

MINUTES

Joint Meeting of the
Scotts Valley City Council and
Redevelopment Agency Board of Directors

Date: January 19, 2005

POSTING:

The agenda was posted on 1-14-05
at City Hall by the City Clerk.

CALL TO ORDER 6:03 p.m.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

Present:

Mayor Marigonda
Vice Mayor Aguilar
Council member Barrett
Council member Bustichi
Council member Johnson

City Manager Comstock
City Attorney Powell
Police Captain Bidleman
Public Wks Director Anderson
Community Dev Director Kuhn
Finance Director Ando
Associate Planner Bateman
City Clerk Ferrara

COMMITTEE REPORTS

CM Johnson reported that the Skypark Subcommittee met to discuss some of the elements of the broader Skypark plan to include relocation of the propane companies and what would and would not work in this area.

CM Johnson reported that the Transportation Commission met and discussed what went wrong regarding the failure of the proposed ½ cent sales to widen Highway 1. Discussion was also held regarding the proposed “rail trail” to include feasibility and liability of the proposed project, and funding of the EIR. He invited the public to attend a meeting at 7:00 p.m. on 1/20/05 at the County building to discuss the pros and cons of the “rail trail” proposal.

CM Barrett reported that the Joint City/School District met and discussed funding for the School Resource Officer position, rental of school facilities, possible efforts for joint maintenance, affordable housing for teachers, and lighting of the football field at the High School.

CM Barrett reported that the Traffic Safety Advisory Committee met and discussed complaints regarding traffic problems and speeding in the Bethany area. Discussion was also held regarding the mission of the Traffic Safety Advisory Committee and audio warnings at crosswalks.

CM Bustichi reported that the Transit District met and held the groundbreaking for the new facilities. He also reported that he is attempting to get the bus stop issue on Vine Hill School Road on the February agenda.

VM Aguilar reported that she had recently coordinated a 3 day seminar in Sacramento for newly elected officials through the League of California Cities. She reported that 400 newly elected officials were in attendance and they received exceptional training and information.

Mayor Marigionda reported that the Joint City/School District Committee met and welcomed two new committee members from the School District. He reported that they discussed many current and upcoming issues.

PUBLIC COMMENT

Mark Brockman, Den Leader of Webelos Cub Scout Pac 604, stated that they were present to watch the City Council meeting.

VM Aguilar reported that the Falcon Club for Scotts Valley High School was holding a Valentine's Dinner Dance at the Elks Lodge on February 5. She stated that anyone who is interested should contact Scotts Valley High School for additional information and times.

CM Barrett reported that the base rock was being placed at Skypark for the parking lot areas, and asphalt should be in by the end of the week.

**ALTERATIONS TO
CONSENT AGENDA**

VM Aguilar requested that item J be moved to the regular agenda as item 1a for further discussion.

***M/S: Barrett/Aguilar
To approve the Consent Agenda as amended.
Carried 5/0***

Consent Agenda:

- A. Approve Joint City Council/RDA meeting minutes of 1/5/05
- B. Approve check register – 12/16/04
- C. Approve non-collection of fees for the use of Skypark Park for the Ice Cream Social and the Scotts Valley Century Bike Ride sponsored by the Scotts Valley Educational Foundation (SVEF)
- D. Approve Council Member Barrett's reappointments of existing City Commission and Board Members
- E. Approve the appointments of Council Member Bustichi to the Commissions and Boards
- F. Second reading and adoption of Ordinance No. 175.1 amending the Chapter 7.10, entitled "Regulations Applicable to Skateboard Parks on Public Property" to permit the use of in-line skates and to add Section 7.10.040 entitled Penalties to Title 7 of the Scotts Valley Municipal Code which pertains to City parks
- G. Consideration of approval for Resolution No. 1761 certifying a Mitigated Negative Declaration (ND04-001) and Resolution No. 1762 denying project without prejudice for 4859 Scotts Valley Drive // APN 22-072-17

