetings.

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

1. Recitals. The Recitals set forth above are true and correct and are hereby incorporated by this reference.
2. Find that Current Conditions Authorize Teleconference Public Meetings of Legislative Bodies. The City Council has reconsidered the circumstances of the state of emergency and finds that based on the California Governor's continued declaration of a State of Emergency and current conditions, meeting in person would present imminent risks to the health or safety of attendees, such that the conditions continue to exist pursuant to Government Code section 54953(e)(3) to allow Legislative Bodies to use teleconferencing to hold public meetings in accordance with Government Code section 54953(e)(2) to ensure members of the public have continued access to safely observe and participate in local government meetings.
3. Authorize Legislative Bodies to Conduct Teleconference Meetings. The Legislative Bodies are hereby authorized to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with Government Code section 54953(e)(2) and other applicable provisions of the Brown Act.

**I HEREBY CERTIFY** that the foregoing resolution was PASSED and ADOPTED by the City Council of the City of Capitola on the 23<sup>rd</sup> day of June 2022, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Sam Storey, Mayor

ATTEST: \_\_\_\_\_  
Chloé Woodmansee, City Clerk

# Capitola City Council

## Agenda Report

**Meeting:** June 23, 2022

**From:** Finance Department

**Subject:** Consider a resolution for the Levy of Capitola Village and Wharf Business Improvement Area Assessments for Fiscal Year 2022-23



**Recommended Action:** Conduct the noticed public hearing and adopt the proposed resolution levying the Fiscal Year 2022-23 Capitola Village and Wharf Business Improvement Area (CVWBIA) Assessments and accepting the CVWBIA Annual Plan and budget.

**Background:** On June 23, 2005, the City Council adopted Ordinance No. 889 adding Chapter 5.10 to the Capitola Municipal Code establishing the Capitola Village and Wharf Business Improvement Area (CVWBIA). The CVWBIA assessments are renewed annually and fund various programs that benefit businesses within the CVWBIA district boundaries.

**Discussion:** On June 9, 2022, the City Council adopted Resolution No. 4268, Resolution of Intention to Levy Business Improvement Assessments for Fiscal Year 2022-23, which set a public hearing for June 23, 2022, in accordance with state law and Chapter 5.10 of the Capitola Municipal Code. Notice of this public hearing was published in the Santa Cruz Sentinel newspaper on Wednesday, June 16, 2022, and was mailed to affected business owners by the CVWBIA.

The CVWBIA is a business-based, self-imposed assessment district in which the assessments are paid by business owners within the district boundary for improvements and activities that support and revitalize businesses as well as attract visitors. The assessment amount for each business is based on the business type and may be a flat fee or increasing fee based on the number of full-time equivalent employees. Consistent with the FY 2021-22 adopted assessments, the proposed FY 2022-23 assessments are reduced by 25% from pre-pandemic levels and the assessments for the hotel/motel/inn category are proposed to be reduced by 50%.

The billing for City services identified in the CVWBIA plan was based on past agreements. The current billing rates are \$3,000 for Public Works and \$4,200 for accounting services. The annual report and budget are included as Exhibit A.

During the public comment portion of this hearing, written and oral protests may be made pertaining to the proposed levy of assessments, the amount of the proposed assessments, and the proposed improvements and activities in accordance with California Streets & Highways Code §36524 and §36525.

In November 2018, voters approved Measure J, which increased the transient occupancy tax (TOT) from 10 percent to 12 percent. It restricted 20 percent of the TOT increase to be used for local business groups' marketing and community improvements. In February 2019, City Council directed that restricted TOT funding be split evenly between the Capitola-Soquel Chamber of Commerce and the CVWBIA. City Council also requested that a minimum of 25 percent of restricted TOT revenues be allocated toward community improvements, which may include special events.

The proposed CVWBIA budget includes \$32,000 of TOT revenues for FY 2022-23. \$20,000 (62%) of the proposed TOT budget is for village enhancement and events, \$7,000 (22%) is for advertising and the remaining \$5,000 (16%) is for website management.

Staff recommends that Council adopt the proposed resolution confirming the Fiscal Year 2022-23 CVWBIA Assessments and adopting the Annual Plan and Fiscal Year 2022-23 budget, as received by the Council on June 9, 2022, unless it receives oral and written protests from the owners of businesses that will pay 50 percent or more of the assessments as mandated by state law.

Fiscal Impact: There is no fiscal impact to the City. All administrative costs for billing and collections incurred by the City are reimbursed by the CVWBIA.

Attachments:

1. Proposed resolution
2. Exhibit A: BIA

Report Prepared By: Mark Sullivan, Senior Accountant

Reviewed By: Jim Malberg, Finance Director, Chloé Woodmansee, City Clerk

Approved By: Jamie Goldstein, City Manager

**RESOLUTION NO. \_\_\_\_**  
**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA**  
**CONFIRMING THE FISCAL YEAR 2022-2023 CAPITOLA VILLAGE AND WHARF**  
**BUSINESS IMPROVEMENT AREA ASSESSMENTS AND ADOPTING THE ANNUAL PLAN**  
**AND FISCAL YEAR 2022-2023 CVWBIA BUDGET**

**WHEREAS**, the Capitola Village and Wharf Business Improvement Area (CVWBIA) has prepared a report to the City of Capitola for Fiscal Year 2022-23 pertaining to the Business Improvement Area assessments for the CVWBIA under California Streets and Highways Code §36533; and

**WHEREAS**, that report was filed with the City Clerk on May 26, 2022; and

**WHEREAS**, Capitola Municipal Code §5.10.050 requires annual assessments to be imposed within the CVWBIA pursuant to a formula set forth in City Council Resolution No. 3453 referenced in Capitola Municipal Code §5.10.030, and later amended by Resolution No. 3546 and Resolution No. 4186; and

**WHEREAS**, on June 9, 2022, the City Council adopted Resolution No. 4268 stating its intention to levy business improvement assessments for Fiscal Year 2022-23, receiving the Annual Report and Fiscal Year 2022-23 Budget, and approving the CVWBIA Assessment Basis/Business Addresses and Assessment Method; and

**WHEREAS**, pursuant to Resolution No. 4268 the City Council, in accordance with California Streets and Highways Code Section §36535, held a public hearing on June 23, 2022, as provided for in Streets and Highways Code Sections §36524 and §36525, at which time it considered the annual report, the levy of business improvement assessments for Fiscal Year 2022-23, and received oral and written protests and endorsements to the regularity or sufficiency of the proposed business improvement assessments.

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

1. The Fiscal Year 2022-23 Capitola Village and Wharf Business Improvement Area Annual Report, including the Fiscal Year 2022-23 budget, as filed with the City Clerk on May 26, 2022, and received by the City Council on June 9, 2022, as part of Resolution No. 4268, is hereby confirmed and adopted.

2. The adoption of this Resolution shall constitute the Fiscal Year 2022-23 levy of assessments provided for in Chapter 5.10 of the Capitola Municipal Code pertaining to the Capitola Village and Wharf Business Improvement Area zone and rate of assessments adopted by the City Council on June 23, 2022.

**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 23<sup>rd</sup> day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:



**EXHIBIT A**  
**Resolution No. 4268**

**Annual Report & Proposed Fiscal Year 2022-2023 Budget**  
**CVWBIA Assessment Basis**  
**CVWBIA Business Listing and Assessment Method**

**Mission Statement**

The objective of the CVWBIA is to provide a unified organization to promote, stimulate and improve the business conditions in the designated area, primarily during the shoulder season, September – May. The belief is that if the lodging properties and short-term rentals are full, the rest of the businesses in the area will benefit.

This can be achieved by the CVWBIA continuing to fund activities and projects that will:

- Improve access to information regarding the businesses and services provided by the Village and Wharf BIA to likely visitors to the area via newsletters, the internet and print advertising.
- Provide fun, family-oriented events throughout the year emphasizing the attributes of the Village and Wharf, by working in partnership with the Capitola/Soquel Chamber of Commerce.
- Improve and enhance the appearance of the Village and Wharf in partnership with the City of Capitola.
- Enhance the ability of the CVWBIA to serve as a liaison between the business community and local governments.

In FY 2019-20 CVWBIA began to receive a portion of the Transient Occupancy Tax (TOT) collected by the city and made commitments based on projected TOT revenues. Due to the COVID-19 pandemic and required closure of short-term transient rentals, TOT revenue projections were not met. Recovery has moved swiftly but not all businesses have returned to pre-pandemic levels. FY 2022-23 assessments will be reduced by 25%. Hotel/lodging dues will be reduced by 50%.

**As the CVWBIA begins its seventeenth year we will continue and expand successful programs from prior years, which include the following:**

1. **Website** – In 2021-22 the CVWBIA marketing team created a new, up to date, mobile compatible, website ([www.capitolavillage.com](http://www.capitolavillage.com)) for ease of use and connectivity to BIA member's businesses, lodging and short-term rentals. Each member has a unique page with links to their individual websites. There is a schedule of events and other helpful features. Visitors can sign up on the site to receive newsletters and enter contests to win gift certificates from member businesses. This process continues in 2022-23 as technology changes quickly. We will also take advantage of opportunities to direct visitors to our website through QR Codes for special events, parking and other visitor information.
2. **Social Media** – The Communications Manager creates a monthly newsletter, manages all our social media channels, maintains our website, and tracks performance. Our email newsletters are sent to over 7,000 subscribers each month. Our Facebook page has over 15,870 fans with our top 5 cities being: San Jose, Santa Cruz, Modesto, Sacramento, and Capitola. Our Instagram is growing the fastest with over 11,390 active followers with an average of 500 profile

visits to our account every week. Our newest channel, Twitter, currently has almost 900 followers and continues to grow each month. The purpose of the Communication Manager is to collectively promote the Capitola Village businesses and to be a resource for ongoing growth. Our Village Ambassador continues to develop relationships with our members to facilitate sharing their promotions and announcements with our social media contacts.

3. **Print Advertising** – While placing an emphasis on our social media development, there is still a need for carefully placed advertising in quality visitor publications. We are constantly monitoring these publications for the ones with the most effective online presence. The CVWBIA will continue to co-op with Visit Santa Cruz to promote Capitola Village and Wharf in their visitor magazine, their map and on their website.
4. **Village Brochures** – We print 25,000 brochures and distribute them throughout Santa Cruz County. We contract with Certified Display Service. This company has exclusive rights to lobby racks in the hotels, resorts, and visitor centers in the county. These brochures are also available in various places of business throughout the Village and Wharf. We feel it is important to make visitors to other areas in the county aware of Capitola Village and Wharf through these brochures. Additionally, there are distribution locations at the Gilroy Visitors Center on Hwy 101, San Jose Airport, and the Monterey Airport.
5. **Branding and Logo Development** – We continue to update logos, colors, and other marketing material to reflect current trends.
6. **Sip and Stroll & Cookie Walk** – The events are self-supporting, and the proceeds were donated to various local non-profits. These events benefit all the businesses in the village. We hope to be able to hold up to three Sip and Stroll events in November, February and May. The Cookie Walk is family oriented and takes place the weekend after Thanksgiving.
7. **Winter Festivities** – Window decorating contest, lighted wreaths and palm trees are components of the winter festivities with other events in the planning stages.
8. **Easter Egg Hunt** – This is a free event for children that takes place over one week of spring break.
9. **Public Works and Village Enhancement** – The CVWBIA contributes annually to the City of Capitola Public Works Department. Our contribution is used to help maintain the Village and Wharf. Sidewalk cleaning, banners and new parking signage are part of this year's Village Enhancement.
10. **Chamber of Commerce** – The CVWBIA contributes annually to support community interest projects and events in the Village.

## Capitola Village & Wharf Business Improvement Area Assessment Basis

The method of assessment classifies businesses within the CVWBIA boundaries into nine categories:

1. Retail / Service businesses
2. Restaurant - Full Bar
3. Restaurant - Beer and Wine
4. Restaurant - No Alcohol
5. Wine/Beer Service
6. Seasonal Food Service
7. Office and Professional businesses / Specialty
8. Short-term Rental businesses
9. Hotel / Motel / Inn businesses

Assessment fees are assigned to these nine business categories by number of full-time equivalent employees, a flat rate, and a per unit amount. Registered non-profits are exempt from assessment fees.

The following table shows the assessment fees for the proposed CVWBIA for FY 2022-23 at 75% of pre-pandemic levels with hotel/motel/inn assessments reduced by 50%.

Business Category	Number of Full-Time Equivalent Employees*		
	0 – 5 employees	6 – 10 employees	More than 10 employees
Retail / Service	\$315	\$630	N/A
Restaurant Full Bar	N/A	\$720	\$1,080
Restaurant Beer and Wine	\$367.50	\$682.50	\$1,042.50
Restaurant No Alcohol	\$315	\$630	N/A
	<b>Flat Fee</b>		
Wine/Beer Service	\$315		
Office / Professional / Specialty	\$90		
Short-term Rental**	\$135		
Seasonal Food Service	\$210		
	<b>Per Unit Fee</b>		
Hotel / Motel / Inn	\$180 per unit		

**Footnote\*** “Full-time employee” is an employee who works 2,000 hours per year or more. Multiple part-time employees are combined into a single full-time employee for the basis of this assessment calculation. (i.e. “fulltime equivalents”)

**Footnote\*\*** “Short-term rental” businesses are defined as those dwellings which, at least once per fiscal year, are rented to a tenant for a tenancy of less than thirty days.

**Associate Membership.** CVWBIA is authorized to accept “associate membership” financial contributions from businesses outside the CVWBIA with approval of the board. The category and assessment will be the same as if the business is within the CVWBIA area.

**New Business Assessment.** Assessments will be prorated by the quarter in which a business opens.

**Business Closing.** A business notifying the CVWBIA before the end of the first quarter of the fiscal year (September 30th) that it will close before December 31<sup>st</sup> will be exempt from paying the assessment for that fiscal year. If the business does not close before December 31st, it must pay the year's assessment in full.

**Late Charge.** No late charge will be assessed with the FY 22-23 dues.

**Delinquencies.** CVWBIA has a clear policy relative to delinquent assessments. Businesses that have not paid their assessment by October 31, 2022, will be removed from the CVWBIA website and brochure. They will be ineligible to participate in any CVWBIA activity. Assessments that have not been paid by January 31, 2023, will be sent to collections.

## Capitola Village & Wharf Business Improvement Area Estimated Actual for FY 2021-2022 and Proposed Budget for FY 2022-2023

	FY 20/21	FY 21/22	FY 22/23	FY 22/23	FY 22/23
	Actual	Estimated Actual	Assessment Budget	TOT Budget	Total Budget
<b>Beginning Fund Balance</b>	\$ 41,314	\$ 29,401	\$ 49,210		\$ 49,210
<b>Revenues</b>					
Member Assessment	\$ 33,915	\$ 51,619	\$ 52,560		\$ 52,560
Associate Assessment			90		90
Assessment Revenues - Trade	(4,590)				
Late Fees	(36)				
TOT Revenue	27,286	30,000		32,000	32,000
Holiday Events	2,000				
Palm Tree Lights	3,000				
Sip N' Stroll		15,396	54,000		54,000
Cookie Walk			2,500		2,500
Interest Revenue	186	125			
<b>Total Revenues</b>	\$ 61,760	\$ 97,139	\$ 109,150	\$ 32,000	\$ 141,150
<b>Total Source of Funds</b>	<b>\$ 103,074</b>	<b>\$ 126,540</b>	<b>\$ 158,360</b>	<b>\$ 32,000</b>	<b>\$ 190,360</b>
<b>Expenditures</b>					
Chamber Services			\$ 3,000		\$ 3,000
Charitable Donations			6,000		6,000
CDS Direct Distribution	3,697	2,329	4,000		4,000
Doubtful Accounts			5,000		5,000
Insurance	1,672	1,743	2,000		2,000
Office Supplies	1,510	20	1,200		1,200
Storage Unit	1,680	1,314	1,700		1,700
Renewal	992		800		800
<b>Total Administration</b>	\$ 9,551	\$ 5,406	\$ 23,700	\$ -	\$ 23,700
City Accounting Services	\$ 4,200	\$ 4,200	\$ 4,200		\$ 4,200
City Public Works	3,000	3,000	3,000		3,000
<b>Total City Services</b>	\$ 7,200	\$ 7,200	\$ 7,200	\$ -	\$ 7,200
Ambassador	\$ 5,400	\$ 7,200	\$ 7,200		\$ 7,200
Communications Manager	15,600	18,000	18,000		18,000
Directories Printing	2,875	3,232		3,000	3,000
VSC Newsletter			2,000		2,000
VSC Travel Guide			3,000		3,000
VSC TV Partnership			6,000		6,000
VSC Map	495	770	500		500
Miscellaneous Print	920				-
Miscellaneous Advertising			3,500	4,000	7,500
Monterey Travel Magazine			600		600
Print Explore			1,000		1,000
Social Media Boost	2,850	4,000	5,000		5,000
Website Management	6,532	10,726	5,000	5,000	10,000
Video Photo Production			3,000		3,000
Village Enhancement	15,633	5,227		14,000	14,000
<b>Total Marketing</b>	\$ 50,305	\$ 49,155	\$ 54,800	\$ 26,000	\$ 80,800
Holiday & Events	\$ 6,617	\$ 8,456	\$ 6,000	\$ 6,000	\$ 12,000
Palm Tree Lights		500			\$ -
Sip N' Stroll - Cookie Walk		6,614	36,000		\$ 36,000
<b>Total Special Events</b>	\$ 6,617	\$ 15,569	\$ 42,000	\$ 6,000	\$ 48,000
<b>Total Expenditures</b>	\$ 73,673	\$ 77,330	\$ 127,700	\$ 32,000	\$ 159,700
<b>Ending Fund Balance</b>	<b>\$ 29,401</b>	<b>\$ 49,210</b>	<b>\$ 30,660</b>	<b>\$ -</b>	<b>\$ 30,660</b>

## Capitola Village & Wharf Business Improvement Area Budget Discussion

The CVWBIA will begin Fiscal Year 2022-23 with an estimated fund balance of \$49,210.

