

City of Capitola

City Council Meeting Agenda

Thursday, May 25, 2023 – 6:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Mayor: Margaux Keiser
Vice Mayor: Kristen Brown
Council Members: Yvette Brooks, Joe Clarke, Alexander Pedersen

Regular Meeting of the Capitola City Council – 6 PM

All correspondence 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 Yvette Brooks, Joe Clarke, Alexander Pedersen, Kristen Brown, and Mayor Margaux Keiser.

2. Additions and Deletions to the Agenda

3. Presentations

Presentations are limited to eight minutes.

4. Additional Materials

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

[A.](#) Correspondence Received - Item 8A

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 and Approve 5/11/2023 & 5/18/2023 City Council Meeting Minutes
- B.** Approval of City Check Registers Dated April 28, 2023, and May 12, 2023
Recommended Action: Approve check registers.
- C.** PG&E Proposed Monterey Park Gas Facility
Recommended Action: Authorize staff to develop an easement agreement with Pacific Gas and Electric for the installation of a district regulator station in Monterey Park.
- D.** GreenWaste Annual Rate Adjustment
Recommended Action: Adopt a resolution approving the contractual rate increase for collection and disposal of garbage, recycling, organics, food waste, yard waste, and construction and demolition debris, effective July 1, 2023, according to the Service Rate Schedule formula of the Franchise Agreement with GreenWaste Recovery, Inc.
- E.** Business Improvement Assessments for Fiscal Year 2023-24
Recommended Action: Adopt a resolution providing notification of the City's intent to levy business improvement assessments for Fiscal Year (FY) 2023-24; receiving the annual report and proposed budget of the Capitola Village and Wharf Business Improvement Area (CVWBIA); setting the date for a public hearing to be held on Thursday, June 22, 2023; and outlining noticing requirements.
- F.** Mid-Management Employees Bargaining Group and Updated Salary Schedule
Recommended Action: 1) Authorize the City Manager to execute a side letter agreement to the existing Memorandum of Understanding with the Mid-Management Employees Bargaining Unit; and 2) Adopt a resolution approving the updated salary schedule, effective May 28, 2023.

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.** Mobile Home Rent Stabilization
Recommended Action: 1) Consider adoption of an urgency ordinance adding Chapter 2.18 to the Capitola Municipal Code establishing mobile home park rent stabilization; and 2) Consider introducing, for first reading only, waiving fully reading of the text, an ordinance adding Chapter 2.18 to the Capitola Municipal Code establishing mobile home park rent stabilization.
- B.** Public Art Proposal
Recommended Action: Approve the Tree Stump Public Art Project and Contract with artist Anthony Heinz May in the amount of \$5,500.
- C.** Extra-Help Limited Duration Retired Annuitant
Recommended Action: Adopt a resolution for exception to the 180-day wait period per Government Code Section 7522.56 & 21224 and approve the appointment of Robin Woodman as an extra-help-limited-duration retired annuitant.

9. Adjournment

Notice of In-Person & Remote Access

Meetings are open to the public for in-person attendance at the Capitola City Council Chambers located at 420 Capitola Avenue, Capitola, California, 95010

Other ways to Watch:

Spectrum Cable Television channel 8

City of Capitola, California YouTube Channel

To Join Zoom Application or Call in to Zoom:

Meeting

link: <https://us02web.zoom.us/j/83328173113?pwd=aVRwcWN3RU03Zzc2dkNpQzRWVXAydz09>

Or dial one of these phone numbers: **1 (669) 900 6833, 1 (408) 638 0968, 1 (346) 248 7799**

Meeting ID: **833 2817 3113**

Meeting Passcode: **678550**

To make a remote public comment:

Via Zoom Application: Use participant option to “raise hand”. The moderator will unmute you

Via Zoom phone call: Dial *9 on your phone to “raise your hand”. The moderator will unmute you

Notice regarding City Council: The City Council meets on the 2nd and 4th Thursday of each month at 6:00 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

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

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

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

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

Moss, Julia

From: Karen Katz <kareinharmony@gmail.com>
Sent: Monday, May 22, 2023 8:56 AM
To: City Council
Subject: Rent cap ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear city council members,

I am writing to ask that you vote to support the mobile home rent cap ordinance in the upcoming vote this week. A dear friend lives in a mobile home park in Capitola where management is raising park fees over 50% in June and giving itself permission to raise fees ongoing with no cap after 3 months. This will mean that many seniors and families will be forced to move.

As you know, mobile home parks are one of the few places people can live affordably In Santa Cruz.

It is essential that you vote for a rent cap on mobile park space fees to allow our seniors and families who live in mobile home parks to be able to afford to stay.

Thank you,
Karen Katz
Sent from my iPhone

Moss, Julia

From: Charlea Massion <charleatmassionmd@gmail.com>
Sent: Sunday, May 21, 2023 9:38 PM
To: City Council
Subject: Mobile Home Park Rent Cap Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola City Council,

I am writing to express my strong support for the Mobile Home Park Rent Cap Ordinance which is on the Capitola City Council agenda for May 25, 2023.

I am a family physician who has lived in Santa Cruz County since 1989 and been on the Dominican Hospital Medical Staff for over three decades. Extensive medical research, as well as my own experience serving our community, has shown the tremendous negative health impact of being unhoused or having housing insecurity because of unaffordable rents or leases.

As I am sure you know, Santa Cruz County has a terrible affordable housing crisis which continues to escalate and which would only be intensified by skyrocketing rents in mobile home parks. It would be unconscionable to allow mobile home rents to increase more rapidly than in the rest of California, putting our longtime neighbors either onto the streets or pushed out of our community entirely.

Thank you for your consideration.

Sincerely,

Charlea T Massion MD
3235 Cunnison Lane
Soquel 95073
Cell 831-421-2476

Moss, Julia

From: Frances Peters <franjp6@gmail.com>
Sent: Sunday, May 21, 2023 7:00 PM
To: City Council
Subject: MOBILE HOME PARK RENT CAP ORDINANCE

Follow Up Flag: Follow up
Flag Status: Flagged

To the Capitola City Council

I have heard about the Capitola Mobile Home Park property owner who has plans to raise the space fees upto %70 which I find appalling! These residents, many of them families and elders who are living on a fixed income, cannot afford this increase. I am in strong support of the Rent Cap Ordinance and hope that you will do the right thing and vote for the Ordinance.

Thank You
Frances Peters

Moss, Julia

From: Becky Gustafson <rebeccamgustafson@gmail.com>
Sent: Sunday, May 21, 2023 12:43 PM
To: City Council
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Becky Gustafson and I am a resident of Santa Cruz County and a concerned neighbor of the residents of Cabrillo Mobile Home Park at 930 Rosedale Ave. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Becky Gustafson

Moss, Julia

From: Ciera Dudley <ciera.dudley08@gmail.com>
Sent: Sunday, May 21, 2023 12:36 PM
To: City Council
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

I am a resident of Capitola and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent. Thank you for your support of our community!

Sincerely,
Ciera Dudley

Moss, Julia

From: Santa Cruz YIMBY <santacruzylimby@gmail.com>
Sent: Saturday, May 20, 2023 5:56 PM
To: City Council
Subject: [PDF] Support for Mobile Home Park Rent Stabilization - Agenda 8.A on 5/25/23
Attachments: Agenda 8.A - Santa Cruz YIMBY Support for Mobile Home Rent Stabilization.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

To: Capitola City Council

Date: May 20, 2023

Mayor, Vice Mayor and Councilmembers,

Santa Cruz YIMBY strongly supports Agenda item #8.A, the adoption of the mobile home park rent stabilization ordinance in the City of Capitola.

Santa Cruz County, Watsonville, and Scotts Valley have all passed ordinances limiting mobile home rent adjustments. That leaves Capitola as one of only two places in the county where residents of mobile home parks are left vulnerable to extreme rent increases. Unfortunately, this is set to happen to residents of Cabrillo Mobile Home Estates Park (Cabrillo) very soon. With the expiration of Cabrillo's 12-year lease agreement on May 31, residents are at risk of a staggering 56% increase in their land rent, from \$641 to \$1000. Such a significant increase will have a devastating impact on many of Cabrillo's residents, including seniors on fixed incomes and families living paycheck to paycheck. Capitola must act swiftly to prevent potential displacement and homelessness.

It is notable that Capitola's other mobile home parks are already resident cooperatives or have long-term affordability agreements with tenants. Your Housing Element draft indicates that you wish to see Cabrillo residents in a more stable financial situation and perhaps transition to a cooperative or nonprofit ownership. This is a good long-term goal. **In the short-term, and with this impending crisis for a number of Capitola residents, we urge you to pass mobile home park rent stabilization ordinance (Agenda #8.A) for the City of Capitola.**

Santa Cruz YIMBY seeks to build a community where our neighbors of all ages, cultures, and incomes, can make Santa Cruz County their home. This includes protecting tenants from displacement as well as building additional homes and preserving current affordable housing. This builds stronger, more equitable communities, protects our environment and keeps our neighbors here and housed.

Sincerely,
 Rafa Sonnenfeld
 Ryan Meckel
 Janine Roeth
 Santa Cruz YIMBY Leads



To: Capitola City Council

Date: May 20, 2023

Mayor, Vice Mayor and Councilmembers,

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With the expiration of Cabrillo's 12-year lease agreement on May 31, residents are at risk of a staggering 56% increase in their land rent, from \$641 to \$1000. Such a significant increase will have a devastating impact on many of Cabrillo's residents, including seniors on fixed incomes and families living paycheck to paycheck. Capitola must act swiftly to prevent potential displacement and homelessness.

It is notable that Capitola's other mobile home parks are already resident cooperatives or have long-term affordability agreements with tenants. Your Housing Element draft indicates that you wish to see Cabrillo residents in a more stable financial situation and perhaps transition to a cooperative or nonprofit ownership. This is a good long-term goal. **In the short-term, and with this impending crisis for a number of Capitola residents, we urge you to pass mobile home park rent stabilization ordinance (Agenda #8.A) for the City of Capitola.**

Santa Cruz YIMBY seeks to build a community where our neighbors of all ages, cultures, and incomes, can make Santa Cruz County their home. This includes protecting tenants from displacement as well as building additional homes and preserving current affordable housing. This builds stronger, more equitable communities, protects our environment and keeps our neighbors here and housed.

Sincerely,

Rafa Sonnenfeld

Ryan Meckel

Janine Roeth

Santa Cruz YIMBY Leads

Moss, Julia

From: Laura Tucker <lmutter@ucsc.edu>
Sent: Friday, May 19, 2023 10:51 AM
To: City Council
Subject: Possible Spam [PDF] Cabrillo Mobile Home Estates Residents - information to consider

Dear Mayor Keiser, Vice Mayor Brown and Councilmembers Brooks, Clarke and Pedersen,

Thank you so much for your timely consideration of an ordinance to protect the safety and well-being of residents of mobile home parks in the city of Capitola. With consideration to fairness and equity to all parties involved, some of us thought it might be helpful to share the information reported in the following attached articles with you.

Thank you so much for your time and consideration in this critical matter.

With deep appreciation,

Cabrillo Mobile Home Estates Residents Group

Moss, Julia

From: Rebecca Kiser <campkiser@att.net>
Sent: Monday, May 22, 2023 11:31 AM
To: City Council
Subject: MOBILE HOME PARK RENT CAP ORDINANCE

Hello Capitola City Council,
I am asking for your support to vote yes on the Mobile Home Park Rent Cap Ordinance on May 25th.
Please help keep fair affordability options open to our neighbors.

Thank you
Rebecca Kiser

Moss, Julia

From: Katie Spencer <k.rose.spencer@gmail.com>
Sent: Monday, May 22, 2023 11:15 AM
To: City Council
Cc: Keiser, Marguax; ladykpetersen@gmail.com; Brooks, Yvette; Clarke, Joe; alexander.dean.pedersen@gmail.com
Subject: Possible Spam Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Katie Spencer, and I am a resident of Santa Cruz County. I was very concerned to hear that my neighbors at Cabrillo Mobile Home Park at 930 Rosedale Avenue are facing a 56% rent increase. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents and vote "Yes" on the protections, as these make sure that Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I want to live in a county that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
 Katie Spencer

--

she/her | Amah Mutsun Land

Contribute to Seed Commons <<https://seedcommons.org/>> 

www.ktrose.co <<http://www.ktrose.co>>

Moss, Julia

From: Lisa Sprinkle <hippo2810@gmail.com>
Sent: Monday, May 22, 2023 12:36 PM
To: City Council; alexander.dean.pedersen@gmail.com; Clarke, Joe; Brooks, Yvette; ladykpetersen@gmail.com; Keiser, Marguax
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Lisa and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a county that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Lisa

Moss, Julia

From: Aileen Vance <avandlt@cruzio.com>
Sent: Monday, May 22, 2023 12:51 PM
To: City Council
Subject: MOBILE HOME PARK RENT CAP ORDINANCE

I received this note from a friend who lives in Capitola at one of the mobile home parks. She states:

"Although I own my manufactured home in Capitola free and clear, the current mobile home park property owner is raising the space fees by 56-70% on June 1 and requiring that we sign rental agreements that allow for further increases, of ANY amount, every 90 days from this time forward. So many elders are here on fixed incomes and also families with young children trying to make ends meet in one of the only affordable places in the city.

The proposed Capitola permanent mobile home park rent cap ordinance will guarantee keeping all Capitola mobile home park space fees at the same increase rate as the rest of California. It will help ensure that I can stay in the home I own and in the SC area."

One of the things she does not mention in this note is that the other negative result of rampant rent increases in mobile home parks is the increased challenge of being able to sell a mobile home when the park space rentals are so high that they intimidate buyers. Santa Cruz County is so expensive to live in now that mobile homes, which used to be the realm of elderly downsizing retirees on fixed incomes, have also now become the only way hard-working young families can buy their own homes here.

I hope the City Council will vote for this rent cap ordinance and help not only the residents of this park but others like them in Capitola.

Sincerely,
Aileen Vance
Santa Cruz

Moss, Julia

From: Reggie Meisler <reggie.meisler@gmail.com>
Sent: Monday, May 22, 2023 12:54 PM
To: City Council; alexander.dean.pedersen@gmail.com; Clarke, Joe; Brooks, Yvette; ladykpetersen@gmail.com; Keiser, Marguax
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Hello!

My name is Reggie Meisler, I am a resident of Santa Cruz County, and I am concerned for the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue.

I want to urge you to support the Capitola Mobile Home emergency rent control ordinance and protect these folks from the mass-displacement that will be caused if the 56% rent increase, that is planned to occur, is allowed to happen. Please vote **yes** and pass the Mobile Home Emergency Rent Control Ordinance, so that these folks have the same protections as mobile home communities throughout Santa Cruz County.

Sincerely,
Reggie

Moss, Julia

From: Sophie Lev <lophiese23@gmail.com>
Sent: Monday, May 22, 2023 1:14 PM
To: alexander.dean.pedersen@gmail.com; City Council; Clarke, Joe;
ladykpetersen@gmail.com; Keiser, Marguax; Brooks, Yvette
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Dear capitola city council members

My name is Sophie, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at [930 Rosedale Avenue](#). I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a [county/city/community] that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Sophie Lev

Moss, Julia

From: Vicki Winters <vicki@v-linkstudio.com>
Sent: Monday, May 22, 2023 2:01 PM
To: City Council
Subject: [SPF Softfail] Vote yes on Mobile Home Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Vicki Winters, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a community that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Vicki Winters

Moss, Julia

From: Lillian Thomas <lillianjeant@gmail.com>
Sent: Monday, May 22, 2023 1:12 PM
To: City Council; alexander.dean.pedersen@gmail.com; Clarke, Joe; Brooks, Yvette; ladykpetersen@gmail.com; Keiser, Marguax
Subject: Possible Spam Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Lillian, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a community that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Lillian Thomas

Moss, Julia

From: Michael Levy <levysantacruz@gmail.com>
Sent: Monday, May 22, 2023 2:18 PM
To: City Council
Subject: "Yes" on Mobile Home Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Michael Levy. I am a resident of El Rio Mobile Home Park in Santa Cruz, and a concerned neighbor of the residents of the Cabrillo Mobile Home Park. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance.

In Santa Cruz, the City blinked when threatened with litigation about their rent control, from the corporate owner of De Anza Mobile Home Park. As a result, many lost much of the value of their homes, the City gentrified a bit more, and mobile home residents in every local city learned to feel more insecure.

Please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as in the unincorporated areas of Santa Cruz County.

I wish to live in a place that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
 Michael Levy

--

Michael Levy
 2120 N Pacific Ave Spc 45
 Santa Cruz, CA 95060
 408-458-3566

Moss, Julia

From: Everett Ó Cillín <everettocillin@gmail.com>
Sent: Monday, May 22, 2023 2:29 PM
To: City Council
Subject: Please vote "yes" on Mobile Home Emerge

Dear Capitola Council Members,

My name is Everett O Cillin, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Everett

Everett Ó Cillín ([they/them](#))
559.760.0601 🌹 [@grandpaeverett](#)

Moss, Julia

From: Megan Clemens <megan@meganclemens.com>
Sent: Monday, May 22, 2023 3:13 PM
To: City Council
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Megan Clemens, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Megan Clemens

Moss, Julia

From: jerome wallace <jeromewallace1949@yahoo.com>
Sent: Monday, May 22, 2023 3:16 PM
To: City Council
Subject: Cabrillo Mobile Home Park

Dear Capitola Council Members,

My name is Jerome Wallace, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a place that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Jerome Wallace
2435 Felt Street Spc 115
Santa Cruz, Ca 95062

Sent from Jerry Wallace's iPhone

Breach of confidentiality

"This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager (me). This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited."

Moss, Julia

From: Sylvie Stein <sylvie.stein@gmail.com>
Sent: Monday, May 22, 2023 3:18 PM
To: City Council; alexander.dean.pedersen@gmail.com; Clarke, Joe; Brooks, Yvette; ladykpetersen@gmail.com; Keiser, Marguax
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Sylvie Stein and I am a resident of SC County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a community that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Sylvie

Moss, Julia

From: Chris Zegers <c.zegers@yahoo.com>
Sent: Monday, May 22, 2023 3:24 PM
To: City Council
Subject: Stop Rent increase

Dear Capitola City Council,

“Protect Cabrillo Mobile Home Estates residents from 56% rent increases! Pass protections against mobile home price gouging!” Rents are high enough and the wealthy continue their gouging of working people to enrich themselves. Help working people stay in town! Protect Cabrillo Mobile Estates residents from from 56% rent increases please!

Sincerely,
Chris

Moss, Julia

From: CC Roam <abracadabraceleste@gmail.com>
Sent: Monday, May 22, 2023 3:25 PM
To: Moss, Julia
Subject: Capitola Rental Increase Proposition

Hello,

I am writing about the current mobile home park property owners raising the space fees by 56-70% on June 1 and requiring that people sign rental agreements that allow for further increases, of ANY amount, every 90 days from this time forward. It's cuckoo!! I've heard of some crazy proposals, but this one in my opinion is absolutely out of line and unjust. This is ridiculous for anyone to feel secure in a living situation and support the community.

There are so many elders there that are on fixed incomes and also families with young children trying to make ends meet in one of the only affordable places in the city. How is this beneficial for the residents and community?

I look forward to this suggestion being thrown out immediately.

Thank you,

Celeste Roam

208-869-0931
California resident

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<https://www.doterra.com/US/en/site/celesteroom>

Moss, Julia

From: Anya Ismail <vtlover@gmail.com>
Sent: Monday, May 22, 2023 3:29 PM
To: City Council
Subject: Please vote "Yes" on mobile home emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Anya Ismail and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at [930 Rosedale Avenue](#). I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Anya Ismail.

Moss, Julia

From: Cara Clark <carajean13@hotmail.com>
Sent: Monday, May 22, 2023 3:48 PM
To: City Council
Subject: Mobile Home Rent Control

Dear Capitola Council Members,

My name is Cara Clark, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent. My grandmother was a resident of a mobile home park in Capitola for many years, and it would have been devastating for her to face extreme rent increases like this.

Sincerely,
Cara Clark

Moss, Julia

From: Angelee Dion <angelee.dion@gmail.com>
Sent: Monday, May 22, 2023 4:02 PM
To: City Council
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Angelee Dion and I am a resident of Santa Cruz County. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance.

People need time to adjust to changes in their expenses, especially if they're on a fixed income or very low income as is often the case in mobile home parks. We do not need more unhoused people in Santa Cruz County, especially ones who currently have and can maintain their homes if given a fair chance.

This is a perfect case where it's entirely appropriate for government to step in to ensure justice and equity in our community. I hope you will do the right thing.

Sincerely,
Angelee Dion

Moss, Julia

From: Tom Noddy <tnoddy@aol.com>
Sent: Monday, May 22, 2023 4:10 PM
To: City Council
Subject: Cabrillo Mobile Home Estates

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Tom McAllister, and I'm a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting Yes and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Tom McAllister

Moss, Julia

From: steve bosworth <stevebosworth@hotmail.com>
Sent: Monday, May 22, 2023 4:11 PM
To: City Council
Subject: Please vote "yes" on May 25th to stop local rent gouging.

TO: Capitola City Council.
FROM: Dr. Stephen bosworth

Please protect Cabrillo Mobile Home Estates residents from a 56% rent increase!

I ask Capitola City Council on May 25th to pass the proposed law to stop rent gouging in mobile home parks. For example, this is necessary to protect seniors, working families, and long-time residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. Otherwise, they are facing a 56% rent increase on June 1st. Their landlord – Santa Clara-based Vieira Enterprises - owns multiple mobile home parks in Santa Cruz County.

This rent increase would impose incredible hardship on estates' residents. Many will have to cut back on essentials like food or medicine. Others will have no choice but to leave the park entirely and the increased rent will make the sale value of their coaches much lower.

We wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Dr. Stephen Bosworth
2120 N. Pacific Ave; Space 80

Moss, Julia

From: Jude Todd <heyjude@baymoon.com>
Sent: Monday, May 22, 2023 4:22 PM
To: City Council
Subject: Please vote "Yes" to protect Cabrillo Mobile Home Estates residents from 56% rent increases

Dear Capitola Council Members,

I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a place that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Jude Todd
2655 Brommer St. #18
Antonelli Mobile Home Park
Santa Cruz, CA 95062

Moss, Julia

From: Prentice Steffen <prentice.steffen@gmail.com>
Sent: Monday, May 22, 2023 4:57 PM
To: City Council
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

My name is Prentice Steffen and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Prentice Steffen, MD, FAAEM
Santa Cruz, CA
prentice.steffen@gmail.com

Moss, Julia

From: Ann Simonton <mwatch@cruzio.com>
Sent: Monday, May 22, 2023 5:00 PM
To: City Council; alexander.dean.pedersen@gmail.com; Clarke, Joe; Brooks, Yvette; ladykpetersen@gmail.com; Keiser, Marguax
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Ann Simonton, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance.

On May 25th, please protect Cabrillo Mobile Home Estates residents from the **56% rent increases** by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

The Council should at the very least demand that this greedy landlord follow regulations and can only increase rent 10% per year. We need a community that supports residents of all ages and income levels. They require reasonable rents to make this possible. Our neighbors should not have to choose between cutting back on essentials like food or medicine or paying exorbitant rent.

Don't put them out on the streets. Thank you for your consideration.

Sincerely,
Ann Simonton

Moss, Julia

From: Craig Medlen <cmedlen2@gmail.com>
Sent: Monday, May 22, 2023 5:06 PM
To: City Council
Subject: Mobile home rent increases

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Craig Medlen, and I am a resident of [Santa Cruz County/Capitola] and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Craig Medlen

Moss, Julia

From: sheila carrillo <escuelita@baymoon.com>
Sent: Monday, May 22, 2023 5:24 PM
To: City Council
Subject: Stop the attempted rent gouging at Capitola Mobile Home Estates

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Council members. I urge you to protect mobile home residents from exorbitant rent raises such as that being pushed on the residents of the Capitola Mobile Home Estates. We need to keep our folks in their homes, not push them out! Please stand by people over profits!

Thank you,

Sheila Carrillo
Resident Santa Cruz County

Moss, Julia

From: Roland Saher <rolandsaher@gmail.com>
Sent: Monday, May 22, 2023 6:10 PM
To: City Council

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Roland Saher, and I am a resident of Live Oak and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Roland Saher

Moss, Julia

From: Jennifer Gonzalez <jag@ucsc.edu>
Sent: Monday, May 22, 2023 6:47 PM
To: City Council
Subject: Mobile Home Emergency Rent Control Ordinance--Imperative

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

In a time of desperately needed affordable housing, the rapacious greed of landlords and developers needs a democratic intervention. "We the people" do not simply to live for dollars, but also with compassion, intelligence and community-minded ethics.

I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

Please do the right thing.

Sincerely,
Jennifer Gonzalez

Moss, Julia

From: Mary Moss <moloaamarymoss@gmail.com>
Sent: Monday, May 22, 2023 7:15 PM
To: City Council

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,

I am writing to support the owners of mobile homes in the mobile home parks in Capitola to stay in their homes without unfair, ridiculous price increases in their rent costs for their spaces.

There are a lot of elders and families on fixed incomes and to raise the costs dramatically and also increase to unknown amounts in the future is unjust and wrong in so many ways.

Please vote against this absurdity on behalf of these elders and families.

Thank you for your consideration.

Mary Moss

808-346-1105

Moss, Julia

From: Mathilde Rand <randomsantacruz@gmail.com>
Sent: Monday, May 22, 2023 7:27 PM
To: City Council
Subject: Rent increase?

Follow Up Flag: Follow up
Flag Status: Flagged

please support the mobile home renters in Capitola. A 56% increase is uncalled for. It reeks of exploitation. Many mobile homeowners are low income and a number of will face major financial problems because of it.

I encourage you to protect these homeowners and do the right thing

Mathilde Rand

Sent from my iPhone

Moss, Julia

From: Barbara Ginsberg <barbaran2323@gmail.com>
Sent: Monday, May 22, 2023 8:32 PM
To: City Council

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Barbara and I am a resident of Santa Cruz County/Capitola] and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at [930 Rosedale Avenue](#). I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Thank you
Stay safe well n happy

Barbara

Moss, Julia

From: Natalie Dean <natgdean@gmail.com>
Sent: Monday, May 22, 2023 8:32 PM
To: City Council
Subject: Mobile Home Emerge - please vote yes

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Councilmembers,

I'm a resident of Santa Cruz County and writing to express my concern about the upcoming rent increases at Cabrillo Mobile Home Park at 930 Rosedale Avenue. I urge you to join the rest of the County and pass protections against drastic rent increases for mobile home residents in Capitola. Please support the Capitola Mobile Home emergency rent control ordinance to keep our neighbors in their homes.

Thank you,
Natalie Dean

Moss, Julia

From: Porter Onan <porteronan@cruzio.com>
Sent: Monday, May 22, 2023 10:57 PM
To: City Council
Subject: Rent protection

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Thomas Onan, I am a resident of Sorrento Oaks, a resident owned park (ROP). I am also a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home

Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a place that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Thomas Onan

800 Brommer St. #61

Santa Cruz, CA 95062

porteronan@cruzio.com

831-295-3623

Moss, Julia

From: Charlotte Linck <charlottelinck@yahoo.com>
Sent: Tuesday, May 23, 2023 6:41 AM
To: City Council
Subject: Rent increase

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor Margaux Keiser, Vice Mayor Kristen Brown, Council Members Yvette Brooks, Joe Clarke and Alexander Pedersen,

My name is Charlotte and I live In the Capitola Mobile Home Estates on Rosedale Ave in Capitola. Our Landlord wants to raise the space rent by 58%. The rent will go up from \$ 641.76 to \$ 1000.00 per month
We are seniors on fixed income or low income or hard working young families. We can not afford such an enormous rent increase. Some of us have still mortgages on their house what makes it even a bigger burden
Please help us by putting on a rent cap so we can afford our house and can continue living here.

Sincerely,

Charlotte Linck

Moss, Julia

From: Barbara Riverwoman <river@cruzio.com>
Sent: Tuesday, May 23, 2023 7:48 AM
To: City Council
Subject: Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Barbara Riverwoman, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue.

I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a County that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Barbara Riverwoman

Moss, Julia

From: Brigitte Desouches <brigitte@cruzio.com>
Sent: Tuesday, May 23, 2023 8:21 AM
To: City Council
Subject: Possible Spam Please vote "YES" on the Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Brigitte Desouches. I live in a mobile home park in Santa Cruz. I heard of the possible huge increase of the rent for the residents of Cabrillo Mobile Home Park (on Rosedale Avenue, Capitola).

When I learned of the possible solution that would spare the Cabrillo Mobile Home Park residents from this catastrophe in their personal lives, I felt moved to write to you.

Please support and vote "Yes" to the Capitola Mobile Home emergency rent control ordinance.

Sincerely,
Brigitte Desouches.

Moss, Julia

From: Sharon Hull <plants@cruzio.com>
Sent: Tuesday, May 23, 2023 8:31 AM
To: City Council
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Sharon Hull and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a place that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Sharon Hull
Resident of Sorrento Oaks Mobile Home Park

Moss, Julia

From: Mary Fox <maryfox13@icloud.com>
Sent: Tuesday, May 23, 2023 8:45 AM
To: City Council
Subject: Mobile Home Rent Control

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Mary Fox, and I am a resident of Santa Cruz County/Aptos and a concerns neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25, please protect Cabrillo Mobile Home estates residents from the 56% rent increase by voting YES and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a place that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essential like food or medicine or paying exorbitant rent.

Sincerely,
Mary Fox, Chairman
Seacliff Park Residents Association.

Moss, Julia

From: Eva Brunner <evasbrunner@gmail.com>
Sent: Tuesday, May 23, 2023 8:57 AM
To: City Council; alexander.dean.pedersen@gmail.com; Clarke, Joe; Brooks, Yvette; ladykpetersen@gmail.com; Keiser, Marguax
Subject: Protect Cabrillo Mobile Home Park - Vote YES

Follow Up Flag: Follow up
Flag Status: Flagged

My name is Eva Brunner. I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance.

On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

For many of us in this county (I'd say *most* of us) housing is becoming completely financially out of reach. For those who were lucky enough to buy a house a few decades ago, housing is relatively secure. For a lot of us mobile homes are the most affordable and practical housing option, especially for low income folks, those on a fixed income and seniors. Please protect this resource and these vulnerable communities.

I wish to live in a community that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
 Eva Brunner
 Santa Cruz

--

Eva Brunner

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Moss, Julia

From: Sheryl Coulston <sheryl.coulston@gmail.com>
Sent: Tuesday, May 23, 2023 9:03 AM
To: City Council
Subject: Support of the Capitola Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Sheryl Coulston and I am a resident of Capitola and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a place that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

I am a Board Director of the Property Owners' Association of Brookvale Terrace Mobile Home Park in Capitola. We are fortunate that we are a Resident Owned Park and our space increases are controlled by our governing documents, Title 25, Davis Stirling, etc. Whereas, I certainly understand increased costs to run businesses at this time, a 56% increase is wrong and unfair.

Thank you for your work and consideration.

Sincerely,
Sheryl Coulston
Board President
Brookvale Terrace POA, Inc.
300 Plum Street OFC
Capitola, CA 95010

Moss, Julia

From: Jessy Beckett Parr <jessybeckettparr@gmail.com>
Sent: Tuesday, May 23, 2023 10:18 AM
To: City Council
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Jessy Beckett Parr, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue.

My in-laws live in a mobile home community in Live Oak and their affordable housing allowed them to live in Santa Cruz. Private profiteering by non-resident companies on mobile home communities in Santa Cruz County should not be allowed. There is a SC County-wide mobile home rent control law that protects the unincorporated areas of SC County, but Capitola mobile home communities do not have that same protection. All SC County areas should enjoy the same level of protection from price gouging-- including Capitola residents.

I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. **Please vote yes on the Mobile Home Emergency Rent Control ordinance and mimic the SC County wide rent control ordinance for mobile homes for permanent mobile home rent control measures in Capitola.**

Respectfully,
 Jessy Beckett Parr
 Santa Cruz

Moss, Julia

From: Loretta Stone <lgstones12@gmail.com>
Sent: Tuesday, May 23, 2023 10:24 AM
To: City Council
Subject: Possible Spam Mobile Home Park Rent Control

Dear Capitola Council Members,

My name is Loretta Stone, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a place that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Mrs. Loretta Stone

EMAIL OF SUPPORT FROM COMMUNITY (NOT CABRILLO RESIDENTS)
Capitola City Council citycouncil@ci.capitola.ca.us

SUBJECT: Please vote Yes on Urgency Ordinance 1059 and Ordinance 1060 re: Mobile Home Park Rent Stabilization

Dear Capitola Council Members,

I am a resident of Santa Cruz County/Capitola and a concerned neighbor of the residents of the Cabrillo Mobile Home Estates at 930 Rosedale Avenue in your city of Capitola. I am emailing you to urge your support of Urgency Ordinance 1059 and Ordinance 1060 to help establish rent stabilization for mobile home parks in Capitola, On May 25th and June 8th, please protect Cabrillo Mobile Home Estates residents from greater than 50% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a county that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Thank you for your time and consideration.

Sincerely,

Signature Miguel Cuevas

Name Miguel Cuevas Sanchez

MAY 23 2023

COUNCIL MEMBER BROOKS (Email: ybrooks@ci.capitola.ca.us)

COUNCIL MEMBER CLARKE (Email: JClarke@ci.capitola.ca.us)

SUBJECT: Please vote Yes on Urgency Ordinance 1059 and Ordinance 1060 re: Mobile Home Park Rent Stabilization

Dear Council Member Brooks,
Dear Council Member Clarke,

I am a resident of the Cabrillo Mobile Home Estates at 930 Rosedale Avenue here in Capitola. I am writing to you, urging you to vote "Yes" on the upcoming Urgency Ordinance 1059 and Ordinance 1060, both of which are necessary to stabilize mobile home park rent increases.

As you may know, we at Cabrillo Mobile Home Estates are facing a greater than 50% monthly rent increase starting June 1st on the land that we rent for our coaches. This means that my monthly rent to Vieira Properties would increase to \$1,000 per month, just to rent the land. This cost is in addition to my monthly mortgage costs and the costs to maintain my home. Owning a coach is a long-term investment for me, which will decrease in value because of massive rental increases.

This enormous rental increase will be a significant financial burden. Most of the 67 other residents in this park are in a similar position; many of my neighbors are seniors, on fixed income, or already work several jobs to support their families.

We love living at Cabrillo Mobile Home Estates and would like to continue to do so with a reasonable yearly rental increase, so we can invest our money elsewhere around the City of Capitola. As your constituents we are relying on our representatives to help support our community ties to Capitola. For these reasons we again ask that you vote in support of Urgency Ordinance 1059 and Ordinance 1060.

Thank you for your consideration.

Sincerely,

Signature

Miguel Cuevas

Name

Miguel Cuevas Sanchez

MAY 23 2023

COUNCIL MEMBER BROOKS (Email: ybrooks@ci.capitola.ca.us)
COUNCIL MEMBER CLARKE (Email: JClarke@ci.capitola.ca.us)

SUBJECT: Please vote Yes on Urgency Ordinance 1059 and Ordinance 1060 re: Mobile Home Park Rent Stabilization

Dear Council Member Brooks,
Dear Council Member Clarke,

I am a resident of the Cabrillo Mobile Home Estates at 930 Rosedale Avenue here in Capitola. I am writing to you, urging you to vote "Yes" on the upcoming Urgency Ordinance 1059 and Ordinance 1060, both of which are necessary to stabilize mobile home park rent increases.

As you may know, we at Cabrillo Mobile Home Estates are facing a greater than 50% monthly rent increase starting June 1st on the land that we rent for our coaches. This means that my monthly rent to Vieira Properties would increase to \$1,000 per month, just to rent the land. This cost is in addition to my monthly mortgage costs and the costs to maintain my home. Owning a coach is a long-term investment for me, which will decrease in value because of massive rental increases.

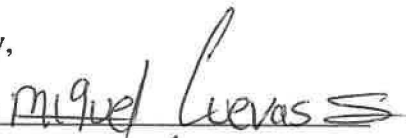
This enormous rental increase will be a significant financial burden. Most of the 67 other residents in this park are in a similar position; many of my neighbors are seniors, on fixed income, or already work several jobs to support their families.

We love living at Cabrillo Mobile Home Estates and would like to continue to do so with a reasonable yearly rental increase, so we can invest our money elsewhere around the City of Capitola. As your constituents we are relying on our representatives to help support our community ties to Capitola. For these reasons we again ask that you vote in support of Urgency Ordinance 1059 and Ordinance 1060.

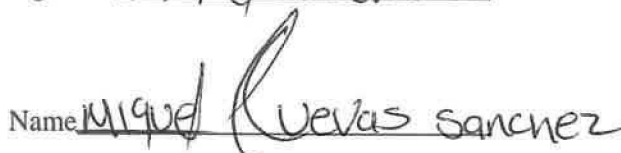
Thank you for your consideration.

Sincerely,

Signature



Name



MAY 23 2023

MAYOR KEISER (Email: margauxkeiser@gmail.com)**VICE MAYOR BROWN** (email: thekristenbrown@gmail.com)**COUNCIL MEMBER PEDERSON** (email: APedersen@ci.capitola.ca.us)

SUBJECT: Your Support of Urgency Ordinance 1059 and Ordinance 1060 re: Mobile Home Park Rent Stabilization

Dear Mayor Keiser, Vice Mayor Brown, Council Member Pederson,

Thank you for the recommended action of drafting Urgency Ordinance 1059 and Ordinance 1060 that will stabilize mobile home park rent.

I am a resident of the Cabrillo Mobile Home Estates at 930 Rosedale Avenue here in Capitola. First, I want to thank you for your sincere consideration of passing the Urgency Rent Control Ordinance 1059 on May 25th and the regular Mobile Home Rent Control Ordinance 1060 on June 8th.

As you may know, we at Cabrillo Mobile Home Estates are facing a greater than 50% monthly rent increase starting June 1st on the land that we rent for our coaches. This means that my monthly rent to Vieira Properties would increase to \$1,000 per month, just to rent the land.

This enormous rental increase will be a significant financial burden. Most of the 67 other residents in this park are in a similar position; many of my neighbors are seniors, on fixed incomes, or already work several jobs to support their families. This cost is in addition to my monthly mortgage costs and the costs to maintain my home. Owning a coach is a long-term investment for me and this type of rental increase will decrease the value of my home.

We love living here at Cabrillo Mobile Home Estates and would like to continue to do so with a reasonable yearly rental increase, allowing us to invest our money elsewhere in the city of Capitola. For these reasons, we deeply urge you to vote "Yes" on Urgency Ordinance 1059 and Ordinance 1060.

Thank you for your commitment to your constituents.

Sincerely,

Signature Miguel Cuevas S

Name Miguel Cuevas Sanchez

MAY 23 2023

EMAIL OF SUPPORT FROM COMMUNITY (NOT CABRILLO RESIDENTS)
Capitola City Council citycouncil@ci.capitola.ca.us

SUBJECT: Please vote Yes on Urgency Ordinance 1059 and Ordinance 1060 re: Mobile Home Park Rent Stabilization

Dear Capitola Council Members,

I am a resident of Santa Cruz County/Capitola and a concerned neighbor of the residents of the Cabrillo Mobile Home Estates at 930 Rosedale Avenue in your city of Capitola. I am emailing you to urge your support of Urgency Ordinance 1059 and Ordinance 1060 to help establish rent stabilization for mobile home parks in Capitola. On May 25th and June 8th, please protect Cabrillo Mobile Home Estates residents from greater than 50% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a county that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Thank you for your time and consideration.

Sincerely,

Signature _____

Name _____

MAY 23 2023

MAYOR KEISER (Email: margauxkeiser@gmail.com)**VICE MAYOR BROWN** (email: thekristenbrown@gmail.com)**COUNCIL MEMBER PEDERSON** (email: APedersen@ci.capitola.ca.us)

SUBJECT: Your Support of Urgency Ordinance 1059 and Ordinance 1060 re: Mobile Home Park Rent Stabilization

Dear Mayor Keiser, Vice Mayor Brown, Council Member Pederson,

Thank you for the recommended action of drafting Urgency Ordinance 1059 and Ordinance 1060 that will stabilize mobile home park rent.

I am a resident of the Cabrillo Mobile Home Estates at 930 Rosedale Avenue here in Capitola. First, I want to thank you for your sincere consideration of passing the Urgency Rent Control Ordinance 1059 on May 25th and the regular Mobile Home Rent Control Ordinance 1060 on June 8th.

As you may know, we at Cabrillo Mobile Home Estates are facing a greater than 50% monthly rent increase starting June 1st on the land that we rent for our coaches. This means that my monthly rent to Vieira Properties would increase to \$1,000 per month, just to rent the land.

This enormous rental increase will be a significant financial burden. Most of the 67 other residents in this park are in a similar position; many of my neighbors are seniors, on fixed incomes, or already work several jobs to support their families. This cost is in addition to my monthly mortgage costs and the costs to maintain my home. Owning a coach is a long-term investment for me and this type of rental increase will decrease the value of my home.

We love living here at Cabrillo Mobile Home Estates and would like to continue to do so with a reasonable yearly rental increase, allowing us to invest our money elsewhere in the city of Capitola. For these reasons, we deeply urge you to vote "Yes" on Urgency Ordinance 1059 and Ordinance 1060.

Thank you for your commitment to your constituents.

Sincerely,

Signature Miguel Cuevas

Name Miguel Cuevas Sanchez

Moss, Julia

From: John Hakin <johnhakin@yahoo.com>
Sent: Tuesday, May 23, 2023 11:52 AM
To: City Council
Subject: Support for Urgency Ordinance 1059 and Ordinance 1060 Mobile Home Park Rent Stabilization

Dear Mayor Keiser, Vice Mayor Brown, Councilors Brooks, Clarke and Pederson,

I live at Cabrillo Mobile Home Estates, 930 Rosedale Ave in Capitola.

As the council is well aware in March our Landlord gave us notice that starting June 1st our monthly rent will increase by \$358 from \$641 to \$1000 this is over 55% rent increase..

Approximately 50% of residents in the park (myself included) are senior and are on fixed income. Others work several jobs and have the extra burden of a mortgage.

This rent increase will be a huge financial burden to the majority of residents.

I ask that you vote **YES** in support of Urgency Ordinance 1059 and Ordinance 1060 for the Rent Stabilization so that we can continue living here and enjoy our homes.

Yours sincerely, John Hakin

Moss, Julia

From: Lee White <leewhite128@gmail.com>
Sent: Tuesday, May 23, 2023 10:35 AM
To: City Council; alexander.dean.pedersen@gmail.com; Clarke, Joe; Brooks, Yvette; ladykpetersen@gmail.com; Keiser, Marguax
Subject: Possible Spam Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Lee White and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a community that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Lee White

Moss, Julia

From: Sally Grey <saligrey@mac.com>
Sent: Tuesday, May 23, 2023 12:19 PM
To: City Council
Subject: Please vote "yes" on Mobile Home Emerge

>
> Dear Capitola Council Members,
>
> My name is Sally Grey and I am a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.
>
> I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.
>
> Sincerely,
> Sally Grey

Moss, Julia

From: Laurie Aiello <aiello.laurie@gmail.com>
Sent: Tuesday, May 23, 2023 1:41 PM
To: City Council
Subject: Mobile Home Park Rent Cap Ordinance vote on Thursday

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Dear City Council Members,

I sincerely request that you vote in support of the permanent ordinance to keep Capitola mobile home park space fees at the same increase rate as the rest of California. I'm quite shocked and appalled to learn that it is not already the same. There is no justifiable reason to have a different rent increase for mobile home park spaces. Many times, these are people who are elders on fixed incomes or low income families. We need more secure affordable housing options for people, not less. Please offer the same protection to people who live in mobile home parks as you would any other renter in California.

Thank you for listening to concerned community members and hopefully voting to support the permanent ordinance.

Laurie Aiello
Santa Cruz County Resident

Moss, Julia

From: Laurie Aiello <aiello.laurie@gmail.com>
Sent: Tuesday, May 23, 2023 1:41 PM
To: City Council
Subject: Mobile Home Park Rent Cap Ordinance vote on Thursday

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Dear City Council Members,

I sincerely request that you vote in support of the permanent ordinance to keep Capitola mobile home park space fees at the same increase rate as the rest of California. I'm quite shocked and appalled to learn that it is not already the same. There is no justifiable reason to have a different rent increase for mobile home park spaces. Many times, these are people who are elders on fixed incomes or low income families. We need more secure affordable housing options for people, not less. Please offer the same protection to people who live in mobile home parks as you would any other renter in California.

Thank you for listening to concerned community members and hopefully voting to support the permanent ordinance.

Laurie Aiello
Santa Cruz County Resident

Moss, Julia

From: Julie Oak <contactjulie@julieoak.com>
Sent: Tuesday, May 23, 2023 2:08 PM
To: City Council
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Julie Oak, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Julie Oak

Moss, Julia

From: Natalie Goff <burroalley9@gmail.com>
Sent: Tuesday, May 23, 2023 2:10 PM
To: City Council; alexander.dean.pedersen@gmail.com; Clarke, Joe; Brooks, Yvette; ladykpetersen@gmail.com; Keiser, Marguax
Subject: Possible Spam Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Natalie Goff, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance on May 25th. Please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

Mobile home parks are one of the few affordable places in which lower income people in Santa Cruz County may still purchase a home. I live in The El Rio Mobile Home Park Cooperative in downtown Santa Cruz - ninety three residents were offered the opportunity to buy our mobile home park cooperatively a few decades ago. We will be forever grateful that we own the land upon which our homes sit.

To cover expenses, the Cooperative recently raised our space rent by \$30. My neighbors who live on fixed incomes have expressed how difficult it is to make ends meet with just a \$30/month rent increase. I can't imagine the stress that those living in Cabrillo Mobile Home Estates are under as they face a 56% rent increase.

I wish to live in a county that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Natalie Goff

MAY 23 2023

COUNCIL MEMBER BROOKS (Email: ybrooks@ci.capitola.ca.us)

COUNCIL MEMBER CLARKE (Email: JClarke@ci.capitola.ca.us)

SUBJECT: Please vote Yes on Urgency Ordinance 1059 and Ordinance 1060 re: Mobile Home Park Rent Stabilization

Dear Council Member Brooks,
Dear Council Member Clarke,

I am a resident of the Cabrillo Mobile Home Estates at 930 Rosedale Avenue here in Capitola. I am writing to you, urging you to vote "Yes" on the upcoming Urgency Ordinance 1059 and Ordinance 1060, both of which are necessary to stabilize mobile home park rent increases.

As you may know, we at Cabrillo Mobile Home Estates are facing a greater than 50% monthly rent increase starting June 1st on the land that we rent for our coaches. This means that my monthly rent to Vieira Properties would increase to \$1,000 per month, just to rent the land. This cost is in addition to my monthly mortgage costs and the costs to maintain my home. Owning a coach is a long-term investment for me, which will decrease in value because of massive rental increases.

This enormous rental increase will be a significant financial burden. Most of the 67 other residents in this park are in a similar position; many of my neighbors are seniors, on fixed income, or already work several jobs to support their families.

We love living at Cabrillo Mobile Home Estates and would like to continue to do so with a reasonable yearly rental increase, so we can invest our money elsewhere around the City of Capitola. As your constituents we are relying on our representatives to help support our community ties to Capitola. For these reasons we again ask that you vote in support of Urgency Ordinance 1059 and Ordinance 1060.

Thank you for your consideration.

Sincerely,

Signature Robert Traugher

Name Robert Traugher

Moss, Julia

From: Lizzy <lizzy.steger@gmail.com>
Sent: Tuesday, May 23, 2023 2:51 PM
To: City Council; alexander.dean.pedersen@gmail.com; Clarke, Joe; Brooks, Yvette; ladykpetersen@gmail.com; Keiser, Marguax
Subject: Please vote "Yes" on Mobile Home Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Elizabeth Steger, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a community that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Elizabeth

Moss, Julia

From: lucas cardoso <Lucas@cardoso.us>
Sent: Tuesday, May 23, 2023 2:53 PM
To: City Council
Subject: Please vote "yes" on the Mobile Home Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Lucas Cardoso, and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Lucas Cardoso

Moss, Julia

From: Miguel F Aznar <miguelfaznar@gmail.com>
Sent: Tuesday, May 23, 2023 2:58 PM
To: City Council
Subject: Capitola Mobile Home emergency rent control ordinance

Dear Capitola Council Members,

I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a place that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Miguel

Miguel F Aznar
(831) 566-1980

Moss, Julia

From: Craig Mortensen <craigoyo@hotmail.com>
Sent: Tuesday, May 23, 2023 3:34 PM
To: City Council
Subject: SUBJECT: Please vote "yes" on Mobile Home Emergency

>>> Dear Capitola Council Members,

>>>

>>> My name is Craig Mortensen

>>> and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

>>>

>>> I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

>>>

>>> Sincerely

Craig Mortensen

MAY 23 2023

MAYOR KEISER margauxkeiser@gmail.com
VICE MAYOR BROWN thekristenbrown@gmail.com
COUNCIL MEMBER PEDERSON APedersen@ci.capitola.ca.us

SUBJECT: Your Support of Urgency Ordinance 1059 and Ordinance 1060 re:
Mobile Home Park Rent Stabilization

Dear Mayor Keiser, Vice Mayor Brown, Council Member Pederson,

Thank you for the recommended action of drafting Urgency Ordinance 1059 and Ordinance 1060 that will stabilize mobile home park rent.

I am a senior resident of the Cabrillo Mobile Home Estates at 930 Rosedale Avenue here in Capitola. First, I want to thank you for your sincere consideration of passing the Urgency Rent Control Ordinance 1059 on May 25th and the regular Mobile Home Rent Control Ordinance 1060 on June 8th.

As you may know, we at Cabrillo Mobile Home Estates are facing a greater than 50% monthly rent increase starting June 1st on the lot that we rent for our coaches. This means that my monthly rent to Vieira Properties would increase to \$1,000 per month, just to rent the land.

This enormous rental increase will be a significant financial burden since I live on a fixed income. Most of the 67 other residents in this park are in a similar position; many of my neighbors are also seniors, on fixed incomes, or already work several jobs to support their families. This cost is in addition to monthly mortgage costs and the costs to maintain my home. Owning a coach is a long-term investment for me and this type of rental increase will decrease the value of my home.

We love living here at Cabrillo Mobile Home Estates and would like to continue to do so with a reasonable yearly rental increase, allowing us to invest our money elsewhere in the city of Capitola. For these reasons, we deeply urge you to vote "Yes" on Urgency Ordinance 1059 and Ordinance 1060.

Thank you for your commitment to your constituents.

Sincerely,
Dianne DeLisle



MAY 23 2023

COUNCIL MEMBER BROOKS ybrooks@ci.capitola.ca.us
COUNCIL MEMBER CLARKE JClarke@ci.capitola.ca.us

SUBJECT: Please vote Yes on Urgency Ordinance 1059 and Ordinance 1060 re: Mobile Home Park Rent Stabilization

Dear Council Member Brooks,
Dear Council Member Clarke,

I am a senior resident of the Cabrillo Mobile Home Estates at 930 Rosedale Avenue here in Capitola. I am writing to you, urging you to vote "Yes" on the upcoming Urgency Ordinance 1059 and Ordinance 1060, both of which are necessary to stabilize mobile home park rent increases.

As you may know, we at Cabrillo Mobile Home Estates are facing a greater than 50% monthly rent increase starting June 1st on the lots that we rent for our coaches. This means that my monthly rent to Vieira Properties would increase to \$1,000 per month, just to rent the land. This cost is in addition to monthly mortgage costs and the costs to maintain my home. Owning a coach is a long-term investment for me, which will decrease in value because of massive rental increases.

This enormous rental increase will be a significant financial burden. Most of the 67 other residents in this park are in a similar position; many of my neighbors are seniors, on fixed income, or already work several jobs to support their families.

We love living at Cabrillo Mobile Home Estates and would like to continue to do so with a reasonable yearly rental increase, so we can invest our money elsewhere around the City of Capitola. As your constituents we are relying on our representatives to help support our community ties to Capitola. For these reasons we again ask that you vote in support of Urgency Ordinance 1059 and Ordinance 1060.

Thank you for your consideration.

Sincerely,
Dianne DeLisle



Moss, Julia

From: Erica Crawford <ericacrawford@mac.com>
Sent: Tuesday, May 23, 2023 5:52 PM
To: City Council
Subject: Rent control for mobile home parks

Dear Capitola Council Members,

My name is **Erica Crawford** and I am a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Erica Crawford

Sent from my iPhone

Moss, Julia

From: Tanya Ridino <tridino@seniorlegal.org>
Sent: Tuesday, May 23, 2023 5:57 PM
To: Keiser, Marguax; City Council
Cc: commissions@santacruzcounty.us; Attorney Sam Storey
Subject: [PDF] CALL TO ACTION: Adopt Mobile Home Rent Stabilization Ordinances
Attachments: 2023 05 23_Letter to City of Capitola Council Members ISO Mobile Home Rent Stabilization_Senior Legal Services.pdf

Thank you for your service and please see the attached letter.

Warmly,

Tanya Harmony Ridino, Esq.

Executive Director

(pronouns: she/her/ hers/ella)

Senior Legal Services of Santa Cruz and San Benito Counties

Phone: [\(831\) 426-8824](tel:(831)426-8824)

Fax: [\(831\) 426-3345](tel:(831)426-3345)

Main Office: 317 Soquel Avenue, Santa Cruz, CA 95062



www.seniorlegal.org

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Law offices of

SENIOR LEGAL SERVICES

Defending the Rights of the Elderly

Main Office: 317 Soquel Avenue, Santa Cruz, CA 95062-2305

Telephone: 831.426.8824 | Fax: 831.426.3345 | Website: www.seniorlegal.org

May 23, 2023

Att. City Mayor and City Council of Capitola
Cc. Santa Cruz County Mobile Home Commission
Cc: Past City Mayor Sam Storey

RE: CALL TO ACTION: Adopt Mobile Home Rent Stabilization Ordinances

Dear Capitola Mayor Margaux Keiser and City Council Members:

With this letter, Senior Legal Services of Santa Cruz and San Benito Counties (“SLS”) urges the Capitola City Council to adopt the rent stabilization ordinances (“RSOs”) as outlined by the City Attorney’s Office in Item #8A of Capitola City Council’s Agenda Report for the May 18, 2023 meeting. SLS is a non-profit organization that has been providing free legal assistance to seniors in Santa Cruz and San Benito counties for over 50 years, and many of our clients are low- or fixed-income seniors who rent or own a mobile home.

