



Item #: 5.F.

CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 22, 2007

FROM: POLICE DEPARTMENT
DATE: February 15, 2007
SUBJECT: STATUS REPORT REGARDING CITY'S RED LIGHT PHOTO ENFORCEMENT PROGRAM AND CONTRACT WITH AMERICAN TRAFFIC SOLUTIONS INC.

Recommended Action: Receive report and give direction to the Police Department regarding continuation of the service contract with American Traffic Solutions and whether to expand the program to southbound lanes at Clares Street and 41st Avenue.

BACKGROUND:

On June 8, 2005 the Capitola City Council authorized the City Manager to enter into a contract with American Traffic Solutions (ATS) for installation of a Red Light Photo Enforcement System on 41st Avenue at the main Capitola Mall entrance. The contract with ATS called for a one-year beta test period to determine the feasibility of the red light photo enforcement system. Although the contract was cost neutral to the city, the general cost per month for the system is \$5,100 per camera, or \$10,200 per month for two cameras, with an additional cost of \$295 per month for 4-way video surveillance of the intersection. The contract stipulates that if the city does not collect \$10,495 a month for red light violations, the city need only reimburse ATS the amount actually collected. Monthly citation revenues in excess of \$10,495 were to be retained by the city. A standard red light violation according to the County's Standard Fee Schedule amounts to \$381, with \$151.30 going to the city. At this rate it requires approximately 70 adjudicated red light violations per month to fully pay for the system. The original Violation Incident Monitoring System (VIMS) report prepared for Capitola in April 2005 by ATS reported 81 violations per/day at the 41st Avenue and Mall entrance. However, after installation of the cameras, complying with the signage requirement, press coverage of the photo red light enforcement system and calibrating the yellow light sequence to meet Vehicle Code and court mandates, the number of actual citations issued per/month for red light violations is approximately 90.

The system became operational with the required 30-day warning period on October 1, 2005 and citations began being issued November 1, 2005. The system had some minor technical problems, which were quickly fixed. ATS did not obtain their requester code from DMV until August 18, 2006. Prior to that time all driver's licenses had to be entered into the ATS system by Police Department personnel. ATS now enters the license numbers and descriptors, thus reducing the time needed for police personnel to accomplish this task. Some duplicate citations were sent to the court in error, however, the mistake was corrected immediately. The Police Department experienced an initial delay in receiving collections information from the courts, but has worked diligently with Superior Court Administrative staff, the Traffic Court Commissioner and with ATS on these issues, with excellent results. The Police

Department and ATS currently process and forward approximately 90 red light violations per month to the court. Of the 90 citations a month, approximately 63 (70%) are for southbound violations and 27 (30%) are for northbound violations. Through November 2006, fifty-nine citations had been heard by the Traffic Commissioner and have resulted in a 95%+ conviction rate.

DISCUSSION:

An analysis of the first quarterly report shows that during the first eight months of operation, 576 citations were written or an average of 72 per month. The court collected for 134 citations or 23.26%. However, further analysis demonstrates that over time the collection rate has continued to increase with several months nearing a 50% or better collection rate. Since the automated ATS citation system and the Santa Cruz County Court records systems cannot interface, court staff are currently processing citations via the court records system and cannot fully take advantage of the software provided by ATS. Photo red light violations are forwarded to the courts by ATS after review by police personnel and must then be processed by court personnel prior to a notice to appear being issued to the violator. Additional delays in collections are currently experienced due to citation processing issues, setting of court dates and other factors such as court imposed payment schedules. In the first year of operation (November 2005 – November 2006) the courts adjudicated 240 red light violations, for a total of \$89,784. The collection rate for the city equates to about 36.5% or \$32,700 for the period. The city made a payment of \$10,495 to ATS in November 2005 and has authorized an additional payment of \$22,276.16 to ATS pursuant to the terms of our contract, for a total first year cost to date of \$32,771.16.