**Revenues:** The proposed revenue is derived from the CVWBIA business roster and corresponding assessment rates.

### **Expenditures:**

**Summary.** The proposed expenditures are divided into these categories: Administration \$23,700, City Services \$7,200, Marketing \$80,800, and Special Events \$48,000.

The following is a roster of open businesses in the assessment area as of June 2, 2022.

### Capitola Village & Wharf Business Improvement Area Business Listing and Assessment Method

Business Type	Assessment Method	Estimate Assessment	
AM = Associate Member	Associate Member	AM	\$90
F1 = Restaurant Full Bar	Per employee category: 6-10 EEs, >10 EEs	F1	\$8,280
F2 = Restaurant Beer & Wine	Per employee category: 0-5 EEs, 6-10 EEs, >10 EEs	F2	\$3,255
F3 = Restaurant No Alcohol	Per employee category: 0-5 EEs, 6-10 EEs	F3	\$4,095
F4 = Wine & Beer Service	Flat fee	F4	\$1,260
F5 = Seasonal Food	Flat fee	F5	\$210
H = Hotel/Motel/Inn	Flat fee per unit or room	H	\$9,180
O = Office/Professional	Flat fee	O	\$1,800
R = Retail/Service	Per employee category: 0-5 EEs, 6-10 EEs	R	\$13,545
SR = Short Term Rental	Flat fee per unit	SR	\$10,935
<b>Total</b>			<b>\$52,650</b>

<u>Business Address</u>	<u>Business Name</u>	<u>TYPE</u>	<u>FY22/23 Est. Size</u>	<u>FY 22/23 Amount</u>
855 Monterey Avenue #E	Santa Cruz Balsamics	AM/O		\$90
1400 Wharf Road	Wharf House Restaurant	F1	0 - 10	\$720
209B Esplanade	Bay Bar & Grill	F1	0 - 10	\$720
211 Esplanade	The Sand Bar	F1	0 - 10	\$720
231 Esplanade #102	Capitola Bar & Grill	F1	0 - 10	\$720
1750 Wharf Road	Shadowbrook Restaurant	F1	11+	\$1,080
203 Esplanade	Zelda's	F1	11+	\$1,080
110 Monterey Avenue	Britannia Arms Pub & Rest.	F1	11+	\$1,080
231 Esplanade #101	Margaritaville	F1	11+	\$1,080
215 Esplanade	Paradise Beach Grille	F1	11+	\$1,080

<u>Business Address</u>	<u>Business Name</u>	<u>TYPE</u>	<u>FY 22/23 Est. Size</u>	<u>FY 22/23 Amount</u>
123 Monterey Avenue	El Toro Bravo	F2	0 - 5	\$368
210 Monterey Avenue #1	Thai Basil	F2	0 - 5	\$368
200 Monterey Avenue #3	Geisha Japanese Restaurant & Tea House	F2	0 - 5	\$368
207 Esplanade	Sea Side Siam	F2	0 - 5	\$368
115 San Jose Avenue Ste #6	Caruso's Tuscan Cuisine	F2	0 - 5	\$368
427 Capitola Avenue	Avenue Café	F2	0 - 5	\$368
201 Esplanade Unit A	Tacos Moreno 3	F2	0 - 5	\$368
316 Capitola Avenue Unit A	Trestles Restaurant	F2	6 - 10	\$683
231 Esplanade #100	Mr. Toots Coffee & Tea	F3	0 - 5	\$315
200 Monterey Avenue #1	Capitola Village Ice Creamery	F3	0 - 5	\$315
201 Monterey Avenue #C	Castagnola Deli & Café	F3	0 - 5	\$315
200 Monterey Avenue #2	Mijos Taqueria	F3	0 - 5	\$315
115 San Jose Avenue Ste H	LIL KOE'S BEACH BITES	F3	0 - 5	\$315
115 San Jose Avenue Suite #107	The Daily Grind Coffee & Bottle Shop	F3	0 - 5	\$315
205 Capitola Avenue	Capitola Candy Café	F3	0 - 5	\$315
311 Capitola Ave	Reef Dog Deli	F3	0 - 5	\$315
110 Capitola Ave	Schneider Consulting LLC dba Boba Bay	F3	0 - 5	\$315
209A Esplanade	Pizza My Heart	F3	6 - 10	\$630
104 Stockton	Polar Bear Ice Cream	F3	6 - 10	\$630
103 Stockton Avenue	Armida Winery	F4	n/a	\$315
312-B Capitola Avenue	Cork and Fork LLC	F4	n/a	\$315
115 San Jose Avenue Suite #G	Capitola Wine Bar & Merchants	F4	n/a	\$315
401 Capitola Avenue	Capitola Tap House NOT OPEN YET DO NOT BILL	F4	n/a	\$0
111 Capitola Avenue	English Ales Brewers, Inc.	F4	n/a	\$315
107 San Jose Avenue Suite #8	Left Coast Sausage Worx	F5	n/a	\$210
1500 Wharf Road	Venetian Hotel	H	19	\$3,420
5000 Cliff Drive	Capitola Beach Suites aka Harbor Lights	H	10	\$1,800
250 Monterey Avenue	Inn at Depot Hill	H	12	\$2,160
210 Esplanade	Capitola Hotel	H	10	\$1,800
312D Capitola Avenue	Beach House Rentals	O	n/a	\$90
301 Capitola Avenue	David Lyng & Associates	O	n/a	\$90
415 Capitola Avenue	James B. Colip Insurance	O	n/a	\$90
314 Capitola Avenue	Katz & Lapidés	O	n/a	\$90
331 Capitola Avenue #B	Michael Lavigne Real Estate	O	n/a	\$90
331 Capitola Avenue Suite K	Newman & Marcus,LLP	O	n/a	\$90
413 Capitola Avenue	Richard Emigh, Land Use	O	n/a	\$90
331 Capitola Avenue #D	Suess Insurance Agency	O	n/a	\$90
331 Capitola Avenue	Capitola Village Real Estate	O	n/a	\$90
314 Capitola Ave	Law Offices of Sam Storey	O	n/a	\$90
314 Capitola Avenue	John H. McSpadden	O	n/a	\$90
314 Capitola Avenue	Miles J. Dolinger, Attorney at Law	O	n/a	\$90

<u>Business Address</u>	<u>Business Name</u>	<u>TYPE</u>	<u>FY 22/23 Est. Size</u>	<u>FY 22/23 Amount</u>
112 Stockton Avenue Suite B	Visions by Sheena	O	n/a	\$90
331 Capitola Avenue	Capitola Village Massage	O	n/a	\$90
207 Monterey Avenue Suite 100	Yellow Bus	O	n/a	\$90
107 Stockton Avenue	Dream Catch Properties	O	n/a	\$90
105 Stockton Avenue	All Cal Financial, Inc.	O	n/a	\$90
200 Monterey Ave 1A	Bibi's Cuts	O	n/a	\$90
312 Capitola Ave Ste C	Monet Salon	O	n/a	\$90
201 Monterey Ave	Community CPA	O	n/a	\$90
1400 Wharf Road	JFS Inc. dba Capitola Boat & Bait	R	0 - 5	\$315
131 Monterey Avenue	MRA Sales, dba Capitola Beach Co.	R	0 - 5	\$315
417 Capitola Avenue	Betsy's Summerhouse Antiques	R	0 - 5	\$315
217 Capitola Avenue	Big Kahuna Hawaiian Shirts	R	0 - 5	\$315
209 Capitola Avenue	Craft Gallery	R	0 - 5	\$315
207 Capitola Avenue	Craft Gallery Annex	R	0 - 5	\$315
114 Stockton Avenue	Euphoria Rio Mix	R	0 - 5	\$315
110 Capitola Avenue #2	Free to Ride	R	0 - 5	\$315
219 Capitola Avenue	Hot Feet	R	0 - 5	\$315
201 Monterey Avenue #B	Kickback	R	0 - 5	\$315
120 Stockton Avenue	Latta	R	0 - 5	\$315
202 Capitola Avenue	Nubia Swimwear	R	0 - 5	\$315
204 Capitola Avenue	Oceania	R	0 - 5	\$315
107 Capitola Avenue	Phoebe's	R	0 - 5	\$315
116 San Jose Avenue	Rainbow City Limit	R	0 - 5	\$315
216 Capitola Avenue	Slap Happy	R	0 - 5	\$315
214 Capitola Avenue	Super Silver	R	0 - 5	\$315
120 San Jose Avenue	Sweet Asylum	R	0 - 5	\$315
122 Capitola Avenue	Yvonne	R	0 - 5	\$315
115 San Jose Avenue	Southstar PM, Inc. - Parking at the Mercantile	R	0 - 5	\$315
120 Monterey Avenue	Uchiyama - Swenson - Parking at the Theater	R	0 - 5	\$315
112 Capitola Avenue Suite 100	Lumen Gallery	R	0 - 5	\$315
115 Capitola Avenue	Capitola Reef	R	0 - 5	\$315
409 Capitola Avenue	Art Inspired	R	0 - 5	\$315
115 San Jose Avenue Suite L	Om Rhythms	R	0 - 5	\$315
112 Stockton Avenue	Sea Level T's	R	0 - 5	\$315
215 Capitola Avenue	Vanity by the Sea	R	0 - 5	\$315
117 Capitola Avenue	Xandra Swimwear	R	0 - 5	\$315
300 Capitola Avenue	Quality Market	R	0 - 5	\$315
109 Capitola Avenue	Capitola Seashells	R	0 - 5	\$315
208 Monterey Avenue	Jade Allen	R	0 - 5	\$315
126 San Jose Avenue	Pueblo Viejo Imports	R	0 - 5	\$315



<u>Business Address</u>	<u>Business Name</u>	<u>TYPE</u>	<u>FY 22/23 Est. Size</u>	<u>FY 22/23 Amount</u>
110 Capitola Avenue	Mia Bella Boutique	R	0 - 5	\$315
101 Capitola Avenue	Ethos Santa Cruz	R	0 - 5	\$315
201 Monterey Avenue #A	Village Sea Glass	R	0 - 5	\$315
121 San Jose Avenue	Tony Pagliaro Photography	R	0 - 5	\$315
115 San Jose Avenue	Mercantile Arcade	R	0 - 5	\$315
115 San Jose Avenue #A	Carousel Taffy & Treats	R	0 - 5	\$315
118 Stockton Ave	Coastal Life	R	0 - 5	\$315
116 Stockton Ave	Capitola Sweet Shoppe	R	0 - 5	\$315
201 Capitola Ave	Santa Cruz Apparel	R	0 - 5	\$315
321 Capitola Ave	Stoke Brands dba Midtown Surf Shop	R	0 - 5	\$315
210 Capitola Ave	Capitola Paws	R	0 - 5	\$315
303 Cherry Way	Cal & Carla Cornwell	SR	1	\$135
305 Riverview Avenue	Capitola Pelican House	SR	1	\$135
1500 Wharf Road #5	Colleen Merle Lund	SR	1	\$135
1500 Wharf Road #14	Janelle Cox	SR	1	\$135
215 Monterey Avenue #A	Greg & Maxine Sivaslian	SR	1	\$135
206 Monterey Avenue	Jay & Pamela Chesavage	SR	1	\$135
5005 Cliff Drive #3	Jean Ladoucour	SR	1	\$135
301 Cherry Way	Jeff & Kathie Gaylord	SR	1	\$135
327 Riverview Avenue A	Paulo Franca	SR	1	\$135
317 Riverview Avenue	Steve & Linda Woodside	SR	1	\$135
1500 Wharf Road #7	Viola M Carr	SR	1	\$135
1500 Wharf Road #3	Watson Family Limited Partnership	SR	1	\$135
1500 Wharf Road #1	Bob Coe	SR	1	\$135
1500 Wharf Road #20	Leonard Tyson	SR	1	\$135
4960 Cliff Drive #2	Tim & Stacy Hopkins	SR	1	\$135
1500 Wharf Road #11	Jeri Chestnut	SR	1	\$135
225 San Jose Avenue	Michelle & Stephen Murphy	SR	1	\$135
1500 Wharf Road #2	Albert Ribisi & Mary Scolari	SR	1	\$135
318 Capitola Avenue #4	Deborah Cohen	SR	1	\$135
206 California Avenue	Vito Mazzarino	SR	1	\$135
4980 Cliff Drive Unit B	Steve Pericone	SR	1	\$135
207 San Jose Avenue B	Surf City Rentals	SR	1	\$135
409 Riverview Avenue	Creekside Cottage	SR	1	\$135
417 Riverview Avenue	Bridget Taylor	SR	1	\$135
309 Cherry Avenue	Pan American Investments	SR	1	\$135
1500 Wharf Road #9	Grandma's Nest	SR	1	\$135
112 Capitola Avenue #200	BHR Property Management	SR	1	\$135
208 Stockton Avenue	Eric & Lisa Andrews	SR	1	\$135
207 Monterey Avenue #201	207 Monterey Avenue #201	SR	1	\$135
105 Park Place	Capitola Village Deco Beach House	SR	1	\$135

<u>Business Address</u>	<u>Business Name</u>	<u>TYPE</u>	<u>FY 22/23 Est. Size</u>	<u>FY 22/23 Amount</u>
214 California Avenue	Talbot Family	SR	1	\$135
1500 Wharf Road #16	Jacqui Rice Property Management	SR	1	\$135
318 Riverview Avenue	J & S Infinity LLC (Beg. 1/2020)	SR	1	\$135
105 Lawn #4	Jen Phillips	SR	1	\$135
421 Riverview Avenue	Steven D. Owens & Lois Wilco- Owen	SR	1	\$135
323 Riverview Avenue	John Kinstler Memorial Riverview Rentals	SR	1	\$135
1500 Wharf Road #22	Jody Steick	SR	1	\$135
4930 Cliff Dr	Leslie's Rental	SR	1	\$135
403 Riverview Ave	403 Riverview Ave	SR	1	\$135
208 Monterey Ave #A	208 Monterey Ave #A	SR	1	\$135
4920 Cliff Dr	Christy Emrich Sanders	SR	1	\$135
131 Lawn Way #A	James Lin	SR	1	\$135
407 Riverview Ave	Michael J. Pirnik	SR	1	\$135
1500 Wharf Rd #8	Everett Eslinger	SR	1	\$135
4950 Cliff Dr	4950 Cliff Dr	SR	1	\$135
207 Monterey #200	207 Monterey #200	SR	1	\$135
5005 Cliff Dr #6	5005 Cliff Dr #6	SR	1	\$135
402 Riverview	402 Riverview	SR	1	\$135
310 Riverview	310 Riverview	SR	1	\$135
312 Riverview	312 Riverview	SR	1	\$135
4980 A Cliff	4980 A Cliff	SR	1	\$135
5005 Cliff #1	5005 Cliff #1	SR	1	\$135
321 Capitola Ave #B	Paradise Properties	SR	1	\$135
112 Esplanade	112 Esplanade	SR	1	\$135
122 San Jose Ave #2	The Oak LLC	SR	1	\$135
109 Monterey Ave #3 & #10	Carhart Consulting	SR	1	\$135
316 Capitola Ave B & C	316 Capitola Ave B & C	SR	2	\$270
5005 Cliff Dr #4, 314 Riverview Ave	Sue Norris	SR	2	\$270
209 Stockton Avenue A & B	Castillo Properties	SR	2	\$270
397 & 399 Riverview Avenue	Castellanos Properties - Windmill Properties	SR	2	\$270
402 Bluegum Avenue A & B	Autumn Troung	SR	2	\$270
4995 Cliff Drive #A & #B	Jennifer Rayborn	SR	2	\$270
114 & 116 Lawn Way	114 - 116 Lawn Way LLC	SR	2	\$270
414 Riverview Ave Unit A & B	Real Estate 831	SR	2	\$270
218 Capitola Ave A & B	218 Capitola Ave A & B	SR	2	\$270
419 Capitola Ave	Bombora LLC	SR	2	\$270
109 Cherry Ave A & B	109 Cherry Ave A & B	SR	2	\$270
307 Capitola Ave Unit A, B, C	Capitola Suites	SR	3	\$405

# Capitola City Council

## Agenda Report

**Meeting:** June 23, 2022

**From:** Community Development

**Subject:** Coastal Commission Recommended Modifications to Capitola's Outdoor Dining Ordinance



**Recommended Action:** Adopt a resolution accepting the California Coastal Commission modifications to repeal and replace Capitola Municipal code section 17.96.170 Outdoor Dining in Public Right of Way and amend Municipal Code Sections 17.44.150(B)(3) and 17.120.030.

**Background:** In June of 2020, in response to the COVID-19 pandemic and the ensuing social distancing orders, the City issued temporary permits to local restaurants to provide outdoor dining. The existing COVID-19 outdoor dining temporary use permits are valid until two months following final certification of the outdoor dining ordinance.

On April 22, 2021, City Council directed staff to develop a program for permanent outdoor dining. Over the course of the next several months, the City Council held two additional hearings regarding a permanent outdoor dining program, received results from two public surveys, and provided direction on key program elements to staff.

