

# MINUTES

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

**Date: May 18, 2005**

**POSTING:**

The agenda was posted on 5-13-05  
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**

**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  
City Clerk Ferrara  
Recreation Division Manager Sudduth  
Wastewater Div Manager Hamby  
Senior Planner Fodge

**COMMITTEE REPORTS**

VM Aguilar reported that the League of California Cities, Monterey Bay Division, met on Monday, May 9 in Watsonville. The guest speaker was Cathy Crisswell from the State Department of Housing and Community Development. Ms. Crisswell spoke regarding housing and the housing numbers that the State expects from each jurisdiction in California. VM Aguilar stated that there is a slight disconnect between State demands for housing and what jurisdictions can provide based on a lack of infrastructure, water, etc.

CM Barrett reported that Scotts Valley Water District General Manager, Jill Duerig, is resigning from the Water District. He spoke highly of Ms. Duerig and her accomplishments at the Water District.

**PUBLIC COMMENT**

Mary Dettle and Jeanne Shada, representing the Scotts Valley Arts Commission, presented the winners of the public art contest for the utility boxes on Scotts Valley Drive. Ms. Dettle stated that they had twenty entries and announced the following winners and the location of the utility box that their art would be placed on: (1) Michael Caruso, Bean Creek/Scotts Valley Drive; (2) Rick Popplewell, Victor Square/Scotts Valley Drive; (3) Tina Masciocchi, Carbonero Way/Scotts Valley Drive; (4) Stephanie Schriver, Disc Drive/Scotts Valley Drive; (5) Tana Brinnand-Tolson, El Pueblo/Scotts Valley Drive; (6) Art class from Sandhill Studio Home School Program:

Teacher/Artist Peg Edwards, Teacher/Artist Laurie Stanley; 4<sup>th</sup> through 11<sup>th</sup> grade students: Alex Beyer, Amina Boon, Adra Bowman, Tony Bowman, Julia Dilts, Evan Stanley, Janna Bowman, Jana Mitchell, Bethany Schulze, Lindsay Walch, Erba Lane/Scotts Valley Drive. Each winner held up their art work for everyone to see.

Lynette Peterson, long time resident of Scotts Valley, stated that she is very concerned about the lack of open space in Scotts Valley.

Mayor Marigonda stated that Congresswoman Anna Eshoo is holding a Town Hall meeting on Sunday, May 22, 2005 at noon in the City Council Chambers.

Mayor Marigonda stated that the 17<sup>th</sup> Annual Ice Cream Social, put on by the Scotts Valley Education Foundation, is being held on Sunday, May 22, 2005.

VM Aguilar stated that the Scotts Valley Fire Protection District is holding a workshop at 7:00 pm on May 26 at the Granite Creek Church Fellowship Hall, 5000 Granite Creek Road, and invited everyone to attend. She stated that the workshop is titled Community Emergency Response Team Planning, and they will be discussing emergency evacuations, forming a community emergency response team, and home fire protection. Information will also be available on vegetation management.

## **ALTERATIONS TO CONSENT AGENDA**

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

### **Consent Agenda:**

- A. Approve Joint City Council/RDA meeting minutes of 5-4-2005
- B. Approve check register – 5-6-2005
- C. Authorize staff to set up and conduct an auction for the mushrooms with the proceeds going to the Scotts Valley Advocates
- D. Approve covenant and option to purchase affordable housing agreement for Lot 1 of the Fox Subdivision on MacLeod Lane
- E. Approve affordable housing agreement for the rental of one single family home on Wells Road
- F. Approve Resolution No. 1767 granting an appeal and overturning the Planning Commission's decision to approve Use Permit (U05-001) for a restaurant use in the Scotts Valley Junction Shopping Center, located at 5610-B Scotts Valley Drive // APN 22-042-34
- G. Approve Resolution No. 1551.19, employer pickup resolution pre-tax payroll deduction plan for service credit purchases (Contribution Code 14)
- H. Approve denial of claim – Lynette D. Peterson in the amount of \$2,256.57

## **ALTERATIONS TO REGULAR AGENDA**

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

## REGULAR AGENDA

### 1. Presentation of Scotts Valley Arts Commission poetry contest winners

Jeanne Jensen-Shada and Mary Dettle, representing the Scotts Valley Arts Commission, presented the awards for the 3<sup>rd</sup> annual poetry contest, 1<sup>st</sup> grade through adult. She stated that a book with all of the poems will be available for sale at the Scotts Valley Recreation Division offices in Skypark, and at the Art & Wine Festival on August 13-14, 2005.