For fifty years SCLS has been on the front line of preventing homelessness by assisting with eviction defense, habitability concerns and requests for reasonable accommodations. Our staff remains stressed as requests for services continue to increase and waves of eviction cases continue. We also maintain a contract with the Santa Cruz County Mobile Home Commission to fight against unfair rent increases.

Several of our clients are residents of Cabrillo Mobile Home Estates, a park that would be subject to the RSOs, and have recently sought our assistance regarding the legality of a notice to increase rent as issued by Cabrillo’s management. These residents have notified us that (1) their rents will be increasing by 56% (from \$641/mo. to \$1,000/mo.) on June 1, 2023, and (2) securing a new lease is made contingent on acceptance of the \$1000/mo. figure. Unlike the jurisdictions adjoining and surrounding the City of Capitola (e.g., Santa Cruz (county and city), Scotts Valley, Salinas, Watsonville, and San Jose), Capitola does not offer any protection to its mobile home residents from significant and exploitative rent increases such as these.

Given Capitola’s ever-increasing cost of living and the RSOs’ substantive and structural similarity to rent stabilization ordinances in neighboring jurisdictions and statewide, adoption of the RSOs would be beneficial to Capitola’s senior citizens while also striking an equitable balance between the interests of mobile home residents and park owners. The housing crisis

Watsonville Office (Tuesday only) 114 E. Fifth Street | Hollister Office (Tuesday only) 440 San Benito Street

SCLS is funded by the Seniors Council of Santa Cruz and San Benito Counties, the State Bar of California, Santa Cruz County, San Benito County, the Cities of Santa Cruz and Watsonville, Community Foundation Santa Cruz County, United Way and the Community Foundation of San Benito County.



Law offices of

SENIOR LEGAL SERVICES

Defending the Rights of the Elderly

Main Office: 317 Soquel Avenue, Santa Cruz, CA 95062-2305

Telephone: 831.426.8824 | Fax: 831.426.3345 | Website: www.seniorlegal.org

remains imminent in Capitola and the County and we believe this ordinance is an appropriate measure.

The RSOs would both guarantee mobile home renters protection against predatory rent increases and ensure that prospective and existing mobile home buyers are confident in mobile homes as an investment. Finally, the RSOs ensure that park owners can continue to acquire a fair return on their investments by allowing reasonable, annual increases in rent.

Please do not hesitate to call or email SLS at help@seniorlegal.org if you have questions or wish to discuss the RSOs or their potential impact further. Thank you, again, for your commitment to supporting seniors throughout Capitola.

Sincerely,

Tanya Harmony Ridino, Esq.

Executive Director

Senior Legal Services

Watsonville Office (Tuesday only) 114 E. Fifth Street | Hollister Office (Tuesday only) 440 San Benito Street

SCLS is funded by the Seniors Council of Santa Cruz and San Benito Counties,
the State Bar of California, Santa Cruz County, San Benito County, the Cities of Santa Cruz and Watsonville,
Community Foundation Santa Cruz County, United Way and the Community Foundation of San Benito County.

Moss, Julia

From: Patty Washko <dharmapunx108@gmail.com>
Sent: Tuesday, May 23, 2023 5:52 PM
To: City Council
Subject: Rent control

Dear Capitola Council Members,

My name is **Patty Washko** and I am a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Patty Washko

Moss, Julia

From: lorraine Gaudin <lorrainegaudin@icloud.com>
Sent: Tuesday, May 23, 2023 6:05 PM
To: City Council
Subject: Rent control

Dear Capitola Council Members,

My name is Lorraine Gaudin and I reside in Soquel. I am a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo residents from the 56% rent increases by voting Yes and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I think it is important that Capitola welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Lorraine Gaudin

Sent from my iPad

Moss, Julia

From: Stephanie Musbach <smusbach@aol.com>
Sent: Tuesday, May 23, 2023 6:11 PM
To: City Council
Subject: rent control in trailer parks

5/23/2023

- Dear Capitola Council Members,

My name is **Stephanie Musbach** and I am a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Stephanie Musach

- 100 N Rodeo Gulch sp 135. Soquel CA 95073

Moss, Julia

From: Maria Molina <mariamolina1975@aol.com>
Sent: Tuesday, May 23, 2023 6:35 PM
To: City Council
Subject: Please vote Yes on Urgency Ordinance 1059 and Ordinance 1060 re: Mobile Home Park Rent Stabilization

Dear Capitola Council Members,

My name is Maria Molina. My 90 year-old mother and I have been residents of Cabrillo Mobile Home Estates at 930 Rosedale Avenue #61 in Capitola since 2020.

I am emailing you to urge your support of Urgency Ordinance 1059 and Ordinance 1060 to help establish rent stabilization for mobile home parks in Capitola, On May 25th and June 8th, please protect us Cabrillo Mobile Home Estates residents from greater than 50% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

Thank you very much for your time and consideration.

Sincerely,
Maria E. Molina

Moss, Julia

From: Carmen Martinez <carlydia60@gmail.com>
Sent: Tuesday, May 23, 2023 6:57 PM
To: City Council
Subject: Rent Control in Capitola

>> Dear Capitola Council Members,

>>

>> My name is Carmen L. Martinez and I am a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

>>

>> I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Carmen L. Martinez

Sent from my iPhone

Moss, Julia

From: Pamela Stearns Stearns <pclares327@gmail.com>
Sent: Tuesday, May 23, 2023 8:20 PM
To: City Council

We plead with you not to bow to the pressure put upon your council by Viera Enterprises of Santa Clara.

Uphold your community's standard AGAINST rent gouging. The residents of Cabrillo Mobile Home Park need and deserve your support while Viera Enterprises does not.

Sincerely,
Phil and Pam Stearns
Santa Cruz

Moss, Julia

From: Jeff <jeff_caplan@sbcglobal.net>
Sent: Tuesday, May 23, 2023 10:30 PM
To: City Council
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Jeff Caplan, and I am a 40 year resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home urgency rent control ordinance. On May 25th, please and June 8th. Please protect Cabrillo Mobile Home Estates residents from the 50% plus rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and have reasonable rents that make this possible. This is a housing Justice issue. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Jeff Caplan

Moss, Julia

From: Sandy Denize <tupelofour@yahoo.com>
Sent: Wednesday, May 24, 2023 6:13 AM
To: City Council
Subject: Please vote YES on Urgency Ordinance 1059 and Ordinance 1060

Dear Capitola Council Members

I am emailing to ask for your support of Urgency Ordinance 1059 and Ordinance 1060 to help establish rent stabilization for mobile home parks in Capitola.

The passage of the Urgency Ordinance on May 25th is so important in order to avoid a very unreasonable rent increase by the park owners of the Cabrillo Mobile Home Estates
Please protect Cabrillo Mobile Home Estates residents from the more than 50% rent increase that is to be effective 6/1/23
- unless this Urgency Ordinance passes

Please vote YES and pass protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County

Thank You for your time and consideration

Sincerely

Sandy Denize
Cabrillo Mobile Home Estates

Moss, Julia

From: Carol Spivey <seahorse357@gmail.com>
Sent: Wednesday, May 24, 2023 7:33 AM
To: City Council
Subject: Mobile Home Rent Control

Dear Capitola Council Members,

My name is **Carol Spivey** and I am a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Carol Spivey

[Show quoted text](#)

Moss, Julia

From: Suzanne Semmes <suzanne.semmes@gmail.com>
Sent: Wednesday, May 24, 2023 7:46 AM
To: City Council
Subject: Mobile home parks

Dear Councilors:

I would like to voice my support for a permanent local ordinance to guarantee keeping all Capitola mobile home park space fees at the same increase rate as the rest of California.

Housing is such a concern for so many of our citizens- your support of such a measure would help ease this crisis, and set an example showing owners of such properties that they cannot run rough-shod over those who are most vulnerable.

Please help the tenants keep their homes at an affordable ground rent.

Thank you for your consideration of this vital need.

Sincerely yours,
Rev Suzanne G Semmes.

--

Rev. Suzanne G. Semmes, BCC
109 Button Street
Santa Cruz CA 95060
tel: 831-295-3267

Moss, Julia

From: Shelly D'Amour <shelly@cruzio.com>
Sent: Wednesday, May 24, 2023 8:13 AM
To: City Council
Subject: Rent stabilization

Dear Capitola Council Members,

My name is Shelly D'Amour and I am a mobile home resident in Santa Cruz County. I urge your adoption of an urgency ordinance adding Chapter 2.18 to the Capitola Municipal Code, establishing mobile home park rent stabilization. A 56% rent increase on Cabrillo Mobile Home Estates is unconscionable, and will result in some residents losing their fragile bit of stability, or taking desperate financial measures in order to hold on to their homes.

Mobile homes are the last bastion of affordable home ownership, and true affordable rental housing in Santa Cruz County. Please vote "yes" and pass protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

Sincerely,
Shelly D'Amour
Santa Cruz

Moss, Julia

From: kat kurdek <miamya1@yahoo.com>
Sent: Wednesday, May 24, 2023 8:51 AM
To: City Council
Subject: Rent control

Capitola Council Members,

My name is Kat Kurdek, and I am a resident of [Santa Cruz County/Capitola] and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely
Kat Kurdek

[SKst Kurdeent from Yahoo Mail on Android](#)

Moss, Julia

From: donsharo@comcast.net
Sent: Wednesday, May 24, 2023 9:38 AM
To: City Council
Subject: Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is **Sharon Thorne** and I am a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Sharon Thorne

Moss, Julia

From: DonaldS116@comcast.net
Sent: Wednesday, May 24, 2023 9:41 AM
To: City Council
Subject: Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Donald Smith and I am a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Respectfully,
Donald Smith

Moss, Julia

From: barbarar@cruzio.com
Sent: Wednesday, May 24, 2023 10:03 AM
To: City Council
Subject: Mobile home rent increase

My name is Barbara Ridgeway and I am a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities at all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Barbara Ridgeway

Moss, Julia

From: l.bingham@comcast.net
Sent: Wednesday, May 24, 2023 10:25 AM
To: City Council
Subject: Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Linda Bingham and I am a resident of Santa Cruz and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Linda Bingham

Moss, Julia

From: Erik Lowe <elowe88@gmail.com>
Sent: Wednesday, May 24, 2023 11:46 AM
To: City Council
Subject: Support for Urgency Ordinance 1059 and Ordinance 1060 Mobile Home Park Rent Stabilization

Dear Mayor Keiser, Vice Mayor Brown, Councilors Brooks, Clarke and Pederson,

My parents live at Cabrillo Mobile Home Estates, 930 Rosedale Ave in Capitola.

In March, their Landlord gave my parents short notice that starting June 1st, the monthly rent will increase from \$641 to \$1000

Approximately 50% of residents in the park (including my parents) are senior and are on fixed income. Virtually everyone else in the park works within the County of Santa Cruz and are active Capitola community members. Meanwhile, the landlord - Viera Enterprises Inc, is based in Santa Clara is simply acting upon greed and placing a massive financial burden on the majority of residents.

I strongly urge you to vote **YES** in support of Urgency Ordinance 1059 and Ordinance 1060 for the Rent Stabilization so that the community that grew in Cabrillo Mobile Home Estates can continue to grow

Thank you for your time and consideration,
-Erik Lowe
Capitola Raised, Santa Cruz Native

Moss, Julia

From: Kathy <krodscakes@gmail.com>
Sent: Wednesday, May 24, 2023 12:06 PM
To: City Council
Subject: Capitola Mobile home Park

Hello I currently live in a mobile home park although not in Capitola but in Marina where Vierra owns 5 of 6 parks (thankfully not mine) but he is well known for attempting to “take” properties by making it difficult to sell so people are forced to “walk away” I pray for the people of that park and the ones here that are having a very hard time with this individual. Please take to heart all the people that are involved that are being preyed on by this “enterprise”

Sent from [Mail](#) for Windows

Moss, Julia

From: Bill Belcher <kapeket@icloud.com>
Sent: Wednesday, May 24, 2023 12:40 PM
To: City Council
Subject: Hello from your neighbor

Attention city council of the greatest place on Earth!

My name is William Belcher and I am a resident of Rodeo Gulch Estates in Soquel. I have been informed that a mobile park in Capitola might be "losing" rent controls that assist a lot of folks in your town. Im not versed in the topic but it has something to do with the Capitola Mobile Home emergency rent control ordinance. There is a vote coming and I'm asking that you consider holding the line per se for those who would be affected.

Capitola is the jewel of Santa Cruz County and beyond. I hope we see it stay the way it was meant to be.
:-)

Cheers!

Best wishes,

Bill Belcher
831-440-6864

Moss, Julia

From: Mary Barton <mrbarton08@gmail.com>
Sent: Wednesday, May 24, 2023 1:15 PM
To: City Council
Subject: Vote YES on Chapter 2.18

Dear Capitola Council Members,

I am a resident of Soquel and live in a mobile home park. I am writing in support of the residents of Cabrillo Mobile Home Estates at 930 Rosedale Avenue in Capitola. I urge you to vote "Yes" to support the urgency ordinance adding Chapter 2.18 to the Capitola Municipal Code establishing mobile home park rent stabilization. Please protect Cabrillo Mobile Home Estates residents from the 56% rent increase and pass protections to make sure Capitola reflects the same protections for mobile home communities as all other areas of Santa Cruz County.

Sincerely
Mary Barton

Moss, Julia

From: Kathleen Notch <cabokatie@icloud.com>
Sent: Wednesday, May 24, 2023 10:27 AM
To: City Council
Subject: Capitola Council Members

To whom it may concern:

My name is Kathleen Notch and I am a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Ave. Please support us in the rent control, by voting YES and pass along the Protections for mobile home communities throughout Santa Cruz. With prices in food, and medications, this would be A hardship to endure an increase of 56 % rent increase.

Why such greed??

Thank you for your time and attention to this matter.

Kathleen

Moss, Julia

From: Azra Simonetti <azra8@icloud.com>
Sent: Wednesday, May 24, 2023 11:56 AM
To: City Council
Subject: Rent Control

Hello Capitola City Council,

As a resident of a mobile home park I am writing to urge you to please stop the attempt to explode let rent by 56% in the Cabrillo Park!

These parks are the only affordable housing left in our county.

They are housing the workers who go out early in the morning to make the bagels, fix the roads, clean the hotel rooms drive our kids to school and a variety of jobs that would go undone if they were to leave due to the hardship of higher rents.

We already see many "Hiring Now" signs around town, Don't make it worse by accepting the greedy money grabbing request of the insensitive owners. After all the years of owning the park they should by now have garnered a nice profit for themselves. Please don't support their avarice against those who have so much less.

I love your town and the county and I hope that supporting these residents will be a priority for you.

I have met with, Manu Koenig, the county supervisor, to advise him regarding this issue. I know there are ordinances in effect which have protected the parks in the past. He assured me he would look into it.

Thank you for your continued help.

Azra Simonetti
Business Owner
Mobile Home Resident
Soquel, CA

Moss, Julia

From: Bonnie Maffei <artistbonniemaffei@yahoo.com>
Sent: Wednesday, May 24, 2023 2:29 PM
To: City Council
Subject: Vote "YES" to STOP 56% rent increase in Cabrillo Mobile Home Park

Dear Capitola City Council Members,

My name is **Bonita Maffei** and I am a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. **On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.**

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine, paying exorbitant rent or being forced to move from their homes.

Sincerely,

Bonita Maffei

Resident of Rodeo Mobile Estates, Soquel

Moss, Julia

From: Bonnie Maffei <artistbonniemaffei@yahoo.com>
Sent: Wednesday, May 24, 2023 2:34 PM
To: City Council
Subject: Vote YES to protect tenant rights at Cabrillo Mobile Home Estates from 56% rent increase

Dear Capitola City Council Members,

My name is **Lucy Silva**, a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting **“Yes”** and **passing protections** to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine, paying exorbitant rent or being forced to move from their homes.

Respectfully,

Lucy Silva

Resident of Rodeo Mobile Estates, Soquel

Moss, Julia

From: Student Housing Coalition <thestudenthousingcoalition@gmail.com>
Sent: Wednesday, May 24, 2023 4:41 PM
To: City Council
Subject: UCSC Student Housing Coalition in Support of Urgency Ordinance 1059 and Ordinance 1060

Follow Up Flag: Follow up
Flag Status: Flagged

5/24/2023

Dear Capitola City Council,

We are writing in support of **Urgency Ordinance 1059 and Ordinance 1060**, which would set “maximum allowable annual increase at 5% + CPI, or up to 10% of the base rent, whichever amount is lower, consistent with the State Tenant Protection Act. The base rent is the rent as of May 25, 2023.

In Capitola, residents are comprised of elderly on fixed incomes who are living off of social benefits or working past retirement. Alongside, residents that simply can’t afford to live comfortably in Capitola, as Santa Cruz County is now ranked the 2nd most expensive place to raise a kid in the United States. We have residents that find it hard to afford food and utilities day-to-day and increasing rent will make it that much harder and even impossible for some.

We have to think about where the money would go if Capitola denied **Urgency Ordinance 1059 and Ordinance 1060**. Right now the residents comprising the communities of Mobile and Manufactured home communities are spending their income in the local community and that’s able to come back in our tax funds. But if we allow companies to allocate our money out of Capitola and outside of the state or even the country, Capitola would only be losing money for the local economy rather than bringing it back in.

The United States signed onto the 17 Sustainable Development Goals for 2030 and this applies to Capitola as well. With the homelessness problem still on the rise, making it harder for people to afford housing of any form would only exacerbate the homelessness problem even further. Pushing Capitola further away from the 17 Sustainable Development Goals for 2030 would make us play catch-up in the next 7 years if **Urgency Ordinance 1059 and Ordinance 1060** were to be denied.

These residents comprised of elderly and hard-working low-income wage earners are already working tooth and nail to live in the mobile homes that they are staying at and it simply cannot go unnoticed. We have heard that Santa Cruz County is known for having some of the most robust protections for mobile and manufactured home communities in California. Santa Cruz County has even been a source of inspiration for many other jurisdictions and helped shape state discussions around additional Mobile and manufactured home communities. To keep this legacy, we have to continue the good practices and enact the protections that Santa Cruz County has been known for throughout the state. So **we ask that Capitola enacts Urgency Ordinance 1059 and Ordinance 1060**.

This letter is powered by the Student Housing Coalition. The Student Housing Coalition is a 600 Activist student-led organization dedicated to advocacy surrounding the housing crisis in the Santa Cruz region. We value intersectionality, sustainability, and access to opportunity, with the overall goal of guaranteeing housing as a human right.

Sincerely,

The UCSC Student Housing Coalition



Resources

1. <https://www.goodtimes.sc/santa-cruz-county-mobile-home-residents-face-financial-uncertainty/>
2. <https://datausa.io/profile/geo/capitola-ca>
3. <https://mccmeetingspublic.blob.core.usgovcloudapi.net/capitolaca-meet-c1a2835df6c34e78bf6574a3370bd5fb/ITEM-Attachment-010-ad5e451f1c45423a9a582fa1bf9c4b48.pdf>

Moss, Julia

From: Student Housing Coalition <thestudenthousingcoalition@gmail.com>
Sent: Wednesday, May 24, 2023 4:44 PM
To: City Council
Cc: Keiser, Marguax; ladykpetersen@gmail.com; Brooks, Yvette; Clarke, Joe; alexander.dean.pedersen@gmail.com
Subject: UCSC Student Housing Coalition in Support of 1059 and 1060 being the Ordinances

Follow Up Flag: Follow up
Flag Status: Flagged

5/24/2023

Dear Capitola City Council,

We are writing in support of **Urgency Ordinance 1059 and Ordinance 1060**, which would set “maximum allowable annual increase at 5% + CPI, or up to 10% of the base rent, whichever amount is lower, consistent with the State Tenant Protection Act. The base rent is the rent as of May 25, 2023.

In Capitola, residents are comprised of elderly on fixed incomes who are living off of social benefits or working past retirement. Alongside, residents that simply can’t afford to live comfortably in Capitola, as Santa Cruz County is now ranked the 2nd most expensive place to raise a kid in the United States. We have residents that find it hard to afford food and utilities day-to-day and increasing rent will make it that much harder and even impossible for some.

We have to think about where the money would go if Capitola denied **Urgency Ordinance 1059 and Ordinance 1060**. Right now the residents comprising the communities of Mobile and Manufactured home communities are spending their income in the local community and that’s able to come back in our tax funds. But if we allow companies to allocate our money out of Capitola and outside of the state or even the country, Capitola would only be losing money for the local economy rather than bringing it back in.

The United States signed onto the 17 Sustainable Development Goals for 2030 and this applies to Capitola as well. With the homelessness problem still on the rise, making it harder for people to afford housing of any form would only exacerbate the homelessness problem even further. Pushing Capitola further away from the 17 Sustainable Development Goals for 2030 would make us play catch-up in the next 7 years if **Urgency Ordinance 1059 and Ordinance 1060** were to be denied.

These residents comprised of elderly and hard-working low-income wage earners are already working tooth and nail to live in the mobile homes that they are staying at and it simply cannot go unnoticed. We have heard that Santa Cruz County is known for having some of the most robust protections for mobile and manufactured home communities in California. Santa Cruz County has even been a source of inspiration for many other jurisdictions and helped shape state discussions around additional Mobile and manufactured home communities. To keep this legacy, we have to continue the good practices and enact the protections that Santa Cruz County has been known for throughout the state. So **we ask that Capitola enacts Urgency Ordinance 1059 and Ordinance 1060**.

This letter is powered by the Student Housing Coalition. The Student Housing Coalition is a 600 Activist student-led organization dedicated to advocacy surrounding the housing crisis in the Santa Cruz region. We value intersectionality, sustainability, and access to opportunity, with the overall goal of guaranteeing housing as a human right.

Sincerely,

Item 4 A.

The UCSC Student Housing Coalition



Resources

1. <https://www.goodtimes.sc/santa-cruz-county-mobile-home-residents-face-financial-uncertainty/>
2. <https://datausa.io/profile/geo/capitola-ca>
3. <https://mccmeetingspublic.blob.core.usgovcloudapi.net/capitolaca-meet-c1a2835df6c34e78bf6574a3370bd5fb/ITEM-Attachment-010-ad5e451f1c45423a9a582fa1bf9c4b48.pdf>

Moss, Julia

From: Ocean Robbins <oceanrobbins@foodrevolution.org>
Sent: Thursday, May 25, 2023 6:52 AM
To: City Council
Subject: Please - vote "yes" on Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Ocean Robbins, and I am a property and business owning resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue.

I'm writing to urge your support of the Capitola Mobile Home urgency rent control ordinance.

Please protect Cabrillo Mobile Home Estates residents from the 50%+ rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I want to live in a community that welcomes residents of all ages and income levels, and for our community to have reasonable rents that make this possible.

Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent. And they should not be driven out of the community they love.

Sincerely,

Ocean Robbins

Ocean Robbins, Co-founder & CEO
 Food Revolution Network,
<https://foodrevolution.org>



Moss, Julia

From: Tracy McGowan <tkmcknit@gmail.com>
Sent: Thursday, May 25, 2023 7:12 AM
To: City Council
Subject: Capitola rent control

Follow Up Flag: Follow up
Flag Status: Flagged

This will leave many working families, seniors on fixed incomes, people with disabilities and some residents living well below the poverty line in **a situation of extreme housing insecurity**. These residents also pay mortgages for their homes and cannot afford this large increase or future increases.

I am fully in support of rent control for the above stated reasons. City councils have a responsibility to protect their constituents. The ignoring of this responsibility is morally irresponsible. Thanks for your vote in the favor of your constituents that need your help in this matter-

Tracy McGowan

Moss, Julia

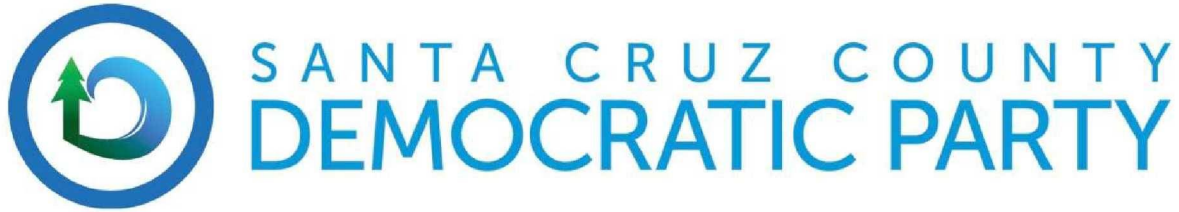
From: Andrew Goldenkranz <agoldenk@gmail.com>
Sent: Thursday, May 25, 2023 8:47 AM
To: City Council
Subject: Urgency Ordinance for mobile home rental stabilization
Attachments: Capitola mobie home park.docx

Follow Up Flag: Follow up
Flag Status: Flagged

For your consideration, thank you!

--

Andrew Goldenkranz (he, him)
agoldenk@gmail.com
831-588-8262 (c)



TO: Capitola City Council members
FR: Andrew Goldenkranz, Santa Cruz County Democratic Party Chair

RE: Rent Stabilization Urgency Ordinance 5/25/23

Mayor Kaiser and Honorable council members,

Thank you for your hard work on behalf of the people of Capitola. Our Democratic Party includes 4,085 registered Democrats in Capitola. We advocate for fairness and inclusivity, especially for the least fortunate among us. We are also active in promoting affordable housing opportunities for our local workforce, many of whom are paying 50-70% of their income for housing. This is not a sustainable practice.

We strongly urge you to adopt the urgency ordinance related to rent stabilization to be consistent with the state limits. The proposed 57% rent hike at a local mobile home park is unreasonable. Mobile homes are one important sector of affordable housing and this park includes many seniors and others on fixed incomes. You have the opportunity to help quickly and decisively. We will support you to take the proper step for the residents and neighbors affected.

We further encourage you to include reasonable renters' protection language in your upcoming housing element proposal, I would be happy to provide evidence and language appropriate to this task

Thank you,

A handwritten signature in blue ink, appearing to read "Andrew N. Goldenkranz".

Andrew Goldenkranz
Chair, Santa Cruz County Democratic Party

Moss, Julia

From: cheryl kopf <kukabura5@gmail.com>
Sent: Thursday, May 25, 2023 9:01 AM
To: Moss, Julia
Subject: I support ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Moss,

Please pass along my support as a voting Capitola community member for the the rent cap ordinances up for vote tonight. Affordable housing is a crucial lifeline for our citizens 💖

Thank you to you and the entire staff for all your tireless work and kindness on this issue!
You all rock !!

Sincerely,
Cheryl Kopf
930 Rosedale Ave
#45
Capitola, ca
95010
(831)334-0505

Moss, Julia

From: Diane Kinley <kinley.diane@yahoo.com>
Sent: Wednesday, May 24, 2023 5:00 PM
To: City Council
Subject: Fwd: Rent Control in Capitola!

Follow Up Flag: Follow up
Flag Status: Flagged

[citycouncil@](#)

Dear Capitola Council Members,

My name is Diane Kinley and I am a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Diane Kinley

Moss, Julia

From: Benjamin Washington <bWASHINGTON1016@gmail.com>
Sent: Wednesday, May 24, 2023 5:50 PM
To: City Council
Subject: Emergency Rent Ordinance Vote

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola City Council Members,

My name is Benjamin Washington, and I am a voter in Santa Cruz county who is worried about the potential plans that the council has for its renters in Capitola City. In my humble opinion, it is unfair to increase rent so dramatically to make living almost impossible. I plead for the council to vote Yes on the emergency rent ordinance that would provide support to the elderly, children, and future generations. Please do the right thing.

Sincerely,

Benjamin Washington

Moss, Julia

From: Julia Elman <jelman22@gmail.com>
Sent: Wednesday, May 24, 2023 6:12 PM
To: City Council
Subject: Mobile home park rent cap

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola City Council,

I am writing to voice my support in a vote to keep a rent cap on mobile home park space fees. I feel this is very important so people are able to afford to stay in their homes.

Sincerely,

Julia Elman

Moss, Julia

From: Andrew Purchin <andrew@andrewpurchin.com>
Sent: Wednesday, May 24, 2023 6:31 PM
To: City Council
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Andrew Purchin and I am a resident of Santa Cruz County and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Andrew Purchin
831 345-5044

Moss, Julia

From: Randolph Rubalcava <gidgetkoda@att.net>
Sent: Wednesday, May 24, 2023 8:43 PM
To: City Council
Subject: MOBILE HOME RENT CAPS

Follow Up Flag: Follow up
Flag Status: Flagged

I'm a voter living in Cabrillo Mobile Estates, I'm a senior citizen working full time to supplement my fixed incomemany of my neighbors are working 2 to 3 jobs to pay a mortgage and rent how much are we expected to give greed breeds homeless..... please vote yes on mobile home rent caps.

Sent from my iPhone

Moss, Julia

From: Stephanie Greer <sjgreer06@gmail.com>
Sent: Wednesday, May 24, 2023 9:47 PM
To: City Council
Subject: PLEASE VOTE YES on Urgency Ordinance 1059 and Ordinance 1060 re: Mobile Home Park Rent Stabilization

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

I am a resident of Santa Cruz County/Capitola and a concerned neighbor of the residents of the Cabrillo Mobile Home Estates at 930 Rosedale Avenue in your city of Capitola. I am emailing you to urge your support of Urgency Ordinance 1059 and Ordinance 1060 to help establish rent stabilization for mobile home parks in Capitola, On May 25th and June 8th, please protect Cabrillo Mobile Home Estates residents from greater than 50% rent increases by voting “Yes” and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a county that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Thank you for your time and consideration.

Sincerely,

Stephanie J. Greer

5/24/23

Moss, Julia

From: Susan Mahan <stmahan181@gmail.com>
Sent: Wednesday, May 24, 2023 10:13 PM
To: City Council
Subject: Support for Urgency Ords.1059 & 1060

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council,

Rent stabilization is a big part
in not increasing homelessness.
I'm just an ordinary and long term
county resident but am very con-
cerned about mobile home cost
increases. The landlords deserve
to make a living but that needs
to be regulated.

Thank You,

Susan T Mahan
181 Rainbow Lane
Watsonville, CA 95076



Capitola City Council

citycouncil@ci.capitola.ca.us

Dear Capitola Council Members,

I am a resident of Santa Cruz County/Capitola and a concerned neighbor of the residents of the Cabrillo Mobile Home Estates at [930 Rosedale Avenue](#) in your city of Capitola. I am emailing you to urge your support of Urgency Ordinance 1059 and Ordinance 1060 to help establish rent stabilization for mobile home parks in Capitola, On May 25th and June 8th, please protect Cabrillo Mobile Home Estates residents from greater than 50% rent increases by voting “Yes” and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a county that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to

Moss, Julia

From: Craig Wilson <crwilson1225@icloud.com>
Sent: Thursday, May 25, 2023 6:05 AM
To: City Council
Subject: Mobile Home Rent Stabilization

Follow Up Flag: Follow up
Flag Status: Flagged

> Dear Council Members:

> I am writing to ask each of you for your support of the Mobile Home Rent Stabilization ordinance proposal scheduled on the May 25th council agenda.

>

> My good friend and primo, along with his dear wife and children, have lived at Cabrillo Estates for many years. He is a career public school teacher working for a local school district and is nearing retirement. He could have taught anywhere in the state but he chose to teach and remain in Santa Cruz County. If, however, the rent is raised significantly, he will have to consider moving out of county, another vital member of our community lost to the housing crisis.

>

> Nearly everyone is frustrated by this crisis and there are no easy answers. Fortunately, you are in position to do something to help many of your constituents. Please vote to approve the Mobile Home Rent Stabilization ordinance.

>

> Thank you for your consideration.

>

> Craig R. Wilson

>

> 175 NW Brent Court

> Roseburg OR 97471

>

> (831) 515-6017

Moss, Julia

From: Tom Harris <tomh7734@gmail.com>
Sent: Thursday, May 25, 2023 10:19 AM
To: City Council
Subject: PASS the Capitola Rent Control Ordinance

Please PASS the Capitola Rent Control Ordinance. Without rent controls, many families will become homeless.

Moss, Julia

From: Erica <erica.schafer@comcast.net>
Sent: Thursday, May 25, 2023 11:14 AM
To: City Council
Subject: Mobile home park rent control

Dear Councilmember,

I'm sorry that this email didn't get to you sooner.

I would like to strongly voice my opinion regarding the changing of the policy on rent control in mobile home parks, specifically in Capitola. Please don't allow rents in mobile home parks to increase. There are so few affordable housing options in this area and mobile home parks are one of the few places that are somewhat affordable. Many people purchase mobile homes for this very reason. They planned their lives around what they could afford for housing and a mobile home was their best option. Large changes in rents in the parks greatly, negatively affects them. In all fairness, I can see the point of view of the mobile home park owners, but there has to be a balance in the equation.

With all of the outcry for more affordable housing in this area, please do your part to preserve what little affordable housing we already have and provide some sort of rent control on mobile home parks.

Thank you,
Erica Schafer

3243 Sylvaner Cir
Santa Cruz CA 95062
831-535-2006c
erica.schafer@comcast.net

Moss, Julia

From: Ringler <sring@cruzio.com>
Sent: Thursday, May 25, 2023 11:39 AM
To: Moss, Julia
Subject: Please add to council communications

Dear Julia, Please add my comment to the city council communications regarding a mobile home rent control ordinance.

As I'm sure you know, mobile home parks are about the only places that low and moderate income people can afford in our area. Please allow these people to continue to live and work in our area by enacting some protection by controlling the amount their rent can be raised. Especially seniors and disabled people who would find it very difficult to move. Also low wage paying businesses who are already suffering from lack of workers would suffer even more. Thanks for listening,
Sarah Ringler

Moss, Julia

From: Stacey Falls <staceyffalls@yahoo.com>
Sent: Thursday, May 25, 2023 1:03 PM
To: City Council
Subject: Please vote "yes" on Mobile Home Emergency Rent Control Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

My name is Stacey Falls, and I am a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance.

I wish to live in a community that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Affordable housing is the top issue in our county, and the best way to keep our county affordable is to allow people to stay in their homes, at a rate that they agreed to and budgeted for. While all of us can count on increases in overall cost of living, no one budgets for a 56% increase in rents. That kind of rate hike takes housing that was once affordable to the people who moved in and signed a lease and makes it unsustainable.

Santa Cruz needs middle class and working folks, and the instability created by such extreme rate hikes undermines our community. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Stacey Falls
Santa Cruz, 95060

Moss, Julia

From: Lynn Gainey <lgainey921@gmail.com>
Sent: Thursday, May 25, 2023 1:04 PM
To: City Council
Subject: Rent Stabilization for Mobile Home Parks in Capitola

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola Council Members,

I am a resident of Santa Cruz County/Capitola and a concerned neighbor of the residents of the Cabrillo Mobile Home Estates at 930 Rosedale Avenue in your city of Capitola. I am emailing you to urge your support of Urgency Ordinance 1059 and Ordinance 1060 to help establish rent stabilization for mobile home parks in Capitola. On May 25th and June 8th, please protect Cabrillo Mobile Home Estates residents from greater than 50% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a county that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Thank you for your time and consideration,
Lynn M Gainey (Seacliff Park)

Moss, Julia

From: Mark Alpert <malpert@beamlaw.net>
Sent: Thursday, May 25, 2023 2:07 PM
To: City Council
Cc: Goldstein, Jamie (jgoldstein@ci.capitola.ca.us); Randy Reed
Subject: [PDF] Proposed Rent Control Ordinance
Attachments: city council capitola may 25 .pdf

Enclosed is a letter regarding a matter on the agenda for tonight's hearing.

Please confirm receipt.

Thanks

Mark Alpert
Of Counsel
Law Offices of Gregory Beam & Assoc.
Cell: (714) 299-6081
Email: MAlpert@beamlaw.net

Law Offices of
Gregory Beam & Associates, Inc.
25201 Paseo De Alicia, Ste 105
Laguna Hills, California 92653
(949) 598-5800
Facsimile: (949) 598-5815

May 25, 2023

Via Email

citycouncil@ci.capitola.ca.us

City Council
City of Capitola
420 Capitola Ave
Capitola, CA 95010

Re: Proposed Re-Adoption of Rent Control

Dear Council Members,

I represent the owner of Surf and Sand mobile home park. We learned just today that the City is considering the adoption of an "urgency ordinance" imposing mobile home space rent control in the City of Capitola at tonight's City Council meeting. I find it very concerning that the City did not reach out to my client before taking this step, considering it is only one of two park owners impacted by the proposed ordinance.

Roughly 12 years ago, the City entered into a settlement agreement with my client that resulted in the end of mobile home rent control, ending litigation on the eve of trial, after both sides had spent hundreds of thousands of dollars in litigation. Despite that history, the City seems poised to undo and potentially breach that hard fought settlement and risk the restarting of litigation by adopting an ordinance that would undo the fundamental benefit that Surf and Sand obtained for its part of the settlement.

Surf and Sand offered extremely favorable long term leases to low income residents within the park, essentially guaranteeing these residents would enjoy the benefit of space rents far below fair market rents for the rest of their lives. The bargained for benefit to Surf and Sand for this agreement was that it could charge fair market rents when those tenancies ended. I understand Cabrillo Mobile Home Park (who I do not represent) likewise offered favorable long term leases to tenants, which the promise that these spaces could be raised to fair market space rents when the leases ended.

///
///

GREGORY BEAM & ASSOCIATES, INC.

City of Capitola

May 25, 2023

Page 2

Surf and Sand has lived up to its end of the agreement (as has Cabrillo, apparently), but now the City wishes to renege on its part of the bargain, the agreement that these spaces could be raised to fair market on termination of the leases. This is fundamentally unfair in addition to being inconsistent with the settlement agreement between Surf and Sand and the City.

Setting aside the settlement, it is unclear why the City would want to abandon such a hard fought resolution and risk again becoming embroiled in costly litigation in order to "save" a very small group of park residents from exactly what was bargained for in the first place. Why place the City's finances at risk for this small group of residents?

I noticed the staff report does not discuss whether the space rents proposed in Cabrillo would exceed fair market rents if the noticed rent increases come into effect. I believe fair market rents substantially exceed \$1,000 a month. It is crucial that you understand whether the proposed space rents in Cabrillo exceed fair market rents because the park owner is entitled to base year space rents that reflect fair market. and *Vega v. City of West Hollywood* (1990) 223 Cal.App.3d 1342, 1349.

If space rents are frozen below fair market rents by the adoption of rent control, the park owner is Constitutionally entitled to a "base year adjustment" increasing those space rents. In other words, regardless of what is stated in the Ordinance, a base year adjustment to market is required as a constitutional constraint regarding the proper application of rent control. *Birkenfeld v. City of Berkeley* (1976) 17 Cal.3d 129, 165, *Concord Communities v. City of Concord* (2001) 91 Cal.App.4th 1407, 1419, and *Vega, supra*, 223 Cal.App.3d at 1349.

In other words, the net result of the adoption of rent control very likely could be higher rents in addition to forcing the City through a costly and burdensome administrative process and/or litigation.

It is also important to understand that Surf and Sand has recorded a subdivision map. The adoption of rent control very likely could lead to the current owner or a future owner choosing to subdivide the park and sell individual lots, resulting in the permanent loss of the rental property.

For all the foregoing reasons, I would respectfully suggest that the City's interests would be better served by focusing on ways in which it could meet the needs of this relatively small group of park owners. The City should not rush to adopt rent control without exploring whether other possible resolutions. On behalf of my client, I am available to work with the City towards a resolution that serves all parties' interests.

///

GREGORY BEAM & ASSOCIATES, INC.

City of Capitola
May 25, 2023
Page 3

Thank you for your consideration.

Dated: May 25, 2023

Gregory Beam and Associates, Inc.

By: 

Mark D. Alpert

Cc: City Manager via email (jgoldstein@ci.capitola.ca.us)
Randy Reed via email

Moss, Julia

From: Iwalani Faulkner <equitytransitsantacruz@gmail.com>
Sent: Thursday, May 25, 2023 2:26 PM
To: City Council; alexander.dean.pedersen@gmail.com; Clarke, Joe; Brooks, Yvette; Kristen Brown; Keiser, Marguax
Subject: [PDF] RE: Urgent Rent Stabilization, Please vote "yes" on Mobile Home Emergency Rent Control Ordinance
Attachments: 2023-05-25_UrgentCapitolaRentStabilization_.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

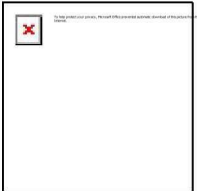
Dear Capitola City Council Members,

Please find attached my letter in support of mobile home park rent stabilization. Thank you for your consideration.

--

Best regards,

Lani Faulkner, Director
Equity Transit - Tránsito de Equidad
www.EquityTransit.org
831-278-1007
1840 41st Ave Ste 102 #227
Capitola, CA 96010





1840 41st Ave, Ste 102, #227
Capitola, CA 95010
831-278-1007

Capitola City Council Members
420 Capitola Ave
Capitola, CA 95010

RE: Urgent Rent Stabilization, Please vote “yes” on Mobile Home Emergency Rent Control Ordinance

Dear Honorable Capitola Council Members:

Thank you for your work on behalf of our Capitola community members.

Our county is one of the most expensive places to rent or buy in the nation. The very people that serve this community, our teachers, bus drivers, restaurant workers, county employees, etc. have increasingly been forced to relocate and live in cities outside of this county as they have been unable to compete with the market pressures that have driven up housing prices afforded by high income tech workers and tech entrepreneurs. This has resulted in a work force that has increasingly been forced to move out of the community they serve and now battle hours of traffic each day as they commute to and from cities like Hollister, Salinas, Los Baños, and beyond, which means that our essential workers have little time with their families, sharing simple things like dinner together or attend their kids’ games. Our entire community is suffering because we are unable to find employees and contractors available for hire for countless key local jobs, because the cost of housing is out of line with the median income.

Mobile home parks have been the last neighborhoods that allow for affordable living options for many on a fixed income. For our seniors on a fixed income, choosing to live in a mobile home neighborhood allows them connection with likeminded community members. Increasing rents well beyond what is reasonable, ethical, and in line with normal cost of living increases reflects a complete disconnect and disregard of the reality these residents are facing and is reflective of a profit at the expense of people mindset that undermines the strength of our communities. Diversity is a critical aspect of a strong thriving community.

A lack of affordable housing that enables our workforce to live in the community they serve means they have little time to pursue life beyond work and sitting in a car traveling to and from work. Many of our senior community members contribute countless hours giving back to our community through service. They may have downsized from larger homes in our community, but seek to remain here beyond retirement, and our mobile home parks allow a greater diversity of residents in our community.

Thank you for your consideration. We hope you will take urgent action in providing rent stabilization on behalf of our local mobile home park residents.

Sincerely,

Lani Faulkner, Director

Moss, Julia

From: PEGGY HUNTER <p.hunter@comcast.net>
Sent: Thursday, May 25, 2023 3:42 PM
To: City Council; PEGGY HUNTER
Subject: rent control in Capitola

My name is **Peggy Hunter** and I am a resident of Soquel and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home emergency rent control ordinance. On May 25th, please protect Cabrillo Mobile Home Estates residents from the 56% rent increases by voting "Yes" and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County. I wish to live in a city that welcomes residents of all ages and income levels and has reasonable rents that make this possible. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,

Peggy Hunter

Capitola City Council

Agenda Report

Meeting: May 25, 2023

From: City Manager Department

Subject: Consider and Approve 5/11/2023 & 5/18/2023 City Council Meeting Minutes



Recommended Action: Approve minutes from the regular meeting on May 11, 2023 and the special meeting on May 18, 2023.

Background: Attached for Council review and approval are the draft minutes from the regular City Council meeting on May 11, 2023, and special meeting on May 18, 2023.

Attachments:

1. 5/11/2023 Regular Minutes
2. 5/18/2023 Special Minutes

Report Prepared By: Julia Moss, City Clerk

Approved By: Jamie Goldstein, City Manager

City of Capitola

City Council Meeting Minutes

Thursday, May 11, 2023 – 6:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Mayor: Margaux Keiser
Vice Mayor: Kristen Brown
Council Members: Yvette Brooks, Joe Clarke, Alexander Pedersen

Closed Session – 5 PM

- i. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (§ 54957(b))
City Council's Performance Evaluation of the City Manager

Regular Meeting of the Capitola City Council – 6 PM

1. Roll Call and Pledge of Allegiance

The Regular Meeting was called to order at 6:00 PM. In attendance: Council Members Clarke, Pedersen, Brown, and Mayor Keiser.

2. Additions and Deletions to the Agenda – None

3. Report on Closed Session – *The City Council met and discussed one item on the Closed Session Agenda and took no reportable action.*

4. Additional Materials

- A. Item 7A - Updated 5/3/2023 Minutes

5. Oral Communications by Members of the Public

- Susan Gibbs Bennett, resident, spoke about cliff erosion on Grand Avenue.
- Goran Klepsik, Santa Cruz County resident, commended the Capitola Police Department for their response to a recent call for service.
- John Haken, resident, spoke about the Cabrillo Mobile Estates Park rent increase.

6. Staff / City Council Comments

- Recreation Division Manager Bryant LeBlond spoke about seasonal Recreation Division vacancies.
- Community Development Director Herlihy provided an update on the draft Housing Element Update.

7. Consent Items

- A. Consider and Approve 4/27/2023 & 5/3/2023 City Council Meeting Minutes
- B. Lifeguard Service Policy & Procedures
Recommended Action: Authorize staff to submit the Capitola Seasonal Lifeguard Policy and Procedure Manual as a part of the City's application for USLA Open Water Lifeguard Agency Certification.
- C. Administrative Policy III-1: Investment Policy

Recommended Action: Approve the City's Investment Policy, as recommended by the Finance Advisory Committee.

D. Annual Military Equipment Use Report

Recommended Action: Adopt a resolution renewing Chapter 2.60 of the Capitola Municipal Code, Capitola Military Equipment Use Policy 709, and finding that the annual Military Equipment Report complies with the standards of approval outlined in Government Code Section 7071(d).

Motion to approve the Consent Calendar: Vice Mayor Brown

Seconded: Council Member Clarke

Voting Yea: Council Members Clarke, Pedersen, Brown, and Mayor Keiser

Absent: Council Member Brooks

8. General Government / Public Hearings

A. Capitola Wharf Resiliency and Public Access Improvement Project

Recommended Action: 1) Approve the plans, specifications, and estimate for construction for the Capitola Wharf Resiliency and Public Access Improvement Project, Phase 2, and authorize Public Works staff to advertise for construction bids; and 2) authorize Amendment 3 to the Professional Services Agreement with Moffatt & Nichol in the amount of \$133,000 for concept design and engineering for the Wharf Rehabilitation Project, Phase 2.

Public Works Director Kahn and Public Works Project Manager Kailash Mozumder presented the staff report.

Public Comments:

- **Greg Tidasco, resident, spoke about the initial construction of the wharf and recommended buttressing the head of the wharf.**
- **Willie, business owner, thanked staff for their efforts and expressed his excitement for the project.**
- **Steven Woodside, resident, spoke about the magnitude of the wave force on the Wharf and commended Capitola staff.**

Motion to approve the plans, specifications, and estimate for construction; authorize staff to advertise for bids; and approve Amendment 3 to the Agreement with Moffatt & Nichol: Vice Mayor Brown

Seconded: Council Member Pedersen

Voting Yea: Council Members Clarke, Pedersen, Brown, and Mayor Keiser

Absent: Council Member Brooks

B. 930 Rosedale Avenue Cabrillo Mobile Home Park Update

Recommended Action: Receive staff presentation.

Community Development Director Herlihy presented the staff report.

Public Comments:

- **John Haken, resident, thanked staff for their efforts and spoke in favor of rent control.**
- **Charlotte, resident, spoke against the rent increase at Cabrillo Mobile Estates Park.**
- **Douglas Castle, resident, spoke in favor of the City enacting rent control.**
- **Dave Denice, resident, spoke in favor of government intervention in the case of the Cabrillo Mobile Estates Park rent increase.**
- **Santa Cruz County resident spoke in favor of affordable housing.**
- **Ginger, resident, thanked staff for their efforts and spoke in favor of rent control.**

- **Kayla, resident, spoke in favor of rent control.**
- **Laura Tucker, resident, thanked the City Council and staff for their efforts.**
- **Connor, community member, spoke in support of the Cabrillo Mobile Estates Park residents.**

Council Member comments included an overview of the City's history with rent control, the potential implications of the adoption of a new rent control ordinance, and the involvement of a third-party mediator.

Vice Mayor Brown requested that the City Attorney draft and present an urgency ordinance enacting mobile home park space rent control (10% increase or 5% + CPI, whichever is less) at the May 25th City Council meeting. Council Member Pedersen and Mayor Keiser expressed support for this direction.

C. City Hall Needs Assessment and Alternatives Analysis

Recommended Action: Authorize staff to issue a Request for Proposals for a City Hall Needs Assessment and Alternatives Analysis Report.

Community Development Director Herlihy presented the staff report.

Public Comments:

- **Dave Fox, resident, spoke against the hiring of a consultant for this project.**

Council Member comments included a discussion of the 2010 study.

Motion to authorize staff to issue an RFP: Council Member Pedersen

Seconded: Council Member Clarke

Voting Yea: Council Members Clarke, Pedersen, Brown, and Mayor Keiser

Absent: Council Member Brooks

9. Adjournment – Adjourned at 7:43 PM to a Special Meeting on May 18, 2023, at 6:00 PM.

City of Capitola

Special City Council Meeting Minutes

Thursday, May 18, 2023 – 6:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Mayor: Margaux Keiser

Vice Mayor: Kristen Brown

Council Members: Yvette Brooks, Joe Clarke, Alexander Pedersen

Closed Session – 5:30 PM

- A. CONFERENCE WITH LABOR NEGOTIATORS (Gov't Code § 54957.6)
Negotiator: Chloe Woodmansee, Assistant to the City Manager
Employee Organizations: Mid-Management Employees

Special Meeting of the Capitola City Council – 6 PM

1. Roll Call and Pledge of Allegiance

The meeting was called to order at 6:00 PM. In attendance: Council Members Brooks, Clarke, Pedersen, Brown, and Mayor Keiser.

2. Additions and Deletions to the Agenda – None

3. Additional Materials – None

4. Oral Communications by Members of the Public

5. Staff / City Council Comments

- Police Chief Dally provided a special event update.
- Public Works Director Kahn provided an update on the beach sand and creek closure.
- Community Development Director Herlihy provided a reminder about the availability of the draft Housing Element Update.
- The City Manager provided a Closed Session Report. The City Council met and discussed one item on the Closed Session Agenda and took no reportable action.

6. General Government / Public Hearings

- A. Presentation of the Proposed Fiscal Year 2023-24 Budget for the City of Capitola
Recommended Action: Receive the proposed budget, provide staff direction, and either: 1) Continue budget deliberations to the next scheduled joint budget hearing on June 1, 2023; or 2) Direct staff to prepare the documents for final budget adoption at a regular meeting in June and cancel future planned budget hearings.

City Manager Goldstein and Finance Director Malberg presented the staff report.

Public Comment:

- ***Marilyn Garrett, resident, spoke about the dangers of radiation on children.***
- ***Peter Wilk, resident, spoke against CIP funding for a roundabout.***
- ***John Mulry, resident, spoke in favor of CIP funding for a roundabout.***

Council Member commentary included direction to allocate \$23,000 of ECYP funding to Recreation youth programming, allocate \$18,000 from the General Fund Balance for the Equity Swim Program, and allocate \$160,000 from the undesignated General Fund Balance to CIP projects.

The City Council directed staff to prepare the budget for adoption and cancel future budget hearings.

- 7. Adjournment** – Adjourned at 6:53 PM to the next regularly scheduled meeting on May 25, 2023.

Capitola City Council

Agenda Report

Meeting: May 25, 2023

From: Finance Department

Subject: Approval of City Check Registers Dated April 28, 2023, and May 12, 2023



Recommended Action: Approve check registers.

Account: City Main				
Date	Starting Check #	Ending Check #	Payment Count	Amount
4/28/2023	103184	103282	105	\$ 386,114.48
5/12/2023	103283	103371	95	\$ 488,106.43

The main account check register dated April 14, 2023, ended with check #103183.

Account: Payroll				
Date	Starting Check/EFT #	Ending Check/EFT #	Payment Count	Amount
4/28/2023	21843	21951	109	\$ 185,433.46
5/12/2023	21952	22064	113	\$ 186,038.54

The payroll account check register dated April 14, 2023, ended with EFT #21842.

Following is a list of payments issued for more than \$10,000 and descriptions of the expenditures:

Check/EFT	Issued to	Dept	Description	Amount
103198	Burke Williams and Sorensen	CM	March legal services	\$ 43,273.48
103201	Carin Hanna	Fin	BIA reimbursement	\$ 10,168.17
103212	Folsom Lake Ford	PD	2023 Mach-E	\$ 51,597.02
103235	Moffatt and Nichol	PW	Wharf design services March	\$ 12,321.25
103239	PG&E	PW	April utilities	\$ 13,822.92
103271	VMI Inc	CM	Council chambers audio upgrade	\$ 14,776.98
1513	CalPERS Member Services Division	CM	PERS contributions PPE 4/15/23	\$ 55,994.06
1515	Internal Revenue Service	CM	Federal taxes & Medicare PPE 4/15/23	\$ 33,794.95
103284	Santa Cruz Toyota	Rec	2022 Sienna	\$ 52,463.20
103293	Boone Low Ratliff Architects	PW	Community Center renovation design services April	\$ 14,735.20
103295	Ca Department of Transportation	PW	October – March signals and lighting	\$17,757.81

103306	Community Bridges	CDD	Jan – Mar CDBG CV2-3 Meals on Wheels	\$ 19,376.26
103332	Long Beach BMW Mortorcycles	PD	2023 BMW R1250RT-P MC	\$ 35,908.43
103348	RRM Design Group	CDD	Capitola Housing Element Feb & Mar services	\$ 20,835.63
103355	Soquel Creek Water District	PW	April water service	\$ 10,022.49
103368	Verde Design Inc	PW	Community outreach & conceptual review reimbursables Mar – Apr	\$ 28,972.00
1512	CalPERS Health Insurance	CM	May health insurance	\$ 64,303.43
1519	CalPERS Member Services Division	CM	PERS contributions PPE 4/29/23	\$ 56,174.09
1521	Internal Revenue Service	CM	Federal taxes & Medicare PPE 4/29/23	\$ 33,907.62

Attachments:

1. 4-28-23 Check Register
2. 5-12-23 Check Register

Report Prepared By: Leda Laidlaw-Hunter, Accountant I

Reviewed By: Julia Moss, City Clerk and Jim Malberg, Finance Director

Approved By: Jamie Goldstein, City Manager

City main account checks dated April 28, 2023, numbered 103184 to 103282 totaling \$277,593.34, 6 EFTs totaling \$108,521.14, and 109 payroll EFTs totaling \$185,433.46, for a grand total of \$571,547.94, have been reviewed and authorized for distribution by the City Manager.