On October 7 and November 4, 2021, the Planning Commission reviewed the draft outdoor dining ordinance and provided a positive recommendation to City Council.

On December 1, 2021, City Council approved the first reading of the draft ordinance to repeal and replace Municipal Code Sections 17.96.170 and amend Municipal Code Section 17.120.030. The ordinance was adopted on December 9, 2021.

Prior to taking effect in the Coastal Zone, the outdoor dining ordinance (Ordinance 1050) must be certified by the California Coastal Commission. Capitola Ordinance 1050 was submitted to Coastal Commission staff in January of 2022. Since then, City staff has been working with Coastal Commission staff on two outstanding items: the dedication of fees to coastal resources and opportunity for Coastal Commission to review the program in three years. On June 10, 2022, the Coastal Commission conditionally certified the Outdoor Dining ordinance subject to required modifications.

**Discussion:** At this hearing, City Council can decide whether to accept the Coastal Commission modifications or not.

The first modification made by the Coastal Commission is to require all Coastal Development Permits (CDPs) for outdoor dining to be recertified by City Council after the initial three years, and then every five years thereafter. Initially, Coastal staff recommended expiring the CDPs, which would have required all businesses to reapply for a new CDP after the first three years. Coastal staff indicated their interest was to require a follow-up public review process in which permits could be modified or revoked if there is an impact to coastal resources. Staff from both organizations agreed that creating a recertification process would be sufficient to ensure a public review process at regular intervals, which will ensure the program complies. When recertification is due, staff will bring an update to the City Council on all existing active permits and an analysis on compliance. At that time, the City Council will have the option to recertify, amend, or revoke any CDP or the entire program.

The second topic of decision between the Coastal Commission and staff was regarding the dedication of lease revenue for coastal access. The Coastal Commission has agreed to remove the requirement that 50% of revenues from the outdoor dining permits be dedicated for coastal access and maintenance. The purpose of the original dedication of 50% of the funds was to mitigate impacts to coastal resources. Capitola staff provided Coastal staff with a list of coastal enhancements and mitigation measures already included in the ordinance, as well as those that are currently practiced/planned for in Capitola (Attachment

3). After reviewing all the measures in place and planned, the Coastal Commission removed the requirement for dedication of any revenue for coastal access.

Next Steps: If the City Council adopts the Coastal Commission changes, the following next steps will take place:

June 27	Launch lottery for outdoor dining program ( <i>45 days</i> )
July 13-15	Coastal Commission concurrence meeting – final approval of ordinance
July 21	Planning Commission review of CDP for prototype street dining deck design
August 15	Lottery
September 10/11	Art and Wine Festival
September 13-15	Temporary outdoor dining program expires ( <i>two months from Coastal Commission concurrence meeting</i> )
September 19	Issue CDPs for Outdoor Dining

Staff intentionally planned for the Coastal Development Permits to be issued in mid-September. This will allow all businesses to complete three full summer seasons prior to City Council review of recertification. Also, it will allow adequate time for all structures from the temporary outdoor dining program to be removed prior to installation of the dining decks.

Fiscal Impact: An annual fee of \$3,400 per parking space will be charged to the businesses that participate in this program. This fee covers the average revenue generated annually by a single parking space in the Village. City revenue will be dependent on how many businesses participate in the program, and how many spaces each business applies for.

Attachments:

1. Resolution accepting California Coastal Commission modifications
2. Coastal Commission Staff Letter dated June 13, 2022
3. Capitola's Coastal Enhancement and Mitigation Measures

Report Prepared By: Katie Herlihy, Community Development Director

Reviewed By: Chloé Woodmansee, City Clerk; Samantha Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA ACCEPTING CALIFORNIA COASTAL COMMISSION MODIFICATIONS TO THE CITY OF CAPITOLA LOCAL COASTAL PROGRAM REPEALING AND REPLACING MUNICIPAL CODE SECTIONS 17.96.170, AND AMENDING MUNICIPAL CODE SECTIONS 17.44.150(B)(3) and 17.120.030, AND DIRECTING THE COMMUNITY DEVELOPMENT DIRECTOR TO TRANSMIT THE ACCEPTANCE TO THE CALIFORNIA COASTAL COMMISSION.

WHEREAS, pursuant to authority delegated to the City of Capitola by the California Coastal Commission, the City of Capitola regulates development in the portion of the coastal zone that lies in the City boundary and that is outside of the original jurisdiction of the California Coastal Commission and the Local Coastal Program; and

WHEREAS, the City of Capitola's Local Coastal Program (LCP) was certified by the California Coastal Commission in December of 1981 and has since been amended from time to time; and

WHEREAS, the City Council adopted the General Plan Update on June 26, 2014; and

WHEREAS, the Local Coastal Program Land Use Plan is a comprehensive long-term plan for land use and physical development within the City's coastal zone and includes the Coastal Land Use Plan Map; and

WHEREAS, the Capitola City Council adopted the most recent comprehensive update to the City of Capitola Zoning Code (Title 17 of the Capitola Municipal Code) in 2021; and

WHEREAS, the State of California and Santa Cruz County established social distancing requirements in response to the COVID-19 pandemic that prohibited indoor dining at restaurants in Capitola; and

WHEREAS, in response to the pandemic and social distancing orders, the City issued temporary use permits to local restaurants to provide outdoor dining; and

WHEREAS, in 2020 and 2021 approximately 24 restaurants in Capitola were granted temporary use permits under this program to provide outdoor dining; and

WHEREAS, on April 22, 2021, the City Council directed staff to develop a program for permanent outdoor dining and to bring the program back to the Council for review and possible adoption;

WHEREAS, Municipal Code Section 17.96.170 contains existing requirements for temporary sidewalk dining in the public right-of-way; and

WHEREAS, the proposed program for permanent outdoor dining would replace existing Municipal Code Section 17.96.170 with new standards to allow for street dining decks in addition to sidewalk dining;

WHEREAS, the City aims to allow for streamlined approval of prototype street dining decks utilizing a design that will be preauthorized by the Planning Commission through a blanket Coastal Development Permit.

WHEREAS, the City aims to balance the desire for permanent outdoor dining in the public right-of-way with adequate public parking and coastal access;

## RESOLUTION NO.

WHEREAS, City staff consulted with Coastal Commission staff in the preparation of the Zoning Ordinance amendments to ensure that the proposed program and ordinance would comply with the California Coastal Act and Capitola's Local Coastal Program; and

WHEREAS, the proposed Zoning Ordinance amendments to allow for permanent outdoor dining in the public right-of-way qualify for the Exemption found at CEQA Guidelines Section 15305 and 15311; and

WHEREAS, the draft ordinance was then circulated for a 60-day public review period on October 1, 2021; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 7, 2021 and November 4, 2021, at which time it reviewed the proposed amendments, considered all public comments on the revisions and related CEQA exemption, and provided input on the draft ordinance, and a recommendation to delay the proposed ordinance; and

WHEREAS, the Capitola City Council conducted duly noticed public hearings on November 23, 2021 and December 1, 2021, at which the City Council introduced and performed a first reading of the revised municipal code sections. On December 9, 2021, the City Council adopted the ordinance, which repealed and replaced Section 17.96.170, and amended section 17.120.030 of the Capitola Municipal Code; and

WHEREAS, the City Council determined that the amendments are consistent with the General Plan and that the revisions would be internally consistent with all other provisions of the Municipal Code.

WHEREAS, the amendments would become a component of Implementation Plan of the City's Local Coastal Program and is intended to be implemented in a manner that is in full conformance with the California Coastal Act.

WHEREAS, following the City Council's adoption, Capitola staff submitted the Zoning Code update to the Californian Coastal Commission staff for preliminary review in preparation for Local Coastal Plan (LCP) certification; and

WHEREAS, the Local Coastal Program Implementation Plan establishes specific land use and development regulations to implement the Local Coastal Program Land Use Plan, and Chapter 17 (Zoning) and the Zoning Map are part of Capitola's Local Coastal Program Implementation Plan; and

WHEREAS, the City provided Public Notice, as required under Coastal Act 30514 et seq., for Certification of the LCP Implementation Plan and Corresponding Maps.

WHEREAS, on June 10, 2022, the California Coastal Commission held a public hearing on the amendments to the Capitola Local Coastal Program implementing the Zoning Code amendments adopted by the City Council and certified the amendments to the Capitola Local Coastal Program with modifications; and

WHEREAS, the modifications proposed by the California Coastal Commission to the Capitola Local Coastal Program implementing the Zoning Code amendments, are summarized in a letter dated June 13, 2022, from the Coastal Commission and included as Attachment 1; and

WHEREAS, insofar as the proposed changes to the Capitola Zoning Code are amendments to the Local Coastal Program and LCP Implementation Plan, the application of the proposed

RESOLUTION NO.

amendments in the coastal zone is statutorily exempt from California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15265 and the California Public Resources Code Section 21089.9;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the City Council hereby accepts each of the modifications suggested by the California Coastal Commission to the Capitola Zoning Code attached and incorporated as Exhibit 1.

BE IT FURTHER RESOLVED AND ORDERED that the City Council hereby directs the Community Development Director or their designee to transmit this acceptance and any adopted ordinance that incorporates these modifications to the California Coastal Commission for concurrence by its Executive Director.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 23<sup>rd</sup> day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Sam Storey, Mayor

ATTEST: \_\_\_\_\_  
Chloé Woodmansee, City Clerk

Attachment 1: Coastal Commission-proposed modifications to Capitola’s Local Coastal Program Implementation Plan (Chapter 17: Zoning Code)

Attachment 2: June 13, 2022, Letter from Coastal Commission staff

### ~~17.96.170 Temporary Outdoor Dining~~

~~This section establishes requirements for temporary outdoor dining areas located on a public sidewalk or other area within the public right-of-way.~~

- ~~A. **Required Permits.** Temporary outdoor dining within the public right-of-way requires an Administrative Permit and an Encroachment Permit. Temporary outdoor dining may require a Coastal Development Permit as specified by Chapter 17.44 (Coastal Overlay Zone) if any part of the site is located in the coastal zone and the proposed development shall conform with the CDP findings for approval as specified in 17.44.130 (Findings for Approval).~~
- ~~B. **Permitted Zoning Districts.** Temporary outdoor dining within the public right-of-way is allowed in the Commercial Community (C-C), Commercial Regional (C-R), and Mixed Use, Neighborhood (MU-N) zoning districts. Temporary outdoor dining within the public right-of-way is not permitted in the Mixed Use Village (MU-V) zoning district.~~
- ~~C. **Standards.** Temporary sidewalk dining shall comply with the following standards.~~
- ~~1. **Location.** Outside dining is permitted on the public sidewalk:
 
    - ~~a. When incidental to and part of a restaurant; and~~
    - ~~b. Along the restaurant's frontage.~~~~
  - ~~2. **Number of Dining Areas.** An indoor restaurant may operate only one outside dining area confined to a single location.~~
  - ~~3. **Safe Passage.**
    - ~~a. Temporary sidewalk dining is permitted only where the sidewalk is wide enough to adequately accommodate both the usual pedestrian traffic in the area and the operation of the outside dining area.~~
    - ~~b. The sidewalk immediately adjacent to the restaurant shall have adequate space to accommodate tables and chairs and shall provide adequate safe passage along the sidewalk for pedestrian and wheelchair users of the sidewalk. Safe and adequate passage of at least 4 feet in width shall be provided along the sidewalk and from the curb to the sidewalk. No tables or chairs or any other objects shall be placed or allowed to remain on any sidewalk that inhibit such passage.~~~~
  - ~~4. **Furniture and Signage Location.**
    - ~~a. Tables and chairs in a sidewalk dining area shall be set back at least 2 feet from any curb and from any sidewalk or street barrier, including a bollard, and at least 8 feet from a bus stop.~~
    - ~~b. All outdoor dining furniture, including tables, chairs, umbrellas, and planters, shall be movable.~~
    - ~~c. All temporary improvements to separate the outdoor dining area from the sidewalk, such as a railing, shall relate to the architectural design of the primary restaurant structure in color, materials, and scale.~~
    - ~~d. Umbrellas shall be secured with a minimum base of not less than 60 pounds.~~
    - ~~e. All signs are subject to Chapter 17.80.~~~~



5. ~~**Food and Beverages.** The service of alcoholic beverages within the sidewalk dining area requires a Conditional Use Permit, and shall comply with the following requirements:~~
  - a. ~~The outside dining area shall be situated immediately adjacent to and abutting the indoor restaurant which provides it with food and beverage service.~~
  - b. ~~The outside dining area shall be clearly separate and delineated from the areas of the sidewalk which remains open to pedestrian traffic.~~
  - c. ~~One or more signs shall be posted during hours of operation stating that alcohol is prohibited outside of the dining area.~~
  - d. ~~The outside dining area shall receive all licenses required for on-site consumption of alcoholic beverages from State authorities.~~
6. ~~**Trash and Maintenance.**~~
  - a. ~~Storage of trash is prohibited within or adjacent to the sidewalk dining area. All trash and litter shall be removed as it accumulates or otherwise becomes a public nuisance.~~
  - b. ~~The sidewalk dining area, including the sidewalk surface and furniture, shall be maintained in a clean and safe condition.~~
7. ~~**Hours of Operation.** Sidewalk dining may occur between 7 a.m. and 10 p.m. seven days a week. Tables, chairs, other outdoor dining furniture, and all other structures and materials associated with the outdoor dining area shall be removed from the sidewalk and stored indoors at night and when the sidewalk dining area is not in operation.~~

#### 17.96.170 Outdoor Dining in Public Right of Way

- A. **Purpose.** This section establishes standards and permit requirements for outdoor dining in the public right-of-way.
- B. **Definitions.**
  1. **Outdoor Dining.** “Outdoor dining” means ~~and includes~~ both sidewalk dining and street dining decks.
  2. **Sidewalk Dining.** “Sidewalk dining” means the use of an outdoor sidewalk area within the public-right-of-way, by a private business that is an eating and drinking establishment, for eating and drinking activities.
  3. **Street Dining Deck.** A street dining deck means a platform or similar level surface within the public right-of-way and extending beyond the curb and into a roadway or on-street parking area for use by a private business that is an eating or drinking establishment.
    - a. **Custom Street Dining Deck.** A custom street dining deck is a street dining deck designed by the applicant.

- b. **Prototype Street Dining Deck.** A prototype street dining deck is a street dining deck utilizing a design that has been ~~preauthorized by the Planning Commission~~ authorized by the City and has received all necessary permits and authorizations.

**C. Where Allowed.**

1. **Sidewalk Dining.**

- a. Sidewalk dining is allowed in the MU-N, MU-V, C-C, and C-R zoning districts.
- b. In the MU-V zoning district, sidewalk dining is allowed only on Monterey Avenue, Capitola Avenue, and on the Capitola Wharf immediately adjacent to the restaurant it serves.

- 2. **Street Dining Decks.** Street dining decks are allowed only in the MU-V zoning district and only on the Esplanade, Monterey Avenue, Capitola Avenue, and San Jose Avenue.

**D. Maximum Number of On-Street Parking Spaces.** A maximum of 25 total on-street parking spaces may be used for street dining decks. Spaces shall be allocated by the City Manager in accordance with administrative policies issued pursuant to this section. On-street parking spaces utilized for in-lieu bicycle parking shall count toward the maximum 25 spaces.

**E. Permits and Approvals.**

- 1. **Required Permits.** Table 17.96-2 shows permits required for sidewalk dining and street dining decks.

**Table 17.96-2: Permits Required for Outdoor Dining in Public Right-of-way**

Type of Outdoor Dining	Permit Required [2]	Zoning Code Chapter [3]
Sidewalk Dining	Design Permit	17.416 <u>120</u>
Street Dining Decks		
Prototype Street Dining Deck [1]	Administrative Permit	17.116
Custom Street Dining Deck	Design Permit	17.120

[1] Prototype dining deck designs are identified in the adopted Village Outdoor Dining Program Administrative Policy No. I-36 and as specified by an approved coastal development permit.

[2] Outdoor dining in the public right-of-way also requires an encroachment permit pursuant to Municipal Code Chapter 12.56. Minor encroachment permits for applications for prototype street dining decks may be issued by the Public Works Director and major encroachment permits for custom street dining decks may be issued by the Planning Commission.

[3] A street dining deck or sidewalk dining area located in the coastal zone may also require a coastal development permit (CDP) as specified in Chapter 17.44 (Coastal Overlay Zone).

