

MINUTES

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

Date: October 17, 2007

POSTING:

The agenda was posted on 10-12-07
at City Hall, the SV Library, and the
SV Senior Center by the City Clerk.

CALL TO ORDER 6:00 p.m.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

Present:

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

City Manager Comstock
City Attorney Powell
Deputy City Mgr/Admin Svs Dir Ando
Police Lieutenant Wilson
Public Wks Director Anderson
Interim Community Development Dir Westman
Senior Planner Fodge
City Clerk Ferrara

INTRODUCTION OF NEW EMPLOYEES CM Comstock introduced Joe Strasser, the City's new Building Official.

PL Wilson introduced two Police Officers who just completed their training program, Pat Kennedy and Wayne Bellville.

SPECIAL SET MATTER The members of the Scotts Valley Arts Commission presented their respective Council Members with the published book of poems from the 2007 Scotts Valley Poetry Contest, Verse in the Valley. The books are available for \$10 at the Scotts Valley Recreation office.

COMMITTEE REPORTS CM Johnson reported that a very successful Skypark Town Center Community meeting was held on Tuesday, October 16, to look at some of the final design plans of the Town Center.

CM Johnson reported that the Library Joint Powers Board met to discuss whether or not to put a 1/4 cent sales tax on the ballot in February 2008. He stated that the 1/4 cent sales tax currently in place will expire in 2013 and this would put the tax in place permanently. He stated that the JPA Board decided not to place this on the February 2008 ballot, and further discussions will be held to determine when, if ever, to put this on the ballot.

CM Aguilar reported that AMBAG met and discussed the Regional Housing Needs Allocation (RHNA). She stated that Scotts Valley has received an allocation of 315. The Board also discussed AB 1058 (Laird), regarding residential green building construction, which has gone through a number of amendments. She stated that they also discussed the energy conservation program they have with PG&E, and reported that the Monterey County Jail saved \$80,000 in one year after retrofitting.

Mayor Bustichi reported that the Transportation Funding Task Force (TFTF), will be meeting again on October 29th at the Del Mar Elementary School in Live Oak, to discuss ways of funding transportation needs throughout the County. Everyone is invited and welcome to attend.

Mayor Bustichi reported that the Economic Development Subcommittee met and they are working on a program to bring to the Council, which would feature/showcase a unique business in Scotts Valley once a month.

PUBLIC COMMENT

Ellen Murtha, Women's International League for Peace and Freedom (WILPF), distributed materials to the City Council regarding Blue October. She read a US Mayors resolution, and stated that their mission is to emphasize the importance of municipal water supplies, and to call for studies to determine the impact on cities of waste from bottled water.

Randa Sallack, Scotts Valley representative of WILPF, spoke regarding Blue October, an international month of water awareness. She asked that the City Council place this item on a future agenda for discussion and adopt a resolution supporting the formation of a national water trust fund. She also asked that the Council vote to not use bottled water at meetings and to increase the number of public water fountains in Scotts Valley.

Jane Armstrong, requested that the Council place two items on a future agenda: (1) the smell of the wastewater treatment plant at 7:00 pm; and (2) consider adopting roadway standards, because she is concerned that every time we pave a road we cut a hole in it for manhole covers. Mayor Bustichi stated that he will have the Traffic Safety Subcommittee review existing roadway standards.

Mayor Bustichi reported that the State Department of Food and Agriculture will be holding a public meeting in Santa Cruz to discuss the Light Brown Apple Moth on Monday, October 22, at the Cocoanut Grove at 8:00 pm, and on Tuesday, October 23, at the University Inn on Ocean Street at 7:30 pm.