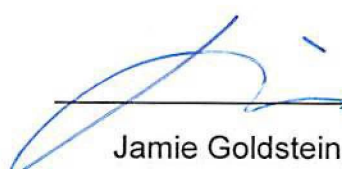
As of April 28, 2023, the unaudited cash balance is \$7,573,288.31.

CASH POSITION - CITY OF CAPITOLA
April 28, 2023

	4/28/2023
General Fund	\$ (1,538,273.99)
Payroll Payables	\$ 70,249.48
Contingency Reserve Fund	\$ 2,126,845.66
Facilities Reserve Fund	\$ 432,714.09
Capital Improvement Fund	\$ 4,775,215.20
Stores Fund	\$ 65,444.34
Information Technology Fund	\$ 304,979.07
Equipment Replacement	\$ 983,489.82
Self-Insurance Liability Fund	\$ 122,437.54
Workers' Comp. Ins. Fund	\$ 9,301.04
Compensated Absences Fund	\$ 220,886.06
TOTAL UNASSIGNED GENERAL FUNDS	\$ 7,573,288.31

The Emergency Reserve Fund balance is \$1,387,855.54 (not included above).

The PERS Contingency Fund balance is \$1,154,274.68 (not included above).



Jamie Goldstein, City Manager

4/28/23

Date



Jim Malberg, City Treasurer

4/28/23

Date

City Checks Issued April 28, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103184	04/28/2023			ADRIENNE HARRELL	\$779.90
	Invoice	Date	Description		Amount
	AH041623	04/16/2023	Instructor payment		\$779.90
103185	04/28/2023			AFLAC	\$1,646.36
	Invoice	Date	Description		Amount
	526239	04/25/2023	April supplemental insurance 1001 - Payroll Payables		\$1,646.36
103186	04/28/2023			ALEX FERBER	\$300.00
	Invoice	Date	Description		Amount
	AF042323	04/23/2023	Instructor payment		\$300.00
103187	04/28/2023			AMAZON CAPITAL SERVICES	\$1,346.39
	Invoice	Date	Description		Amount
	1WC9-D1WF-1Q6R	04/12/2023	Anti Fatigue Mats, Notebooks and Bifold License Holder		\$217.50
	1N9Y-9F66-6YPD	04/14/2023	UPS battery backup surge protector		\$103.54
	191F-1LG3-4XK1	04/18/2023	Cord organizer		\$28.80
	1JJH-KFY6-9KJX	04/21/2023	Flash drive (3)		\$28.02
	1NXL-YWFF-J7Y4	04/16/2023	clipboards, cardstock, pens, binders, mouse pad, paper, st notes		\$340.34
	1GL1-RQ79-1WPJ	04/11/2023	Rugged liner/truck bed liner		\$461.93
	1KHD-7LXG-M96M	04/24/2023	Ice packs		\$35.15
	1JJH-KFY6-HXW9	04/23/2023	Dry Erase Surface Cleaner and Batteries		\$35.82
	19XK-QQGW-KYFY	03/17/2023	High-visibility jacket		\$95.29
			1000 - General Fund	\$1,214.83	
			2211 - ISF - Information Tech	\$ 131.56	
103188	04/28/2023			AT&T/CALNET 3	\$1,163.59
	Invoice	Date	Description		Amount
	000019802408	04/13/2023	April T-1 access		\$1,163.59
103189	04/28/2023			AT&T/CALNET 3	\$232.67
	Invoice	Date	Description		Amount
	000019801740	04/13/2023	April telephone service		\$232.67
			1000 - General Fund	\$177.27	
			2211 - ISF - Information Tech	\$ 55.40	
103190	04/28/2023			BAY PHOTO LAB	\$63.86
	Invoice	Date	Description		Amount
	19562150	04/19/2023	Museum prints		\$15.49
	19470143	03/07/2023	Museum prints		\$48.37
103191	04/28/2023			BAYSIDE OIL II INC.	\$315.01
	Invoice	Date	Description		Amount
	49702	04/07/2023	Solvent bulk, empty pail		\$315.01
103192	04/28/2023			BEAR ELECTRICAL SOLUTIONS INC.	\$1,054.73
	Invoice	Date	Description		Amount
	18621	03/28/2023	March traffic signal maintenance services - response		\$407.93
	18569	03/28/2023	March traffic signal maintenance services - routine		\$646.80
			1310 - Gas Tax		
103193	04/28/2023			BENEFIT COORDINATORS CORP.	\$5,279.60
	Invoice	Date	Description		Amount
	B08DBL	04/01/2023	April dental & vision insurance		\$5,279.60
			1001 - Payroll Payables		

City Checks Issued April 28, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103194	04/28/2023				
	Invoice	Date	Description		Amount
	INV497945	04/12/2023	Dog waste bags	BIOBAG AMERICAS INC.	\$2,740.00
103195	04/28/2023			Black & Associates	\$850.00
	Invoice	Date	Description		Amount
	391-001-1	04/10/2023	Frequency Coordination and New FRN Registration		\$850.00
			1300 - SLESF - Supl Law Enfc		
103196	04/28/2023			BOONE LOW RATLIFF ARCHITECTS INC	\$8,492.60
	Invoice	Date	Description		Amount
	3760	04/13/2023	March design services		\$8,492.60
			1200 - Capital Improvement Fund		
103197	04/28/2023			BRENNAN HOWARD	\$129.02
	Invoice	Date	Description		Amount
	BH041123	04/11/2023	CSLSA Meeting expenses reimbursement		\$129.02
103198	04/28/2023			BURKE WILLIAMS AND SORENSEN LLP	\$43,273.48
	Invoice	Date	Description		Amount
	299967	04/20/2023	March litigation		\$8,343.50
	299966	04/20/2023	March Capitola Mall project legal services		\$753.00
	299964	04/20/2023	March labor and employment legal services		\$434.50
	299965	04/20/2023	March city attorney services		\$24,755.48
	299973	04/20/2023	March BHR lawsuit		\$236.00
	299972	04/20/2023	March 4401 Capitola Rd legal services		\$1,656.00
	299971	04/20/2023	March labor negotiations		\$2,478.00
	299970	04/20/2023	March public works legal services		\$1,026.00
	299969	04/20/2023	March police legal services		\$351.00
	299968	04/20/2023	March planning legal services		\$3,240.00
103199	04/28/2023			CAPITOLA PEACE OFFICERS ASSOCIATION	\$990.50
	Invoice	Date	Description		Amount
	POA042123	04/21/2023	POA & Gym Dues PPE 04/15/23		\$990.50
			1001 - Payroll Payables		
103200	04/28/2023			CAPITOLA POLICE DEPARTMENT	\$18.00
	Invoice	Date	Description		Amount
	2023-00000012	04/13/2023	Event parking pass		\$18.00
			1321 - BIA - Capitola Village-Wharf BIA		
103201	04/28/2023			CARIN HANNA	\$10,168.17
	Invoice	Date	Description		Amount
	CH032823	03/28/2023	BIA website, mailchimp, storage, supplies, permit		\$2,768.17
	CH041623	04/16/2023	May Sip & Stroll \$20 gift certificates		\$7,400.00
			1321 - BIA - Capitola Village-Wharf BIA		
103202	04/28/2023			COMMUNITY PRINTERS	\$1,737.44
	Invoice	Date	Description		Amount
	33969011	03/15/2023	Spring 2023 newsletter		\$1,737.44
103203	04/28/2023			COMMUNITY TELEVISION OF SANTA CRUZ C	\$2,398.00
	Invoice	Date	Description		Amount
	3250	04/18/2023	March televised meetings		\$2,398.00
103204	04/28/2023			COOPER SANDEN	\$176.96
	Invoice	Date	Description		Amount
	CS041923	04/19/2023	Work boots		\$176.96

City Checks Issued April 28, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103205	04/28/2023			CYNTHIA KASKEY	\$2,080.00
	Invoice	Date	Description		Amount
	CK042323	04/23/2023	Instructor payment		\$2,080.00
103206	04/28/2023			ENVIRONMENTAL INNOVATIONS INC.	\$1,227.69
	Invoice	Date	Description		Amount
	2033	04/03/2023	CalRecycle reporting March activity		\$1,227.69
103207	04/28/2023			EQUITABLE	\$2,414.54
	Invoice	Date	Description		Amount
	1406164	04/21/2023	April LTD, STD, AD&D, Life Insurance 1001 - Payroll Payables		\$2,414.54
103208	04/28/2023			EWING IRRIGATION	\$755.20
	Invoice	Date	Description		Amount
	19122208	04/17/2023	Shovels, leaf rake		\$117.09
	19122117	04/17/2023	Paint, wire cutter, rotor sprinkler, pvc red bushing txt		\$638.11
103209	04/28/2023			FedEx Freight	\$166.00
	Invoice	Date	Description		Amount
	1252022	03/27/2023	Street sweeper freight fee 1310 - Gas Tax		\$166.00
103210	04/28/2023			FERGUSON ENTERPRISES LLC #795	\$152.88
	Invoice	Date	Description		Amount
	0526530	04/06/2023	Assembly for toilet flush valve, hacksaw		\$152.88
103211	04/28/2023			FLYERS ENERGY LLC	\$6,093.03
	Invoice	Date	Description		Amount
	23-802078	04/14/2023	150 gallons diesel		\$703.08
	23-808649	04/21/2023	850 gallons gasoline		\$3,840.28
	23-808650	04/21/2023	80 gallons diesel		\$374.46
	23-810118	04/26/2023	Bulk oil		\$1,175.21
103212	04/28/2023			FOLSOM LAKE FORD	\$51,597.02
	Invoice	Date	Description		Amount
	U230068	04/27/2023	2023 Mach-E 2212 - ISF - Equip Replacement		\$51,597.02
103213	04/28/2023			GEORGE H WILSON INC.	\$410.00
	Invoice	Date	Description		Amount
	20378259	03/01/2023	Semi-annual HVAC service		\$410.00
103214	04/28/2023			GRAINGER	\$42.79
	Invoice	Date	Description		Amount
	9668976484	04/10/2023	Urinal diaphragm assembly		\$42.79
103215	04/28/2023			GREENWASTE RECOVERY INC	\$4,827.46
	Invoice	Date	Description		Amount
	0006722659	04/01/2023	Storm haul charge, disposal charge		\$4,827.46
103216	04/28/2023			HANYA FOJACO	\$1,716.77
	Invoice	Date	Description		Amount
	HF042323	04/23/2023	Instructor payment		\$1,716.77
103217	04/28/2023			HO KUK MU SUL CORPORATION	\$104.00
	Invoice	Date	Description		Amount
	HKMSC041623	04/16/2023	Instructor payment		\$104.00

City Checks Issued April 28, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103218	04/28/2023				
	Invoice	Date	Description		Amount
	46689	04/20/2023	Smog inspections	HOLIDAY SMOG	\$60.00
103219	04/28/2023			HOME DEPOT CREDIT SERVICES	\$427.36
	Invoice	Date	Description		Amount
	2514107	04/10/2023	Super glaze gloss kit		\$119.94
	1280856	04/11/2023	Cactus, Drive gate hardware set		\$56.41
	5515084	04/17/2023	Husky wrench		\$6.51
	5615179	04/07/2023	Diablo saw blades, jam nut		\$34.11
	8514684	04/14/2023	Blow gun, friction tape, towsmart light kit, masking film		\$146.63
	3623161	04/19/2023	Lumber, auto plug, wheel cleaner, gloves, ceramic spray		\$63.76
103220	04/28/2023			HUMBOLDT PETROLEUM LLC	\$102.00
	Invoice	Date	Description		Amount
	INV-076453	04/15/2023	Carwash Closing Date 4/15/2023		\$102.00
103221	04/28/2023			INTERSTATE BATTERY SYSTEM OF SAN JOSI	\$102.69
	Invoice	Date	Description		Amount
	120127362	04/05/2023	MTP-65HD Battery		\$102.69
103222	04/28/2023			JACKIE YEUNG	\$156.43
	Invoice	Date	Description		Amount
	JY042123	04/24/2023	Out of county training reimbursement		\$156.43
103223	04/28/2023			JIM MALBERG - PETTY CASH CUSTODIAN	\$385.23
	Invoice	Date	Description		Amount
	PC042823	04/28/2023	Petty cash expenses March - April		\$385.23
103224	04/28/2023			KASSANDRA ANDERSON	\$153.67
	Invoice	Date	Description		Amount
	KA040623	04/06/2023	CPRS Conference expense reimbursement		\$153.67
103225	04/28/2023			KING'S PAINT AND PAPER INC.	\$250.19
	Invoice	Date	Description		Amount
	4RCLT-0412CJ-S	04/12/2023	Paint, brushes		\$99.31
	Q2NV7-0411CJ-S	04/11/2023	Traffic marking gel		\$64.54
	SUZNW-0403CJAM-S	04/03/2023	Graffiti paint		\$86.34
103226	04/28/2023			KUSTOM CULTURE DESIGN	\$7,136.25
	Invoice	Date	Description		Amount
	5406	04/24/2023	Jr Guards Captain Corps t-shirts - deposit		\$314.74
	5407	04/24/2023	Jr Guard participant t-shirts - deposit		\$3,661.59
	5411	04/24/2023	Camp Capitola campers t-shirts - deposit		\$2,580.58
	5414	04/25/2023	Camp staff uniform shirts - deposit		\$579.34
103227	04/28/2023			LABORMAX STAFFING	\$3,709.94
	Invoice	Date	Description		Amount
	26-294782	04/14/2023	Public works seasonal labor 4/10-4/14		\$1,337.60
	26-296366	04/21/2023	Public works seasonal labor 4/17-4/21		\$2,372.34
103228	04/28/2023			LAURA ALIOTO	\$1,740.00
	Invoice	Date	Description		Amount
	LA042323	04/23/2023	Instructor payment		\$1,740.00
103229	04/28/2023			LINDE GAS & EQUIPMENT INC.	\$2,548.00
	Invoice	Date	Description		Amount
	35393307	04/20/2023	Welding supplies		\$92.76
	35480355	04/22/2023	Acetylene rental		\$260.48
	35393306	04/20/2023	Plasma cutter		\$2,194.76

City of Capitola
City Checks Issued April 28, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103230	04/28/2023			LIUNA PENSION FUND	\$1,075.20
	Invoice	Date	Description		Amount
	FM5413	04/26/2023	April LIUNA pension dues 1001 - Payroll Payables		\$1,075.20
103231	04/28/2023			MARTHA MACAMBRIDGE	\$607.49
	Invoice	Date	Description		Amount
	1989	03/16/2023	Spring newsletter mailing		\$607.49
103232	04/28/2023			MID COUNTY AUTO SUPPLY	\$39.27
	Invoice	Date	Description		Amount
	M-2128892	04/20/2023	Carburetor float, kit		\$39.27
103233	04/28/2023			MISSION LINEN SUPPLY	\$150.12
	Invoice	Date	Description		Amount
	519087453	04/12/2023	Fleet towels, uniform cleaning		\$34.50
	519128945	04/19/2023	Fleet towels, uniform cleaning		\$34.50
	519111081	04/17/2023	Community Center mop and mat service		\$81.12
103234	04/28/2023			MISSION PRINTERS	\$66.53
	Invoice	Date	Description		Amount
	64042	04/19/2023	Business cards Westly		\$66.53
103235	04/28/2023			MOFFATT AND NICHOL	\$12,321.25
	Invoice	Date	Description		Amount
	9154-01	04/04/2023	Wharf design services 2/26 - 3/25 1200 - Capital Improvement Fund		\$12,321.25
103236	04/28/2023			O'REILLY AUTO PARTS	\$151.73
	Invoice	Date	Description		Amount
	2763-347718	04/07/2023	Fuel filter		\$61.87
	2763-349182	04/13/2023	Air filter, wiper blades		\$89.86
103237	04/28/2023			ORIGINAL WATERMEN	\$4,240.96
	Invoice	Date	Description		Amount
	S81008	04/11/2023	Lifeguard supplies		\$4,240.96
103238	04/28/2023			OUTDOOR SUPPLY HARDWARE	\$1,211.41
	Invoice	Date	Description		Amount
	H20722	04/06/2023	Lock nut, washer, screws		\$75.16
	H20677	04/06/2023	Lock nut, washer, pin kit		\$65.79
	H23478	04/11/2023	Bolts		\$47.92
	H23425	04/11/2023	Paint tray, tray set, pole, brush set, paint remover		\$77.17
	H22887	04/10/2023	Bucket, paint, roller, scissors, brush		\$175.59
	H24186	04/12/2023	Dewalt screwdriver		\$49.04
	H21236	04/07/2023	Bucket, mini brass wire, high visibility gloves, gopher traps,		\$87.53
	596252982	03/25/2023	Finance charge		\$10.00
	H24776	04/13/2023	Extension cords, clock, scouring stick		\$109.83
	H11695	03/20/2023	Rustoleum for graffiti		\$17.42
	H12848	03/23/2023	Paint roller, screwdrivers, pliers, duct tape		\$45.06
	H13342	03/24/2023	Potting soil		\$84.93
	H15420	03/27/2023	Sockets, couplings		\$42.47
	H15683	03/28/2023	Bit, trimmer line		\$29.41
	H19050	04/03/2023	Shovel, blade scraper, pruning sheers		\$65.37
	H19094	04/03/2023	Paint container, lids, rollers, tray		\$30.44
	H21277	04/07/2023	Paint brushes, washers, screws, utility knife		\$66.00
	H23539	04/11/2023	Magic eraser, sandpaper		\$15.35
	H23952	04/12/2023	Spackling, strike plate, latch, key blank		\$55.49
	H27817	04/18/2023	Screws		\$13.72
	H28340	04/19/2023	Shovel		\$32.69
	H29062	04/20/2023	Hex nut		\$15.03

City Checks Issued April 28, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103239	04/28/2023			PACIFIC GAS & ELECTRIC	\$13,822.92
	Invoice	Date	Description		Amount
	PGE041423-acct9	04/14/2023	April utilities		\$12,977.66
	PGE041423-acct5	04/14/2023	Pacific Cove parking lot utilities		\$845.26
			1000 - General Fund	\$6,504.31	
			1300 - SLESF - Supl Law Enfc	\$ 123.49	
			1310 - Gas Tax	\$6,929.67	
			1311 - Wharf	\$ 265.45	
103240	04/28/2023			PALACE BUSINESS SOLUTIONS	\$118.34
	Invoice	Date	Description		Amount
	679848-0	04/17/2023	Paper, Notebooks and Magnets		\$118.34
103241	04/28/2023			PARKOUR GENERATIONS SANTA CRUZ LLC	\$3,325.00
	Invoice	Date	Description		Amount
	DS042323	04/23/2023	Instructor payment		\$3,325.00
103242	04/28/2023			PEDRO ZAMORA	\$798.91
	Invoice	Date	Description		Amount
	PZ040723	04/24/2023	POST Supervisor School expense reimbursement		\$368.48
	PZ041423	04/24/2023	POST Supervisor School expense reimbursement		\$430.43
103243	04/28/2023			PHOENIX GROUP INFORMATION SYSTEMS	\$5,021.94
	Invoice	Date	Description		Amount
	032023070	04/20/2023	March 2023 Citation Processing		\$5,021.94
103244	04/28/2023			PRECISION POLYGRAPH	\$280.00
	Invoice	Date	Description		Amount
	CPD23-04-19	04/19/2023	PEO Candidate Polygraph		\$280.00
103245	04/28/2023			RDO EQUIPMENT CO.	\$617.01
	Invoice	Date	Description		Amount
	P6266639	04/11/2023	Switch, oil filter, oil, ship, handling, fuel filter		\$617.01
103246	04/28/2023			RENEE DEMAR	\$118.32
	Invoice	Date	Description		Amount
	RD040623	04/06/2023	HR Leaves training expense reimbursement		\$44.54
	RD111723	04/24/2023	CALPERLA training expense reimbursement		\$73.78
103247	04/28/2023			ROBERT M PATTERSON	\$50.00
	Invoice	Date	Description		Amount
	RMP040323	04/03/2023	Administrative Reviews Billing Statement 4/3/2023		\$50.00
103248	04/28/2023			ROYAL WHOLESALE ELECTRIC	\$95.05
	Invoice	Date	Description		Amount
	7719-1027201	03/28/2023	Screwdriver		\$95.05
103249	04/28/2023			SAN LORENZO LUMBER	\$100.17
	Invoice	Date	Description		Amount
	55-0798175	04/12/2023	Lumber		\$49.27
	55-0798181	04/12/2023	Screws		\$50.90
103250	04/28/2023			SANTA CRUZ AUTO PARTS INC.	\$52.00
	Invoice	Date	Description		Amount
	14508-466691	04/06/2023	Oil filter, wiper blade		\$35.20
	14508-466695	04/06/2023	Oil filter		\$16.80
103251	04/28/2023			SANTA CRUZ COUNTY ANIMAL SHELTER	\$8,049.20
	Invoice	Date	Description		Amount
	22-23-4CA	04/17/2023	Quarterly animal services contribution		\$8,049.20

City of Capitola
City Checks Issued April 28, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103252	04/28/2023			SANTA CRUZ COUNTY INFORMATION SERVICE	\$663.51
	Invoice	Date	Description		Amount
	SCISD041823	04/18/2023	March 2023 Open Query Charges		\$663.51
103253	04/28/2023			SANTA CRUZ FIRE EQUIPMENT CO.	\$373.38
	Invoice	Date	Description		Amount
	111217	04/14/2023	Semi-annual fire extinguisher service - Community Center		\$373.38
103254	04/28/2023			SANTA CRUZ MUNICIPAL UTILITIES	\$170.56
	Invoice	Date	Description		Amount
	SCMU040723	04/07/2023	March water service for medians		\$170.56
103255	04/28/2023			SANTA CRUZ ROLLER PALLADIUM	\$250.00
	Invoice	Date	Description		Amount
	SCRPO41423	04/14/2023	Private skate		\$250.00
103256	04/28/2023			SARAH RYAN	\$4,374.00
	Invoice	Date	Description		Amount
	SR041123	04/11/2023	Education reimbursement		\$4,374.00
103257	04/28/2023			SCC ENVIRONMENTAL HEALTH SVC	\$3,698.00
	Invoice	Date	Description		Amount
	IN0113217	04/14/2023	Environmental cleanup oversight - McGregor Park		\$1,650.00
	IN0113083	06/01/2023	Corp yard fuel storage permit		\$2,048.00
103258	04/28/2023			SIRCHIE	\$95.90
	Invoice	Date	Description		Amount
	0587322-IN	04/14/2023	Evidence and Property Supplies		\$95.90
103259	04/28/2023			SOQUEL CREEK WATER DISTRICT	\$8,321.99
	Invoice	Date	Description		Amount
	06-14476-0040323	04/10/2023	06-14476-00 430 Kennedy Drive water service		\$154.91
	08-15299-0040323	04/17/2023	08-15299-00 Monterey Ave. water		\$176.11
	08-15562-0040323	04/17/2023	08-15562-00 Cliff and Fairview water service		\$62.34
	09-15964-0040323	04/17/2023	09-15964-00 Monterey Ave. Esplanade water		\$1,178.77
	42-14952-0040323	04/03/2023	42-14952 Cortez Park irrigation		\$359.14
	42-15297-0040323	04/03/2023	42-15297-00 426 Capitola Ave irrigation		\$345.42
	42-15969-0040323	04/03/2023	42-15969-00 Lawn Way irrigation		\$160.40
	42-16122-0040323	04/03/2023	42-16122-00 Esplanade fountain irrigation		\$162.84
	42-10504-0040323	04/03/2023	42-10504-00 Cliff Drive irrigation		\$160.40
	42-11090-0140323	04/03/2023	42-11090-01 Capitola Road irrigation		\$345.42
	42-11467-0040323	04/03/2023	42-11467-00 Jade Street park irrigation		\$2,197.93
	42-11517-0040323	04/03/2023	42-11517-00 41st Avenue irrigation		\$345.42
	42-14404-0040323	04/03/2023	42-14404-00 Monterey Ave. Nobel Gulch Park irrigation		\$160.40
	42-16130-0040323	04/03/2023	42-16130-00 Wharf Road irrigation		\$160.40
	42-16136-0040323	04/03/2023	42-16136-00 1400 Wharf Road irrigation		\$160.40
	42-16407-0040323	04/03/2023	42-16407-00 Bay Ave. irrigation		\$160.40
	42-14431-0040323	04/03/2023	42-14431-00 Monterey Ave irrigation		\$1,710.49
	42-17688-0040323	04/03/2023	42-17688-00 Lawn Way irrigation 2		\$160.40
	42-18238-0040323	04/03/2023	42-18238-00 Capitola Road irrigation		\$160.40
			1000 - General Fund	\$8,161.59	
			1311 - Wharf	\$ 160.40	
103260	04/28/2023			STACI BUTCHER	\$215.30
	Invoice	Date	Description		Amount
	SB042023	04/20/2023	ACA Conference expense reimbursement		\$215.30
103261	04/28/2023			T MOBILE	\$194.78
	Invoice	Date	Description		Amount
	TM042123	04/21/2023	April cell phone usage - acct # 947590665		\$194.78

City of Capitola
City Checks Issued April 28, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103262	04/28/2023			TESSCO	\$215.62
	Invoice	Date	Description		Amount
	9400053295	04/11/2023	Radio System Upgrade		\$169.90
	9400053295-2	04/11/2023	Radio System Upgrade Delivery and Handling		\$45.72
			1300 - SLESF - Supl Law Enfc	\$ 45.72	
			2212 - ISF - Equip Replacement	\$169.90	
103263	04/28/2023			THE HOME DEPOT PRO	\$3,716.19
	Invoice	Date	Description		Amount
	739701415	04/11/2023	Restroom & cleaning supplies		\$1,210.30
	739831956	04/11/2023	Nitrile gloves		\$83.28
	741270540	04/20/2023	Restroom supplies, cleaning supplies		\$2,422.61
103264	04/28/2023			THE REGIONAL TRAINING CENTER	\$1,550.00
	Invoice	Date	Description		Amount
	2065	04/24/2023	512 UAS Operators Course		\$1,550.00
			1300 - SLESF - Supl Law Enfc		
103265	04/28/2023			UNISAFE INC	\$947.46
	Invoice	Date	Description		Amount
	717863	04/11/2023	Evidence Supplies - TopGrip Exam Gloves		\$947.46
103266	04/28/2023			UNITED WAY OF SANTA CRUZ COUNTY	\$20.00
	Invoice	Date	Description		Amount
	UW042123	04/21/2023	April United Way Contribution		\$20.00
			1001 - Payroll Payables		
103267	04/28/2023			UPS	\$58.87
	Invoice	Date	Description		Amount
	0000954791163	04/22/2023	Shipping Costs		\$58.87
103268	04/28/2023			US BANK PARS Acct 6746022400	\$707.43
	Invoice	Date	Description		Amount
	PARS042123	04/21/2023	PARS - PARS*		\$707.43
			1001 - Payroll Payables		
103269	04/28/2023			VERIZON WIRELESS	\$3,004.44
	Invoice	Date	Description		Amount
	9932200104	04/10/2023	April telephone charges		\$3,004.44
103270	04/28/2023			VITAL RECORDS HOLDING LLC	\$284.55
	Invoice	Date	Description		Amount
	3461881	03/31/2023	March record storage		\$284.55
103271	04/28/2023			VMI INC.	\$14,776.98
	Invoice	Date	Description		Amount
	305728	04/24/2023	Council chambers audio upgrade		\$14,776.98
			1320 - PEG - Public Education and Govt		
103272	04/28/2023			WATSONVILLE FORD	\$5,077.54
	Invoice	Date	Description		Amount
	36929	04/19/2023	Ford S437 Bolt 16D		\$14.49
	36801	04/13/2023	Automatic transmission assembly, core deposit		\$5,032.61
	36920	04/19/2023	Valve assembly		\$30.44
103273	04/28/2023			WESTERN EXTERMINATOR COMPANY	\$156.40
	Invoice	Date	Description		Amount
	35616847	04/07/2023	Turnouts rodent control		\$78.20
	35616846	04/07/2023	City Hall rodent control		\$78.20

City of Capitola
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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103274	04/28/2023			WILDMIND SCIENCE LEARNING	\$930.00
	Invoice	Date	Description		Amount
	28047-8	06/13/2023	Camp Capitola educational program		\$930.00
103275	04/28/2023			WITMER TYSON IMPORTS INC.	\$750.00
	Invoice	Date	Description		Amount
	T14909	03/30/2023	March 2023 K-9 Maintenance Training		\$750.00
103276	04/28/2023			Fontes, Helena	\$72.00
	Invoice	Date	Description		Amount
	HF041823	04/18/2023	Citation # 200144266		\$72.00
103277	04/28/2023			Fortes, Karen	\$480.00
	Invoice	Date	Description		Amount
	KF041223	04/12/2023	Citation Refund for License Plate # 7LCZ480		\$480.00
103278	04/28/2023			Garcia, Selena	\$72.00
	Invoice	Date	Description		Amount
	SG041823	04/18/2023	Citation # 200146074		\$72.00
103279	04/28/2023			Hillman, Allen	\$33.00
	Invoice	Date	Description		Amount
	AH041223	04/12/2023	Citation # 900126133		\$33.00
103280	04/28/2023			SANTA CRUZ HOPE FOURSQUARE CHURCH	\$1,500.00
	Invoice	Date	Description		Amount
	SCHFC041323	04/13/2023	Bandstand deposit refund		\$1,500.00
103281	04/28/2023			TEK BENCHES	\$959.20
	Invoice	Date	Description		Amount
	7449	04/26/2023	Conference room chairs		\$959.20
103282	04/28/2023			Yates, Katharine	\$96.00
	Invoice	Date	Description		Amount
	KY041223	04/12/2023	Citation # 200142745		\$96.00
Check Totals:					\$277,593.34
<u>EFT</u>					
1513	04/24/2023			CALPERS Member Services Division	\$55,994.06
	Invoice	Date	Description		Amount
	1002350072-5	04/21/2023	PERS Contributions PPE 04/15/23		\$55,994.06
			1000 - General Fund	(\$ 0.31)	
			1001 - Payroll Payables	\$55,994.37	
1514	04/24/2023			EMPLOYMENT DEVELOPMENT DEPARTMENT	\$9,950.82
	Invoice	Date	Description		Amount
	0-887-450-080	04/21/2023	State Taxes PPE 4/15/23		\$9,950.82
			1001 - Payroll Payables		
1515	04/24/2023			INTERNAL REVENUE SERVICE	\$33,794.95
	Invoice	Date	Description		Amount
	54481915	04/21/2023	Federal taxes & Medicare PPE 4/15/23		\$33,794.95
			1001 - Payroll Payables		
1516	04/24/2023			STATE DISBURSEMENT UNIT	\$1,616.75
	Invoice	Date	Description		Amount
	43775309	04/21/2023	Employee garnishment PPE 4/15/23		\$1,616.75
			1001 - Payroll Payables		

City Checks Issued April 28, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
1517	04/24/2023			VOYA FINANCIAL	\$7,029.56
	Invoice	Date	Description		Amount
	VOYA042123	04/21/2023	Employee 457 Contribution PPE 4/15/23 1001 - Payroll Payables		\$7,029.56
1518	04/25/2023			WEX HEALTH INC.	\$135.00
	Invoice	Date	Description		Amount
	0001704007-IN	03/31/2023	March COBRA and FSA admin.		\$135.00
EFT Totals:					\$108,521.14
Main City Totals					
			Count		Total
Checks			99		\$277,593.34
EFTs			6		\$108,521.14
All			105		\$386,114.48
Payroll Totals					
			Count		Total
Checks			0		\$0.00
EFTs			109		\$185,433.46
All			109		\$185,433.46
Grand Totals:					
			Count		Total
Checks			99		\$277,593.34
EFTs			115		\$293,954.60
All			214		\$571,547.94

City main account checks dated May 12, 2023, numbered 103283 to 103371 totaling \$315,156.64, 6 EFTs totaling \$172,949.79, and 113 payroll EFTs totaling \$186,038.54, for a grand total of \$674,144.97, have been reviewed and authorized for distribution by the City Manager.


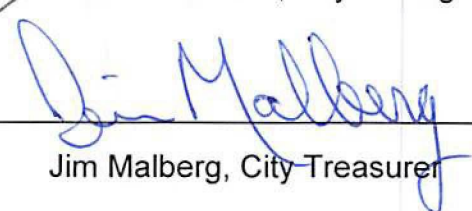
As of May 12, 2023, the unaudited cash balance is \$7,226,554.67.

CASH POSITION - CITY OF CAPITOLA
May 12, 2023

	5/12/2023
General Fund	\$ (1,694,316.83)
Payroll Payables	\$ 46,776.31
Contingency Reserve Fund	\$ 2,126,845.66
Facilities Reserve Fund	\$ 432,714.09
Capital Improvement Fund	\$ 4,715,162.40
Stores Fund	\$ 64,898.45
Information Technology Fund	\$ 285,731.76
Equipment Replacement	\$ 896,118.19
Self-Insurance Liability Fund	\$ 122,437.54
Workers' Comp. Ins. Fund	\$ 9,301.04
Compensated Absences Fund	\$ 220,886.06
TOTAL UNASSIGNED GENERAL FUNDS	\$ 7,226,554.67

The Emergency Reserve Fund balance is \$1,387,855.54 (not included above).

The PERS Contingency Fund balance is \$1,154,274.68 (not included above).

 _____ Jamie Goldstein, City Manager	5/12/23 _____ Date
 _____ Jim Malberg, City Treasurer	5/12/23 _____ Date

City Checks Issued May 12, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103283	05/03/2023			LA County Surf Lifesaving Association	\$110.00
	Invoice	Date	Description	Amount	
	CSLSA040618	04/06/2018	CA Surf Lifesaving Association bc	\$110.00	
103284	05/09/2023			SANTA CRUZ TOYOTA	\$52,463.20
	Invoice	Date	Description	Amount	
	133342	05/09/2023	2022 Sienna	\$52,463.20	
			2212 - ISF - Equipment Replacement		
103285	05/12/2023			ADAMS ASHBY GROUP INC.	\$875.00
	Invoice	Date	Description	Amount	
	4856	01/27/2023	CDBG-CV2-3 Second Harvest Fe	\$875.00	
			1350 - CDBG Grants		
103286	05/12/2023			ADT SECURITY SERVICES INC.	\$243.22
	Invoice	Date	Description	Amount	
	ADT042923	04/29/2023	Corp. yard & museum ADT monitr	\$243.22	
103287	05/12/2023			AIMEE FITZGERALD	\$163.80
	Invoice	Date	Description	Amount	
	AF050123	05/01/2023	Instructor payment	\$163.80	
103288	05/12/2023			ALLIED UNIVERSAL	\$1,490.30
	Invoice	Date	Description	Amount	
	14156625	05/04/2023	McGregor skate park foot patrol	\$490.08	
	14156626	05/04/2023	Esplanade park foot patrol	\$525.94	
	14156613	05/04/2023	May 2023 Jade Street Park Patrol	\$474.28	
103289	05/12/2023			AMAZON CAPITAL SERVICES	\$1,712.80
	Invoice	Date	Description	Amount	
	1T9J-H71H-6JPA	04/13/2023	Woodman rain boots	\$75.48	
	1XJM-LMN1-HYI	04/23/2023	Emergency response supplies, eb	\$660.05	
	1G9Y-VXLN-37F	04/27/2023	iPhone case	\$19.61	
	1GRD-YK9P-66C	04/26/2023	Dry Erase Markers and Felt Tip P	\$28.25	
	1R9W-V1PJ-1JC	05/01/2023	Basketball, craft supplies, games,	\$229.77	
	1M4M-3NR6-3CT	05/03/2023	Tailgate mat protector	\$55.37	
	1VKX-XRNH-44Y	04/20/2023	UERST Transmission	\$237.61	
	1RJK-CX3G-634	04/20/2023	Pump repair kit	\$148.16	
	1RWV-FWGX-65	04/20/2023	Fluid section repair kit	\$258.50	
			1000 - General Fund	\$1,693.19	
			2211 - ISF - Information Technology	\$19.61	
103290	05/12/2023			APTOS LANDSCAPE SUPPLY INC.	\$333.20
	Invoice	Date	Description	Amount	
	603209	05/01/2023	Rockfield, mexican beach peb	\$333.20	
103291	05/12/2023			AT&T	\$8.69
	Invoice	Date	Description	Amount	
	ATT050123	05/01/2023	May long distance charges	\$8.69	
			1000 - General Fund	\$4.28	
			2211 - ISF - Information Technology	\$4.41	

City Checks Issued May 12, 2023

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103292	05/12/2023			B & B SMALL ENGINE REPAIR	\$1,245.28
	Invoice	Date	Description	Amount	
	519556	04/24/2023	Hard hat, wedge, replacement bla	\$233.11	
	519019	04/18/2023	Tune and service, gas, adjust valv	\$597.72	
	519205	04/20/2023	Ultra mix oil, oil, steel lock	\$414.45	
103293	05/12/2023			BOONE LOW RATLIFF ARCHITECTS IN	\$14,735.20
	Invoice	Date	Description	Amount	
	3775	05/04/2023	Community Center renovation des	\$14,735.20	
			1200 - Capital Improvement Fund		
103294	05/12/2023			BOWMAN & WILLIAMS INC.	\$293.75
	Invoice	Date	Description	Amount	
	17320	05/05/2023	Rispin Park engineering services ,	\$293.75	
			1200 - Capital Improvement Fund		
103295	05/12/2023			CA DEPARTMENT OF TRANSPORTATI	\$17,757.81
	Invoice	Date	Description	Amount	
	SL230465	01/30/2023	October - December signals and l	\$12,192.59	
	SL230774	04/18/2023	January - March signals and lighti	\$5,565.22	
			1200 - Capital Improvement Fund	\$14,209.85	
			1310 - Gas Tax	\$3,547.96	
103296	05/12/2023			CALIFORNIA COAST UNIFORM COMPA	\$245.38
	Invoice	Date	Description	Amount	
	10295	05/01/2023	565 Tailoring Charges	\$15.00	
	10297	05/01/2023	527 Tailoring Charges	\$55.00	
	10296	05/01/2023	528 Uniform Shirts	\$175.38	
103297	05/12/2023			CAPITOLA PEACE OFFICERS ASSOCIA	\$1,798.00
	Invoice	Date	Description	Amount	
	POA050523	05/05/2023	POA & Gym Dues PPE 04/29/23	\$1,798.00	
			1000 - General Fund	\$637.50	
			1001 - Payroll Payables	\$1,160.50	
103298	05/12/2023			CARIN HANNA	\$5,705.00
	Invoice	Date	Description	Amount	
	CH042523	04/25/2023	May Sip & Stroll \$20 gift certificate	\$2,200.00	
	CH050423	05/04/2023	BIA website, mailchimp, storage, /	\$3,505.00	
			1321 - BIA - Capitola Village-Wharf BIA		
103299	05/12/2023			CDW GOVERNMENT INC.	\$7,811.81
	Invoice	Date	Description	Amount	
	JB77596	04/18/2023	HP GJ A140 Vehicle Docking	\$7,811.81	
			2211 - ISF - Information Technology		
103300	05/12/2023			CENTRAL HOME SUPPLY	\$317.38
	Invoice	Date	Description	Amount	
	65172	04/21/2023	Gray pathfines	\$317.38	

City Checks Issued May 12, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103301	05/12/2023			CERTIFIED FOLDER DISPLAY SERVICE	\$375.00
	Invoice	Date	Description	Amount	
	602148	04/12/2023	BIA regional listing & 2023 Centra	\$375.00	
			1321 - BIA - Capitola Village-Wharf BIA		
103302	05/12/2023			CINTAS CORPORATION	\$278.94
	Invoice	Date	Description	Amount	
	5156754794	05/03/2023	First Aid Replenishment	\$278.94	
103303	05/12/2023			CLEAN BUILDING MAINTENANCE CO.	\$5,453.92
	Invoice	Date	Description	Amount	
	32147	04/30/2023	April janitorial services	\$5,453.92	
103304	05/12/2023			CODE PUBLISHING COMPANY	\$3,041.00
	Invoice	Date	Description	Amount	
	GC0010598	04/30/2023	Municipal code web update	\$3,041.00	
103305	05/12/2023			COMMUNITY ACTION BOARD	\$2,230.00
	Invoice	Date	Description	Amount	
	CAB042523	04/25/2023	March rent assistance	\$2,230.00	
			5552 - Cap Hsg Succ- Program Income		
103306	05/12/2023			COMMUNITY BRIDGES	\$19,376.26
	Invoice	Date	Description	Amount	
	CB033123	04/18/2023	Jan - Mar CDBG CV2-3 Meals on	\$19,376.26	
			1350 - CDBG Grants		
103307	05/12/2023			COMMUNITY PRINTERS	\$698.92
	Invoice	Date	Description	Amount	
	34318011	04/28/2023	Wharf banner	\$257.32	
	34308011	04/28/2023	Gun Restraining EPO Forms	\$170.87	
	34306011	04/28/2023	Emergency Protective Order Form	\$270.73	
			1000 - General Fund	\$441.60	
			1311 - Wharf	\$257.32	
103308	05/12/2023			CRAIG FEENEY	\$190.00
	Invoice	Date	Description	Amount	
	157	03/13/2023	Council chamber heater services	\$190.00	
103309	05/12/2023			CRYSTAL SPRINGS WATER CO.	\$187.00
	Invoice	Date	Description	Amount	
	CSW043023	04/30/2023	April drinking water	\$187.00	
103310	05/12/2023			CSG Consultants Inc.	\$272.50
	Invoice	Date	Description	Amount	
	B230394	04/03/2023	March building plan review service	\$272.50	

City Checks Issued May 12, 2023

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103311	05/12/2023			D & G SANITATION	\$501.78
	Invoice	Date	Description	Amount	
	298104	04/30/2023	Skate park hand wash station, poi	\$501.78	
103312	05/12/2023			DOCTORS ON DUTY	\$245.00
	Invoice	Date	Description	Amount	
	DOD050423	05/04/2023	New employee testing (7)	\$245.00	
103313	05/12/2023			EIDE BAILLY LLP	\$5,000.00
	Invoice	Date	Description	Amount	
	EI01511338	04/28/2023	FY21/22 audit services	\$5,000.00	
103314	05/12/2023			EWING IRRIGATION	\$282.30
	Invoice	Date	Description	Amount	
	19280166	05/01/2023	Staples	\$53.52	
	19144917	04/19/2023	Nozzle, green catchy can, toro poi	\$208.78	
103315	05/12/2023			EXCEEDIO	\$8,914.95
	Invoice	Date	Description	Amount	
	13862	05/01/2023	May IT services	\$8,914.95	
			2211 - ISF - Information Technology		
103316	05/12/2023			FLYERS ENERGY LLC	\$3,889.14
	Invoice	Date	Description	Amount	
	23-811680	04/27/2023	300 gallons gasoline	\$1,358.51	
	CFS-3409791	04/30/2023	Fuel	\$132.93	
	23-817850	05/04/2023	132 gallons diesel	\$598.47	
	23-817849	05/04/2023	404gallons gasoline	\$1,799.23	
103317	05/12/2023			GARDAWORLD	\$384.28
	Invoice	Date	Description	Amount	
	10738140	05/01/2023	May 2023 Armored Transportation	\$384.28	
103318	05/12/2023			GINA ENRIQUEZ	\$3,757.88
	Invoice	Date	Description	Amount	
	GE050623	05/06/2023	Instructor payment	\$3,757.88	
103319	05/12/2023			GLADWELL GOVERNMENT SERVICES	\$500.00
	Invoice	Date	Description	Amount	
	4983	01/06/2023	Records retention legal review	\$500.00	
103320	05/12/2023			GRANITE ROCK COMPANY	\$36.28
	Invoice	Date	Description	Amount	
	1003181 & 10031	04/30/2023	Finance Charges	\$36.28	
103321	05/12/2023			HINDERLITER DELLAMAS AND ASSOCIATES	\$1,350.16
	Invoice	Date	Description	Amount	
	SIN027543	03/31/2023	March TOT and STR admin fees	\$1,350.16	

City Checks Issued May 12, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103322	05/12/2023			HOME DEPOT CREDIT SERVICES	\$2,156.99
	Invoice	Date	Description	Amount	
	1617789	04/21/2023	3 amp corded sander	\$91.56	
	0523056	05/02/2023	Wire cutting pliers, mapp gas cylir	\$100.34	
	8523450	05/04/2023	Sakrete play sand, basalite 30 me	\$75.97	
	3035582	04/19/2023	Small mortar tub, headlamp, buck	\$478.49	
	4610985	05/08/2023	Spray tip, tip extension, strip acet	\$140.46	
	1035770	04/21/2023	Paint stick, bucket, paint mixer, se	\$68.99	
	8516245	04/24/2023	Bucket, mixing container, super gl	\$94.02	
	3623135	04/19/2023	Clamp, vinyl tube, spray tip	\$86.52	
	1035776	04/21/2023	Sakrete fast setting patcher	\$11.41	
	2520881	04/20/2023	Kellogg org raised bed	\$86.93	
	7516392	04/25/2023	Alum dual platform with bucket, oi	\$137.72	
	2515607	04/20/2023	Cloths, grinding stone set, grinder	\$225.13	
	4281701	04/18/2023	Wall plate, stainless steal plate	\$12.04	
	2514089	04/10/2023	Pipe, compound	\$27.51	
	1619652	05/01/2023	Woven roller, acetone strip	\$69.62	
	8633819	04/14/2023	Screwdrivers	\$39.17	
	2525499	04/10/2023	Reducing brass, adapter brass, pi	\$39.07	
	9513015	04/03/2023	Wax ring with bolts, closet bolt set	\$89.08	
	9513022	04/03/2023	Ford key	\$17.01	
	1127095	04/11/2023	Diaphragm kit	\$111.35	
	1970798	04/21/2023	Fast setting cement patcher, adhe	\$51.12	
	8012373	05/04/2023	Heavy duty fitting brush, valve, ga	\$103.48	
103323	05/12/2023			INTERSTATE TRAFFIC CONTROL PROI	\$7,588.11
	Invoice	Date	Description	Amount	
	256147	04/27/2023	Paint, stencil guard, glass beads	\$2,467.39	
	256148	04/27/2023	Paint, stencil guard, glass beads	\$2,467.39	
	256149	04/27/2023	Paint, glass beads	\$2,653.33	
103324	05/12/2023			JAIME PONCIANO	\$112.80
	Invoice	Date	Description	Amount	
	JP042623	04/26/2023	Soft shell radio adapter	\$112.80	
103325	05/12/2023			JEANI MITCHELL	\$148.20
	Invoice	Date	Description	Amount	
	JM050123	05/01/2023	Instructor payment	\$148.20	
103326	05/12/2023			JOHNSON ROBERTS & ASSOCIATES II	\$87.50
	Invoice	Date	Description	Amount	
	150961	04/24/2023	Police Officer Candidate PHQ Rej	\$87.50	
103327	05/12/2023			KATHLEEN BROWN	\$351.00
	Invoice	Date	Description	Amount	
	KB050123	05/01/2023	Instructor payment	\$351.00	

City Checks Issued May 12, 2023

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103328	05/12/2023			KIMLEY HORN AND ASSOCIATES INC	\$2,802.00
	Invoice	Date	Description	Amount	
	24484325	03/31/2023	Capitola roundabout documentati	\$1,842.00	
	24254189	02/28/2023	Bay-Hill intersection analysis final	\$960.00	
		1200 - Capital Improvement Fund		\$1,842.00	
		1310 - Gas Tax		\$960.00	
103329	05/12/2023			KING'S PAINT AND PAPER INC.	\$30.84
	Invoice	Date	Description	Amount	
	KHBW5-0505CK	05/05/2023	Zar oil based paint	\$30.84	
103330	05/12/2023			KUSTOM CULTURE DESIGN	\$7,136.22
	Invoice	Date	Description	Amount	
	5408-2	04/24/2023	Jr Guards Captain Corps t-shirts	\$314.74	
	5407-2	04/24/2023	Jr Guard participant t-shirts	\$3,661.58	
	5411-2	04/24/2023	Camp Capitola campers t-shirts	\$2,580.57	
	5414-2	04/24/2023	Camp staff uniform shirts	\$579.33	
103331	05/12/2023			LABORMAX STAFFING	\$5,518.64
	Invoice	Date	Description	Amount	
	26-297978	04/28/2023	Public works seasonal labor 4/24 -	\$2,759.32	
	26-299552	05/05/2023	Public works seasonal labor 5/1 -	\$2,759.32	
103332	05/12/2023			LONG BEACH BMW MOTORCYCLES	\$35,908.43
	Invoice	Date	Description	Amount	
	1002	04/18/2023	2023 BMW R1250RT-P MC	\$35,908.43	
		2212 - ISF - Equipment Replacement			
103333	05/12/2023			LORRAINE KINNAMON	\$1,404.00
	Invoice	Date	Description	Amount	
	LK050123	05/01/2023	Instructor payment	\$1,404.00	
103334	05/12/2023			MBS BUSINESS SYSTEMS	\$681.37
	Invoice	Date	Description	Amount	
	446929	04/30/2023	PD copier usage charges	\$681.37	
103335	05/12/2023			MICHAEL G LEW	\$93.60
	Invoice	Date	Description	Amount	
	ML050623	05/06/2023	Instructor payment	\$93.60	
103336	05/12/2023			MID COUNTY AUTO SUPPLY	\$979.99
	Invoice	Date	Description	Amount	
	M-2132107	04/24/2023	Diamond grip gloves, parts cleane	\$166.94	
	M-2138447	04/27/2023	Mercon V ATF	\$97.32	
	M-2136134	04/26/2023	A/T Filter Kit	\$2.16	
	M-2135689	04/26/2023	Drum brake hardware kit, A/T filte	\$30.71	
	M-2141078	05/01/2023	Washer fluid, super clean	\$60.28	
	M-2141088	05/01/2023	Miniature brush set	\$2.50	
	M-2143271	05/02/2023	Ext wear pads, premium brake rot	\$616.82	
	M-2126995	04/19/2023	Distilled water	\$3.26	

City Checks Issued May 12, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103337	05/12/2023			MISSION LINEN SUPPLY	\$669.95
	Invoice	Date	Description	Amount	
	519172845	04/26/2023	Fleet towels, uniform cleaning	\$34.50	
	518702358	02/08/2023	Corp. Yard linen service	\$130.99	
	519212492	05/03/2023	Fleet towels, uniform cleaning	\$34.50	
	519172846	04/26/2023	Corp. Yard linen service	\$103.99	
	519128946	04/19/2023	Corp. Yard linen service	\$130.99	
	519087454	04/12/2023	Corp. Yard linen service	\$103.99	
	519212493	05/03/2023	Corp. Yard linen service	\$130.99	
103338	05/12/2023			MISSION PRINTERS	\$258.28
	Invoice	Date	Description	Amount	
	63818	02/24/2023	Window envelopes (1500)	\$258.28	
103339	05/12/2023			NORTH BAY FORD	\$978.76
	Invoice	Date	Description	Amount	
	368525	04/25/2023	Service to check updated software	\$322.50	
	288871	04/25/2023	Shield ASY	\$83.62	
	367818	03/31/2023	Check tire pressure, multi-point in	\$143.00	
	367816	03/31/2023	Check tire pressure, multi-point in	\$325.00	
	288911	04/27/2023	Plate Door scuf	\$104.64	
103340	05/12/2023			O'REILLY AUTO PARTS	\$332.45
	Invoice	Date	Description	Amount	
	2763-351681	04/24/2023	Battery, wrench set, paint brush set	\$181.29	
	2763-351761	04/24/2023	Battery, core charge, core exchange	\$150.29	
	OSOO131282	01/19/2023	Over payment refund	(\$0.18)	
	SC04207332	01/28/2023	Late payment charges	\$1.05	
103341	05/12/2023			OUTDOOR SUPPLY HARDWARE	\$456.05
	Invoice	Date	Description	Amount	
	H31643	04/24/2023	Tungsten carbide drill set, pipe, bit	\$155.11	
	H33377	04/27/2023	Bulk Fasteners, bucket, gloves, tri	\$120.19	
	599880332	04/25/2023	Finance charges	\$10.00	
	H33491	04/27/2023	Element pro hose	\$126.42	
	H37660	05/04/2023	HD sqr str gg brs	\$9.47	
	H32230	04/25/2023	Spray paint, pebble finish kit	\$34.86	
103342	05/12/2023			PALACE BUSINESS SOLUTIONS	\$185.18
	Invoice	Date	Description	Amount	
	680449-0	04/21/2023	Copy paper	\$19.97	
	679826-0	04/14/2023	Paper	\$62.12	
	681196-0	04/27/2023	Paper, note pads	\$103.09	
		1000 - General Fund		\$103.09	
		2210 - ISF - Stores Fund		\$82.09	
103343	05/12/2023			PATRICIA PARAMOURE ARCHAEOLOG	\$675.00
	Invoice	Date	Description	Amount	
	PPAC041823	04/18/2023	Archaeological assessment #23-0	\$675.00	