- 2. **Administrative Permit Standards.** All applications for an Administrative Permit are reviewed and acted on by the Community Development Director and must comply with the following standards:

- a. The street dining deck must be designed consistent with a prototype design approved by the ~~Planning Commission~~ City and received all necessary permits and authorizations.
  - b. The street dining deck must comply with all applicable requirements of this section, the Zoning Code, and all other applicable laws, administrative policies, rules, and regulations.
  - c. If located in the coastal zone, the street dining deck is consistent with the Local Coastal Program and will not adversely impact coastal resources, coastal access, and coastal views.
  - d. The street dining deck must utilize high-quality, durable materials that are compatible with surrounding development and can withstand inclement weather.
  - e. The street dining decks must use ~~a~~ the prototype street dining deck design authorized by a valid coastal development permit and shall be subject to the prototype street dining deck coastal development permit findings and conditions.
3. **Design Permit Findings.** All applications for a Design Permit (and any required coastal development permit) are viewed and acted on by the Planning Commission. Notwithstanding Municipal Code Section 17.120.080 (Findings for Approval), for Design Permits issued pursuant to this section, the Planning Commission shall make the following findings and need not make those findings set forth in section 17.120.080
- a. The sidewalk dining area or street dining deck complies with all applicable requirements of this section, the Zoning Code, and all other applicable laws, administrative policies, rules, and regulations.
  - b. If located in the coastal zone, the sidewalk dining area or street dining deck is consistent with the Local Coastal Program, ~~and~~ will not adversely impact coastal resources, coastal access, and coastal views, and has been authorized through a valid coastal development permit.
  - c. The design of the sidewalk dining area or street dining deck supports a safe, inviting, and lively public realm consistent with the purpose of the MU-V zoning district as provided in Section 17.20.040 (Purpose of the Mixed Use Zoning Districts).
  - d. The sidewalk dining area or street dining deck materials include high-quality, durable materials that are compatible with surrounding development and can withstand inclement weather.
4. **Good Standing.** An applicant must be in good standing to apply for a permit for outdoor dining. For purposes of this section, “good standing” shall mean that within the twenty-four months directly preceding submission of a complete application for an Administrative Permit or Design Permit, the applicant has not been issued a notice of abatement, violation, or been subject to any code enforcement proceedings related to an ABC license, entertainment permit, or use permit by the City or any other regulatory or permitting agency. Any courtesy code enforcement notices received by the applicant that was

corrected by the applicant within the date specified on the courtesy notice retains the applicants good standing.

5. **Other Permits and Approvals.**

- a. Sidewalk and street dining decks are subject to all other applicable permits, licenses and/ or entitlements required by State or local law.
- b. A street dining deck or sidewalk dining area located in the coastal zone may require a coastal development permit (CDP) as specified in Chapter 17.44 (Coastal Overlay Zone). Approval of a CDP requires conformance with the CDP findings for approval as specified in Section 17.44.130 (Findings for approval), as well as conformance with the requirements specified in this chapter (Chapter 17.96.170).
- c. A street dining deck or sidewalk dining area located in the coastal zone shall require a coastal development permit (CDP) as specified in Chapter 17.44 (Coastal Overlay Zone). Approval of a CDP requires conformance with the CDP findings for approval as specified in Section 17.44.130 (Findings for approval), as well as conformance with the requirements specified in this chapter (Chapter 17.96.170).
- d. CDP Recertification Requirement. All CDPs issued for outdoor dining permits shall require recertification by the City Council no later than three years after the CDP is issued, and every five years thereafter. Recertification shall require a public hearing before the City Council. City staff will initiate the recertification process by providing notice to the Applicant of the hearing date, at least thirty (30) days in advance of the public hearing.

For a CDP to be recertified, the City Council must find that the subject project is operating in compliance with the findings and conditions of the CDP and in compliance with the LCP. The City Council may recertify, modify, or revoke the CDP. The City Council's decision shall be a final action.

The project applicant, any aggrieved person, or any two members of the Coastal Commission may appeal the City Council decision. Appeal procedures for coastal development permits shall be as specified in Section 17.44.150.

6. ~~Use of Permit Fees in Coastal Zone. For sidewalk dining and street dining decks in the coastal zone, the City shall utilize no less than 50 percent of permit fees received for coastal access programs, maintenance, and improvements.~~

**F. Administrative Policies.**

1. The City Council is authorized to issue administrative policies regarding the administration and leasing of the public right-of-way for sidewalk dining and street dining decks, including but not limited to the application and selection process for applicants, maintenance requirements, and other related policies.
2. In the event of any conflict between the provisions of this chapter and the administrative policy, the more restrictive requirement shall control.

**G. Operating and Development Standards.** All Sidewalk Dining and Street Dining Decks shall comply with the following standards:

1. **Must Serve Eating and Drinking Establishment.** Outdoor dining in the public right-of-way is allowed only when incidental to and a part of an “eating and drinking establishment” as defined in Chapter 17.160 (Glossary).
2. **One Facility Only.** An eating establishment may have either sidewalk dining or a street dining deck. An eating establishment may not have both sidewalk dining and a street dining deck.
3. **Limited to Eating Establishment Frontage.**
  - a. Sidewalk dining is allowed on the sidewalk directly adjacent to the eating establishment street frontage.
  - b. Street dining decks in the public right-of-way are only allowed on parking spaces that are:
    - (1) Wholly or partially located in the right-of-way; and
    - (2) Directly adjacent to the eating establishment street frontage unless authorized by paragraph (b) below.
  - c. The City may allow an outdoor dining area to extend beyond the eating and drinking establishment frontage if:
    - (1) Due to the road and parking space layout, the outdoor dining area cannot be designed without extending the area beyond immediately adjacent parking spaces;
    - (2) Extending the outdoor dining area will not have significant impact on adjoining businesses as determined by the permit review authority; and
    - (3) Extending the outdoor dining area will not adversely impact coastal access.
4. **Sidewalk Width.** Outdoor dining areas in the public right-of-way shall provide a minimum clear width within the sidewalk of at least:
  - a. 5 feet in the MU-V zoning district; and
  - b. 4 feet in all other zoning districts.
5. **Sidewalk Dining Areas.** Sidewalk dining areas shall be limited to the placement of tables and chairs. In addition, design elements required for ABC permit compliance for separation (fences, ropes, planters, etc.), may be included in the design but shall not exceed 36-inches in height.
6. **Signs.**
  - a. Commercial signs are not permitted in or on any portion of the improvements of a sidewalk dining area or street dining deck, except as specified in section b.
  - b. One business identification sign and one menu sign each not to exceed two square feet are allowed.
7. **Stormwater Drainage.** All street dining decks must allow for adequate stormwater drainage.

- a. Dining decks shall not block the drainage flow along the gutter line.
  - b. Dining decks shall not block access into any drain inlet or other drainage/stormwater facility.
8. **Utilities.** All outdoor dining shall not interfere with utility boxes, water hydrants, storm drains, and all other related facilities.
  9. **Trash and Maintenance.** An outdoor dining area in the public right-of-way shall be maintained in a clean and safe condition as determined by the City, including as follows:
    - a. All trash shall be picked up and properly disposed of.
    - b. All flower boxes and planters shall contain live, healthy vegetation.
    - c. All tables, chairs, equipment, and structures must be kept clean and operational.
  10. **Sound.** Music and amplified sound are not allowed in an outdoor dining area.
  11. **Bicycle Parking for Street Dining Decks.**
    - a. A street dining deck that eliminates an on-street parking space must include a bicycle parking rack integrated in the street dining deck design or within the private property of the eating or drinking establishment.
    - b. The bicycle parking rack must provide a minimum of two bicycle parking spaces for each eliminated vehicle parking space.
    - c. As an alternative to providing the bicycle parking rack, the City may allow an applicant to pay an in-lieu fee which fee shall be deposited into the City's in-lieu bike fund to create a central bicycle parking location.
  12. **Hours of Operation.**
    - a. Outdoor dining in the public right-of-way may occur between 7 a.m. and 10 p.m. seven days a week.
    - b. The City may allow extended hours for street dining decks for special events and holidays.
  13. **Open for Use.** All outdoor dining in the public right-of-way must be open for use a minimum of five days per week, except in cases of inclement weather. "Open for use" means that the eating or drinking establishment must allow customers to use the outdoor dining area when the establishment is open for business.
  14. **Materials.** Allowed materials include finished or painted wood, glass, ornamental steel or iron, and decorative masonry. Street dining decks where the primary visible material is plastic, fabric, woven bamboo, or chain link/wire fencing are discouraged.

## H. Enforcement.

1. **General.**

- a. The City shall have all enforcement remedies permitted by law, including but not limited to those in Administrative Policy I-36 in Municipal Code Title 4 (General Municipal Code Enforcement).
- b. Any outdoor dining facility may be subject to inspection by the City on an annual basis or as needed to ensure compliance with this section, conditions of approval, and administrative procedures.

**Section 3.** Section 17.120.030 (Design Permits – When Required) of Chapter 17.120 of the Capitola Municipal Code is hereby amended to read as follows (additions in underline, deletions in ~~striketrough~~):

**Chapter 17.120      Design Permits**

**17.120.030      When Required**

**A. Types of Projects.** The types of projects that require a Design Permit, and the type of Design Permit for each project, are listed in Table 17.120-1. If a type of development project or activity is not specifically listed in Table 17.120-1, a Design Permit is not required.

**TABLE 17.120-1: PROJECTS REQUIRING DESIGN PERMITS**

Type of Project	Type of Permit
<b>Single-Family Residential Projects</b>	
Ground floor additions to existing single-family homes where the addition is visible from a public street and does not exceed 15 ft. in height, except for exempt additions (Section 17.120.030.B)	Minor Design Permit
Accessory structures greater than 10 ft. in height and/or 120 sq. ft. to 300 sq. ft.	Minor Design Permit
Accessory structures greater than 300 sq. ft.	Design Permit
Upper floor decks and balconies on the side or rear of a home that are not adjacent to public open space	Design Permit
All rooftop decks	Design Permit
Upper floor additions to an existing single-family homes	Design Permit
New single-family homes	Design Permit
<b>Multifamily Residential Projects</b>	
Ground-floor additions less than 15% of total floor area of an existing multifamily structure	Minor Design Permit
Upper floor decks and balconies on the side or rear of a structure that are not adjacent to public open space	Design Permit
All rooftop decks	Design Permit
Accessory structures including garbage and recycling enclosures	Minor Design Permit
Ground-floor additions 15% of total floor area or more to an existing multifamily structure	Design Permit
Upper floor additions to an existing multifamily structure	Design Permit
New multifamily residential structures	Design Permit
<b>Non-Residential Projects (Including Mixed-Use)</b>	
Exterior modifications to an existing structure that do not increase the floor area of the structure	Minor Design Permit
Accessory structures 120 sq. ft. to 300 sq. ft. including garbage and recycling enclosures	Minor Design Permit
Accessory structures greater than 300 sq. ft. including garbage and recycling enclosures	Design Permit
Additions less than 15% of the floor area of an existing non-residential structure where the addition is not visible from the primary street frontage	Minor Design Permit
Additions 15% or more of the floor area of an existing non-residential structure where the addition is visible from the primary street frontage	Design Permit
Additions to an existing non-residential structure of 3,000 sq. ft. or more	Design Permit
New non-residential structures	Design Permit
<u>Custom outdoor dining decks and sidewalk dining areas in the public right-of-way</u>	<u>Design Permit</u>



**B. Single-Family Exemptions.** The following additions to a single-family dwelling are exempt from the Design Permit requirement:

1. Ground-floor single-story additions up to 400 square feet at the rear of the home.
2. Enclosure of an existing recessed entrance up to 25 square feet.
3. Enclosure of an existing open porch up to 50 square feet.
4. Installation of bay windows.
5. A single accessory structures that does not exceed 120 square feet in floor area and 10 feet in height with no connection to water or sewer.
6. Minor exterior modification or replacement of materials on an existing structure including siding, windows, doors, and roof.
7. Other similar minor additions to a single-family dwelling as determined by the Community Development Director.
8. Upper floor decks and balconies immediately adjacent to a street or public open space.

**C. Non-Residential Exemptions.**

1. Prototype outdoor dining decks that comply with Section 17.96.170 (Outdoor Dining in Public Right of Way) are exempt from the Design Permit requirement.

**[Coastal Commission Staff Note - Section 4.** Section 17.44.150(B)(3) of the Capitola Municipal Code is modified to read as follows:]

Section 17.44.150(B)(3)

The following types of projects may be appealed to the Coastal Commission:[...]

d. All other projects for which appeals to the Coastal Commission are expressly permitted elsewhere in this Title 7.

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4863  
FAX: (831) 427-4877  
WEB: WWW.COASTAL.CA.GOV

**June 13, 2022**

Katie Herlihy, AICP  
Community Development Director  
City of Capitola  
420 Capitola Ave  
Capitola, CA 95010

Subject: **Coastal Commission Action on City of Capitola Local Coastal Program (LCP) Amendment No. LCP-3-CAP-21-0083-1 (Parklets)**

Dear Ms. Herlihy:

At its meeting on June 10, 2022, the Coastal Commission took action on City of Capitola LCP Amendment No. LCP-3-CAP-21-0083-1 (Parklets). The Commission approved the proposed amendments to the Implementation Plan, if modified as suggested. A copy of the adopted findings and suggested modifications will be sent to you electronically.

This letter formally transmits to you the Commission's resolution of certification and adopted findings pursuant to Section 13544 of Title 14 of the California Code of Regulations. Pursuant to Section 13544, effective certification of LCP Amendment No. LCP-3-CAP-21-0083-1, whereby the City may begin issuing coastal development permits subject to this amendment, will occur after:

1. The City, by action of the City Council: (a) acknowledges receipt of this resolution of certification, including the suggested modifications; and (b) accepts and agrees to the modifications and takes whatever formal action is required to satisfy the modifications (e.g., implementation of ordinances).
2. The Commission's Executive Director reports to the Commission his determination that the City's actions are legally adequate, and the Commission does not object to the Executive Director's determination.
3. Notice of the certification of the LCP amendment is filed with the Secretary of the Resources Agency.

Coastal Commission staff will take care of items #2 and #3 above, following completion of item #1 by the City. Note that the Commission's regulations provide that the Commission's action of certification with the suggested modifications shall expire six months from the date of the Commission's action, or on December 10, 2022.

Please let me know if I can assist you in any way in completing action on this LCP amendment, or if you have any questions. Thanks for all your help during this process.

**Katie Herlihy**  
**LCP-3-CAP-0083-1 (Parklets)**  
**Page 2 of 2**

Sincerely,



Rob Moore  
Coastal Planner  
Central Coast District Office

Enclosure (Via Email): Adopted Staff Report with Suggested Modifications

Capitola's Outdoor Dining Program  
Proposed Coastal Access Enhancements and Mitigation

Overall the City believes that the proposed outdoor dining program enhances coastal access because:

- City has an overabundance of public parking, having added 240 spaces in 2013.
- 340 days a year there is available public parking 24/7.
- The outdoor dining program offer additional opportunities for visitors to experience the coast and Capitola Village.
- The program will add 50 new bike parking spaces, supporting multimodal access to the coast and the future regional bikeshare program.
- During the few days of peak visitation, the dining decks will help relieve stress and prevent degradation on coastal resources.
- The prototype street dining deck design will be sited and designed to protect views to and along the ocean and are compatible with the character of the Village
- The outdoor dining provides an equitable alternative of coastal access for mobility challenged visitors.
- Capitola is a renown visitor-friendly coastal village due to City leadership's ongoing investment into coastal access and recreation

One major investment over the years has been in public parking. There are currently 740 parking spaces in the village available to the public. In 2013, the City of Capitola developed the Lower Pac Cove parking lot adding 220 new parking spaces for the Village at a cost of \$3.5 million. The Lower and Upper Pac Cove parking lots, which combined have 455 parking spaces, are rarely full. The highest demand for parking occurs on the 15 weekends between Memorial Day to Labor Day from 11 am and 4 pm. The parking lots never hit full capacity mid-week. Over the course of a year, there is a surplus of public parking over 98% of the time. The city only hits full capacity for a few hours on approximately 25 days of the year. For the other 8,630 hours of the year there is available parking and the dining decks offer enhanced public access over the status quo.

One of the basic goals of the Coastal Act (Section 30001.5) is to protect, maintain, and where feasible, enhance and resource the overall quality of the coastal zone environment and its natural and manmade resources. A second goal is to maximize public access to and along the coast consistent with sound resource conservation principles. The proposed outdoor dining program aligns with these goals as it adds the variety of experiences available to visitors. The Capitola beach is approximately six acres in size. On the busiest days, when most parking spaces in the village are utilized, the beach is often overcrowded resulting in a negative visitor experience and public safety concerns. Providing alternatives for visitors, such as having lunch on a street dining deck, assists in relieving stress on our limited coastal resources.

Outdoor dining which replaces public parking spaces with the opportunity to dine, enhances public beach access as many of the spaces have views of the Monterey Bay. Converting parking spaces in the village from automobile parking to street dining increases prime coastal access. Each parking space can accommodate one car. A member of the public parks their car, pays the hourly fee for the space, and has sole access of that space for up to three hours. On the contemplated street dining decks, the same space can accommodate up to three dining tables comfortably. The street dining is open to the public to sit and dine while taking in views of the coast and Capitola's seaside charm. Typical turnover time for dining is close to one hour. Up to

nine parties could enjoy the same space in the three-hour time. In either scenario, the public has to pay to utilize the public space.

Capitola's outdoor dining program will enhance multimodal transportation infrastructure. The program requires two bicycle parking spaces for each automobile parking space converted to outdoor dining. This requirement creates prime coastal access for bicycle parking which is a greener alternative to the automobile and benefits community health and the environment. This mitigation measure is consistent with the City's certified LCP/IP which specifically states, "When parking is reduced, the city shall evaluate alternative opportunities for public coastal access as needed to ensure existing levels of public access are maintained, or if possible enhanced," and identifies bicycle parking as a suggested mitigation measure.

The City's commitment to multimodal access does not end there. Over the past two years, the City has been dedicated toward the creation of a regional bike share program that will extend from Watsonville to Santa Cruz, provide additional transportation alternatives to the car on a regional basis. The regional bike share system is planned to be in effect by September 2022, in preparation for the start of the UCSC school year. Cyclists will have more opportunities to park bicycle within the Village due to the required onsite bicycle parking within the outdoor dining program.

