

MINUTES

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

Date: April 1, 2009

POSTING:

The agenda was posted on 3-27-09
at City Hall, the SV Library, and the
SV Senior Center by the City Clerk.

CALL TO ORDER 6:01 p.m.

SPECIAL SET MATTER Mayor Johnson introduced Mayor for the Day, Collin Abidi, who called the meeting to order and did the pledge of allegiance and moment of silence. Mayor Johnson presented Collin with a proclamation.

PLEDGE OF ALLEGIANCE Flag ceremony performed by Cub Scout Pack 604.
and **MOMENT OF SILENCE** Mayor Johnson presented a Mayor's Proclamation to Cub Scout 604.

ROLL CALL

Present:

Mayor Johnson
Vice Mayor Reed
Council Member Aguilar
Council Member Bustichi
Council Member Lind
Mayor for a Day Abidi

City Manager Ando
City Attorney Powell
Public Wks Director Anderson
Police Chief Weiss
Interim Community Dev Dir Westman
City Clerk Ferrara

COMMITTEE REPORTS CM Bustichi reported that the Santa Cruz Metropolitan Transit District (SCMTD) Board of Directors lost one of their Board Members, Dale Skillicorn, on March 14, 2009. He stated that Mr. Skillicorn was a Council Member in Watsonville, as well as a Board Member for the SCMTD. He stated that Mr. Skillicorn was a great advocate of public transportation in the County of Santa Cruz and that services will be held tomorrow evening, April 2 at 6:00 pm in the Watsonville City Council Chambers.

CM Bustichi reported that the ADA Subcommittee held a meeting last week. He stated that they received donations for an ADA ramp for the front door of the City Council Chambers, and that the ramp has been ordered.

Mayor Johnson reported that the Skypark Subcommittee met and discussed land acquisition as it relates to the Town Center.

PUBLIC COMMENT

Paul Bach, Scotts Valley Responsible Local Development Political Action Committee (SVRLDPAC), spoke regarding the delinquent property taxes and assessments due on the Title II property on La Madrona Drive. He stated that the SVRLDPAC wants the City to stop all work on the Target/Title II EIR until the City is paid in full.

Frank Kertai, President of the Heritage Parks Homeowners Association, spoke in opposition to Target being constructed on La Madrona Drive due to economic concerns and impacts on the community and local businesses. He urged the City Council to look at alternative uses for the property and volunteered to donate his time to look for grant funds for this property.

Les Dittert, Scotts Valley resident, spoke in support of Paul Bach's request for the City to stop all work on the Target/Title II EIR until the City is paid in full. He also spoke in opposition to Target being constructed on La Madrona Drive due to its negative impacts on the community.

PC Weiss stated that the Scotts Valley Police Department 2008 Annual Report has been prepared and is available at the Police Department and on the City's website at www.scottsvalley.org under Frequently Requested Documents.

In response to Mr. Bach's comments regarding Title II, Mayor Johnson requested that the City Attorney explain the City's obligations, since Mr. Bach had threatened to sue the City over the Town Center project.

CA Powell stated that as she had explained to Mr. Bach on Friday, March 27, there are two separate issues related to the Title II property: (1) The retail store (Target) application that the City is currently processing. She stated that the City has received monies from Title II to pay for the cost of the environmental review, and she explained to Mr. Bach that the City will do no more work than the City has received money for; and (2) The Title II delinquent property taxes and assessments. She stated that, in accordance with the City's procedure, the City has sent letters requesting that Title II pay their delinquent property taxes and assessments. She reviewed the City's process and stated that the City cannot take monies deposited for the environmental review or the Target application and apply that to the delinquent property taxes. In addition, the County does not accept partial payments and the monies owed for the delinquent property taxes and assessments are greater than those that were submitted to the City for the environmental review.

Mayor Johnson asked CA Powell if the City is extending any credit or underwriting any efforts by Title II for the environmental review process. CA Powell responded that the City is not.

CM Bustichi asked CA Powell if the City can stop the EIR process due to the delinquent property tax issue. CA Powell responded that the City cannot stop the process.

VM Reed questioned the reason that the City cannot use the monies received for the environmental review for anything else. CA Powell explained property owners rights to due process regarding their property, and stated that this is a constitutional issue under the 14th amendment to the Constitution.

VM Reed questioned CA Powell regarding Mr. Bach's threats to sue the City over the Town Center project. CA Powell stated that during a conversation she had with Mr. Bach, he stated that although he didn't want to, he felt he was in a position to legally challenge the Town Center project.

