

MINUTES

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

Date: June 20, 2007

POSTING:

The agenda was posted on 6-15-07
at City Hall by the City Clerk.

CALL TO ORDER 6:00 p.m.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

Present:	Mayor Bustichi Council Member Aguilar Council Member Barrett Council Member Reed	City Manager Comstock City Attorney Powell Deputy City Mgr/Admin Svs Dir Ando Police Chief Weiss Planning Consultant Westman Senior Planner Fodge City Clerk Ferrara
SVWD Board of Directors	President David Hodgins Board Member Ken Kannegaard	General Manager Charlie McNiesh
Absent:	Vice Mayor Johnson SVWD Vice President Margaret Hober SVWD Board Member William Kassis SVWD Board Member Chris Perri	

PRESENTATION Lisa Bustichi, on behalf of Seagate Technology, presented a check in the amount of \$5000 toward the City's 4th of July celebration costs.

SPECIAL SET MATTER: JOINT MEETING WITH SCOTTS VALLEY WATER DISTRICT

J1. Discussion: Recycled Water Program

SVWD General Manager McNiesh gave an oral presentation and presented overhead slides on the status of the recycled water program and responded to questions from Council.

Frank Kurtai, Scotts Valley resident (Monte Fiore), questioned GM McNiesh on the percentage breakdown for commercial and residential for the 1.5 million acre feet of recycled water. GM McNiesh responded that the total usage right now is 1,800 acre feet, but he did not know the breakdown off the top of his head. Mr. Kurtai questioned if we currently have a requirement for low flow toilets to be installed with the sale of residential property. Mayor

Bustichi responded that we do not currently have a requirement, but we will be discussing it later in the meeting. Mr. Kurtai stated that he had a water leak in Monte Fiore and it was quite expensive. He recommended that the Water District and City look at requiring real time monitoring systems. GM McNiesh provided his card to Mr. Kurtai and stated that he would be happy to meet with Mr. Kurtai to discuss his ideas in more detail.

J2. Discussion: Groundwater Basin Status

SVWD General Manager McNiesh gave an oral presentation on the status of the groundwater basin and responded to questions from Council.

J3. Discussion: City's Housing Element

PC Westman gave an oral presentation on the status of the City's Housing Element and responded to questions from Council and the Water Board.

J4. Discussion: Project Updates

SP Fodge gave an oral presentation and provided a handout on approved and proposed projects in the City, and responded to questions from Council.

Mr. Kurtai questioned the process should the approved Gateway South office building be changed from office space to retail. He also stated that he had heard street parking had been proposed on La Madrona, and he was very concerned about this in relation to traffic and safety. Mayor Bustichi responded that there had been a full EIR and CEQA process on the approved Gateway South office building. He stated that if the developer wanted to change the office space to retail it would require some alterations and updating of their reports and that it would come back to the City Council for review and approval.

Daryl Tempesta, resident at Monte Fiore, expressed questions, comments, and concerns that Monte Fiore is a little isolated regarding parks. He stated that he would like to see pathways and a bus stop to make Monte Fiore more accessible to Scotts Valley. He also stated that he feels the gateway to Scotts Valley is a little disjointed. He recommended requiring hot water on demand systems because they use much less water, and stated that he thinks the Council and City has shown great forethought regarding mixed retail and residential.

J5. Discussion: Water conservation measures:

- a. Waterless urinals
- b. Dual plumbing
- c. Dual chamber

Mayor Bustichi stated that conservation to him is an attitude, i.e. water your lawn less, washing your car less, etc. He stated that he feels conservation is very important; however, retrofitting of existing buildings will go beyond that by providing a sustained reduction of water use. He also stated that he feels it is our obligation as a City to work with the Water District on these programs.

CM Reed agreed with Mayor Bustichi's comments and stated that he appreciates the mutual respect and cooperation between the Water District and the City.

GM McNiesh stated that he is not opposed to mandatory requirements; however, would also like to see full mitigation in terms of recycled component or some recharge component. He stated that he and the Water Board are in favor of the toilet retrofit.

CM Aguilar encouraged the Water Board to go forward with their Department of Health Services permit for dual plumbing systems.

President Hodgkin stated that the Water Board intends to start that process and be very pro-active.

CM Reed stated that as part of the Green Building Subcommittee, he and CM Barrett were concerned that the green building certification did not include any water conservation measures, which is why they asked for this discussion to be part of the agenda. He also stated that the City of Santa Cruz has a "Retrofit at Resale" program, and recommended that Scotts Valley look into this program.