Coastal Act Section 30251 requires the scenic and visual qualities of coastal areas be considered and protected as a resource of public importance. It further specifies that permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas are required to be subordinate to the character of the coastal setting. The outdoor dining program includes a City sponsored prototype design which will enhance the general appearance of Capitola. Policy III-7 of Capitola's LCP ensures the special scale and character of Capitola Village be maintained within development proposals. The policy puts emphasis on design within the street to include: 1) landscaping; 2) street, path, and public space lighting; 3) paving patterns and paving materials; 4) traffic and parking furniture including directional signs, directional islands, bicycle racks; and 5) signage. The prototype design will include planters, lighting, decking materials, bicycle parking, and limited signs. The overall aesthetic and character of the village will be enhanced with the activated space and the design will be subordinate to the character of the village while increasing opportunities for the public to take in the views. The prototype design includes planters for railing, but prohibits enclosed roof structures to ensure views are protected.

Capitola's Local Coastal Program supports projects that provide facilities close to the beach for persons who find use of the beach itself difficult. The street dining decks provide an equitable option for all to take in the scenic and visual qualities of the coastal area with the comforts of a table and chairs. The outdoor dining is required to be ADA accessible and have appropriate table heights to accommodate a visitor in a wheelchair. The outdoor dining programs ensures that safe passageways will be clear and accessible for the public.

Capitola also provides a free alternative for visitors to sit down and take in the views. Visitors can choose from the 61 city benches located throughout the village. The Esplanade is lined with City benches that look out onto the Monterey Bay. During the pandemic, the benches were utilized in the temporary outdoor dining areas as safety barriers since they are extremely heavy made of concrete and wood. Understanding the value of this community asset, the City Council

recently directed staff to require all benches be removed from the temporary outdoor dining and returned to the original locations throughout the village by June 15, 2022.

Lastly, the City is dedicated to coastal access and recreation. Capitola is home to a robust Junior Guards program which serve about 1,000 children each summer and employs 25 lifeguards. From Memorial Day to Labor Day, the City has lifeguard on duty seven days a week and on weekends provides a free beach shuttle services from Lower Pac Cove parking lot to Capitola Village (\$65,000). The City just completed the rebuilding the flume and jetty (\$460,000). The City is currently in the planning and funding stages for rebuilding the Capitola Wharf (\$7 million). The city dedicates staff on weekends throughout the year to trash removal in the Village and maintains public restrooms in Esplanade Park and on the wharf.

# Capitola City Council

## Agenda Report

**Meeting:** June 23, 2022

**From:** City Manager Department

**Subject:** Potential Second Home Tax Follow Up



**Recommended Action:** Provide direction to staff to either 1) Continue preparing the materials necessary to place a second home tax on the November 2022 ballot; OR 2) Do not proceed with placing a second home tax on the November 2022 ballot.

**Background:** At the May 26 City Council meeting, City Council received a presentation regarding polling results for a potential second home tax. Based on those results, Council directed staff to research several items and return to Council for further discussion regarding the potential tax. At the June 9 Council meeting, Council provided the following direction to staff:

*Motion: 1) Direct City Attorney to begin drafting a vacant home tax ordinance incorporating: the \$4,000/\$2,000 margin, a 90 day threshold, and the staff suggested exemptions; 2) Council to determine, as allowed by the Brown Act, the feasibility of placing such a tax measure on the November 2022 ballot by assessing community support, potentially creating an outreach plan, and analyzing recommended uses of such a tax 3) Commit to directing staff to work to place such a measure on the ballot, or not, at the June 23 City Council meeting.*

*Result: Passed (5:0)*

**Discussion:** The purpose of this item is for Council to either decide not to proceed with a second home tax for the November ballot, or direct staff to continue working on the measure. The deadline to place on item on the November ballot is August 12.

Based on the polling results, and the fact that the item would be a special tax requiring two thirds voter approval, it will be challenging for a second home tax to pass in November. However, because the concept of a second home tax is new, it is possible (but far from certain), that voter opinions may be less fixed than with more familiar traditional tax measures.

Given the situation, staff suggests the only potential path to a successful measure is if it was supported by a robust community campaign. State law precludes City staff or resources from being used to campaign for a ballot measure. State law does allow the City to produce informational documents that include factual information about a measure, as long as it does not urge voters to vote in a particular way. The City has mailed such informational material to City residents in prior elections.

As was discussed during the June 9 meeting, turnout for this November's election will likely be lower than the turnout for the 2024 election. In general, tax measures perform better in higher turnout elections.

Since this would be a special tax, the City may designate the uses of the tax revenues in the measure itself (as opposed to a general tax, where all revenues must be placed in the general fund). Should Council decide to proceed with a second home tax at this time, Staff would need direction on how Council would like to designate the revenues. Staff recommends that Council designate a portion of the revenues to high priority community needs and a portion of the revenues towards the General Fund. If Council decides to move a measure forward, staff will need that direction either at the June 23 meeting or on July 28. Alternatively, a special meeting could be scheduled to specifically discuss this topic.

At the June 23 meeting, Council members will be able to report their individual assessment of community support for this potential measure.

Lastly, should the Council decide to direct staff to continue working on placing this tax on the November 2022 ballot, staff seeks direction on how to refer to it. Based on feedback from another jurisdiction that

polled this concept, voter support for a “empty home tax” was slightly higher than support for a “vacant home tax,” but regardless of the name, support was in the 50-55% range. Internally, staff for jurisdiction felt that both terms caused voter confusion.

Based on feedback from that jurisdiction, and input from Capitola’s polling professional, our City staff polled the item as a “second home tax.” The City’s polling also suggested potential support in the 50-55% range and suggested potential confusion about the term “second home tax.”

The City of Oakland’s tax was approved by their voters as a “vacant home tax.” The proposed measure in Santa Cruz is referred to as an “empty home tax.” Recently, the City of Berkeley decided to move forward with a similar tax, referring to it interchangeably as an “empty home tax,” “vacant home tax,” and “vacancy tax.”

At this point there does not seem to be a single term used to refer to these taxes. Should Council decide to move forward, staff suggests the tax be named either a “second home tax” or “unoccupied house tax,” however other options are certainly possible.

Fiscal Impact: The cost to place this measure on the ballot is estimated to be less than \$20,000 between ballot costs and staff time. Determining the potential revenue from a second home tax is challenging because it is unknown how many homes would be subject to the tax, and who would qualify for exemptions. However, based on Census data regarding the number of second homes in Capitola, staff estimates the tax could raise between \$850,000 and \$1.5 million annually.

Report Prepared/Approved By: Jamie Goldstein, City Manager

Reviewed By: Chloé Woodmansee, City Clerk; Samantha Zutler, City Attorney



# Capitola City Council

## Agenda Report

**Meeting:** June 23, 2022

**From:** Finance Department

**Subject:** Consider the Fiscal Year 2022-2023 Budget and Capital Improvement Program for the City of Capitola



**Recommended Action:** Approve the proposed resolution adopting the Fiscal Year 2022-23 City Budget and Capital Improvement Program.

**Background:** The Proposed Fiscal Year (FY) 2022-23 Budget and Planned FY 2023-24 Budget was presented to the City Council at the May 4, 2022, special meeting at which time the Council received input from the Finance Advisory Committee (FAC). At the meeting, the City Council requested additional information which was presented at a second special meeting on May 19, 2022, at which time the City Council reviewed updates to the proposed budget and additional recommendations from the FAC and heard public comments.

At the May 19 special meeting, Council directed staff to prepare a resolution adopting the budget after discussing the following:

**Discussion:** The General Fund is projected to end Fiscal Year 2021-22 with an estimated \$4.4 million fund balance which includes \$385,000 set aside as a resiliency account. Pursuant to City Council direction and the recommendation of the FAC to maintain the general fund balance of \$1.7 million, the Proposed Budget allocated \$3.5 million of existing general fund resources towards the Capital Improvement Program and FY 2022-23 City Council Goals and Priorities.

Consistent with City Council direction, the budget includes \$61,000 of Restricted TOT revenue programmed to Early Childhood and Youth Programs (ECYP) for the Community Grant Program and \$51,000 of Restricted ECYP TOT fund balance to the Recreation Division as follows:

- Youth program scholarship fund - \$39,000
- Swim lesson equity program - \$10,000
- Job skills program - \$2,000

Additional revisions made to the FY 2022-23 Proposed Budget since the May 19 special meeting include:

- Increased Sales Tax revenue:
  - FY 2021-22 - \$100,000 (increasing the estimated general fund balance)
    - Based on actual receipts
  - FY 2022-23 - \$65,500
    - Consistent with FY 2021-22 revised estimates
- Increased funding for Universal Design Park - \$125,000
  - City Council direction on May 19
- Decreased General Fund HAP Shelter costs - \$1,525
  - Moved to Successor Agency special revenue fund – total funding \$31,525
- Decreased Workers Compensation Insurance premium: \$8,000
  - Based on information from Monterey Bay Area Self Insurance Authority (MBASIA)

- Increased Liability Insurance premium: \$46,500
  - Based on information from MBASIA

The net impact of the proposed budget revisions is a positive \$3,525. The FY 2022-23 Proposed Budget remains imbalanced by design due to the allocation of \$3.5 million of available general fund resources to City Council goals and priorities. In addition, the five-year budget forecast remains structurally balanced at the sunset of the Measure F District Sales Tax in December 2027.

The resolution necessary to adopt the Fiscal Year 2022-23 Budget includes the above appropriations and adjustments (Exhibit A), a General Fund overview (Exhibit B), and an estimation of FY 2022-23 fund balances (Exhibit C). In addition, the FY 2022-23 Proposed Budget is available on the City's website.

Fiscal Impact: The fiscal impact is shown in the attached General Fund overview and fund balance summary.

Attachments:

1. Proposed resolution
2. Changes to Proposed Budget
3. General Fund Summary
4. Fund Balance Summary

Report Prepared By: Jim Malberg, Finance Director

Reviewed By: Chloé Woodmansee, City Clerk

Approved By: Jamie Goldstein, City Manager

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
ADOPTING THE 2022-2023 FISCAL YEAR CITY BUDGET AND CAPITAL IMPROVEMENT  
PROGRAM BUDGET**

**WHEREAS**, it is necessary to adopt the 2022-2023 Fiscal Year Budget for all City funds and Capital Improvement Program; and

**WHEREAS**, the City Council has conducted budget study sessions, has heard and considered public comments, and has modified the proposed budget accordingly, and wishes to adopt such budget for the Fiscal Year July 1, 2022, through June 30, 2023; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Capitola that the 2022-2023 Fiscal Year Budget is hereby adopted as amended, including Exhibit A (Changes to Proposed Budget), Exhibit B (General Fund Overview), and Exhibit C (Summary by Fund) to this Resolution; and

**BE IT FURTHER RESOLVED** that the Finance Director is directed to enter the budget into the City's accounting records in accordance with appropriate accounting practices, and the City Manager, with the Finance Director's assistance, shall assure compliance therewith.

**I HEREBY CERTIFY** that the foregoing Resolution was passed and adopted by the City Council of the City of Capitola on the 23<sup>rd</sup> day of June 2022, by the following vote:

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

\_\_\_\_\_  
Sam Storey, Mayor

ATTEST:

\_\_\_\_\_  
Chloe Woodmansee, City Clerk

## Exhibit A

### Changes to FY 2022-23 Proposed Budget

<b>FY 2021-22 General Fund Revenue</b>	<b>Amount</b>
Sales Tax <i>(Increase General Fund beginning balance)</i>	\$ 100,000
<b>Total</b>	<b>\$ 100,000</b>

<b>FY 2022-23 General Fund Revenue</b>	<b>Amount</b>
Sales Tax	\$ 65,500
<b>Total</b>	<b>\$ 65,500</b>

<b>FY 2022-23 General Fund Expenditures</b>	<b>Amount</b>
General Fund Transfer-CIP-Universal Design	\$ 125,000
Community Grants - HAP <i>(moved to Successor Agency)</i>	(1,525)
Workers Compension Premium	(8,000)
Self Insurance Premium - Liability	46,500
<b>Total</b>	<b>\$ 161,975</b>

<b>FY 2022-23 Restricted TOT Special Revenue Fund</b>	<b>Amount</b>
Early Childhood & Youth Programming - Community Grants	61,000
Early Childhood & Youth Programming - Recreation	\$ 51,000
<b>Total</b>	<b>\$ 112,000</b>

## General Fund Summary

Major Categories	FY 19/20 Actual	FY 20/21 Actual	FY 21/22 Amended	FY 21/22 Estimated	FY 22/23 Proposed	FY 23/24 Planned
<b>Revenues</b>						
Taxes	\$ 11,988,155	\$ 12,838,748	\$ 13,799,111	\$ 14,463,978	\$ 14,811,769	\$ 15,110,946
Licenses and permits	665,901	657,786	636,675	644,050	642,100	645,100
Intergovernmental revenues	103,402	1,404,860	1,255,700	1,255,700	1,423,003	66,900
Charges for services	1,634,671	1,605,861	1,809,752	1,870,265	2,083,331	2,092,927
Fines and forfeitures	519,754	494,772	517,000	530,000	592,000	592,000
Use of money & property	177,526	79,464	90,200	88,000	89,500	91,000
Other revenues	119,974	111,602	111,597	123,197	99,343	102,129
<b>Revenues Totals</b>	<b>\$15,209,384</b>	<b>\$17,193,093</b>	<b>\$18,220,034</b>	<b>\$18,975,190</b>	<b>\$19,741,045</b>	<b>\$18,701,002</b>
<b>Expenditures</b>						
Personnel	\$9,761,056	\$9,127,895	\$10,490,560	\$10,430,640	\$11,346,552	\$11,784,119
Contract services	2,770,878	2,162,571	3,183,690	3,017,065	3,697,677	2,954,942
Training & Memberships	87,559	64,292	107,499	90,393	136,885	134,885
Supplies	501,164	495,355	540,900	547,449	499,500	506,500
Grants and Subsidies	241,612	43,648	125,000	125,000	133,425	133,425
Internal service fund charges	1,176,081	911,212	1,196,205	1,196,205	1,444,500	1,452,250
Other financing uses	2,023,418	809,383	3,608,343	3,608,343	5,151,569	1,732,532
<b>Expenditures Totals</b>	<b>\$16,561,769</b>	<b>\$13,614,357</b>	<b>\$19,252,197</b>	<b>\$19,015,096</b>	<b>\$22,410,108</b>	<b>\$18,698,653</b>
<b>Impact on Fund Balance</b>	<b>\$ (1,352,385)</b>	<b>\$ 3,578,736</b>	<b>\$ (1,032,163)</b>	<b>\$ (39,906)</b>	<b>(\$2,669,062)</b>	<b>\$ 2,349</b>
<b>Budgetary Fund Balance</b>	<b>\$ 885,935</b>	<b>\$ 4,464,671</b>	<b>\$ 3,432,508</b>	<b>\$ 4,424,765</b>	<b>\$ 1,370,703</b>	<b>\$ 1,373,052</b>
<b>Designations</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (385,000)</b>	<b>\$ (385,000)</b>	<b>\$ 385,000</b>	<b>\$ 385,000</b>
<b>Revised Budgetary Fund Balance</b>	<b>\$ 885,935</b>	<b>\$ 4,464,671</b>	<b>\$ 3,047,508</b>	<b>\$ 4,039,765</b>	<b>\$ 1,755,703</b>	<b>\$ 1,758,052</b>

	Estimated Balance 7/1/2022	Revenues	Transfers In	Expenditures	Transfers Out	Estimated Balance 6/30/2023
<b>General Fund</b>	<b>\$ 4,039,765</b>	<b>\$19,741,045</b>	<b>\$ -</b>	<b>\$ 17,258,539</b>	<b>\$ 5,151,569</b>	<b>\$ 1,370,703</b>
<b>Designated Reserves</b>						
Contingency Reserve	\$2,061,346	\$ -	\$ 131,000			\$ 2,192,346
PERS Contingency Reserve	1,025,553	10,000	500,000	-	-	1,535,553
Emergency Reserve	1,314,206		147,300	-	-	1,461,506
Donations	-	-	-	-	-	-
Facility Reserve	422,830	-	-	140,000	-	282,830
<b>Total Designated Reserves</b>	<b>\$ 4,823,935</b>	<b>\$ 10,000</b>	<b>\$ 778,300</b>	<b>\$ 140,000</b>	<b>\$ -</b>	<b>\$ 5,472,235</b>
<b>Debt Service</b>						
Pac Cove Lease Financing	55,099	-	165,066	165,066	-	55,099
Pac Cove Park	(38,986)	-	127,000	88,211	-	(197)
<b>Total Debt Service</b>	<b>\$ 16,113</b>	<b>\$ -</b>	<b>\$ 292,066</b>	<b>\$ 253,277</b>	<b>\$ -</b>	<b>\$ 54,902</b>
<b>Capital Improvement Fund</b>	<b>\$ 3,459,678</b>	<b>\$ -</b>	<b>\$ 3,886,203</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 7,345,881</b>
<b>Internal Service Funds</b>						
Stores	\$ 69,126	\$ 27,000		\$ 27,000	\$ -	\$ 69,126
Information Technology	317,920	261,500		257,500	-	321,920
Equipment Replacement	853,833	100,000		550,000	-	403,833
Self-Insurance Liability	33,526	623,000		623,000	-	33,526
Workers' Compensation	367,080	432,000		432,000	-	367,080
Compensated Absences	183,856	-	220,000	220,000	-	183,856
<b>Total Internal Service Funds</b>	<b>\$ 1,825,340</b>	<b>\$ 1,443,500</b>	<b>\$ 220,000</b>	<b>\$ 2,109,500</b>	<b>\$ -</b>	<b>\$ 1,379,340</b>
<b>Special Revenue Funds</b>						
SLESF-Suppl Law Enforcmnt Svc	\$ 118,460	\$ 100,400		\$ 97,500		\$ 121,360
TOT Restricted Revenue	68,442	131,250		96,250	35,000	68,442
SB1 RMRA	203,131	230,000		230,000		203,131
RTC Streets	660,230	358,000		358,000		660,230
Gas Tax	67,999	247,505		247,000		68,504
Wharf	134,397	27,625		20,431		141,591
General Plan Update and Maint	219,888	120,300		235,000		105,188
Green Building Education	205,576	15,000		18,000		202,576
Public Art	166,267	5,000		27,500		143,767
Parking Reserve	737	-	100,000	-	100,000	737
Technology Fee	90,433	12,000		8,000		94,433
PEG-Public Education and Govt.	38,936	15,000		25,000		28,936
Capitola Village/Wharf BIA	30,729	143,375	35,000	159,700		49,404
CDBG Grants	(88,542)	497,196		497,196		(88,542)
CDBG Program Income	(12,512)	-		-		(12,512)
Library	732,723	-		-		732,723
HOME Reuse	672,179	1,000		3,700		669,479
Housing Trust	154,135	15,500		25,000	25,000	119,635
Cap Hsg Succ- Program Income	2,049,777	2,000		82,525		1,969,252
<b>Total Special Revenue Funds</b>	<b>\$ 5,512,984</b>	<b>\$ 1,921,151</b>	<b>\$ 135,000</b>	<b>\$ 2,130,802</b>	<b>\$ 160,000</b>	<b>\$ 5,278,334</b>
<b>Successor Agency</b>	<b>\$ 165,074</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 165,074</b>
<b>Prelim. Fund Balance - All Funds</b>	<b>\$ 19,842,889</b>	<b>\$ 23,115,696</b>	<b>\$ 5,311,569</b>	<b>\$ 21,892,117</b>	<b>\$ 5,311,569</b>	<b>\$ 21,066,469</b>

# Capitola City Council

## Agenda Report



**Meeting:** June 23, 2022  
**From:** Finance Department  
**Subject:** FY 22-23 Fee Schedule

**Recommended Action:** Conduct the noticed public hearing on the proposed City Fee Schedule for Fiscal Year 2022/2023 and adopt the proposed resolution amending the current fee schedule.

