

# MINUTES

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

**Date: November 5, 2008**

**POSTING:**

The agenda was posted on 10-31-08  
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 Johnson  
Vice Mayor Barrett  
Council Member Aguilar  
Council Member Bustichi  
Council Member Reed

City Manager Ando  
City Attorney Powell  
Public Wks Director Anderson  
Police Chief Weiss  
Community Development Dir Wooden  
Contract Planner Tschantz  
City Clerk Ferrara

**COMMITTEE REPORTS**    None.

**PUBLIC COMMENT**

Paul Bach, Responsible Leadership Development Political Action Committee (RLDPAC), stated that VM Barrett had requested a future agenda item several months ago to discuss the Mid-Town Interchange (MTI), and he questioned when it would be placed on an agenda for discussion. He stated that the City currently has \$900,000 in reserve for the MTI. He stated that it will cost tens of millions of dollars to build the MTI, and since it is unlikely that the MTI will ever be constructed, he recommended liberating the \$900,000 and placing it in a fund for road maintenance. He stated that there isn't any great need for the MTI, and in order to build the MTI, the City – through eminent domain – would have to take land from local businesses and private citizens. He requested that a discussion of the MTI be scheduled on an upcoming Council agenda for the citizens to ask questions about the MTI. He also stated that the MTI is mentioned in the Town Center project and the Target project.

Mayor Johnson responded that according to the Public Works Director, doing a study for the MTI correctly would cost approximately \$30,000 to \$50,000. He stated that it was his understanding that VM Barrett had rescinded his request because of the costs associated with this item. He stated that the MTI is mentioned in EIR's, but never as a mitigating factor.

Mr. Bach stated that he is not asking the City to do the study, he is just asking for the City Council to hold a meeting where the citizens can ask questions and comment about the MTI.

Mayor Johnson responded that to have a meaningful dialogue we would need a study of the MTI, because without the study, the City does not have any answers.

VM Barrett stated that he feels a discussion of the concept would be appropriate and asked for a future agenda item to discuss the Mid-Town Interchange.

CA Powell stated that the \$900,000 in funds referred to by Mr. Bach have been collected over the years for a variety of improvement projects.

CM Aguilar questioned if the some of the \$900,000 could be used for the study.

CA Powell stated that those funds have been collected over the years for a variety of traffic improvements that we have in our development impact fee schedule, so they are not specifically for the MTI. She stated that it is possible that the funds could be used for a study, although, she is not sure that it is a good use of those funds at this time, because the City is limited in the funds that are available for the projects listed in the development impact fee schedule.

Frank Kertai, President of the Heritage Parks Homeowners Association, congratulated Dene Bustichi, Randy Johnson, and Donna Lind on their re-election/election to the City Council. He stated that there are 7,200 people registered to vote in Scotts Valley, and he was disappointed that less than 40% exercised their right to vote. He stated that he plans to remain involved in the process and personally attend every City Council meeting that he can.

Donna Lind, City Council Member Elect, thanked the citizens, her family, and her friends for their support throughout the election process, and stated that she looks forward to the opportunities ahead.

CM Ando introduced Trish McGrath, new Administrative Secretary I, in the Finance Department.

CDD Wooden introduced Joel Schwartz, new Administrative Secretary/ Planning Aide in the Planning/Building Departments.

CM Reed stated that the "Friends of the Scotts Valley Library" are meeting monthly to raise money for upgrades/enhancements to the proposed library. He stated that their first fundraiser is scheduled for December 4-6. The fundraiser is a book sale held at the Scotts Valley Library with new or like new books, audio books, DVD's, and CD's for sale. He stated that the Lion's Club will also be assisting with this event.

VM Barrett stated that the American Red Cross "Bucket Brigade" will be set up at Nob Hill, Safeway, and Scotts Valley to raise money for fire victims.

**ALTERATIONS TO  
CONSENT AGENDA**

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

**Consent Agenda:**

- A. Approve check register – 10/22/08
- B. Consideration of matching San Lorenzo Valley Water District rebate program for installation of water efficient fixtures
- C. Approval of professional services contract with DuFour, Inc., dba Central Electric Company for Scotts Valley Police Department 9-1-1 upgrade

**ALTERATIONS TO  
REGULAR AGENDA**

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

**REGULAR AGENDA**

1. **Presentation of annual report for the Santa Cruz City/County Library System by the Library Director**

Anne Turner, Director of Libraries for the Santa Cruz City/County Library System, presented the fiscal year 2007-2008 Annual Statistical Report to all Council Members for the Library System, and responded to questions from the Council. An annual report was handed out to each Council and will be available on file in the City Clerk's office.

The Council thanked Anne Turner for the annual report, complimented her on the library system, and wished her well on her upcoming retirement.

2. **First reading and introduction of Ordinance #180 repealing sections of Chapter 5.17 of the Scotts Valley Municipal Code and establishing a new Chapter 9.20 (Social Host Ordinance)**

PC Weiss presented the written staff report and responded to questions from Council.

Shebreh Kalantari, Together for Youth/CURB Project Coordinator and Director of Community Building for United Way of Santa Cruz County, spoke in favor of Scotts Valley adopting a Social Host Ordinance and responded to questions from Council. She gave some history on Project CURB, explained what a Social Host Ordinance does, and described the long term goals of Project CURB (Communities United to Reduce Bingeing) to reduce binge drinking and its consequences. She also distributed a packet of information to the City Council regarding Project CURB.