City Checks Issued May 12, 2023

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103344	05/12/2023			PAUL ESTEY	\$1,361.17
	Invoice	Date	Description	Amount	
	PE033123	03/31/2023	Attend Planning Commissioners F	\$1,361.17	
103345	05/12/2023			PK SAFETY SUPPLY	\$199.14
	Invoice	Date	Description	Amount	
	470978	04/20/2023	Foam ear plugs	\$199.14	
103346	05/12/2023			RDO EQUIPMENT CO.	\$189.22
	Invoice	Date	Description	Amount	
	P6331839	04/21/2023	Blade, mower blade	\$189.22	
103347	05/12/2023			ROBERT M PATTERSON	\$50.00
	Invoice	Date	Description	Amount	
	RMP050223	05/02/2023	Administrative Reviews Billing Sta	\$50.00	
103348	05/12/2023			RRM DESIGN GROUP	\$20,835.63
	Invoice	Date	Description	Amount	
	2757-01-0323	04/17/2023	Capitola Housing Element Update	\$11,303.13	
	2757-01-0223	03/15/2023	Capitola Housing Element Update	\$9,532.50	
			1313 - General Plan Update and Maint		
103349	05/12/2023			SAN LORENZO LUMBER	\$2,698.41
	Invoice	Date	Description	Amount	
	56-0127169	05/02/2023	Ornamentals	\$581.78	
	55-0799220	04/17/2023	Lumber	\$54.65	
	56-0126521	04/18/2023	Ornamentals	\$329.21	
	55-0802911	05/03/2023	Fiberglass Resin, hex bolts, wash	\$147.51	
	55-0802671	05/02/2023	Lumber	\$97.66	
	55-0803392	05/05/2023	Hammer, auto lock tape, beamsa	\$176.06	
	55-0802591	05/02/2023	Lumber	\$32.31	
	55-0802589	05/02/2023	Lumber return	(\$357.00)	
	55-0802453	05/01/2023	Lumber	\$617.41	
	55-0802451	05/01/2023	Bucket, ratchet tie down, bolt, om	\$1,018.82	
103350	05/12/2023			SANTA CRUZ AUTO PARTS INC.	\$49.56
	Invoice	Date	Description	Amount	
	14508-467871	04/21/2023	Foam grip disc	\$49.56	
103351	05/12/2023			SANTA CRUZ LIVE SCAN INC.	\$90.00
	Invoice	Date	Description	Amount	
	2484	05/01/2023	Employee live scans - Demar, Wi	\$90.00	
103352	05/12/2023			SECURITY CONTRACTOR SERVICES, I	\$862.50
	Invoice	Date	Description	Amount	
	0310217-IN	04/26/2023	Fence rental Capitola Ave & San .	\$450.00	
	0310216-IN	04/26/2023	Fence rental Grand Ave & Saxon .	\$412.50	

City Checks Issued May 12, 2023

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Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103353	05/12/2023			SHANTA SHENOY	\$572.00
	Invoice	Date	Description	Amount	
	SS050123	05/01/2023	Instructor payment	\$572.00	
103354	05/12/2023			SIRCHIE	\$249.98
	Invoice	Date	Description	Amount	
	0587847-IN	04/19/2023	Evidence and Property Supplies	\$39.28	
	0589249-IN	04/27/2023	Evidence and Property Supplies	\$210.70	
103355	05/12/2023			SOQUEL CREEK WATER DISTRICT	\$10,022.49
	Invoice	Date	Description	Amount	
	34-18508-00424: 04/24/2023		34-18508-00 1510 McGregor Drive	\$44.49	
	10-16317-00424: 04/24/2023		10-16317-00 420 Capitola Ave. w	\$236.62	
	10-16315-00424: 04/24/2023		10-16315-00 504 Beulah Dr. wate	\$65.39	
	10-16316-00424: 04/24/2023		10-16316-00 426 Capitola Ave. w	\$128.04	
	42-14952-00501: 05/01/2023		42-14952 Cortez Park Irrigation	\$494.41	
	42-15297-00501: 05/01/2023		42-15297-00 426 Capitola Ave irr	\$345.42	
	42-15969-00501: 05/01/2023		42-15969-00 Lawn Way Irrigation	\$229.94	
	42-16122-00501: 05/01/2023		42-16122-00 Esplanade fountain i	\$164.06	
	42-10504-00501: 05/01/2023		42-10504-00 Cliff Drive Irrigation	\$160.40	
	42-11090-01509: 05/01/2023		42-11090-01 Capitola Road irrigat	\$345.42	
	42-11467-00501: 05/01/2023		42-11467-00 Jade Street park irrig	\$4,647.01	
	42-11517-00501: 05/01/2023		42-11517-00 41st Avenue irrigatio	\$345.42	
	42-14404-00501: 05/01/2023		42-14404-00 Monterey Ave. Nobe	\$229.48	
	42-16130-00501: 05/01/2023		42-16130-00 Wharf Road Irrigation	\$175.19	
	42-16136-00501: 05/01/2023		42-16136-00 1400 Wharf Road irr	\$160.40	
	42-16407-00501: 05/01/2023		42-16407-00 Bay Ave. Irrigation	\$160.40	
	13-10919-00501: 05/01/2023		13-10919-00 2000 Wharf Road w	\$56.67	
	42-14431-00501: 05/01/2023		42-14431-00 Monterey Ave irrigati	\$1,712.93	
	42-17688-00501: 05/01/2023		42-17688-00 Lawn Way Irrigation	\$160.40	
	42-18238-00501: 05/01/2023		42-18238-00 Capitola Road irrigat	\$160.40	
	1000 - General Fund			\$9,862.09	
	1311 - Wharf			\$160.40	
103356	05/12/2023			SOQUEL NURSERY GROWERS INC.	\$185.63
	Invoice	Date	Description	Amount	
	0000375922	04/21/2023	Plants	\$185.63	
103357	05/12/2023			SPECTRUM BUSINESS	\$3,720.54
	Invoice	Date	Description	Amount	
	0000178050123	05/01/2023	May internet service	\$3,720.54	
	1000 - General Fund			\$1,635.20	
	2211 - ISF - Information Technology			\$2,085.34	
103358	05/12/2023			STAPLES ADVANTAGE	\$39.97
	Invoice	Date	Description	Amount	
	3536815307	04/28/2023	Sharpie Pens and Markers	\$39.97	
103359	05/12/2023			SUMMIT UNIFORMS	\$1,800.94
	Invoice	Date	Description	Amount	
	86584	05/04/2023	523 Bulletproof Vest	\$1,037.97	
	86219	04/14/2023	Lifeguard Uniforms and Tailoring	\$862.97	

City Checks Issued May 12, 2023

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103360	05/12/2023			THE HOME DEPOT PRO	\$2,001.23
	Invoice	Date	Description	Amount	
	743714446	05/04/2023	Restroom & cleaning supplies	\$2,001.23	
103361	05/12/2023			THE SKYLIGHT PLACE INC.	\$160.00
	Invoice	Date	Description	Amount	
	45319A	03/30/2023	Reset glass	\$160.00	
103362	05/12/2023			TODD HANSON	\$2,668.00
	Invoice	Date	Description	Amount	
	00030	05/01/2023	May BIA marketing, website mana	\$2,668.00	
			1321 - BIA - Capitola Village-Wharf BIA		
103363	05/12/2023			TPX COMMUNICATIONS	\$1,634.20
	Invoice	Date	Description	Amount	
	169624201-0	04/23/2023	April phone service	\$1,634.20	
			1000 - General Fund	\$884.01	
			2211 - ISF - Information Technology	\$750.19	
103364	05/12/2023			UPEC LIUNA LOCAL 792	\$841.50
	Invoice	Date	Description	Amount	
	UPEC043023	04/05/2023	April UPEC Dues	\$841.50	
			1001 - Payroll Payables		
103365	05/12/2023			UPS	\$49.58
	Invoice	Date	Description	Amount	
	0000954791183	05/06/2023	Shipping Costs	\$49.58	
103366	05/12/2023			US BANK EQUIPMENT FINANCE	\$856.34
	Invoice	Date	Description	Amount	
	495872707	03/04/2023	City Hall copier leases credit	(\$25.61)	
	495873200	03/05/2023	PD copier lease	(\$32.00)	
	499887651	04/24/2023	City Hall copier leases	\$174.40	
	500329156	04/28/2023	City Hall copier leases	\$315.01	
	500768718	05/04/2023	Recreation copier lease & service	\$219.61	
	500856489	05/05/2023	PD copier lease	\$204.93	
			1000 - General Fund	\$392.54	
			2210 - ISF - Stores Fund	\$463.80	
103367	05/12/2023			US BANK PARS Acct 6746022400	\$790.17
	Invoice	Date	Description	Amount	
	PARS050523	05/05/2023	PARS Contributions PPE 04/29/2:	\$790.17	
			1001 - Payroll Payables		
103368	05/12/2023			VERDE DESIGN INC	\$28,972.00
	Invoice	Date	Description	Amount	
	3-2300300	05/05/2023	Community outreach & conceptua	\$28,972.00	
			1200 - Capital Improvement Fund		
103369	05/12/2023			WATSONVILLE BLUEPRINT	\$134.20
	Invoice	Date	Description	Amount	
	110857	04/26/2023	Bond Copy, setup for printing	\$104.92	
	111055	05/08/2023	Kennedy Dr Sidewalk plans	\$29.28	

City Checks Issued May 12, 2023

Item 7 B.

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
103370	05/12/2023			WITMER TYSON IMPORTS INC.	\$831.75
	Invoice	Date	Description	Amount	
	T14938	04/28/2023	K-9 Long Line	\$81.75	
	T14937	04/28/2023	April 2023 K-9 Maintenance Traini	\$750.00	
103371	05/12/2023			Zamora, Patrick	\$380.00
	Invoice	Date	Description	Amount	
	PZ050223	05/02/2023	Citation # 900126359	\$380.00	
Type Check Totals:					\$315,156.64
<u>EFT</u>					
1512	05/01/2023			CalPERS Health Insurance	\$64,303.43
	Invoice	Date	Description	Amount	
	1002350375	04/14/2023	May Health Insuranc	\$64,303.43	
			1000 - General Fund	\$4,039.51	
			1001 - Payroll Payables	\$60,263.92	
1519	05/08/2023			CalPERS Member Services Division	\$58,174.09
	Invoice	Date	Description	Amount	
	1002360996-9	05/05/2023	PERS Contributions PPE 04/29/2:	\$56,174.09	
			1000 - General Fund	(\$0.29)	
			1001 - Payroll Payables	\$56,174.38	
1520	05/08/2023			EMPLOYMENT DEVELOPMENT DEPAR	\$9,923.71
	Invoice	Date	Description	Amount	
	1-245-484-512	05/05/2023	State Taxes PPE 4/29/23	\$9,923.71	
			1001 - Payroll Payables		
1521	05/08/2023			INTERNAL REVENUE SERVICE	\$33,907.62
	Invoice	Date	Description	Amount	
	91415987	05/05/2023	Federal taxes & Medicare PPE 4/	\$33,907.62	
			1001 - Payroll Payables		
1522	05/08/2023			STATE DISBURSEMENT UNIT	\$1,616.75
	Invoice	Date	Description	Amount	
	43947861	05/05/2023	Employee garnishment PPE 4/29/	\$1,616.75	
			1001 - Payroll Payables		
1523	05/08/2023			VOYA FINANCIAL	\$7,024.19
	Invoice	Date	Description	Amount	
	VOYA050523	05/05/2023	Employee 457 Contribution PPE 4	\$7,024.19	
			1001 - Payroll Payables		
Type EFT Totals:					\$172,949.79

City Checks Issued May 12, 2023

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
Main City Totals				Count	Total
Checks				89	\$315,156.64
EFTs				6	\$172,949.79
All				95	\$488,106.43
Payroll Totals					
Checks				0	\$0.00
EFTs				113	\$186,038.54
All				113	\$186,038.54
Grand Totals:					
Checks				89	\$315,156.64
EFTs				119	\$358,988.33
All				208	\$674,144.97

Capitola City Council

Agenda Report

Meeting: May 25, 2023

From: Public Works Department

Subject: PG&E Proposed Monterey Park Gas Facility



Recommended Action: Authorize staff to develop an easement agreement with Pacific Gas and Electric for the installation of a district regulator station in Monterey Park.

Background: Pacific Gas and Electric (PG&E) has an existing underground district regulator station (DRS) located below the City sidewalk immediately adjacent to a private residence at the corner of Monterey Ave and Junipero Court. Natural gas is supplied to distribution pipeline mains from a high-pressure source that connects to, and flows through, a DRS. The DRS functions to reduce the pressure to a level that allows the gas to flow continuously at a low pressure to customers. PG&E intends to rebuild this aging DRS to bring it up to current code and safety standards. The scope of the upgrade will also improve gas visibility within PG&E's system by incorporating real-time gas pressure monitoring equipment (SCADA).

The new DRS requires a larger footprint than the current facility. Upon evaluation of the site, it was discovered that the existing fence and backyard hardscape (koi pond) on the adjacent property are encroaching into the City right of way. Rebuilding the DRS in the same location as the current facility would require removal of the exiting encroachments (Attachment 1, Page 1).

Discussion: Staff coordinated with PG&E to identify alternative locations for the new DRS that do not require removal of existing private encroachments ("Green" layout, Attachment 1, Page 2). Staff recommends that the new DRS be constructed immediately adjacent to Monterey Park. Siting the DRS system in Monterey Park would require the City to grant a 65 foot by 8 foot easement for the facility to PG&E. Staff will return to the City Council for approval of the easement agreement.

Public impacts for the proposed design include 150 feet of sidewalk replacement, installation of a new maintenance ramp and repositioning of the decomposed granite path for Monterey Park, three tree removals (and required replanting) and loss of approximately 360 square feet of grass area (Attachment 1, Page 3). The existing facility would be removed, and the sidewalk restored in that location. The new DRS would consist of two underground vaults, a SCADA cabinet with bollards, and two 6-foot vent stacks. All new equipment, less one vent stack, would be in the far corner of the park site (Figure 1). The new DRS would have a similar noise impact as the existing system, generally a light "hissing" noise in the morning hours.

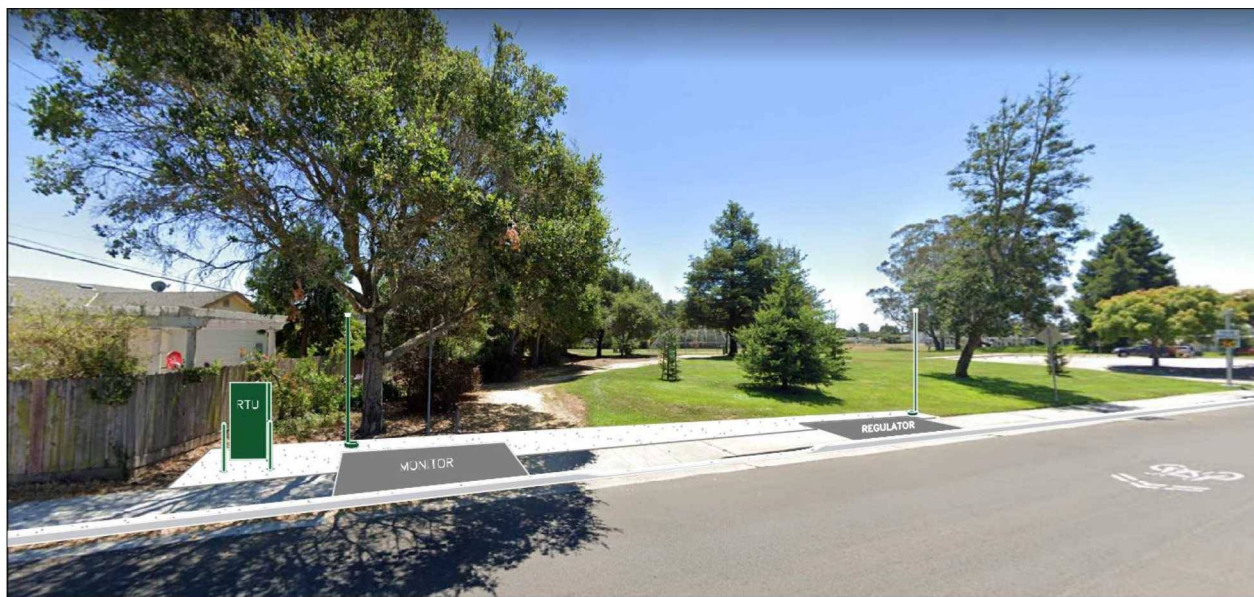


Figure 1. Rendering of DRS Equipment in Monterey Park

Fiscal Impact: There is no fiscal impact associated with this report. Staff intends to return to the City Council for approval of the easement agreement. PG&E would bear all costs for the installation of the DRS, tree removal and replacement, and sidewalk, driveway, and DG path restoration. The City would not receive any compensation for the easement. Staff intends to recommend a no-fee easement to PG&E, as the City does not wish to pursue abatement of the encroachments in the right of way where the current facility would have been rebuilt in place if not for the encroachments.

Attachments:

1. DRS Layout Options

Report Prepared By: Kailash Mozumder, Public Works Project Manager

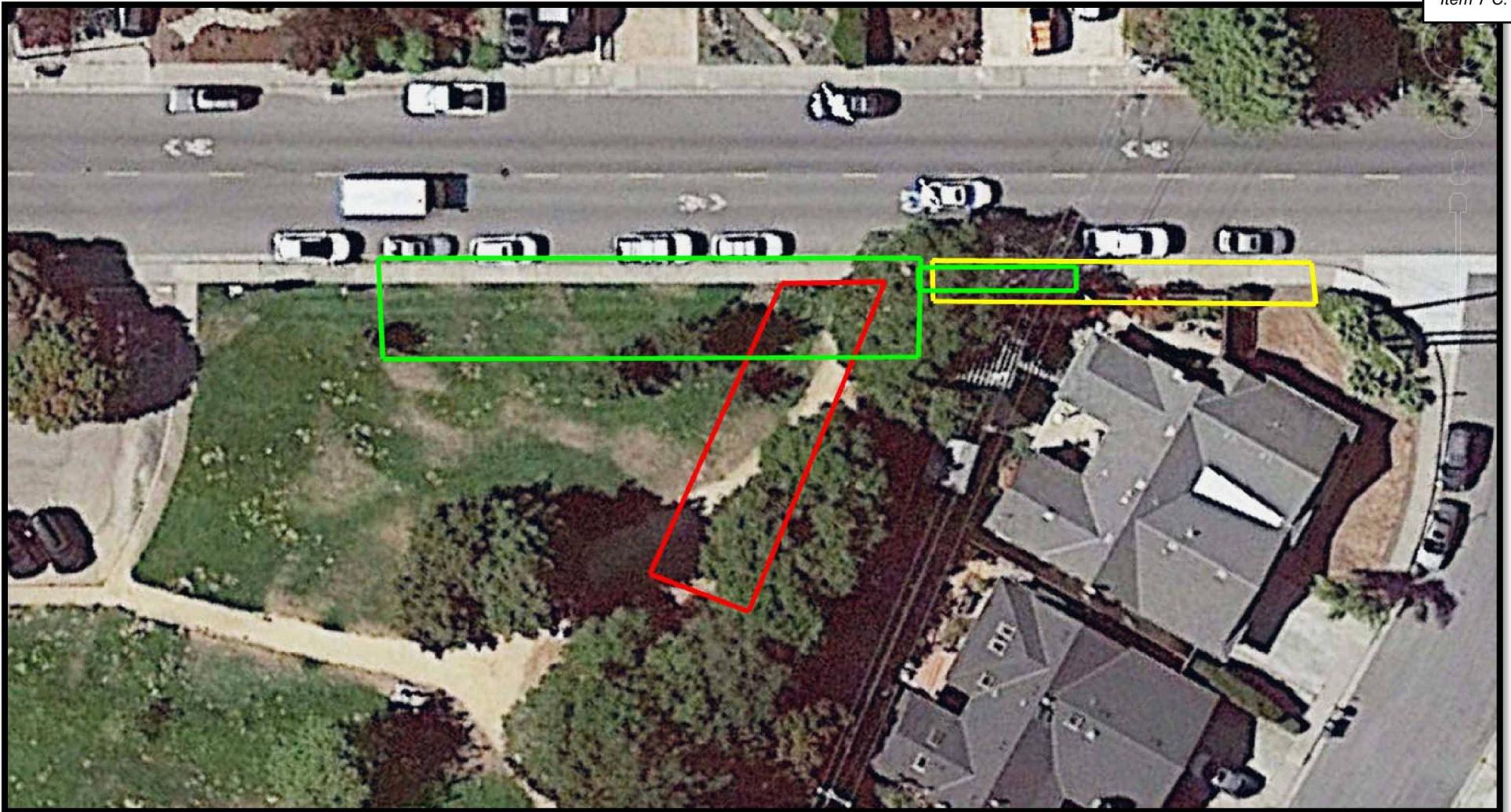
Reviewed By: Jessica Kahn, Public Works Director; Julia Moss, City Clerk; Tamar Burke, Assistant City Attorney

Approved By: Jamie Goldstein, City Manager

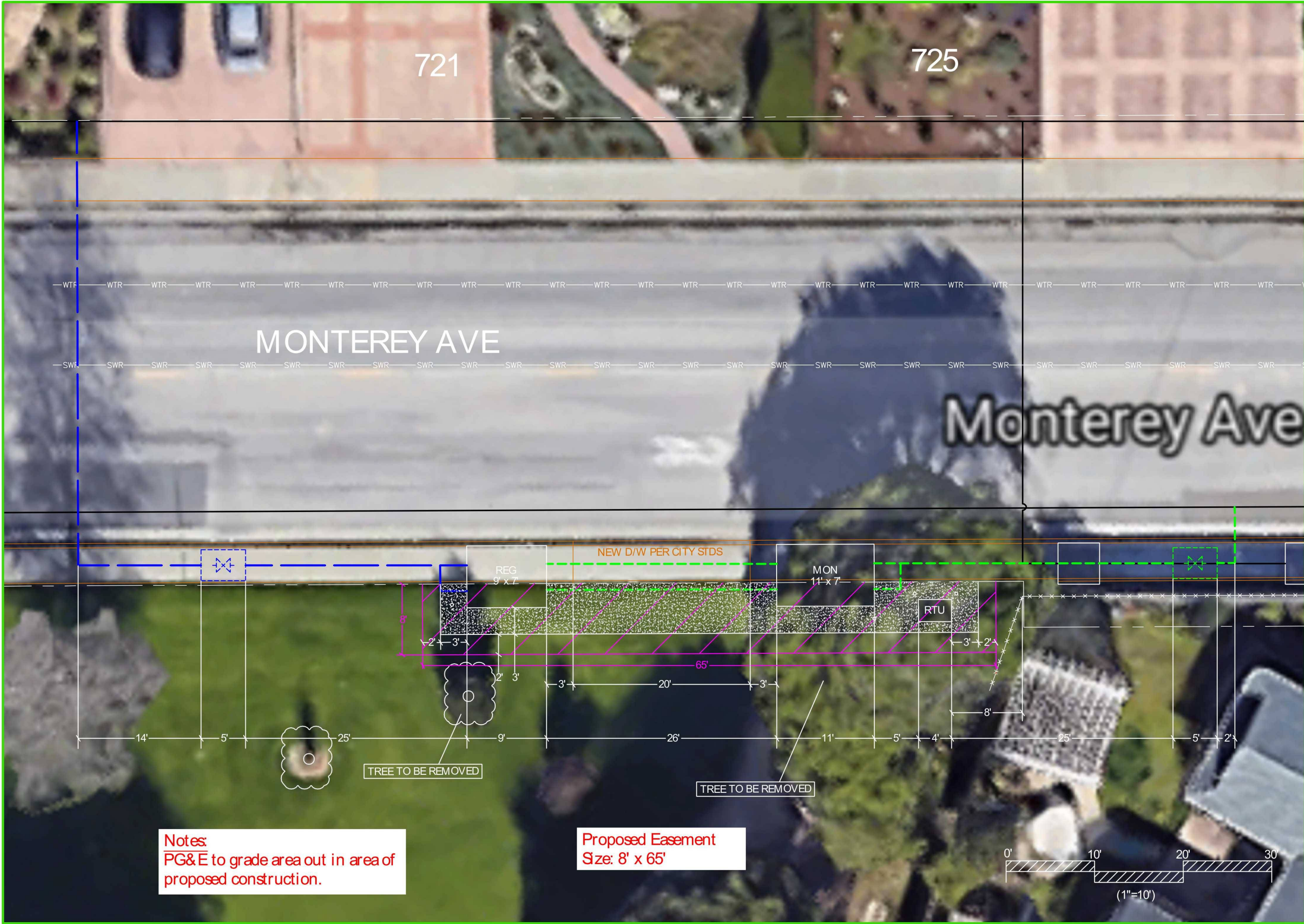
725



EST: RUSS MARTINO	PROPOSED LAYOUT			CO:	SHT: 1 OF 1		SHEETS	Item 7 C.					
ADE: SCOTT HART	MONTEREY AVE & JUNIPERO CT.			SD:	PM: 31549650		R						
SUPV:	CAPITOLA, CA			NOTIF.:									
REP:	PACIFIC GAS AND ELECTRIC COMPANY			OTHER:									
PLNR:													
DATE: 12/8/21													
1" = 10'													
167													



1. Yellow – original layout (84x11)	2. Red perpendicular layout (80x32)	3. Green – final layout (131x22)
<ul style="list-style-type: none"> Fence removal/replacement 	<ul style="list-style-type: none"> new dirt path 	<ul style="list-style-type: none"> new dirt path
<ul style="list-style-type: none"> 1 tree removal 	<ul style="list-style-type: none"> 6 tree removals 	<ul style="list-style-type: none"> 3 tree removals
<ul style="list-style-type: none"> Existing driveway remains 	<ul style="list-style-type: none"> new driveway approach 	<ul style="list-style-type: none"> new driveway approach
<ul style="list-style-type: none"> No city easement 	<ul style="list-style-type: none"> vegetation removal 	<ul style="list-style-type: none"> minor loss of park ROW/Easement to PGE
<ul style="list-style-type: none"> Resident coy pond is compromised 	<ul style="list-style-type: none"> Major loss of park ROW/Easement to PGE 	



Notes:
PG&E to grade area out in area of
proposed construction.

Proposed Easement
Size: 8' x 65'

EST: RUSS MARTINO	CO:	Item 7 C.
ADE: SCOTT HART	SD:	
SUPV:	NOTIF.:	
REP:	OTHER:	
PLNR:	SHT: 1 OF 1	SHEETS
DATE: 4/18/22	PM: 31549650	R
1" = 10'		

PROPOSED EASEMENT

MONTEREY AVE & JUNIPERO CT.

CAPITOLA, CA

PACIFIC GAS AND ELECTRIC COMPANY

Capitola City Council

Agenda Report

Meeting: May 25, 2023

From: Public Works Department

Subject: GreenWaste Annual Rate Adjustment



Recommended Action: Adopt a resolution approving the contractual rate increase for collection and disposal of garbage, recycling, organics, food waste, yard waste, and construction and demolition debris, effective July 1, 2023, according to the Service Rate Schedule formula of the Franchise Agreement with GreenWaste Recovery, Inc.

Background: On October 14, 2021, the City Council authorized the City Manager to enter into an amended and restated Franchise Agreement (Agreement) with GreenWaste Recovery, Inc. for collection and disposal of garbage, recycling, organics, food waste, yard waste, and construction and demolition debris for the City of Capitola. The Agreement is effective through June 30, 2030.

The Agreement provides a prescribed formula to determine annual rate adjustments, which become effective July 1st of each year. The formula includes the cost of disposal and processing ("tipping fee") at the Monterey Regional Waste Management District facility in Marina and includes the Consumer Price Index (CPI) for adjustments to labor and operating costs, as well as other regulatory fees. Both residential and commercial rates are subject to annual rate adjustments.

Discussion: An average 5.5% residential rate increase for the next period is calculated based on a 4.88% increase to CPI and 10.00% increase to the tipping fee. Residential rates include collection and disposal of residential garbage, yard waste, food scraps, and recycling. Commercial customers are separately billed for garbage, organics, and recycling. Selected rates are included in Table 1 below, the draft resolution (Attachment 1) contains the full rate schedule effective July 1, 2023.

Table 1. Residential Rates

Garbage Service Cart Size	Prior Rate (07/01/2022)	New Rate (07/01/2023)
10 Gallon	\$ 17.36	\$ 18.31
<i>Care Discounted*</i>	\$ 10.41	\$ 10.99
20 Gallon	\$ 20.63	\$ 21.77
<i>Care Discounted*</i>	\$ 12.38	\$ 13.06
35 Gallon	\$ 23.38	\$ 24.67
<i>Care Discounted*</i>	\$ 14.03	\$ 14.80
64 Gallon	\$ 39.79	\$ 41.99
96 Gallon	\$ 56.40	\$ 59.51

*The Care Discounted rate is available to residential customers who participate in the PG&E Care Program.

Fiscal Impact: Any rate adjustments that result from the cost-based rate adjustment would change costs to rate payers but will have no effect on City expenses. The Franchise Agreement has a 10% franchise fee of gross receipts. Any rate change provides a corresponding change in franchise fee revenue.

Attachments:

1. Resolution

Report Prepared By: Jessica Kahn, Public Works Director

Reviewed By: Julia Moss, 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 APPROVING A RATE
SCHEDULE FOR GARBAGE, RECYCLING, ORGANICS, FOOD WASTE, YARD WASTE
AND CONSTRUCTION AND DEMOLITION DEBRIS IN CAPITOLA EFFECTIVE JULY 1, 2023,
SUPERSEDING RESOLUTION NO. 4266**

WHEREAS, on October 14, 2021, the City Council approved the Amended and Restated Garbage, Recycling, Organics, Food Waste, Yard Waste and Construction and Demolition Debris Services Franchise Agreement (“Agreement”) with GreenWaste Recovery; and

WHEREAS, the Agreement separates the costs for collection (“Service Fee” in the Agreement) and disposal (“Processing Fee” in the Agreement); and

WHEREAS, the City contracts with Monterey Regional Waste Management District for disposal. Disposal costs have increased 10.0 percent; and

WHEREAS, the Agreement allows for GreenWaste Recovery to increase the collection rates annually by 100 percent of the Consumer Price Index (“CPI”) for San Francisco Oakland-San Jose area. The CPI increase was 4.882 percent for the period ending December 2021; and

WHEREAS, due to the increase in disposal costs and change in CPI, and as permitted by the Agreement, rates for commercial and residential service will increase as outlined above, effective July 1, 2023; and

WHEREAS, on June 9, 2022, the City Council adopted Resolution No. 4266, adopted a rate schedule effective July 1, 2022; and

WHEREAS, the City Council considered the rate increases described herein at a public meeting where members of the public had the opportunity to address the council on the proposed increases.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Capitola, approves the Rate Schedule for Residential and Commercial Refuse, Recycling, Organics, and Yard Waste in Capitola as shown on the “Schedule of Rates” attached to this Resolution (Exhibit A-1, Residential Rates; Exhibit A-2 Commercial Rates Garbage Rates, Exhibit A-3 Commercial Recycle Rates, Exhibit A-4 Commercial Food Waste Rates, Exhibit A5 Debris Box Rates) effective July 1, 2023.

BE IT FURTHER RESOLVED that this Resolution becomes effective on July 1, 2023.

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 25th day of May, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Margaux Keiser, Mayor

ATTEST:

Julia Moss, City Clerk

APPEAL
MONTHLY SERVICE RATES - RESIDENTIAL

CPI increase Disposal increase
4.88% **10.00%**

Garbage Service	Rate Components			Prior Rate	Rate Components		New Rate
Cart Size	Quantity	Service	Disposal	(07/01/2022)	Service	Disposal	(07/01/2023)
10 Gallon	1	\$ 15.19	\$ 2.17	\$ 17.36	\$ 15.93	\$ 2.38	\$ 18.31
Care Discounted		\$ 8.25	\$ 2.17	\$ 10.41	\$ 8.61	\$ 2.38	\$ 10.99
20 Gallon	1	\$ 18.05	\$ 2.57	\$ 20.63	\$ 18.93	\$ 2.83	\$ 21.77
Care Discounted		\$ 9.80	\$ 2.57	\$ 12.38	\$ 10.23	\$ 2.83	\$ 13.06
35 Gallon	1	\$ 20.46	\$ 2.92	\$ 23.38	\$ 21.46	\$ 3.21	\$ 24.67
Care Discounted		\$ 11.11	\$ 2.92	\$ 14.03	\$ 11.59	\$ 3.21	\$ 14.80
64 Gallon	1	\$ 34.83	\$ 4.97	\$ 39.79	\$ 36.53	\$ 5.46	\$ 41.99
96 Gallon	1	\$ 49.36	\$ 7.04	\$ 56.40	\$ 51.77	\$ 7.74	\$ 59.51

Each Resident subscribing to Garbage service receives one (1) 64-gallon Recyclables Cart and one (1) 64-gallon Organics Cart for no additional charge.

Additional monthly charge for one (1) 35-gallon Recyclables Cart and/or one (1) 35-gallon Organics Cart \$ 0.78

Additional Containers (Weekly Recurring)

Material Type	Recyclables Carts		Organics Carts	
	64 Gallon	96 Gallon	64 Gallon	96 Gallon
Extra Carts	\$10.50	\$14.88	\$21.00	29.76

Excess Material Pick-up (Non-Recurring)

Material Type	Prior Per 32-Gal. Set-out	Plus Prior Dismount Fee	Regular Service Day	Prior Non-Service Day Trip Fee	Current Per 32-Gal. Set-out	Plus Current Dismount Fee	Regular Service Day	Non-Service Day Trip Fee
Garbage	\$ 5.80	\$ 3.13	n/a	\$26.06	\$ 6.08	\$ 3.28	n/a	\$27.33
Recyclables	\$ 3.54	\$ 3.13	n/a		\$ 3.72	\$ 3.28	n/a	
Organics	\$ 7.10	\$ 3.13	n/a		\$ 7.45	\$ 3.28	n/a	

Bulky Item Collection

Material Type	Prior Collection Charge	Current Collection Charge		Containing CFCs	Containing CFCs		Regular Service Day	Non-Service Day Trip Fee
Bulky Good	\$ 26.06	\$ 27.33	/item	n/a	n/a		n/a	\$27.33
Appliances	\$ 26.06	\$ 27.33	/item	\$ 10.42	\$ 10.93	/each	n/a	
Carpet/Padding	\$ 1.04	\$ 1.09	/sq.ft.	n/a	n/a		n/a	

Miscellaneous Charges

Description	Prior Charge	Current Charge	Frequency
Walk-in Service	\$ 12.51	\$ 13.12	/container/mo.
Re-Start Fee	\$ 26.06	\$ 27.33	/occurrence

APPENDIX
MONTHLY SERVICE RATES - COMMERCIAL GARBAGE

CPI increase Disposal increase
4.88% 10.00%

Garbage CARTS			Rate Components		Prior Rate	Rate Components		New Rate
Quantity	Size	Frequency	Service	Disposal	(07/01/2022)	Service	Disposal	(07/01/2023)
1	35-gal	1x/week	\$ 27.24	\$ 3.88	\$ 31.13	\$ 28.57	\$ 4.27	\$ 32.85
1	64-gal	1x/week	\$ 55.10	\$ 7.86	\$ 62.96	\$ 57.79	\$ 8.64	\$ 66.43
1	96-gal	1x/week	\$ 81.97	\$ 11.69	\$ 93.66	\$ 85.97	\$ 12.86	\$ 98.83

Garbage CANS			Rate Components		Prior Rate	Rate Components		New Rate
Quantity	Size	Frequency	Service	Disposal	(07/01/2022)	Service	Disposal	(07/01/2023)
1	32-gal	1x/week	\$ 20.83	\$ 2.97	\$ 23.79	\$ 21.84	\$ 3.27	\$ 25.11
2	32-gal	1x/week	\$ 41.68	\$ 5.94	\$ 47.62	\$ 43.71	\$ 6.54	\$ 50.25
3	32-gal	1x/week	\$ 62.48	\$ 8.91	\$ 71.39	\$ 65.53	\$ 9.80	\$ 75.34

Garbage BINS			Rate Components		Prior Rate	Rate Components		New Rate
Quantity	Cart Size	Frequency	Service	Disposal	(07/01/2022)	Service	Disposal	(07/01/2023)
1	1 cu yd	1x/week	\$ 206.88	\$ 29.50	\$ 236.38	\$ 216.98	\$ 32.45	\$ 249.43
1	1 cu yd	2x/week	\$ 314.25	\$ 44.81	\$ 359.06	\$ 329.59	\$ 49.29	\$ 378.89
1	1 cu yd	3x/week	\$ 420.40	\$ 59.95	\$ 480.35	\$ 440.92	\$ 65.94	\$ 506.87
1	1 cu yd	4x/week	\$ 526.96	\$ 75.14	\$ 602.10	\$ 552.69	\$ 82.66	\$ 635.34
1	1 cu yd	5x/week	\$ 633.31	\$ 90.31	\$ 723.62	\$ 664.23	\$ 99.34	\$ 763.57
1	1 cu yd	6x/week	\$ 739.66	\$ 105.47	\$ 845.13	\$ 775.76	\$ 116.02	\$ 891.79
2	1 cu yd	1x/week	\$ 314.25	\$ 44.81	\$ 359.06	\$ 329.59	\$ 49.29	\$ 378.89
2	1 cu yd	2x/week	\$ 526.96	\$ 75.14	\$ 602.10	\$ 552.69	\$ 82.66	\$ 635.34
2	1 cu yd	3x/week	\$ 739.66	\$ 105.47	\$ 845.13	\$ 775.76	\$ 116.02	\$ 891.79
2	1 cu yd	4x/week	\$ 952.38	\$ 135.81	\$ 1,088.18	\$ 998.87	\$ 149.39	\$ 1,148.26
2	1 cu yd	5x/week	\$ 1,165.05	\$ 166.14	\$ 1,331.18	\$ 1,221.92	\$ 182.75	\$ 1,404.67
2	1 cu yd	6x/week	\$ 1,377.74	\$ 196.47	\$ 1,574.21	\$ 1,445.00	\$ 216.11	\$ 1,661.11
3	1 cu yd	1x/week	\$ 420.62	\$ 59.98	\$ 480.60	\$ 441.15	\$ 65.98	\$ 507.13
3	1 cu yd	2x/week	\$ 739.67	\$ 105.48	\$ 845.14	\$ 775.78	\$ 116.02	\$ 891.80
3	1 cu yd	3x/week	\$ 1,058.92	\$ 151.00	\$ 1,209.93	\$ 1,110.62	\$ 166.10	\$ 1,276.72
3	1 cu yd	4x/week	\$ 1,377.77	\$ 196.47	\$ 1,574.24	\$ 1,445.03	\$ 216.12	\$ 1,661.14
3	1 cu yd	5x/week	\$ 1,696.83	\$ 241.97	\$ 1,938.80	\$ 1,779.66	\$ 266.16	\$ 2,045.83
3	1 cu yd	6x/week	\$ 2,015.83	\$ 287.46	\$ 2,303.28	\$ 2,114.23	\$ 316.20	\$ 2,430.44
4	1 cu yd	1x/week	\$ 526.96	\$ 75.14	\$ 602.10	\$ 552.69	\$ 82.66	\$ 635.34
4	1 cu yd	2x/week	\$ 952.38	\$ 135.81	\$ 1,088.18	\$ 998.87	\$ 149.39	\$ 1,148.26
4	1 cu yd	3x/week	\$ 1,378.19	\$ 196.53	\$ 1,574.72	\$ 1,445.47	\$ 216.18	\$ 1,661.66
4	1 cu yd	4x/week	\$ 1,803.19	\$ 257.14	\$ 2,060.33	\$ 1,891.22	\$ 282.85	\$ 2,174.07
4	1 cu yd	5x/week	\$ 2,228.58	\$ 317.80	\$ 2,546.38	\$ 2,337.38	\$ 349.58	\$ 2,686.96
4	1 cu yd	6x/week	\$ 2,653.91	\$ 378.45	\$ 3,032.36	\$ 2,783.47	\$ 416.29	\$ 3,199.76

APPENDIX
MONTHLY SERVICE RATES - COMMERCIAL GARBAGE (Cont...)

Garbage BINS			Rate Components		Prior Rate	Rate Components		New Rate
Quantity	Cart Size	Frequency	Service	Disposal	(07/01/2022)	Service	Disposal	(07/01/2023)
1	2 cu yd	1x/week	\$ 314.29	\$ 44.82	\$ 359.11	\$ 329.63	\$ 49.30	\$ 378.93
1	2 cu yd	2x/week	\$ 526.96	\$ 75.14	\$ 602.10	\$ 552.69	\$ 82.66	\$ 635.34
1	2 cu yd	3x/week	\$ 739.66	\$ 105.47	\$ 845.13	\$ 775.76	\$ 116.02	\$ 891.79
1	2 cu yd	4x/week	\$ 952.38	\$ 135.81	\$ 1,088.18	\$ 998.87	\$ 149.39	\$ 1,148.26
1	2 cu yd	5x/week	\$ 1,165.05	\$ 166.14	\$ 1,331.18	\$ 1,221.92	\$ 182.75	\$ 1,404.67
1	2 cu yd	6x/week	\$ 1,377.74	\$ 196.47	\$ 1,574.21	\$ 1,445.00	\$ 216.11	\$ 1,661.11
2	2 cu yd	1x/week	\$ 526.96	\$ 75.14	\$ 602.10	\$ 552.69	\$ 82.66	\$ 635.34
2	2 cu yd	2x/week	\$ 952.38	\$ 135.81	\$ 1,088.18	\$ 998.87	\$ 149.39	\$ 1,148.26
2	2 cu yd	3x/week	\$ 1,377.75	\$ 196.47	\$ 1,574.22	\$ 1,445.01	\$ 216.11	\$ 1,661.13
2	2 cu yd	4x/week	\$ 1,803.17	\$ 257.13	\$ 2,060.30	\$ 1,891.20	\$ 282.85	\$ 2,174.04
2	2 cu yd	5x/week	\$ 2,228.60	\$ 317.80	\$ 2,546.40	\$ 2,337.39	\$ 349.58	\$ 2,686.97
2	2 cu yd	6x/week	\$ 2,654.00	\$ 378.46	\$ 3,032.46	\$ 2,783.56	\$ 416.31	\$ 3,199.87
3	2 cu yd	1x/week	\$ 739.66	\$ 105.47	\$ 845.13	\$ 775.76	\$ 116.02	\$ 891.79
3	2 cu yd	2x/week	\$ 1,377.75	\$ 196.47	\$ 1,574.22	\$ 1,445.01	\$ 216.11	\$ 1,661.13
3	2 cu yd	3x/week	\$ 2,015.89	\$ 287.47	\$ 2,303.36	\$ 2,114.30	\$ 316.21	\$ 2,430.51
3	2 cu yd	4x/week	\$ 2,654.00	\$ 378.46	\$ 3,032.46	\$ 2,783.56	\$ 416.31	\$ 3,199.87
3	2 cu yd	5x/week	\$ 3,292.09	\$ 469.45	\$ 3,761.54	\$ 3,452.80	\$ 516.40	\$ 3,969.20
1	3 cu yd	1x/week	\$ 420.59	\$ 59.98	\$ 480.57	\$ 441.13	\$ 65.97	\$ 507.10
1	3 cu yd	2x/week	\$ 737.54	\$ 105.17	\$ 842.71	\$ 773.55	\$ 115.69	\$ 889.24
1	3 cu yd	3x/week	\$ 1,058.72	\$ 150.97	\$ 1,209.69	\$ 1,110.40	\$ 166.07	\$ 1,276.47
1	3 cu yd	4x/week	\$ 1,377.75	\$ 196.47	\$ 1,574.22	\$ 1,445.01	\$ 216.11	\$ 1,661.13
1	3 cu yd	5x/week	\$ 1,696.85	\$ 241.97	\$ 1,938.83	\$ 1,779.69	\$ 266.17	\$ 2,045.86
1	3 cu yd	6x/week	\$ 2,015.89	\$ 287.47	\$ 2,303.36	\$ 2,114.30	\$ 316.21	\$ 2,430.51
2	3 cu yd	1x/week	\$ 739.66	\$ 105.47	\$ 845.13	\$ 775.76	\$ 116.02	\$ 891.79
2	3 cu yd	2x/week	\$ 1,377.75	\$ 196.47	\$ 1,574.22	\$ 1,445.01	\$ 216.11	\$ 1,661.13
2	3 cu yd	3x/week	\$ 2,015.89	\$ 287.47	\$ 2,303.36	\$ 2,114.30	\$ 316.21	\$ 2,430.51
2	3 cu yd	4x/week	\$ 2,654.00	\$ 378.46	\$ 3,032.46	\$ 2,783.56	\$ 416.31	\$ 3,199.87
2	3 cu yd	5x/week	\$ 3,292.09	\$ 469.45	\$ 3,761.54	\$ 3,452.80	\$ 516.40	\$ 3,969.20
2	3 cu yd	6x/week	\$ 3,930.21	\$ 560.45	\$ 4,490.66	\$ 4,122.07	\$ 616.49	\$ 4,738.57
3	3 cu yd	1x/week	\$ 1,058.70	\$ 150.97	\$ 1,209.68	\$ 1,110.39	\$ 166.07	\$ 1,276.46
3	3 cu yd	2x/week	\$ 2,015.89	\$ 287.47	\$ 2,303.36	\$ 2,114.30	\$ 316.21	\$ 2,430.51
3	3 cu yd	3x/week	\$ 2,973.05	\$ 423.96	\$ 3,397.01	\$ 3,118.19	\$ 466.35	\$ 3,584.54
3	3 cu yd	4x/week	\$ 3,930.21	\$ 560.45	\$ 4,490.66	\$ 4,122.07	\$ 616.49	\$ 4,738.57
3	3 cu yd	5x/week	\$ 4,887.40	\$ 696.94	\$ 5,584.34	\$ 5,125.99	\$ 766.64	\$ 5,892.63
3	3 cu yd	6x/week	\$ 5,844.54	\$ 833.43	\$ 6,677.97	\$ 6,129.86	\$ 916.78	\$ 7,046.64
4	3 cu yd	1x/week	\$ 1,377.75	\$ 196.47	\$ 1,574.22	\$ 1,445.01	\$ 216.11	\$ 1,661.13
4	3 cu yd	2x/week	\$ 2,654.00	\$ 378.46	\$ 3,032.46	\$ 2,783.56	\$ 416.31	\$ 3,199.87
4	3 cu yd	3x/week	\$ 3,930.21	\$ 560.45	\$ 4,490.66	\$ 4,122.07	\$ 616.49	\$ 4,738.57
4	3 cu yd	4x/week	\$ 5,206.42	\$ 742.44	\$ 5,948.85	\$ 5,460.59	\$ 816.68	\$ 6,277.27
4	3 cu yd	5x/week	\$ 6,482.69	\$ 924.43	\$ 7,407.12	\$ 6,799.16	\$1,016.88	\$ 7,816.04
4	3 cu yd	6x/week	\$ 7,758.85	\$ 1,106.41	\$ 8,865.26	\$ 8,137.62	\$1,217.05	\$ 9,354.68

APPENDIX
MONTHLY SERVICE RATES - COMMERCIAL GARBAGE (Cont...)

