

MINUTES

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

Date: September 15, 2010

POSTING:

The agenda was posted on 9-10-10 at City Hall and the SV Senior Center, and on 9-10-10 at the SV Library, by the City Clerk.

CALL TO ORDER 6:08 p.m.

PLEDGE OF ALLEGIANCE and **MOMENT OF SILENCE**

ROLL CALL

Present:

Mayor Reed
Vice Mayor Bustichi
Council Member Aguilar
Council Member Johnson
Council Member Lind

City Manager Ando
City Attorney Powell
Public Wks Director Anderson
Police Chief Weiss
Interim Community Dev Dir Westman
Senior Planner Fodge
Deputy City Clerk Roland

COMMITTEE REPORTS Mayor Jim Reed reported on the last meeting of the Library Financing Authority/Joint Powers Board Task Force meeting. He advised there was discussion on establishing a 10% reserve and direction was given to the Task Force to come up with ideas to make that happen. The Task Force is due to report back early next year.

PUBLIC COMMENT PC John Weiss announced that the Scotts Valley Rotary Club's 5th Annual Oktoberfest celebration will be held this Sunday, September 19th from 2:00 to 7:00 pm at the Scotts Valley Community Center. The cost is \$10, however, admission is free for active firefighters, police, military and veterans. He advised all proceeds go to the Scotts Valley Educational Foundation, school/parent organizations and the Scotts Valley High School Falcon Club.

David Demilo, Scotts Valley resident, spoke in opposition of extending the Measure C sales tax and read a letter he sent to the Mayor last week. He advised he is creating a web page on the issue named www.nosvtax.com.

Gene Scothorn, resident of Scotts Valley and Vice Chair of the Santa Cruz County Republican Central Committee, presented to Council Emergency Resolution #2010-04 of the Santa Cruz County Republican Central Committee in opposition to any extension of the City of Scotts Valley's ½-percent sales tax. He advised the resolution was unanimously approved by the committee on September 1, 2010.

Joshua Hart, Scotts Valley resident, spoke regarding the fire and explosion in San Bruno. He advised this was a preventable event if safety measures would have been put in place by PG&E. He stated this was another example of PG&E endangering the public's safety.

Jay Mosely introduced himself to Council as being recently elected to the Scotts Valley Water District Board. He stated he was speaking in opposition to the extension of the Measure C sales tax as a City resident, small business owner, and as a father of small children.

Art Bubb, Scotts Valley resident, advised he is currently running for the Scotts Valley School Board. He spoke in opposition of extending the Measure C sales tax as the City has existing surplus and \$3 million in litigation monies pending. He believed there was no urgency for the City at this time. He spoke in favor of a proposed parcel tax benefitting the School District.

**ALTERATIONS TO
CONSENT AGENDA**

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

Consent Agenda:

- A. Approve Joint City Council/RDA meeting minutes of 9-1-10
- B. Approve check register – 9-3-10

**ALTERATIONS TO
REGULAR AGENDA**

CM Ando advised there were none other than an add-on to Agenda Item #2 (email correspondence from Adam J. Engel).

***M/S: Bustichi/Aguilar
To approve the Regular Agenda with the add-on to Agenda Item #2.
Carried 5/0***

REGULAR AGENDA

1. **Consideration of an exception (Design Review DR10-008) to allow additional sign area on the freestanding identification sign of the Kings Village Shopping Center located at 200 Mt. Hermon Road (APN 022-601-17) by adding a new cabinet sign (6 sq ft) for Bruno's BBQ**

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

The Council commended owner Rosanna Herrera for all her past support of community projects and events.

M/S: Bustichi/Lind

To approve Resolution No. 1857 approving an exception (Design Review (DR10-008) to allow additional sign area on the freestanding identification sign of the Kings Village Shopping Center by adding a new cabinet sign (6 sq ft) for Bruno's BBQ at 200 Mt. Hermon Road / APN 022-601-17.

Carried 5/0

2. Consideration of proposed foreclosure on APN 021-141-05, Title Two Investment Corporation

CA Powell presented the written staff report, distributed an email correspondence from Adam J. Engel, and responded to questions from Council.

M/S: Aguilar/Lind

To approve Resolution No. 1535.5 ordering the collection of delinquent assessments and taxes for various assessments and community facility districts pursuant to California Streets and Highways Code Section 8830 and California Government Code Section 53356.1, if said assessments and taxes are not paid by Wednesday, September 22, 2010.

Carried 5/0

3. Consideration of approval of the Friends of the Scotts Valley Library naming opportunities campaign and use of funds

ICDD Westman presented the written staff report and responded to questions from Council. She introduced Teresa Landers, Director of the Santa Cruz Public Libraries and stated she would be available for any questions.

CM Aguilar spoke in favor of having the Library Subcommittee deciding the expenditure of monies raised by the Friends of the Scotts Valley Library.

CM Bustichi advised he had no problem with naming rights being sold and setting aside those funds specifically for the library; however, he would like Council to be the approving body for these expenditures. He had concerns that Council would be setting precedence with allowing expenditure decisions to be made at the subcommittee level. He also stated he was concerned over the lack of detailed responsibilities in the JPA of the RDA and library system.