- H. Approve participation in the multi-agency exploration of: a) export of solid waste for out-of-county landfill disposal; b) export of solid waste for out-of-county waste conversion; c) local waste conversion; d) multi-agency diversion activities; and, authorize County or multi-agency negotiation team to negotiate any needed multi-agency solid waste disposal and/or conversion agreements on behalf of the City of Scotts Valley
- I. Approve Attorney/Client Fee Contract between the City of Scotts Valley and Atchison, Barisone, Condotti & Kovacevich for legal services in the form of advice and counsel to the Scotts Valley City Council in connection with an employee disciplinary hearing scheduled for January 26, 2005

**ALTERATIONS TO
REGULAR AGENDA**

***M/S: Aguilar/Barrett
To approve the Regular Agenda as amended.
Carried 5/0***

REGULAR AGENDA

- 1a. **Approve a municipal directory sign at the northwest corner of Mt. Hermon & Kings Village Roads**

CDD Kuhn presented the written staff report and responded to questions from Council.

Council recommended the following changes:

- 1. Use a natural color wood stain on the wood beams.
- 2. Move the SV logo and pinecones to the upper beam to allow for space for additional signs in the future.
- 3. Reduce the size of the blank space between the planks and letters.
- 4. Take the arrow off of the bottom of the sign and place it on the same line as "Skypark".

CDD Kuhn stated that staff will return with a revised plan on the February 2, 2005 agenda that incorporates the recommendations of Council.

- 1. **Presentation of Scotts Valley Chamber of Commerce annual report**

CM Comstock presented the written staff report and responded to questions from Council.

Clyde Vaughn, Executive Director of the Scotts Valley Chamber of Commerce, presented an overview of 2004 activities and achieved goals and responded to questions from Council.

Council thanked Mr. Vaughn for his accomplishments during the ten months he has been the Executive Director.

***M/S: Aguilar/Bustichi
To accept the Scotts Valley Chamber of Commerce annual report.***

Carried 5/0

2. Discussion: Amortization process for propane companies

CM Comstock presented the written staff report and responded to questions from Council. He stated that representatives from Suburban Propane and Amerigas were present at the meeting.

VM Aguilar stated that she requested this item be placed on the agenda in order to be sure that keep things moving forward. She feels that the propane companies are moving in a positive direction; however, she would like to see a parallel course just in case of a problem. As a back up, she recommended a 15-20 amortization plan.

CM Johnson stated that the Skypark Subcommittee had a very positive meeting with representatives of one of the propane companies earlier today. He feels that they have shown good will on their part in working toward a resolution. He stated that he is concerned about going forward with the amortization process because of the adversarial issues this raises. He stated that he would rather move forward in the spirit of cooperation and begin to include any other necessary agencies in discussions regarding the quarry site. CM Johnson recommended deferring this issue for a number of months before moving forward with the amortization process.

CM Bustichi agreed with CM Johnson's comments and stated that he is also concerned about the adversarial effects of the amortization process. However, he stated that he also has some concerns with only following the Hansen quarry possibility because of the difficulty in actually making this happen. He would like to see the City and the propane companies work with the County to find out if there is any possibility for the Hansen quarry site to work. He would also like to see additional sites reviewed.

CM Barrett stated that this has been a long process; however, he feels there has been tremendous progress over the last year. He recommended holding the amortization process in reserve at this time.

CM Aguilar stated that she would not like to see the propane companies relocate within the City limits of Scotts Valley.

Mr. Jack Ritchie, land use attorney in Santa Cruz, stated that Amerigas has looked at a very large number of sites in Santa Cruz County, from the Monterey County line to Davenport with no luck. He stated that Amerigas would like to stay close to Scotts Valley and feels that the quarry is the best potential site. Mr. Ritchie stated that Amerigas has hired Bob August, the plant manager of the quarry prior to its closure, in order to assist them in the relocation process. Mr. Ritchie stated that he had met with the Santa Cruz County Planning Department regarding the process to move to the quarry site. He stated that it is not a simple process, but it is doable. The move to the quarry site will require a change in the master plan for the area, re-zoning

of the site, and address all of the concerns with regard to seismic hazards, etc. He stated that the County has been very cooperative, and they plan to continue working with the County and Supervisor Stone. Mr. Ritchie stated that he feels the facilities are safe where they are at this time, as he has never heard of a BLEVE at the type of facility that Amerigas currently has. He stated that Amerigas very much appreciates the cooperation of City Council and City staff.