**Background:** The annual budget process includes a review of the City's Fee Schedule. Capitola's current fee schedule is based on the comprehensive fee study adopted on November 24, 2015. A consultant recommended the City review the fee schedule on a yearly basis and implement a Consumer Price Index (CPI) adjustment. The fee schedule has been reviewed annually every year since 2015.

State law requires the City conduct a public hearing where testimony can be taken before any fees are added or existing fees are altered.

**Discussion:** Best management practices recommend conducting a comprehensive fee study every five years. In January 2020, staff began the process of performing a comprehensive fee study with City Council review tentatively planned for late April, to allow for approved fee adjustments beginning in July 2020. Due to the pandemic, these plans were put on hold; however, staff now anticipates completing a comprehensive fee study during FY 2022-23.

This year, the CPI adjustment applied to the fee schedule is 3.21%.

**Animal Service Fees:** Animal service fees are set by Santa Cruz County Animal Services Agency (ASA), of which the City is a member jurisdiction. This resolution adopts the ASA animal service fee schedule for 2022-23.

**Fiscal Impact:** The Fiscal Year 2022/23 Budget will incorporate the amended fees; the amended Fee Schedule will go into effect July 1, 2022.

**Attachments:**

1. Proposed resolution
2. Exhibit A: FY 22-23 Fee Schedule
3. Exhibit B: FY 22-23 Animal Service Fees

**Report Prepared By:** Mark Sullivan, Senior Accountant

**Reviewed By:** Jim Malberg, Finance Director, Chloé Woodmansee, City Clerk

**Approved By:** Jamie Goldstein, City Manager

## RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
AMENDING THE CITY'S FEE SCHEDULE FOR  
FISCAL YEAR 2022-2023**

**WHEREAS**, the Government Code of the State of California, Section 66018 requires local agencies to notice and hold at least one open and public meeting prior to levying a new fee or increasing an existing fee; and

**WHEREAS**, the City Council of the City of Capitola has held a duly noticed public hearing on June 23, 2022, to consider amending existing fees charged for various City services; and

**WHEREAS**, the City Council adopted Resolution No. 4036 on November 24, 2015, amending the City Fee Schedule in accordance with the comprehensive fee study also presented to City Council on November 24, 2015; and

**WHEREAS**, City staff researched and analyzed the cost of services provided by the City and determined the appropriateness of these adjusted rates relative to the cost of providing services; and

**WHEREAS**, the adjusted rates do not exceed the reasonable cost of providing these services; and

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

**WHEREAS**, such rates must be adjusted from time to time to reflect the true costs of such services; and

**WHEREAS**, all flat fees, with the exception of those established by law, may be adjusted annually by the Consumer Price Index (CPI) for the San Francisco, Oakland, San Jose area; and

**WHEREAS**, the City of Capitola will analyze the fee schedule on a yearly basis to ensure hour estimates and staff costs are reasonable; and

**WHEREAS**, the City of Capitola has made available to the public the required data pursuant to Government Code Section 66018 for at least ten days prior to adoption of a revised fee schedule.

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

- Adopt the City of Capitola Fee Schedule pursuant to the changes in Exhibit A attached hereto to become effective on July 1, 2022; and
- Adopt the Animal Services Fees, as set by Santa Cruz County, identified in Exhibit B attached hereto to become effective on July 1, 2022.

**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 23<sup>rd</sup> day of June 2022, by the following vote:

**AYES:**

**NOES:**



**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
Sam Storey, Mayor

ATTEST:  
  
\_\_\_\_\_  
Chloé Woodmansee, City Clerk

Description	2022/23 Fee Schedule
<b>MISCELLANEOUS FEES</b>	
Administrative Decision Appeal Fee	\$562
Bingo Permit	\$67
Capitola Municipal Code	0.15 / page
Capitola Municipal Code Supplement Service (Per year)	\$0
Copies:	
1-5 copies	\$0
6 or more copies (per copy)	\$0.25 / page
Gov't Code § 81008 (Political Reform Act) statements/reports (Per copy)	\$0.10 / page
Video Tapes, Flash Drive, CD/DVD Production	Cost + \$54.18 1st Hour (Minimum) + \$27.08 / hour
Simple film permit	\$51.61
Major film permit	\$258.03
Entertainment Permit Application Fee	\$41
Single Event Permit	\$41
Minor Entertainment Permit	\$174
Regular Entertainment Permit	\$652
Pet Shops and Kennel License Fee (Municipal Code § 5.20.020) set only by ordinance	\$23
Returned Check Fee	\$41
Business License Overpayment Refund Fee (resolution 3532, ord 871)	\$0 (Set to -0- by Council in 2011)
Business License Late Payment Penalty Admin. Fee	\$35 + 10% each month late
Business License Application Fee (Reso. 3532)	\$41
Business License - Disability Access and Education Fee (State)	\$4
Temporary, Publicly Attended Activities, Application Fee (Municipal Code § 9.36.040)	\$34
Public Art (Total Building Valuation \$250,000 or more) (Municipal Code Chapter 2.58)	2% of TBV or 1% in lieu to City
Notice of Intent to Circulate Initiative Petition (Elections Code § 9103(b))	\$200
Bandstand Rental Fee	\$233 / 4 hrs or \$699 all day / deposit \$1,500
Notary Service Fees (State Code)	
Acknowledgment or proof of a deed, or other instrument, to include the seal and writing of the certificate	\$15 / signature
Administering an oath or affirmation to one person and executing the jurat, including the seal	\$15 / signature
Credit Card Transaction Fee	3%
Electric Vehicle Charging Fee	\$0.50 / hour
Cannabis Annual License Fee	\$2,677
Retail Cannabis Application Fee	\$1,745

Description	2022/23 Fee Schedule
<b>POLICE DEPARTMENT FEES</b>	
<u>Special Event Permit</u>	\$64
Amplified Sound Permit (Municipal Code 9.12.040)	\$30
DUI Cost Recovery Fee (Res. 3533)	Not to exceed \$12,000
Copies of reports: Crime Reports, Special Reports, etc. (Regardless of number of pages)	\$0.25 / page
Copies of: Citations, Code sections, Ordinances, etc.	\$0.25 / page
Bicycle Licenses (New)	\$0
Bicycle Licenses (Renewal)	\$0
Citation Sign-Offs	\$0
Photographs	\$19 + administration fees
VIN verifications	\$17
Video Tapes, Flash Drive, CD/DVD Production	Cost + \$54.18 1st Hour (Minimum) + \$27.08 / hour
Local Fire Arm dealers (set by state)	
New application	set by state
Renewal	set by state
Second Dealers License (set by state)	
Application	set by state
Renewal	set by state
Taxi Fee per application	set by state
Tobacco retail license	\$274
Civil Subpoena (per case) (set by state)	set by state
Parking Permits (separate action by the Council)	
Neighborhoods per year (Resolution No. 3733)	\$25
Village Preferential Permit (Resolution No. 3733)	\$50 per year
Village Employer/Employee Permit (Resolution No. 3733)	\$50 per year
Morning Village Parking Permit (Resolution No. 3715)	\$50 per year
Concealed Weapon Permits (set by state)	
<i>Application</i>	
Standard	set by state
Judicial	set by state
Employment	set by state
<i>Renewal</i>	
Standard	set by state
Judicial	set by state
Employment	set by state
Firearm Surrender Fees (set by state law)	
1-5 guns	set by state
6+ guns	set by state
Vehicle Storage per day	\$28
Administrative fee to release Impounded / Stored Vehicle	\$137
Surf School Permit Fee	\$563
<b><u>Animal Services Fees</u></b>	
See Exhibit B "Animal Services Fees"	

Description	2022/23 Fee Schedule
<b>PUBLIC WORKS DEPARTMENT FEES</b>	
Encroachment Permits	
Non-Construction Items (includes materials storage within right-of-way road and sidewalk closures)	\$71
Village Sidewalk Encroachment Permit	\$41
Construction Items	
Level A	\$215
Level B	\$477
Level C	\$951
Level D	\$1,546
Level E	\$2,143
Residential Blue Curb Application Fee	
	\$225
Residential Blue Curb Annual Fee	
	\$57
Blanket Permits (repair and maintenance of existing facilities)	
	\$2,379
Private Improvement Permits/Encroachment Agreement	
Applications for Minor Permits	\$238
Applications for Major Permits	\$595
New Memorial Bench	
	\$1,077
Replacement Memorial Bench	
	\$525
Memorial Plaque	
	\$808
Replacement Plaque	
	\$262
Memorial Plaque (tree)	
	\$516 + Cost of Tree
Memorial Picnic Table	
	\$1,725
Seasonal Boat Storage Permits	
Seasonal Permit	\$400 per month
Short Term Permit	\$15 per day
Stormwater Development Review Fee	
Stormwater Plan Review Fee	\$118
Large Project Plan Review Deposit	
Tier 2	\$3,571
Tier 3 & 4	\$4,761
Research Fee - 1/2 hour minimum charge	
	Cost
Information Technology Fee (Resolution No. 3796 adopted 11/12/09)	
	5% of Permit Fee
Final Map	
	Cost; \$3,000 min. deposit

Description	2022/23 Fee Schedule
<b>PLANNING FEES</b>	
<b>Administration/Documents</b>	
Continuance Request - Applicant (2+)	\$175
Staff Billing Rate	Cost
Appeals-by Applicant	Cost
Appeals- by City Officials	\$0
Appeals- by Other	\$562
Coastal Development Permit Appeal	\$0
Appeals -Building/Zoning Code Violations	\$562
Records Search/Research/Special Report	Cost
<b>Administrative Permits</b>	
Tree Removal 1- Staff -Review	\$142
Tree Removal -- 3 or more trees on a property	\$306
Tree Installation Deposit (Refundable)	\$500 Deposit
Tree replacement in-lieu fee (if available)	\$600 per tree
Tree removal w/ PC approval	\$1,000 deposit
Commercial Sidewalk/Parking Lot Sale Permit	\$85
Tenant Use Permit (MCUP)--Staff approval	\$86
Transient Rental Occupancy Use Permit	\$596
Home Occupation Use Permit	\$179
Fence Permit- Staff approval	\$47
Fence Permit- PC approval	\$893
Sidewalk vendor permit	\$131
Sidewalk vendor annual refuse fee	\$525
Temporary Sidewalk Dining	\$86
Temporary Use Administrative Permit	\$86
<b>Sign Permits</b>	
Temporary Signs and Banner Permits	\$42
Signs-permit - Staff Review	\$143
Signs- permit - PC Review	\$596
Master Sign Program	Cost; \$3,000 min deposit
Village Sidewalk Sign Permit	\$73
<b>Design Permits</b>	
Residential-Single Family/Minor Design Permit - Staff Review	\$870
Residential-Single Family - PC Review	\$2,977
Residential Multi-Family - PC Review	\$4,165
Commercial - PC Review	\$4,000 Deposit
Secondary Dwelling Unit- Staff Review	\$596
Secondary Dwelling Unit- PC Review	\$1,787
Residential Multi-Family/Minor Design Permit - Staff Review	\$2,000 deposit
Commercial Minor Design Permit	\$2,000 deposit
Historic In-Kind Replacement Design Permit	\$500 deposit
<b>Use Permits</b>	
Master Conditional Use Permit	Cost; \$3,500 min. deposit
Conditional Use Permit/Minor Use Permit - Staff Review	\$1,756
Conditional Use Permit - PC approval	Cost; \$3,000 min. deposit
Temporary Use Permit	\$89
<b>Subdivisions</b>	
Certificate of Compliance & Lot Merger	\$596
Boundary Line Adjustment	\$951
Tentative Parcel Map	Cost; \$2,000 min. deposit
Tentative Map	Cost; \$5,000 min. deposit
Revised Map	\$2,000 Deposit
Time Extension	\$2,000 Deposit
Subdivision Modification	\$2,000 Deposit

Description	2022/23 Fee Schedule
<b><u>Plan Amendments</u></b>	
General Plan Amendment	Cost; \$5,000 min. deposit
Local Coastal Plan Amendment	Cost; \$5,000 min. deposit
Rezone	Cost; \$5,000 min. deposit
Planned Development Rezone	Cost; \$3,500 min. deposit
<b><u>Other Discretionary Permits</u></b>	
Variance	\$1,787
PC review of minor modifications	\$1,606
Coastal Development Permit	\$893
Coastal Permit Exclusion	\$100
Mobile home Park Change of Use or Closure	\$5,000 Deposit
Development Agreement	\$10,000 min. deposit
Developer agreement annual review	\$2,500 deposit
Specific Plan	Cost; \$5,000 min. deposit
Permit Time Extension -Staff Review	\$596
Permit Time Extension - PC Review	\$1,787
Permit Amendment (any permit)	50% of original cost
Annexation	Costs+ overhead / \$3,000 min. deposit
Minor Modification	\$1,787
<b><u>Environmental Review</u></b>	
Negative Declaration (and Mitigated ND)	Cost; \$2,000 min deposit
EIR Processing	Cost; + 21% of consultant; \$10,000 min deposit
Mitigation/Condition Monitoring Program	Cost + 21%
NEPA Compliance	Cost + 21%
<b><u>Other Permits/Fees</u></b>	
Conceptual Review Fee- PC	\$1,787
Conceptual Review Fee- PC and CC	\$2,678
Technical Study Preparation and Review	Cost + 21%
NOTE: Third party review costs to be required as necessary	Cost + 21%
Code Compliance	Double Application Fees
Code Compliance confiscated property recovery fee	\$282
Research Fee - 1/2 hour minimum charge	Cost
Pre-Application Review	\$250
Building Plan Check & Final Inspection	20% of Building Permit Fee
Major Development Project Fee	Cost; \$5,000 min. deposit
Historical significance determination	\$4,250 deposit
<b><u>Inclusionary Housing</u></b>	
Inclusionary Housing - Unit Sale	\$596
Inclusionary Housing - Unit Refinance	\$238
Single Family Residence	\$2.50 per square foot
<b><u>Other Fees and Assessments</u></b>	
General Plan Maintenance Fee	Total Building Valuation X 0.5%
Information Technology Fee (Resolution No. 3786 adopted 11/12/09)	5% of Permit Fee
Green Building Educational Resource Fund Fee (Municipal Code 17.10.080)	Fee equals .0025 times the overall building permit valuation of the project.
<b><u>Affordable Housing In-Lieu Fees</u></b>	
For Sale Housing Developments of two to six units (Municipal Code Chapter 18.02/Reso. 3473) :	
All Units	\$25 per sq. ft.
For Sale Housing Developments of Seven or more units	
#Units	#Units Built
7	1
8-13	1
14	2
15-20	2
21	3
22-27	3
28	4

Description	2022/23 Fee Schedule
Rental Multi-Family	\$6 per sq. ft.
<b><u>Affordable Housing Impact Fees</u></b>	
For Sale Housing Developments of Six or Less Units	\$25 per square foot
Rental Multi-Family	\$6 per square foot
Additional to Housing Units of 50% or more (charged to additional square footage only)	\$2.50 per square foot

NOTES:

1. All Fees are non-refundable.
2. Deposit accounts are billed on a time and material basis. Additional deposits may be necessary depending on the complexity of the project. Any unused monies in a deposit account will be refunded following case closure.
3. The Community Development Director may reduce the total fee/deposit requirements for applications which are unlikely to require the full deposit amounts established herein.
4. Applications which include a fee and a deposit payment will be processed with a single deposit account.
5. Outside agency fees, including but not limited to County recordation fees, State Fish and Wildlife fees, etc. are charged at cost.
6. The Community Development Director may establish a reasonable fee or deposit amount for permit

