

# MINUTES

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

**Date: March 2, 2005**

**POSTING:**

The agenda was posted on 2-25-05  
at City Hall by the City Clerk.

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**CALL TO ORDER**

6:00 p.m.

**PLEDGE OF ALLEGIANCE**  
and **MOMENT OF SILENCE**

Flag ceremony performed by Girl Scout Troop Number 1221 of the  
Monterey Bay Girl Scouts.

**ROLL CALL**

Present:

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

City Manager Comstock  
City Attorney Powell  
Police Chief Lind  
Public Wks Director Anderson  
Community Dev Director Kuhn  
Finance Director Ando  
Recreation Division Manager Sudduth  
City Clerk Ferrara

**COMMITTEE REPORTS**

CM Johnson reported that the Skypark Subcommittee met to talk about the continued exploration of options regarding the downtown center.

**PUBLIC COMMENT**

Rick Nichols, Administrator for Sutter Maternity and Surgery Center, presented a letter of commendation to City Manager Chuck Comstock, thanking him for the nine years he served on the Board of Trustees for the Sutter Maternity and Surgery Center.

Yolanda Henry, Board Chair of the Sutter Maternity and Surgery Center, thanked CM Comstock for his mentoring, and exemplary citizenship to Scotts Valley and the entire county of Santa Cruz.

Dr. Larry deGhetaldi, Sutter Santa Cruz Area CEO, thanked CM Comstock for his financial expertise over the years.

Tess Arudi, 5<sup>th</sup> grade student at Vine Hill School, stated that on October 1<sup>st</sup> she was in a bike accident when she hit a fire hydrant that was in the middle of the sidewalk. She stated that she was riding her bike home from school when her peddle got stuck on the knob sticking out and she flipped over the handle bars. After her accident she stated that she counted 15 fire hydrants in the middle of the sidewalk.

Joe Green, 5<sup>th</sup> grade student at Brook Knoll, stated that he is concerned that the counselor at Brook Knoll had been fired and not replaced. He stated that he is concerned because of the fights that are happening on campus.

Mayor Marigonda stated that Scotts Valley High School is holding a spaghetti dinner this Friday, March 4, 2005, to benefit the prom.

Mayor Marigonda congratulated the Scotts Valley High School Mock Trial Team for winning the Santa Cruz County competition.

## **ALTERATIONS TO CONSENT AGENDA**

CM Comstock requested that item G be removed from the consent agenda.

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

### **Consent Agenda:**

- A. Approve Joint City Council/RDA meeting minutes of 2-16-05
- B. Approve check register – 2-14-05
- C. Approve non-collection of business license for Circus Chimera (sponsored by Scotts Valley Chamber of Commerce)
- D. Approve Resolution No. 514.10 amending the City's Conflict of Interest Code to include the newly formed Code Enforcement Appeals Board
- E. Approve budget amendment to increase funding for the first month's rent and security deposit guarantee from \$14,400 to \$20,000 via the Redevelopment Agency 20% Affordable Housing Set Aside Fund
- F. Approve Resolution No. 39.4 authorizing the Executive Director to execute a second amendment to the amended and restated Owner Participation Skypark Agreement by and between the City of Scotts Valley and the City of Santa Cruz for the purpose of authorizing a two year extension of the right to purchase option

## **ALTERATIONS TO REGULAR AGENDA**

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

## **REGULAR AGENDA**

### **1. Presentation of Mayor's Proclamation to Scott Shaw**

Mayor Marigonda read and presented a Mayor's Proclamation to Scott Shaw for his heroic actions to save the life of a woman from her burning mobile home on January 29, 2005 at Vista Del Lago Mobile Home Park.

**2. Presentation by Scotts Valley Student Legislation Action Committee**

Mayor Marigonda stated that the Scotts Valley Student Legislation Action Committee was present at the meeting to make a presentation to the City Council.

Each student introduced themselves, stated why they joined the Student Legislative Action Committee (SLAC), and what they had learned on the SLAC. The SLAC is made up of students from Brook Knoll School, Vine Hill School, Scotts Valley Middle School, and Scotts Valley High School. The SLAC provides an opportunity to get young people involved in government and their community at a young age.

Mary Dettle, 5<sup>th</sup> grade teacher at Vine Hill School, explained how and why the Student Legislation Action Committee began.

**3. Discussion: Skate Park parameters for closure**

CM Comstock presented the written staff report and responded to questions from Council. He reported that the total cost of repairing the graffiti and vandalism was about \$1,000 in staff time and supplies.

VM Aguilar stated that she felt the penalties in place for not wearing protective equipment are adequate; however, she is very concerned about the graffiti and vandalism, and recommended closing the park when these issues arise.

CM Bustichi agreed with VM Aguilar's comments, stated his concerns regarding graffiti and vandalism, and recommended closing the park for one week (7 days) at a time after each incident.

CM Barrett recommended closing the park for at least one week after any graffiti or vandalism incidents.

CM Johnson stated that he has mixed feelings regarding this issue. He is concerned about punishing everyone for the actions of a few and feels that a week may be too long.

Mayor Marigonda stated that he feels this is a very distressing issue and recommended closing the park for one week after the first incident, two weeks after a second incident, and three weeks after a third incident.

RDM Sudduth stated that he had reviewed the incidents that occurred, and he recommended closing the park for 24-48 hours after each incident. He feels that a week is too long of a punishment to start.

Jeremy Bright, Scotts Valley resident and skateboarder, spoke against closing the skate park and recommended trying to find out who had actually committed the vandalism and graffiti. He recommended having a couple of

inexpensive trash cans chained to the gate instead of the more expensive cans. He stated that no one can be sure if it is skateboarders who did the graffiti and vandalism, and that it may be the bike riders who have been removed from the park. He stated that in his opinion skateboarders have been alienated by the police in general and treated like second class citizens.

