

# MINUTES

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

**Date: February 16, 2011**

**POSTING:**

The agenda was posted on 2-11-11 at City Hall, the SV Senior Center, and the SV Library, by the City Clerk.

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**CALL TO ORDER**                      6:00 p.m.

**PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE**

**ROLL CALL**

Present:

Mayor Bustichi  
Vice Mayor Lind  
Council Member Aguilar  
Council Member Johnson  
Council Member Reed

City Manager Ando  
City Attorney Powell  
Public Wks Director Anderson  
Police Chief Weiss  
Senior Planner Bateman  
City Clerk Ferrara

Absent:

Interim Community Dev Dir Westman

**COMMITTEE REPORTS**

CM Reed reported that the Library JPA has held a few meetings to review the different service models that have been prepared by the Library Task Force regarding sustainability for the library. He stated that additional meetings will be held regarding this issue and

VM Lind reported that the Seniors Council met and discussed continued concerns regarding budget cuts that are impacting several programs for seniors.

CM Aguilar reported that the League of California Cities met and discussed the Governor's proposal to eliminate redevelopment agencies. She stated that they reaffirmed their position opposing the proposal, and the League will be working with the California Redevelopment Association regarding this proposal.

CM Aguilar reported that AMBAG distributed a report regarding the greenhouse gas emissions inventory for each jurisdiction (SB375). She stated that the report is available at [www.ambag.org](http://www.ambag.org). She also reported that AMBAG reviewed the associated blueprint planning document, which deals with transportation strategies, and stated that the report should be approved, finalized, and distributed in the next few months.

CM Johnson reported that the Santa Cruz County Regional Transportation Commission met and approved a contract for towing service on Highway 17.

Mayor Bustichi reported that the Santa Cruz County Regional Transportation Commission met and allocated an additional \$250,000 for the rail line.

Mayor Bustichi reported that the Santa Cruz Metropolitan Transit District (SCMTD) met regarding budget. He reported that the SCMTD is running at an operating loss of \$6.6 million. He stated that 2011 will have a balanced budget, with the difference being made up by other stated and federal funding, tax credits, SCA funds, and a carryover of \$1.9 million. He stated that 2012 is looking at a \$3.8 million deficit and by 2015 there will be a \$7.6 million deficit if the Board does not make some changes.

Mayor Bustichi reported that the Water Subcommittee will be meeting soon to look at the feasibility of consolidating the City and the Water District. He stated that they are also looking at streamlining processes and communication between the City and the Water District.

Mayor Bustichi reported that the Town Center Subcommittee met with some of the community property owners around the Town Center area. He stated that the Subcommittee also met with our economic consultant who will be reviewing pro formas submitted by our potential developer, and preparing an economic analysis.

## **PUBLIC COMMENT**

Gary Richard Arnold spoke in opposition to AMBAG and their policies.

Mayor Bustichi announced the Lion's Club is holding its 41<sup>st</sup> Annual Crab Cioppino Feed on March 5, 2011 at the CPDES Hall near Harvey West Park. He stated that tickets are \$40 and includes a full dinner and dancing.

Mayor Bustichi spoke regarding information that had been submitted to the City regarding the installation of wind turbines. He stated that this will be coming to a future Council meeting.

## **ALTERATIONS TO CONSENT AGENDA**

***M/S: Aguilar/Reed  
To approve the Consent Agenda.  
Carried 5/0***

### **Consent Agenda:**

- A. Approve check register – 2-4-11, 1-27-11
- B. Approve the inventory of surplus equipment and authorize the Purchasing Officer to dispose of such equipment in accordance with Section 2.70.130 of the Purchasing Ordinance
- C. Approve Resolution No. 1845.1 temporarily closing a portion of Scotts Valley Drive, Carbonero Way and El Pueblo Road for the Scotts Valley Criterium Bicycle Race being held on May 15, 2011

- D. Approve agreement between the City of Scotts Valley and Syzygy Sports Group for the Scotts Valley Twilight Criterium bicycle race being held on May 15, 2011 and authorize the City Manager to execute the agreement
- E. Approve Resolution No. 1087.68 creating no parking areas on Meadow Way
- F. Approve second reading and adoption of Ordinance No. 16-ZC-209.1 amending the Pinnacle View Planning Development zoning to allow for 20 town homes and other amendments to the Pinnacle View Planned Development located at 11, 13, 15, & 17 Lundy Lane // APN's 021-281-01, -02, -05 & -06
- G. Approve Resolution No. 1435.22 approving the destruction of obsolete records by the Finance Director

## **ALTERATIONS TO REGULAR AGENDA**

***M/S: Aguliar/Reed  
To approve the Regular Agenda.  
Carried 5/0***

## **REGULAR AGENDA**

1. **Consider appeal of business license application denial for a medical cannabis dispensary**

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

Scott Gates spoke regarding why he believes he should be allowed to obtain a Scotts Valley business license and open a medical cannabis dispensary in Scotts Valley. He stated that he believes this is a necessary service for the community as he feels it will be financially beneficial and positive for the community.

Chris Coulter, Americans for Safe Access, spoke in favor of the City approving the business license and allowing a medical marijuana dispensary in Scotts Valley. He recommended having more community outreach before making a final decision regarding this issue.

