

MINUTES

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

Date: August 16, 2006

POSTING:

The agenda was posted on 8-11-06
at City Hall by the City Clerk.

CALL TO ORDER 6:03 p.m.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

Present:

Mayor Aguilar
Vice Mayor Bustichi
Council Member Barrett
Council Member Johnson
Council Member Marigonda

Deputy City Mgr/Admin Svs Dir Ando
City Attorney Powell
Police Chief Weiss
Public Wks Director Anderson
Community Development Dir Russell
City Clerk Ferrara

SPECIAL SET MATTER City Clerk Ferrara swore in John Weiss as Chief of Police. Chief Weiss stated that he was privileged and honored to take over this position, and thanked the Council, Police Department, and City staff for their support.

COMMITTEE REPORTS CM Marigonda reported that the Monterey Bay Unified Air Pollution Control District met and assigned priorities and grant funds for applications made throughout the three counties (Monterey, Santa Cruz, and San Benito).

CM Barrett reported that the Santa Cruz County Regional Transportation Commission met regarding ongoing negotiations for the rail trail, which will continue for quite a while.

Mayor Aguilar reported that AMBAG met and their key focuses were PG&E's work with AMBAG for an energy grant that provides assistance to private homeowners, businesses, cities and counties with energy conservation. She stated that she is looking to get the Community Development Director to participate in that Energy Commission and working with him to get the City of Scotts Valley integrated into getting grant funding for energy conservation.

PUBLIC COMMENT No one came forward.

**ALTERATIONS TO
CONSENT AGENDA**

Staff requested that Item D, Resolution No. 1784 granting the appeal of the Planning Commission's decision to approve Conditional Use Permit No. U06-003 for the operation of a large family day care home at 601 Coast Range Drive // APN 022-702-22 and denying the project, be removed from the

agenda to be heard at a future meeting, due to the late receipt of a letter from the applicant's attorney, in order to allow for review of the letter by the City Attorney for potential impacts to the City.

M/S: Barrett/Bustichi

To approve the Consent Agenda as amended, removing Item D, Resolution No. 1784 granting the appeal of the Planning Commission's decision to approve Conditional Use Permit No. U06-003 for the operation of a large family day care home at 601 Coast Range Drive // APN 022-702-22 and denying the project, from the agenda to be heard at a future meeting, due to the late receipt of a letter from the applicant's attorney, in order to allow for review of the letter by the City Attorney for potential impacts to the City.

Carried 5/0

Consent Agenda:

- A. Approve Joint City Council/RDA meeting minutes of 7-19-06 and 6-21-06
- B. Approve check register – 8-1-06
- C. Approve Resolution No. 1787 authorizing execution, delivery and sale of certificates of participation to refund a portion of the City of Scotts Valley 1997-1 refunding certificates of participation, and approving the form of certain financing documents in connection therewith and authorizing and directing certain actions with respect thereto; and Resolution No. JPA-34 authorizing execution, delivery and sale of certificates of participation to refund a portion of the City of Scotts Valley 1997-1 refunding certificates of participation, and approving the form of certain financing documents in connection therewith and authorizing and directing certain actions with respect thereto

**ALTERATIONS TO
REGULAR AGENDA**

M/S: Barrett/Marigonda

To approve the Regular Agenda.

Carried 5/0

REGULAR AGENDA

1. **Consideration of award of construction contract to Granite Construction Company for the 2006 Mt. Hermon Road Pavement Rehabilitation Project**

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

Mayor Aguilar questioned the possibility of reimbursing the Redevelopment Agency for expended funds if Proposition 1B is approved on the November 7, 2006 ballot.

CA Powell stated that she will look into the potential for reimbursement.

M/S: Barrett/Marigonda

To award the contract for construction for the 2006 Mt. Hermon Road Pavement Rehabilitation Project in the amount of \$347,347 to Granite Construction Company and approve \$10,000 for night work.

Carried 5/0

M/S: Barrett/Marigonda

To approve an amendment to the 2006-07 Redevelopment Agency capital projects budget to include the additional revenue of \$40,000 from OES and expenditure of \$81,347 for the Mt. Hermon Road Rehabilitation Project.

Carried 5/0

2. Discussion: Family day care home regulations

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

CM Marigonda stated that he supports the conditional use process for this issue. He stated that he feels these uses should be a conditional use that comes before the Planning Commission, with appeal rights to the City Council, so that the community has the ability to provide input.