Mike McAndrews, Counsel to Suburban Propane, advised the Council on some of the specific content of the meeting held with the Council Subcommittee earlier in the day. He stated that Suburban Propane's national real estate group in New Jersey had been directed to undertake a site search and relocation of the facility in Scotts Valley. He stated that an industrial broker, Jim Schmidt, had been engaged to locate sites. He stated that the primary site is the Hansey Quarry; however, they are also looking for alternatives sites that satisfy the needs of the company. He stated that Suburban had also retained Ed Newman, a real estate and land use attorney based in Capitola, to acquire the site, work through the land use process with Suburban so that counsel will not have to fly up from Los Angeles on a regular basis. He stated that he is confident that the process is underway. He also stated that Suburban appreciates the City's assistance.

VM Marigonda concurred with CM Barrett's comments. He stated that he is pleased with the communication that has occurred, and he does not feel the City is at the stage where we need to begin the amortization process.

M/S: Aguilar/Barrett

Due to the availability of time, move item 5 to be heard before the public hearings at 7:00 p.m.

Carried 5/0

5. Approve Council Member Johnson's reappointments of existing City Commissions and Boards

CM Johnson made the following appointments/reappointments to City Commissions and Boards:

Planning Commission:	Jackie Heald
Parks & Recreation Commission:	Eric Seib
Parks & Recreation Advocates:	Christa Watkins
Senior Center Board:	Maxine Richards
Arts Commission:	Jeanne Jensen-Shada

CM Johnson thanked Parks & Recreation Commissioner David Sanguinetti for his many years of hard work and dedication on this Commission.

M/S: Johnson/Aguilar

To approve the above appointments/reappointments.

Carried 5/0

PUBLIC HEARINGS

3. **Continuation of 12-15-04 public hearing: Consideration of approval for Resolution No. 1763 certifying a Negative Declaration No. ND04-008 and Land Division No. LD03001 to create five parcels from one lot on Green Hills Road // APN 024-211-16**

AP Bateman presented the written staff report and responded to questions from Council.

VM Aguilar stated that she would prefer to keep the roads private, and not have them dedicated to the City due to the maintenance issue.

M/S: Barrett/Bustichi

To approve Resolution No. 1763 certifying Negative Declaration No. ND04-008 and approving Land Division No. LD03-001 to create five residential lots on a parcel located on Green Hills Road // APN 024-211-16

Carried 5/0

4. **Consideration of an amendment to Chapter 17 - Zoning, of the Scotts Valley Municipal Code, Table 17.46.110.F, fencing locations, heights, types, height adjustments and other restrictions in order to clarify heights of fences in front yards. Proposed amendments include a special permitting process to consider fences taller than three feet in front yards**

CDD Kuhn presented the written staff report and responded to questions from Council.

After some discussion, Council recommended the following amendments to Ordinance No. 16.118:

1. Section 2 (Section 17.50.050), Item C2, eliminate the last two sentences as follows: ~~The site shall be posted with a sign incorporating the aforementioned notice, in the format provided by the planning department. Such sign shall be prominently posted for viewing a minimum of ten days prior to the date the community development director is scheduled to act.~~
2. Establish the Special Fence Permit fee at \$300.

PUBLIC HEARING OPENED 7:23 PM

PUBLIC HEARING CLOSED 7:23 PM

M/S: Johnson/Barrett

To introduce Ordinance No. 16.118, amending Chapters 17.46.110 and 17.50.050 of Title 17 of the Scotts Valley Municipal Code relating to fences, walls and ornamental structures and special permits issued by the Community Development Director as amended, and waive the reading thereof.

Carried 5/0

REGULAR AGENDA
(Resumed)

6. Future Council/RDA agenda items

None.

CLOSED SESSION

The City Council/RDA recessed at 7:25 p.m. to confer with the City Manager re his annual performance evaluation.

ADJOURNMENT

The meeting adjourned at 8:00 p.m.

Approved:

Paul Marigonda
Mayor / Chair

Attest: _____

Tracy A. Ferrara
City Clerk / Secretary