Mayor Reed clarified with CA Powell that there are agreements in effect. Mayor Reed stated he believes the Subcommittee should make these expenditure decisions as the Council doesn't need to oversee every expenditure.

CA Powell advised there is a construction agreement; however, she is currently working on a landlord/tenant agreement. CA Powell clarified for Council that the Subcommittee was created for the construction of the library and noted it would end when construction was complete.

CM Johnson thought that imposing an expenditure dollar limit of \$5,000 on the Subcommittee would be a good compromise and appropriate.

CM Aguilar thought if it's an item not on the existing list and over \$5,000, it should be brought to Council for consideration.

Mayor Reed requested the Friends of the Scotts Valley Library come before Council annually to provide information on projects they wish to do. He reported the fund-raiser last weekend for the Friends of the Scotts Valley Library raised over \$14,000.

Teresa Landers, Director of the Santa Cruz Public Libraries, spoke in support of the Subcommittee approving expenditures under \$5,000 through the life of the construction subcommittee.

M/S: Bustichi/Johnson

To authorize the Friends of the Scotts Valley Library to sell the naming rights for the items listed on Attachment A, and agree to place the funds raised into an RDA Library Facilities Fund; and the Redevelopment Agency Board of Directors authorizes the Library Subcommittee to make decisions regarding the approval of expenditures from the RDA Library Facilities Fund up to \$5,000.

Carried 5/0

4. Consideration of adoption of urgency Ordinance No. 185 establishing a temporary moratorium on the installation of SmartMeters and related equipment in the City of Scotts Valley

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

Mayor Reed clarified with CA Powell that the City has the right to pass the urgency Ordinance; however, CA Powell stated that SmartMeters are under the authority of the PUC and she believed the City does not have the authority to enforce the Ordinance.

CM Aguilar stated she was in favor of passing the Ordinance as a statement of concern from the City.

CM Bustichi stated the City had already made a statement by the approval to be included in petitions that have been filed with the PUC.

Gene Scothorn, Scotts Valley resident, stated he shared the concerns of Council on the enforceability of the moratorium; however, he brought attention to the first "Whereas" on page two of Ordinance and stated that he does have concerns regarding personal privacy issues and the lack of choice in using SmartMeters.

Jason Matthews, Scotts Valley resident, spoke in favor of passing the moratorium due to safety issues and citizen rights.

Diane Nichol gave examples of how other cities plan to enforce the moratorium and spoke in favor of passing the Ordinance due to health issues.

Katherine Herndon, resident of Santa Cruz, spoke in favor of the moratorium due to health concerns, and presented Council with a letter from Randy S. Baker, MD in favor of the moratorium due to health concerns.

Heidi Bazzam, speaking on behalf of Scotts Valley Neighbors Against SmartMeters, spoke in favor of the moratorium due to inaccuracy of meters, health concerns, and privacy issues.

Christine Barrington, Scotts Valley resident, spoke in favor of the moratorium due to safety concerns and the increase of corporate power by PG&E.

Glenn Chase, speaking as a professor of management systems, spoke in favor the moratorium stating SmartMeters are not needed for a smart grid and it would aid the health and welfare of citizens.

Marilyn Garrett, representing the Wireless Alert Network, spoke in favor of the moratorium due to health concerns from radiation emitted by SmartMeters.

Rhonda, speaking for EMF Safety Networks, spoke in favor of the moratorium due to safety issues with SmartMeters and passed out information on SmartMeter fires.

Frank Kertai, Scotts Valley resident, spoke in favor of the moratorium due to health issues, a lack of personal choice, and personal privacy issues.

CM Aguilar stated she wants to send a message to PG&E with the approval of this emergency ordinance that the City of Scotts Valley is concerned over SmartMeter health issues for children and privacy issues of citizens.

Mayor Reed stated he felt the action taken by Council several weeks ago is sufficient in sending a message to PG&E. He stated his responsibility is to land use and local issues that effect Scotts Valley. He stated he would not vote for supporting this symbolic ordinance.

CM Bustichi stated he doesn't want to be part of a symbolic issue that makes everyone feel good but really doesn't do anything, as the Council doesn't have jurisdiction over SmartMeters. He stated he would vote against adoption of the Ordinance.

CM Lind stated she had real concerns in passing an Ordinance that the City could not enforce.

CM Johnson stated he had concerns with passing an Ordinance that would limit someone in the City who is in favor of having a SmartMeter installed. He stated he would not be in favor of passing the Ordinance that would impose a moratorium on the whole community.

CM Aguilar stated that since she believed the Ordinance would not pass if she made a motion to adopt it, she urged citizens to call PG&E and request they not install their SmartMeters until more study was done.

5. Future Council/RDA agenda items

CM Bustichi requested a complete review of the Glenwood Open Space and the Land Trust Agreement, and the funds that have been spent to date. He also requested an update of the Scotts Valley Water District process on their monitoring well and the process on their trail system as well.

CM Bustichi requested Council discuss a building fee reduction to encourage economic development.

CM Bustichi requested discussion by Council on creating a program where the Scotts Valley High School Student Council would review and act on actual City Council agenda items.

ADJOURNMENT

The meeting adjourned at 8:25 p.m.

Approved: _____



Jim Reed, Mayor / Chair

Attest: _____



Jeanette Roland, Deputy City Clerk / Secretary