

MINUTES

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

Date: July 20, 2005

POSTING:

The agenda was posted on 7-15-05
at City Hall by the City Clerk.

CALL TO ORDER 6:00 p.m.

PLEDGE OF ALLEGIANCE and **MOMENT OF SILENCE**

SPECIAL SET MATTER **Presentation of Mayor's proclamation to Parks & Recreation Bern Juracka.** Mr. Juracka was unable to attend the meeting. This proclamation will be presented at a future City Council meeting.

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
Senior Planner Fodge
Principal Planner Young Lind

COMMITTEE REPORTS

CM Johnson reported that the Library Joint Powers Board met. He stated that the main discussion centered on the effects of worker's compensation and they received a full disclosure from their third party claims administrator on why their rates are so high. He stated that the average clerical rate for this year was \$3 per 100, instead of the average cost of \$1 per 100. He also stated that these rates are slated to go up to \$7 per 100 in 2006, which is very oppressive. He stated the City of Santa Cruz is the governing body for the library and the Library Joint Powers Board spoke to the Santa Cruz City Manager regarding worker's compensations decisions and practices.

CM Barrett reported that the Joint City/School District Subcommittee met and received a very positive response regarding the School Resource Officer position. He stated that there was also a discussion regarding joint maintenance efforts and that future discussions will be held regarding this issue.

CM Barrett reported that the Traffic Safety Advisory Committee met and discussed the removal of the stop sign on Glenwood at Casa Way and Kerry Court. He stated that this item will be brought to the Council at a future

meeting for discussion.

CM Bustichi reported that the Santa Cruz Metropolitan Transit District met and discussed negotiations with bus drivers, service providers, and employees. He stated that health costs are the main problem for the district and employees, and they are working hard to avoid interruptions in transit service.

CM Bustichi reported that the Skypark Subcommittee met to look at some of the items that will be presented at the Skypark Town Center meeting on Saturday, July 23 from 10:00 a.m. to 12:00 p.m. at the Community Center. He stated that everything is very preliminary, however, it will provide a look at potential traffic flow as well as where residential, commercial, and retail may be located.

CM Bustichi reported that the Economic Development Subcommittee met and discussed incentives for new and existing businesses.

Mayor Marigonda reported that the Joint City/School District Subcommittee met and discussed traffic issues in relation to the intersection reconstruction at Glenwood/Scotts Valley Drive/Hacienda/Granite Creek. He stated that the School District is putting out a letter to all parents at the high school encouraging car pools. He also stated that City staff will talk to Caltrans regarding signal timing at this intersection.

PUBLIC COMMENT

Mayor Marigonda congratulated the Police Officers Association (POA) for the successful Cops and Rodders event held on Saturday, July 16.

Mayor Marigonda congratulated the Scotts Valley Little League Majors for winning the District 39 title.

VM Aguilar thanked the Chamber of Commerce for their hard work on the Chamber golf tournament and the barbecue meal which was provided by CM Bustichi.

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 7/6/05
- B. Approve check register – 7/5/05
- C. Approve affordable housing agreement for three studio apartments in a mixed use building proposed at 4404 Scotts Valley Drive
- D. Approve the 2005 license agreement between the City of Scotts Valley and the Scotts Valley/San Lorenzo Valley Youth Soccer Club for the use of Skypark Park
- E. Approve Resolution No. 1763.1 approving the final map for Forest Hill Reserve Subdivision, Tract No. 1511, and approve Resolution No. 960.76 authorizing the execution of subdivision improvement agreement for the subdivision at Green Hills Road, APN 24-211-016

- F. Approve Resolution No. 1596.28 authorizing the levy of the annual special tax for the City of Scotts Valley Community Facilities District No. 97-1 for fiscal year 2005/06
- G. Approve Inmate Work Release Program Agreement No. 040 (Police Department) and Inmate Work Release Agreement No. 024 (Public Works Department) between the City of Scotts Valley and the Santa Cruz County Sheriff's Office

ALTERATIONS TO REGULAR AGENDA

VM Aguilar requested that an emergency item be brought forward regarding the painting of the Senior Center with donated paint and labor. She stated that the Senior Center Board did not realize that the paint color needed to be approved by the City Council, and the building has been power washed and is prepped and ready for paint. She stated that if they have to wait two weeks until the next Council meeting they will have to pay for power washing the building a second time.

CA Powell stated that items can only be added on as an emergency item if there is irreparable harm that would occur if the City did not act tonight. She stated that this issue does not meet the Brown Act regulations regarding an emergency; however, a special meeting could be called before the next regular Council meeting.