Description	2022/23 Fee Schedule
<b>BUILDING FEES</b>	
The cost of a “combination building permit” shall be 1.5 times the amounts shown in Table 1-A. A “combination building permit” is defined as a permit for a scope of construction work regulated by two or more of the model codes. The model codes are the building code, the plumbing code, the mechanical code and the electrical code.	
The cost of a “building permit” shall be the amounts shown in Table 1-A. A “building permit” is defined as a permit for a scope of construction work regulated solely by a single model code. The model codes are the building code, the plumbing code, the mechanical code and the electrical code.	
<b>TABLE 1-A</b>	
Total Valuation	<b>FEES</b>
\$1.00 to \$500.00	\$27.98
\$501.00 to \$2,000.00	\$27.98 for the first \$500.00 plus \$3.63 for each additional \$100.00 or fraction thereof.
\$2,001.00 to \$25,000.00	\$82.43 for the first \$2,000.00 plus \$16.66 for each additional \$1000.00 or fraction thereof.
\$25,001.00 to \$50,000.00	\$465.61 for the first \$25,000.00 plus \$12.02 for each additional \$1,000.00 or fraction thereof.
\$50,001.00 to \$100,000.00	\$766.11 for the first \$50,000.00 plus \$8.34 for each additional \$1,000.00 or fraction thereof.
\$100,001.00 to \$500,000.00	\$1,183.11 for the first \$100,000.00 plus \$6.68 for each additional \$1,000.00 or fraction thereof.
\$500,001.00 to \$1,000,000.00	\$3,855.11 for the first \$500,000.00 plus \$5.65 for each additional \$1,000.00 or fraction thereof.
\$1,000,001.00 and up	\$6,680.11 for the first \$1,000,000.00 plus \$3.06 for each additional \$1,000.00 or fraction thereof.
Building Plan Check Fee	65% of Building Permit Fee
Reinspection Fee	\$131
Resubmitted Plan Check Fee	\$115.81 / hr.
Building Permit Extension Fee	\$185
Building Permit Reinstatement Fee	50% of the original, singular building permit fee or combo building permit fee, whichever is applicable to the permit being reinstated
Stop Work Order Fee	2x the singular building permit fee



Description	2022/23 Fee Schedule
Greywater System Permit	\$0
Electric Vehicle Charging Permits (* Note: These fees were added to the fee schedule for FY2011-12, but will be waived per the Green Energy Incentive Program)	
a. Level I (120 volts)	\$0
b. Level II (208-240 volts)	\$0
c. Level III (480 volts)	\$0
Solar P.V. System	\$0
Solar P.V. System (Commercial Sale/Distribution)	\$0
Solar Hot Water Heater	\$0
Research Fee - 1/2 hour minimum charge	Cost
Information Technology Fee (Resolution No. 3786 adopted 11/12/09)	5% of Permit Fee
Temporary Trailer/Mobile Home Occupancy Permit	\$56
Structural Review of Engineered Plans	cost + 21%
Outside Consultant Plan Review	cost + 21%
<b><u>Grading Plan Review Fees</u></b>	
50 cubic yard or less	\$ -
51 to 100 cubic yard	\$ 27.98
101 to 1,000 cubic yards	\$ 44.04
1,001 to 10,000 cubic yards	\$ 57.15
10,001 to 100,000 cubic yards	\$57.16 for first 10,000 plus \$29.18 for each additional 10,000 cubic yards
100,001 to 200,000 cubic yards	\$319.75 for first 100,000 plus \$15.77 for each additional 10,000 cubic yards
200,001 cubic yards or more	\$461.69 for first 200,000 plus \$8.64 for each additional 10,000 cubic yards
<b><u>Grading Permit Fees</u></b>	
50 cubic yard or less	\$ 27.98
51 to 100 cubic yard	\$ 44.04
101 to 1,000 cubic yards	\$44.04 for first 100 plus \$20.84 for each additional 100 cubic yards
1,001 to 10,000 cubic yards	\$231.60 for first 1,000 plus \$17.26 for each additional 1,000 cubic yards
10,001 to 100,000 cubic yards	\$386.94 for first 10,000 plus \$78.57 for each additional 10,000 cubic yards
100,001 to 200,000 cubic yards	\$1,094.07 for first 100,000 plus \$43.45 for each additional 10,000 cubic yards

Description	2022/23 Fee Schedule
<b>PARKS AND RECREATION FEES</b>	
All fees are evaluated annually to determine if they are competitive with other recreation programs in Santa Cruz County	
<b>Classes</b>	
Negotiated Instructor Activity Fee (Instructor receives 65% of this fee, Department retains 35%)	
Registration Fee - Resident (Capitola Residents Only)-Department retains this fee	\$19
Online Class Registration fee - Department retains this fee	5.5% of Activity Fee
Non-Resident (Anyone residing outside of the City) in addition to Residential Registration Fee- Department retains this fee	\$16
Senior Discount	10% of Activity Fee
Negotiated Instructor of Private Tennis Lessons Activity Fee (Instructor receives 75% of this fee, Department retains 25%)	
<b>Sports</b>	
<b>League Fees</b>	
League fees will change depending upon number and type of leagues offered, number of games per league, number of officials, amount of equipment needed, field/site prep and maintenance, and whether or not playoffs & awards are offered. Fees are calculated based on direct costs + 30% admin fee.	Costs + 30% admin fee
<b>After School - Fees include \$30 non-refundable registration fee</b>	
Resident/non resident	\$5.16 / \$5.85 per hour
* Hourly rate used only to calculate monthly fee amount	
* Scholarships may be available	
Late Pick-Up Fee	\$1 per minute
<b>Junior Guards - Fees include \$30 non-refundable registration fee</b>	
Resident/non resident	\$287 / \$358
U-19 resident/non resident	\$199
Late Pick-Up Fee	\$1 per minute
Regionals	\$98
* Scholarships may be available	
<b>Camp Capitola - Fees include \$30 non-refundable registration fee</b>	
All day 2 week session, resident/non resident	\$318 / \$398
1/2 day 2-week session, resident/non resident	\$161 / \$200
All day 1 week session, resident/non resident	\$161 / \$200
All day 1 week teen session, resident/non resident	\$287 / \$358
Junior Leader program	\$69
Late Pick-Up Fee	\$1 per minute
Extended Care - daily add on, resident/non resident	\$12
AM Extended Care - per 2 week session resident/non resident	\$55
PM Extended Care - per 2 week session resident/non resident	\$55
Transportation fee to Jr. Guards per session	\$60
* Scholarships may be available	
<b>Family Camp</b>	
3 night family camp Adult (13+) / Child (3-12)	\$339.39 / \$231.51 per night
<b>Facility Rentals</b>	
Field and Courts hourly rental; non profit youth groups/other non profit & Cap residents/all others	\$14 / \$27 / \$36
<b>Jade Street Community Center</b>	
Rooms A&B hourly rent	\$46
Room C hourly rent	\$63
Patio hourly rent	\$9
Kitchen hourly rent	\$23
Entire Center hourly rent	\$164
Non profit discount of Jade Street Facility rents	25%
<b>Community Center Deposit</b>	
1 to 50 people	\$105
51 to 150 people	\$262
151 to 250 people	\$525

Description	2022/23 Fee Schedule
Lost key fee	\$26
Event vendor fee	\$105 per event
Field Prep and/or additional staffing required to prepare for or supervise the Sports rentals only	\$13 / hr
Notes: Residents include Soquel Union Elementary School District	
<p>Costs mean staff costs adjusted for benefits, department overhead, and City overhead as calculated by the City Manager. Costs can also mean direct cost of a consultant. When consultant costs are included <u>21%</u> of such costs will be charged to cover staff time for contract management. <i>Staff costs do not accrue during an appeal unless appeal is made by applicant.</i></p>	
<p>Deposits are stated as minimums. Actual deposits depend on the evaluation by staff of an individual project or application. The City Manager may lower minimum deposits if the application or project justifies a lower deposit. When an application involves multiple minimum fees the highest minimum fee applies.</p>	

Description	2022/23 Fee Schedule
<b>HISTORICAL MUSEUM FEES</b>	
Research Fee - 1/2 hour minimum charge	Cost
Print of an electronically available Photograph in Collection	\$8
Digital Copies of Collection Items	\$21
Scan High Resolution Tiff File of any collection item for a customer	\$25

**Proposed 2022-23**

**Adoption Fees**

Dogs	Puppies 2-6 months	\$195
	Adults 7 mon-6 yrs	\$130
	Sr. Adult 6 yrs+	\$60
Cats	Kittens 2-12 months	\$120
	Adults 1-6 yrs	\$100
	Sr. Adult 6 yrs+	\$55
Rabbits		\$50
Rodents		\$25
Small caged birds		\$25
Exotic birds (i.e. parrots)		\$75
Small Livestock		\$75
Large Livestock		\$100
Horse		\$250
Chicken/Rooster		\$10

Adoption Hold Fee, until 5:00 p.m. next business day, not applicable to adoption, non-refundable

Cat	\$20
Dog	\$25

Adoption fee for rescue/non-profit agencies is equal to the cost of the spay/neuter for only adoptable animals  
 Adoption fee for rescue/non-profit agencies for Rabbits \$20  
 Adoption fee for rescue/non-profit agencies include a microchip

**Impound Fees**

		Altered	* Unaltered
Cat	First Impound	\$ 30	\$ 30 + Penalty \$ 35
	Second Impound	\$ 50	\$ 50 + Penalty \$ 50
	Third Impound	\$ 75	\$ 75 + Penalty \$100
	Fourth/Subsequent	\$ 75	\$ 75 + Penalty \$100
Dog	First Impound	\$ 75	\$ 75 + Penalty \$ 35
	Second Impound	\$ 115	\$115 + Penalty \$ 50
	Third Impound	\$ 195	\$195 + Penalty \$100
	Fourth/Subsequent	\$ 225	\$225 + Penalty \$100

\*Unaltered animal penalty fee provided under California Food and Agriculture Code section 30804.7 and 31751.7

Livestock:	Large: First Impound	\$200
	Second/Subsequent	\$250
	Small: First Impound	\$75
	Second/Subsequent	\$125
	A.C. Officer Services	\$75 /hour min.2 hours (after hrs)

**Boarding Fees - Daily**

Cats	\$20/day
Dogs	\$25/day
Other	\$25/day

**Proposed 2022-23**

**License Fees – Dogs**

Altered - one year	\$29
Unaltered - one year	\$100 with Unaltered Animal Certificate
Late Penalty	\$15
Senior Citizen (65+) - Altered dog	\$29
Senior Citizen (65+) - Unaltered dog	\$100
Potentially Dangerous/Vicious dog	\$200
Late Penalty for dog licenses for dogs designated Potentially Dangerous, Vicious, Habitual or Public Nuisance.	\$100
Unaltered Animal Certificate (one-time fee)	\$350
Exemption from Unaltered Animal Certificate	\$15 plus license fee
Administrative fee for mailed licenses	\$1
Replacement License Tag Fee	\$5
Failure to License Penalty (per dog, if impounded)	\$30

**License Fees – Cats**

Unaltered Animal Certificate	\$350
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**Quarantine Fees**

Home Quarantine (Field Check)	\$75
Shelter Quarantine	\$50 plus board fees

**Service Fees**

Microchip/walk-in service	\$15
Microchip for impounded dogs and cats	\$25
Dog/Cat trap rental	N/C
Dog Humane Trap Deposit	\$255
Cat Humane Trap Deposit	\$70
Trap Processing Fee	\$10
Pick-Up Animal in a Trap	\$75
Pick-Up of Owned Animal	\$75
Pick-up and Disposal of Deceased Animal on Private Property	\$85
Use of Livestock Trailer	\$100/\$150 (1st /2nd time)

**Medical Fees**

Medical groom	\$25 - \$100
Medical nail trim	\$15
Medication dispensed	\$20
Vet procedure	\$25 - \$100
Rabies	\$14
FVRCP	\$20
DA2PP	\$20
Medical bath	\$20
Wound prep	\$35
Kitten Package	\$400
Puppy Package	\$400
Dental	\$200 - \$800
Umbilical hernia repair	\$40
Recovery cone collar	\$8

**Proposed 2022-23**

**Owner Surrender of Animal Residing in Santa Cruz County**

Owner Surrender of Dog	\$0
Owner Surrender of Cat	\$0
Owner Surrender of Rabbit	\$0
Owner Surrender of Exotic (snake, lizard, bird, turtle)	\$0
small rodents	\$0
Large livestock	\$0
small livestock	\$0
Large Exotic	\$0

**Owner Surrender of Animal Residing Outside of Santa Cruz County**

Owner Surrender of Dog	\$50
Owner Surrender of Cat	\$35
Owner Surrender of Rabbit	\$25
Owner Surrender of Exotic (snake, lizard, bird, turtle)	\$55
small rodents	\$15 - \$35
Large livestock	\$10 - \$25
small livestock	\$100
Large Exotic	\$75
	\$55

**Protective Custody Fee**

Owner Arrest	\$75 /hour min.(2 hours after hrs)
Confiscate/Humane	\$75 /hour min.(2 hours after hrs)
Emergency Hospital	\$25

Owner Requested Euthanasia \$75 Plus Disposal

Disposal of Owned Dead Animals \$50

Refund Processing Fee \$25

Animal Control Officer Services \$75/hour (2 hr minimum after hours)

Field Return of Owned Animal \$75

**Spay/Neuter Fees for Impounded Animals**

Cats \$50

Dogs \$275

**Planned Pethood Spay/Neuter Fees**

Dog \$250

Cat \$50

Rabbit \$75

Pit Bulls & Chihuahuas \$50

\*Animals over 100 lbs., in heat, pregnant or cryptorchid – add \$50. Animals determined obese by veterinarian add \$50. Animals over 7 years of age are required to receive a blood panel for an additional \$75. Late drop-off fee (more than 20 minutes) is \$20. Reschedule fee for missed appointments is \$25.

**Proposed 2022-23**

**Fees for Additional Required Services**

Microchip	\$10
License	\$29
Rabies	\$10
Late drop-off fee	\$20
Late pick-up fee	\$40/night
Blood panel for dogs over 7 yrs of age and cats over 10 yrs of age	\$75

**Planned Pethood Spay/Neuter Fees for Limited Income\***

Dog	\$50
Cat	\$25
Rabbit	\$50

\*Limited income eligibility determined through proof of receipt of government assistance

OR through a year-to-date pay stub or W2 tax form that proves the following:

- 1 person household--maximum of \$35,350 annual income
- 2 person household--maximum of \$40,350 annual income
- 3 person household--maximum of \$45,400 annual income
- 4 person household--maximum of \$50,400 annual income

**FINES FOR VIOLATIONS OF ANIMAL ORDINANCE – ADMINISTRATIVE CITATION PROGRAM**

**\*Failure to license**

First offense in one year	\$100
Second offense in one year	\$200
Third offense in one year	\$500

**\*\*Failure to provide rabies vaccination**

First offense in one year	\$100
Second offense in one year	\$200
Third offense in one year	\$500

**Failure to display license (each dog)**

\$50

**\*\*\*Failure to spay or neuter dog or cat over 6 months, unless owner holds unaltered animal certificate**

First offense	\$100
Second offense	\$200
Third offense	\$500

Dog running at large, first offense	\$100
Dog running at large, second offense	\$200
Dog running at large, third offense	\$250

Dog off leash, first offense	\$50
Dog off leash, second offense	\$150
Dog off leash, third offense	\$250

Failure of owner to pick up after dog or cat defecating \$100

Habitual noisy animals (6.12.090) \$100

Permitting livestock to trespass, per offense \$200

All non-correctable penalties will be reduced by 50% if they are paid in full by close of business of the first business day following issuance.

\*Citations for failure to license will be dismissed if cured within 7 calendar days, including day of issuance

\*\*Citations for failure to provide rabies vaccination will be dismissed if cured within 7 days, including day of issuance.

\*\*\*Citations for failure to spay or neuter dog or cat over 6 months will be dismissed if an unaltered animal certificate is purchased or if the animal is spayed or neutered within 30 calendar days including day of issuance.



# Capitola City Council

## Agenda Report

**Meeting:** June 23, 2022

**From:** City Manager Department

**Subject:** Consider the 2022 – 2023 Salary Schedule



**Recommended Action:** Approve the proposed resolution authorizing the Fiscal Year 2022- 2023 annual salary adjustment, consistent with existing employee labor agreements.

**Background:** City Council adoption of the salary resolution establishes the legal current salary schedule for each position class of permanent employees. The City Council should adopt the salary resolution annually, upon review and recommendation of the City Manager. California Public Employee's Retirement Law and Section 570.5 of the California Code of Regulations Title 2 requires the "City Pay Rates and Ranges" be approved by the City Council in an open meeting and be publicly posted, which is done annually on the City's website.

Additionally, as required by California Government Code Section 54953(c)(3), an oral report must be made before the City Council takes final action on the salaries, salary schedules, and fringe benefit compensation for the City's management employees, which includes department heads and the City Manager.

The City of Capitola and its bargaining units have existing labor agreements that run through June 30, 2023, or June 30, 2024. Cost of living salary adjustments (COLAs) are included in the agreements.

**Discussion:** The attached salary schedule will go into effect the first full pay period after July 1, 2022. The salary changes take effect on July 10, 2022 and will be effective until June 30, 2023.

