

MINUTES

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

Date: October 1, 2008

POSTING:

The agenda was posted on 9-26-08
at City Hall, the SV Library, and the
SV Senior Center by the City Clerk.

CALL TO ORDER 6:04 p.m.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

Present:

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

City Manager Ando
City Attorney Powell
Public Wks Director Anderson
Police Lieutenant Wilson
Community Development Dir Wooden
Building Official Strasser
City Clerk Ferrara

COMMITTEE REPORTS VM Barrett reported that the Local Agency Formation Commission (LAFCO) met in Bonny Doon, with 400-500 people present, to discuss a request from Bonny Doon residents to form their own fire district. He stated that the request was denied, however, a recommendation was submitted to Cal Fire requesting that Cal Fire set up a permanent station during the summer months in the Bonny Doon area.

CM Aguilar reported that she attended the League of California Cities Annual Conference in Long Beach. She stated that the Governor provided an update on the State budget. She stated that the Governor also signed SB 375 regarding land use in California.

PUBLIC COMMENT Mayor Johnson announced that Cub Scouts, Den 8, was present at the meeting and had just received a tour of the City facility and Police Department.

Ferd Bergholz, Scotts Valley Senior Center, announced that the Senior Center will be hosting its First Annual Scotts Valley Community Chocolate Tasting and Wine Tasting Festival on Friday, October 18 from 1:00 to 5:00 pm at the Scotts Valley Community Center, 370 Kings Village Road. Tickets are available in advance for \$18 per person from the Senior Center through Wednesday, October 15, 438-8666, or they can be purchased at the door for \$20. Mr. Bergholz presented the Council Members with an event printed wine glass and a sample of chocolates that will be at the event.

April Wooden, Community Development Director, announced that Building Official Joe Strasser had just recently passed an exam, for training he received through the International Code Council for legal and management skills.

Jondi Gumz, Scotts Valley School Board, announced that the School Board will be holding a community forum on Tuesday, October 7 at the Middle School pavilion regarding district facilities issues. She stated that they are looking for community input, and invited everyone to attend.

Caryn Machado, Candidate for City Council, stated that her husband's business, Luis Morrow Chocolates, will be participating in the Senior Center Community Chocolate Tasting and Wine Tasting Festival. She also stated that she is very happy that everyone can come together to help during the City's budget crisis.

Frank Kertai, President of the Heritage Parks Homeowners Association and City Council Candidate, stated that the comment period for the Town Center Draft EIR will expire on Friday, October 3 at 5:00 pm and encouraged the citizens in Scotts Valley to read the Specific Plan and EIR and submit their comments. He encouraged the City Council to make the Town Center Plan something that we can all be proud of and urged the Council to make sure that the EIR is something that can be defended in court. He stated that he believes that the traffic and water portions of the current EIR could be challenged because they use deferred mitigations that could be challenged with respect to CEQA. Regarding the movement of the propane tanks to other industrial zones, he encouraged the City to take into account the blast zone study that was completed in the past, and bury the tanks underground to be sure that the safety zone is well defined. He also stated that the Town Center should be a pedestrian friendly design. He stated that he is concerned that the narrowing of traffic lanes trades aesthetics for safety.

Paul Bach, Responsible Local Development Political Action Committee (RLDPAC), stated that he supports the Town Center, however, he is concerned that the EIR has flaws. He expressed his concerns about the concept of deferred mitigations, which he stated, means that the City doesn't have the authority to approve the mitigation. He stated that the EIR contains many deferred mitigations, which is a violation of CEQA regulations. He stated that one example of a deferred mitigation in the EIR is a second turn lane at the intersection of SR 17 and Mt. Hermon Road. He stated that he spoke with Caltrans, and he is concerned that Caltrans will not have time to respond to the EIR by October 3, because it is not a high priority for them and they are backed up with work. He stated that he believes the EIR can be challenged in court, and encouraged the City Council to be thorough.

Mayor Johnson announced that he had attended an open house for the Lodato Park Trail on Saturday, September 27, sponsored by the Scotts Valley Recreation Division, and encouraged people to take advantage of this trail. CM Aguilar thanked Parks & Recreation Commissioner Dave Sanguinetti and all the volunteers for their hard work on this trail.

VM Barrett reported that the Cultural Council will be continuing its annual Open Studios Tour during the month of October. He stated that the studios are open from 11:00 am to 6:00 pm, and that the North County tour will be October 11-12, and an Encore weekend for both South and North County will be held October 18-19.

ALTERATIONS TO CONSENT AGENDA

CM Ando announced that Item F, had a minor modification on page 2 of the agreement with Callander Associates Landscape Design, that was approved by the City Attorney. CM Bustichi requested that Item D be moved to the regular agenda for a separate vote.

M/S: Aguilar/Barrett

To approve the Consent Agenda as amended, with the minor modification to the agreement in Item F with Callander Associates Landscape Design, and moving Item D to the regular agenda for a separate vote.

