



MINUTES

Meeting of the Scotts Valley City Council

Date: June 17, 2020

Time: 6:00 pm

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	Zoom Videoconference	The agenda was posted 6-12-20 at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvalley.org .

CALL TO ORDER 6:00 PM

The City Council meeting was called to order at 6:05 pm.

MOMENT OF SILENCE

ROLL CALL

ELECTED OFFICIALS PRESENT:

Randy Johnson, Mayor
Derek Timm, Vice Mayor
Jack Dilles, Council Member
Donna Lind, Council Member
Jim Reed, Council Member (6:15 pm)

CITY STAFF MEMBERS PRESENT:

Tina Friend, City Manager
Kirsten Powell, City Attorney
Steve Walpole, Chief of Police
Taylor Bateman, Community Development Director
Tony McFarlane, Administrative Services Director
Daryl Jordan, Public Works Director/City Engineer
Tracy Ferrara, City Clerk

COMMITTEE REPORTS

CM Lind reported that the Santa Cruz Metropolitan Transit District Board met to review and discuss budget impacts due to COVID-19.

CM Lind reported that she participated in a Scotts Valley Chamber of Commerce Ambassador meeting, which was held to discuss supporting local business reopening and promoting local businesses. They also discussed the 4th of July virtual parade that will include local businesses.

CM Dilles reported that the Monterey Bay Community Power Policy Board held a special meeting to rescind a previous action to accept nuclear attributes.

CM Dilles reported that he attended the Monterey Bay Air Resources Board meeting where they adopted their budget, approved continuing financial incentives for electric vehicle purchases and continuing replacement of wood burning stoves with cleaner burning devices.

CM Dilles reported that he as a member of the Santa Margarita Groundwater Agency he attended a two day remote training on groundwater sustainability throughout the state.

CM Dilles reported that the Seniors Council Area Agency on Aging met and approved the new draft area plan, including goals and objectives, estimated funding and service levels. They also received an update on food distribution throughout the County.

VM Timm reported that he and Mayor Johnson attended the COVID-19 Local Business Recovery Subcommittee meeting and approximately 75% of the kits for local businesses have been distributed.

Mayor Johnson reported that he attended a weekly meeting of Mayors and City Managers throughout the County to discuss the continuing changes and impacts throughout the County due to COVID-19.

Mayor Johnson reported that the Santa Cruz County Regional Transportation Commission met and approved moving forward with four options related to the rail, which he voted against.

CITY MANAGER REPORT

CM Friend provided an update on COVID-19 cases throughout the County and the potential impacts of reopening. She also provided updates on economic recovery and announced that the City has implemented a process to encourage the establishment of outdoor dining for our local restaurants, and stated that she issued an emergency order to delay the timeline for business license renewals. She announced that PG&E is providing a webinar on June 24th with more information available at www.pge.com.

PUBLIC COMMENT TIME

Each City Council Member made personal statements regarding the Black Lives Matter March held in Scotts Valley, and their experiences attending it, and thanked the local students who put the March together.

ALTERATIONS TO CONSENT AGENDA

CM Friend stated that there were two corrections:

Date: June 17, 2020

- (1) Item A, 5-20-20 minutes required a correction under Item 2 where there was a question regarding the wording "By Council consensus." After review, that wording was changed to "By majority opinion of the Council."
- (2) Item F, Resolution No. 1007.33, Gann Initiative, there was an error in one of the calculations, which was corrected earlier and is reflected in the agenda packed posted on the City's website.

M/S: Lind/Timm

To approve the Consent Agenda.

Carried 5/0 (AYES: Dilles, Johnson, Lind, Reed, Timm)

