

# MINUTES

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

**Date: August 5, 2009**

**POSTING:**

The agenda was posted on 7-31-09 at City Hall, the SV Library, and the SV Senior Center 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/Chair Johnson  
Vice Mayor Reed  
Council Member Aguilar  
Council Member Bustichi  
Council Member Lind

City Manager/Executive Director Ando  
City Attorney/Agency Counsel Powell  
Public Wks Director Anderson  
Police Chief Weiss  
Interim Community Dev Dir Westman  
City Clerk Ferrara  
Senior Planner Bateman

**COMMITTEE REPORTS**      CM Bustichi reported that the Santa Cruz Metropolitan Transit District met and discussed budget concerns related to proposed State take-aways.

CM Bustichi reported that the Sign Subcommittee met and discussed the need for the existing sign ordinance to be revamped.

CM Lind reported that the Seniors Council met to discuss their reduced funding and subsequent budget cuts, what that will mean to local seniors, and the programs that are at risk.

CM Lind reported that LAFCO met and discussed SB 211, which is legislation that would authorize the formation of a Santa Cruz County Open Space District.

VM Reed reported that the Library Joint Powers Board met and discussed budget impacts caused by State take-aways. He stated that they also heard from Teresa Landers, the new Library Director, on her plans for community outreach.

**PUBLIC COMMENT**                      CM Bustichi announced that the Scotts Valley Art & Wine Festival will be held this weekend, August 8 and 9 at Skypark. He stated that anyone interested in volunteering should contact the Chamber of Commerce at 438-1010.

CM Lind announced that the Fallen Officer Foundation in Santa Cruz County will be participating in a fundraiser/public safety day at the Boardwalk on August 29.

Mayor Johnson reminded everyone that the Farmer's Market will be held again this Saturday morning, August 8.

## ALTERATIONS TO CONSENT AGENDA

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

### **Consent Agenda:**

- A. Approve Joint City Council/RDA meeting minutes of 7-15-09
- B. Approve check register – 6-26-09, 7-9-09, 7-14-09
- C. Approve the appointment of Council Member Stephany E. Aguilar as the voting delegate at the League of California Cities 2009 Annual Conference Business Meeting on September 18, 2009 in San Jose, CA
- D. Approve license agreement with Scotts Valley Host Lion's Club for use of a portion of property at the Scotts Valley Senior Center
- E. Approve the following contracts for professional services for the issuance of Redevelopment Agency bonds:
  - (1) Richards, Watson, and Gershon - Bond Counsel
  - (2) Ray Haight - Disclosure Counsel
  - (3) Northcross, Hill, and Ach - Financial Advisors
  - (4) Fraser & Associates - Fiscal Consultant
- F. Approve first amendment to contract for professional services with Mesiti-Miller Engineering, Inc. for the Bean Creek Road bike lanes construction project in the amount of \$20,000

## ALTERATIONS TO REGULAR AGENDA

CM Lind requested that item 6 be moved to the beginning of the agenda.

***M/S: Lind/Aguilar***  
***To approve the Regular Agenda as amended moving item 6 to the beginning of the agenda.***  
***Carried 5/0***

## REGULAR AGENDA

6. **Discussion of Senate Bill 211 regarding legislation authorizing the formation of a Santa Cruz County Open Space District**

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

CM Lind expressed concerns regarding the lack funding for the implementation of SB 211. She stated that LAFCO had discussed this item earlier today and several community members and public officials expressed concerns regarding this legislation.

Steven Slade, Deputy Director of the Land Trust of Santa Cruz County, spoke in favor of SB 211, provided additional information on SB 211, and responded to questions from Council.

CM Aguilar recommended keeping the required 5,000 signatures in the legislation in order to have an early approval process by the public.

Jodi McGraw, Environmental Consultant working with the Land Trust of Santa Cruz County on the proposed open space district legislation, spoke in favor of SB 211, provided additional information and history on open space district needs in Santa Cruz County, and responded to questions from Council.

Ted Burke, Santa Cruz resident and Co-Chair of the Santa Cruz County Business Council, spoke in opposition to SB 211 in its current form due to economic, maintenance, governing, and management concerns.

Darlene Din, Watsonville resident and representative of the Santa Cruz County Farm Bureau, spoke in opposition to SB 211 due to its proposed process and lack of support for agricultural land.

Gene Scothorn, Scotts Valley resident and representative of the Senior Coalition, spoke in opposition to SB 211.

Vic Marani, Aptos resident, spoke in opposition to SB 211.

VM Reed stated that he would like an amendment, formally in writing, noting that Scotts Valley wants the same exception that Watsonville has received.

CM Aguilar stated that it may be advantageous to use existing law to form the district, as it may be a better mechanism to move forward.

***M/S: Lind/Bustichi***

***To register Scotts Valley's opposition to SB 211 and authorize staff to work with local representatives concerning any further action on this bill; however, should this bill go forward, Scotts Valley would like to receive the same exception that Watsonville has received.***

***Carried 5/0***

1. **Consideration of amendment to lease agreement between the Scotts Valley Redevelopment Agency and Slawinski, Inc.**

CA/AC Powell presented the written staff report and responded to questions from Council.