Carried 5/0

Consent Agenda:

- A. Approve Joint City Council/RDA meeting minutes of 9-17-08
- B. Approve check register – 9-23-08
- C. Second reading and adoption of Ordinance No. 16.123.1 amending Chapter 17.51 of the Scotts Valley Municipal Code by amending Section 17.51.010 and adding Section 17.51.025 regarding green building requirements
- E. Bean Creek Road Bike Lanes Project:
 - (1) Approve contract for professional services between the City of Scotts Valley and Mesiti-Miller Engineering in the amount of \$10,000 for construction engineering services
 - (2) Approve contract for professional services between the City of Scotts Valley and Ifland Survey in the amount of \$13,000 for surveying services
 - (3) Authorize the Public Works Director/City Engineer to issue a change order, not to exceed \$3,000 total, if needed, for the contract for professional services with Mesiti-Miller Engineer or Ifland Survey
- F. Approve contract for professional services between the City of Scotts Valley and Callander Associates Landscape Architecture, Inc. for Shugart Park schematic design services
- G. Approve Resolution No. 1792.2 approving the parcel map for Scarborough & Scarborough // 12 Blake Lane // APN 022-172-36

ALTERATIONS TO REGULAR AGENDA

M/S: Barrett/Aguilar

To approve the Regular Agenda as amended moving Item D to the regular agenda for a separate vote.

Carried 5/0

REGULAR AGENDA

D. Glen Canyon Road and Granite Creek Road Pavement Rehabilitation Project:

- (1) Award contract in the amount of \$ 273,243 for Glen Canyon Road and Granite Creek Road pavement rehabilitation project to Granite Construction Company.
- (2) Authorize the Public Works Director/City Engineer to issue a change order in an amount not to exceed \$127,757 to Granite Construction Company to extend the limits of projects as needed.

CM Bustichi recused himself from voting on this item due to a conflict.

M/S: Barrett/Reed

To approve staff recommendation as follows:

- (1) Award contract in the amount of \$ 273,243 for Glen Canyon Road and Granite Creek Road pavement rehabilitation project to Granite Construction Company; and,***
- (2) Authorize the Public Works Director/City Engineer to issue a change order in an amount not to exceed \$127,757 to Granite Construction Company to extend the limits of projects as needed.***

Carried 4/0

1. Annual review of the Glenwood Development Agreement

CDD Wooden presented the written staff report and responded to questions from Council.

M/S: Aguilar/Barrett

To accept the Annual Review of the Glenwood Development Agreement and require Ponderosa Homes to submit a final Annual Review subsequent to June 30, 2009, the date of termination of Ponderosa's obligation to operate the Open Space Master Plan.

Carried 5/0

2. Storm Water Management Plan (SWMP)

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

Frank Kertai, President of the Heritage Parks Homeowners Association, commended PWD Anderson for his work on the SWMP. He stated that he is concerned about the implications of the final draft SWMP on the Town Center and proposed retail complex at Gateway South. He stated that he thinks there will be significant implications from the SWMP on those two projects, and recommended that the EIR's for both projects be re-evaluated to include the SWMP.

M/S: Aguilar/Barrett

To authorize the Public Works Director to work with other jurisdictions, complete Chapter 5, and return to the October 15 City Council meeting with a final draft SWMP that incorporates City Council comments made at the 9/17/08 City Council meeting.

Carried 5/0

3. Consideration of approval of Administrative Policy No. 0046 regarding use of City letterhead by City Council Members

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

CM Aguilar stated that she would like Item E2 to be changed as follows:
The correspondence utilizing the City's letterhead indicates in the ~~first sentence of the correspondence~~ that the correspondence is being sent on behalf of the individual and in no way represents a position of the City Council.

CM Reed stated that he does not feel the City should have letterhead for individual City Council Members.

CM Bustichi stated that he does not feel the City should have letterhead for individual City Council Members, because he is concerned that the City logo implies that it is official City business. He stated that he would rather see letters approved by the entire City Council.

Caryn Machado, Scotts Valley City Council Candidate, stated that she feels this request is reasonable.

Frank Kertai, SV resident and City Council Candidate, stated that he feels this request is reasonable and agreed with VM Barrett's recommendation.

VM Barrett recommended that Section II, Letterhead for Individual City Council Members, be removed from the policy.

M/S: Barrett/Aguilar

To approve City of Scotts Valley Administrative Policy No. 0046, titled "Use of City Letterhead by City Council Members", as amended deleting Section II from the policy and amending item E2 as follows: "The correspondence utilizing the City's letterhead indicates in the ~~first sentence of the correspondence~~ that the correspondence is being sent on behalf of the individual and in no way represents a position of the City Council.

Carried 3/2 (NOES: Bustichi/Reed)

4. Future Council/RDA agenda items

CM Bustichi requested an item on the October 15 agenda to consider the possibility of putting a check box on utility bills to raise money for the Scotts Valley Educational Foundation (SVEF).

CM Bustichi requested a future agenda item to discuss the possibility of funding waterless urinals for the Scotts Valley Unified School District (SVUSD) from Wastewater Treatment Plant Fund. He stated that the City could look at having those funds reimbursed by the School District, at a later date, through the SVUSD's savings on water.

CM Bustichi requested a future agenda item to discuss the establishment of an Ad Hoc Subcommittee to evaluate ADA accessibility throughout the City. He would like the subcommittee to include people from the public, as well as one City Council Member, and one Planning Commissioner.

CM Aguilar stated that she had received an email from Joe Miller regarding water conservation/recycled water, and requested a future agenda item to revisit the issue of water conservation as it relates to recycled water. She stated that she would provide the email to staff.

ADJOURNMENT

The meeting adjourned at 7:05 p.m.

Approved: _____

Randy Johnson, Mayor / Chair

Attest: _____

Tracy A. Ferrara, City Clerk / Secretary