To insure the program continues to improve and runs as efficient as possible, the Police Chief has met with the current Court Administrator, Mr. Alex Calvo and his staff to discuss what needs to be done to improve collections and automate the citation processing system. Chief Ehle has also discussed the matter of enhancing collections for red light violations with County Treasurer Fred Keeley, who was most helpful and has offered to look into ways to improve the collection rate by possibly using the collection agency currently on contract with the County of Santa Cruz. Additionally, the courts are scheduled to receive a new automated records management system sometime in the near future. Likely, the new improved records management system should be able to interface with the software provided by ATS, which currently cannot be accessed by the county's outdated computer software and operating hardware.

It is important to note, Capitola has experienced a 40% reduction of traffic accidents since 2003, with almost a 20% reduction achieved in 2006 alone. Multiple factors account for these reductions, such as increased enforcement, public education and increased funding from grants provided by the State Office of Traffic Safety. However, it is likely the installation of the photo red light enforcement system on 41st Avenue and the attention it has received from the press and drivers alike is partially responsible for a portion of the reductions.

Staff recommends that the City Council consider removing the northbound camera currently located at the Capitola Mall entrance and installing it on 41st Avenue at Clares Street to capture southbound red light violations. The original analysis and video compiled by ATS indicated there were in excess of 100 red light violations a day at the Clares Street location (See Attachment I, VIMS Report). A decision was made not to install the cameras at 41st and Clares due to road construction and reconfiguring of the lanes at the time. However, current analysis by the Department's traffic expert suggests that violations have not diminished and continue to pose a threat to both vehicles and pedestrians in this area.

FISCAL IMPACT

The Photo Red Light Enforcement System continues to be cost neutral to the city and collections for violations continue to improve. Thus, it is likely ATS will continue to honor its cost neutral agreement with the city. The total number of citations issued via the City's Red Light Photo Enforcement System stands at over 1,300 for the first fifteen months of operation. The system continues to generate 80-90 citations per/month. In 95% of contested citations the court has upheld the citations and the collection of fines by the courts continues to improve. The ATS red light photo enforcement system works remarkably well and traffic collisions along 41st Avenue have been significantly reduced. The system may eventually result in some modest revenues for the city, particularly if the northbound Capitola Mall camera is moved to south bound 41st Avenue and Clares Street. The Police Department and the Finance Department have analyzed citation counts and collection rates and have projected revenues and expenditures for FY 2007/08 to be \$50,000. With continued cooperation from the Courts and the County Treasurer we are confident collection rates will improve and the system may be fully automated within the next few years.

ATTACHMENTS:

1. American Traffic Solutions ATS, VIMS Report April 2005

Report Prepared By: Richard J. Ehle, Chief Of Police



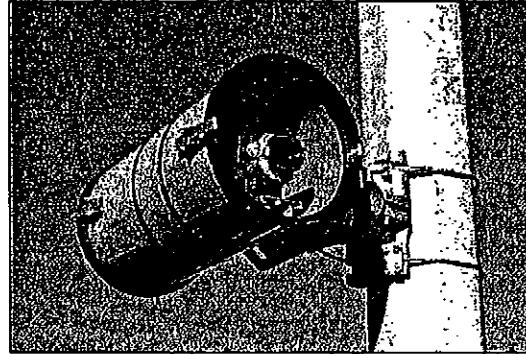
**Reviewed and Forwarded
By City Manager:**



VIMS Study Report for Capitola, CA

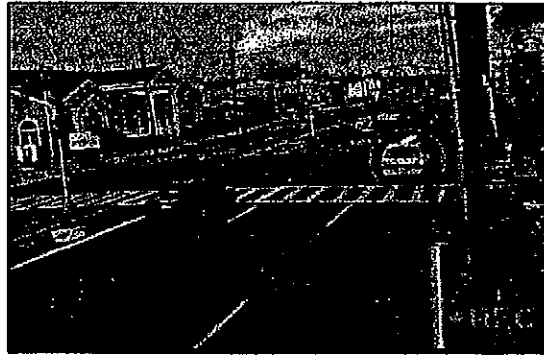
What is Axis™ VIMS?