Poetry contests winners recited their poems to the City Council:

#### 1<sup>st</sup> - 3<sup>rd</sup> grades – Serious

1<sup>st</sup> place: Jay Ward “Human Torch”

2<sup>nd</sup> place: Nicole LaPorte “Why Do I Love Summer?”

3<sup>rd</sup> place: Sara Stith “Summer Day”

#### 4<sup>th</sup> - 6<sup>th</sup> grades – Humorous

1<sup>st</sup> place: Alex Pruneau “Shaq”

2<sup>nd</sup> place: Kalynn Morano “School is Out for Summer”

3<sup>rd</sup> place: Austin Huckvale “Good-bye Pizza”

Special Award – Most Prolific: Shelby Baker “Collection of Poems”

#### 4<sup>th</sup> - 5<sup>th</sup> grades – Serious

1<sup>st</sup> place: Brent Ward “Whole Spirit”

2<sup>nd</sup> place: Kendra Kannegaard “Loving Grandma in Heaven”

3<sup>rd</sup> place: Kira Eccleston “Great Grandpa”

#### 6<sup>th</sup> - 8<sup>th</sup> grades

1<sup>st</sup> place: Casey Westbrook “Angel Child”

#### 9<sup>th</sup> - 12<sup>th</sup> grades

1<sup>st</sup> place: Amy Goodwin “Barriers”

#### Adult – Serious

1<sup>st</sup> place: Bruce Crawford “Wild Iris”

2<sup>nd</sup> place: Trish Black Melehan “Papal State”

3<sup>rd</sup> place: Eugenia Calande “183 Years Between ‘em”

3<sup>rd</sup> place: Don Parkhurst “A Most Valued Jewel”

#### Adult – Humorous

1<sup>st</sup> place: Pamela Leonard “Monsters, Monsters Everywhere!”

### 2. Consider and approve Resolution No. 1765 establishing Zero Waste as a goal for the City of Scotts Valley

WWDM Hamby presented the written staff report and responded to questions from Council.

Scott Busenthal, stated that the California Grey Bears have a very extensive and successful recycling facility.

**M/S: Aguilar/Barrett**

**To adopt Resolution No. 1765 adopting zero waste as a goal for the City of Scotts Valley.**

**Carried 5/0**

## **PUBLIC HEARINGS**

- 3. Consideration of changes to a mitigation monitoring report program, a general plan amendment (GPA05-001), a zone change (ZC05-001), planned development district overlay and permit (PD05-001), minor land division (MLD05-001), and design review (DR05-005) to split an existing commercial lot (. 20,000 square feet) into two lots, and to allow future high-density residential development on the rear lot, at 4859 Scotts Valley Drive // APN 22-072-17)**

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

VM Aguilar stated that she is concerned about the State potentially requiring the City to increase the number of housing units allowed in the City's high-density (RH) zoning district. She asked SP Fodge what the maximum number of units on the property would be if the high density zoning is intensified to 25 housing units/acre.

SP Fodge stated that if the high density zoning is intensified by the State, the maximum number of units allowed on this property would be four.

PUBLIC HEARING OPENED - 7:17 PM

Thomas Moulding, applicant/owner, thanked the Council for their hard work and stated that he appreciated their effort to move the propane tanks. He stated that he feels this project is a win-win for the himself as the owner, the neighbors, and the City.

PUBLIC HEARING CLOSED - 7:19 PM

**M/S: Barrett/Aguilar**

**To adopt Resolution No. 1761.1 approving general plan amendment (GPA05-001) to split an existing commercial lot into two lots (parcels A and B) and to change the existing General Plan land use designation of the newly created parcel B from service commercial (C-S) to high-density residential (RH), for the future potential intensification and redevelopment of up to two (2) multi-family residences, and to change the mitigation monitoring and reporting program of a previously certified mitigated negative declaration at 4859 Scotts Valley Drive // APN 22-072-17.**

**Carried 5/0**

**M/S: Aguilar/Barrett**

**To introduce Ordinance No. 16-ZC-200 approving zone change (ZC05-001) to split an existing commercial lot into two lots (parcels A and B); to rezone parcel B from the service commercial (C-S) zoning district to the high-density residential (RH) zoning district, for the future potential intensification and redevelopment of up to two (2) multi-family residences; and, to approve a planned development district overlay and permit (PD05-001) for parcel A to allow a reduced side yard setback and landscape strip along MacLeod Way, at 4859 Scotts Valley Drive // APN 22-072-17 and waive the reading thereof.**

**Carried 5/0**

**M/S: Bustichi/Aguilar**

**To adopt Resolution No. 1761.2 approving a minor land division (MLD05-001) and design review (DR05-005) to split an existing commercial lot into two lots (parcels A and B) for the future potential intensification and redevelopment of up to two (2) multi-family residences on parcel B, and for other property improvements, located at 4859 Scotts Valley Drive // APN 22-072-17.**