Garbage BINS			Rate Components		Prior Rate	Rate Components		New Rate
Quantity	Cart Size	Frequency	Service	Disposal	(07/01/2022)	Service	Disposal	(07/01/2023)
1	4 cu yd	1x/week	\$ 526.96	\$ 75.14	\$ 602.10	\$ 552.69	\$ 82.66	\$ 635.34
1	4 cu yd	2x/week	\$ 952.38	\$ 135.81	\$ 1,088.18	\$ 998.87	\$ 149.39	\$ 1,148.26
1	4 cu yd	3x/week	\$ 1,377.75	\$ 196.47	\$ 1,574.22	\$ 1,445.01	\$ 216.11	\$ 1,661.13
1	4 cu yd	4x/week	\$ 1,803.17	\$ 257.13	\$ 2,060.30	\$ 1,891.20	\$ 282.85	\$ 2,174.04
1	4 cu yd	5x/week	\$ 2,228.60	\$ 317.80	\$ 2,546.40	\$ 2,337.39	\$ 349.58	\$ 2,686.97
1	4 cu yd	6x/week	\$ 2,654.00	\$ 378.46	\$ 3,032.46	\$ 2,783.56	\$ 416.31	\$ 3,199.87
2	4 cu yd	1x/week	\$ 952.38	\$ 135.81	\$ 1,088.18	\$ 998.87	\$ 149.39	\$ 1,148.26
2	4 cu yd	2x/week	\$ 1,803.17	\$ 257.13	\$ 2,060.30	\$ 1,891.20	\$ 282.85	\$ 2,174.04
2	4 cu yd	3x/week	\$ 2,654.00	\$ 378.46	\$ 3,032.46	\$ 2,783.56	\$ 416.31	\$ 3,199.87
2	4 cu yd	4x/week	\$ 3,605.73	\$ 514.18	\$ 4,119.91	\$ 3,781.76	\$ 565.60	\$ 4,347.35
2	4 cu yd	5x/week	\$ 4,355.59	\$ 621.11	\$ 4,976.69	\$ 4,568.22	\$ 683.22	\$ 5,251.44
2	4 cu yd	6x/week	\$ 5,206.42	\$ 742.44	\$ 5,948.85	\$ 5,460.59	\$ 816.68	\$ 6,277.27
3	4 cu yd	1x/week	\$ 1,377.08	\$ 196.37	\$ 1,573.45	\$ 1,444.31	\$ 216.01	\$ 1,660.32
3	4 cu yd	2x/week	\$ 2,654.00	\$ 378.46	\$ 3,032.46	\$ 2,783.56	\$ 416.31	\$ 3,199.87
3	4 cu yd	3x/week	\$ 3,930.21	\$ 560.45	\$ 4,490.66	\$ 4,122.07	\$ 616.49	\$ 4,738.57
3	4 cu yd	4x/week	\$ 5,206.42	\$ 742.44	\$ 5,948.85	\$ 5,460.59	\$ 816.68	\$ 6,277.27
3	4 cu yd	5x/week	\$ 6,482.69	\$ 924.43	\$ 7,407.12	\$ 6,799.16	\$1,016.88	\$ 7,816.04
3	4 cu yd	6x/week	\$ 7,758.85	\$ 1,106.41	\$ 8,865.26	\$ 8,137.62	\$1,217.05	\$ 9,354.68
4	4 cu yd	1x/week	\$ 1,803.17	\$ 257.13	\$ 2,060.30	\$ 1,891.20	\$ 282.85	\$ 2,174.04
4	4 cu yd	2x/week	\$ 3,504.82	\$ 499.79	\$ 4,004.61	\$ 3,675.92	\$ 549.77	\$ 4,225.68
4	4 cu yd	3x/week	\$ 5,206.43	\$ 742.44	\$ 5,948.87	\$ 5,460.60	\$ 816.68	\$ 6,277.28
4	4 cu yd	4x/week	\$ 6,908.03	\$ 985.09	\$ 7,893.12	\$ 7,245.27	\$1,083.59	\$ 8,328.86
4	4 cu yd	5x/week	\$ 8,609.76	\$ 1,227.75	\$ 9,837.51	\$ 9,030.07	\$1,350.53	\$ 10,380.60
4	4 cu yd	6x/week	\$10,311.28	\$ 1,470.39	\$ 11,781.67	\$10,814.66	\$1,617.43	\$ 12,432.09
5	4 cu yd	1x/week	\$ 2,292.74	\$ 326.94	\$ 2,619.68	\$ 2,404.66	\$ 359.64	\$ 2,764.30
5	4 cu yd	2x/week	\$ 4,355.60	\$ 621.11	\$ 4,976.71	\$ 4,568.23	\$ 683.22	\$ 5,251.45
5	4 cu yd	3x/week	\$ 6,482.68	\$ 924.43	\$ 7,407.11	\$ 6,799.15	\$1,016.87	\$ 7,816.02
5	4 cu yd	4x/week	\$ 8,609.67	\$ 1,227.74	\$ 9,837.41	\$ 9,029.98	\$1,350.51	\$ 10,380.49
5	4 cu yd	5x/week	\$10,736.81	\$ 1,531.07	\$ 12,267.88	\$11,260.96	\$1,684.18	\$ 12,945.14
5	4 cu yd	6x/week	\$12,863.72	\$ 1,834.37	\$ 14,698.09	\$13,491.71	\$2,017.81	\$ 15,509.51
1	6 cu yd	1x/week	\$ 739.66	\$ 105.47	\$ 845.13	\$ 775.76	\$ 116.02	\$ 891.79
1	6 cu yd	2x/week	\$ 1,377.75	\$ 196.47	\$ 1,574.22	\$ 1,445.01	\$ 216.11	\$ 1,661.13
1	6 cu yd	3x/week	\$ 2,015.89	\$ 287.47	\$ 2,303.36	\$ 2,114.30	\$ 316.21	\$ 2,430.51
1	6 cu yd	4x/week	\$ 2,654.00	\$ 378.46	\$ 3,032.46	\$ 2,783.56	\$ 416.31	\$ 3,199.87
1	6 cu yd	5x/week	\$ 3,292.09	\$ 469.45	\$ 3,761.54	\$ 3,452.80	\$ 516.40	\$ 3,969.20
1	6 cu yd	6x/week	\$ 3,930.21	\$ 560.45	\$ 4,490.66	\$ 4,122.07	\$ 616.49	\$ 4,738.57
2	6 cu yd	1x/week	\$ 1,377.75	\$ 196.47	\$ 1,574.22	\$ 1,445.01	\$ 216.11	\$ 1,661.13
2	6 cu yd	2x/week	\$ 2,654.00	\$ 378.46	\$ 3,032.46	\$ 2,783.56	\$ 416.31	\$ 3,199.87
2	6 cu yd	3x/week	\$ 3,930.21	\$ 560.45	\$ 4,490.66	\$ 4,122.07	\$ 616.49	\$ 4,738.57
2	6 cu yd	4x/week	\$ 5,206.38	\$ 742.43	\$ 5,948.81	\$ 5,460.55	\$ 816.67	\$ 6,277.22
2	6 cu yd	5x/week	\$ 6,482.68	\$ 924.43	\$ 7,407.11	\$ 6,799.15	\$1,016.87	\$ 7,816.02
2	6 cu yd	6x/week	\$ 7,758.89	\$ 1,106.42	\$ 8,865.31	\$ 8,137.66	\$1,217.06	\$ 9,354.72

**APPENDIX
MONTHLY SERVICE RATES - COMMERCIAL GARBAGE (Cont...)**

Garbage BINS			Rate Components		Prior Rate	Rate Components		New Rate
Quantity	Cart Size	Frequency	Service	Disposal	(07/01/2022)	Service	Disposal	(07/01/2023)
1	8 cu yd	1x/week	\$ 952.38	\$ 135.81	1,088.18	\$ 998.87	\$ 149.39	1,148.26
1	8 cu yd	2x/week	\$ 1,803.17	\$ 257.13	2,060.30	\$ 1,891.20	\$ 282.85	2,174.04
1	8 cu yd	3x/week	\$ 2,654.00	\$ 378.46	3,032.46	\$ 2,783.56	\$ 416.31	3,199.87
1	8 cu yd	4x/week	\$ 3,504.79	\$ 499.78	4,004.58	\$ 3,675.89	\$ 549.76	4,225.65
1	8 cu yd	5x/week	\$ 4,355.61	\$ 621.11	4,976.72	\$ 4,568.25	\$ 683.22	5,251.47
1	8 cu yd	6x/week	\$ 5,206.38	\$ 742.43	5,948.81	\$ 5,460.55	\$ 816.67	6,277.22

Garbage Front-Load Compactor			Rate Components		Prior Rate	Rate Components		New Rate
Quantity	Size	Frequency	Service	Disposal	(07/01/2022)	Service	Disposal	(07/01/2023)
1	2 cu yd	1x/week	\$418.01	\$59.61	\$477.62	\$438.42	\$65.57	\$503.99
1	2 cu yd	2x/week	\$700.86	\$99.94	\$800.80	\$735.07	\$109.94	\$845.01
1	2 cu yd	3x/week	\$983.75	\$140.28	\$1,124.03	\$1,031.77	\$154.31	\$1,186.08
2	2 cu yd	1x/week	\$700.86	\$99.94	\$800.80	\$735.07	\$109.94	\$845.01
2	2 cu yd	2x/week	\$1,266.66	\$180.63	\$1,447.28	\$1,328.49	\$198.69	\$1,527.18
3	2 cu yd	1x/week	\$983.75	\$140.28	\$1,124.03	\$1,031.77	\$154.31	\$1,186.08
3	2 cu yd	2x/week	\$1,832.42	\$261.30	\$2,093.72	\$1,921.87	\$287.43	\$2,209.31
1	2 cu yd	1x/week	\$559.37	\$79.77	\$639.14	\$586.68	\$87.74	\$674.42
1	3 cu yd	2x/week	\$980.94	\$139.88	\$1,120.82	\$1,028.83	\$153.87	\$1,182.70
2	4 cu yd	1x/week	\$983.75	\$140.28	\$1,124.03	\$1,031.77	\$154.31	\$1,186.08
2	5 cu yd	2x/week	\$1,832.42	\$261.30	\$2,093.72	\$1,921.87	\$287.43	\$2,209.31
3	6 cu yd	1x/week	\$1,408.08	\$200.79	\$1,608.87	\$1,476.82	\$220.87	\$1,697.69
3	7 cu yd	2x/week	\$2,681.13	\$382.33	\$3,063.46	\$2,812.01	\$420.56	\$3,232.58
4	8 cu yd	1x/week	\$1,832.42	\$261.30	\$2,093.72	\$1,921.87	\$287.43	\$2,209.31
4	9 cu yd	2x/week	\$3,529.82	\$503.35	\$4,033.17	\$3,702.14	\$553.69	\$4,255.82

**APPENDIX
MONTHLY SERVICE RATES - COMMERCIAL GARBAGE (Cont...)**

Excess Material Pick-up (Non-Recurring)

Material Type	Prior Per 32-Gal. Set-out	Plus Prior Dismount Fee	Regular Service Day	Prior Non-Service Day Trip Fee	Current Per 32-Gal. Set-out	Plus Current Dismount Fee	Regular Service Day	Non-Service Day Trip Fee
Garbage	\$ 7.72	\$ 3.13	n/a	+ \$26.06 Trip Fee	\$ 8.10	\$ 3.28	n/a	\$27.33
Recyclables	\$ 3.54	\$ 3.13	n/a		\$ 3.72	\$ 3.28	n/a	
Organics	\$ 7.10	\$ 3.13	n/a		\$ 7.45	\$ 3.28	n/a	

Bulky Item Collection

Material Type	Prior Collection Charge	Current Collection Charge		Containing CFCs	Containing CFCs		Regular Service Day	Non-Service Day Trip Fee
Bulky Good	\$ 26.06	\$ 27.33	/item	n/a	n/a		n/a	\$27.33
Appliances	\$ 26.06	\$ 27.33	/item	\$ 10.42	\$ 10.93	/each	n/a	
Carpet/Padding	\$ 1.04	\$ 1.09	/sq. ft.	n/a	n/a		n/a	

Miscellaneous Charges

Description	Prior Charge	Current Charge	Frequency
Sunday Service	\$ 62.55	\$ 65.60	/month
Bin Locks	\$ 26.06	\$ 27.33	/each
Re-Start Fee	\$ 26.06	\$ 27.33	/occurrence

APPENDIX
MONTHLY SERVICE RATES - COMMERCIAL RECYCLING

Recycling CARTS			Rate Components		New Rate
Quantity	Size	Frequency	Service	Disposal	(07/01/2023)
1	35-gal	1x/week	\$ 2.11	\$ 1.51	\$ 3.61
1	64-gal	1x/week	\$ 4.26	\$ 3.05	\$ 7.31
1	96-gal	1x/week	\$ 6.34	\$ 4.53	\$ 10.87

Recycling BINS			Rate Components		New Rate
Quantity	Cart Size	Frequency	Service	Disposal	(07/01/2023)
1	1 cu yd	1x/week	\$ 16.00	\$ 11.44	\$ 27.44
1	1 cu yd	2x/week	\$ 24.30	\$ 17.38	\$ 41.68
1	1 cu yd	3x/week	\$ 32.51	\$ 23.25	\$ 55.76
1	1 cu yd	4x/week	\$ 40.74	\$ 29.14	\$ 69.89
1	1 cu yd	5x/week	\$ 48.97	\$ 35.03	\$ 83.99
1	1 cu yd	6x/week	\$ 57.19	\$ 40.91	\$ 98.10
2	1 cu yd	1x/week	\$ 24.30	\$ 17.38	\$ 41.68
2	1 cu yd	2x/week	\$ 40.74	\$ 29.14	\$ 69.89
2	1 cu yd	3x/week	\$ 57.19	\$ 40.91	\$ 98.10
2	1 cu yd	4x/week	\$ 73.64	\$ 52.67	\$ 126.31
2	1 cu yd	5x/week	\$ 90.08	\$ 64.43	\$ 154.51
2	1 cu yd	6x/week	\$ 106.53	\$ 76.20	\$ 182.72
3	1 cu yd	1x/week	\$ 32.52	\$ 23.26	\$ 55.78
3	1 cu yd	2x/week	\$ 57.19	\$ 40.91	\$ 98.10
3	1 cu yd	3x/week	\$ 81.88	\$ 58.56	\$ 140.44
3	1 cu yd	4x/week	\$ 106.53	\$ 76.20	\$ 182.73
3	1 cu yd	5x/week	\$ 131.20	\$ 93.84	\$ 225.04
3	1 cu yd	6x/week	\$ 155.86	\$ 111.48	\$ 267.35
4	1 cu yd	1x/week	\$ 40.74	\$ 29.14	\$ 69.89
4	1 cu yd	2x/week	\$ 73.64	\$ 52.67	\$ 126.31
4	1 cu yd	3x/week	\$ 106.56	\$ 76.22	\$ 182.78
4	1 cu yd	4x/week	\$ 139.42	\$ 99.72	\$ 239.15
4	1 cu yd	5x/week	\$ 172.31	\$ 123.25	\$ 295.57
4	1 cu yd	6x/week	\$ 205.20	\$ 146.77	\$ 351.97

APPENDIX
MONTHLY SERVICE RATES - COMMERCIAL RECYCLING (Cont...)

Garbage BINS			Rate Components		New Rate
Quantity	Cart Size	Frequency	Service	Disposal	(07/01/2023)
1	4 cu yd	1x/week	\$ 40.74	\$ 29.14	\$ 69.89
1	4 cu yd	2x/week	\$ 73.64	\$ 52.67	\$ 126.31
1	4 cu yd	3x/week	\$ 106.53	\$ 76.20	\$ 182.72
1	4 cu yd	4x/week	\$ 139.42	\$ 99.72	\$ 239.14
1	4 cu yd	5x/week	\$ 172.32	\$ 123.25	\$ 295.57
1	4 cu yd	6x/week	\$ 205.21	\$ 146.78	\$ 351.99
2	4 cu yd	1x/week	\$ 73.64	\$ 52.67	\$ 126.31
2	4 cu yd	2x/week	\$ 139.42	\$ 99.72	\$ 239.14
2	4 cu yd	3x/week	\$ 205.21	\$ 146.78	\$ 351.99
2	4 cu yd	4x/week	\$ 278.80	\$ 199.41	\$ 478.21
2	4 cu yd	5x/week	\$ 336.77	\$ 240.88	\$ 577.66
2	4 cu yd	6x/week	\$ 402.56	\$ 287.94	\$ 690.50
3	4 cu yd	1x/week	\$ 106.48	\$ 76.16	\$ 182.64
3	4 cu yd	2x/week	\$ 205.21	\$ 146.78	\$ 351.99
3	4 cu yd	3x/week	\$ 303.88	\$ 217.36	\$ 521.24
3	4 cu yd	4x/week	\$ 402.56	\$ 287.94	\$ 690.50
3	4 cu yd	5x/week	\$ 501.24	\$ 358.52	\$ 859.76
3	4 cu yd	6x/week	\$ 599.92	\$ 429.10	\$ 1,029.01
4	4 cu yd	1x/week	\$ 139.42	\$ 99.72	\$ 239.14
4	4 cu yd	2x/week	\$ 270.99	\$ 193.83	\$ 464.83
4	4 cu yd	3x/week	\$ 402.56	\$ 287.94	\$ 690.50
4	4 cu yd	4x/week	\$ 534.13	\$ 382.04	\$ 916.17
4	4 cu yd	5x/week	\$ 665.71	\$ 476.16	\$ 1,141.87
4	4 cu yd	6x/week	\$ 797.27	\$ 570.26	\$ 1,367.53
5	4 cu yd	1x/week	\$ 177.27	\$ 126.80	\$ 304.07
5	4 cu yd	2x/week	\$ 336.78	\$ 240.88	\$ 577.66
5	4 cu yd	3x/week	\$ 501.24	\$ 358.52	\$ 859.76
5	4 cu yd	4x/week	\$ 665.70	\$ 476.15	\$ 1,141.85
5	4 cu yd	5x/week	\$ 830.17	\$ 593.79	\$ 1,423.97
5	4 cu yd	6x/week	\$ 994.62	\$ 711.42	\$ 1,706.05
1	6 cu yd	1x/week	\$ 57.19	\$ 40.91	\$ 98.10
1	6 cu yd	2x/week	\$ 106.53	\$ 76.20	\$ 182.72
1	6 cu yd	3x/week	\$ 155.87	\$ 111.49	\$ 267.36
1	6 cu yd	4x/week	\$ 205.21	\$ 146.78	\$ 351.99
1	6 cu yd	5x/week	\$ 254.54	\$ 182.07	\$ 436.61
1	6 cu yd	6x/week	\$ 303.88	\$ 217.36	\$ 521.24
2	6 cu yd	1x/week	\$ 106.53	\$ 76.20	\$ 182.72
2	6 cu yd	2x/week	\$ 205.21	\$ 146.78	\$ 351.99
2	6 cu yd	3x/week	\$ 303.88	\$ 217.36	\$ 521.24
2	6 cu yd	4x/week	\$ 402.56	\$ 287.94	\$ 690.49
2	6 cu yd	5x/week	\$ 501.24	\$ 358.52	\$ 859.76
2	6 cu yd	6x/week	\$ 599.92	\$ 429.10	\$ 1,029.02

APPENDIX
MONTHLY SERVICE RATES - COMMERCIAL ORGANICS

CPI increase Disposal increase
4.88% 0.00%

Organics CARTS			Rate Components		Prior Rate (07/01/2022)	Rate Components		New Rate (07/01/2023)
Quantity	Size	Frequency	Service	Disposal		Service	Disposal	
1	64-gal	1x/week	\$ 34.34	\$ 4.09	\$ 38.44	\$ 36.02	\$ 4.09	\$ 40.11
1	64-gal	2x/week	\$ 68.69	\$ 8.18	\$ 76.87	\$ 72.04	\$ 8.18	\$ 80.23
1	64-gal	3x/week	\$ 103.03	\$ 12.28	\$ 115.31	\$ 108.06	\$ 12.28	\$ 120.34
1	64-gal	4x/week	\$ 137.38	\$ 16.37	\$ 153.75	\$ 144.08	\$ 16.37	\$ 160.45
1	64-gal	5x/week	\$ 171.72	\$ 20.46	\$ 192.18	\$ 180.10	\$ 20.46	\$ 200.57
1	64-gal	6x/week	\$ 206.06	\$ 24.55	\$ 230.62	\$ 216.12	\$ 24.55	\$ 240.68

Organics BINS			Rate Components		Prior Rate (07/01/2022)	Rate Components		New Rate (07/01/2023)
Quantity	Cart Size	Frequency	Service	Disposal		Service	Disposal	
1	1 cu yd	1x/week	\$ 131.73	\$ 15.70	\$ 147.43	\$ 138.16	\$ 15.70	\$ 153.86
1	1 cu yd	2x/week	\$ 200.11	\$ 23.84	\$ 223.95	\$ 209.87	\$ 23.84	\$ 233.72
1	1 cu yd	3x/week	\$ 267.70	\$ 31.90	\$ 299.60	\$ 280.77	\$ 31.90	\$ 312.66
1	1 cu yd	4x/week	\$ 335.55	\$ 39.98	\$ 375.54	\$ 351.93	\$ 39.98	\$ 391.92
1	1 cu yd	5x/week	\$ 403.27	\$ 48.05	\$ 451.33	\$ 422.96	\$ 48.05	\$ 471.02
1	1 cu yd	6x/week	\$ 470.99	\$ 56.12	\$ 527.11	\$ 493.98	\$ 56.12	\$ 550.10
1	1.5 cu yd	1x/week	\$ 172.41	\$ 20.54	\$ 192.96	\$ 180.83	\$ 20.54	\$ 201.37
1	1.5 cu yd	2x/week	\$ 261.90	\$ 31.21	\$ 293.11	\$ 274.68	\$ 31.21	\$ 305.89
1	1.5 cu yd	3x/week	\$ 350.36	\$ 41.75	\$ 392.11	\$ 367.47	\$ 41.75	\$ 409.22
1	1.5 cu yd	4x/week	\$ 439.17	\$ 52.33	\$ 491.50	\$ 460.61	\$ 52.33	\$ 512.94
1	1.5 cu yd	5x/week	\$ 527.81	\$ 62.89	\$ 590.70	\$ 553.57	\$ 62.89	\$ 616.47
1	1.5 cu yd	6x/week	\$ 616.43	\$ 73.45	\$ 689.88	\$ 646.52	\$ 73.45	\$ 719.98

APPENDIX
MONTHLY SERVICE RATES - DEBRIS BOX

CPI increase
4.88%

Debris Box			7/1/2022	7/1/2023		
Quantity	Size	Frequency	Service	Service	Tons Included	Add't Tons
1	15 cu yd	per pull	\$ 667.97	\$ 700.58	2.5	Per Ton + 20%
1	20 cu yd	per pull	\$ 802.59	\$ 841.77	3.0	Per Ton + 20%
1	30 cu yd	per pull	\$ 1,074.94	\$ 1,127.41	4.0	Per Ton + 20%
1	40 cu yd	per pull	\$ 1,432.83	\$ 1,502.77	5.0	Per Ton + 20%
1	Compactor	per pull	\$ 510.93	\$ 535.87	-	Per Ton + 20%

Capitola City Council

Agenda Report

Meeting: May 25, 2023

From: Finance Department

Subject: Business Improvement Assessments for Fiscal Year 2023-24



Recommended Action: Adopt a resolution providing notification of the City's intent to levy business improvement assessments for Fiscal Year (FY) 2023-24; receiving the annual report and proposed budget of the Capitola Village and Wharf Business Improvement Area (CVWBIA); setting the date for a public hearing to be held on Thursday, June 22, 2023; and outlining noticing requirements.

Background: In June 2005, the City of Capitola adopted Ordinance No. 889, now codified as Capitola Municipal Code Chapter 5.10, which established the CVWBIA to generate revenue for the exclusive purpose of promoting business in the CVWBIA. State law requires certain annual actions and a public hearing to continue this assessment district.

Discussion: In accordance with state law, the CVWBIA is required to submit an annual plan each year for assessments to be levied in the CVWBIA. The annual report, Exhibit A to the proposed resolution (Attachment 1), was prepared by the CVWBIA. It fulfills the requirement for Fiscal Year 2023-24 and is submitted for Council review and approval. In addition, to continue levying the assessment, the City Council must, on an annual basis, adopt a resolution of intention notifying the business owners of the pending assessment, hold a public hearing, and adopt a resolution levying the assessment. In November 2018, voters approved Measure J, which increased the transient occupancy tax (TOT) from 10% to 12%. 20% of the revenues from the TOT increase is designated for local business groups for marketing and community improvements. The proposed CVWBIA budget includes \$36,500 of TOT revenues for FY 2023-24.

Assessments for FY 2023-24 have been reduced by 25% and hotel/lodging dues will be reduced 50%. Gift certificates have been eliminated from all categories and no late fee will be assessed.

The annual report also outlines the CVWBIA's Fiscal Year 2023-24 planned activities, goals, and proposed budget. These include:

- Increasing the number of year-round visits.
- Increasing the number of people who stay, shop, and dine.
- Improving ease of access to information via newsletters, the internet and print advertising.
- Providing fun, family-oriented events throughout the year.
- Improving and enhancing the appearance of the Village in cooperation with the City.
- Enhancing the ability of the CVWBIA to serve as a liaison between business owners, private and government agencies, and the City.
- Increasing awareness outside of our community about the uniqueness of Capitola.

Pursuant to state law, staff recommends the City Council adopt the attached resolution of intention providing notification of the City's intent to levy business improvement assessments for Fiscal Year 2023-24. The resolution officially receives the annual report and proposed budget of the CVWBIA, sets the date for a public hearing to be held on Thursday, June 22, 2023, and outlines noticing requirements.

A representative from the CVWBIA will provide a presentation during the public hearing on June 22, 2023.

Fiscal Impact: There is no fiscal impact to the City. CVWBIA billing and accounts payable costs incurred by the City are offset by assessment revenues. The City and CVWBIA have reviewed the amounts charged by the City for these services and agree that they are reasonable.

Attachments:

1. Resolution

Report Prepared By: Jim Malberg, Finance Director

Reviewed By: Julia Moss, City Clerk; Samantha Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager

RESOLUTION NO. _____

**RESOLUTION OF INTENTION OF THE CITY COUNCIL
OF THE CITY OF CAPITOLA
TO LEVY BUSINESS IMPROVEMENT ASSESSMENTS
FOR FISCAL YEAR 2023-24 FOR THE CAPITOLA VILLAGE AND WHARF BUSINESS
IMPROVEMENT AREA (CVWBIA)**

WHEREAS, the Capitola Village and Wharf Business Improvement Area (“CVWBIA”) has prepared a report to the City of Capitola for Fiscal Year 2023-24 pertaining to the Business Improvement Area assessments for the CVWBIA under California Streets and Highways Code §36533; 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.

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

1. The Annual Report and Proposed Fiscal Year FY 2023-24 Budget of the CVWBIA pertaining to business improvement assessments, as presented in Exhibit A attached hereto, is received.

2. The City Council intends to levy and collect assessments within the CVWBIA for FY 2023-24.

3. The proposed activities authorized by Capitola Municipal Code Chapter 5.10 are described in the afore-referenced CVWBIA Annual Report. The activities financed from these funds include promotional information, media announcements, and advertising in regional magazines, broadcast services, and websites.

4. The Business Improvement Area is bounded per the map referenced in Municipal Code §5.10.020 and included in Ordinance 1003. The CVWBIA boundaries are not being altered this year.

5. The Annual Report of the CVWBIA and proposed assessments for FY 2023-24 attached as Exhibit A and on file with the City Clerk provide a full and detailed description of the improvements and activities to be provided during FY 2023-24 and the proposed assessments to be levied upon the businesses within the area.

6. The Capitola City Council will hold a public hearing at 6 p.m. on Thursday, June 22, 2023, to receive any oral or written protests or endorsements to the regularity or sufficiency of the proposed business improvement assessments. In person and remote access only can be accommodated: live on Spectrum Cable Television channel 8 and by joining the Zoom meeting (information on how to do so can be found at CityOfCapitola.org). If written protests complying with Streets and Highways Code §36524 and §36525 are received from the owners of businesses which will pay fifty percent or more of the assessments, assessments will not be levied, the procedure will be terminated and will not be reconsidered until one full year has elapsed.

7. The City Clerk is directed to give notice of the public hearing to consider the levy of business improvement assessments for FY 2023-24 by publishing this Resolution of Intention in a newspaper of general circulation in the City once, at least ten days prior to the public hearing.

8. The CVWBIA Advisory Committee is directed to give notice of the public hearing to

each business owner in the area by mailing a copy of the Council's Resolution of Intention to each business within its boundaries.

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 25th day of May 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Margaux Keiser, Mayor

ATTEST:

Julia Moss, City Clerk

EXHIBIT A

Resolution No.

Annual Report & Proposed Fiscal Year 2023-2024 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, print and television advertising.
- Provide fun, family-oriented events throughout the year emphasizing the attributes of the Village and Wharf.
- 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. In January 2023 storm related flooding cause major damage to the wharf and some village businesses. Recovery has moved swiftly but business has not returned to pre-storm levels. FY 2023-24 assessments will remain at FY 2022-23 levels.

As the CVWBIA begins its eighteenth 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) 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. This process continues in 2023-24 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. Monthly summaries of traffic to the site has shown the businesses the value of the website.
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 24,000 subscribers each month. Our Facebook page has over 18,000 fans with our top 5 cities being: San Jose, Santa Cruz, Modesto, Sacramento, and Capitola. Our Instagram is growing the fastest with over 17,300 active followers with an average of 500 profile visits to our account every week. Our newest channel, Twitter, currently has almost 1,200 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. **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. In addition, in 2022-23 the BIA began a television promotion on Hulu and KCRA. With Hulu we are able to target very specific audiences by income levels and zip codes. The analytics are quite extensive as well. We are focusing on Sacramento, San Francisco and the Central Valley. This campaign will continue in 2023-24.
4. **Village Brochures** – We print 25,000 brochures and distribute them throughout Santa Cruz County. A new addition to the brochure is a QRCode taking the visitor directly to our website. Many visitors depend on their phones to access information while traveling.
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** – 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. This year we are concentrating on landscaping and cleanliness of the village both in public spaces and private planting areas.

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 2023-24 at same level as last fiscal year.

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
	Flat Fee		
Wine/Beer Service	\$315		
Office / Professional / Specialty	\$90		
Short-term Rental**	\$135		
Seasonal Food Service	\$210		
	Per Unit Fee		
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 31st 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 2023-24 dues.

Delinquencies. CVWBIA has a clear policy relative to delinquent assessments. Businesses that have not paid their assessment by October 31, 2023, 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, 2024, will be sent to collections.

Capitola Village & Wharf Business Improvement Area Estimated Actual for FY 2022-2023 and Proposed Budget for FY 2023-2024

	FY 21/22	FY 22/23	FY 23/24	FY 23/24	FY 23/24
	Actual	Adopted Budget	Assessment Budget	TOT Budget	Total Budget
Beginning Fund Balance	\$ 29,401	\$ 39,394	\$ 23,069		\$ 23,069
Revenues					
Member Assessment	51,619	51,775	53,584	✓	53,584
Associate Assessment		0		✓	0
Assessment Revenues - Trade	0				0
Late Fees	0				0
TOT Revenue	38,738	35,000	0	36,500 ✓	36,500
Holiday Events	0				0
Palm Tree Lights	0				0
Sip N' Stroll	15,395	54,000	54,000	✓	54,000
Cookie Walk		2,500	2,500	✓	2,500
Interest Revenue	89	100	100	✓	100
Total Revenues	\$ 105,842	\$ 143,375	\$ 110,184	\$ 36,500	\$ 146,684
Total Source of Funds	\$ 135,243	\$ 182,769	\$ 133,253	\$ 36,500	\$ 169,753
Expenditures					
Chamber Services		\$3,000	\$0	✓	\$0
Charitable Donations		6,000	6,000	✓	6,000
CDS Direct Distribution	2,329	4,000	4,000	✓	4,000
Doubtful Accounts		5,000	5,000	✓	5,000
Insurance		2,000	2,000	✓	2,000
Office Supplies	20	1,200	1,000	✓	1,000
Storage Unit	1,314	1,700	1,700	✓	1,700
Renewal		800	800	✓	800
Total Administration	\$ 3,663	\$ 23,700	\$ 20,500	\$ -	\$ 20,500
City Accounting Services	\$ 4,200	\$ 4,200	\$ 4,200	✓	\$ 4,200
City Public Works	3,000	3,000	3,000	✓	3,000
Total City Services	\$ 7,200	\$ 7,200	\$ 7,200	\$ -	\$ 7,200
Ambassador	\$7,200	\$7,200	\$7,200	✓	\$7,200
Communications Manager	18,000	18,000	18,000	✓	18,000
Directories Printing	3,232	3,000		4,000 ✓	4,000
VSC Newsletter	2,250	2,000	0	✓	0
VSC Travel Guide	3,000	3,000	0	✓	0
VSC TV Partnership		6,000	0	✓	0
VSC Map	770	500	0	✓	0
Insurance	1,743		2,000	✓	2,000
Miscellaneous Print	200	0	0	✓	0
Miscellaneous Advertising		7,500	15,000	✓	15,000
Monterey Travel Magazine		600	600	✓	600
Print Explore		1,000	1,000	✓	1,000
Social Media Boost	3,000	5,000	3,000	✓	3,000
Website Management	16,394	10,000	6,000	✓	6,000
Video Photo Production		3,000	6,000	✓	6,000
Village Enhancement	5,227	14,000		16,000 ✓	16,000
Total Marketing	\$ 61,016	\$ 80,800	\$ 58,800	\$ 20,000	\$ 78,800
Holiday & Events	\$8,456	\$12,000		\$15,000 ✓	\$15,000
Palm Tree Lights	500	0	0	✓	0
Sip N' Stroll - Cookie Walk	15,014	36,000	36,000	✓	36,000
Total Special Events	\$ 23,969	\$ 48,000	\$ 36,000	\$ 15,000	\$ 51,000
Total Expenditures	\$ 95,849	\$ 159,700	\$ 122,500	\$ 35,000	\$ 157,500
Ending Fund Balance	\$ 39,394	\$ 23,069	\$ 10,753	\$ 1,500	\$ 12,253

Capitola Village & Wharf Business Improvement Area Budget Discussion

The CVWBIA will begin Fiscal Year 2023-24 with an estimated fund balance of \$23,000.

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 \$20,500, City Services \$7,200, Marketing \$78,800, and Special Events \$51,000.

The following is a roster of open businesses in the assessment area as of June 2, 2023.

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

Business Type	Assessment Method	Estimate Assessment	
AM = Associate Member	Associate Member	AM	\$405
F1 = Restaurant Full Bar	Per employee category: 6-10 EEs, >10 EEs	F1	\$7,920
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	\$1,575
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	\$1,530
R = Retail/Service	Per employee category: 0-5 EEs, 6-10 EEs	R	\$13,939
SR = Short Term Rental	Flat fee per unit	SR	\$11,475
Total			\$53,584

<u>Business Name</u>	<u>TYPE</u>	<u>FY23-24 Est. Size</u>	<u>FY23-24 Amount</u>
Wharf House Restaurant	F1	0 - 10	\$720
Britannia Arms Pub & Rest.	F1	0 - 10	\$720
Bay Bar & Grill	F1	0 - 10	\$720
The Sand Bar	F1	0 - 10	\$720
Capitola Bar & Grill	F1	0 - 10	\$720
Shadowbrook Restaurant	F1	11+	\$1,080
Zelda's	F1	11+	\$1,080
Margaritaville	F1	11+	\$1,080
Paradise Beach Grille	F1	11+	\$1,080
El Toro Bravo	F2	0 - 5	\$368
Thai Basil	F2	0 - 5	\$368

<u>Business Name</u>	<u>TYPE</u>	<u>FY23-24 Est. Size</u>	<u>FY23-24 Amount</u>
Geisha Japanese Restaurant & Tea House	F2	0 - 5	\$368
Sea Side Siam	F2	0 - 5	\$368
Caruso's Tuscan Cuisine	F2	0 - 5	\$368
Avenue Café	F2	0 - 5	\$368
Tacos Moreno 3	F2	0 - 5	\$368
Trestles Restaurant	F2	6 - 10	\$683
Mr. Toots Coffee & Tea	F3	0 - 5	\$315
Capitola Village Ice Creamery	F3	0 - 5	\$315
Castagnola Deli & Café	F3	0 - 5	\$315
Mijos Taqueria	F3	0 - 5	\$315
LIL KOE'S BEACH BITES	F3	0 - 5	\$315
The Daily Grind Coffee & Bottle Shop	F3	0 - 5	\$315
Reef Dog Deli	F3	0 - 5	\$315
Schneider Consulting LLC dba Boba Bay	F3	0 - 5	\$315
Sandcastle Café	F3	0 - 5	\$315
Pizza My Heart	F3	6 - 10	\$630
Polar Bear Ice Cream	F3	6 - 10	\$630
Armida Winery	F4	n/a	\$315
Cork and Fork LLC	F4	n/a	\$315
Capitola Wine Bar & Merchants	F4	n/a	\$315
Capitola Tap House	F4	n/a	\$315
English Ales Brewers, Inc.	F4	n/a	\$315
Left Coast Sausage Worx	F5	n/a	\$210
Venetian Hotel	H	19	\$3,420
Capitola Beach Suites aka Harbor Lights	H	10	\$1,800
Inn at Depot Hill	H	12	\$2,160
Capitola Hotel	H	10	\$1,800
Beach House Rentals	O	n/a	\$90
David Lyng & Associates	O	n/a	\$90
Katz & Lapidés	O	n/a	\$90
Michael Lavigne Real Estate	O	n/a	\$90
Newman & Marcus,LLP	O	n/a	\$90
Suess Insurance Agency	O	n/a	\$90
Capitola Village Real Estate	O	n/a	\$90
Law Offices of Sam Storey	O	n/a	\$90
John H. McSpadden	O	n/a	\$90
Miles J. Dolinger, Attorney at Law	O	n/a	\$90
Visions by Sheena	O	n/a	\$90
Capitola Village Massage	O	n/a	\$90
Yellow Bus	O	n/a	\$90
REVEST HOMES INC	O	n/a	\$90
Monet Salon	O	n/a	\$90
Community CPA	O	n/a	\$90

<u>Business Name</u>	<u>TYPE</u>	<u>FY23-24 Est. Size</u>	<u>FY23-24 Amount</u>
Bare Skin & Body	O	n/a	\$90
JFS Inc. dba Capitola Boat & Bait	R	0 - 5	\$315
MRA Sales, dba Capitola Beach Co.	R	0 - 5	\$315
Big Kahuna Hawaiian Shirts	R	0 - 5	\$315
Craft Gallery	R	0 - 5	\$315
Craft Gallery Annex	R	0 - 5	\$315
Euphoria Rio Mix	R	0 - 5	\$315
Free to Ride	R	0 - 5	\$315
Hot Feet	R	0 - 5	\$315
Kickback	R	0 - 5	\$315
Latta	R	0 - 5	\$315
Nubia Swimwear	R	0 - 5	\$315
Oceania	R	0 - 5	\$315
Phoebe's	R	0 - 5	\$315
Rainbow City Limit	R	0 - 5	\$315
Slap Happy	R	0 - 5	\$315
Super Silver	R	0 - 5	\$315
Sweet Asylum	R	0 - 5	\$315
Yvonne	R	0 - 5	\$315
Southstar PM, Inc. - Parking at the Mercantile	R	0 - 5	\$315
Uchiyama - Swenson - Parking at the Theater	R	0 - 5	\$315
Lumen Gallery	R	0 - 5	\$315
Capitola Reef	R	0 - 5	\$315
Art Inspired	R	0 - 5	\$315
Sea Level T's	R	0 - 5	\$315
Vanity by the Sea	R	0 - 5	\$315
Xandra Swimwear	R	0 - 5	\$315
Quality Market	R	0 - 5	\$315
Capitola Seashells	R	0 - 5	\$315
Jade Allen	R	0 - 5	\$315
Pueblo Viejo Imports	R	0 - 5	\$315
Mia Bella Boutique	R	0 - 5	\$315
Ethos Santa Cruz	R	0 - 5	\$315
Village Sea Glass	R	0 - 5	\$315
Tony Pagliaro Photography	R	0 - 5	\$315
Mercantile Arcade	R	0 - 5	\$315
Carousel Taffy & Treats	R	0 - 5	\$315
Coastal Life	R	0 - 5	\$315
Capitola Candy Café	R	0 - 5	\$315
Capitola Sweet Shoppe	R	0 - 5	\$315
Santa Cruz Apparel	R	0 - 5	\$315
Stoke Brands dba Midtown Surf Shop	R	0 - 5	\$315
Capitola Paws	R	0 - 5	\$315

<u>Business Name</u>	<u>TYPE</u>	<u>FY23-24 Est. Size</u>	<u>FY23-24 Amount</u>
Nectar California LLC	R	0 - 5	\$315
Katalinas Boutique LLC	R	0 - 5	\$236
Clementine & CO.	R	0 - 5	\$158
Capitola Family Home	SR	1	\$135
Capitola Pelican House	SR	1	\$135
Capitola Venetian #5	SR	1	\$135
Capitola Venetian #14	SR	1	\$135
Capitola Beach Bungalow	SR	1	\$135
Capitola Beach Cottage	SR	1	\$135
Capitola Cliffs Unit 3	SR	1	\$135
Peaceful Capitola Home	SR	1	\$135
Relaxing Family Condo by the River	SR	1	\$135
Perfect Family Beach House	SR	1	\$135
Capitola Cliffs Unit 4	SR	2	\$270
Capitola Venetian #7	SR	1	\$135
Capitola Venetian Unit 3	SR	1	\$135
Capitola Venetian #1	SR	1	\$135
Oceanfront Capitola Tuscan Villa	SR	1	\$135
Capitola Cliffs #4960-2	SR	1	\$135
Capitola Venetian #11	SR	1	\$135
Beach Charmer	SR	1	\$135
Capitola Venetian #2	SR	1	\$135
Castillo Properties	SR	2	\$270
Deborah Cohen	SR	1	\$135
Bayside Capitola Beach Condo	SR	1	\$135
Oceanside Coastal Village Condo	SR	1	\$135
Capitola Sea Spray	SR	1	\$135
Creekside Cottage	SR	1	\$135
Capitola Cherry Ave	SR	1	\$135
Luxurious Historic Windmill Silo House	SR	2	\$270
Capitola Bluegum A & B	SR	2	\$270
Grandma's Nest Capitola Venetian #9	SR	1	\$135
Adorable Capitola Village Condo	SR	1	\$135
Capitola Seashell Sanctuary	SR	1	\$135
Vista Cortile Condo	SR	1	\$135
Capitola Village Deco Beach House	SR	1	\$135
Talbot Family	SR	1	\$135
Capitola Venetian #16	SR	1	\$135
Capitola Village Retreat Units A & B	SR	1	\$135
Capitola Lawn Way #5-4	SR	1	\$135
Capitola Breeeze Condo & Seaview Condo	SR	2	\$270
Capitola Riverview #421	SR	1	\$135
Capitola Riverview #323	SR	1	\$135

<u>Business Name</u>	<u>TYPE</u>	<u>FY23-24 Est. Size</u>	<u>FY23-24 Amount</u>
An Iconic Oceanfront Pink Venetian	SR	1	\$135
114 - 116 Lawn Way LLC	SR	2	\$270
Capitola Cliff House	SR	1	\$135
208 Monterey Ave #A	SR	1	\$135
Capitola Village #316-B & 316-C	SR	1	\$135
Capitola Cliffs 4920	SR	1	\$135
James Lin	SR	1	\$135
Michael J. Pirnik	SR	1	\$135
Capitola Riverview 414 A & B	SR	2	\$270
Capitola Venetian #8	SR	1	\$135
Capitola Oceanside	SR	1	\$135
Good Times	SR	2	\$270
Capitola Dreamin'	SR	1	\$135
Capitola Riverview #402	SR	1	\$135
Capitola Riverview #310	SR	1	\$135
Capitola Riverview #312	SR	1	\$135
Oceanside Luxury Dream Beach House	SR	1	\$135
Beautiful Oceanview Condo	SR	1	\$135
Paradise Properties Capitola Village #321-B	SR	1	\$135
Bombora LLC Capitola Village #419	SR	2	\$270
Colorful Capitola Village Cottage Unit A & UnitB	SR	2	\$270
Capitola Suites	SR	3	\$405
A Six Sisters Beachfront Retreat	SR	1	\$135
Capitola San Jose 122	SR	5	\$405
Capitola Monterey 109-3 & 109 10	SR	1	\$135
222 San Jose Ave	SR	1	\$135
Charming Riverview Home	SR	1	\$135
Surf Loft	SR	1	\$101
425 Capitola Ave	SR	1	\$101
208 A & B Capitola Ave	SR	2	\$135
318 Capitola Ave #2	SR	1	\$68
Capitola Village Beach Rental	SR	1	\$68
328 Riverview Ave	SR	1	\$68
Arron Thomas	SR		
Gary & Teresa Carlisle	SR		
Stricht/Ciolino Trusts	SR		
Unsophisticated Builders LLC	SR		
Debbie & Brian Tuck	SR		
Santa Cruz Balsamics	O	n/a	\$90
Fuse Architects	O	n/a	\$90
Surf City Properties	O	n/a	\$90
O'Neal Properties	O	n/a	\$90
BEACHNEST VACATION RENTALS	O	n/a	\$45

<u>Business Name</u>	<u>TYPE</u>	<u>FY23-24 Est. Size</u>	<u>FY23-24 Amount</u>
Capitola Riverview #417	SR	1	\$135
Om Rhythms	R	0 - 5	\$315
James B. Colip Ins	O	n/a	\$90

Capitola City Council

Agenda Report

Meeting: May 25, 2023

From: City Manager Department

Subject: Mid-Management Employees Bargaining Group and Updated Salary Schedule



Recommended Action: 1) Authorize the City Manager to execute a side letter agreement to the existing Memorandum of Understanding with the Mid-Management Employees Bargaining Unit; and 2) Adopt a resolution approving the updated salary schedule, effective May 28, 2023.

Background: The current Mid-Management Employee Bargaining Unit Memorandum of Understanding (MOU) expires June 30, 2023. As required by state law, the City has participated in good faith negotiations with the bargaining group on working conditions, salary, and benefit changes. All other Employee Bargaining Units and Unions are in current MOUs that expire on June 30, 2024.

Discussion: The City of Capitola and the Mid-Management Employee Bargaining Unit began negotiation meetings in February 2023. The City Council gave the City negotiator fiscal authority based on the projected City budget and in anticipation of entering negotiations with all City of Capitola employee groups in spring of 2024.

The side letter (Attachment 1) includes the reclassification of the Field Supervisor to the Operations Maintenance Supervisor, removes the Field Superintendent from the mid-management salary schedule, and increases the mid-management employee tuition reimbursement amount to \$1,000 a year. The side letter also includes a 3% salary increase for all positions and to each member's City health-care contribution.

Fiscal Impact: The anticipated cost for making the Mid-Management salary schedule effective May 28, 2023, is approximately \$2,500 and will be covered by salary savings from vacant positions during FY 2022-23. The anticipated fiscal impact has been incorporated into the City FY 2023-2024 Proposed Budget.

Attachments:

1. Side Letter
2. Resolution approving the updated salary schedule

Report Prepared By: Chloé Woodmansee, Assistant to the City Manager; Jim Malberg, Finance Director

Reviewed By: Julia Moss, City Clerk

Approved By: Jamie Goldstein, City Manager

CITY OF CAPITOLA
AND
MIDDLE MANAGEMENT EMPLOYEES

Side Letter Agreement

WHEREAS, the Current Memorandum of Understanding between City of Capitola and the Mid-Management Employees, is set to expire on June 30, 2023;

WHEREAS, the City and Mid-Management Employees (“Parties”) have engaged in good faith negotiations regarding a successor contract

WHEREAS, the Parties remain committed to continue negotiating, in good faith, on a successor contract;

NOW THEREFORE, the Parties agree as follows:

1. Effective the first full pay period after ratification of this side-letter, the salary range for each classification shall be readjusted by 3.0%;
2. City will conduct a Total Compensation Survey during the first quarter of 2024;
3. Beginning at least 90 Days prior to July 1, 2024, as part of successor contract negotiations, the City will negotiate Special Wage Adjustments/Equity Adjustments for job classifications below market median based on the results of a completed Total Compensation Survey. The City agrees to conduct good faith negotiations based on overall financial needs. However, there is no commitment to implement specific Special Wage Adjustment/Equity Adjustments;
4. Effective the first full pay period after ratification of this side-letter, City will provide a 3% increase to each member’s Health Care City Contribution
5. In accordance with California Fair Employment and Housing Act (FEHA) at Government Code section 12945.7, employees who have been employed by the City for at least 30 days are entitled to take up to five days of unpaid Bereavement Leave upon the death of each covered family member listed in Government Code section 12945.7. All employees are entitled to three days of paid Bereavement Leave which shall run concurrently with unpaid leave. Entitlement to leave of absence under this section shall be in addition to any other entitlement for sick leave, or any other leave.
6. The City will reimburse employees for tuition upon the completion of courses approved in advance by the City Manager up to a maximum of \$1000 per calendar year for classes completed in that same calendar year. Textbook reimbursement for courses approved in advance by the City Manager shall be at 100%.

7. The Field Supervisor shall be reclassified as an Operations Maintenance Supervisor, with the base salary schedule at Step E (not including the 3% wage adjustment outlined in Paragraph 1)

Operations Maintenance Supervisor	A	B	C	D	E
Monthly	\$6,560.43	\$6,891.65	\$7,234.93	\$7,595.47	\$7,976.82
Hourly	\$37.85	\$39.76	\$41.7	\$43.82	\$46.02

8. The Maintenance Superintendent shall be stricken from the Mid-Management Salary Schedule.
9. All other terms and provisions of the 2021-2023 MOU not modified herein shall remain in full force and effect unless subsequently amended in writing by agreement of the Parties until June 30, 2024

CITY OF CAPITOLA

Mid-Management Employees

 Jamie Goldstein
 City Manager

RESOLUTION NO. _____
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
AUTHORIZING AND APPROVING THE FISCAL YEAR 2023/2024
PAY RATES AND RANGES (SALARY SCHEDULE) FOR THE MID-MANAGEMENT
EMPLOYEE BARGAINING GROUP

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 the Mid-Management Employee bargaining group have negotiated in good faith a Side Letter within the financial authority authorized by the City Council which includes a salary adjustment beginning the first full pay period after ratification; and

WHEREAS, it became necessary to reclassify the Field Supervisor to the Operations Maintenance Supervisor to better reflect the duties and responsibilities of the job; and

WHEREAS, the attached salary schedule for each group does not go into effect until the MOUs are ratified by both the City Council and the employee groups; and

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

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

Authorize the reclassification of the Field Supervisor to the Operations Maintenance Supervisor (Operations Maintenance Supervisor Job Description, Exhibit A)

Authorize and approve City of Capitola pay rates and ranges (Salary Schedule, Exhibit B) for the mid-management employees from May 28, 2023, through June 30, 2024.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 25th day of May, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Margaux Keiser, Mayor

ATTEST:

Julia Moss, City Clerk

OPERATIONS MAINTENANCE SUPERVISOR

GENERAL PURPOSE

The Operations Maintenance Supervisor provides leadership to the workers of the Maintenance Division. The supervisor promotes the mission and the goals of the City and the Public Works Department. The supervisor plans, coordinates, schedules, oversees, participates in, and has responsibility for, activities in furtherance of the mission and the goals of the assigned division.

SUPERVISION RECEIVED

Reports to the Public Works Director. Works under the general supervision of the Public Works Director.

SUPERVISION EXERCISED

Provides general and direct supervision to Maintenance Workers, Supervisors, and Mechanics as assigned.

Exercises close supervision over assigned maintenance workers and equipment operators.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Plan, prioritize, assign, supervise, review, and participate in the work of staff responsible for providing construction, maintenance, and repair services and activities for assigned areas and
- facilities including streets, curbs, gutters, sidewalks, drainage facilities, street sweeping, graffiti removal,
- trash removal, street trees, park lands, landscaped areas, and municipal parking lots; provide maintenance and supervision for building and grounds for the Community Center, City Hall, Police Department, Municipal Wharf and Beach. Ensures that public facilities are clean, safe, secure, aesthetically pleasing, and in compliance with state and federal regulations and City standards.
- Participate in the selection of assigned staff. Prepare formal work schedule for Public Works Department employees. Prioritize the work schedule and assign personnel as necessary. Work with employees to correct deficiencies; implement discipline procedures.
- Inspect and verify work in progress and completed work of assigned employees for accuracy, proper work methods and techniques, and compliance with applicable standards and specifications. Provide or coordinate staff training.
- Is responsible for the maintenance of safe working conditions, good housekeeping practices and the use of safe work practices by subordinates.
- Prioritizes projects; Directs the maintenance and repair of building, equipment and vehicles, including the development of preventative maintenance schedules.
- Performs the most complex public works maintenance duties and provides technical assistance to
- crews. Troubleshoots complex operational and maintenance problems; corrects or directs the correction and repair of operational and/or equipment problems.
- Supervise and participate in the use and operation of tools, equipment, and vehicles utilized in assigned projects including dump, aerial, and boom trucks, backhoes, trenchers, mowers, and power tools such as sprayers, edgers, and blowers; ensure that tools, equipment, and vehicles are safely operated, maintained, and secured when not in use; schedule the service, repair, and replacement of tools, equipment, and vehicles.
- Ensure that an adequate inventory of materials, supplies, parts and equipment for the Department work program is available at all times.
-
- Prepare necessary records and reports; prepare project status reports; maintain records of projects, activities, and materials used; supervise the maintenance of time, material, and equipment use records.

- Coordinates work activities between crews, with other City personnel, and with outside contractors. Answers questions and provides information to the public; investigates inquiries, concerns, and complaints; recommends corrective actions to resolve issues.
- Participates in the development and implementation of goals, objectives, policies, and priorities for assigned services and programs; identifies resource needs; recommends and implements policies and procedures, including standard operating procedures for assigned maintenance operations
- Participate in the preparation and administration of the assigned budget, develops time and material estimates and recommends major equipment purchases and operational changes; submit budget recommendations; prepare and submit requisitions for supplies, materials, and parts, monitor expenditures.
- Responds to emergency situations as necessary.
- Perform other job-related duties within the scope of this job classification as assigned.

MINIMUM QUALIFICATIONS

Education and Experience:

Any combination of training and experience which would provide the required knowledge and abilities is qualifying. A typical way to obtain this knowledge and abilities would be:

- High School Diploma or GED equivalent
- Six (6) years of increasingly responsible experience in public works maintenance, construction, and operations activities, including at least three (3) years in a supervisory or management capacity.
- Possession of a valid and appropriate California driver's license, including a safe driving record, required.

Knowledge of:

- Principles and practices of employee supervision, including work planning, assignment, review and evaluation, discipline, and the training of staff in work procedures.
- Methods, procedures, materials, equipment, and techniques used for public works operations, construction, and maintenance projects including streets, curbs, gutters, sidewalks, drainage facilities, buildings, playgrounds, landscape areas, median strips, and public trees.
- Principles and methods of preventative maintenance programs.
- Safe work practices, and applicable laws and regulations including rules, regulations, laws, and practices required by CAL OSHA and CAL EPA in the safe performance of work.
- Basic principles and practices of budget development, administration, and accountability. Modern office practices, methods, and computer equipment and applications.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and City staff.
- Basic arithmetic, correct English usage, grammar, spelling and punctuation. City policies and procedures.

Ability to:

- Effectively plan, organize, direct and evaluate the work of employees.
- Make sound, independent decisions within established policy and procedural guidelines. React quickly, effectively, and calmly in emergency situations.
- Remain calm and communicate effectively while under stress. Communicate effectively, both verbally and in writing.
- Establish and maintain effective working relationships with supervisors, co-workers, other departments, outside agencies, and the general public.

- Prepare budget requests, construction and maintenance cost schedules and specifications for equipment and vehicles used by the Section.
- Organize and prioritize a variety of projects and multiple tasks in an effective and timely manner;
- organize own work, set priorities, and meet critical time deadlines.
- Analyze problems, identify alternative solutions, project consequences of proposed actions, and implement recommendations in support of goals.
- Interpret, apply, explain, and ensure compliance with applicable Federal, State, and local policies, procedures, laws, and regulations.
- Promote and enforcing safe work practices.
- Distinguish and correct unsafe conditions and act in a proper, logical, and efficient manner to eliminate hazards.
- Read and interpret technical materials such as material and equipment specifications, blueprints, maintenance and repair manuals.
- Effectively and safely operate small equipment related to the construction and maintenance trades. Effectively and safely operate construction equipment such as backhoes, front-end loaders and trucks. Maintain accurate records related to the assignment.
- Operate modern office equipment including computer equipment and software programs.
- Work after hours or on weekends to address critical needs
- Meet the physical requirements necessary to safely and effectively perform required duties.

Licenses and Certifications:

- Possession and continued maintenance of a valid Class C driver's license
- Possession of Class B (Landscape Maintenance) and Class C (Right of Way) Qualified Applicator
- Certifications issued by the State of California Department of Pesticide Regulation

PHYSICAL DEMANDS

As required, perform medium to heavy physical labor including lifting and carrying heavy objects.

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, tools, or controls and reach with hands and arms. The employee frequently is required to sit, walk, stand and talk or hear. The employee is occasionally required to climb or balance; stoop, kneel, crouch, or crawl; and smell.

The employee must frequently lift and/or move up to 25 pounds and occasionally lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT

Work out of doors for extended periods often under possible unfavorable weather conditions.

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee frequently works in outside weather conditions. The employee frequently works near moving mechanical parts and is occasionally exposed to wet and/or

humid conditions and vibration. The employee occasionally works in high, precarious places and is occasionally exposed to fumes or airborne particles, toxic or caustic chemicals, and risk of electrical shock.

The noise level in the work environment is usually loud in field settings, and moderately quiet in office settings.

Approved: May 25, 2023

MID-MANAGEMENT SALARY SCHEDULE											
MAY 28, 2023 - JUNE 30, 2024											
	Monthly						Hourly				
3.00%	Step A	Step B	Step C	Step D	Step E		Step A	Step B	Step C	Step D	Step E
ASSOCIATE PLANNER	\$ 6,869.22	\$ 7,213.05	\$ 7,573.33	\$ 7,952.56	\$ 8,350.76		\$ 39.63	\$ 41.61	\$ 43.69	\$ 45.88	\$ 48.18
BUILDING OFFICIAL (CAPITOLA)	\$ 9,446.25	\$ 9,919.47	\$ 10,415.37	\$ 10,935.46	\$ 11,482.77		\$ 54.50	\$ 57.23	\$ 60.09	\$ 63.09	\$ 66.25
BUILDING OFFICIAL (SCOTTS VALLEY)	\$ 9,446.25	\$ 9,919.47	\$ 10,415.37	\$ 10,935.46	\$ 11,482.77		\$ 54.50	\$ 57.23	\$ 60.09	\$ 63.09	\$ 66.25
CIVIL ENGINEER/PROJECT MANAGER	\$ 7,898.21	\$ 8,293.87	\$ 8,708.50	\$ 9,143.36	\$ 9,600.97		\$ 45.57	\$ 47.85	\$ 50.24	\$ 52.75	\$ 55.39
ENVIRONMENTAL PROJECTS MANAGER	\$ 7,281.37	\$ 7,645.84	\$ 8,027.73	\$ 8,429.72	\$ 8,851.81		\$ 42.01	\$ 44.11	\$ 46.31	\$ 48.63	\$ 51.07
MAINTENANCE SUPERINTENDENT	\$ 6,757.24	\$ 7,098.40	\$ 7,450.87	\$ 7,822.19	\$ 8,216.13		\$ 38.98	\$ 40.95	\$ 42.99	\$ 45.13	\$ 47.40
FIELD SUPERVISOR OPERATIONS MAINTENANCE SUPERVISOR	\$ 6,757.24	\$ 7,098.40	\$ 7,450.87	\$ 7,822.19	\$ 8,216.13		\$ 38.98	\$ 40.95	\$ 42.99	\$ 45.13	\$ 47.40
SENIOR PLANNER	\$ 7,898.21	\$ 8,293.87	\$ 8,708.50	\$ 9,143.36	\$ 9,600.97		\$ 45.57	\$ 47.85	\$ 50.24	\$ 52.75	\$ 55.39
SENIOR ACCOUNTANT	\$ 7,898.21	\$ 8,293.87	\$ 8,708.50	\$ 9,143.36	\$ 9,600.97		\$ 45.57	\$ 47.85	\$ 50.24	\$ 52.75	\$ 55.39
SENIOR MECHANIC	\$ 5,966.48	\$ 6,084.00	\$ 6,579.01	\$ 6,706.27	\$ 7,251.91		\$ 34.42	\$ 35.10	\$ 37.96	\$ 38.69	\$ 41.84

Capitola City Council

Agenda Report

Meeting: May 18, 2023

From: Community Development Department; City Attorney's Office

Subject: Mobile Home Rent Stabilization



Recommended Action: 1) Consider adoption of an urgency ordinance adding Chapter 2.18 to the Capitola Municipal Code establishing mobile home park rent stabilization; and 2) Consider introducing, for first reading only, waiving fully reading of the text, an ordinance adding Chapter 2.18 to the Capitola Municipal Code establishing mobile home park rent stabilization.