The Axis™ Violation Incident Monitoring System (VIMS) captures video of traffic passing through the intersection during the first five seconds of the red phase of the signal cycle. The Axis™ VIMS is a simple but specialized tool to identify the most dangerous intersections. This "short-phase red signal capture" dramatically reduces total record-time and eliminates excess time between signal cycles allowing for fast and efficient review of violator potential at any intersection.



The system has two components, a red phase detection/transmitter and a receiver/camera control unit. The two components communicate via radio frequency eliminating the need for physical connections between the two components.

The VIMS system enables quick and accurate evaluation of intersections before investing in a red light camera installation. The system also enables traffic engineers to evaluate traffic movement and analyze potential signal timing or engineering issues.



Summary of Findings

Per our agreement with the City, American Traffic Solutions provided the Violation Incident Monitoring System to the City of Capitola to identify the nature and quantity of red light violations at several key intersections. The study, conducted between April 11 and April 19, 2005 at four sites at Route 41 and Capitola Road, Capitola Mall, and Clares St. Each site was monitored for 24 hours.

<i>Approach Monitored</i>	<i>Total Violations</i>	<i>Left Turn</i>	<i>Straight</i>	<i>Right Turn</i>
Southbound 41 st Ave @ Capitola Rd	29	2	3	24
Northbound 41 st Ave @ Capitola Mall	43	2	41	0
Total Violations Counted	275	4	79	192



5. OTHER BUSINESS (Continued)

C. **City Cash and Fund Balance Management. [300-30]**

Finance Director Lai summarized the written agenda report and discussed the various alternatives submitted for council consideration.

City Treasurer and Council Member discussion was followed by this action:

ACTION: Council Member Storey moved, seconded by Council Member Begun, to direct staff to use Alternative #1; i.e., to maintain the current procedures and revise the staff reports to better explain cash and fund balance management. The motion carried unanimously.

D. **PERS Unfunded Liability Financing Update. [340-20]**

Finance Director Lai summarized the written agenda report and responded to questions of council members. City Treasurer Gualtieri commented on the Finance Advisory Committee's discussion of this matter, and he said that if it were the desire of the council to continue consideration of both the private bank loan and public obligation bond options, then he would recommend authorizing the \$2,500 expenditure.

Council discussion was followed by this action:

ACTION: Council Member Storey moved, seconded by Council Member Graves, to receive staff's update on the PERS Unfunded Liability Financing and authorized expenditure of \$2,500 for validation documents to include both bond documents and a bank loan. The motion carried on the following vote: AYES: Council Members Begun, Nicol, Graves, Storey, and Mayor Termini. NOES: None. ABSENT: None. ABSTAIN: None.

E. **Purchase of Two Big Belly Solar Powered Trash Compactors from Toyota Material Handling in an amount not to exceed \$8,458. [370-40]**

Assistant to the City Manager Murphy summarized the written agenda report and responded to questions of council members. She also noted that Rod Streiff, Customer Service Representative for Toyota Material Handling, was available in the event the council had any questions. Council Member Graves commented on the units located in Santa Cruz and noted the galvanized materials were weathering.

Council discussion was followed by this action:

ACTION: Council Member Begun moved, seconded by Council Member Storey, to authorize the purchase of two Big Belly Solar Powered Trash Compactors from Toyota Material Handling in an amount not to exceed \$8,458.00. The motion carried on the following vote: AYES: Council Members Begun, Nicol, Graves, Storey, and Mayor Termini. NOES: None. ABSENT: None. ABSTAIN: None.

F. **Report on the Red Light Photo Enforcement Program. [490-20/500-10 A/C: American Traffic Solutions, Inc.]**

Chief of Police Ehle summarized the written agenda report and recommended action. He responded to questions of council members regarding the report.