**ALTERATIONS TO
CONSENT AGENDA**

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

Consent Agenda:

A. Approve check register – 10-5-07

- B. Approve Resolution No. 1476-VC-14 determining disposal of surplus funds for the Valley Commons Improvement District
- C. Approve agreement for professional services between the City of Scotts Valley and Callander Associates Landscape Architecture, Inc. for the design of the 7.5 acre Shugart Park parcel located on Glenwood Drive
- D. Approve the Granite Creek Road overlay and Glen Canyon Road rehabilitation and overlay as the project list for Proposition 1B bond funds

**ALTERATIONS TO
REGULAR AGENDA**

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

REGULAR AGENDA

1. **Consideration of an appeal of a Planning Commission decision to approve Design Review permit No. DR-07-011 for a new building and outdoor storage yard for Central Home Supply at 100 & 180 El Pueblo Road**

SP Fodge presented the written staff report and responded to questions from Council. She stated that she had received a written request from Bruce Canepa, the appellant, to continue this item to a November Council meeting to allow more time to address the concerns raised in the appeal. She also stated that the City had just received a letter today from the appellant's land use consultant providing additional information on the reason for their request for continuance, along with two petitions from local businesses in the El Pueblo area, supporting the continuance of the appeal.

John Swift, Hamilton Swift (appellant's land use consultant), stated that the reason for the request for continuance is to provide additional time for review. He stated that Mr. Canepa does not want to stop the project, he just wants to make sure that the dust will be controlled. He stated that they plan to sit down with the applicants to work through the issues, and to look at a site plan to see where the materials will be placed to assist in reducing dust, and to preserve the integrity of existing businesses. He stated that this continuance will give them time to meet, resolve, and come to agreement on these issues. Mr. Swift also stated that he disagrees with City staff's opinion that this is a design review and not a use permit.

Rick Santee, Central Home Supply, stated that he had met with Bruce Canepa and thought that everything was resolved. He stated that it is a hardship on Central Home Supply to continue this item because it is their intention to move during their slow time.

CM Reed questioned when Central Home Supply (CHS) would like to be up and running.

Mr. Santee responded that CHS would like to be up and running in the spring of 2008. He estimated that it would take six weeks to obtain working drawings, the approval process would take approximately one month, and the contractor should be able to complete construction of a 6,000 square foot building in two months.

CM Barrett questioned what percentage of business CHS is planning to move to Scotts Valley. Mr. Santee responded that it is their intent to move 100% of their business to Scotts Valley eventually.

Bill Gilbert, representing Scarborough/Gilbert partners, spoke regarding the petition from existing businesses, which he did not receive until almost 5 pm this evening. He stated that he had spoken with Rob Larkin at Larkin Precision Machine and Brian Smith at Assembly Tech, who were on the petition, and they didn't really understand the process that had gone on to date. He stated that Mr. Larkin's main concern had been increased traffic and that Mr. Smith did not sign the petition, his brother did. Mr. Smith's only concern is that he wants to see a red no parking strip. Mr. Gilbert stated that he does not believe that the people who signed the petition had all the facts. He stated that at the Planning Commission meeting of September 13, Mr. Santee expressed to Mr. Canepa that he would work with him to alleviate any problems. Mr. Gilbert stated that he was concerned about the last minute things that have occurred. He feels that discussions could have been held in the last thirty days. He also stated that Mr. Canepa wants to see working drawings, but he is not willing to spend \$20,000 on working drawings for a project that is not approved. Mr. Gilbert stated that he is concerned that things will not move efficiently in the next three weeks, and that they will have another last minute issue before the next Council meeting.

Mayor Bustichi stated that he was concerned about the last minute letter from the appellant's land use consultant, because he feels it does not show cooperation and is just delaying the process.

M/S: Barrett/Aguilar

To continue the appeal for three weeks to the next regular meeting of November 7, 2007.

Carried: 4/1 (NOES: Bustichi)

The City Council encouraged the appellant to be cooperative and productive in working with CHS so that concerns can be addressed on both sides.

2. Discussion: Draft water mitigation ordinance

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

CM Aguilar stated that she would like the Planning Commission to consider the following issues in their review.