Mayor Marigonda recommended calling a special meeting for 9:30 a.m. this Saturday, July 23 prior the Skypark Town Center meeting at 10:00 a.m. Council unanimously agreed to hold a special meeting.

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

REGULAR AGENDA

1. **Consider approval of Resolution No. 1770.1 amending the ballot language and ballot question in Resolution No. 1770**

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

After discussion Council unanimously agreed to revise the ballot question language as follows:

Shall a five year temporary sales tax rate increase of one-half of one percent for the first three years and then reduced to one-quarter of one percent for the final two years, be adopted to maintain general services including public safety, street improvements, and parks?

***M/S: Barrett/Aguilar
To approve Resolution No. 1770.1 with the recommended changes by the State Board of Equalization amending the ballot language and ballot question in Resolution No. 1770, as amended to change the ballot question language as noted above .***

Carried 5/0

2. Discussion of Erba Lane property

PWD Anderson presented the written staff report and responded to questions from Council.

VM Aguilar asked staff if the money required to go through this process could come from the RDA, and then when the property is sold the RDA could be reimbursed.

CM Comstock stated that the property was originally purchased with General Fund money and at this time this is not a RDA project; therefore, RDA money cannot be used.

VM Aguilar asked if proceeds from the sale of the property could be used to reimburse the General Fund for the out of pocket costs for the money required to go through the process and then the remaining proceeds would go into a restricted fund as requested by Council.

CA Powell stated that the General Fund could be reimbursed from the proceeds.

CM Bustichi questioned the parcel boundaries and the possibility of adding approximately 9,750 square feet that could be included in the parcel by including the land to the top of the bank. He stated that he feels this could give us some additional units on the property and increase the value. He stated that he is also concerned about the maintenance issue that could be caused by not including the 30 feet from the current proposed property line to the top of bank.

VM Aguilar stated that she feels the City should stay out of the wet land or riparian areas.

CM Bustichi asked staff if density transfer could come into effect if the total square footage of land is increased. He stated that it was not his intention to build in the setback, just to increase the potential units and the value of the land.

CDD Kuhn stated that if we add 9,000 square feet three additional units could be built.

CM Johnson stated that he agreed with CM Bustichi's comments and stated that he would support adding the square footage.

CM Barrett stated that he agreed with CM Bustichi as long as the water shed area is protected.

CDD Kuhn stated that this area is a drainage ditch, not a waterway.

VM Aguilar stated that she wants to be sure that the 30 foot setback area is maintained and not developed on. She stated that in her opinion seven units is more than adequate for this site and she is not looking to increase density.

Mayor Marigonda stated that he concurred with the increase in size of square footage of the lot.

M/S: Aguilar/Barrett

To authorize the expenditures and direct staff to initiate the re-zoning process, as amended to revise the lot area and go with a straight line, as close to the top of bank as possible, to increase the lot size by an additional 9,000 to 10,000 square feet.

Carried 5/0

John Racioppi, Ridgecrest Drive, stated that he took an informal poll of the neighborhood on Ridgecrest Drive that concluded that they are opposed to building high density on this property. He stated that he does not feel this is consistent with the neighborhood.

VM Aguilar stated that seven units is consistent with the neighborhood on Erba Lane, which is currently zoned for high density. She stated that there are eight units on a lot the same size as this further up on Erba Lane.

CDD Kuhn clarified that this item is just initiating a re-zoning process.

5. Future Agenda Items

None.

CONVENE TO CLOSED SESSION

The City Council convened to closed session at 6:55 p.m. to discuss the following items:

1. Pursuant to Government Code Section 54956.9a, the City Council met in closed session to confer with their legal counsel regarding Smith vs. City of Scotts Valley, Case No. CV150864.

RECONVENE TO OPEN SESSION

The City Council reconvened to open session at 7:05 p.m.

REPORT ON ACTION TAKEN DURING CLOSED SESSION

Mayor Marigonda announced that there was nothing to report.

PUBLIC HEARINGS

3. **Consideration of a planned development amendment (D88-002.2) at 11 Ridgecrest Drive/APN 022-471-05; and to designate building**

heights for the remaining vacant lots in the Ridgecrest planned unit development

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

PUBLIC HEARING OPENED - 7:19 PM

Wayne Miller, designer of the house proposed on lot 1, explained some of the issues that are associated with lot 1 and the reasons for the requested change in building height. He stated that this property is approximately 100 feet below the ridge. He stated that this height change will allow them to have a smaller building envelope and terrace the retaining walls away from the house. He stated that the garage will be built under the house.