Council discussion was followed by this action:

ACTION: Council Member Begun moved, seconded by Council Member Storey, to receive the report on the Red Light Photo Enforcement Program, to approve removal of the northbound camera currently located at the Capitola Mall entrance and to install it on 41st Avenue and Clares Street to capture southbound red light violations and to continue the service contract with American Traffic Solutions (ATS). The motion carried on the following vote: AYES: Council Members Begun, Nicol, Graves, Storey, and Mayor Termini. NOES: None. ABSENT: None. ABSTAIN: None.



Item #: 5.D.

CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 8, 2007

FROM: POLICE DEPARTMENT
DATE: NOVEMBER 1, 2007
SUBJECT: STATUS OF CITY'S RED LIGHT PHOTO ENFORCEMENT PROGRAM

Recommended Action: Accept report and provide direction to the Police Department.

BACKGROUND

Approximately two and a half years ago, during a special goal-setting meeting of the City Council with residents and community business interests, direction was given to the Police Department to examine the viability of acquiring a Red Light Photo Enforcement system for use in the city. In response to the direction provided by the City Council the Police Department researched photo enforcement programs and vendors. Based on our research and the availability of a cost-neutral program offer made by American Traffic Solutions (ATS), the department recommended to the City Council that they authorize contracting with ATS for their service.

In November 2007, the City of Capitola will conclude its second year of operation of the City's Red Light Photo Enforcement Program. Since the programs inception, the City has contracted with ATS, which has provided superior service and reliability. As of June 30, 2007, the Santa Cruz County Superior court has processed and reconciled 863 citations, with full collections taking place on 766 citations (88.8%+) and partial payment or adjusted payments occurring on 97 citations (11.2%). Since inception of the program and the City's contract with ATS, the City has paid three installments from collections forwarded to the City from the Courts/County as follows: \$10,495, \$22,777 and \$60,761, for a total of \$94,033. This amount covers almost two years of operation.

The red light photo enforcement program appears to be running smoothly, although violations have continued to decline over the last several months and currently total 35-40 violation per/month. Citations are efficiently processed and screened by ATS and police personnel and forwarded to the court for adjudication. Contested citations are generally less than 5% of the total citations issued and the court generally rules in favor of the City.

The current contract with ATS is a three-year contract, with agreed upon 2-year extensions thereafter, and based upon mutual consent between the City and ATS. Although the contract indicates that a "cost neutral" formula was to last only through the first year of operation, by mutual agreement that provision of the contract has been extended indefinitely, or until a new contract or contract amendment is agreed upon. Pursuant to the City's direction, with concurrence from ATS, movement of one red light camera from northbound 41st Avenue at the Capitola Mall Entrance has occurred to a new location at southbound 41st Avenue at Clares Street. Additional video monitoring was also required at the new

installation site, to provide video footage from several camera locations of each red light violation. The newly installed red light photo enforcement system installed at southbound 41st Avenue at Clares Street is expected to generate a sizable increase in citations as red light violations continue to plague to intersection and traffic flows are very high at this intersection. The City has recommended to ATS that the Northbound camera at 41st Avenue at the main entrance to the Capitola Mall entrance be removed, as the volume of citations continues to be quite low, 20-30 cites per/month, in comparison to the Southbound camera, which generates 40-50 citations per/month. The City does not intend to continue paying for red light photo enforcement (\$5,100 a month) at the N/B camera location due to the reduced volume of violation and the significant reduction in traffic accidents along 41st Avenue. However, ATS is considering the option of leaving the camera in its current location with no additional cost to the city.

It is important to note, that traffic accidents on 41st Avenue, in which the primary cause is speed for conditions, have been reduced from 48 accidents in 2004, 34 accidents in 2005 (*start of program*), 19 accidents in 2006 and currently 11 accidents for the first ten months of 2007. This represents a 60% reduction in accidents along this stretch of road, which is one of the heaviest traveled roadways in Santa Cruz County.