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

***To approve the amendment to the lease agreement between the Redevelopment Agency of the City of Scotts Valley and Slawinski, Inc. and authorize the Chair to execute the Lease Amendment.***

***Carried 5/0***

2. **Consider approval of Resolution No. CRA-99 authorizing the Scotts Valley Redevelopment Agency Counsel to cooperate with the legal challenge of the State takeaway of redevelopment funds from local government**

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

***M/S: Aguilar/Lind***

***To approve Resolution No. CRA-99 authorizing the Agency Counsel to cooperate with the League of California Cities, the California Redevelopment Association and other cities and counties in litigation challenging the constitutionality of the seizure by state government of redevelopment funds.***

***Carried 5/0***

## **PUBLIC HEARINGS**

3. **Consideration of Planning Commission's recommendation of approval for the subdivision of an existing 2.93 acre parcel into two parcels located at 668 Mt. Hermon Road // APN 022-231-23**

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

Howard Norton, representing the applicant, stated that he was available to respond to questions from Council.

**PUBLIC HEARING OPENED - 7:38 PM**

No one came forward.

**PUBLIC HEARING CLOSED - 7:39 PM**

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

***To approve Resolution No. 1832 approving minor land division MLD09-001 to subdivide an existing 2.93 acre parcel into two parcels located at 668 Mt. Hermon Road / APN 022-231-23.***

***Carried 5/0***

4. **Consideration of a revised development consisting of a General Plan amendment, zone change, planned development, land division and design review to create five lots and build five detached townhome style single family dwellings and related property improvements located on Scotts Valley Drive // APN 022-861-21**

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

**PUBLIC HEARING OPENED - 7:49 PM**

No one came forward.

**PUBLIC HEARING CLOSED - 7:50 PM**

CM Aguilar asked if there was a possibility of saving the 36" pine (tree #1) on the westside and making some modifications, because it does not have a unit or house directly next to it, and it would enhance the landscaping in that area.

Michael Tansy, applicant, responded to CM Aguilar's concerns and stated he would like to re-route the drainage in order to save the tree.

CM Bustichi stated that he is concerned about the lack of an infiltration system. He stated that he would like to see a condition of approved added that would require permeable concrete or pavers to be used on sidewalks, patios, or any walkways that do not have vehicle traffic.

CM Aguilar recommended that the architecture include shutters or some other type of architectural element on the left side or rear of the buildings.

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

***To approve Resolution No. 1829 certifying a mitigated negative declaration for a general plan amendment (GPA03-001), zone change (ZC03-001), planned development zoning and permit (PD03-001), land division (LD03-001) and design review (DR09-003) to create five lots and five detached dwellings and related property improvements on a vacant parcel on Scotts Valley Drive // APN 022-861-21.***

***Carried 5/0***

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

***To approve Resolution No. 1829.1 approving a general plan amendment no. GPA03-001 to change the land use designation from commercial service to residential high for a vacant parcel on Scotts Valley Drive // APN 022-861-21.***

***Carried 5/0***

***M/S: Bustichi/Lind***

***To introduce for first reading Ordinance No. 16-ZC-165.1 approving zone change no. ZC03-001 to change the zoning designation from commercial service (C-S/PD per CC Ordinance No. 16-ZC-165) to residential high density (R-H) and planned development zoning no. PD03-001 (R-H/PD) for the creation of five lots and five detached dwellings and related property improvements on a vacant parcel on Scotts Valley Drive // APN 022-861-21, and waive the reading thereof.***

***Carried 5/0***

***M/S: Bustichi/Lind***

***To approve Resolution No. 1829.2 approving land division no. LD03-001 for the creation of five lots and planned development permit no. PD03-001 for five detached dwellings and related property improvements on a vacant parcel on Scotts Valley Drive // APN 022-861-21 as amended to include a condition requiring the use of permeable concrete or pavers in all areas such as walkways, sidewalks, or patios, that are not covered by a roof or where a car can be parked.***

***Carried 5/0***

***M/S: Lind/Aguilar***

***To approve Resolution No. 1829.3 approving design review (DR09-003) for five detached dwellings and related property improvements on a vacant parcel on Scotts Valley Drive // APN 022-861-21.***

***Carried 5/0***

**REGULAR AGENDA**  
(Resumed)

**5. Consideration of selection of architect for the Scotts Valley branch library**

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

VM Reed provided additional information on the process used to evaluate the architectural firms.

CM Bustichi questioned the phasing and costs, and stated that he wants to make sure that the contract with the architect includes very specific language that the architect is willing to design a building that will allow for alternates to be part of a bid process, and allow the City to eliminate those elements if we need to, without them being an integral part of the total design. He also requested that a breakout of the disciplines be provided in the contract.

David Robison, Principle at Strategic Construction Management, responded that it will be possible to include alternates.

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

***To approve the number one and two firms and direct the Executive Director to negotiate a contract with the number one firm (Group 4 Architecture, Research + Planning, Inc.) and bring it back for Board approval at the next meeting. If a satisfactory contract cannot be reached with the number one firm, then the Executive Director is authorized to negotiate with the number two firm (Field Paoli).***

***Carried 5/0***

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

VM Reed stated that he would like to review the City's current budget at the next meeting in light of State take-aways. CM Aguilar stated that she would like additional information regarding what the law says regarding paying out the RDA monies, and what the County is required to do.

**ADJOURNMENT**

The meeting adjourned at 9:18 p.m.

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

Randy Johnson, Mayor / Chair

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

Tracy A. Ferrara, City Clerk / Secretary