Background: Capitola is home to eight mobile home parks. The residents of some parks, including Cabrillo Mobile Home Park ("Cabrillo"), are subject to long terms leases. The Cabrillo leases expire on May 31, 2023. Cabrillo residents have notified the City that their rents will be increasing by 56% from \$641 to \$1,000 on June 1, 2023, and, at the May 11 City Council meeting, asked the City Council to consider implementing mobile home rent control. At that same meeting, the City Council directed staff to bring an urgency ordinance to the May 25 City Council meeting.

At the May 25th meeting, staff will present an urgency rent stabilization ordinance and, for first reading only, a regular ordinance. Substantively, the ordinances ("RSO") are the same. Procedurally, the urgency ordinance becomes effective upon adoption. Assuming the Council approves the first reading on May 25, and passes the ordinance at the June 8 meeting, the regular ordinance would become effective on July 8. The urgency ordinance allows the Council to take action immediately and requires a 4/5 vote; the regular ordinance provides the City an extra layer of protection against challenge and requires a 3/5 vote.

The urgency ordinance will expire when the regular ordinance becomes effective, or when any State law that is more protective than the urgency ordinance becomes effective.

Discussion: *Overview of Mobile Home Parks in Capitola*

There are eight mobile home parks in Capitola. There are 681 mobile home spaces in the parks; if each space is occupied with a mobile home coach, and each coach is occupied by one resident, at least 7% of Capitola's residents live in mobile home parks.

The privately owned Cabrillo Mobile Home Estates Park includes 68 spaces and is located at 930 Rosedale Avenue. In 2011, the park owner and residents entered into long-term leases. The leases set the monthly base rent per space at \$475 with an annual increase consistent with the percentage increase in the Consumer Price Index. The current leases expire on May 31, 2023. Cabrillo would be subject to the proposed RSO.

Castle Mobile Home Estates includes 108 spaces and is located at 1099 38th Avenue. In 2011, Millennium Housing, an affordable housing non-profit, purchased Castle with financial assistance from the City RDA. The park is subject to a regulatory agreement that guarantees affordability of the coaches. Millennium's regulatory agreement includes rental caps, fixes annual rent increases at no more than 100% of the CPI, and special rates for eligible very low-, lower-, and moderate-income households, in an effort to ensure total housing costs do not exceed 30 percent of income. Assuming that the annual increases are less than the RSO, Castle would be exempt from the RSO (so long as the regulatory agreement remains in place).

Surf and Sand Mobile Home Park includes 74 mobile home spaces and is located at 750 47th Avenue. The park is privately owned. Very low- and low-income tenants, who were residents of the Park in 2011, are subject to maximum annual increase of 100% of CPI or 2%, whichever is greater, pursuant to a 34-year lease. The City does not presently know the details of lease agreements for other residents. Very low- and low-income tenants, because they are subject to a long-term lease, would be exempt from the RSO. It is possible that the other residents will be subject to the RSO.

Loma Vista Estates includes 90 spaces and is located at 4225 Clares Street. It is a 55+, moderate income park. In 2000, the park residents purchased the park. The City, using RDA funds and a CDBG grant, helped fund the purchase, with the requirement that all new residents be moderate income. Loma Vista, as a resident-owned park, will not be subject to the RSO.

Wharf Road Manor includes 36 spaces and is located at 2155 Wharf Road. Park residents purchased the park in January 2005, with assistance from Capitola RDA and HOME Reuse Funds. New residents must earn less than the median income. Wharf Road, as a resident-owned park, will not be subject to the RSO.

Turner Lane Mobile Home Park includes 79 spaces and is located at 920 Capitola Avenue. In 2008, the park residents purchased the park. There are affordable restrictions on seven spaces requiring new purchasers must earn less than 120% of median income. Turner Lane, as a resident-owned park, will not be subject to the RSO.

Brookvale Terrace includes 111 spaces and is located at 300 Plum Street. In 1993, the park residents purchased the park. To the City's knowledge, there are no affordability restrictions on rents. Brookvale Terrace, as a resident-owned park, will not be subject to the RSO.

Tradewinds Mobile Home Park includes 114 spaces and is located at 4160 Jade Street. The park residents purchased the park in 1980. To the City's knowledge, there are no affordability restrictions on rents. Tradewinds, as a resident-owned park, will not be subject to the RSO.

Overview of Mobile Home Rent Stabilization Ordinances in California

Numerous cities and counties in California have some form of mobile home rent control. While the structure of such ordinances may be similar, individual terms vary, based on the policy choices of the Council. The following rent stabilization ordinance comparison chart was prepared based on data from the Mobile Home Park Homeowners' Alliance and is offered for reference purposes.

City/ County	Parks/ spaces	Annual increase	Vacancy control?
Calistoga	3/ 497	100% CPI; 6% cap	Yes, 0%
Goleta	5/ 650	75% CPI	Yes, 10%, 1-5 years
Lompoc	7/ 887	75% CPI; 10% cap	Yes, 15%
Los Angeles	57/ 6,696	100% CPI	Yes, 10%
Malibu	1/ 262	100% CPI; 5% cap	Yes, 15%
Marina	5/ 399	100% CPI	Yes, 5%, 2 years
Pacifica	1/ 93	75% CPI	No
Petaluma	9/ 874	100% CPI; 6% cap	No
Salinas	11/ 1,437	75% CPI; 4% cap	No
San Jose	58/ 10,667	75% CPI; 3-7% cap	Yes
Santa Cruz (city)	2/ 250	75% CPI; 8% cap	Yes
Santa Cruz (county) ⁱ	45/ 2,013	50% CPI; pass through	Yes
Scotts Valley	3/ 261	100% CPI	Yes
Watsonville	9/ 1066	70% CPI; 5% cap	No

Overview of Capitola Ordinance

- Sets maximum allowable annual increase at 5% + CPI, or up to 10% of the base rent, whichever amount is lower, consistent with the State Tenant Protection Act. The base rent is the rent as of May 25, 2023.
- Exempts the following:
 - Spaces that are subject to a lease longer than 12 months;
 - Newly constructed spaces;
 - Spaces where the tenant does not claim the space as a principal residence;
 - Spaces that are subject to any agreement that offers more protection than the ordinance; and
 - Parks that are owned by residents.
- Requires park owners who are requesting a long term lease, which would be exempt from the ordinance, to allow residents the option of a shorter term lease, which would be subject to the ordinance.
- Permits park owners to raise the rent of spaces that become vacant by 15% (“vacancy control”); that rent will become the new base rent and, when the space is occupied, the annual rent caps will apply.
- Provides a process for the resident to dispute rent increases in excess of the above:
 - Owner must provide notice and documentation supporting the increase;
 - If the resident objects to the increase, the owner and resident must attempt to resolve the issue informally;
 - If that process fails to resolve the matter, the resident may file a petition for rent review with the City; and
 - The City selects an arbitrator and forwards the petition. Resident and owner attend arbitration to resolve dispute.
- Requires the owner to provide, within 30 days, a City Information Sheet to residents that explains the ordinance.
- Requires the owner, within 60 days, to register with and provide identifying information regarding the park(s) they own to the City.
- Guarantees a fair return on the owner’s investment in the park.
- Enables the Council to adopt, by resolution, a Rent Stabilization Administrative Fee.

At the hearing to consider the RSO on May 25th, the City Council may adjust the maximum annual rent increases that are allowed under the proposed RSO while a space is occupied, as well as the permissible rent increase when a space becomes vacant. The Council could also decide not to proceed with vacancy control.

Fiscal Impact: There will be staff time associated with educating mobile home park residents and owners, monitoring compliance with the ordinance, and enforcement of the ordinance. If disputes arise, and proceed to arbitration, the ordinance requires the City to pay the arbitrator’s fees.

Environmental Analysis: The action to adopt this Ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) (the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly).

Attachments:

1. Urgency Ordinance
2. Ordinance

Report Prepared By: Samantha W. Zutler, City Attorney

Reviewed By: Julia Moss, City Clerk

Approved By: Jamie Goldstein, City Manager

ⁱ The Santa Cruz County ordinance applies to unincorporated areas of Santa Cruz County, not cities within the County.

ORDINANCE NO. 1059**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
ADDING CHAPTER 2.18 TO THE CAPITOLA MUNICIPAL CODE ESTABLISHING
MOBILE HOME PARK RENT STABILIZATION**

WHEREAS, the City of Capitola (“City”) is authorized by Article XI, Section 7 of the California Constitution to make and enforce all regulations and ordinances using its police powers;

WHEREAS, Government Code sections 36934 and 36937 authorize ordinances to take effect immediately if they are for the immediate preservation of the public peace, health or safety, contain a declaration of the facts constituting the urgency, and are passed by a four-fifths vote of the City Council;

WHEREAS, mobile home parks are a key source of affordable housing in the City;

WHEREAS, residents of mobile home parks—unlike apartment tenants or residents of other rental properties—are in a unique position in that they have made a substantial investment in a residence for which space is rented or leased;

WHEREAS, some residents of mobile home parks own their coaches, and rent space from the park owner;

WHEREAS, the imposition of sudden and excessive rent increases that are beyond the reach of mobile home park residents require such residents to identify alternative sites for the relocation of mobile homes, which is difficult to do given the shortage of vacant mobile home spaces, and restrictions on the age, size or style of mobile homes permitted in many mobile-home parks;

WHEREAS, the removal or relocation of a mobile home from a park space is generally accomplished at substantial cost depending on how far away the new location is situated, including because of potentials requirements related to the installation of mobile homes, landscaping, and site preparation;

WHEREAS, the removal or relocation of a mobile home may cause extensive damage to the mobile home;

WHEREAS, as a practical matter, because of the high cost of moving mobile homes, including the loss of substantial improvements to the mobile home made by the mobile home owner, mobile homes are generally sold in place, and unreasonably high space rent may erode any reasonable equity a homeowner has in a mobile home at the time of sale by affecting the sale price of the mobile home;

WHEREAS, City staff and the City Council have found that residents in mobile home parks are often low income, are on fixed incomes, or are elderly, and may not have the resources to secure alternative housing;

WHEREAS, sudden and excessive rent increases for mobile home tenants are likely to exacerbate housing insecurity in the City and increase the unhoused population;

WHEREAS, there are approximately 681 total spaces in the eight mobile home parks in the City, meaning that, if all spaces are rented to at least one occupant, approximately 681 Capitola residents, or approximately 7% of the population of the City, live in mobile home parks;

WHEREAS, the residents of at least two parks in Capitola are currently subject to long term leases that guarantee affordable rents for a certain time period;

WHEREAS, residents of at least one mobile home park in Capitola have provided testimony that their long term leases are set to expire on May 31, 2023;

WHEREAS, in advance of the expiration of the long term leases on May 31, 2023, residents have reported receiving notices of rent increases of over fifty (50) percent in some instances;

WHEREAS, the City of Capitola currently does not regulate rental amounts or rent increases on mobile homeowners to ensure that that rents remain affordable;

WHEREAS, the potential for rents to increase within mobile home parks within the City could cause hardship to a substantial number of mobile homeowners and residents of the parks;

WHEREAS, residents at mobile home parks are uniquely vulnerable to displacement when sudden rent increases occur, and sudden, large rent increases creates undue hardship for residents through additional relocation costs, stress and anxiety, and the threat of homelessness due to the lack of alternative housing;

WHEREAS, without local protection, mobile home residents are likely to experience a surge in displacements as excessive rent increases are imposed on tenants;

WHEREAS, given the high cost of housing, excessive rent increases of mobile home tenants, could lead to long term or permanent displacement, impacting the health and safety of these residents, as well as the City of Capitola;

WHEREAS, for the reasons set forth above, this Ordinance is declared by the City Council to be necessary for preserving the public peace, welfare, health and safety and to avoid a current, immediate and direct threat to the peace, health, safety or welfare of the community and the recitals above taken together constitute the City Council's statement of the reasons for adopting this Ordinance on an urgency basis.

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

Section 1: Urgency Ordinance. The City Council adopts this Urgency Ordinance as shown in Attachment A. Chapter 2.18 of the Capitola Municipal Code is hereby added, to read in its entirety as shown in Attachment A.

Section 2: Effective and Expiration Dates. This Ordinance shall take effect and be in force immediately. This Ordinance shall automatically expire, and no longer be effective: 1) in the event that the State enacts any law that operates to stabilize rents for mobile home park residents in Capitola, and is more protective than this Ordinance; or 2) on the effective date of Ordinance No. 1060.

Section 3: Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 4: Codification. This urgency ordinance shall be codified in the Capitola Municipal Code.

Section 5: CEQA. The City Council hereby finds that the action to adopt this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) (the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly).

Section 6: Urgency Clause. The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health and safety, and incorporates the recitals herein by reference. Without this ordinance, City of Capitola tenants could suffer potentially irreversible displacement resulting from sudden and excessive rent increases. The Council, therefore, adopts this ordinance to become effective immediately, pursuant to California Government Code Section 36937. This urgency ordinance was passed and adopted by the City Council of the City of Capitola on the 25th day of May, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DISQUALIFIED:

Margaux Keiser, Mayor

Attest: _____
Julia Moss, City Clerk

Approved as to form:

Samantha W. Zutler, City Attorney

ATTACHMENT A

Chapter 2.18

Mobile Home Park Rent Stabilization Ordinance

2.18.010 Purpose and Findings.

A. The purpose of this Chapter is to stabilize Mobile Home Space rents by preventing excessive and unreasonable rent increases, and to assure that Mobile Home Park Owners receive a fair and reasonable return on their investment.

B. The City Council finds and declares the following:

1. Mobile homes provide an important alternative form of housing; and
2. Based on the most recent available data, within Capitola City limits there are mobile home parks with a total of 681 spaces. Approximately 674 of those spaces are occupied, thus resulting in a vacancy rate of just 1 percent, and market conditions suggest that the high demand for mobile home spaces is likely to persist; and; and
3. Capitola does not currently regulate rental amounts or rent increases on mobile homeowners to ensure that that rents remain affordable; and
4. Residents of mobile home parks, unlike apartment tenants or residents of other rental properties, are in a unique position in that they have made a substantial investment in a residence for which space is rented or leased; and
5. Some residents of mobile home parks own their coaches, and rent space from the park owner; and
6. The imposition of sudden and excessive rent increases that are beyond the reach of mobile home park residents require such residents to identify alternative sites for the relocation of mobile homes, which is difficult to do given the shortage of vacant mobile home spaces, and restrictions on the age, size or style of mobile homes permitted in many mobile-home parks; and
7. The potential for rents to increase within mobile home parks within the City could cause hardship to a substantial number of mobile homeowners and residents of the parks, many of who are elderly, on fixed incomes, or are persons of low or moderate income, and these residents would be vulnerable to displacement; and
8. It is necessary to protect mobile homeowners and residents of mobile home parks from unreasonable rent increases and at the same time recognize the rights of mobile home park owners to receive a reasonable return on their investments.

2.18.020 Definitions.

A. “Administrator” means the Administrator of the City’s Mobile Home Space Rent Stabilization Program. The Administrator shall be the Community Development Director, or such other City employee as the City Manager may appoint to serve as Administrator.

B. “Affected Homeowners” means those Mobile Homeowners who are subject to a Rent Increase. For purposes of providing notice of any Rent Increase and copies pursuant to this Chapter and calculating the number of Affected Homeowners in support of a rent arbitration petition, each Mobile Home Space subject to a Rent Increase shall be deemed to have only one Affected Homeowner. Reference to “All Affected Homeowners” shall mean one Homeowner from each Mobile Home Space subject to the proposed Rent Increase.

C. “Arbitrator” refers to a person who is appointed by the Administrator, and is neither a Homeowner, nor has an interest in a Mobile Home Park of a nature that would require disqualification under the provisions of the Political Reform Act.

D. “Arms-Length Transaction” shall refer to a transaction negotiated by unrelated parties, each acting in his or her own self-interest, which serves as a basis for a fair return determination in this Chapter.

E. “Base Rent” means the authorized Rent calculated pursuant to the provisions of Section 2.18.040, plus any Rent Increase allowed under this Chapter, unless it is expressly excluded from Base Rent, plus any adjustment attributable to vacancy control as provided in Section 2.18.050.

F. “Capital Improvements” means those new improvements, replacements, upgrades, or remodeling, which directly and primarily benefit and serve Mobile Home Park Homeowners by materially adding to the value of the property and appreciably prolonging its useful life or adapting it to new uses. Capital Improvements consist of more than ordinary maintenance and/or repairs, and may be amortized over the useful remaining life of the improvement to the property. Capital Improvement costs shall include all costs reasonably and necessarily related to the planning, engineering, and construction of the improvement or replacement and shall include debt service costs, if any, incurred as a direct result of the Capital Improvement or replacement.

G. “City Information Sheet” is prepared by the City, and will provide information about the Mobile Home Park Rent Stabilization Ordinance and include the Administrator’s contact information.

H. “Comparable Space” means a Mobile Home Space that is suitable for comparison, taking into account such characteristics as the location and size of the space, as well as available views or amenities.

- H. “Consumer Price Index” or “CPI” shall mean the Consumer Price Index for All Urban Consumers, San Francisco-Oakland-San Jose region.
- I. “Gross Income” shall have the meaning set forth in Section 2.18.130.
- J. “Homeowner” shall mean an existing Mobile Homeowner.
- K. “Homeowner Representative” shall mean a designated homeowner association (HOA) or its designee who shall have the authority to represent the interest of, negotiate on behalf of, and bind the Homeowners.
- L. “Housing Service” shall mean a service or facility provided by the Mobile Home Park Owner related to the use or occupancy of a Mobile Home Space, which is neither a Capital Improvement nor a Substantial Rehabilitation. “Housing Service” includes, but is not limited to, repairs (including street repairs), replacement, maintenance, landscaping, painting, lighting, heat, water, utilities, laundry facilities, refuse removal, recreational and meeting facilities, parking, security service, and employee services.
- M. “Mobile Home” has the same meaning as the definition of "mobilehome" defined in Civil Code section 798.3, as it may be amended from time to time, or a successor code provision..
- N. “Mobile Homeowner” means a person who owns a Mobile Home and also rents a Mobile Home Space in a Mobile Home Park pursuant to a rental agreement that is not otherwise exempt from regulation under this Chapter.
- O. “Mobile Home Park” has the same meaning as the definition of "mobilehome park" defined in Civil Code section 798.4, as it may be amended from time to time, or successor code section.
- P. “Mobile Home Park Owner” means a park owner, lessor, or sublessor of a Mobile Home Park in the City who receives or is entitled to receive Rent for the use or occupancy of any Mobile Home Space thereof and who reports to the Internal Revenue Service any income received or loss of income resulting from such ownership or claims any expenses, credits, or deductions because of such ownership.
- Q. “Mobile Home Space” means any site within a Mobile Home Park located in the City intended, designed, or used for the location or accommodation of a mobile home. “Mobile Home Space” includes any accessory structures or appurtenances attached to the mobile home or used in conjunction therewith.
- R. “Net Operating Income” shall have the meaning set forth in Section 2.18.120.
- S. “Operating Expenses” shall have the meaning set forth in Section 2.18.140.

T. “Rent” means the total consideration, including any bonus, benefit, or gratuity, demanded or received by a Mobile Home Park Owner for or in connection with the use occupancy of a Mobile Home dwelling unit.

U. “Rent Increase” means any additional Rent demanded of, or paid by, a Homeowner for Mobile Home Space. “Rent Increase” includes any reduction in Housing Services without a corresponding reduction in the amount demanded or paid for Rent.

V. “Rent Stabilization Administration Fee” means a fee established by resolution of the City Council in accordance with the provisions of Section 2.18.190.

W. “Substantial Rehabilitation” means that work done by a Mobile Home Park Owner to a Mobile Home Space or to the common areas of the Mobile Home Park, exclusive of Capital Improvements, which has a value in excess of \$20,000.00, and is performed either to secure compliance with any State or local law, or to repair damage result from fire, earthquake, or other casualty or natural disaster, to the extent such work is not reimbursed by insurance or other benefits. Costs of substantial rehabilitation include all costs reasonably and necessarily related to the planning, engineering, and construction of the work. Such costs shall also include debt service costs incurred as a direct result of the substantial rehabilitation work, if any.

2.18.030 Applicability.

A. This Chapter applies to every Mobile Home Park within the City, except those to which an exemption applies.

2.18.031 Exemptions.

A. This Chapter shall not apply to Mobile Home Spaces that are subject to a written rental agreement that is for longer than a 12-month period pursuant to Civil Code section 798.17. This Chapter shall also not apply to a newly constructed space initially held out for rent after January 1, 1990, pursuant to Civil Code sections 798.45 and 798.7.

B. These exceptions shall be effective only until the expiration or other termination of the rental agreement subject to the exception, whereupon all provisions of this Chapter shall immediately be applicable to the Mobile Home Space, unless the rental agreement meets the criteria of Civil Code section 798.17.

C. This ordinance shall not apply to any Mobile Home Spaces that are exempt from local mobile home rent stabilization ordinances as required by law, including, but not limited to, Civil Code sections 798.21, and including but not limited to Mobile Home Spaces that are not the principle residence of the Mobile Homeowner and Mobile Homeowner has not rented the Mobile Home to another party.

D. This ordinance shall not apply to any Mobile Home Parks that are owned by the Mobile Homeowners in the Mobile Home Park, pursuant to Civil Code section 799.1(a).

E. This ordinance shall not apply to any Mobile Home Space subject to any agreement that restricts rent increases in a manner that is more protective than this Ordinance.

2.18.040 Stabilization of Rents.

A. It shall be unlawful to demand, accept, receive, or retain Rent for a Mobile Home Space in excess of the Base Rent plus any increases that are authorized by this Chapter, unless an exemption applies.

B. Base Rent Calculation

1. Except as provided herein, a Mobile Home Park Owner shall not demand, accept, or retain Rent for a Mobile Home Space exceeding the Rent in effect for that space on May 25, 2023. In the event that a Mobile Home Space was not occupied on May 25, 2023, the Base Rent for that Mobile Home Space shall be the highest Mobile Home Space Rent charged by the Mobile Home Park Owner for a Comparable Space in the Mobile Home Park on May 25, 2023, plus any Rent Increases allowed thereafter pursuant to this Chapter.

2. If a Mobile Home Space is exempted from the provisions of this Chapter because it is the subject of a rental agreement pursuant to California Civil Code Section 798.17, and that agreement expires and is not renewed, then the Base Rent, until the next annual adjustment pursuant to this Chapter, shall be the highest Mobile Home Space Rent charged by the Mobile Home Park Owner for a Comparable Space in the Mobile Home Park on May 25, 2023, plus any Rent Increases allowed thereafter pursuant to this Chapter .

3. It shall be presumed that the Base Rent yields a fair return.

C. A Mobile Home Park Owner may seek an adjustment to the initial Base Rent if it can be clearly established that an adjustment is necessary for the Mobile Home Park Owner to receive a fair return. In seeking an adjustment to the initial Base Rent under this section, the procedures set forth in Sections 2.18.080 and 2.18.090 shall apply. The guidelines for determining an adjustment to the initial Base Rent are set forth in Section 2.18.150.

2.18.050 Vacancy Control – Establishment of a New Base Rent.

A. A Mobile Home Park Owner shall be permitted to increase the Space Rent by up to 15 percent whenever a lawful vacancy occurs, and this amount shall be considered the new Base Rent for a Mobile Home Space. For purposes of this Chapter, “lawful space vacancy” shall mean:

1. A vacancy occurring because of the termination of the tenancy of a Mobile Home Homeowner in accordance with California Civil Code sections 798.56 through 798.58; or

2. A vacancy occurring because of the abandonment of a Mobile Home pursuant to California Civil Code section 798.61.

B. Any alleged violation of this Section 2.18.050 shall be subject to arbitration pursuant to Section 2.18.090.

2.18.060 Anniversary Date.

The anniversary date for all Rent Increases in the Mobile Home Park Owner's park shall be established by City Council resolution. Rent Increases, if any, except as specified below, shall be enacted only on the anniversary date. The Mobile Home Park Owner shall post the anniversary date in the park office or areas where it can easily be seen by Homeowners.

2.18.070 Rent Increase Limitations.

A. As of the effective date of this Chapter, no Rent Increases may be implemented within 12 months of the effective date of the preceding Rent Increase unless otherwise authorized under this Chapter. The permissible annual increase shall be the lesser of:

1. 5 percent of the Base Rent plus one hundred (100) percent of the preceding year's annual average change in the Consumer Price Index; or

2. 10 percent of the Base Rent.

B. A Mobile Home Park Owner shall not implement any additional Rent Increase within a 12-month period above the authorized amount pursuant to 2.18.070(A), unless otherwise provided in this Ordinance.

C. In the event that a Mobile Home Park Owner wishes to implement a Rent Increase on the anniversary date or within a 12-month period more than the amount permitted in subsection (A) of this Section 2.18.070 the procedures set forth in Section 2.18.080 and 2.18.090 shall apply.

D. The Arbitrator may reduce the proposed Rent Increases pursuant to Section 2.18.070(B) or (C) to a figure based on the evidence submitted by the Mobile Home Park Owner or the Park Owner Representative to be a fair return.

F. Any notice of a Rent Increase shall be provided in writing to Affected Homeowners at least 90 days before any Rent Increase is to take effect.

2.18.080 Information Required From Mobile Home Park Owner.

A. Within 30 days after the effective date of this Chapter and upon the re-renting of each Mobile Home Space thereafter, the Mobile Home Park Owner shall supply each Affected Homeowner or prospective Homeowner with a copy of the City Information Sheet.

B. Whenever the Mobile Home Park Owner serves a notice of a proposed Rent Increase, except a notice of proposed Rent Increase implemented pursuant to Section 2.18.070(A), the Mobile Home Park Owner shall simultaneously serve a written notice that sets forth the following:

1. The amount of the Rent Increase both in dollars and as a percentage of existing Rent and documentation supporting the proposed increase, including but not limited to: a summary of the unavoidable increases in maintenance and Operating Expenses; a statement of the cost, nature, amortization, and allocation among Mobile Home Spaces of any Substantial Rehabilitation or Capital Improvement; a summary of the increased cost of the Mobile Home Park Owner's debt service and the date and nature of the sale or refinancing transaction; a summary of the Mobile Home Park Owner's Net Operating Income of the preceding 24 months and other relevant information that supports the level of Rent Increase desired;

2. The availability of a current listing of all other Affected Homeowners and the spaces which they rent;

3. The address and telephone number of the Administrator and statement that the Homeowner is encouraged to contact the Administrator for an explanation of this Chapter;

4. A copy of the petition form prepared and provided by the Administrator that initiates the rent review process established by this Chapter;

5. The time and place for of a mandatory meeting with the Mobile Home Park Owner and Homeowners to be held on the Mobile Home Park premises. The meeting shall be held within 10 days from the service of the notice of proposed Rent Increase. The Mobile Home Park Owner and Homeowner shall endeavor to resolve the dispute informally.

6. In the event the dispute is not resolved informally, the Mobile Home Park Owner shall, within 10 days of the meeting required in Section 2.18.080(B)(5), file with the Administrator two copies of the notice and summary of expenses required in Section 2.18.080(B)(1), along with two copies of all relevant financial records, bills or documents that substantiate the proposed increase. This financial information shall be verified in writing by an auditor or certified public accountant or certified in writing as true and correct under penalty of perjury by the Mobile Home Park Owner. This information will be made available at City Hall for inspection and copying by the Affected Homeowners.

D. A Mobile Home Park Owner's failure to provide any information, documents, or notices required by this Section shall not be entitled to collect any Rent Increase that might otherwise be awarded by an Arbitrator. Such failure shall also be a defense in any action brought by the Mobile Home Park Owner to recover possession of a Mobile Home Space or to collect any Rent Increase from the Homeowner.

E. An Affected Homeowner who is given notice of a Rent Increase is entitled to file a petition for rent review as provided in Section 2.18.090 regardless of whether the Mobile Home Park Owner has provided the Affected Homeowner with all the information, documents and notices required by this Chapter.

2.18.090 Rent Dispute Resolution Process.

A. If a Rent Increase is proposed pursuant to Section 2.18.070(B)-(C), then after service of the Rent Increase notice and the production of the accompanying information required by Section 2.18.080, the Mobile Home Park Owner shall set a time and place for an informational meeting with the Homeowners on the Mobile Home Park premises, or an alternative location with the agreement of the Homeowners' Representative. The informational meeting shall be held within 20 days from the service of the notice of proposed Rent Increase. The Mobile Home Park Owner shall give Affected Homeowners and the Administrator at least 10 days' advance written notice of this meeting.

B. Petition Procedures.

1. If discussions between the Mobile Home Park Owner and Affected Homeowners do not resolve the dispute, the Homeowners or Homeowner Representative may file with the Administrator a petition for rent review with a copy of the notice of Rent Increase within 30 days after receipt of the Rent Increase notice.

2. As soon as possible after a petition has been filed with respect to Mobile Home Spaces that are within a Mobile Home Park, the Administrator shall, to the extent possible, consistent with the time limitations provided herein, consolidate petitions involving similarly situated Affected Homeowners.

3. Upon the filing of a petition, the Rent Increase shall not be implemented until and to the extent it is awarded by an Arbitrator or until the petition is abandoned by the Affected Homeowners or the Homeowner Representative. "Abandoned" as used herein shall mean a failure to actively pursue the necessary steps to prepare the Homeowners' case for the arbitration.

D. Contents of Petition.

1. The petition for rent review shall: a) set forth the total number of affected Mobile Home Spaces in the Mobile Home Park; b) identify the name of the Homeowners

who occupy each space; and 3) state the date upon which the notice of the Rent Increase was received by the Homeowner.

2. After obtaining the required signatures of Affected Homeowners, the Homeowners shall deliver the petition or mail it by certified mail to the Administrator at the following address: City of Capitola, 420 Capitola Avenue, Capitola, California 95010. No petition shall be accepted unless it is accompanied by the requisite number of signatures and is received in the office of the Administrator within the 30-day period set forth in subsection (C) of this Section 2.18.090. The Administrator shall provide a copy of the completed petition to the Mobile Home Park Owner and the Arbitrator.

E. After the Administrator has accepted a petition for rent review, the Administrator shall remit to the Mobile Home Park Owner and petitioning Homeowners or the Homeowner Representative an information questionnaire in such form as the Administrator may prescribe. The completed information questionnaire must be returned to the Administrator at least five business days prior to the date scheduled for hearing of the petition by the Arbitrator. The Administrator shall provide copies of the completed information questionnaire to the Arbitrator, the Mobile Home Park Owner, and the Affected Homeowners or the Homeowner Representative.

F. Upon receipt of a petition, or upon an Affected Homeowner's claim of a vacancy control rent increase violation pursuant to Section 2.18.050, the Administrator shall assign an Arbitrator. The Administrator shall set a date for the arbitration hearing. The Mobile Home Park Owner and All Affected Homeowners shall be notified immediately in writing by the Administrator of the date, time, and place of the hearing either in person or by ordinary mail. Any documents to be presented at the hearing by either the park owner or the Affected Homeowners, shall be served on the other party, the Administrator, and the Arbitrator at least 10 working days before the hearing by mail or in-person delivery. All financial documents submitted shall be verified in writing by an auditor or certified public accountant, or certified in writing as true and correct under penalty of perjury by the Mobile Home Park Owner.

G. Arbitration Hearing.

1. The Mobile Home Park Owner and any Affected Homeowners, or their representatives, may appear at the hearing and offer oral and documentary evidence. The burden of proving that the amount of Rent Increase is reasonable shall be on the Mobile Home Park Owner by a preponderance of the evidence. The hearing need not be conducted according to technical rules relating to evidence and witnesses.

2. Any jurisdictional or procedural dispute regarding the process set forth herein may be decided by the Arbitrator.

3. The Arbitrator shall, within 14 days of the conclusion of the hearing, submit by mail a written statement of decision and the reasons for the decision to the

Administrator. The Administrator shall mail copies of the decision to the Mobile Home Park Owner and Affected Homeowners.

4. The decision of the Arbitrator shall be final and binding upon the Mobile Home Park Owner and Affected Homeowners, and subject to the provisions of California Code of Civil Procedure Section 1094.5.

H. It is the intent of the Council to have a final decision rendered within 90 days of the initial notice of the Rent Increase. The Administrator or the Arbitrator may, however, modify the time periods set forth herein at his or her discretion to promote the purposes of this Chapter.

2.18.110 Standards of Review.

A. The Arbitrator shall determine whether Rent Increases proposed or imposed by the Mobile Home Park Owner are reasonable based upon the circumstances and this Chapter. The Arbitrator shall take into consideration that the purpose of this Chapter is to permit Mobile Home Park Owners a just and reasonable return, while protecting Homeowners from unnecessary or unreasonable Rent Increases.

B. The Arbitrator shall not allow more than one Rent Increase per Mobile Home Space per 12-month period, unless a Mobile Home Park Owner can clearly establish that the Rent Increase is necessary to cover costs of operation, maintenance, Capital Improvements, and/or Substantial Rehabilitation not reasonably foreseeable at the time notice of the preceding Rent Increase was given.

C. Maintenance of Net Operating Income.

1. It shall be presumed that the base year Net Operating Income adjusted by 75 percent of the increase or decrease in the CPI since the base year yields a fair return. Mobile Home Park Owners shall be entitled to maintain and increase their Net Operating Income in accordance with this Section 2.18.110. The Arbitrator shall make a determination of whether the Mobile Home Park Owner's Net Operating Income yields a fair return under this standard.

2. The formula for calculating the fair NOI return shall be as follows:

Fair NOI = Base Year NOI × (1 + .75) % preceding years' annual average change in CPI

3. Except as provided in Section 2.18.150, it shall be presumed that the Net Operating Income produced by the Mobile Home Park during the base year provided a fair return.

4. Calendar year 2022 shall be established as the base year for purposes of determining whether a Mobile Home Park Owner's Net Operating Income provides a fair

return. If a satisfactory base year is, in the Arbitrator's opinion, not otherwise available, such as where a Mobile Home Park Owner did not own the subject property in the base year and/or the 2022 Operating Expenses are not available, the Arbitrator may take any relevant evidence into account to construct a base year.

5. The base year CPI shall be the CPI level in May 2022.

6. The percentage change in the CPI shall be calculated by using the preceding year's average CPI prior to the noticed increase.

7. The comparison NOI year shall be the most recent calendar or fiscal year, unless another period is found by the Arbitrator to be more appropriate.

D. A park owner may seek a Rent Increase based on the cost of a completed new Capital Improvement, as defined in Section 2.18.020, together with a reasonable return upon the Capital Improvement investment, only if the Mobile Home Park Owner has:

1. Established by written verification or other competent evidence to the satisfaction of the Arbitrator that the costs of the new Capital Improvement are factually correct as claimed;

2. Cost factored and amortized the costs of the Capital Improvement over the good faith estimate of the remaining life of the improvement, but in no event for a period of less than 60 months; and

3. Allocated the increase among Affected Homeowners on a per space basis and separately itemized such increase on the Rent bill. Such increases shall not be considered included in the Base Rent for purposes of the annual permissible Rent Increases pursuant to Section 2.18.070(A).

E. Mitigating Factors. In evaluating a Rent Increase, the Arbitrator shall also consider the following factors in addition to any other factors the Arbitrator deems relevant in order to determine whether there are any circumstances that may justify a reduction in a proposed Rent Increase:

1. In the event the Mobile Home Park Owner reduces or eliminates any Housing Services, a proportionate share of the cost savings due to such reduction or elimination shall be passed on in the form of a decrease in existing Rent or a decrease in the amount of a Rent Increase otherwise proposed or permitted by this Chapter.

2. The physical condition of the Mobile Home Space or Park of which it is a part, including the quantity and quality of maintenance and repairs performed during the preceding 12 months.

F. Notwithstanding any other provision to the contrary, no provision of this Chapter shall be applied to prohibit the granting of a Rent Increase that is demonstrated to be necessary to provide a Mobile Home Park Owner with a fair and reasonable return.

2.18.120 Net Operating Income.

In evaluating a Rent Increase imposed by a Mobile Home Park Owner to maintain the Mobile Home Park Owner's Net Operating Income, "Net Operating Income" (NOI) shall mean the Gross Income as defined in Section 2.18.130 of the Mobile Home Park less the Operating Expenses as defined in Section 2.18.140.

2.18.130 Gross Income.

For purposes of calculating the Net Operating Income pursuant to Section 2.18.120, "Gross Income" shall mean the sum of the following:

A. Gross Mobile Home Space rents, computed as gross space rental income at 100 percent occupancy; plus

B. Other income generated as a result of the operation of the Mobile Home Park, including, but not limited to, fees for services actually rendered; plus

C. Revenue received by a Mobile Home Park Owner from the sale of water, sewer, refuse collection, gas, and electricity to Homeowners where such utilities or services are billed individually to the Homeowners by the Mobile Home Park Owner. Such revenue shall equal the total cost of the utilities or services to the Homeowners minus the amount paid by the Mobile Home Park Owner for such utilities or services to the utility or service provider; minus

D. Uncollected Mobile Home Space Rents due to vacancy and bad debts to the extent that the same are beyond a Mobile Home Park Owner's control. Uncollected Mobile Home Space Rents in excess of three percent of gross Mobile Home Space Rents shall be presumed to be unreasonable unless established otherwise and shall not be included in computing Gross Income. If uncollected Mobile Home Space Rents must be estimated, then the average of the preceding three years' experience shall be used.

2.18.140 Operating Expenses.

A. For purposes of calculating Net Operating Income pursuant to Section 2.18.120, "Operating Expenses" may include:

1. Real property taxes and assessments.
2. Utility costs to the extent that they represent costs to the Mobile Home Park Owner which are not passed through to Homeowners of the Mobile Home Park.

3. Management expenses (including the compensation of administrative personnel, including the value of any Mobile Home Space offered as part of compensation for such services), reasonable and necessary advertising to ensure occupancy, legal and accounting services as permitted herein, and other managerial expenses. Management expenses are presumed to be not more than five percent of Gross Income, unless established otherwise.

4. In addition to the management expenses listed above, if the Mobile Home Park Owner performs managerial or maintenance services which are uncompensated, the Mobile Home Park Owner may include the reasonable value of such services or Operating Expenses. Mobile Home Park Owner-performed labor shall be limited to five percent of Gross Income unless the Arbitrator finds that such a limitation would be substantially unfair in a given case. A Mobile Home Park Owner must devote substantially all of the Mobile Home Park Owner's time, that is, at least 40 hours per week, to performing such managerial or maintenance services in order to warrant the full five percent credit as an Operating Expense. No credit for such services shall be authorized unless a Mobile Home Park Owner documents the hours utilized in performing such services and the nature of the services provided.

5. Normal repair and maintenance expenses for the grounds and common facilities, including but not limited to landscaping, cleaning, and repair of equipment and facilities.

6. Operating supplies such as janitorial supplies, gardening supplies, and stationery.

7. Insurance premiums prorated over the life of the policy.

8. Other taxes, fees, and permits, except as provided in Section 2.18.190.

9. Reserves for replacement of long-term improvements or facilities, provided that accumulated reserves shall not exceed five percent of Gross Income.

10. A Mobile Home Park Owner may include the cost of necessary Capital Improvement or Substantial Rehabilitation expenditures which would exceed existing reserves for replacement. A necessary Capital Improvement shall be an improvement required to maintain the common facilities and areas of the Mobile Home Park in a decent, safe, and sanitary condition or to maintain the existing level of Mobile Home Park amenities and services. In the event that the necessary Capital Improvement or Substantial Rehabilitation expenditure is necessitated as the result of an accident, disaster, or other event for which the Mobile Home Park Owner received insurance or other benefits, only those costs otherwise allowable and exceeding such benefits may be calculated as Operating Expenses.

Expenditures for necessary Capital Improvements to upgrade existing facilities, together with a reasonable return upon the Capital Improvement investment made by the Mobile Home Park Owner, shall be an allowable Operating Expense only if the park owner has:

- a. Informed the Affected Homeowners prior to initiating construction or implementation of the Capital Improvement regarding the nature, purpose and estimated cost of the improvement; and
- b. Established by written verification or other competent evidence to the satisfaction of the Arbitrator that the costs of Capital Improvement provided to the Homeowners for their general use are factually correct as claimed; and
- c. Cost factored and amortized the costs of the improvement over the good faith estimate of the remaining life of the improvement, but in no event for a period of less than 60 months; and
- d. Allocated the increase among Affected Homeowners on a per space basis and separately itemized such increase on the Rent bill. Such increases shall not be considered included in the Base Rent for purposes of the annual permissible Rent Increases pursuant to Section 2.18.070(A).

11. Increases in interest payments which result from one of the following situations or the equivalent thereof:

- a. Refinancing of the outstanding principal owed for the acquisition of a park where such refinancing is mandated by the terms of a financing transaction entered into prior to May 25, 2023, for instance, termination of a loan with a balloon payment; or
- b. Increased interest costs incurred as a result of a variable interest rate loan used to finance the acquisition of the park and entered into prior to May 25, 2023.
- c. In the event that the Mobile Home Park is financed as part of a multi-asset portfolio, the allowable increase in interest costs shall be limited to the amount reasonably attributable to the Mobile Home Park or Mobile Home Parks located in the City, based on the percentage of total asset value or such allocation established in loan documents.
- d. In refinancing, increased interest shall be permitted to be considered as an Operating Expense only where the Mobile Home Park Owner can show that the terms of the refinancing were reasonable and consistent with prudent business practices under the circumstances.

B. "Operating Expenses" shall not include the following:

1. Debt service expenses, except as provided in subsection (A)(11) of this Section 2.18.140;

2. Depreciation;

3. Any expense for which the Mobile Home Park Owner is reimbursed; or

4. Attorneys' fees and costs (except printing costs and documentation as required by Section 2.18.080) incurred in proceedings before an Arbitrator or in connection with legal proceedings challenging the decision of an Arbitrator or the validity or applicability of this Chapter.

C. Whenever a particular expense exceeds the normal industry or other comparable standard, the Mobile Home Park Owner shall bear the burden of proving the reasonableness of the expense. To the extent that the Arbitrator finds any such expense to be unreasonable, the Arbitrator shall adjust the expense to reflect the normal industry or other comparable standard.

2.18.150 Special Base Year NOI/Base Rent Adjustments.

A. Mobile Home Park Owners may obtain a one-time special adjustment to the base year NOI and/or Base Rent dates if the Mobile Home Park Owner rebuts the presumption that the base year NOI and/or Base Rent date yielded a fair return. The Arbitrator shall not make such a determination unless the Arbitrator has first made at least one of the following findings:

1. That the Mobile Home Park Owner's Operating Expenses in the base year were unusually high or low in comparison to the three years prior to the base year. The average expenses for this period shall be presumed to reflect reasonable average annual expenses and the average of such expenses shall be used to calculate and adjust the base year NOI.

In determining whether the park owner's Operating Expenses were unusually high or low, the Arbitrator shall consider whether:

a. The park owner made substantial Capital Improvements during the base year, which were not reflected in the Rent levels on the Base Rent date.

b. Substantial repairs were made due to uninsured damage caused by fire, natural disaster or vandalism.

c. Maintenance and repair were below accepted standards so as to cause significant deterioration in the quality of Housing Services.

d. Other expenses were unreasonably high or low notwithstanding the following of prudent business practice.

2. That the Rent was disproportionate due to one of the enumerated factors below:

a. The Rent on the base date was exceptionally high or low due to the fact that the Rent was not established in an Arms-Length Transaction.

b. The Rent on the Base Rent date was substantially higher or lower than at other times of the year by reason of premiums being charged or rebates given for reasons unique to particular spaces.

B. If the circumstances specified in subsection (A)(2) of this Section 2.18.150 are demonstrated, the Base Rent date shall be adjusted to reflect the Rent that would have been received if the Base Rent date had been set under general market conditions. In making this adjustment, the Arbitrator shall utilize the median rent in effect on the Base Rent date, or a good faith estimate of such median rent, for Comparable Spaces within the Mobile Home Park or, if necessary, other comparable parks. Comparability shall be judged based on the location of the park, services, amenities provided, and other relevant factors.

2.18.160 Obligations of the Parties.

A. After the Mobile Home Park Owner's proposed effective date of a noticed Rent Increase, if the Arbitrator finds that the proposed increase or any portion thereof that was previously inoperative is justified, All Affected Homeowners shall pay the amount found justified to the Mobile Home Park within 30 days after the decision is made.

B. If the Arbitrator finds that an increase or any portion thereof is not justified, the Mobile Home Park Owner shall refund any amount found to be unjustified, but that had been paid, to All Affected Homeowners within 90 days of the Arbitrator's decision. In the event that the tenancy of an Affected Homeowner is terminated for any reason prior to receipt of a refund, the balance of the credit due the Homeowner shall be paid by the Mobile Home Park Owner within 30 days from the date of the termination of the tenancy.

C. Any sum of money that under the provisions of this Section 2.18.160 is the obligation of the Mobile Home Park Owner or Homeowner to pay, as the case may be, shall constitute a debt and, subject to the foregoing provisions of this section, may be collected in any manner provided by law for the collection of debts.

2.18.170 Homeowner's Right of Refusal.

An Affected Homeowner may refuse to pay any increase in Rent which is in violation of this Chapter, provided a petition has been filed and either no final decision has been reached by an Arbitrator or the increase has been determined to violate the provisions of this Chapter. Such right of refusal to pay shall be a defense in any action brought to recover possession of a Mobile Home Space or to collect the Rent Increase.

2.18.180 Retaliatory Acts – Homeowner’s Right to Organize.

No Mobile Home Park Owner may retaliate against a Homeowner, Homeowner Representative, or prospective Homeowner for the assertion or exercise of rights under this Chapter in any manner. This includes, but is not limited to, threatening to bring or bringing an action to recover possession of a Mobile Home Space, engaging in any form of harassment that causes a Homeowner to quit the premises, dissuading a prospective Homeowner from freely exercising the Homeowner’s legal option to choose a tenancy of a shorter term, decreasing Housing Services, increasing the Mobile Home Space Rent, or imposing or increasing a security deposit or any other charge payable by a Homeowner.

2.18.190 Fees.

A. The City is authorized to impose a Rent Stabilization Administration Fee (“Fee”) chargeable against each Mobile Home Space in the City subject to this Ordinance. The Administrator may recommend to the City from time to time the amount of the Fee and the Council may adopt such Fee by resolution at a public hearing.

B. Within sixty (60) days of the adoption of this Ordinance, each Mobile Home Park Owner in the City shall register with the City. The Mobile Home Park Owner shall provide the name and address of the Mobile Home Park Owner, the current rent roll for all spaces which shall identify: 1) the length of the lease term for each space; 2) the expiration of the lease term for each space; 3) current rents and other fees or charges that are received by the Mobile Home Park Owner itemized per Mobile Home Space; 4) the number of Mobile Home Spaces, including both occupied and unoccupied spaces, contained in that Mobile Home Park Owner’s Mobile Home Park; and 5) The Mobile Home Park Owner’s determination of Comparable Spaces in the Mobile Home Park, along with a description of how the spaces are comparable. The provision of the information required by this Section 2.18.190(C) must also be made immediately upon change of ownership of the Mobile Home Park, or an increase or a decrease in the number of spaces available at a Mobile Home Park Owner’s Mobile Home Park.

2.18.200 Remedies And Waiver of Rights.

A. In the event that a Mobile Home Park Owner demands, accepts, receives, or retains any payment in excess of the amounts allowed under this Chapter, the Homeowner may file a civil suit against the Mobile Home Park Owner. A Mobile Home Park Owner who demands, accepts, receives, or retains any payment of Rent in excess of the amounts allowed under this Chapter shall be liable to the Homeowner in the amount by which the payment or payments have exceeded the allowable Rent. In such a case, the Rent shall be adjusted to reflect the lawful Rent pursuant to this Chapter.

B. A Mobile Home Park Owner who willfully demands, accepts, or retains any payment of Rent in violation of the provisions of this Chapter shall be liable in a civil action

to the person from whom payment is demanded, accepted or retained for damages in the sum of three times the amount by which payment or payments demanded, accepted or retained exceed the maximum Rent which could lawfully be demanded, accepted or retained. A prevailing Homeowner in a civil action brought to enforce this Chapter shall be awarded reasonable attorneys' fees and costs as determined by the court. No administrative remedy need be exhausted prior to filing suit pursuant to this Section 2.18.200.

C. The remedies available in this Chapter are not exclusive and may be used cumulatively with any other remedies available in this Chapter or at law.

D. Waiver of Rights.

1. Any waiver or purported waiver by a Homeowner of rights granted under this Chapter prior to the time when said rights may be exercised shall be void as contrary to public policy, except as provided in this Section 2.18.200. It shall be unlawful for a Mobile Home Park Owner to require or attempt to require, as a condition of tenancy in a Mobile Home Park, a Homeowner, or prospective Homeowner, to waive, in a lease or rental agreement, the rights granted to a Homeowner by this Chapter.

2. It shall be unlawful for a Mobile Home Park Owner to deny or threaten to deny a tenancy in a Mobile Home Park to any person on account of such person's refusal to enter into a lease or rental agreement or any other agreement under which such person would waive the rights granted to a tenant by this Chapter.

3. Nothing in this Section 2.18.200 shall preclude a Mobile Home Owner or tenant, or prospective Homeowner, from entering into a lease or rental agreement; provided, that such lease or rental agreement is not procured by a requirement that it be entered into as a condition of tenancy in the Mobile Home Park, and is not procured under a threat of denial of tenancy in the Mobile Home Park.

2.18.210 Rights of Affected Parties Reserved.

A. This Chapter shall not be construed to limit or curtail any other action or proceeding which may be pursued by an Affected Homeowner or Mobile Home Park Owner before any court or other body having jurisdiction thereof.

B. Defense to Action for Recovery of Possession.

1. A Mobile Home Park Owner's failure to comply with any of the provisions of this Chapter or any regulations promulgated hereunder shall serve as a complete affirmative defense in any action brought to recover possession of a Mobile Home Space.

2. A Homeowner's refusal to pay Rent in excess of the amount allowed under this Chapter shall be a complete affirmative defense in any action brought to: a) recover

possession of a Mobile Home Space for nonpayment of Rent; or b) collect Rent in excess of the amount allowed under this Chapter.

2.18.220 Extension of Time Limits.

By written agreement of the parties, or for good cause shown to the Arbitrator, the timeframes provided for under this Chapter may be extended.

2.18.230 Regulations.

The City Council may issue rules and regulations as necessary to further the purpose of this Chapter. If any portion of this Chapter is declared invalid or unenforceable by decision of a court of competent jurisdiction or rendered invalid or unenforceable by law, the City Council shall have the authority to enact replacement regulations consistent with the intent and purpose of the invalidated or unenforceable provisions of this Chapter to the extent necessary to resolve any inconsistency. The subject matter of such replacement regulations shall be limited to the matters addressed in this Chapter.

ORDINANCE NO. 1060

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA ADDING CHAPTER 2.18 TO THE CAPITOLA MUNICIPAL CODE ESTABLISHING MOBILE HOME PARK RENT STABILIZATION

WHEREAS, mobile home parks are a key source of affordable housing in the City;

WHEREAS, residents have recently reported receiving notices of rent increases of over fifty (50) percent in some instances;

WHEREAS, the City of Capitola currently does not regulate rental amounts or rent increases on mobile homeowners to ensure that that rents remain affordable;

WHEREAS, the potential for rents to increase within mobile home parks within the City could cause hardship to a substantial number of mobile homeowners and residents of the parks;

WHEREAS, residents at mobile home parks are uniquely vulnerable to displacement when sudden rent increases occur, and sudden, large rent increases creates undue hardship for residents through additional relocation costs, stress and anxiety, and the threat of homelessness due to the lack of alternative housing;

WHEREAS, the City Council of the City of Capitola desires to establish a rent stabilization program to prevent excessive rent increases on mobile home residents and to ensure that park owners receive a just and reasonable return.

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

SECTION 1: Chapter 2.18 Added. Chapter 2.18 of the Capitola Municipal Code is hereby added, to read in its entirety as shown on Attachment A, attached hereto and incorporated herein by reference.

Section 2: Effective and Expiration Dates. This ordinance shall take effect and be in force (thirty) 30 days after its adoption, and shall be posted as required by State law. This Ordinance shall automatically expire, and no longer be effective in the event that the State enacts any law that operates to stabilize rents for mobile home park residents in Capitola, and is more protective than this Ordinance.

Section 3: Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 4: Codification. This ordinance shall be codified in the Capitola Municipal Code.

Section 5: CEQA. The City Council hereby finds that the action to adopt this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) (the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly).

This ordinance was introduced at the meeting of the City Council on the 25th day of May, 2023, and was passed and adopted by the City Council of the City of Capitola on the 8th day of June, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DISQUALIFIED:

Margaux Keiser, Mayor

Attest: _____
Julia Moss, City Clerk

Approved as to form:

Samantha W. Zutler, City Attorney

ATTACHMENT A

Chapter 2.18

Mobile Home Park Rent Stabilization Ordinance

2.18.010 Purpose and Findings.

A. The purpose of this Chapter is to stabilize Mobile Home Space rents by preventing excessive and unreasonable rent increases, and to assure that Mobile Home Park Owners receive a fair and reasonable return on their investment.

B. The City Council finds and declares the following:

1. Mobile homes provide an important alternative form of housing; and
2. Based on the most recent available data, within Capitola City limits there are mobile home parks with a total of 681 spaces. Approximately 674 of those spaces are occupied, thus resulting in a vacancy rate of just 1 percent, and market conditions suggest that the high demand for mobile home spaces is likely to persist; and
3. Capitola does not currently regulate rental amounts or rent increases on mobile homeowners to ensure that that rents remain affordable; and
4. Residents of mobile home parks, unlike apartment tenants or residents of other rental properties, are in a unique position in that they have made a substantial investment in a residence for which space is rented or leased; and
5. Some residents of mobile home parks own their coaches, and rent space from the park owner; and
6. The imposition of sudden and excessive rent increases that are beyond the reach of mobile home park residents require such residents to identify alternative sites for the relocation of mobile homes, which is difficult to do given the shortage of vacant mobile home spaces, and restrictions on the age, size or style of mobile homes permitted in many mobile-home parks; and
7. The potential for rents to increase within mobile home parks within the City could cause hardship to a substantial number of mobile homeowners and residents of the parks, many of who are elderly, on fixed incomes, or are persons of low or moderate income, and these residents would be vulnerable to displacement; and
8. It is necessary to protect mobile homeowners and residents of mobile home parks from unreasonable rent increases and at the same time recognize the rights of mobile home park owners to receive a reasonable return on their investments.