DISCUSSION

The current contract with ATS requires the City to pay a maximum of \$5,100 a month for each red light photo enforcement camera installation and \$295 per month per intersection for video monitoring. With two cameras in operation over the last two years, that has amounted to a maximum of \$10,495 per month in payments to ATS. Although the City's red light photo enforcement system has never come close to generating the number of citations needed to generate \$10,495 per/month, the contract has a "cost neutral" provision, which only requires the City to pay the amount collected each month, up to the \$10,495 threshold. The City currently collects \$150.19 from the courts/county for each adjudicated violation, although collections often take several months to process and ultimately collect. Based on the last account reconciliation between the City and ATS, which was done in September 2007, there are still over 210 active red light violations being processed by the courts and another 35-40 new violations being generated each month. With the advent of the new camera installation on 41st Avenue at Clares Street, those numbers will likely increase substantially starting in December 2007, when the 30-day warning period for the new camera concludes.

The City's Red Light Photo Enforcement Program appears to be working very well. Accidents have been substantially reduced along 41st Avenue, citations are being processed efficiently by staff and the courts, collections have become far more routine than when the program was first implemented, violators are being held accountable by the courts and the quality of the photos and video footage produced by the system is superior. The City hopes to negotiate an agreement with ATS, which will allow for reimbursement, or partial reimbursement to the Police Department for staff overtime currently needed to coordinate and administer the program (last year this amounted to approximately \$8,700).

FISCAL IMPACT

Costs for the ATS Red Light Photo Enforcement system continues to be cost neutral to the City with payments to ATS being made from the revenues generated by red light violations collected by the courts and reimbursed to the City. The FY 2007/08 budget reflects revenues and contract costs at \$50,000 for the year. Based on the first two years of operation, this projection is consistent with prior revenues and expenditures. However, with the installation of a new southbound camera at 41st Avenue and Clares Street, revenues and associated ATS contract costs are anticipated to increase. Pursuant to direction from the City Manager and the City Council, any significant changes in either revenues or program

costs will be periodically reported to the Council along with recommended budget amendment(s).

Police Department overtime costs associated with processing citations, conducting citizen appeals and appearing in traffic court is not currently reimbursed to the city from court collections. Thus, the program is not currently cost neutral for the City and unless an agreement with ATS can be reached to help off-set our costs, the program will continue to cost the City up to \$9,000 a year to maintain. The City has requested that ATS consider a contract amendment, which would allow the city to be reimbursed for documented staff overtime associated with processing citations, citizen appeals and court attendance, from court reimbursements before forwarding ATS the remaining citation revenues. The City's request equates to approximately 130 hours of staff overtime per year @ about \$63 per/hour, or approximately \$8,500 to \$9,000 in police overtime. Negotiations between the Chief of Police and ATS are on going and a decision on this matter is expected soon. New contract language concerning the "cost neutral" provision of the contract is essential and will be included in an amendment or new contract within the next month or so. Other options on how to reduce costs to the City relative to administering this program are being explored as well. The Police Chief and Director of Finance will make every effort to periodically keep the City Manager and the City Council updated on future revenues and contract costs associated with this program.

ATTACHMENTS

1. Interoffice Memorandum by Sergeant Matt Eller, dated 10/12/07
2. Capitola Police Press Release regarding Red Light Enforcement Program, dated November 1, 2007

Report Prepared by: **Richard J. Ehle, Jr.**
Chief of Police



Reviewed and Forwarded
By City Manager:



INTEROFFICE MEMORANDUM

TO: CHIEF EHLE/CAPTAIN MAYER
FROM: SGT. ELLER
SUBJECT: RED LIGHT RELOCATION/CONTRACT RENEGOTIATION
DATE: 10/12/2007

Chief,

This memorandum is to qualify the issues of 1) the relocation of the red light photo enforcement to southbound 41st Ave. at Clares and 2) the renegotiation of the current red light contract with ATS, American Traffic Solutions Inc.