Betsy Rutano, Childcare Advocate for the State Department of Social Services Community Care Licensing, thanked the City Council for the opportunity to speak on this issue. She stated that the intent of the Legislature in creating the Child Day Care Act in the Health & Safety Code was to encourage local governments to allow family child care in their communities, and also because not every child does as well as a child can do in a child care center or in a school setting. She went over the definitions in the Health & Safety Code of a family child care home (Section 1596.78) and a child care center (Section 1596.76). She stated that she agreed with the conditional use permit process and concurred that the four issues that could be considered are parking, traffic, noise, and concentration. She stated that public input is very important; however, she also feels that there are a variety of ways to mitigate neighborhood concerns such as landscaping to buffer noise, a soundproofing wall, restricting the hours the children are outside or restricting the number of children outside at one time. She stated that regarding traffic, pick-up and drop-off times could be staggered. She also stated that going from a small family child care home to a large family child care home does not necessarily mean that there will be more cars, because it is often the case that the additional children are siblings of children who are already in the family child care home.

Marcia Meyer, Aptos resident and Consultant for a program called Child Care Ventures, a project of the Santa Cruz Community Credit Union, provided a copy of a report to each Council Member titled "*The Use Permit Process for Child Care Centers and Family Child Care Homes in Santa Cruz County, 2005*", a brochure from Santa Cruz County Child Care Ventures, and an article from the Planning Commissioners Journal titled "*Child Care in Our Communities*" (on file in the Office of the City Clerk). She stated that she

wanted to call the Council's attention to Scotts Valley's permit process for small family child care, large family child care, and child care centers, which is reviewed on page 13 of the report. She stated that page 16 of the report provides a matrix of the requirements in each jurisdiction in Santa Cruz County, and that page 22 of the report provides recommendations for the City of Scotts Valley to bring our current land use policies up to date. She stated that she feels it is critical to support childcare in the community and encouraged the Council to take the time to develop policies that will provide a win-win for everyone in Scotts Valley. She also provided a pamphlet for a book that was recently published titled "*Planning for Child Care In California.*"

Hiranya Brewer, Santa Cruz County Child Care Planning Council, submitted and read a letter to the City Council, from the Santa Cruz County Child Care Planning Council, regarding family child care homes in the City of Scotts Valley (on file in the Office of the City Clerk). She reviewed the mission of the Santa Cruz County Child Care Planning Council and stated that the Child Care Planning Council would like to offer its services to the City of Scotts Valley (as it has done successfully in the past with other local governments), to assist in the process of better defining, and in some cases developing, new policies and procedures that encourage the establishment of family child care homes in a legal, responsible, and family-focused manner.

CM Johnson stated that he supports a conditional use permit process to allow for public input.

CM Barrett stated that he supports a conditional use permit process to allow for public input.

VM Bustichi stated that he prefers a conditional use permit process to allow for public input.

Mayor Aguilar stated that she supports a conditional use permit process, and that she looks forward to carefully reviewing this issue and coming forward with an ordinance that provides for child care homes in Scotts Valley.

CM Marigonda clarified that this process will go through the Planning Commission and the City Council, and there will be public hearings where the public will have the opportunity to provide input throughout this process.

3. Discussion of property ownership restrictions within the Redevelopment area

CA Powell presented the written staff report and responded to questions from Council. She reviewed the letter from Vice Mayor Bustichi, dated August 9, 2006, regarding disclosure pursuant to California Health & Safety Code §33130, of an interest in property that he has within the project area, and stated that this item is for information only and that no action is necessary.

5. Future Council/RDA agenda items

CM Marigonda requested a resolution in support of Measure N on the November 7, 2006 ballot, the Scotts Valley Fire Protection District's bond measure on the September 6, 2006 agenda. He stated that this is an integral part of the Gateway South planning project.

CONVENE TO CLOSED SESSION

The City Council convened to closed session at 6:48 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 real property negotiator regarding the rental of City property – APN 22-211-77

RECONVENE TO OPEN SESSION

The City Council reconvened to open session at 7:00 p.m.

REPORT ON ACTION TAKEN DURING CLOSED SESSION

Mayor Aguilar announced that there was nothing to report.

PUBLIC HEARINGS

4. ***To be continued to 10-4-06 regular City Council meeting: Consideration of a Planned Development Zoning District Overlay and Permit, Minor Land Division, and Design Review to split a High-Density residential lot at 12 Blake Lane (~10,000 SF) into three residential lots and a fourth common-area to be managed by a homeowners association***

CDD Russell stated that based on the Planning Commission continuance of this item from its meeting of August 10, 2006 to September 14, 2006, this item is being continued to the regular City Council meeting of October 4, 2006.

PUBLIC HEARING OPENED – 7:01 PM

The Mayor opened the public hearing and Council continued the public hearing to its regular meeting of October 4, 2006.

M/S: Barrett/Marigonda

To continue this open public hearing to the regular City Council meeting of October 4, 2006.

Carried 5/0

ADJOURNMENT

The meeting adjourned at 7:05 p.m.

Approved: _____

Stephany E. Aguilar, Mayor / Chair / President

Attest: _____

Tracy A. Ferrara, City Clerk / Secretary