Richard Webb, Professor at San Jose State for public communications, spoke in favor of the City approving the business license and allowing a medical marijuana dispensary in Scotts Valley.

Dr. Mindy Golden, spoke in favor of the City approving the business license and allowing a medical marijuana dispensary in Scotts Valley.

***M/S: Johnson/Reed  
To deny the appeal and not issue the business license to Mr. Gates for a medical cannabis dispensary because the business license would be in violation of Scotts Valley Municipal Code Section 17.02.120 and Scotts Valley Ordinance No's. 16.128, 16.128.1, and 16.128.2.  
Carried 5/0***

**2. Consider approval of city-wide garage sale on September 10, 2011**

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

Allison Niday, Gina Johnson and Rory Gentile, Scotts Valley Education Foundation, spoke in favor of the City approving a city-wide garage sale to be held on September 10, 2011.

***M/S: Reed/Aguilar***

***To approve a city-wide garage sale to be held on September 10, 2011 and authorize the use of up to \$1,500 in 9C monies for advertising this event.***

***Carried 5/0***

**3. Consider amendment to the Glenwood Open Space Easement to allow for a monitoring well and/or other scientific investigations and research**

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

***M/S: Aguilar/Lind***

***To approve the amendment to the Open Space Easement Agreement and authorize the City Manager to sign an amended Open Space Easement Agreement with the Land Trust of Santa Cruz County.***

***Carried 5/0***

**PUBLIC HEARINGS**

**4. Consideration of proposed purchase agreement between the Scotts Valley Redevelopment Agency as purchaser, and the City of Scotts Valley as seller, for property located on Erba Lane (APN 022-048-01 PTN, 33,147 square feet) in the City of Scotts Valley, California**

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

**PUBLIC HEARING OPENED - 7:20 PM**

No one came forward.

**PUBLIC HEARING CLOSED - 7:20 PM**

***M/S: Lind/Aguilar***

***To approve the Purchase Agreement between the City of Scotts Valley and the Scotts Valley Redevelopment Agency for property on Erba Lane and authorize the Mayor and RDA Board Chair to sign the agreement.***

***Carried 5/0***

**REGULAR AGENDA**

(Resumed)

5. **Discussion of propane amortization ordinance**

CA Powell presented the written staff report and responded to questions from Council.

***M/S: Lind/Aguilar***

***To direct City staff to move forward with the adoption of a propane amortization ordinance with a 2-year amortization period.***

***Carried 5/0***

6. **Consider first reading and introduction of Ordinance No. 162.1 amending Chapter 10.12 to Title 10 of the Scotts Valley Municipal Code adding Meadow Way to weight limitations**

PC Weiss presented the written staff report and responded to questions from Council.

***M/S: Aguilar/Lind***

***To approve first reading and introduction of Ordinance No. 162.1 amending Chapter 10.12 to Title 10 of the Scotts Valley Municipal Code adding Meadow Way to weight limitations, and waive the reading thereof.***

***Carried 5/0***

7. **Consideration of bid preference to locally operated businesses**

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

Mayor Bustichi recommended including construction projects that do not utilize state or federal grant funding.

CM Reed recommended a tiered approach where Scotts Valley businesses would have first choice and Santa Cruz County businesses would have second choice.

CM Johnson recommended a two year time period in order to evaluate and determine if there are any benefits to the program.

Michael Matias, SV resident, spoke in favor of bid preference and recommended approving the bid if it is within 5%, as it often costs more money to do business in Scotts Valley and Santa Cruz.

CM Aguilar expressed concerns that a local contractor may win the bid; however, their subcontractors may not be required to be a local operated business. She recommended adding a condition that 1% of the subcontractors be located in Santa Cruz County.

PWD Anderson stated that the City often includes requirements that the general contractor perform a certain amount of the work in order to be sure that they are not acting as a broker.

CM Reed recommended including construction projects.

Council directed City staff to amend the current bid preference in the City's Municipal Code to include a local business preference and return to Council with a revised ordinance that includes their recommendations.

**8. Future Council/RDA agenda items**

CM Aguilar requested a future agenda item to advertise the sale of the property on Erba Lane for affordable housing.

Mayor Bustichi requested a future agenda item to discuss putting together an economic development plan summit.

Mayor Bustichi requested a future agenda item to discuss wind turbines.

Mayor Bustichi requested a future agenda item to discuss the creation of a student council.

**CONVENE TO CLOSED SESSION**

The City Council convened to closed session at 7:55 p.m. to discuss the following items:

1. Pursuant to Government Code Section 54956.8, the City Council met in closed session to confer with their Legal Counsel regarding property negotiations, APN 022-211-80.

**RECONVENE TO OPEN SESSION**

The City Council reconvened to open session at 8:20 p.m.

**REPORT ON ACTION TAKEN DURING CLOSED SESSION**

Mayor Bustichi announced that there was nothing to report.

**ADJOURNMENT**            The meeting adjourned at 8:21p.m.

Approved: \_\_\_\_\_  
Dene Bustichi, Mayor / Chair

Attest: \_\_\_\_\_  
Tracy A. Ferrara, City Clerk / Secretary