The photo red light system began issuing citations on November 1, 2005. During the three years prior to the photo red light system operation, the numbers of collisions on 41st Ave. were 2003-31, 2004-48, 2005-34, and 2006-19 respectively. As the numbers indicate, there was a dramatic decrease in total 41st Ave. collisions, 50%. Given 41st Ave. has the highest collision rate of any area in the City; this had a large impact on the overall collision rate of the City. This was in large part due to the photo red light system and the increased enforcement of our Motorcycle Officers.

Currently the City of Capitola has a contract with ATS that is "cost neutral." The contract was for the first year of the program and is still in effect. As of the June 30, 2007 reconciliation (attached) the Santa Cruz County Court has adjudicated 863 citations. Of those 863 citations, the court collected the full amount of 766 or 87.34% of the citations issued. The net result showed that the City of Capitola did not increase revenue pursuant to the photo red light program, nor did it lose money under the current contract. The total number of collisions on 41st Ave. did decrease by 50%.

Currently the system writes 30% of the citations northbound 41st at the main mall entrance and 70% southbound. It is my recommendation to move the existing northbound camera to the intersection of southbound 41st Ave. at the Clares St. intersection.

The original VIMS (Violation Incident Monitoring System) report from ATS indicated the ratio of northbound 41st Ave. at the mall to the southbound 41st Ave. at Clares is 43/165. This is an increase of approximately 4 times the amount of citations that could be issued. This VIMS test was also done prior to the reconfiguration of the 41st Ave. and Clares St. intersection. I believe the reconfiguration (a dedicated right turn lane from 41st to Clares) will increase further the number of violations recorded, approximately 25% from the original VIMS test.

I believe that the photo red light system has had a positive effect on reducing the number of collisions on 41st Ave. and the total amount of collisions in the City of Capitola. The Santa Cruz County Court system has accepted and supported the issuance of photo red light citations. Given that the photo red light system is moving to a more productive intersection and direction the "cost neutral" contract should be applied to the new location for a minimum of one year, or until the net results of the movement can be adequately analyzed.

ATTACHMENTS:

1. Photo Red Light Reconciliation dated 08/23/07



PRESS RELEASE

FOR IMMEDIATE RELEASE

ATTACHMENT 2

**CAPITOLA POLICE
DEPARTMENT
422 CAPITOLA AVENUE
CAPITOLA, CA 95010
(831) 475-4242 Office
(831) 471-1141 Dispatch
(831) 479-8881 Fax**

**CONTACT: (Sgt. Matt Eller
, badge #516)
Shift Days WED-SAT Hours 7am-5pm**

*FAIRBO
11/01/07
SENTINEL
POST
RAFAELONIA*

Capitola Expands Red-Light Camera Program

CAPITOLA, CA (Thursday, November 01, 2007)

CASE

The Capitola Police Department red-light camera program started the photo-red light program October 1, 2005 with a 30-day warning phase at the intersection of 41st Ave @ the main mall entrance. The first intersection that was to be monitored was the intersection of 41st Ave. at Clares, however due to ongoing construction at the time, the 41st Ave. at the main mall intersection was chosen. In the continuation of the red-light program, first in Santa Cruz County, the system is being expanded to the intersection of 41st Ave. at Clares, now that the construction has been completed. A 30-day warning period will begin November 1, 2007. During the warning period, red light runners will only be issued a warning and no citation. After the 30-day warning period red light violators will receive citations. Using digital cameras, the City is able to monitor more intersections with fewer officers. The object of the program is to reduce red-light running and increase community safety. The program uses state-of-the-art digital cameras and detection systems. The cameras photograph only those vehicles entering into the intersection after the traffic light has turned red. Motorists who enter the light during a yellow light and are in the intersection when the light changes will not be photographed. Police will review images and violation data for each event before authorized. According to Police Chief Richard Ehle, "The purpose of using red-light cameras is not to punish people, but to save lives and reduce crashes." The Insurance Institute for Highway Safety reports that ignoring traffic control systems (e.g., red lights) is the leading cause of urban collisions - representing nearly 22 percent of all crashes. This results in nearly \$7 billion