J6. Retro-fit program:

- a. Establish a water bank for future development

CM Comstock stated that this item is similar to items 1 and 2 on the regular agenda and that it was more appropriate to discuss it at that time. He invited the Water Board to stay and participate in that discussion.

COMMITTEE REPORTS

CM Aguilar reported that AMBAG met and discussed various issues regarding the housing element and AMBAG's request for an extension for the next housing element to give the region an additional year to deal with the mandatory allocation of housing. She also stated that they discussed green building and Assembly Member Laird's proposed mandatory green building bill that would take effect in 2015 if it is passed.

Mayor Bustichi reported that the 4th of July Subcommittee met and they have a lot of support from sponsors and participants. He stated that the parade will be held at 3:00 p.m. on July 4, and that people will be able to register the day of the event until 2:00 p.m.

PUBLIC COMMENT

Lynn Cordova, Lockhart Gulch resident, stated that she heard a story that a juvenile boy had been tasered by the Scotts Valley Police Department. Mayor Bustichi recommended that Ms. Cordova contact the police department directly with any questions.

**ALTERATIONS TO
CONSENT AGENDA**

M/S: Barrett/Reed

To approve the Consent Agenda.

Carried 4/1 (ABSENT: Johnson)

Consent Agenda:

- A. Approve Joint City Council/RDA meeting minutes of 6-6-07
- B. Approve check register – 6-4-07
- C. Approve contract between the City of Scotts Valley and Precision Inspection Company, Inc. for temporary building official services
- D. Second reading and adoption of Ordinance No. 142.5, an ordinance of the City Council of the City of Scotts Valley that contains a description of the City of Scotts Valley Redevelopment Agency's program to acquire real property by eminent domain in the Scotts Valley Redevelopment Agency project area
- E. Approve Resolution No. 1799 authorizing the collection of code enforcement costs and penalties as a special assessment against 1025 Whispering Pines Drive
- F. Approve Resolution No. 1800 adopting a victim witness card for use by the Scotts Valley Police Department
- G. Approve Resolution No. CRA-93 making a determination regarding the planning and administrative expenditures of the low and moderate income housing fund for fiscal year 2007-08

**ALTERATIONS TO
REGULAR AGENDA**

*M/S: Barrett/Aguilar
To approve the Regular Agenda.
Carried 4/1 (ABSENT: Johnson)*

REGULAR AGENDA

1. **Discussion of a proposed green building ordinance and mandatory water conservation measures**

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

CM Aguilar questioned how the point system would work. Mayor Bustichi responded that it would be based on a point system that would have to be reviewed on a regular basis as green building products are constantly changing.

PC Westman stated that this is a starting place and recommended that the green building ordinance be reviewed annually, as it will evolve as more green building products become available. She stated that Scotts Valley's draft ordinance was prepared using the City of Santa Cruz's green building ordinance so that it would be uniform and easier for builders and residents to understand. She also stated that Planning Chair Shulman had submitted revised language (pages 24 and 25 of the staff report) that he felt simplified the language but did not change the basic assumptions or requirements.

CM Aguilar stated that she would like to see the square footage requirement for additions and remodels changed from 350 square feet to 500 square feet. She stated that she is concerned that with the 350 square foot requirement people will not be inclined to come in for permits.

After some discussion Council reached consensus on the following issues in the proposed green building ordinance:

1. To change the square footage requirement for additions and remodels from 350 square feet to 500 square feet.
2. To keep Scotts Valley's ordinance consistent with the City of Santa Cruz format and not use Planning Commission Chair Shulman's revised wording.
3. To remove the second paragraph of Section 17.51.070 regarding accelerated permit process.

PC Westman recommended amending the point structure so that applicants can get points related to recycled water use.

SVWD GM McNiesh stated that Assembly Member Laird has introduced a bill (AB 715) that proposes phasing in requirements that water closets and urinals have lower flush volumes, generally reducing toilets from 1.6 to 1.3 gallons per flush and urinals from 1.0 to 0.5 gallons per flush. He stated that the wording *dual flush* should be changed to *high efficiency*.

After some discussion regarding the draft water conservation regulation ordinance, Council reached consensus that the Green Building Subcommittee would meet to discuss the ordinance and come back with recommendations to the Council.

