

# MINUTES

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

**Date: February 18, 2009**

**POSTING:**

The agenda was posted on 2-13-09 at City Hall, the SV Library, and the SV Senior Center 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 Johnson	City Manager Ando
Vice Mayor Reed	City Attorney Powell
Council Member Aguilar	Police Chief Weiss
Council Member Bustichi	Economic Dev Sp Stevens
Council Member Lind	Deputy City Clerk/Admin Analyst Roland

Absent:

Public Works Director Anderson  
City Clerk Ferrara

**COMMITTEE REPORTS**    CM Bustichi reported the Santa Cruz Metropolitan Transit District Board met last Friday. He reported with the passing of the State budget, the Transit District will lose State Transit funding of \$24 million and bond revenue of \$22 million. He reported this equates to the District being unable to proceed with the new Metro Bus Operations Center and Parking Lot Facility, which is a \$22 million project. The District will also be unable to replace their Para-Cruz vans and institute a Smart Card system for students. He also reported that they may need to park 30 buses, due to funds not being available to convert them to natural gas. He stated the Federal Stimulus Package is a one time stimulus, while the State is looking to take away funds every year.

CM Aguilar reported that as the AMBAG representative, she attended a CALCOG meeting along with Mayor Johnson. She reported that the Air Resources Board met to discuss the implementation of SB375 (Greenhouse Gas Reduction). She also reported that Judge Quinten Cox spoke to the California High Speed Rail System, and offered the following website address ([www.ca.highspeedrail.ca.gov](http://www.ca.highspeedrail.ca.gov)) for further information.

VM Reed stated the Gateway South Subcommittee met and reported that Title II, the applicant for Target, met with their lenders and were able to obtain the additional funding needed to compensate the City for their staff time spent on the EIR. He reported that monies were deposited on Friday, February 13 with the City and advised that the Draft EIR might be done by June 1<sup>st</sup>. VM Reed

also read a statement from Target in which they declined to speculate on the future direction of the project.

Mayor Johnson stated he attended a Santa Cruz County Regional Transportation Commission meeting where they discussed the funding for the Highway 1 auxiliary lane to extend from Morrissey Boulevard to Soquel Avenue, and the business plan for the California High Speed Rail.

**PUBLIC COMMENT**

Frank Kertai, President of the Heritage Parks Homeowners Association, read the attached letter (Attachment A), and spoke regarding the Mid-Town Interchange and the Town Center Specific Plan EIR Traffic Study.

**ALTERATIONS TO  
CONSENT AGENDA**

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

**Consent Agenda:**

- A. Approve Joint City Council/RDA meeting minutes of 2-4-09
- B. Approve check register – 2-10-09
- C. Approve Resolution No. 1087.67 creating a no parking area on Meadow View Drive

**ALTERATIONS TO  
REGULAR AGENDA**

City Manager Ando advised that there was one additional item added to the regular agenda under closed session.

***M/S: Aguilar / Lind  
To approve the Regular Agenda as amended with one additional item on the closed session agenda.  
Carried 5/0***

**REGULAR AGENDA**

1. **Consideration of submittal of Federal Funding request for the Scotts Valley Library**

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

***M/S: Bustichi / Reed  
To approve the submittal of two Federal funding requests for the Scotts Valley Library to Congresswoman Eshoo's office, and authorize the Mayor to sign the accompanying letter.  
Carried 5/0***

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

None.

Mayor Johnson called for a short recess at 6:23 p.m. until the public hearing.

The meeting was called back to order at 6:30 p.m. by Mayor Johnson.

## **PUBLIC HEARINGS**

- 3. Consideration of a two-year time extension for a previously approved minor land division to create two parcels from one existing 21,935 square foot parcel located at 623 Grace Way (APN 023-123-15) // (Planning File No. MLD06-002.1)**

EDS Stevens presented the written staff report and responded to questions from Council. She stated the applicant was present and available for questions.

### **PUBLIC HEARING OPENED - 6:31 PM**

No one wished to speak.