###

IF YOU HAVE ANY QUESTIONS, PLEASE CALL LT. CARD OR CHIEF EHLE AT THE CAPITOLA POLICE DEPARTMENT (831) 475-4935

annually in medical costs, time off work, insurance rate increases, and property damage per year.

All intersections that have red-light cameras installed will have signs posted stating "Photo Enforced".

FOR FURTHER INFORMATION:

City of Capitola Police Department, Sergeant Matt Eller, (831) 475-4242.

ATS Inc: Adam Tuton, Executive VP, at Tel: (480) 368-0900 Ex 207

USA red light accident information: Insurance Institute for Highway Safety,

<http://www.highwaysafety.org>

###

IF YOU HAVE ANY QUESTIONS, PLEASE CALL LT. CARD OR CHIEF EHLE AT THE CAPITOLA POLICE DEPARTMENT (831) 475-4935

rec'd by USPS 11-19-10
7-10-20



5. OTHER BUSINESS (Continued)

C. Regional Housing Needs Allocation (RHNA). [150-10]

Housing and Redevelopment Project Manager David Foster summarized the written agenda report and responded to questions of council members.

Kate Minott, resident of Seacliff, said the Regional Housing Needs Allocation has been a pet peeve of hers, and she expressed her concerns about the disparity in numbers. Mayor Termini commented on the city's numbers as they relate to the city's Housing Element and grant funding available to the city with a certified Housing Element.

Council discussion was followed by this action:

ACTION: Council Member Begun moved, seconded by Council Member Nicol, to accept the staff's reports on the Regional Housing Needs Allocation process and AMBAG's draft RHNA allocation numbers for the City of Capitola, as submitted. The motion carried on the following vote: AYES: Council Members Begun, Nicol, Graves, Storey and Mayor Termini. NOES: None. ABSENT: None. ABSTAIN: None.

D. Status of City's Red Light Photo Enforcement Program. [490-20]

Chief of Police Ehle summarized the written agenda report and provided an update on the red light cameras on 41st Avenue. He announced that the red lights are now operable at the 41st Avenue and Clares Street intersection. He said the warning period is effective for 30 days and that citations would be issued commencing sometime between the 1st and 5th of December.

Council discussion was followed by this action:

ACTION: Council Member Graves moved, seconded by Council Member Storey, to accept the status report from the Police Department on the City's Red Light Photo Enforcement Program, as submitted. It was noted that no further direction was necessary at this time. The motion carried unanimously.

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

3. CONSENT CALENDAR (*Items pulled for separate discussion.*)

I. Approve Placement of the Annual Village Christmas Tree on the Capitola Bandstand for One Month. [1050-70/1040-20 Bandstand]

Council Member Graves pulled this item because he has concerns about the new home the tree is finding this year on the Bandstand. He said no one would see it at that location. He suggested thinking about finding a permanent home for the tree where the roots would be in the ground. Council Member Graves said Council Member Nicol suggested the Stockton Avenue/Wharf Road Park; he agreed it would be more visible there. He also thought the location in front of Souza's Ice Cream on Monterey Avenue was a good one.

After council discussion, the following action was taken:

ACTION: Council Member Graves moved, seconded by Council Member Begun, to approve the request from the Capitola Village and Wharf Business Improvement Area to place the Annual Village Christmas Tree on the Capitola Bandstand from Thanksgiving week through the end of December. The motion carried on the following vote: AYES: Council Members Begun, Nicol, Graves, Storey, and Mayor Termini. NOES: None. ABSENT: None. ABSTAIN: None.