CONSENT AGENDA

- A. Approve check registers dated 5-20-20, 6-3-20
- B. Approve check registers dated 5-29-20, 6-5-20
- C. Approve Resolution No. 1977 confirming the order of the Director of Civil Defense and Disaster to issue emergency temporary permits for restaurant outdoor seating in private parking lots, private sidewalks and common areas
- D. Approve Resolution No. 1978 confirming the order of the Director of Civil Defense and Disaster postponing the deadline to obtain a business license
- E. Presidential General Election Resolutions:
 - (1) Resolution No. 1979 ordering an election, requesting County Elections to conduct the election, and requesting consolidation of the election; and
 - (2) Resolution No. 1979.1 calling for a Presidential General Election for the election of members of the City Council, determining that costs of Candidate's Statement of Qualifications shall be paid by the candidate and its maximum number of words, and setting hours the polls will be opened and closed
- F. Approve Resolution No. 1007.33 making certain findings and determinations in compliance with Section XIII B of the California Constitution (Gann Initiative) and setting the Appropriations Limit for Fiscal Year 2020/21
- G. Approve Resolution No. 1980 directing staff to submit an application to the State of California LEAP Planning Grant Program for \$65,000 in LEAP grant funds
- H. Approve second reading and adoption of Ordinance No. 16-ZC-228, which approved a zone change for a two-lot minor land division and development of one new home at 33 Polo Heights, and to unify the project site from R-R-2.5, Rural Residential and R-1-40, Estate Residential to the R-1-40, Estate Residential zoning district, APN 024-021-28

ALTERATIONS TO REGULAR AGENDA

M/S: Dilles/Lind

To approve the Regular Agenda.

Carried 5/0 (AYES: Dilles, Johnson, Lind, Reed, Timm)

REGULAR AGENDA

1. **Public Meeting regarding Pinewood Estates Landscape Maintenance Assessment District: Resolution No. 1213.34; Annual Engineer's Report Pinewood**

PWD Jordan presented the written staff report and responded to questions from Council. PWD Jordan stated that this public meeting is being held to accept public testimony and that Council will consider approval of Resolution No. 1213.34 at the public hearing set for August 5, 2020.

2. **Public Meeting regarding Skypark Open Space Maintenance Assessment District No. 1: Resolution No. 1555-SP-032; Annual Engineer's Report Skypark**

Vice Mayor Reed recused himself from this item due to a conflict of interest as he lives in Skypark.

CM Timm recused himself from this item due to a conflict of interest related to a business transaction.

PWD Jordan presented the written staff report and responded to questions from Council. PWD Jordan stated that this public meeting is being held to accept public testimony and that Council will consider approval of Resolution No. 1555-SP-032 at the public hearing set for August 5, 2020

Rodney Stanton, Skypark resident, spoke regarding the properties that border the Linear Park and proposed that the property owners move their fences back so that the area could be maintained by the property owners instead of the City. PWD Jordan responded that he would review this proposal prior to the public hearing on the August 5, 2020 Council meeting agenda.

Gillian McGlaze, Skypark resident, stated that she feels there is a lack of maintenance of the Linear Park and expressed concerns about fire safety related to the vegetation on the slope area below the Linear Park.

Jennifer Wade, Skypark resident, stated that she did not receive the public hearing notice. She thanked the Council and staff for discontinuing the use of Round-Up.

Elizabeth Anderson, Skypark renter, thanked the Council and staff for discontinuing the use of Round-up and expressed concerns about fire safety related to the vegetation on the slope area below the Linear Park.

PUBLIC HEARING(S) (To be heard after 6:30 p.m.)

3. Consider Planning Commission's recommendation of approval for a General Plan Amendment and Zone Change, located at 440 Kings Village Road and 467 Bean Creek Road, APN's 022-221-01, -02, -03, -04, -05, and 022-611-01

CDD Bateman, CA Powell, and EIR Consultant, Bill Wiseman, gave a PowerPoint presentation, presented the written staff report and responded to questions from Council.

CDD introduced EPA representatives Brian Milton, David Yogi, and Edwin "Chip" Poalinelli, who gave a PowerPoint presentation on the Super Fund site and responded to questions from Council.

PUBLIC HEARING OPENED – 8:34 PM

Sal Caruso, Joe Appenrodt and Jeff Major, applicants, gave a PowerPoint presentation regarding their application, and responded to questions from Council. Mr. Caruso stated that their current plan is to construct no more than 84 residential units.