During the employee Memorandum of Understanding (MOU) negotiation process, each group agreed to COLAs and health care contribution increases. The following table shows the increases for groups and positions:

Group	COLA %	Contribution increase <i>Employee Only</i>	Contribution increase <i>Employee +1</i>	Contribution increase <i>Employee +2</i>
<b>CPOA:</b>				
<i>Officers and Sgts.</i>	3%	\$50/month	\$50/month	\$50/month
CSOs	1%	\$50/month	\$50/month	\$50/month
<i>Records Manager</i>	2.25%	\$50/month	\$50/month	\$50/month
<b>ACE</b>	3%	\$25/month	\$50/month	\$75/month
<b>Mid-Management</b>	3%	n/a	n/a	n/a
<b>Confidential</b>	3%	n/a	n/a	n/a
<b>Captain</b>	3%	n/a	n/a	n/a
<b>Management</b>	2.75%	\$25/month	\$25/month	\$25/month

Fiscal Impact: The anticipated fiscal impact of the salary adjustment in FY 2022-23 is \$200,000 which is included as part of the recently adopted Budget.

Attachments:

1. Resolution Approving the 2022-23 salary schedule.

Report Prepared By: Larry Laurent, Assistant to the City Manager

Reviewed By: Chloé Woodmansee, City Clerk; Samantha Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager

**RESOLUTION NO. \_\_\_\_**  
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA**  
**AUTHORIZING AND APPROVING THE UPDATED FISCAL YEAR 2022/2023**  
**PAY RATES AND RANGES (SALARY SCHEDULE)**

**WHEREAS**, the City Council establishes the legal current salary range from the salary schedule for each class of position; and

**WHEREAS**, the California Public Employee’s Retirement Law, at Section 570.5 of the California Code of Regulations Title 2, requires the City to publish pay rates and ranges on the City’s internet site and the City Council to approve the pay rates and range in its entirety each time a modification is made; and

**WHEREAS**, the City and its employee groups have existing agreements that include Cost of Living Adjustments beginning the first full pay period of July 2022: and

**WHEREAS**, a salary resolution is adopted annually by the City Council upon review and recommendation of the City Manager

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the City Council of the City of Capitola approves as follows:

Authorize and approve City of Capitola pay rates and ranges (Updated Salary Schedule, Exhibit A) for permanent employees from July 10, 2022, through June 30, 2023.

**I HEREBY CERTIFY** that the foregoing Resolution was passed and adopted by the City Council of the City of Capitola on the 23<sup>rd</sup> day of June, 2022 by the following vote:

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

\_\_\_\_\_  
Sam Storey, Mayor

ATTEST:  
  
\_\_\_\_\_  
Chloé Woodmansee, City Clerk

Exhibit A

Item 8 F.

POA SALARY SCHEDULE												
JULY 10, 2022 - JUNE 30, 2023												
	Monthly						Hourly					
	Step A	Step B	Step C	Step D	Step E	Step F	Step A	Step B	Step C	Step D	Step E	Step F
Police Officer Trainee	\$ 6,803.91						\$ 39.25					
Police Officer	\$ 7,144.90	\$ 7,501.97	\$ 7,871.53	\$ 8,267.88	\$ 8,682.08	\$ 9,117.70	\$ 41.22	\$ 43.28	\$ 45.41	\$ 47.70	\$ 50.09	\$ 52.60
Sergeant	\$ 8,748.13	\$ 9,189.11	\$ 9,648.57	\$ 10,128.20	\$ 10,637.02	\$ 11,167.26	\$ 50.47	\$ 53.01	\$ 55.66	\$ 58.43	\$ 61.37	\$ 64.43
	<b>1.00%</b>											
Community Service Officer	\$ 5,371.05	\$ 5,640.65	\$ 5,920.75	\$ 6,216.62	\$ 6,529.99	\$ 6,859.11	\$ 30.99	\$ 32.54	\$ 34.16	\$ 35.87	\$ 37.67	\$ 39.57
	<b>2.25%</b>											
Records Manager	\$ 6,325.46	\$ 6,644.48	\$ 6,974.13	\$ 7,321.51	\$ 7,693.70	\$ 8,074.75	\$ 36.49	\$ 38.33	\$ 40.24	\$ 42.24	\$ 44.39	\$ 46.59

# Exhibit A

*Item 8 F.*

POLICE CAPTAIN SALARY SCHEDULE												
JULY 10, 2022 - JUNE 30, 2023												
3%	Monthly						Hourly					
	Step A	Step B	Step C	Step D	Step E	Step F	Step A	Step B	Step C	Step D	Step E	Step F
Police Captain	\$10,180.86	\$10,690.27	\$11,224.48	\$11,787.19	\$12,377.17	\$12,996.89	\$58.74	\$61.67	\$64.76	\$68.00	\$71.41	\$74.98

Exhibit A

Item 8 F.

ACE SALARY SCHEDULE										
JULY 10, 2022 - JUNE 30, 2023										
3%	Monthly					Hourly				
	Step A	Step B	Step C	Step D	Step E	Step A	Step B	Step C	Step D	Step E
ACCOUNT TECHNICIAN	\$ 4,975.87	\$ 5,224.75	\$ 5,484.79	\$ 5,757.82	\$ 6,049.42	\$ 28.71	\$ 30.14	\$ 31.64	\$ 33.22	\$ 34.90
ACCOUNTANT I	\$ 6,012.28	\$ 6,315.03	\$ 6,628.92	\$ 6,959.53	\$ 7,307.73	\$ 34.69	\$ 36.43	\$ 38.24	\$ 40.15	\$ 42.16
ACCOUNTANT II	\$ 6,630.78	\$ 6,961.39	\$ 7,310.57	\$ 7,674.61	\$ 8,057.23	\$ 38.25	\$ 40.16	\$ 42.18	\$ 44.28	\$ 46.48
ACCOUNTS CLERK	\$ 4,513.39	\$ 4,741.84	\$ 4,975.87	\$ 5,226.61	\$ 5,486.64	\$ 26.04	\$ 27.36	\$ 28.71	\$ 30.15	\$ 31.65
ADMINISTRATIVE ASSISTANT I	\$ 4,782.91	\$ 5,023.93	\$ 5,272.09	\$ 5,536.32	\$ 5,814.83	\$ 27.59	\$ 28.98	\$ 30.42	\$ 31.94	\$ 33.55
ADMINISTRATIVE ASSISTANT II	\$ 5,023.93	\$ 5,272.09	\$ 5,536.32	\$ 5,814.83	\$ 6,107.63	\$ 28.98	\$ 30.42	\$ 31.94	\$ 33.55	\$ 35.24
ADMINISTRATIVE CLERK I	\$ 3,500.09	\$ 3,674.36	\$ 3,855.97	\$ 4,048.59	\$ 4,252.21	\$ 20.19	\$ 21.20	\$ 22.25	\$ 23.36	\$ 24.53
ADMINISTRATIVE CLERK II	\$ 4,048.59	\$ 4,252.21	\$ 4,461.33	\$ 4,688.80	\$ 4,923.61	\$ 23.36	\$ 24.53	\$ 25.74	\$ 27.05	\$ 28.41
ADMINISTRATIVE RECORDS ANALYST	\$ 5,310.67	\$ 5,576.13	\$ 5,855.50	\$ 6,147.17	\$ 6,455.36	\$ 30.64	\$ 32.17	\$ 33.78	\$ 35.46	\$ 37.24
ASSISTANT PLANNER	\$ 5,806.11	\$ 6,094.00	\$ 6,400.46	\$ 6,719.93	\$ 7,054.25	\$ 33.50	\$ 35.16	\$ 36.93	\$ 38.77	\$ 40.70
BUILDING INSPECTOR I	\$ 5,198.46	\$ 5,461.73	\$ 5,731.98	\$ 6,018.67	\$ 6,321.47	\$ 29.99	\$ 31.51	\$ 33.07	\$ 34.72	\$ 36.47
BUILDING INSPECTOR II	\$ 6,066.14	\$ 6,368.02	\$ 6,686.99	\$ 7,021.15	\$ 7,373.60	\$ 35.00	\$ 36.74	\$ 38.58	\$ 40.51	\$ 42.54
DATA ENTRY CLERK	\$ 3,511.10	\$ 3,685.37	\$ 3,868.81	\$ 4,066.93	\$ 4,268.72	\$ 20.26	\$ 21.26	\$ 22.32	\$ 23.46	\$ 24.63
DEPUTY CITY CLERK	\$ 4,889.73	\$ 5,135.81	\$ 5,392.12	\$ 5,661.73	\$ 5,944.63	\$ 28.21	\$ 29.63	\$ 31.11	\$ 32.66	\$ 34.30
DEVELOPMENT SERVICES TECHNICIAN	\$ 4,889.73	\$ 5,135.81	\$ 5,392.12	\$ 5,661.73	\$ 5,944.63	\$ 28.21	\$ 29.63	\$ 31.11	\$ 32.66	\$ 34.30
EQUIPMENT OPERATOR	\$ 4,705.31	\$ 4,941.95	\$ 5,187.77	\$ 5,450.09	\$ 5,721.59	\$ 27.15	\$ 28.51	\$ 29.93	\$ 31.44	\$ 33.01
MAINTENANCE WORKER I	\$ 3,429.65	\$ 3,604.52	\$ 3,783.14	\$ 3,971.17	\$ 4,172.37	\$ 19.79	\$ 20.80	\$ 21.83	\$ 22.91	\$ 24.07
MAINTENANCE WORKER II	\$ 4,595.43	\$ 4,822.95	\$ 5,065.50	\$ 5,321.22	\$ 5,588.22	\$ 26.51	\$ 27.82	\$ 29.22	\$ 30.70	\$ 32.24
MAINTENANCE WORKER III	\$ 5,065.50	\$ 5,321.22	\$ 5,588.22	\$ 5,869.07	\$ 6,162.00	\$ 29.22	\$ 30.70	\$ 32.24	\$ 33.86	\$ 35.55
MECHANIC	\$ 4,918.11	\$ 5,165.75	\$ 5,424.41	\$ 5,692.24	\$ 5,980.24	\$ 28.37	\$ 29.80	\$ 31.29	\$ 32.84	\$ 34.50
MUSEUM CURATOR	\$ 4,457.66	\$ 4,683.30	\$ 4,919.20	\$ 5,163.92	\$ 5,420.74	\$ 25.72	\$ 27.02	\$ 28.38	\$ 29.79	\$ 31.27
PARKING ENFORCEMENT OFFICER	\$ 4,205.07	\$ 4,408.63	\$ 4,630.77	\$ 4,865.47	\$ 5,107.33	\$ 24.26	\$ 25.43	\$ 26.72	\$ 28.07	\$ 29.47
RECEPTIONIST	\$ 3,946.73	\$ 4,144.16	\$ 4,352.87	\$ 4,569.11	\$ 4,801.33	\$ 22.77	\$ 23.91	\$ 25.11	\$ 26.36	\$ 27.70
RECORDS MANAGEMENT CLERK	\$ 4,397.13	\$ 4,619.09	\$ 4,853.33	\$ 5,094.21	\$ 5,349.20	\$ 25.37	\$ 26.65	\$ 28.00	\$ 29.39	\$ 30.86
POLICE RECORDS TECHNICIAN	\$ 4,390.80	\$ 4,607.20	\$ 4,840.28	\$ 5,082.13	\$ 5,336.20	\$ 25.33	\$ 26.58	\$ 27.92	\$ 29.32	\$ 30.79
RECREATION ASSISTANT	\$ 3,409.95	\$ 3,578.93	\$ 3,763.09	\$ 3,947.26	\$ 4,144.40	\$ 19.67	\$ 20.65	\$ 21.71	\$ 22.77	\$ 23.91
RECREATION COORDINATOR	\$ 4,408.63	\$ 4,628.87	\$ 4,863.73	\$ 5,107.33	\$ 5,357.95	\$ 25.43	\$ 26.71	\$ 28.06	\$ 29.47	\$ 30.91
RECREATION FACILITY CUSTODIAN	\$ 3,294.13	\$ 3,457.41	\$ 3,632.09	\$ 3,814.55	\$ 4,004.22	\$ 19.00	\$ 19.95	\$ 20.95	\$ 22.01	\$ 23.10
RECREATION RECEPTIONIST	\$ 3,696.64	\$ 3,879.72	\$ 4,071.60	\$ 4,275.73	\$ 4,494.07	\$ 21.33	\$ 22.38	\$ 23.49	\$ 24.67	\$ 25.93

Exhibit A

Item 8 F.

MID-MANAGEMENT SALARY SCHEDULE JULY 10, 2022 - JUNE 30, 2023	Monthly					Hourly				
	Step A	Step B	Step C	Step D	Step E	Step A	Step B	Step C	Step D	Step E
	3.00%									
ASSOCIATE PLANNER	\$ 6,669.14	\$ 7,002.96	\$ 7,352.75	\$ 7,720.94	\$ 8,107.53	\$ 38.48	\$ 40.40	\$ 42.42	\$ 44.54	\$ 46.77
BUILDING OFFICIAL (CAPITOLA)	\$ 9,171.12	\$ 9,630.55	\$ 10,112.01	\$ 10,616.95	\$ 11,148.32	\$ 52.91	\$ 55.56	\$ 58.34	\$ 61.25	\$ 64.32
BUILDING OFFICIAL (SCOTTS VALLEY)	\$ 9,171.12	\$ 9,630.55	\$ 10,112.01	\$ 10,616.95	\$ 11,148.32	\$ 52.91	\$ 55.56	\$ 58.34	\$ 61.25	\$ 64.32
CIVIL ENGINEER/PROJECT MANAGER	\$ 7,668.16	\$ 8,052.31	\$ 8,454.86	\$ 8,877.05	\$ 9,321.33	\$ 44.24	\$ 46.46	\$ 48.78	\$ 51.21	\$ 53.78
ENVIRONMENTAL PROJECTS MANAGER	\$ 7,069.29	\$ 7,423.14	\$ 7,793.91	\$ 8,184.19	\$ 8,593.99	\$ 40.78	\$ 42.83	\$ 44.96	\$ 47.22	\$ 49.58
MAINTENANCE SUPERINTENDENT	\$ 6,560.43	\$ 6,891.65	\$ 7,233.86	\$ 7,594.36	\$ 7,976.82	\$ 37.85	\$ 39.76	\$ 41.73	\$ 43.81	\$ 46.02
FIELD SUPERVISOR	\$ 6,236.20	\$ 6,546.05	\$ 6,877.87	\$ 7,218.01	\$ 7,574.52	\$ 35.98	\$ 37.77	\$ 39.68	\$ 41.64	\$ 43.70
SENIOR PLANNER	\$ 7,668.16	\$ 8,052.31	\$ 8,454.86	\$ 8,877.05	\$ 9,321.33	\$ 44.24	\$ 46.46	\$ 48.78	\$ 51.21	\$ 53.78
SENIOR ACCOUNTANT	\$ 7,668.16	\$ 8,052.31	\$ 8,454.86	\$ 8,877.05	\$ 9,321.33	\$ 44.24	\$ 46.46	\$ 48.78	\$ 51.21	\$ 53.78
SENIOR MECHANIC	\$ 5,792.70	\$ 6,084.00	\$ 6,387.39	\$ 6,706.27	\$ 7,040.69	\$ 33.42	\$ 35.10	\$ 36.85	\$ 38.69	\$ 40.62

Exhibit A

Item 8 F.

CONFIDENTIAL SALARY SCHEDULE										
JULY 10, 2022 - JUNE 30, 2023										
3.00%										
	Monthly					Hourly				
	A	B	C	D	E	A	B	C	D	E
ASSIST TO CITY MGR	\$ 8,162.84	\$ 8,570.61	\$ 8,998.69	\$ 9,449.64	\$ 9,922.19	\$ 47.09	\$ 49.45	\$ 51.92	\$ 54.52	\$ 57.24
CITY CLERK	\$ 7,537.86	\$ 7,915.14	\$ 8,310.20	\$ 8,725.58	\$ 9,162.56	\$ 43.49	\$ 45.66	\$ 47.94	\$ 50.34	\$ 52.86
INFORMATION SYSTEMS SPECIALIST	\$ 5,824.00	\$ 6,115.20	\$ 6,418.74	\$ 6,739.20	\$ 7,076.75	\$ 33.60	\$ 35.28	\$ 37.03	\$ 38.88	\$ 40.83
HUMAN RESOURCES ANALYST	\$ 5,899.99	\$ 6,193.57	\$ 6,504.20	\$ 6,831.07	\$ 7,174.27	\$ 34.04	\$ 35.73	\$ 37.52	\$ 39.41	\$ 41.39
RECREATION DIVISION MANAGER	\$ 7,537.86	\$ 7,915.14	\$ 8,310.20	\$ 8,725.58	\$ 9,162.56	\$ 43.49	\$ 45.66	\$ 47.94	\$ 50.34	\$ 52.86



Exhibit A

Item 8 F.

<b>MANAGEMENT SALARY SCHEDULE</b>						
<b>JULY 10, 2022 - JUNE 30, 2023</b>	<b>Annual Range</b>		<b>Monthly Range</b>		<b>Hourly Range</b>	
<b>2.75%</b>	Min	Max	Min	Max	Min	Max
City Manager	\$ 217,916.56	\$ 217,916.56	\$ 18,159.71	\$ 18,159.71	\$ 104.77	\$ 104.77
Chief of Police	\$ 152,842.68	\$ 194,912.64	\$ 12,736.89	\$ 16,242.72	\$ 73.48	\$ 93.71
Department Heads	\$ 137,812.41	\$ 168,057.90	\$ 11,484.37	\$ 14,004.83	\$ 66.26	\$ 80.80