VM Aguilar stated that statistics have shown that as a new park we will go through some growing pains and it takes about a year to establish a park.

Mary Dettle, Scotts Valley resident, stated that a number of great things have happened as a result of the skate park. She stated that one of them is that she has seen many more children around town wearing helmets while skateboarding since the skate park opened. She recommended parents getting involved in policing their own children, which in turn may help children police each other. She stated that she felt a week was too long to close the skate park.

Joe Green, Scotts Valley student, stated that he sees many children put their helmets on when the police are there and take them off when the police leave. He recommended having the police come around more often.

VM Aguilar recommended that the sign stating why the park is being closed also state that the City Council, and not the Police Department, had closed the park. She recommended the skate park closure be 48 hours.

*Staff Assignment*

CM Barrett requested a history of the tickets that have been given at the skate park since it opened. He stated that there are a variety of ways to handle this situation, and recommended having a progressive schedule of closure of 24 hours, 48 hours, and one week.

Mayor Marigonda agreed with CM Barrett's recommendation.

Jondi Gumz, Santa Cruz Sentinel, recommended posting the rules for closure at the skate park.

Mayor Marigonda recommended a 72 hour closure after each incident.

CM Bustichi agreed with the 72 hour recommendation and stated that he feels we need to set a precedence.

***M/S: Aguilar/Johnson***

***To close the skate park for 48 hours should there be vandalism or graffiti at the skate park, and to post a sign stating why the park is closed and that it is at the direction of the City Council.***

***Failed 2/3 (NOES: Barrett, Bustichi, Marigonda)***

***M/S: Barrett***

***To amend the above motion to have a progressive closure of 48 hours, 72 hours, and then one week.***

***Motion Failed: No second.***

**M/S: Aguilar/Johnson**

**To close the skate park for 72 hours after each incident of vandalism or graffiti on or in the skate park, and to post why the skate park is being closed and that it is by the order of the City Council, not the Police Department.**

**Carried 5/0**

**Staff Assignment**

VM Aguilar requested that we bring this issue back in six months for review. Council unanimously agreed.

**Staff Assignment**

CA Powell stated that staff will return with an amendment to the skate park ordinance to include the skate park closure parameters.

**4. Discussion: Santa Cruz Metropolitan Transit District bus route on Vine Hill School Road**

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

CM Bustichi, City representative for the Santa Cruz Metropolitan Transit District, reviewed the difficulty of altering, removing, and bringing back bus routes, which is the reason the SCMTD is requesting that the City not request any route changes for at least one year. He stated that the bus will go down Scotts Valley Drive in the afternoon, and the students at Vine Hill School will only have five minutes to get to the bus after the bell rings. He stated that the SCMTD Board has requested through the Union that this schedule be implemented immediately; however, they have not heard back from the Union representative. If the Union does not approve implementing the schedule immediately, the changes will not be implemented until June, 2005.

Guadalupe Romero, Scotts Valley resident, thanked the Council for their support on this issue.

**M/S: Bustichi/Barrett**

**To accept the letter from the Santa Cruz Metropolitan District, accept the new bus routes #31 and #32 as altered, and accept the request of the SCMTD to not request any changes to routes #31 and #32 for a period of at least one year.**

**Carried 5/0**

**5. Discussion: List of City-owned properties**

CM Comstock presented the written staff report and responded to questions from Council. (List of parcels owned by the City of Scotts Valley as of March 2, 2005 attached as Exhibit A.)

Mayor Marigonda questioned the Monte Fiore Ridge open space lots that are

listed as owned by the City of Scotts Valley.

*Staff Assignment*

PWD Anderson stated that he will investigate the Monte Fiore issue further.

VM Aguilar questioned the Erba Lane property. She wants to be sure that if the City decides to sell the property that we retain entitlements on the property.

Mayor Marigonda questioned the Caseta Way property.

CDD Kuhn stated that the Caseta Way property is in a special use zone that has biotic resources such as the Silver Leaf Manzanita and Sand Hill Park Land Habitat. She stated that it is currently zoned for a single family home; however, because of its location next to Graham Hill Road, it may be more saleable to some of the biological organizations that are trying to acquire property for the HCP mitigation.

*Staff Assignment*

Mayor Marigonda recommended getting an appraisal on the Caseta Way property.

CDD Kuhn recommended waiting on the Caseta Way property until the HCP is approved.

*Staff Assignment*

VM Aguilar stated that she would like to see a comp on the Caseta Way property before and after the HCP.

*Staff Assignment*

CM Bustichi requested that staff bring this issue back to the Council after the comp's have been completed.

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

VM Aguilar requested an open or closed session item with more detailed information on the Skypark Subcommittee and their discussions with developers.

**CONVENE TO CLOSED SESSION**

The City Council convened to closed session at 8:10 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 real property negotiator regarding lease of City property, APN 22-211-77
2. Pursuant to Government Code Section 54957.6, the City Council met in closed session to confer with labor negotiator

**RECONVENE TO OPEN SESSION**

The City Council reconvened to open session at 8:42 p.m.

**REPORT ON ACTION TAKEN DURING CLOSED SESSION**

Mayor Marigonda announced that there was nothing to report.

**ADJOURNMENT**

The meeting adjourned at 8:45 p.m.

Approved: \_\_\_\_\_

Paul Marigonda  
Mayor / Chair

Attest: \_\_\_\_\_

Tracy A. Ferrara  
City Clerk / Secretary