**ALTERATIONS TO
CONSENT AGENDA**

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

Consent Agenda:

- A. Approve Joint City Council/RDA meeting minutes of 3-18-09
- B. Approve check register – 3-23-09, 3-9-09
- C. Approve the appointment of Council Member Donna Lind as the City's representative to the Seniors Advisory Council and the appointment of Mayor Randy Johnson as the City's alternate the Library Joint Powers Authority Board
- D. Approve award of contract to low bidder Knox Roofing for the Senior Center roofing project and authorize the modification of the 2008/2009 fiscal year budget to include \$19,964 to fund the project
- E. Approve contract for professional services between C2G/Civil Consultants Group, Inc. and the City of Scotts Valley for professional engineering services in an amount not to exceed \$30,000

**ALTERATIONS TO
REGULAR AGENDA**

CM Aguilar recommended that item 2 regarding the application for economic stimulus police officer grant be moved to the next regular meeting on April 15, 2009 so that she could obtain more detailed information before going forward.

CM Ando stated that the application for the grant is due on April 14, 2009.

The City Council decided to keep item 2 on the agenda for consideration due to its time sensitive nature.

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

REGULAR AGENDA

1. **Consideration of request for proposals to write Phase Two for the Glenwood Open Space Management Plan**

ICDD Westman presented the written staff report and responded to questions from Council. She stated that Matt Freeman, Santa Cruz Land Trust, was available for questions.

Frank Kertai, President of the Heritage Parks Homeowners Association, read from Mayor Johnson's campaign literature from the last election regarding statements relating to Glenwood. He stated that \$10 million was obtained from the State for Glenwood and given to the developer, however, only \$1 million

was provided to the Land Trust for the conservation easement. He stated that the City owns the property and questioned if \$1 million is enough to fund the preservation of the conservation easement at Glenwood.

Mayor Johnson gave some history on the Glenwood property and stated that \$10 million was not received from the State. He stated that the developer donated approximately 170 acres to the City, which the City turned over to the Land Trust with a \$1 million endowment.

M/S: Aguilar/Lind

To approve the Request for Proposals (RFP) to write the Glenwood Preserve Phase Two Long-Term Management Plan and authorize City staff to distribute the RFP.

Carried 5/0

2. Consideration of application for economic stimulus police officer grant

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

M/S: Aguilar/Bustichi

To go forward with applying for the CHRP grant funding for a police officer.

Carried 5/0

3. Consider approval of 2009-2014 Capital Improvement Program (CIP)

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

Item 35: CM Aguilar recommended contacting PG&E to see if there is a grant available to help with the \$5,000 for the Vine Hill/Brook Knoll energy efficiency program.

Mayor Johnson questioned if the restrooms at Skypark can be repaired this year. PWD Anderson stated that this can be taken care of this year through regular maintenance funds.

VM Reed requested that staff look at the possibility of using CSA 9C monies to help out with further work at the schools for recycling.

Item 26: VM Reed stated that he would like to have the softball field backstop installed so that Scotts Valley can host tournaments.

VM Reed stated that the gazebo at Hocus Pocus Park needs some repair. PWD Anderson stated that this can be taken care of this year through regular maintenance funds.

CM Bustichi requested that the amounts in the following items be updated to be more reflective of the actual costs: Item 23 - Performing Arts Center, Item 24 - Gym, Item 30 - Community Pool, and Item 45 - Tier II Library.

CM Aguilar recommended that the Recreation Division look at using carpet squares in their modulars so that sections can be replaced as necessary.

M/S: Aguilar/Reed

To approve the Five-Year Capital Improvement Program for 2009-2014 as amended moving the \$4,000 for Item 27 - MacDorsa Park Picnic tables, from 2011-12 to 2010-11.

Carried 5/0

4. Future Council/RDA agenda items

None.

CONVENE TO CLOSED SESSION

The City Council convened to closed session at 7:33 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 real property negotiations // APN 022-601-01.
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 the Scotts Valley Police Bargaining Unit and the Scotts Valley Supervisors Association.

RECONVENE TO OPEN SESSION

The City Council reconvened to open session at 8:15 p.m.

REPORT ON ACTION TAKEN DURING CLOSED SESSION

Mayor Johnson reported that the City Council, by a vote of 4/0/1 (Abstain: Aguilar) provided direction to their real property negotiators regarding APN 022-601-01.

ADJOURNMENT

The meeting adjourned at 8:20 p.m.

Approved: _____

Randy Johnson, Mayor / Chair

Attest: _____

Tracy A. Ferrara, City Clerk / Secretary