**Carried 5/0**

4. **Consideration of an ordinance to approve changes to the City's Zoning Code regarding the minimum parcel size requirements of residential flag lots (amending Section 17.46.060 of the Scotts Valley Municipal Code; Zoning Ordinance Amendment [AZO05-001])**

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

VM Aguilar stated that she is concerned about the height of structures on flag lots when there is an 8 to 10 foot change in the topography between the flag lot and surrounding lots. She is concerned about the aesthetics and well being of the neighborhood and stated that the neighboring properties could have privacy issues if the flag lot has a higher topography. She requested that the Council return this issue to the Planning Commission for them to consider reducing the maximum height of houses on the flag lot from 35 feet to 28 feet if there is a topography issue.

PUBLIC HEARING OPENED - 7:33 PM

PUBLIC HEARING CLOSED - 7:33 PM

CM Barrett stated that he is concerned about the increase in density and privacy issues. He stated that he agrees with VM Aguilar's concerns regarding height and would like to see this addressed by the Planning Commission.

Council unanimously agreed to introduce the ordinance at this time and have the Planning Commission review VM Aguilar's recommendation regarding

height during their code amendment process in August. If the Planning Commission agrees, this item will be brought back to the Council for a possible amendment in the future.

**M/S: Johnson/Aguilar**

**To introduce Ordinance No. 16.119 amending Chapter 17.46.060 of Title 17 of the Scotts Valley Municipal Code regarding the minimum parcel size requirements of residential flag lots (zoning ordinance amendment AZ05-001) and waive the reading thereof.**

**Carried 5/0**

## **REGULAR AGENDA**

(Resumed)

### **5. Presentation of 2005/2006 Scotts Valley Redevelopment Agency Preliminary Budget**

FD Ando presented the written staff report and responded to questions from Council. No action was taken by the Council.

### **6. Presentation of 2005/2006 General Fund Expenditures Budget**

CM Comstock presented the written staff report and responded to questions from Council. He itemized specific budget actions that have been taken in the past, current budget actions taken, and ongoing budget actions. He also reviewed the General Fund budget projection for 2004/05, 2005/06, and 2006/07, showing a \$438,862 deficit in 2006/07.

The Budget Subcommittee, Mayor Marigonda and Council Member Barrett, thanked CM Comstock and staff for all of their hard work on this budget.

CM Bustichi stated that he is very concerned with the budget and the use of one time money to balance the budget. He recommended freezing the third police officer position and stated that the City needs to pursue new revenues and continue to cut costs.

CM Barrett stated that he feels the City has made cuts over the years as presented in the staff report. He stated that the City will need help from the public to maintain and keep the services that we have.

Mayor Marigonda stated that he agreed with CM Barrett's comments. He stated that the quality of life in Scotts Valley will soon be affected if something is not done.

CM Johnson stated that the situation we are in is not due to mismanagement, but to state take-aways, and it is affecting cities and counties all over the state. He stated that he is very concerned about a reduced level of service and that we need to find a way to enhance our revenues.

Carolyn Bliss-Isberg, Cabrillo Stroke Center and Human Care Alliance, stated that *people* should be the main focus. She stated that it is very difficult to see cuts to the people that are most in need and encouraged the Council to work with the League of California Cities to make changes.

VM Aguilar stated that she has actively worked with the League of California Cities for nine years. She also stated that she would like to see any unbudgeted money that comes in to the City be brought to the Council for potential distribution.

CM Comstock stated that there is \$2,000 in the budget for mid-year budget requests.

Mayor Marigonda recommended giving \$250 to \$500 out of the \$2,000 noted above to the Cultural Council in order to show the full support of all cities in the County, which will make the Cultural Council federal grant applications more viable.

CM Comstock stated that he will check with the Cultural Council to find out if \$250 will give them the support they need. He stated that if that amount is not sufficient he will return to Council.

CM Comstock recommended looking at possible revenue sources that have been discussed by the Budget Subcommittee and bringing them to the Council for discussion at the June 15 meeting prior to adoption of the budget.

**7. Public meeting for annual submittal of City of Scotts Valley Investment Policy (Resolution No. 1139.9)**

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

***M/S: Aguilar/Bustichi***

***To adopt Resolution No. 1139.9 adopting the City of Scotts Valley annual Investment Policy.***

***Carried 5/0***

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

None.

**ADJOURNMENT**

The meeting adjourned at 8:55 p.m.

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

Paul Marigonda

Mayor / Chair

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