2.18.020 Definitions.

- A. “Administrator” means the Administrator of the City’s Mobile Home Space Rent Stabilization Program. The Administrator shall be the Community Development Director, or such other City employee as the City Manager may appoint to serve as Administrator.
- B. “Affected Homeowners” means those Mobile Homeowners who are subject to a Rent Increase. For purposes of providing notice of any Rent Increase and copies pursuant to this Chapter and calculating the number of Affected Homeowners in support of a rent arbitration petition, each Mobile Home Space subject to a Rent Increase shall be deemed to have only one Affected Homeowner. Reference to “All Affected Homeowners” shall mean one Homeowner from each Mobile Home Space subject to the proposed Rent Increase.
- C. “Arbitrator” refers to a person who is appointed by the Administrator, and is neither a Homeowner, nor has an interest in a Mobile Home Park of a nature that would require disqualification under the provisions of the Political Reform Act.
- D. “Arms-Length Transaction” shall refer to a transaction negotiated by unrelated parties, each acting in his or her own self-interest, which serves as a basis for a fair return determination in this Chapter.
- E. “Base Rent” means the authorized Rent calculated pursuant to the provisions of Section 2.18.040, plus any Rent Increase allowed under this Chapter, unless it is expressly excluded from Base Rent, plus any adjustment attributable to vacancy control as provided in Section 2.18.050.
- F. “Capital Improvements” means those new improvements, replacements, upgrades, or remodeling, which directly and primarily benefit and serve Mobile Home Park Homeowners by materially adding to the value of the property and appreciably prolonging its useful life or adapting it to new uses. Capital Improvements consist of more than ordinary maintenance and/or repairs, and may be amortized over the useful remaining life of the improvement to the property. Capital Improvement costs shall include all costs reasonably and necessarily related to the planning, engineering, and construction of the improvement or replacement and shall include debt service costs, if any, incurred as a direct result of the Capital Improvement or replacement.
- G. “City Information Sheet” is prepared by the City, and will provide information about the Mobile Home Park Rent Stabilization Ordinance and include the Administrator’s contact information.
- H. “Comparable Space” means a Mobile Home Space that is suitable for comparison, taking into account such characteristics as the location and size of the space, as well as available views or amenities.

- H. “Consumer Price Index” or “CPI” shall mean the Consumer Price Index for All Urban Consumers, San Francisco-Oakland-San Jose region.
- I. “Gross Income” shall have the meaning set forth in Section 2.18.130.
- J. “Homeowner” shall mean an existing Mobile Homeowner.
- K. “Homeowner Representative” shall mean a designated homeowner association (HOA) or its designee who shall have the authority to represent the interest of, negotiate on behalf of, and bind the Homeowners.
- L. “Housing Service” shall mean a service or facility provided by the Mobile Home Park Owner related to the use or occupancy of a Mobile Home Space, which is neither a Capital Improvement nor a Substantial Rehabilitation. “Housing Service” includes, but is not limited to, repairs (including street repairs), replacement, maintenance, landscaping, painting, lighting, heat, water, utilities, laundry facilities, refuse removal, recreational and meeting facilities, parking, security service, and employee services.
- M. “Mobile Home” has the same meaning as the definition of "mobilehome" defined in Civil Code section 798.3, as it may be amended from time to time, or a successor code provision..
- N. “Mobile Homeowner” means a person who owns a Mobile Home and also rents a Mobile Home Space in a Mobile Home Park pursuant to a rental agreement that is not otherwise exempt from regulation under this Chapter.
- O. “Mobile Home Park” has the same meaning as the definition of "mobilehome park" defined in Civil Code section 798.4, as it may be amended from time to time, or successor code section.
- P. “Mobile Home Park Owner” means a park owner, lessor, or sublessor of a Mobile Home Park in the City who receives or is entitled to receive Rent for the use or occupancy of any Mobile Home Space thereof and who reports to the Internal Revenue Service any income received or loss of income resulting from such ownership or claims any expenses, credits, or deductions because of such ownership.
- Q. “Mobile Home Space” means any site within a Mobile Home Park located in the City intended, designed, or used for the location or accommodation of a mobile home. “Mobile Home Space” includes any accessory structures or appurtenances attached to the mobile home or used in conjunction therewith.
- R. “Net Operating Income” shall have the meaning set forth in Section 2.18.120.
- S. “Operating Expenses” shall have the meaning set forth in Section 2.18.140.

T. “Rent” means the total consideration, including any bonus, benefit, or gratuity, demanded or received by a Mobile Home Park Owner for or in connection with the use occupancy of a Mobile Home dwelling unit.

U. “Rent Increase” means any additional Rent demanded of, or paid by, a Homeowner for Mobile Home Space. “Rent Increase” includes any reduction in Housing Services without a corresponding reduction in the amount demanded or paid for Rent.

V. “Rent Stabilization Administration Fee” means a fee established by resolution of the City Council in accordance with the provisions of Section 2.18.190.

W. “Substantial Rehabilitation” means that work done by a Mobile Home Park Owner to a Mobile Home Space or to the common areas of the Mobile Home Park, exclusive of Capital Improvements, which has a value in excess of \$20,000.00, and is performed either to secure compliance with any State or local law, or to repair damage result from fire, earthquake, or other casualty or natural disaster, to the extent such work is not reimbursed by insurance or other benefits. Costs of substantial rehabilitation include all costs reasonably and necessarily related to the planning, engineering, and construction of the work. Such costs shall also include debt service costs incurred as a direct result of the substantial rehabilitation work, if any.

2.18.030 Applicability.

A. This Chapter applies to every Mobile Home Park within the City, except those to which an exemption applies.

2.18.031 Exemptions.

A. This Chapter shall not apply to Mobile Home Spaces that are subject to a written rental agreement that is for longer than a 12-month period pursuant to Civil Code section 798.17. This Chapter shall also not apply to a newly constructed space initially held out for rent after January 1, 1990, pursuant to Civil Code sections 798.45 and 798.7.

B. These exceptions shall be effective only until the expiration or other termination of the rental agreement subject to the exception, whereupon all provisions of this Chapter shall immediately be applicable to the Mobile Home Space, unless the rental agreement meets the criteria of Civil Code section 798.17.

C. This ordinance shall not apply to any Mobile Home Spaces that are exempt from local mobile home rent stabilization ordinances as required by law, including, but not limited to, Civil Code sections 798.21, and including but not limited to Mobile Home

Spaces that are not the principle residence of the Mobile Homeowner and Mobile Homeowner has not rented the Mobile Home to another party.

D. This ordinance shall not apply to any Mobile Home Parks that are owned by the Mobile Homeowners in the Mobile Home Park, pursuant to Civil Code section 799.1(a).

E. This ordinance shall not apply to any Mobile Home Space subject to any agreement that restricts rent increases in a manner that is more protective than this Ordinance.

2.18.040 Stabilization of Rents.

A. It shall be unlawful to demand, accept, receive, or retain Rent for a Mobile Home Space in excess of the Base Rent plus any increases that are authorized by this Chapter, unless an exemption applies.

B. Base Rent Calculation

1. Except as provided herein, a Mobile Home Park Owner shall not demand, accept, or retain Rent for a Mobile Home Space exceeding the Rent in effect for that space on May 25, 2023. In the event that a Mobile Home Space was not occupied on May 25, 2023, the Base Rent for that Mobile Home Space shall be the highest Mobile Home Space Rent charged by the Mobile Home Park Owner for a Comparable Space in the Mobile Home Park on May 25, 2023, plus any Rent Increases allowed thereafter pursuant to this Chapter.

2. If a Mobile Home Space is exempted from the provisions of this Chapter because it is the subject of a rental agreement pursuant to California Civil Code Section 798.17, and that agreement expires and is not renewed, then the Base Rent, until the next annual adjustment pursuant to this Chapter, shall be the highest Mobile Home Space Rent charged by the Mobile Home Park Owner for a Comparable Space in the Mobile Home Park on May 25, 2023, plus any Rent Increases allowed thereafter pursuant to this Chapter .

3. It shall be presumed that the Base Rent yields a fair return.

C. A Mobile Home Park Owner may seek an adjustment to the initial Base Rent if it can be clearly established that an adjustment is necessary for the Mobile Home Park Owner to receive a fair return. In seeking an adjustment to the initial Base Rent under this section, the procedures set forth in Sections 2.18.080 and 2.18.090 shall apply. The guidelines for determining an adjustment to the initial Base Rent are set forth in Section 2.18.150.

2.18.050 Vacancy Control – Establishment of a New Base Rent.

A. A Mobile Home Park Owner shall be permitted to increase the Space Rent by up to 15 percent whenever a lawful vacancy occurs, and this amount shall be considered the new Base Rent for a Mobile Home Space. For purposes of this Chapter, "lawful space vacancy" shall mean:

1. A vacancy occurring because of the termination of the tenancy of a Mobile Home Homeowner in accordance with California Civil Code sections 798.56 through 798.58; or

2. A vacancy occurring because of the abandonment of a Mobile Home pursuant to California Civil Code section 798.61.

B. Any alleged violation of this Section 2.18.050 shall be subject to arbitration pursuant to Section 2.18.090.

2.18.060 Anniversary Date.

The anniversary date for all Rent Increases in the Mobile Home Park Owner's park shall be established by City Council resolution. Rent Increases, if any, except as specified below, shall be enacted only on the anniversary date. The Mobile Home Park Owner shall post the anniversary date in the park office or areas where it can easily be seen by Homeowners.

2.18.070 Rent Increase Limitations.

A. As of the effective date of this Chapter, no Rent Increases may be implemented within 12 months of the effective date of the preceding Rent Increase unless otherwise authorized under this Chapter. The permissible annual increase shall be the lesser of:

1. 5 percent of the Base Rent plus one hundred (100) percent of the preceding year's annual average change in the Consumer Price Index; or
2. 10 percent of the Base Rent.

B. A Mobile Home Park Owner shall not implement any additional Rent Increase within a 12-month period above the authorized amount pursuant to 2.18.070(A), unless otherwise provided in this Ordinance.

C. In the event that a Mobile Home Park Owner wishes to implement a Rent Increase on the anniversary date or within a 12-month period more than the amount permitted in subsection (A) of this Section 2.18.070 the procedures set forth in Section 2.18.080 and 2.18.090 shall apply.

D. The Arbitrator may reduce the proposed Rent Increases pursuant to Section 2.18.070(B) or (C) to a figure based on the evidence submitted by the Mobile Home Park Owner or the Park Owner Representative to be a fair return.

F. Any notice of a Rent Increase shall be provided in writing to Affected Homeowners at least 90 days before any Rent Increase is to take effect.

2.18.080 Information Required From Mobile Home Park Owner.

A. Within 30 days after the effective date of this Chapter and upon the re-renting of each Mobile Home Space thereafter, the Mobile Home Park Owner shall supply each Affected Homeowner or prospective Homeowner with a copy of the City Information Sheet.

B. Whenever the Mobile Home Park Owner serves a notice of a proposed Rent Increase, except a notice of proposed Rent Increase implemented pursuant to Section 2.18.070(A), the Mobile Home Park Owner shall simultaneously serve a written notice that sets forth the following:

1. The amount of the Rent Increase both in dollars and as a percentage of existing Rent and documentation supporting the proposed increase, including but not limited to: a summary of the unavoidable increases in maintenance and Operating Expenses; a statement of the cost, nature, amortization, and allocation among Mobile Home Spaces of any Substantial Rehabilitation or Capital Improvement; a summary of the increased cost of the Mobile Home Park Owner's debt service and the date and nature of the sale or refinancing transaction; a summary of the Mobile Home Park Owner's Net Operating Income of the preceding 24 months and other relevant information that supports the level of Rent Increase desired;

2. The availability of a current listing of all other Affected Homeowners and the spaces which they rent;

3. The address and telephone number of the Administrator and statement that the Homeowner is encouraged to contact the Administrator for an explanation of this Chapter;

4. A copy of the petition form prepared and provided by the Administrator that initiates the rent review process established by this Chapter;

5. The time and place for of a mandatory meeting with the Mobile Home Park Owner and Homeowners to be held on the Mobile Home Park premises. The meeting shall be held within 10 days from the service of the notice of proposed Rent Increase. The Mobile Home Park Owner and Homeowner shall endeavor to resolve the dispute informally.

6. In the event the dispute is not resolved informally, the Mobile Home Park Owner shall, within 10 days of the meeting required in Section 2.18.080(B)(5), file with the Administrator two copies of the notice and summary of expenses required in Section 2.18.080(B)(1), along with two copies of all relevant financial records, bills or documents

that substantiate the proposed increase. This financial information shall be verified in writing by an auditor or certified public accountant or certified in writing as true and correct under penalty of perjury by the Mobile Home Park Owner. This information will be made available at City Hall for inspection and copying by the Affected Homeowners.

D. A Mobile Home Park Owner's failure to provide any information, documents, or notices required by this Section shall not be entitled to collect any Rent Increase that might otherwise be awarded by an Arbitrator. Such failure shall also be a defense in any action brought by the Mobile Home Park Owner to recover possession of a Mobile Home Space or to collect any Rent Increase from the Homeowner.

E. An Affected Homeowner who is given notice of a Rent Increase is entitled to file a petition for rent review as provided in Section 2.18.090 regardless of whether the Mobile Home Park Owner has provided the Affected Homeowner with all the information, documents and notices required by this Chapter.

2.18.090 Rent Dispute Resolution Process.

A. If a Rent Increase is proposed pursuant to Section 2.18.070(B)-(C), then after service of the Rent Increase notice and the production of the accompanying information required by Section 2.18.080, the Mobile Home Park Owner shall set a time and place for an informational meeting with the Homeowners on the Mobile Home Park premises, or an alternative location with the agreement of the Homeowners' Representative. The informational meeting shall be held within 20 days from the service of the notice of proposed Rent Increase. The Mobile Home Park Owner shall give Affected Homeowners and the Administrator at least 10 days' advance written notice of this meeting.

B. Petition Procedures.

1. If discussions between the Mobile Home Park Owner and Affected Homeowners do not resolve the dispute, the Homeowners or Homeowner Representative may file with the Administrator a petition for rent review with a copy of the notice of Rent Increase within 30 days after receipt of the Rent Increase notice.

2. As soon as possible after a petition has been filed with respect to Mobile Home Spaces that are within a Mobile Home Park, the Administrator shall, to the extent possible, consistent with the time limitations provided herein, consolidate petitions involving similarly situated Affected Homeowners.

3. Upon the filing of a petition, the Rent Increase shall not be implemented until and to the extent it is awarded by an Arbitrator or until the petition is abandoned by the Affected Homeowners or the Homeowner Representative. "Abandoned" as used herein shall mean a failure to actively pursue the necessary steps to prepare the Homeowners' case for the arbitration.

D. Contents of Petition.

1. The petition for rent review shall: a) set forth the total number of affected Mobile Home Spaces in the Mobile Home Park; b) identify the name of the Homeowners who occupy each space; and 3) state the date upon which the notice of the Rent Increase was received by the Homeowner.

2. After obtaining the required signatures of Affected Homeowners, the Homeowners shall deliver the petition or mail it by certified mail to the Administrator at the following address: City of Capitola, 420 Capitola Avenue, Capitola, California 95010. No petition shall be accepted unless it is accompanied by the requisite number of signatures and is received in the office of the Administrator within the 30-day period set forth in subsection (C) of this Section 2.18.090. The Administrator shall provide a copy of the completed petition to the Mobile Home Park Owner and the Arbitrator.

E. After the Administrator has accepted a petition for rent review, the Administrator shall remit to the Mobile Home Park Owner and petitioning Homeowners or the Homeowner Representative an information questionnaire in such form as the Administrator may prescribe. The completed information questionnaire must be returned to the Administrator at least five business days prior to the date scheduled for hearing of the petition by the Arbitrator. The Administrator shall provide copies of the completed information questionnaire to the Arbitrator, the Mobile Home Park Owner, and the Affected Homeowners or the Homeowner Representative.

F. Upon receipt of a petition, or upon an Affected Homeowner's claim of a vacancy control rent increase violation pursuant to Section 2.18.050, the Administrator shall assign an Arbitrator. The Administrator shall set a date for the arbitration hearing. The Mobile Home Park Owner and All Affected Homeowners shall be notified immediately in writing by the Administrator of the date, time, and place of the hearing either in person or by ordinary mail. Any documents to be presented at the hearing by either the park owner or the Affected Homeowners, shall be served on the other party, the Administrator, and the Arbitrator at least 10 working days before the hearing by mail or in-person delivery. All financial documents submitted shall be verified in writing by an auditor or certified public accountant, or certified in writing as true and correct under penalty of perjury by the Mobile Home Park Owner.

G. Arbitration Hearing.

1. The Mobile Home Park Owner and any Affected Homeowners, or their representatives, may appear at the hearing and offer oral and documentary evidence. The burden of proving that the amount of Rent Increase is reasonable shall be on the Mobile Home Park Owner by a preponderance of the evidence. The hearing need not be conducted according to technical rules relating to evidence and witnesses.

2. Any jurisdictional or procedural dispute regarding the process set forth herein may be decided by the Arbitrator.

3. The Arbitrator shall, within 14 days of the conclusion of the hearing, submit by mail a written statement of decision and the reasons for the decision to the Administrator. The Administrator shall mail copies of the decision to the Mobile Home Park Owner and Affected Homeowners.

4. The decision of the Arbitrator shall be final and binding upon the Mobile Home Park Owner and Affected Homeowners, and subject to the provisions of California Code of Civil Procedure Section 1094.5.

H. It is the intent of the Council to have a final decision rendered within 90 days of the initial notice of the Rent Increase. The Administrator or the Arbitrator may, however, modify the time periods set forth herein at his or her discretion to promote the purposes of this Chapter.

2.18.110 Standards of Review.

A. The Arbitrator shall determine whether Rent Increases proposed or imposed by the Mobile Home Park Owner are reasonable based upon the circumstances and this Chapter. The Arbitrator shall take into consideration that the purpose of this Chapter is to permit Mobile Home Park Owners a just and reasonable return, while protecting Homeowners from unnecessary or unreasonable Rent Increases.

B. The Arbitrator shall not allow more than one Rent Increase per Mobile Home Space per 12-month period, unless a Mobile Home Park Owner can clearly establish that the Rent Increase is necessary to cover costs of operation, maintenance, Capital Improvements, and/or Substantial Rehabilitation not reasonably foreseeable at the time notice of the preceding Rent Increase was given.

C. Maintenance of Net Operating Income.

1. It shall be presumed that the base year Net Operating Income adjusted by 75 percent of the increase or decrease in the CPI since the base year yields a fair return. Mobile Home Park Owners shall be entitled to maintain and increase their Net Operating Income in accordance with this Section 2.18.110. The Arbitrator shall make a determination of whether the Mobile Home Park Owner's Net Operating Income yields a fair return under this standard.

2. The formula for calculating the fair NOI return shall be as follows:

Fair NOI = Base Year NOI × (1 + .75) % preceding years' annual average change in CPI

3. Except as provided in Section 2.18.150, it shall be presumed that the Net Operating Income produced by the Mobile Home Park during the base year provided a fair return.

4. Calendar year 2022 shall be established as the base year for purposes of determining whether a Mobile Home Park Owner's Net Operating Income provides a fair return. If a satisfactory base year is, in the Arbitrator's opinion, not otherwise available, such as where a Mobile Home Park Owner did not own the subject property in the base year and/or the 2022 Operating Expenses are not available, the Arbitrator may take any relevant evidence into account to construct a base year.

5. The base year CPI shall be the CPI level in May 2022.

6. The percentage change in the CPI shall be calculated by using the preceding year's average CPI prior to the noticed increase.

7. The comparison NOI year shall be the most recent calendar or fiscal year, unless another period is found by the Arbitrator to be more appropriate.

D. A park owner may seek a Rent Increase based on the cost of a completed new Capital Improvement, as defined in Section 2.18.020, together with a reasonable return upon the Capital Improvement investment, only if the Mobile Home Park Owner has:

1. Established by written verification or other competent evidence to the satisfaction of the Arbitrator that the costs of the new Capital Improvement are factually correct as claimed;

2. Cost factored and amortized the costs of the Capital Improvement over the good faith estimate of the remaining life of the improvement, but in no event for a period of less than 60 months; and

3. Allocated the increase among Affected Homeowners on a per space basis and separately itemized such increase on the Rent bill. Such increases shall not be considered included in the Base Rent for purposes of the annual permissible Rent Increases pursuant to Section 2.18.070(A).

E. Mitigating Factors. In evaluating a Rent Increase, the Arbitrator shall also consider the following factors in addition to any other factors the Arbitrator deems relevant in order to determine whether there are any circumstances that may justify a reduction in a proposed Rent Increase:

1. In the event the Mobile Home Park Owner reduces or eliminates any Housing Services, a proportionate share of the cost savings due to such reduction or elimination shall be passed on in the form of a decrease in existing Rent or a decrease in the amount of a Rent Increase otherwise proposed or permitted by this Chapter.

2. The physical condition of the Mobile Home Space or Park of which it is a part, including the quantity and quality of maintenance and repairs performed during the preceding 12 months.

F. Notwithstanding any other provision to the contrary, no provision of this Chapter shall be applied to prohibit the granting of a Rent Increase that is demonstrated to be necessary to provide a Mobile Home Park Owner with a fair and reasonable return.

2.18.120 Net Operating Income.

In evaluating a Rent Increase imposed by a Mobile Home Park Owner to maintain the Mobile Home Park Owner's Net Operating Income, "Net Operating Income" (NOI) shall mean the Gross Income as defined in Section 2.18.130 of the Mobile Home Park less the Operating Expenses as defined in Section 2.18.140.

2.18.130 Gross Income.

For purposes of calculating the Net Operating Income pursuant to Section 2.18.120, "Gross Income" shall mean the sum of the following:

- A. Gross Mobile Home Space rents, computed as gross space rental income at 100 percent occupancy; plus
- B. Other income generated as a result of the operation of the Mobile Home Park, including, but not limited to, fees for services actually rendered; plus
- C. Revenue received by a Mobile Home Park Owner from the sale of water, sewer, refuse collection, gas, and electricity to Homeowners where such utilities or services are billed individually to the Homeowners by the Mobile Home Park Owner. Such revenue shall equal the total cost of the utilities or services to the Homeowners minus the amount paid by the Mobile Home Park Owner for such utilities or services to the utility or service provider; minus
- D. Uncollected Mobile Home Space Rents due to vacancy and bad debts to the extent that the same are beyond a Mobile Home Park Owner's control. Uncollected Mobile Home Space Rents in excess of three percent of gross Mobile Home Space Rents shall be presumed to be unreasonable unless established otherwise and shall not be included in computing Gross Income. If uncollected Mobile Home Space Rents must be estimated, then the average of the preceding three years' experience shall be used.

2.18.140 Operating Expenses.

- A. For purposes of calculating Net Operating Income pursuant to Section 2.18.120, "Operating Expenses" may include:
 - 1. Real property taxes and assessments.
 - 2. Utility costs to the extent that they represent costs to the Mobile Home Park Owner which are not passed through to Homeowners of the Mobile Home Park.

3. Management expenses (including the compensation of administrative personnel, including the value of any Mobile Home Space offered as part of compensation for such services), reasonable and necessary advertising to ensure occupancy, legal and accounting services as permitted herein, and other managerial expenses. Management expenses are presumed to be not more than five percent of Gross Income, unless established otherwise.

4. In addition to the management expenses listed above, if the Mobile Home Park Owner performs managerial or maintenance services which are uncompensated, the Mobile Home Park Owner may include the reasonable value of such services or Operating Expenses. Mobile Home Park Owner-performed labor shall be limited to five percent of Gross Income unless the Arbitrator finds that such a limitation would be substantially unfair in a given case. A Mobile Home Park Owner must devote substantially all of the Mobile Home Park Owner's time, that is, at least 40 hours per week, to performing such managerial or maintenance services in order to warrant the full five percent credit as an Operating Expense. No credit for such services shall be authorized unless a Mobile Home Park Owner documents the hours utilized in performing such services and the nature of the services provided.

5. Normal repair and maintenance expenses for the grounds and common facilities, including but not limited to landscaping, cleaning, and repair of equipment and facilities.

6. Operating supplies such as janitorial supplies, gardening supplies, and stationery.

7. Insurance premiums prorated over the life of the policy.

8. Other taxes, fees, and permits, except as provided in Section 2.18.190.

9. Reserves for replacement of long-term improvements or facilities, provided that accumulated reserves shall not exceed five percent of Gross Income.

10. A Mobile Home Park Owner may include the cost of necessary Capital Improvement or Substantial Rehabilitation expenditures which would exceed existing reserves for replacement. A necessary Capital Improvement shall be an improvement required to maintain the common facilities and areas of the Mobile Home Park in a decent, safe, and sanitary condition or to maintain the existing level of Mobile Home Park amenities and services. In the event that the necessary Capital Improvement or Substantial Rehabilitation expenditure is necessitated as the result of an accident, disaster, or other event for which the Mobile Home Park Owner received insurance or other benefits, only those costs otherwise allowable and exceeding such benefits may be calculated as Operating Expenses.

Expenditures for necessary Capital Improvements to upgrade existing facilities, together with a reasonable return upon the Capital Improvement investment made by the Mobile Home Park Owner, shall be an allowable Operating Expense only if the park owner has:

- a. Informed the Affected Homeowners prior to initiating construction or implementation of the Capital Improvement regarding the nature, purpose and estimated cost of the improvement; and
- b. Established by written verification or other competent evidence to the satisfaction of the Arbitrator that the costs of Capital Improvement provided to the Homeowners for their general use are factually correct as claimed; and
- c. Cost factored and amortized the costs of the improvement over the good faith estimate of the remaining life of the improvement, but in no event for a period of less than 60 months; and
- d. Allocated the increase among Affected Homeowners on a per space basis and separately itemized such increase on the Rent bill. Such increases shall not be considered included in the Base Rent for purposes of the annual permissible Rent Increases pursuant to Section 2.18.070(A).

11. Increases in interest payments which result from one of the following situations or the equivalent thereof:

- a. Refinancing of the outstanding principal owed for the acquisition of a park where such refinancing is mandated by the terms of a financing transaction entered into prior to May 25, 2023, for instance, termination of a loan with a balloon payment; or
- b. Increased interest costs incurred as a result of a variable interest rate loan used to finance the acquisition of the park and entered into prior to May 25, 2023.
- c. In the event that the Mobile Home Park is financed as part of a multi-asset portfolio, the allowable increase in interest costs shall be limited to the amount reasonably attributable to the Mobile Home Park or Mobile Home Parks located in the City, based on the percentage of total asset value or such allocation established in loan documents.
- d. In refinancing, increased interest shall be permitted to be considered as an Operating Expense only where the Mobile Home Park Owner can show that the terms of the refinancing were reasonable and consistent with prudent business practices under the circumstances.

B. "Operating Expenses" shall not include the following:

1. Debt service expenses, except as provided in subsection (A)(11) of this Section 2.18.140;

2. Depreciation;

3. Any expense for which the Mobile Home Park Owner is reimbursed; or

4. Attorneys' fees and costs (except printing costs and documentation as required by Section 2.18.080) incurred in proceedings before an Arbitrator or in connection with legal proceedings challenging the decision of an Arbitrator or the validity or applicability of this Chapter.

C. Whenever a particular expense exceeds the normal industry or other comparable standard, the Mobile Home Park Owner shall bear the burden of proving the reasonableness of the expense. To the extent that the Arbitrator finds any such expense to be unreasonable, the Arbitrator shall adjust the expense to reflect the normal industry or other comparable standard.

2.18.150 Special Base Year NOI/Base Rent Adjustments.

A. Mobile Home Park Owners may obtain a one-time special adjustment to the base year NOI and/or Base Rent dates if the Mobile Home Park Owner rebuts the presumption that the base year NOI and/or Base Rent date yielded a fair return. The Arbitrator shall not make such a determination unless the Arbitrator has first made at least one of the following findings:

1. That the Mobile Home Park Owner's Operating Expenses in the base year were unusually high or low in comparison to the three years prior to the base year. The average expenses for this period shall be presumed to reflect reasonable average annual expenses and the average of such expenses shall be used to calculate and adjust the base year NOI.

In determining whether the park owner's Operating Expenses were unusually high or low, the Arbitrator shall consider whether:

a. The park owner made substantial Capital Improvements during the base year, which were not reflected in the Rent levels on the Base Rent date.

b. Substantial repairs were made due to uninsured damage caused by fire, natural disaster or vandalism.

c. Maintenance and repair were below accepted standards so as to cause significant deterioration in the quality of Housing Services.

d. Other expenses were unreasonably high or low notwithstanding the following of prudent business practice.

2. That the Rent was disproportionate due to one of the enumerated factors below:

a. The Rent on the base date was exceptionally high or low due to the fact that the Rent was not established in an Arms-Length Transaction.

b. The Rent on the Base Rent date was substantially higher or lower than at other times of the year by reason of premiums being charged or rebates given for reasons unique to particular spaces.

B. If the circumstances specified in subsection (A)(2) of this Section 2.18.150 are demonstrated, the Base Rent date shall be adjusted to reflect the Rent that would have been received if the Base Rent date had been set under general market conditions. In making this adjustment, the Arbitrator shall utilize the median rent in effect on the Base Rent date, or a good faith estimate of such median rent, for Comparable Spaces within the Mobile Home Park or, if necessary, other comparable parks. Comparability shall be judged based on the location of the park, services, amenities provided, and other relevant factors.

2.18.160 Obligations of the Parties.

A. After the Mobile Home Park Owner's proposed effective date of a noticed Rent Increase, if the Arbitrator finds that the proposed increase or any portion thereof that was previously inoperative is justified, All Affected Homeowners shall pay the amount found justified to the Mobile Home Park within 30 days after the decision is made.

B. If the Arbitrator finds that an increase or any portion thereof is not justified, the Mobile Home Park Owner shall refund any amount found to be unjustified, but that had been paid, to All Affected Homeowners within 90 days of the Arbitrator's decision. In the event that the tenancy of an Affected Homeowner is terminated for any reason prior to receipt of a refund, the balance of the credit due the Homeowner shall be paid by the Mobile Home Park Owner within 30 days from the date of the termination of the tenancy.

C. Any sum of money that under the provisions of this Section 2.18.160 is the obligation of the Mobile Home Park Owner or Homeowner to pay, as the case may be, shall constitute a debt and, subject to the foregoing provisions of this section, may be collected in any manner provided by law for the collection of debts.

2.18.170 Homeowner's Right of Refusal.

An Affected Homeowner may refuse to pay any increase in Rent which is in violation of this Chapter, provided a petition has been filed and either no final decision has been reached by an Arbitrator or the increase has been determined to violate the provisions

of this Chapter. Such right of refusal to pay shall be a defense in any action brought to recover possession of a Mobile Home Space or to collect the Rent Increase.

2.18.180 Retaliatory Acts – Homeowner’s Right to Organize.

No Mobile Home Park Owner may retaliate against a Homeowner, Homeowner Representative, or prospective Homeowner for the assertion or exercise of rights under this Chapter in any manner. This includes, but is not limited to, threatening to bring or bringing an action to recover possession of a Mobile Home Space, engaging in any form of harassment that causes a Homeowner to quit the premises, dissuading a prospective Homeowner from freely exercising the Homeowner’s legal option to choose a tenancy of a shorter term, decreasing Housing Services, increasing the Mobile Home Space Rent, or imposing or increasing a security deposit or any other charge payable by a Homeowner.

2.18.190 Fees.

A. The City is authorized to impose a Rent Stabilization Administration Fee (“Fee”) chargeable against each Mobile Home Space in the City subject to this Ordinance. The Administrator may recommend to the City from time to time the amount of the Fee and the Council may adopt such Fee by resolution at a public hearing.

B. Within sixty (60) days of the adoption of this Ordinance, each Mobile Home Park Owner in the City shall register with the City. The Mobile Home Park Owner shall provide the name and address of the Mobile Home Park Owner, the current rent roll for all spaces which shall identify: 1) the length of the lease term for each space; 2) the expiration of the lease term for each space; 3) current rents and other fees or charges that are received by the Mobile Home Park Owner itemized per Mobile Home Space; 4) the number of Mobile Home Spaces, including both occupied and unoccupied spaces, contained in that Mobile Home Park Owner’s Mobile Home Park; and 5) The Mobile Home Park Owner’s determination of Comparable Spaces in the Mobile Home Park, along with a description of how the spaces are comparable. The provision of the information required by this Section 2.18.190(C) must also be made immediately upon change of ownership of the Mobile Home Park, or an increase or a decrease in the number of spaces available at a Mobile Home Park Owner’s Mobile Home Park.

2.18.200 Remedies And Waiver of Rights.

A. In the event that a Mobile Home Park Owner demands, accepts, receives, or retains any payment in excess of the amounts allowed under this Chapter, the Homeowner may file a civil suit against the Mobile Home Park Owner. A Mobile Home Park Owner who demands, accepts, receives, or retains any payment of Rent in excess of the amounts allowed under this Chapter shall be liable to the Homeowner in the amount by which the payment or payments have exceeded the allowable Rent. In such a case, the Rent shall be adjusted to reflect the lawful Rent pursuant to this Chapter.

B. A Mobile Home Park Owner who willfully demands, accepts, or retains any payment of Rent in violation of the provisions of this Chapter shall be liable in a civil action to the person from whom payment is demanded, accepted or retained for damages in the sum of three times the amount by which payment or payments demanded, accepted or retained exceed the maximum Rent which could lawfully be demanded, accepted or retained. A prevailing Homeowner in a civil action brought to enforce this Chapter shall be awarded reasonable attorneys' fees and costs as determined by the court. No administrative remedy need be exhausted prior to filing suit pursuant to this Section 2.18.200.

C. The remedies available in this Chapter are not exclusive and may be used cumulatively with any other remedies available in this Chapter or at law.

D. Waiver of Rights.

1. Any waiver or purported waiver by a Homeowner of rights granted under this Chapter prior to the time when said rights may be exercised shall be void as contrary to public policy, except as provided in this Section 2.18.200. It shall be unlawful for a Mobile Home Park Owner to require or attempt to require, as a condition of tenancy in a Mobile Home Park, a Homeowner, or prospective Homeowner, to waive, in a lease or rental agreement, the rights granted to a Homeowner by this Chapter.

2. It shall be unlawful for a Mobile Home Park Owner to deny or threaten to deny a tenancy in a Mobile Home Park to any person on account of such person's refusal to enter into a lease or rental agreement or any other agreement under which such person would waive the rights granted to a tenant by this Chapter.

3. Nothing in this Section 2.18.200 shall preclude a Mobile Home Owner or tenant, or prospective Homeowner, from entering into a lease or rental agreement; provided, that such lease or rental agreement is not procured by a requirement that it be entered into as a condition of tenancy in the Mobile Home Park, and is not procured under a threat of denial of tenancy in the Mobile Home Park.

2.18.210 Rights of Affected Parties Reserved.

A. This Chapter shall not be construed to limit or curtail any other action or proceeding which may be pursued by an Affected Homeowner or Mobile Home Park Owner before any court or other body having jurisdiction thereof.

B. Defense to Action for Recovery of Possession.

1. A Mobile Home Park Owner's failure to comply with any of the provisions of this Chapter or any regulations promulgated hereunder shall serve as a complete affirmative defense in any action brought to recover possession of a Mobile Home Space.

2. A Homeowner's refusal to pay Rent in excess of the amount allowed under this Chapter shall be a complete affirmative defense in any action brought to: a) recover possession of a Mobile Home Space for nonpayment of Rent; or b) collect Rent in excess of the amount allowed under this Chapter.

2.18.220 Extension of Time Limits.

By written agreement of the parties, or for good cause shown to the Arbitrator, the timeframes provided for under this Chapter may be extended.

2.18.230 Regulations.

The City Council may issue rules and regulations as necessary to further the purpose of this Chapter. If any portion of this Chapter is declared invalid or unenforceable by decision of a court of competent jurisdiction or rendered invalid or unenforceable by law, the City Council shall have the authority to enact replacement regulations consistent with the intent and purpose of the invalidated or unenforceable provisions of this Chapter to the extent necessary to resolve any inconsistency. The subject matter of such replacement regulations shall be limited to the matters addressed in this Chapter.

Moss, Julia

From: Tawny VanLoon <violetvanloon324@gmail.com>
Sent: Thursday, May 18, 2023 4:21 PM
To: City Council
Subject: Rent cap in Capitola mobile home parks

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom it May Concern,

I am voting YES on a rent cap for mobile home parks in the city of Capitola.

My dad lives in Cabrillo Mobile home estates and the owner of the park is threatening to increase the tenants rent by an astronomical amount. This is an outrage and completely unacceptable. Most people (like my dad), live in a mobile home park because that is all they can afford. How can they possibly survive an increase in rent like their owner is trying to impose on them?!

Please help people like my dad and others by passing a rent cap on mobile home parks in Capitola. Thank you, Tawny Van Loon

Moss, Julia

From: I. C. <Ares_XM@hotmail.com>
Sent: Wednesday, May 17, 2023 5:16 PM
To: City Council
Subject: Cabrillo Mobile Home Estates

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Capitola City Councilmembers,

Please don't allow a 56% increase take effect on the good folks of **Cabrillo Mobile Home Estates**. Many folks are on a fixed income, and with inflation already high this would put an undue burden on each of them.

Protect these mobile homeowners from a pocket-swindle money-grab from Vieira Enterprises

Thank you.
-ic

Capitola City Council

Agenda Report

Meeting: May 25, 2023
From: Recreation Division
Subject: Public Art Proposal



Recommended Action: Approve the Tree Stump Public Art Project and Contract with artist Anthony Heinz May in the amount of \$5,500.

Background: The City of Capitola Public Art Ordinance requires all commercial projects valued at more than \$250,000 to either incorporate art into the project or contribute to the City's Public Art Fund. One of the duties of the City of Capitola Art and Cultural Commission is to administer the Public Art Fund and recommend public art projects for the City of Capitola.

Capitola's Tree Stump Art Project is located at the lower public parking lot on Monterey Avenue, which is used by the general public visiting the beach and Capitola Village. A very large cypress tree, that was estimated to be over 100 years old, fell during the winter of 2019; the stump is all that remains. That stump is a landmark and considered a small bit of Capitola's history. It is approximately seven feet in diameter and four feet deep.

The Art and Cultural Commission formed an art selection committee in May of 2022 and initiated a call to artists for this project, which closed on October 4, 2022.

The art selection committee reviewed seven submissions and one artist was asked to submit a detailed proposal. The Art and Cultural Commission reviewed the proposal and recommended that the City Council approve the proposal and contract with Anthony Heinz May.

Discussion: Anthony Heinz May has extensive experience in the creation of cubed wood block sculpture designed for outdoor environments.

The proposed Tree Stump Sculpture will utilize the existing tree stump in its current location and additions to the sculpture will be made using other fallen tree debris collected from within the City.

Fiscal Impact: The proposed project cost is \$5,500. The Public Art Fund has \$75,000 allocated in Fiscal Year 2023-24 for public art projects. The Public Art Fund is restricted and may only be used for public art projects.

Attachments:

1. Tree Stump Proposal by Anthony Heinz May
2. Tree Stump Art Agreement Contract

Report Prepared By: Nikki Bryant LeBlond

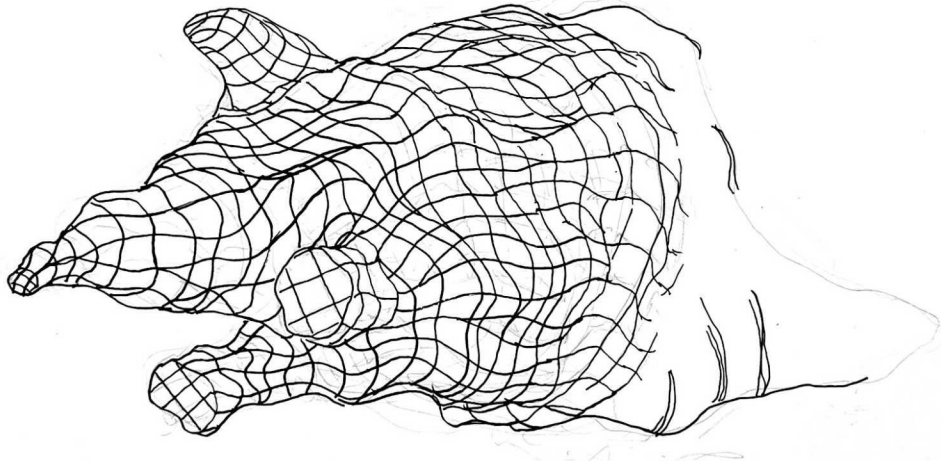
Reviewed By: Julia Moss, City Clerk

Approved By: Jamie Goldstein, City Manager

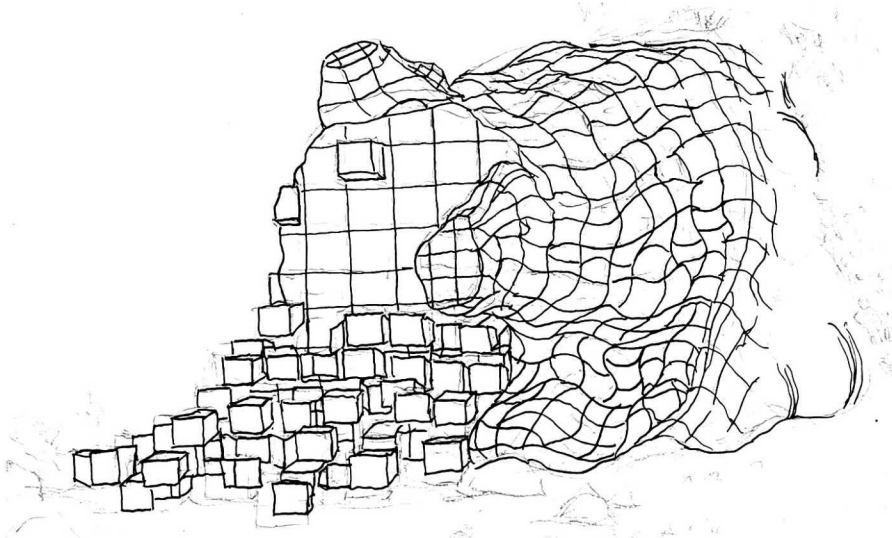
See Level
Anthony Heinz May



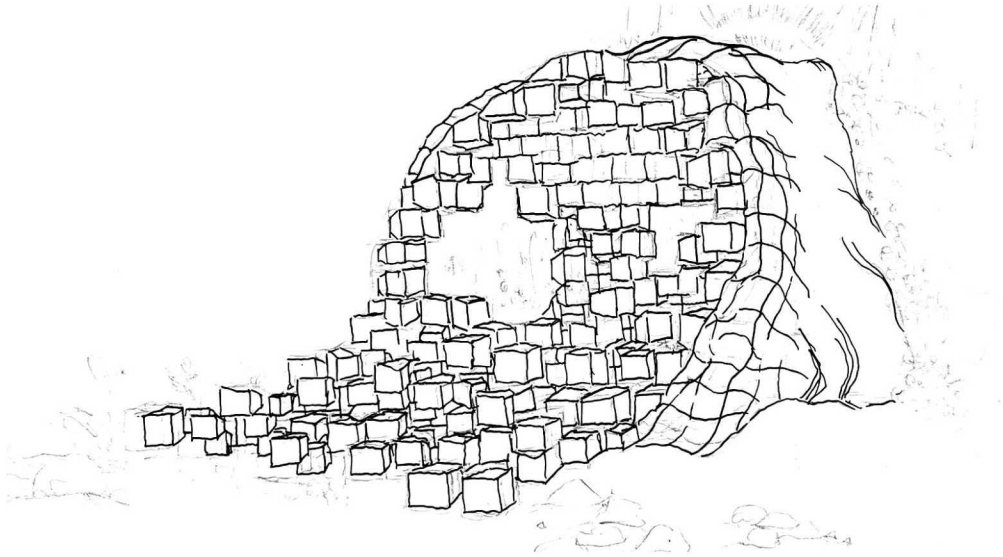
Tree Stump Art Proposal
(Capitola, CA)

*Sketch Concept A*

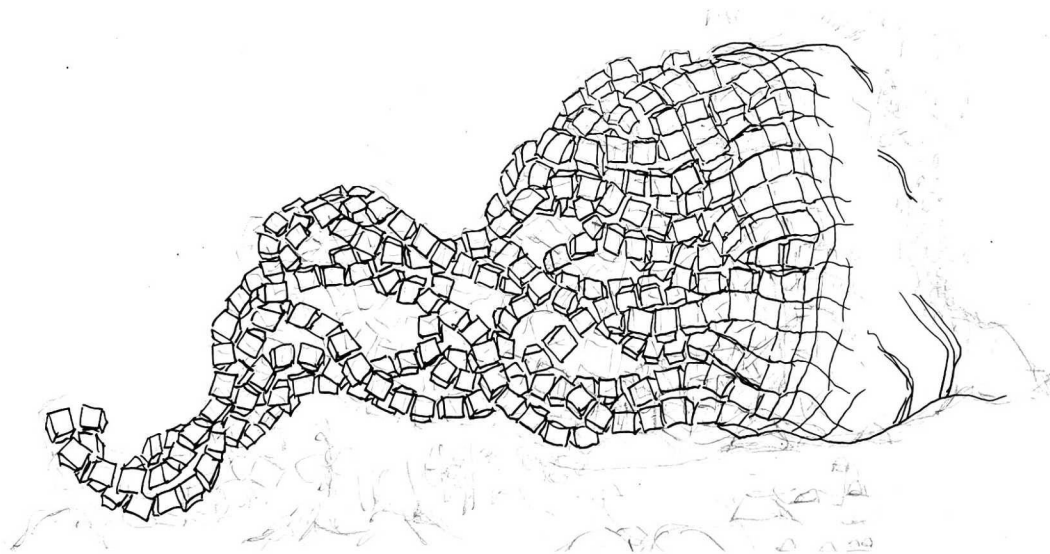
Various sketch concepts in proposal portray different designs that could be created for the Tree Stump Art Project. A continuous artificial facsimile replaces what was once the whole Cypress tree as displaced by flooding of 2017 in Capitola. Designs appear as completely reconstructed wholes that are surrealistically broken/fragmented through modulation of physical space/time.

*Sketch Concept B*

Each design shows various morphed ideas of how the completed sculpture could look; my work is created site-specifically and dependent on material available for the creative process. My public artworks are built empirically and site-responsive to the area they are installed. All designs use similar methodologies with tested true construction using rebar and underground concrete footing anchors where necessary, to facilitate highest structural integrity of public art. My work is created/installed across numerous places in urban/rural/natural landscapes of US.

*Sketch Concept C*

These illustrations show the tree as altered/changed in “digital” reconstruction. This is in continuation of my public artworks as place-markers where nature appears affected by technological reconfiguration, like computerized glitches. Morphing of natural material into cubed assemblages simultaneously focus and blurs those lines that separate reality from artificial/virtual platforms of modernity in three-dimensional puzzles to engage modern issues.

*Sketch Concept D*

I employ the grid to develop broad statements about human interactions in nature. My work is based on overarching dialogues concerning relationships between nature/humans/technology. Modern issues involving energy abuse (overuse) from energy obsession and reliance on non-sustainable energy sources where hydrocarbon combustion from fossil fuels contribute to climate change (alongside human pollution), that ultimately destroy life on Earth. Grids are omnipresent in collective physical, digital and artificial human-constructed worlds; formation of the grid over nature as a matrix of geometric lines subjugate organic reality to human agendas.



Nature's Keystone
Price Sculpture Forest

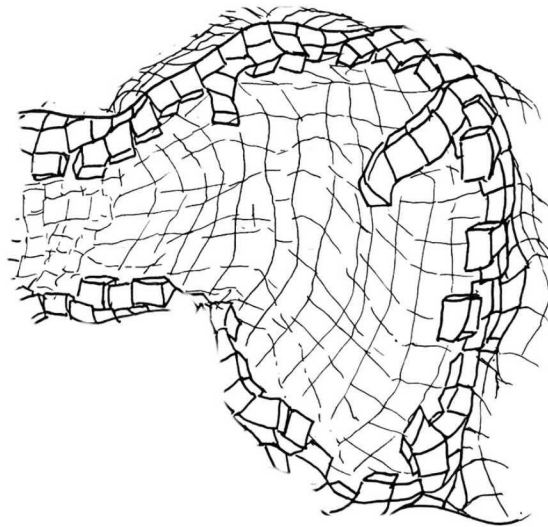
The range of designs offer combinations of how the sculpture in proposal would be installed on-site using the tree stump as base for cubes of wood material to attach to. Using rebar lengths embedded deeply into tree stumps, each rod is threaded with wood cubes to give a surreal sense of trees as if compromised by artificial realities constructed by humanity.



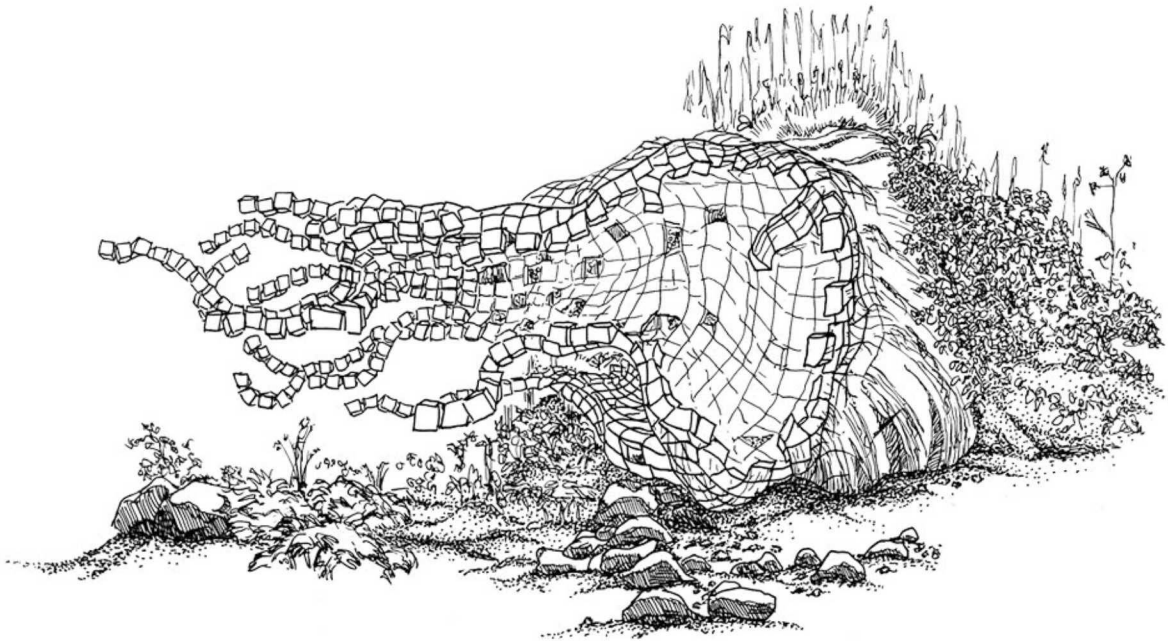
Where cubes of wood material meet the ground, a double reinforcing agent of underground concrete and rebar anchors hold cube conglomerates in place along with the rebar threading of cubes. This keeps my sculptures from being affected by vandalism and/or public tampering of sculpted forms. Variation of sculpture will depend on what is best suited for in-situ reconstruction. Each of my public artworks deal with a different set of criteria inasmuch hold similar concepts and aesthetic as forms of eco-aestheticism.

Armatures of cubed wood blocks attached are tightened in place through shaping, and then capped with end pieces that retain sculpted shape. Lengths of thick rebar with blocks of wood interweave itself in space and in new orientation from original growth of tree to appear in digital or artificial expansion/dissolve of nature. Once my composition is complete, and through the cinching of blocks in place, armatures maintain steadfast solid forms over time. Examples of realized work is attached herein.

Cavernous design concept in sketch below allows for the interior of sculpture to be seen, while illustrating it as offset by the geometric grid. The artificial (gridded) decomposition from inside the tree trunk is suggested by sieving of the tree material into cubed patterns. In this way the piece appears as if rotted by an unnatural process; block pieces are pulled from its natural core into space as a flow of material in wind, water or storm; fragments in dissolve by human mechanism. Wavelike and flowing components of the sculpture responds to the original destruction of the Cypress tree and capitalizes on the reality of the relations between nature, humans and technology. The result appears as a puzzle of nature where humans, as collective stewards of Earth, are promoted to better understand.



This fallen Cypress represents one of many place-markers for storms and subsequent flooding of recent years across California and Capitola. Erosion of land under this tree from its crest atop a ridge-line is a telltale sign of the current state of Earth in flux. Engulfed by sudden and frequent changes in landscapes, waterlines and reality, humans are evermore becoming aware of a changing world that is not independent of human action, and inasmuch, a result of inaction concerning eco-awareness and eco-pedagogies. My intention informs through particular visual aesthetics, a reflection of catastrophic events articulated by shifts in collective living space. These collective living spaces are not merely for humans but all life sustained by Earth.