2. **Discussion: Voluntary waterless urinal/dual flush toilet retrofit program**

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

Mayor Bustichi stated that the Skypark Subcommittee has had discussions regarding this as it relates to the proposed town center, because of the large amount of water the town center would use.

CM Aguilar stated that she felt it was important to coordinate with the Water District regarding this issue because the Water District has their own rebate programs. She recommended using this program to enhance the Water District programs, but not replace them.

After Council discussion, PC Westman recommended having the Green Building Subcommittee meet with the Water District to develop a program that worked for both the City and the Water District. This program would come back to the Council for review and discussion. Council concurred with this recommendation.

3. **Discussion: Annual resource management report**

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

Council unanimously agreed to have this report done every three years instead of bi-annually.

4. Discussion: Police Department overtime

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

CM Aguilar stated that she highly recommends unfreezing one position within the next year.

Mayor Bustichi, Council Member Reed, and Council Member Barrett stated that they do not feel it is a significant amount of overtime and they do not feel that our financial situation can justify unfreezing a position.

5. Adoption of the 2007/2008 City of Scotts Valley final budget

DCM/ASD Ando presented the written staff report and responded to questions from Council.

CM Reed stated that he was concerned with the large increase in the animal control budget. He stated that Scotts Valley had received a 12% increase and other jurisdictions had only received a 4% increase. He stated that he does not feel there is a justification for this increase and that he would like staff to evaluate handling animal control services on our own in the future.

CM Comstock stated that this increase is reflective of a per capita formula that was put into effect a few years ago. He stated that Capitola is no longer part of the Animal Services Authority (ASA), and that they have Community Service Officers that provide their patrols. He stated that Capitola now has a local veterinarian who is willing to work with them on sheltering. CM Comstock stated that he has looked at providing sheltering in the past, but he was unable to find a local veterinarian who was willing to work with the City because of need the euthanize some of the animals. He stated that it may be possible to do our own patrols in the future, and we will continue to look into this and other avenues for cost saving.

After some discussion, the majority of the Council agreed that we are committed to this years budget for the ASA; however, Council requested that staff look into other avenues for cost saving and obtain more back up and analysis regarding any cost increases proposed for next year.

Council unanimously agreed to increase the Arts Commission budget by \$5,000 for additional programs.

Council unanimously agreed to increase the funding to the Community Service Organizations by 1%.

M/S: Barrett/Aguilar

To approve Resolution No. 630.27 approving the budget for the City of Scotts Valley for fiscal year 2007/2008 and making appropriations for the amounts budgeted, as amended increasing the budget to the Arts Commission by \$5,000 and increasing the funding to the community service organizations by 1%.

Carried 3/0/1 (NOES: Reed / ABSENT: Johnson)

M/S: Aguilar/Reed

To approve Resolution No. 1501.14 approving the continued collection of the utility users' tax for the budget fiscal year 2007/2008.

Carried 4/1 (ABSENT: Johnson)

6. Adoption of the 2007/2008 Scotts Valley Redevelopment Agency budget

DCM/ASD Ando presented the written staff report and responded to questions from Council.

M/S: Aguilar/Barrett

To approve Resolution No. CRA-92 adopting the proposed budget as amended for the 2007/2008 fiscal year and making appropriations for the amounts budgeted, as amended increasing the budget to the Santa Cruz County Conference and Visitor's Council by \$2,500 for the Cultural Tourism Initiative, and increasing the budget by \$1,265 for the Homeless Action Partnership consultant.

Carried 4/1 (ABSENT: Johnson)

M/S: Barrett/Aguilar

To approve the loan agreement between the City of Scotts Valley and the Redevelopment Agency of the City of Scotts Valley for administrative costs of the Redevelopment Agency, and authorize the Executive Director/City Manager to execute that same loan agreement.

Carried 4/1 (ABSENT: Johnson)

7. Future Council/RDA agenda items

None.

CONVENE TO CLOSED SESSION

The City Council convened to closed session at 9:00 p.m. to discuss the following items:

1. Pursuant to Government Code Section 54957(b), the City Council met in closed session to confer with the City Manager regarding the City Manager performance evaluation.

RECONVENE TO OPEN SESSION

The City Council reconvened to open session at 9:20 p.m.

REPORT ON ACTION TAKEN DURING CLOSED SESSION

Mayor Bustichi announced that there was nothing to report.

ADJOURNMENT The meeting adjourned at 9:25 p.m.

Approved:

Dene Bustichi, Mayor / Chair

Attest:

Tracy A. Ferrara, City Clerk / Secretary