- (1) Recycled water: Mitigations for when commercial buildings should hook-up to recycled water because of distance from the recycled water lines.
- (2) She is concerned that a requirement for commercial properties to retrofit

and install dual plumbing and waterless urinals may be a deterrent to selling the commercial building. CM Westman responded that it would be an either/or. If it was too expensive to install dual plumbing, they would have an option to put in high efficiency toilets and waterless urinals.

CM Reed proposed using money from the Wastewater Treatment Plant (WWTP) Fund for rebates. After reviewing the Wastewater Fund (\$1.8 million), he feels the City has a little room to take some funds out and make them available to members of the public who save water. He stated that based on statistics from the Scotts Valley Water District rebate program, a \$100-\$200 rebate from the City would cost approximately \$10,000 to \$15,000 per year. He recommended using up to \$25,000 per year from the WWTP Fund for a program matching rebate incentives from the Water District.

CM Barrett stated that with the existing Water District rebates and the approximate cost of fixtures – \$300 – he does not feel it is an excessive cost for people to deal with. He recommended evaluating this program for a year, and if we are not getting enough compliance, helping in the future.

CDD Westman recommended keeping any type of rebate/incentive program separate from the water mitigation ordinance. Council concurred.

CM Reed stated that he recalled a discussion for new commercial construction that would require both dual plumbing and high efficiency fixtures.

Mayor Bustichi stated that the cost of installing dual plumbing in new commercial construction is very insignificant. However, although we have a large amount of service capacity for recycled water, recycled water lines are not available in many areas.

The majority of the City Council agreed on the following:

- (1) New Commercial Construction: The requirement would be to put in high efficiency toilets, water urinals, and dual plumbing so that in the future, if recycled water is available, they can connect.
- (2) Existing Commercial Property: When existing commercial property is changing hands, the requirement would be to put in high efficiency toilets and waterless urinals or dual plumbing.

CDD Westman stated that when she writes the ordinance, only properties serviced by the Scotts Valley Water District (SVWD) will be required to install dual plumbing and/or high efficiency toilets and waterless urinals. This would exclude any properties that are serviced by the San Lorenzo Valley Water District (SLVWD).

Mayor Bustichi stated that he would like to see the option to include properties that are serviced by the SLVWD.

CA Powell stated that if we wanted to incorporate properties that are serviced by the San Lorenzo Valley Water District into the Scotts Valley Water District, we would have to get approval through LAFCO.

CDD Westman stated that she will work with the City Attorney to determine if the City can legally include the requirement to include SLVWD properties.

Mayor Bustichi recommended using WWTP funds to assist with educating the public better regarding water mitigation and rebates. He stated that he feels that retrofitting and replacement is not just conservation, it is true mitigation.

Mayor Bustichi stated that he is concerned about the statement in the Water District's ordinance that says: *The District reserves the right to inspect the customer's premises for purposes of verification.* He would prefer to have the City's ordinance state that verification from a plumbing contractor, licensed contractor, etc. would be more appropriate and less intrusive.

3. Future Council/RDA agenda items

CM Aguilar requested that the massage therapy ordinance be placed on a future agenda for discussion.

CM Aguilar requested a future agenda item regarding the use of herbicide spray at the linear park.

CONVENE TO CLOSED SESSION

The City Council convened to closed session at 7:43 p.m. to discuss the following items:

1. Pursuant to Government Code Section 54956.9, the City Council met in closed session to confer with their legal counsel regarding existing litigation. Name of Case: City of Scotts Valley vs. County of Santa Cruz Superior Court, Case No. CV 157460.

RECONVENE TO OPEN SESSION

The City Council reconvened to open session at 8:05 p.m.

REPORT ON ACTION TAKEN DURING CLOSED SESSION

Mayor Bustichi announced that there was nothing to report.

ADJOURNMENT

The meeting adjourned at 8:10 p.m.

Approved: _____

Dene Bustichi, Mayor / Chair

Attest: _____

Tracy A. Ferrara, City Clerk / Secretary