The following spoke in opposition to the application for a General Plan Amendment and Zone change due to environmental concerns related to health impacts, traffic, ingress/egress from the property, and fire safety:

Jennifer Wade, Skypark resident
 Elizabeth Anderson, Skypark resident
 Sara Rigler, Scotts Valley resident
 Eric Nilsson, Bluebonnet Lane resident
 Griffon Walker, Bluebonnet Lane resident
 Thira Wallwork, Bluebonnet Lane resident
 Tom Gaspar, Bluebonnet Lane resident
 Barbara Neill, Green Valley resident
 Ilo Nilsson, Bluebonnet Lane resident
 Corey Ward, Green Valley resident
 Karin Meyer, Scotts Valley resident
 Darshana Croskrey, Scotts Valley resident
 Ryan Fontana, Scotts Valley resident
 Betty Johansen, Scotts Valley resident
 Trout Kilgore, Scotts Valley resident

Date: June 17, 2020

The following individuals spoke in support of the application for a General Plan Amendment and Zone change and recommended allowing more than 84 residential units to be constructed due to community need:

Evan Siroky, Scotts Valley resident
Elizabeth
Randy Dugger
Kyle Kelley
Linda Kerner, Montevelle resident
Carolyn Hamm, Montevelle resident
Carly Canepa Sousa
Carolee Curtin, Montevelle resident/President
Fred Cox, Montevelle resident
Rafa Sonnenfeld
Larie S, Montevelle resident
Stan St. Leger-Barter

PUBLIC HEARING CLOSED – 10:19 PM

Sal Caruso, applicant, responded to some of the questions and concerns raised by the speakers.

M/S: Lind/Timm

In accordance with Scotts Valley Municipal Code Section 2.24.010, the City Council approved the extension of the Council meeting past 11:00 pm.

Carried 5/0 (AYES: Dilles, Johnson, Lind, Reed, Timm)

Dan Niles, Central Coast Water Board, stated that he is working on the pollution caused by the dry cleaners, responded to questions from Council, and stated that the Water Board is working closely with the EPA.

The City Council expressed concerns regarding the approval of the General Plan Amendment and Rezone for the property without a resolution to the contamination present on the site, the uncertainty as to the ultimate development of the property, and the difficulty in returning the property to light industrial use in the future should they approve the zone change.

CM Timm recommended that the Council consider approving the Final Environmental Impact Report only.

CA Powell stated that the documents provided in the City Council packet were all written for approval, based on the Planning Commission recommendation. She stated that staff would need to modify the resolution, because without a project, the Council would not be making findings for a Statement of Overriding Consideration or adopting a mitigation monitoring plan. She stated that staff could prepare resolutions for the Special City

Date: June 17, 2020

Council meeting scheduled on June 24, 2020, to adopt the Final Environmental Impact Report and denying the General Plan Amendment and Zone Change.

M/S: Lind/Dilles

Council directed staff prepare two resolutions: (1) To certify the Final Environmental Impact Report (FEIR); and (2) Based on the Council comments above as the basis for denial, deny the General Plan Amendment and Zone Change, for the property located at 440 Kings Village Road and 467 Bean Creek Road, APN's 022-221-01, -02, -03, -04, -05, and 022-611-01.

Carried 5/0 (AYES: Dilles, Johnson, Lind, Reed, Timm)

REGULAR AGENDA (Resumed)

4. Consideration of Fiscal Year 2020/2021 Preliminary Annual Operating Budget

CM Friend and ASD McFarlane presented the written staff report and responded to questions from Council. They stated that based on the changing restrictions and impacts of COVID-19, the budget will be re-evaluated throughout the year.

Leah Samuels, Executive Director of the Human Care Alliance, representing 28 agencies, reviewed the benefits that the members of the Human Care Alliance provide to the City and the Police Department and requested reconsideration of funding from the Council.

Elizabeth Anderson, spoke in support of the comments made by Leah Samuels.

M/S: Dilles/

To fund the human care agencies if funds are available mid-year.

Motion failed. No second.

By consensus, the City Council directed the City Manager to bring back reconsideration of funding for human care agencies should funds become available during the fiscal year.

3. Future Council agenda items – None.


ADJOURNMENT

The meeting adjourned at 12:05 am.

DocuSigned by:

 554BD60C6488411...

Attest: _____
 Tracy A. Ferrara, City Clerk

DocuSigned by:

 C56834E312044DF...
 Approved: _____
 Randy Johnson, Mayor