### **PUBLIC HEARING CLOSED - 6:33 PM**

*M/S: Aguilar / Reed*

*To approve Resolution No. 1749.1 approving a two-year time extension (MLD06-002.1) for a previously approved minor land division to create two parcels from one existing 21, 935 square foot parcel located at 623 Grace Way (APN 023-132-15).*

*Carried 5/0*

## **CONVENE TO CLOSED SESSION**

The City Council convened to closed session at 6:35 p.m. to discuss the following items:

1. Pursuant to Government Code Section 54957, the City Council met in closed session to confer with legal counsel regarding the City Manager performance evaluation.
2. Pursuant to Government Code Section 54957.6, the City Council met in closed session to confer with their labor negotiator regarding employee negotiations with Scotts Valley Police Bargaining Unit and Scotts Valley Police Supervisors Association.

## **RECONVENE TO OPEN SESSION**

The City Council reconvened to open session at 7:15 p.m.

## **REPORT ON ACTION TAKEN DURING CLOSED SESSION**

Mayor Johnson announced that there was nothing to report.

**ADJOURNMENT**

The meeting adjourned at 7:17 p.m.

Approved:

  
Randy Johnson, Mayor / Chair

Attest:

  
Jeanette Roland, Deputy City Clerk / Secretary

## 2009-02018 City Council Meeting Kertai Comments

Good Evening. My name is Frank Kertai. I am a resident of Scotts Valley. I am President of the Heritage Parks Association of Scotts Valley.

I would like to thank the City Clerk, Ms. Tracy Ferrara, for updating the minutes documents on the Scotts Valley City website.

At the last City Council meeting on February 4, 2009, this City Council discussed two specific agenda items: 1) the Mid-Town Interchange and 2) the Town Center Specific Plan EIR Traffic Study.

At the end of the discussion of the Traffic Study agenda item, council member Bustichi made a comment about how the entire discussion was a "colossal waste of time". I would suggest to Mr. Bustichi that if he truly feels that way about concerns voiced by citizens of this city, then he should consider giving up his leadership position as a council member and pass along these responsibilities to someone else who would be more respectful of citizen's concerns.

Mayor Johnson also made a comment about my concerns about the validity of the Traffic Study being simply an opinion. Mayor Johnson also commented that I voiced these concerns too late in the process. I wish to correct Mr. Johnson. My concerns are based on more than just opinion. These concerns are based on numerous facts and references which I brought repeatedly to the attention of both the planning commission and to this city council during public hearings on the Town Center Plan. City records show that these concerns were presented both verbally and in writing throughout the process. These facts and references are backed up by an analysis performed by Mr. Les Dittert, a nationally recognized civil engineer with over three decades of experience. We have submitted that written analysis to the City Council on a number of occasions.

Council members Johnson and Bustichi have both wondered aloud why we did not challenge the Town Center Specific Plan during the allowable period after the council approved the plan. The fact is we believe the Town Center is a good thing for the City of Scotts Valley. However, the issues we have pointed out are real and will not go away. They need to be properly addressed. Not dealing with these issues appropriately will result in breakdown conditions in the primary traffic corridors of this city. Not dealing with these issues now will likely result in future city councils having to deal with these issues, most likely at a much higher expense to this city and at significant inconvenience to its' citizens.

At the July 16, 2008 City Council meeting, this City Council agenda included the review of the Proposed Oak Creek Park Mixed Use Planned Development at 3640 Glen Canyon Rd. This proposed mixed use development at the corner of Glen Canyon Road and Mt. Hermon Rd. was for a 24.5 thousand sq. ft. commercial building and ten townhomes. Part of the mitigations for this proposed development included the payment of traffic impact fees and the contribution of \$20k to improve the Mt. Hermon Road/Scotts Valley intersection to, I quote, "**reduce project specific impacts**" on the City's current road network *before* the construction of the Mid-Town Interchange.

## 2009-02018 City Council Meeting Kertai Comments

This language from the city's own documents suggests that there are cumulative impacts from such projects that are *not* completely paid for by each project. This contradicts comments made by council members Johnson, Bustichi and Reed.

Finally, council member Reed made a comment a few meetings ago to the affect that that the city has not spent monies over and above what the Town Center developer has contributed to the EIR process for developing the Town Center. I wish to point out that in fact, over one million dollars in affordable housing redevelopment monies have been expended by the city for the purchase of property in the Town Center Plan area. Additionally, thousands of dollars are spent by the city of Scotts Valley and paid annually to the City of Santa Cruz for first right of refusal on property they own in the Town Center Plan area.

Respectfully,

Frank Z. Kertai