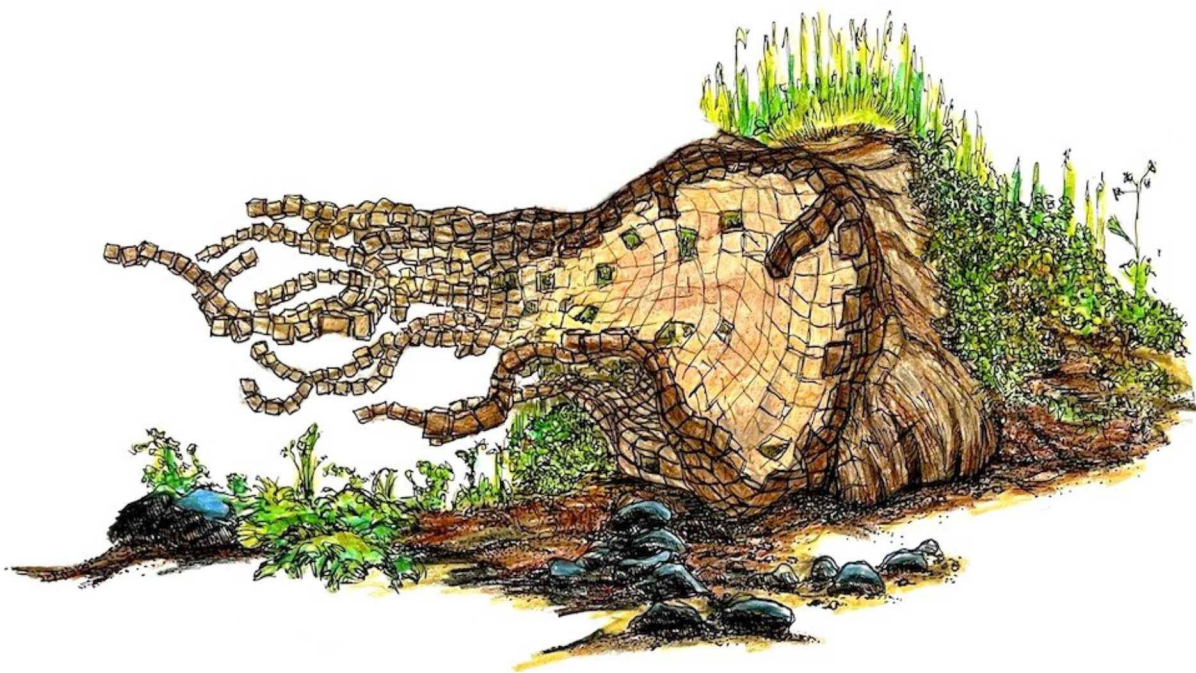
Sketch Concept E

See Level

See Level in title is a play on words originally meant to derive land-spatial measurement. An intentional malapropism of the word sea for see provokes gameplay for the reader to look at my sculpture as a puzzle. Sea levels are imaginary lines which land above/below tides fluctuate. See Level is an eye-line for seeing; the level at which eyes read surrounding spaces.

The images within this proposal support my intent to create a physical composition using remnants of the Cypress tree stump as a base for sculpture. The public installations of art I create involve an empirical process of (re)construction that responds to the environment. Mine is an in-situ process, and so I cannot portray exactly what will develop. My sketch concepts offer variation of designs for creating sculpture in submission to the Tree Stump Art Project.

Only the stump from this Cypress tree remains, so I plan to seek local parks services for possible materials from other Cypress trees in the area removed through stewardship of civic and park spaces. I will graft that material onto the stump base to appear as if the wood cubes of material came naturally from the tree stump. The material can also be replaced by other species of trees similar to Cypress such as cedar, etc. and/or lumber where needed. The creative build is determined by material available for integration into the final composition.



Sketch Concept E (Color)

A main point of interest for creating this sculpture is the surrounding area on location of the tree stump. The flora combined with the fluid/broken design of sculpture suggests a tree trunk as submerged, or underwater. In this way the sculpture appears to ebb and flow surreally away from the stump base in a pulling of the tide or by wave energy. See Level functions as a past/present/future state of the conditions of environmental change where parts of land above water are engulfed/submerged by water, where the flora above water translates to aquatic plant life and seabed environments. The Juan de Fuca line dotting the underbelly of West Coast Pacific Rim of North America provides a broken contour, affecting sea level averages there. See Level suggests awareness for human existence within this invisible, however very much real space.

Project Timeline

My proposal is supported by various public art sculptures I have successfully realized and installed in several locations across North America. Through established techniques and without unforeseen issues during the process of creating my sculpture, I propose a maximum of two weeks stay in Capitola for development and install of sculpture for the public art project.

In past experiences of similar public artworks, commissioning agencies offered housing, travel/ vehicle compensation, alongside workspace throughout creation of my work - to offset costs that would otherwise come from the commission stipend. I am in touch with a local maker's space called IdeaFab Labs who were supportive of me using their facilities for preparation of material for sculpture. I will seek to connect with Capitola parks services to gather dead/ removed Cypress material local to the area and/or other suitable wood/lumber.

Designs shown in proposal are variations of how the public art work would be produced using forms, where the piece could have either low relief (close to tree stump base; see *Sketch Concepts A/B/C*) and high relief (expanding armatures through new spaces further away from stump base; see *Sketch Concepts D/E*). All of the compositions are based on what is best suited for the site, and will most likely consider all variations in the final and actual production.

Supporting Public Artwork



Subordinatednation (sic)
Tamarac/N. Lauderdale, FL



Beyin Withond (sic)
Cherry Hills Art Village Art Commission
Denver, CO



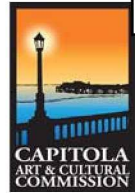
Roost and Puddle
Cultural Arts Alliance of Walton County MAT Commission
Watersound, FL



Ten Twenty-Nine Twelve
RISE (Rockaway Initiative for Sustainable Equity) Commission
Queens - New York City, NY



TREE STUMP ART AGREEMENT



Item 8 B.

This Agreement (“Agreement”) is entered into this ____ day of May, 2023 by and between the City of Capitola, California, a municipal corporation (“City”), and Anthony May (“Artist”), collectively the “Parties”.

SCOPE OF SERVICES. The Artist agrees to design and install Artwork from an existing tree stump (“Artwork”) located at the lower Beach and Village parking lot on Monterey Avenue behind City Hall (“Parking Lot”), pursuant to the terms of this Agreement. The tree stump is the remains of a Cypress tree that fell due to heavy rain in 2019 and will remain in its current location from the slide. The Artwork shall be consistent with the design approved by the City of Capitola Art and Cultural Commission on April 11, 2023 and the Capitola City Council on May 25, 2023.

The City will provide the Artist access to a portion of the Parking Lot and access to a power outlet, located near the tree stump, from which to perform the installation. It is anticipated that installation will take two (2) weeks unless an extension is mutually agreed upon by both parties. The City will also provide unmilled wood for use in the Artwork, and place the wood in the Parking Lot, to be used for installation.

The City will attempt to identify sponsored housing, at no cost to the City or Artist, for the Artist use during the two (2) week installation period to offset cost. If the City is unable to do so, the Artist agrees to arrange for their own housing.

2. TIME FOR PERFORMANCE. Artist agrees to complete and install the Artwork before December 31, 2023, unless mutually agreed upon by the Parties.

3. COMPENSATION. City shall pay Artist compensation in the amount of Five Thousand Five Hundred Dollars (\$5,500.00), follows:

- (a) Two Thousand, Seven Hundred and Fifty Dollars (\$2,750.00) upon execution of this Agreement.
- (b) Two Thousand, Seven Hundred and Fifty Dollars (\$2,750.00) upon completion of installation.

4. COPYRIGHT. Except as provided herein, the Artist retains all reproduction rights under the Copyright Act of 1976, 17 U.S.C., Sections 101, et.seq. The Artist hereby grants to the City and its assigns an irrevocable license to make photographs, drawings, or other two dimensional reproductions of the Artwork without prior consent of the Artist, including but not limited to reproductions used in advertising, brochures, media publicity, promotional and tourist publications, noncommercial reproductions, in the City’s portfolio of public art, and catalogues or other similar publications, provided that these rights are exercised in a reasonable manner.

Artist agrees to indemnify, defend, and hold harmless the City, and its respective officials, officers, employees, and agents from any and all claims, damages, suits, costs, expenses, liabilities, actions or proceedings of any kind resulting from any services under this Agreement that infringe upon any patent, trademark or copyright protected by law.

5. GUARANTEE. The Artist does hereby guarantee that the Artwork workmanship and fabrication shall be completed with Artist's best efforts, and the Artist shall provide the necessary materials and labor for and shall bear any expenses in connection with repair of any related defects of which the Artist is given written notice by the City within two years from the date of installation. The Artist will not be responsible for damage resulting from fire, vandalism, acts of God or normal wear and tear attributable to weather.

6. ORIGINAL WORK. The Artist warrants that the Artwork designed for City's purchase under this Agreement is a unique and original project of the Artist's creative efforts; and that it has not been nor will be accepted for sale or installed elsewhere.

7. INDEMNIFICATION. The Artist agrees to defend, indemnify, and hold harmless the City of Capitola, its officials, officers, employees, volunteers, and agents to the fullest extent permitted by law, from any and all claims, liability, demands, damages, losses, expenses, attorneys' fees or costs arising out of or in any way related to Artist's or Artist's employees', subcontractors', volunteers', officers' or agents' acts, errors, omissions or willful misconduct while performing the work hereunder or any failure to comply with any of their obligations pursuant to this Agreement, except for any liability arising from the sole negligence or willful misconduct by the City.

8. INSURANCE. The Artist shall always during the term of this Agreement maintain in force the insurance policies and will comply with all those requirements as stated herein.

9. COMPLIANCE WITH LAWS. The Artist shall comply with all applicable laws and ordinances of the United States, State of California and the City of Capitola.

10. SUBCONTRACTING & ASSIGNMENT. If any part of the Artwork is to be created using subcontractors or volunteers, the City must first approve the use of any such third party in writing. The City shall not unreasonably withhold the approval of any qualified subcontractor. The Artist shall not assign this Agreement without the prior written consent of the City.

If Artist, during performing work under this Agreement, requires the service of any third party, Artist agrees to have such volunteers or other third party execute a waiver.

11. CHANGES. All changes to this Agreement shall require a written agreement signed by all parties prior to any change.

12. TERMINATION. The City may, by written notice to the Artist, terminate this Agreement in whole or in part at any time, either for the City's convenience or because of the failure of the Artist to fulfill his contractual obligations. If termination is for the convenience of the City, the Artist shall be entitled to the full Five Thousand Five Hundred Dollars (\$5,500.00) less an amount equal to expenses anticipated to be incurred by the Artist at the time of execution of this Agreement but not yet incurred at the time of such termination.

If termination of the Agreement is due to failure of the Artist to fulfill the Artist's contract obligations, the Artist shall remit to the City a sum equal to all payments made by City pursuant to this Agreement prior to termination.

If the Artist terminates this Agreement due to death or an incapacity which prevents the Artist from completing the project, all materials purchased for the Artwork shall become the property of the City. The Artist or her representative shall provide the City with comprehensive models and plans which will enable the City to complete the Artwork. The Artist shall not be entitled to further compensation but shall not be required to refund to the City funds previously paid to the Artist.

13. REMOVAL OR DISASSEMBLAGE. The Artist understands and agrees that the Artwork will be owned by the City. As such, at any time in the future the City in its sole and absolute discretion, may move the Artwork to another location or disassemble it. Should the City so elect, the City assumes full responsibility for the moving and reserves the right to reinstall the Artwork at a different site, or to dispose of the Artwork as the City deems appropriate. Such a determination is the sole right of the City. However, the City will attempt to contact the Artist to obtain the Artist's views regarding relocation or disposition of the Artwork.

14. WAIVER OF ARTIST'S RIGHTS TO WORK OF ART. As a material part of the consideration provided by Artist under the terms of this Agreement, Artist waives any and all rights Artist may have with respect to the Artwork and any and all works of art produced under the terms of this Agreement pursuant to the federal Visual Artists Rights Act of 1990 (17 U.S.C. §§ 106A and 113(d)), the California Art Preservation Act (Cal. Civil Code § 987 *et seq.*), and any other local, state, federal or international laws that convey rights of the same nature as those conveyed under 17 U.S.C. section 106A, Cal. Civil Code section 987 *et seq.*, or any other type of moral right protecting the integrity of works of art. Artist expressly agrees that the work performed hereunder is "Work Made for Hire" under the provisions of 17 U.S.C. section 101. The provisions of this paragraph shall apply to modify Artist's rights of attribution and integrity as set out in the Visual Artists Rights Act, 17 U.S.C §§ 106A and 113(d) ("VARA"), the California Art Preservation Act, Cal. Civil Code §§ 987 and 989 ("CAPA"), and any rights arising under United States federal or state law or under the laws of another country that convey rights of the same nature as those conveyed under VARA and CAPA, as against the City of Capitola and its agents. The City has the absolute and exclusive right to change, modify, destroy, remove, relocate, move, replace, transport, repair or restore the artwork that is the subject of this Agreement.

15. NOTICES. Notices, requests for payment and other communications are to be hand delivered or mailed to the respective parties as follows, or to such other address as any party may designate by written notice in accordance with this Section.

CITY

City of Capitola
Attn: Nikki Bryant LeBlond
4400 Jade St.
Capitola, CA 95010

ARTIST

Anthony Heinz May
8260 N Chautauqua Blvd
Portland, OR 97217

16. DISPUTES. This Agreement is governed by the laws of the State of California and all actions shall be brought in court in Santa Cruz County, California.

17. ENTIRE AGREEMENT. This Agreement contains the entire agreement between the parties hereto, and they shall not be bound by any terms, conditions, statements, warranties or representations, oral or written, not herein stated.

18. SEVERABILITY. In the event that any of the provisions or applications thereof of this Agreement are held to be unenforceable or invalid by any court of competent jurisdiction, the validity and enforceability of the remaining provisions or applications thereof shall not be affected.

19. COUNTERPARTS. This Agreement may be executed on one or more copies and each counterpart will be considered an original and binding to the party executing it. A scanned, electronic, facsimile or other copy of a party's signature shall be treated the same as an original.

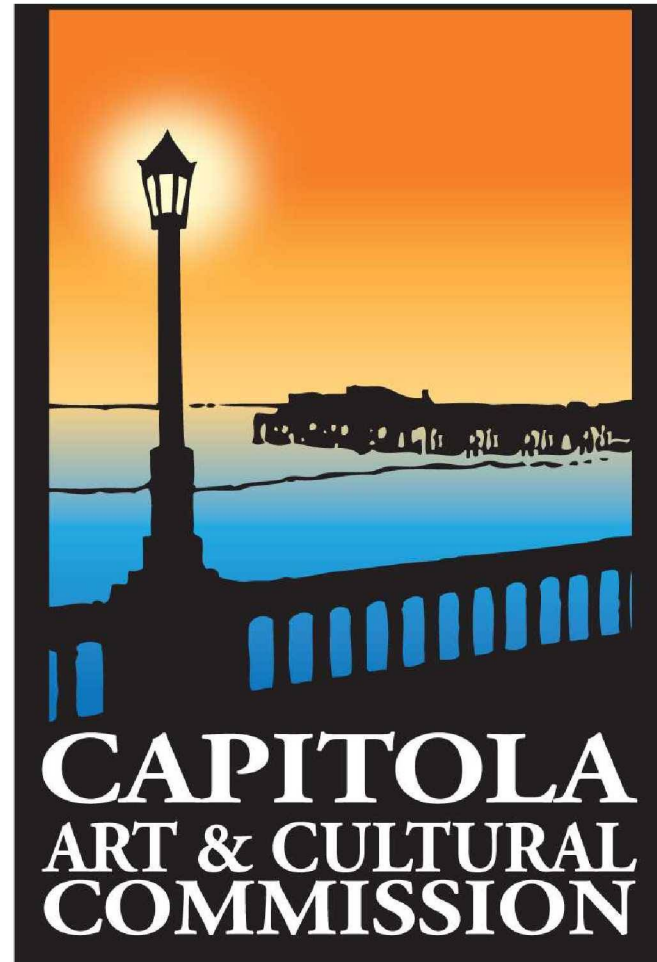
Dated: _____ CITY OF CAPITOLA, a municipal corporation

By: _____
Nikki Bryant LeBlond, Recreation Division Manager

Dated: _____ ARTIST

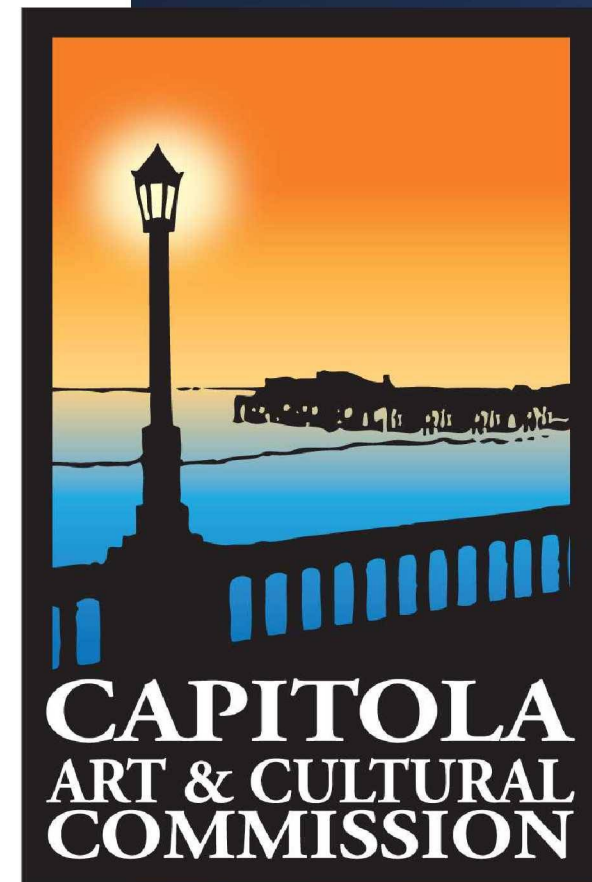
By: _____
Anthony Heinz May

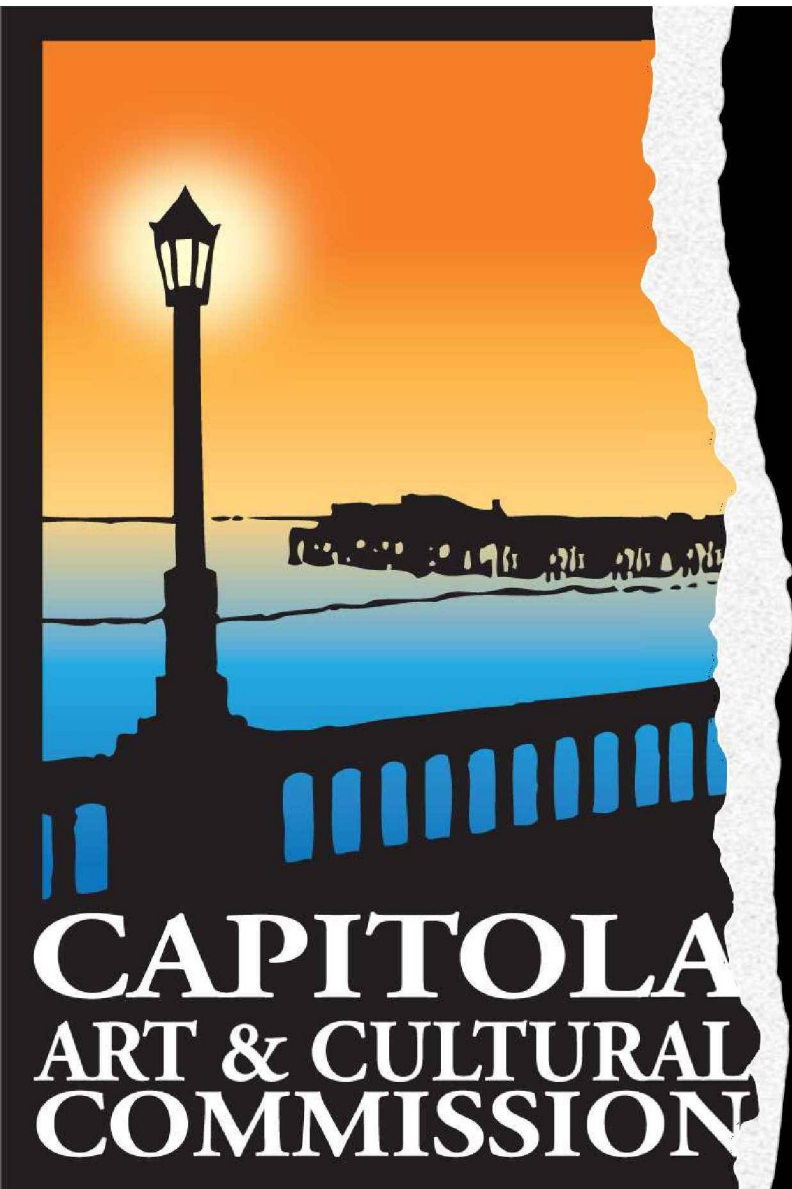
Tree Stump Public Art Project



BACKGROUND

- Public Art Ordinance requires all eligible construction projects valued at more than \$250,000 to contribute to the City's Public Art by incorporating public art in project or contribution to the fund.
- Public Art Fund Balance \$171,667
- 100-year-old Cypress Tree fell in 2019 in lower parking lot
- Art & Cultural Commission reviewed proposals for Tree Stump project
- Recommends Anthony Heinz May as artist for installation





Proposal Presentation by Anthony Heinz May

Anthony Heinz May

City of Capitola Art and Cultural Commission
Tree Stump Art Project





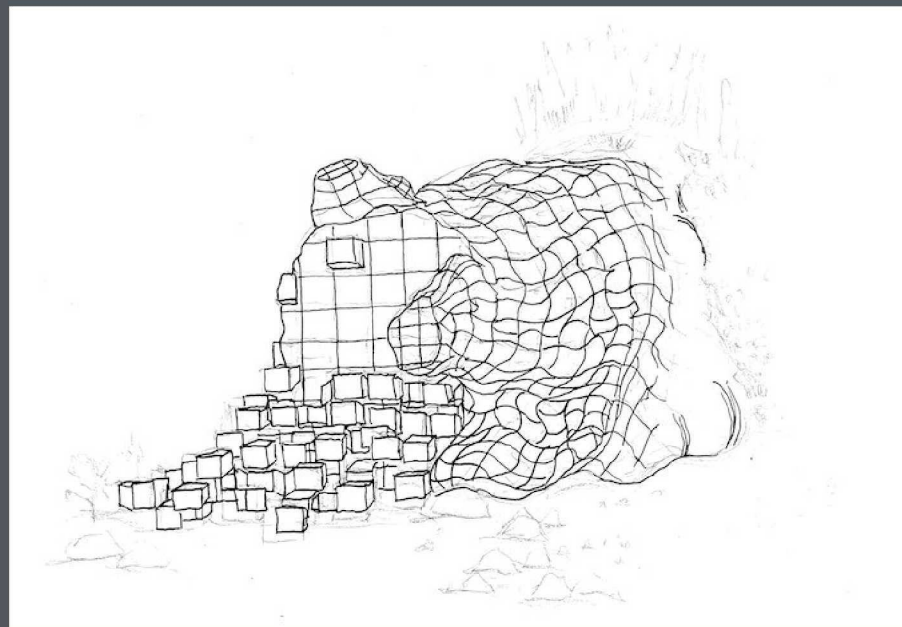
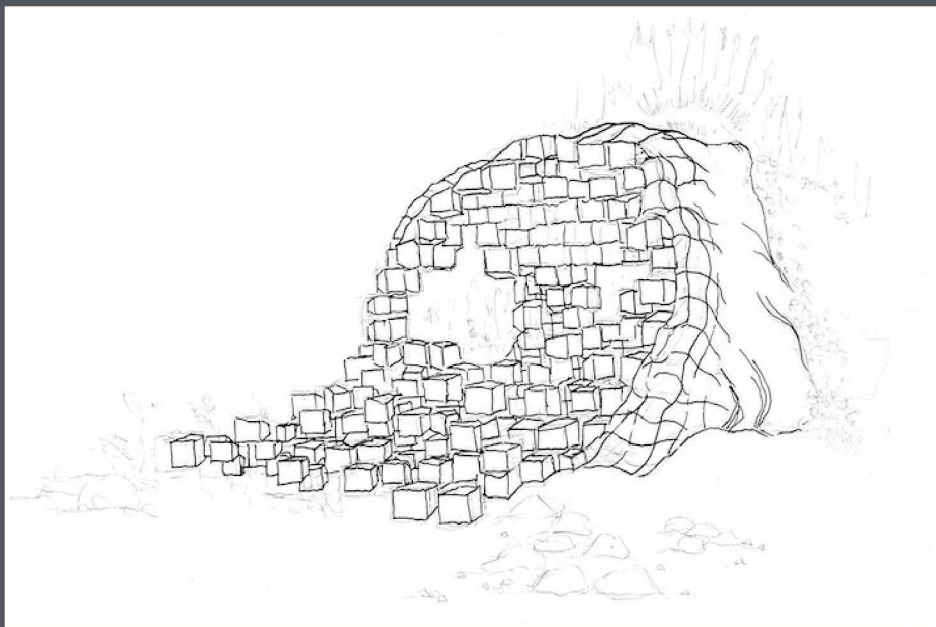


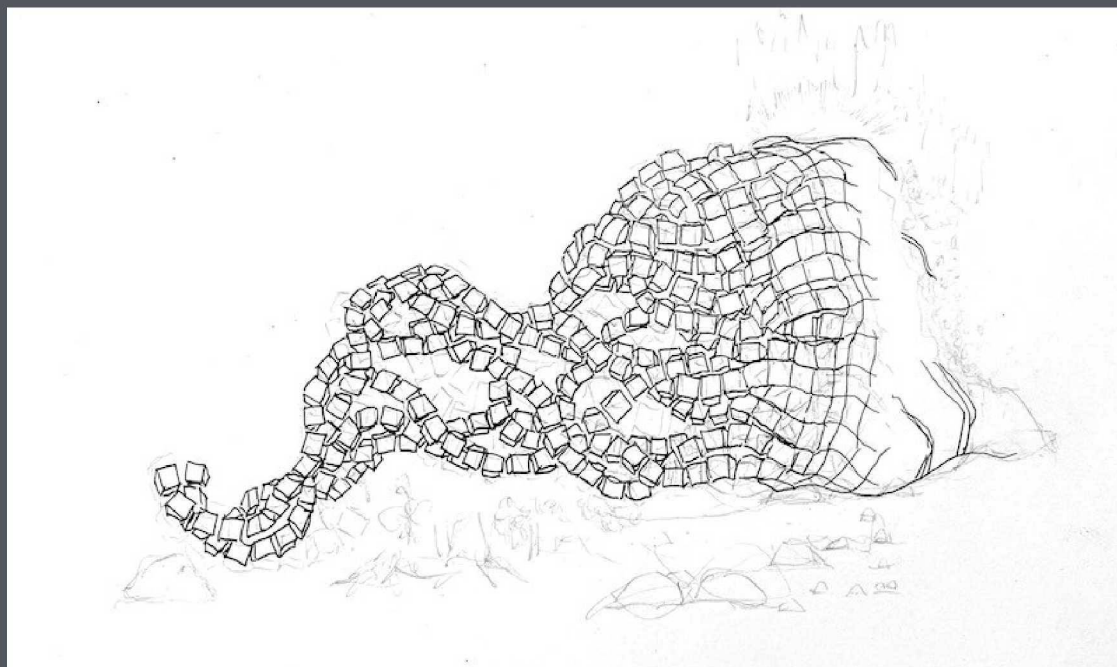


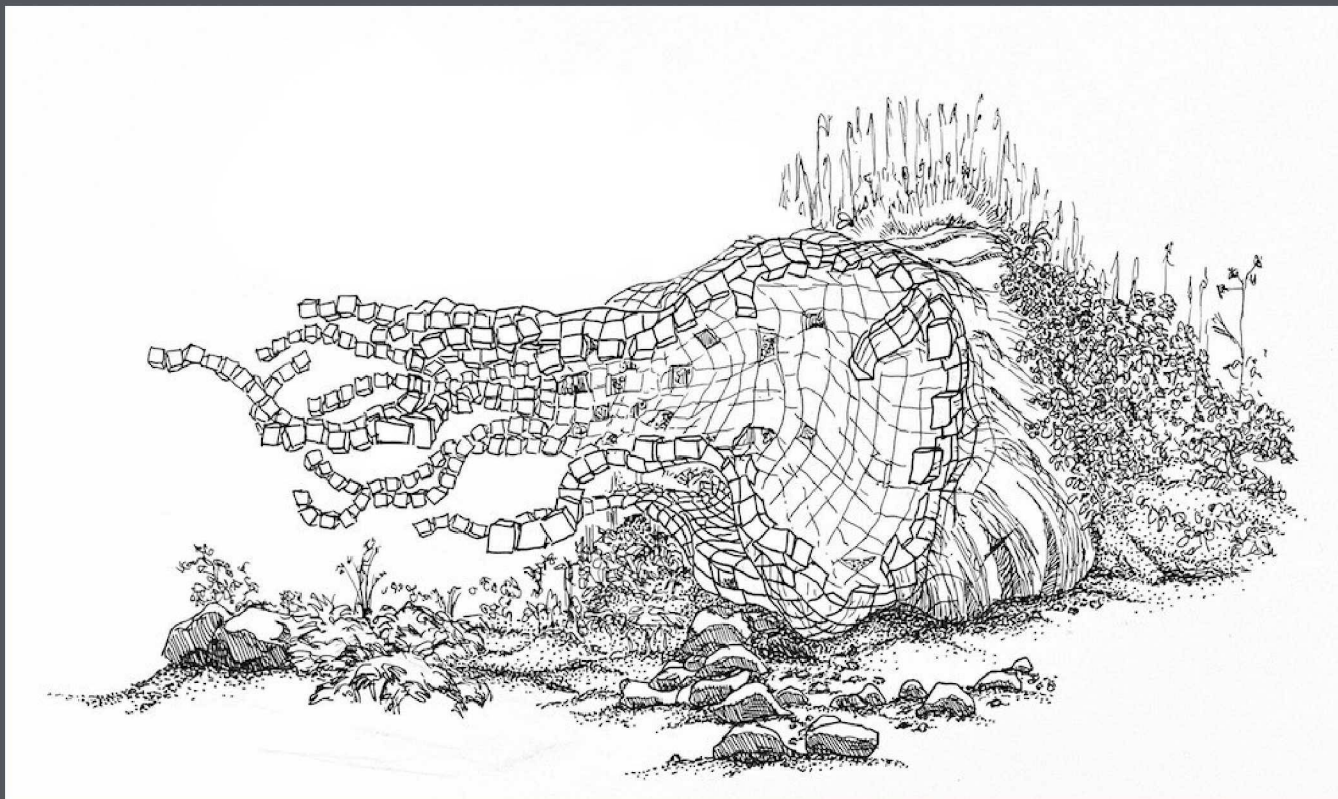


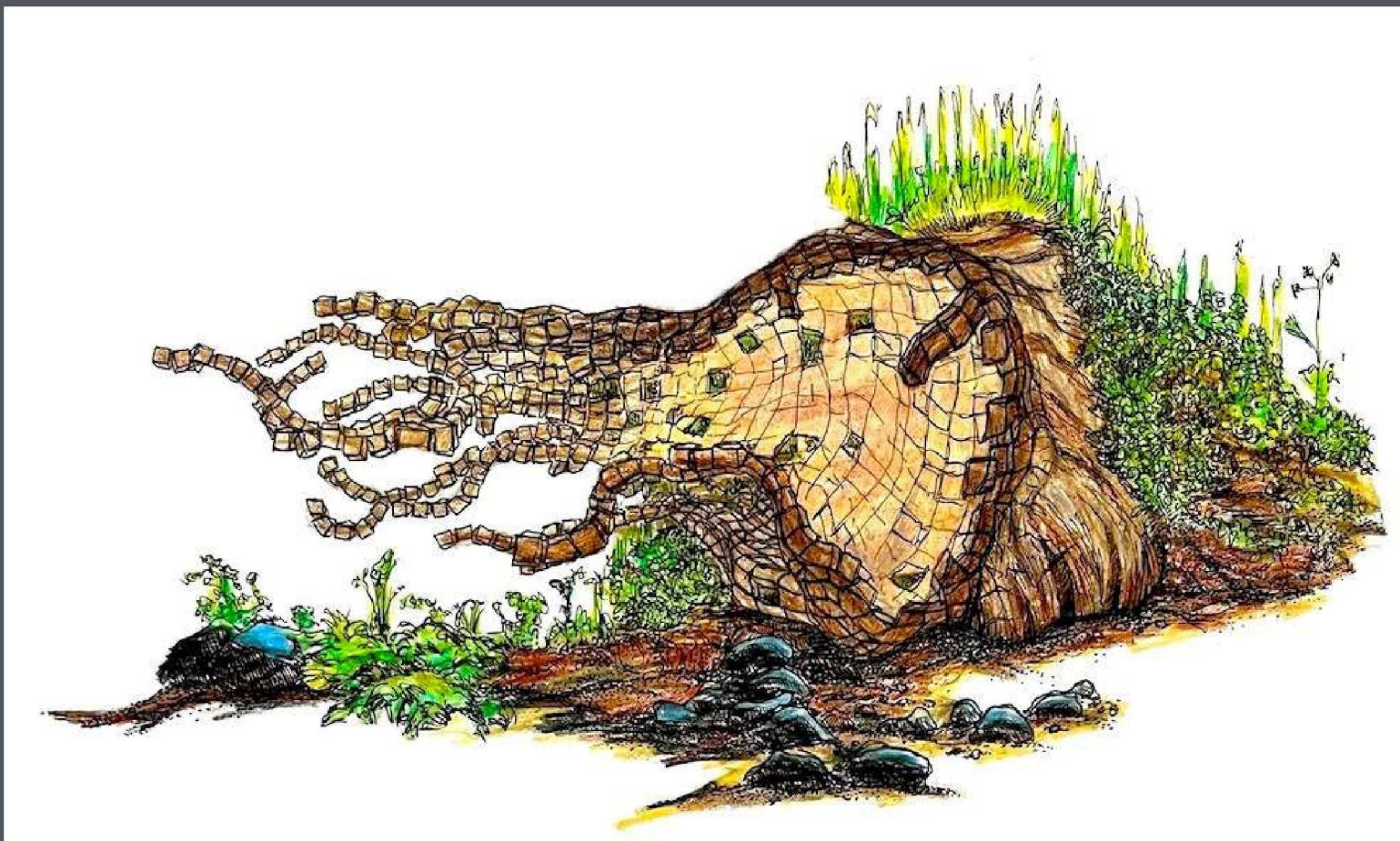










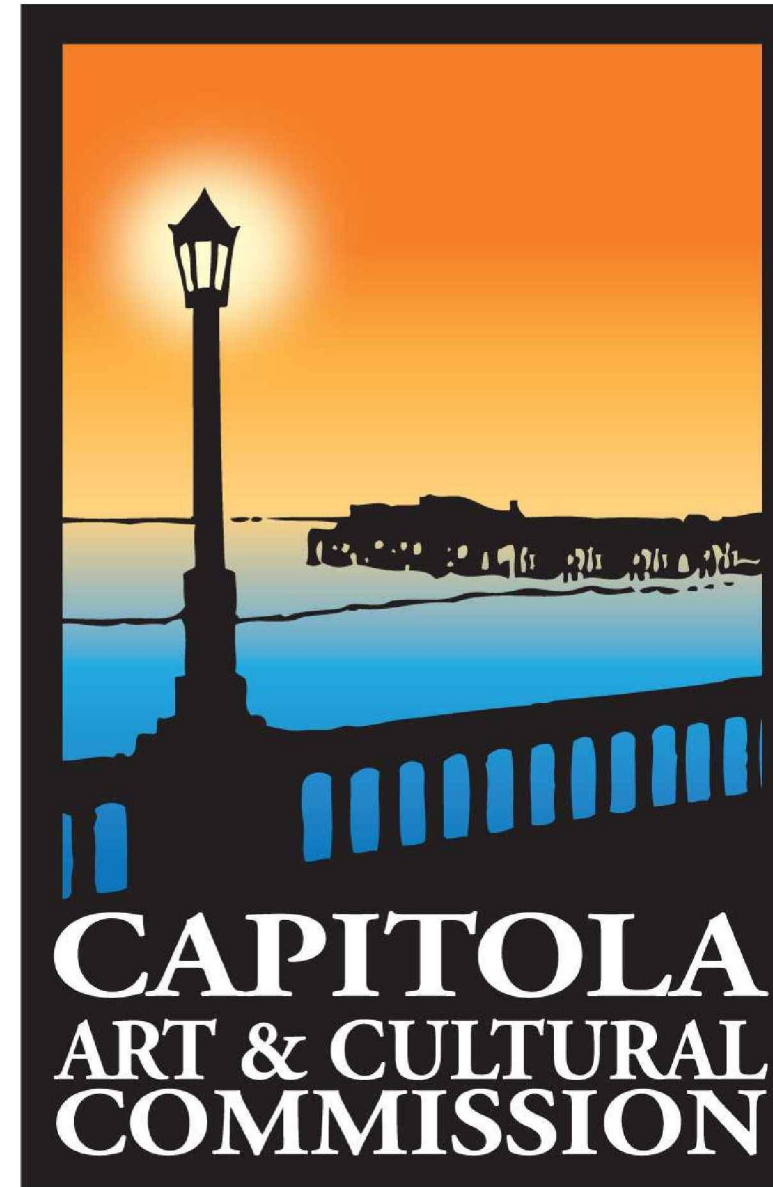


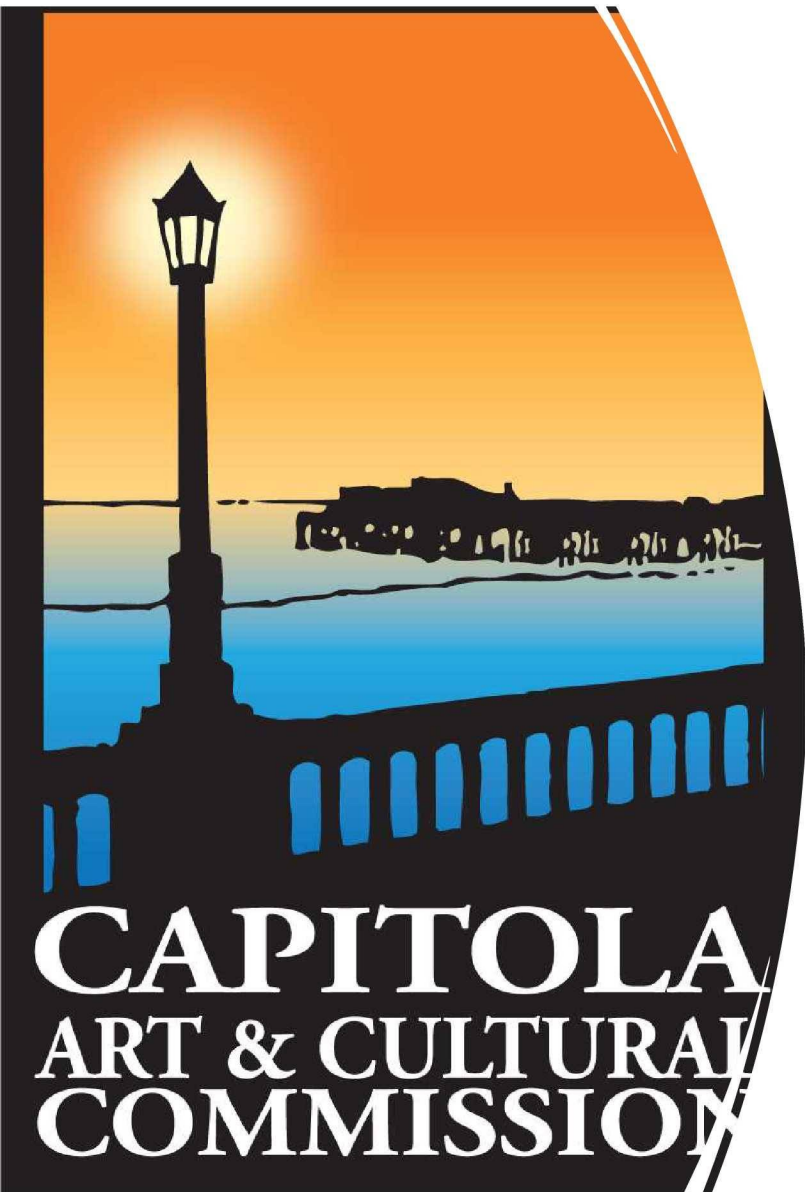




FISCAL IMPACT

- FY 23/24 Public Art Budget has allocated \$75,000 for public art projects in progress.
- \$5,500 for contract is included in FY 23/24 Budget.
- No impact to General Fund





RECOMMENDED ACTION

Approve the Tree Stump Public Art Project and contract with artist Anthony Heinz May in the amount of \$5,500.



Questions

Capitola City Council

Agenda Report

Meeting: May 25, 2023

From: City Manager Department

Subject: Extra-Help Limited Duration Retired Annuitant



Recommended Action: Adopt a resolution for exception to the 180-day wait period per Government Code Section 7522.56 & 21224 and approve the appointment of Robin Woodman as an extra-help-limited-duration retired annuitant.

Background: The City's Building Official, Robin Woodman, is scheduled to retire on July 1, 2023.

City staff is authorized by the applicable provisions of Government Code (GC) section 21224 to appoint a retiree as a Retired Annuitant ("RA") on a limited duration basis to eliminate a backlog of work or to work on special projects. This is known as an extra-help – limited duration RA. Extra-help RAs may be appointed by City staff and such appointments do not require City Council approval. However, if the City wishes to appoint a RA to an extra-help role prior to 180 days after the retiree's retirement date, City Council approval is required. The circumstances regarding such approval are further discussed below. In addition, there are several requirements for RAs regarding compensation and work duration; they must be appointed for a limited duration and may not work more than 960 hours in a fiscal year.

Staff analyzed several options regarding Ms. Woodman's impending retirement and has determined that hiring her as an extra-help – limited duration RA to act as a Special Advisor to the Building Division will address the needs of the City in managing the anticipated backlog of infrastructure repair work in light of historic rainfall this past winter. Moreover, Ms. Woodman's specialized knowledge and expertise are crucial for the City's ability to ensure the successful launch of several special projects, including the Capitola Road affordable housing project.

As stated in the attached appointment document, Ms. Woodman's appointment as a RA – Special Advisor to the Building Division is scheduled to begin on July 10, 2023, and end on June 30, 2026. This limited duration is designed, as briefly discussed above, to allow Ms. Woodman to provide much needed extra help to City staff with in-progress storm recovery construction operated by residential and commercial owners in Capitola Village and the upcoming City infrastructure repairs planned to begin later this summer. As a RA – Special Advisor to the Building Division, Ms. Woodman will also be assigned to special projects such as the housing element update, the upcoming 720 Hill Street hotel project, and the anticipated 1698 38th Avenue affordable housing project.

Discussion: GC section 7522.56 provides that a retiree is eligible for post-retirement employment 180 days following his or her retirement date. This requirement applies to retiree employment that begins after January 1, 2013. There are exceptions to the 180-day wait period that are outlined in the GC. The applicable exception to Ms. Woodman's appointment is when a public agency, such as the City, provides a resolution certifying the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days has passed (Gov. Code § 7522.56, subd. (f)(1)). As such, to obtain Ms. Woodman's services as a RA prior to the expiration of the 180-day waiting period, the City Council must approve the exception to the 180-day wait period in a public meeting as an action item by means of adopting a resolution.

Additional applicable requirements to this RA appointment, which are provided in GC section 21224, relate to compensation for the retiree. First, his or her compensation must be reflected as an hourly rate, which is no higher than the maximum monthly base salary paid to employees performing similar duties, as listed on a publicly available pay schedule. Currently, the maximum hourly rate paid to employees

performing similar duties is \$64.32. However, subject to City Council's approval of an updated salary schedule, the maximum hourly rate paid to employees performing similar duties beginning July 1, 2023, will be \$66.25. Ms. Woodman will be paid the maximum hourly rate in effect for employees performing comparable duties at the time she starts her work as a RA – Special Advisor to the Building Division with the City.

Second, the retiree may not receive any other benefit, incentive, or compensation other than the hourly rate. Under this appointment, Ms. Woodman will not receive any other benefit, incentive, compensation in lieu of benefits, or other forms of compensation.

Due to the circumstances within the City, including continued storm recovery and upcoming specialized building division projects, the City has identified the need for Ms. Woodman's expertise and special skills to fill the RA–Special Advisor to the Building Division role for a limited duration beginning sooner than the 180-day wait period generally required by government code.

Fiscal Impact: The hours required for this appointment are reasonably contemplated within the City's budget for personnel servicing the Building Division; no significant impact is anticipated from hiring Ms. Woodman as an RA.

Attachments:

1. Resolution
2. Appointment Document

Report Prepared By: Chloé Woodmansee, Assistant to the City Manager

Reviewed By: Julia Moss, City Clerk; Richard Shreiba, Associate Attorney

Approved By: Jamie Goldstein, City Manager

RESOLUTION NO. ____**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA****180-DAY WAIT PERIOD EXCEPTION GOVERNMENT CODE SECTIONS 7522.56 & 21224**

WHEREAS, in compliance with Government (Gov.) Code section 7522.56 of the Public Employees' Retirement Law, the City of Capitola must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since their retirement date; and

WHEREAS, Robin Woodman (CalPERS ID 5166434908) will retire from the City of Capitola in the position of Building Official, effective July 1, 2023; and

WHEREAS, Gov. Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is December 29, 2023, without this certification resolution; and

WHEREAS, Gov. Code section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

WHEREAS, the City of Capitola and Robin Woodman certify that Robin Woodman has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the City of Capitola hereby appoints Robin Woodman as an extra help retired annuitant to perform the duties of the Retired Annuitant- Special Advisor to the Building Division for the City of Capitola under Gov. Code section 21224, effective July 10, 2023, and

WHEREAS, the entire appointment document between Robin Woodman and the City of Capitola has been reviewed by this body and is attached herein; and

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

WHEREAS, the employment shall be limited to 960 hours per fiscal year for all CalPERS employers; and

WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

WHEREAS, currently the maximum base salary for this position is \$11,148.32 per month and the hourly equivalent is \$64.32, and the minimum base salary for this position is \$9,171.12 per month and the hourly equivalent is \$52.91. The anticipated maximum base salary for this position on July 1, 2023, is \$11,482.77 per month and the hourly equivalent is \$66.25 and the anticipated minimum base salary for this position on July 1, 2023, is \$9,446.25 per month and the hourly equivalent is \$54.50; and

WHEREAS, the hourly rate paid to Robin Woodman will be equal to the maximum of the range in effect at the time work begins due to the specialized and complex nature of her duties; and

WHEREAS, Robin Woodman has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

THEREFORE, BE IT RESOLVED THAT the City of Capitola hereby certifies the nature of the appointment of Robin Woodman as described herein and detailed in the attached appointment document and that this appointment is necessary to fill the critically needed position of Retired Annuitant – Special Advisor to the Building Division for the City of Capitola by July 10, 2023, because of the critical need for this role due to several special and in-progress projects in the City. Specifically, due to historic rainfall this past winter, the City anticipates a substantial burden on resources to continue its infrastructure repairs and storm recovery construction in Capitola Village. Moreover, Ms. Woodman’s specialized skills and knowledge will be critical to the City’s successful launch of several special projects, including the recently approved 4401 Capitola Road affordable housing project and 720 Hill Street hotel project, and the anticipated to be approved 1698 38th Avenue affordable housing project.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the City Council of the City of Capitola on the 25th day of May 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Margaux Keiser, Mayor

ATTEST:

Julia Moss, City Clerk



420 Capitola Avenue
 Capitola, California 95010
 Telephone: (831) 475-7300
 FAX: (831) 479-8879

Website: <http://www.cityofcapitola.org>

May 17, 2023

Robin Woodman
 10186 East Zayante Road
 Felton, California 95018

Subject: Retired Annuitant Appointment

Dear Robin,

This letter is to confirm your appointment as an extra help – limited duration Retired Annuitant – Special Advisor to the Building Division for the City of Capitola. Your appointment as the Retired Annuitant – Special Advisor to the Building Division will begin on July 10, 2023, and end on June 30, 2026. You will be paid the maximum hourly rate in effect at the time for employees performing comparable duties.¹ You will work less than 960 hours/fiscal year. As a Retired Annuitant – Special Advisor to the Building Division, you will not receive any other benefit, incentive, or compensation in addition to your hourly rate.

Your appointment as a Retired Annuitant – Special Advisor to the Building Division is to assist the City of Capitola Building Division with the current backlog of work associated with: 1) continued storm recovery of both residential and commercial owners in Capitola Village; and 2) inordinate public infrastructure repairs the City anticipates beginning late summer 2023 due to historic rainfall this past winter. Your appointment will further assist the Building Division with the following special projects: 1) the 2023-2031 Housing Element Update; 2) the 720 Hill Street hotel project; 3) the 4401 Capitola Avenue affordable housing project; and 4) the anticipated 1698 38th Avenue affordable housing project.

If you have any questions, please contact Renee DeMar, HR Analyst, or Chloé Woodmansee, Assistant to the City Manager.

Sincerely,

Jamie Goldstein, City Manager

¹ Currently, the maximum hourly rate is \$64.32. However, subject to City Council's approval of a new salary schedule, the maximum hourly rate on July 1, 2023, will be \$66.25. You will be paid the maximum hourly rate in effect for employees performing comparable duties at the time you start your work as a Retired Annuitant Special Advisor to the Building Division with the City.

Moss, Julia

From: Vieira Enterprises Inc. <vieiraenterprises@sbcglobal.net>
Sent: Thursday, May 25, 2023 5:57 PM
To: City Council
Cc: Linda Vieira
Subject: Cabrillo Mobile Home Estates - RSO Ordinance

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Mayor Keiser and Council Members,

Re: Agenda Item # 8A

On behalf of Cabrillo Estates and its owner Viera Enterprises we urge the Council to forego adopting Ordinance 1059 that proposes to add Chapter 2.18 to the City's Municipal Code that would impose rent control on Cabrillo Estates and on no other mobilehome park in the City. We apologize for this late opposition to the Council but we received no prior notification from the City or otherwise that the Council tonight intended to take the momentous step of enacting legislation to severely restrict Cabrillo's ability to operate without government interference. There are several severe elements of this restrictive legislation we oppose but unfortunately due to not having received adequate notice time forecloses our opportunity to fully articulate our opposition. We therefore urge the Council to forbear adoption of this unworkable Ordinance.

Respectfully submitted;

Vieira Enterprises

By: Manuel Vieira, CEO/President

Moss, Julia

From: linda@vieiraenterprises.com
Sent: Thursday, May 25, 2023 6:11 PM
To: City Council
Cc: manuel@vieiraenterprises.com
Subject: Cabrillo Mobile Home Estates - RSO Ordinance

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Mayor Keiser and Council Members,

Re: Agenda Item # 8A

On behalf of Cabrillo Estates and its owner Viera Enterprises we urge the Council to forego adopting Ordinance 1059 that proposes to add Chapter 2.18 to the City's Municipal Code that would impose rent control on Cabrillo Estates and on no other mobilehome park in the City. We apologize for this late opposition to the Council but we received no prior notification from the City or otherwise that the Council tonight intended to take the momentous step of enacting legislation to severely restrict Cabrillo's ability to operate without government interference. There are several severe elements of this restrictive legislation we oppose but unfortunately due to not having received adequate notice time forecloses our opportunity to fully articulate our opposition. We therefore urge the Council to forbear adoption of this unworkable Ordinance.

Respectfully submitted;

Vieira Enterprises
By: Linda Vieira, CFO/Secretary



Virus-free. www.avast.com

Moss, Julia

From: Nancy Greenstreet <nlgreenstreet@gmail.com>
Sent: Thursday, May 25, 2023 6:42 PM
To: City Council
Subject: Mobile Home Park Rent CAP ORDINANCE

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Council Members,

I am writing with regards to the threat of a Capitola mobile home park property owner planning to raise the space rental fees by 56-70% on June 1, 2023 and requiring current mobile home owners to sign rental agreements to allow for further fee raises every 90 days.

Of course this is outrageous! Most of the residents of mobile home parks are people who cannot afford houses or condos. The homeowners are mostly retired seniors, seniors who are still working, and young families. The outrageous contract this mobile home owner is implementing will cause many of these homeowners to lose their homes.

These people living in Capitola mobile home parks deserve to keep their homes. The Capitola City Council must act to ensure mobile home park space rental fees are capped.

Respectfully,
Nancy Greenstreet, MD

Moss, Julia

From: Merlin IdleHands <merlinidlehands@gmail.com>
Sent: Thursday, May 25, 2023 8:02 PM
To: City Council
Subject: Thank You All

Follow Up Flag: Follow up
Flag Status: Flagged

I live at the Cabrillo Mobil Est.

I have been a manager here years ago,I would think the present managers who ALSO live here had the ZOOM info and gave it to the Vierras, HOW else did Linda hear about it tonight? Flying Monkeys lol

<https://www.youtube.com/watch?v=OcfqDPay7zc>

Thank You for being Kind and loving for us at Cabrillo Mobil Est.

Merlin space #56

Moss, Julia

From: Todd Mayer <TODDMAYER@msn.com>
Sent: Thursday, May 25, 2023 8:20 PM
To: City Council
Subject: Urgency Ord.

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Council,

I wish to salute your courageous passage of the mobile home space rent stabilization urgency ordinance. You prevented much anguish and fear among the homeowners living in the park. In a time when governments are under daily attack, I am glad you were willing to step in the breach and take affirmative action for the "small guy." In my mind, your vote was morally and ethically correct and more than fair for the park owner. You can sleep well tonight knowing all these families are safe, for the time being, from the park owner's continuous predatory nature.

Sincerely,

Todd Mayer
2571 Gary Drive

Sent from [Mail](#) for Windows

Moss, Julia

From: Noe 'nDale <noendale@gmail.com>
Sent: Friday, May 26, 2023 6:42 AM
To: City Council
Subject: 50% rent hike in Cabrillo Mobile Home Park

Follow Up Flag: Follow up
Flag Status: Flagged

SUBJECT: Please vote “yes” on Mobile Home Emergency Rent Control Ordinance

Dear Capitola Council Members,

My name is Lilinoe and I am a resident of Santa Cruz County/Capitola and a concerned neighbor of the residents of the Cabrillo Mobile Home Park at 930 Rosedale Avenue. I am emailing you to urge your support of the Capitola Mobile Home urgency rent control ordinance. On May 25th and June 8th. Please protect Cabrillo Mobile Home Estates residents from the 50% plus rent increases by voting “Yes” and passing protections to make sure Capitola reflects the same protections for Mobile Home communities as all other areas of Santa Cruz County.

I wish to live in a city that welcomes residents of all ages and income levels and have reasonable rents that make this possible. This is a housing Justice issue. Our neighbors should not have to make a drastic choice between cutting back on essentials like food or medicine or paying exorbitant rent.

Sincerely,
Lilinoe Manischalchi