John Racioppi, Ridgecrest resident, stated that he feels the height issue on lot 1 is negligible since it is well below Ridgecrest Drive. He stated that on the lots above, they are flat and then slope back from the street, and most houses look like a one story from the front and then they drop off in the back.

SP Fodge stated that for the record, lots 2 and lot 3 were approved at a 25' height limit, consistent with mitigation measure number 19 of the Ridgecrest PUD EIR.

Dave Bergman, representing Marlyn Bergman (owners of lot 4), stated that their proposed home is approximately 35'; however, most of the height is to the back of the lot that slopes down and it does not affect the ridge line. He passed out a drawing of the front of the home showing that it appears to be a one story home from the street.

PUBLIC HEARING CLOSED - 7:30 PM

VM Aguilar stated that she does not have a problem with the 35' height as long as it does not impact the ridge line, the view from the freeway, or the neighbors.

Mayor Marigonda stated that he would not agree to massing that adversely affects the neighbors. He stated that he would agree to a home that had a 25' height from the street view.

CDD Kuhn stated that in meeting the original intent of the EIR for the remaining Ridgecrest lots, Council could approve a 25' height limit from the elevation adjacent to Ridgecrest Drive with an option to go up to 35' on the steep rear portion of the lots that declines in grade.

M/S: Johnson/Barrett

To approve Resolution No. 1771 approving a planned development amendment (PD88-002.2) at 11 Ridgecrest Drive/APN 022-471-05; and to designate building heights for the remaining vacant lots in the Ridgecrest planned unit development, as amended with a 25' height limit elevation from the street adjacent to Ridgecrest Drive with an option to

**go to 35' on the steep rear portion of the lots that declines in grade.
Carried 5/0**

4. Consideration of a planned development amendment PD99-002.3 for property located at 6004 La Madrona Drive / APN 21-144-17

Mayor Marigonda stated that this property is located 800 feet from his residence, which is beyond the 500' state requirement, and therefore, he is able to deliberate on this issue.

CM Bustichi previously removed himself from any decisions on this property because he owned property within 500 feet; however, he has since sold that property and is able to deliberate on this issue.

PP Young Lind presented the written staff report and responded to questions from Council.

VM Aguilar asked staff if an expanded parking program would be required if a restaurant was proposed for this building in the future.

PP Young Lind stated that an expanded parking program would be required if a restaurant is proposed in the future.

PUBLIC HEARING OPENED - 7:54 PM

Scott Schilling, representing Scotts Valley Hilton, stated that he was out of town and has not had a chance to review the architectural plans for the project and the site layout. He stated that they are requesting a continuance of this item for the following reasons: no chance to review the updated parking lot, site layout, or the architecture and how it relates to the hotel site and the surrounding area; they do not feel that the parking requirements are adequate and they feel the parking and traffic analysis need additional details; they are concerned about parking on the street and in the hotel parking lot. He stated that they would also like to review the location and architectural detailing on the trash enclosure.

Jerry Yates, project architect, addressed two of the major concerns brought by Mr. Schilling. He stated that any future uses will require parking review. He also stated that the trash enclosure has already been reviewed, approved, and was constructed with the first project.

PUBLIC HEARING CLOSED - 8:00 PM

Mayor Marigonda questioned the number of parking spaces that will be available on La Madrona.

PWD Anderson stated that there would be approximately 20 spaces available on La Madrona.

Mayor Marigonda stated that he feels the new Scotts Valley Corners integrates very well with the Scotts Valley Hilton and the Bay Tree Apartments.

VM Aguilar stated that she feels the reduction in square footage already assists in reducing the traffic and parking issues and she does not see the need for a continuance.

CM Bustichi stated that he feels the use permit process will adequately address any future parking issues that may arise.

Mayor Marigonda denied the request from the Scotts Valley Hilton for a continuance.

M/S: Johnson/Bustichi

To approve Resolution No. 1772 approving planned development amendment PD99-002.3 for property located at 6004 La Madrona Drive (APN 21-141-17) subject to the Conditions of Approval attached thereto as Exhibit A, and pursuant to Exhibit B, Project Plans, and Exhibit C, Material and Color Board.

Carried 5/0

ADJOURNMENT

The meeting adjourned at 8:09 p.m.

Approved: _____

Paul Marigonda
Mayor / Chair

Attest: _____

Tracy A. Ferrara
City Clerk / Secretary