Paul Bach, RLD PAC, questioned why there is a restriction in the ordinance on the number of people to two or more.

PC Weiss responded that the Police Department will respond if there is only one person, however, the number of two people or more was used to keep this ordinance uniform throughout the County.

**M/S: Aguilar/Barrett**

**To approve first reading and introduction of Ordinance No. 180 repealing Sections 5.17.060, 5.17.070, 5.17.080, 5.17.020(D), (E) & (F) of the Scotts Valley Municipal Code, and establishing an ordinance of the City of Scotts Valley adding Chapter 9.20 to Title 9 of the Scotts Valley Municipal Code establishing a Social Host Ordinance, and waive the reading thereof.**

**Carried 5/0**

## **PUBLIC HEARINGS**

3. **Consideration of a General Plan Amendment, Zone Change, Planned Development, and Land Division to create six single-family residential lots and one commonly-owned lot at 495 & 497 Lockwood Lane; APNs 021-071-02 & 021-231-09**

CP Tschantz presented the written staff report and responded to questions from Council.

CP Tschantz noted the following recommended changes to Exhibit A, Conditions of Approval (Resolution No. 1820.2):

1. Page 35 of staff report, Condition 4e, line 7: ...of trees, shrubs or ~~other woody vegetation~~ or the installation of patios or...
2. Page 37 of staff report, Condition 11, line 1: The most southerly 10 feet of the rear yards shall not contain trees, ~~shrubby~~ or...
3. Page 39 of staff report, Condition 12.b.i.: Fencing: ~~An 6 8 foot high solid wood fence~~ shall be installed along the south and east property lines of the project site. The design of the fence shall be a 6 foot high solid redwood fence, with a 2 foot high closed lattice and cap rail above.
4. Page 45 of staff report, Condition 31d, line 3: ...Quality-3/Condition ~~31~~ 32, to City Planning staff and the City Attorney for...

CM Bustichi questioned if the City had any liability regarding the trees that the City Arborist reported were possibly in structural jeopardy.

CA Powell stated that if the Council approves the project with the recommendations by the Arborist, and the applicant complies with the Arborist report, the City would not have any liability.

CM Aguilar stated that on page 51, paragraph 4, Scott Hamby, Scotts Valley Wastewater Treatment Plant Director, states that he does not believe moving the sewer line is appropriate. She agrees with that statement and stated that she would like to see the street moved.

Matthew Thompson, Thacher & Thompson Architects (representing the applicant), stated that he agrees with the fencing condition and reviewed the accommodations made for neighbors on Estrella. He stated that regarding the road alignment, he feels it is inappropriate to have double frontage lots, and

stated that he feels it is a bad planning practice. He also stated that there is a minimum 30 foot setback on all lots. Mr. Thompson stated that they have concerns about traffic safety and ingress/egress with two roads so close to each other.

**PUBLIC HEARING OPENED - Continued from 10-15-08 regular City Council meeting**

Fred Richey, Estrella Drive, spoke in favor of having the street where the current driveway is because the neighbors feel it is a benefit to everyone. He stated that the neighbors are in favor of having the Ponderosa Pine tree with four trunks removed or cabled as soon as possible to protect the neighborhood, and not to wait until development begins. He stated that their preference is to have the tree removed.

John Sisk, property owner, stated that if the project is approved, the four trunk Ponderosa Pine tree will be removed as quickly as possible, and he will bear the cost.

**PUBLIC HEARING CLOSED - 7:28 PM**

CM Aguilar requested that a condition of approval be added that the four trunk Ponderosa Pine tree be removed as soon as possible.

CM Aguilar questioned who would be responsible to put up the netting to protect the homes from the golf course.

PC Tschantz stated that staff had received a letter from Sandy Woodruff, owner of Valley Gardens Golf Course, requesting that the City impose a condition on the developer to put up the netting; however, that is not staff's recommendation.

***M/S: Aguilar/Barrett***

***To approve Resolution No. 1820 certifying the mitigated negative declaration (MND07-006) and the mitigation monitoring and reporting program for a general plan amendment (GPA07-002), zone change (ZC07-001), planned development zoning overlay and permit (PD07-005) and land division (LD07-002) to create six residential lots and one common parcel on two existing lots at Lockwood Lane (APNs 021-071-02 & 021-231-09).***

***Carried 5/0***

***M/S: Aguilar/Barrett***

***To approve Resolution No. 1820.1 approving a general plan amendment (GPA07-002) to change the general plan land use designation for "high density residential" to "medium density residential" for the creation of six residential lots and one common parcel on two existing lots located at 495 and 497 Lockwood Lane (APNs 021-071-02 & 021-231-09).***

***Carried 5/0***

**M/S: Aguilar/Barrett**

**To approve first reading and introduction of Ordinance No. 16-ZC-212 approving a zone change (ZC07-001) and planned development zoning overlay and permit (PD07-005) to change the zoning from the "R-H" zoning district to the "R-1-10/PD" zoning district for the creation of six residential lots and one common parcel on two existing lots at 495 and 497 Lockwood Lane (APNs 021-071-02 & 021-231-09), and waive the reading thereof.**

**Carried 5/0**

**M/S: Barrett/Bustichi**

**To approve Resolution No. 1820.2 approving a planned development permit (PD07-005) and a land division (LD07-002) for the creation of six residential lots and one common parcel on two existing lots at 495 and 497 Lockwood Lane (APNs 021-071-02 & 021-231-09) as amended with the revised conditions of approval as noted above by CP Tschantz, and an additional condition stating that the four trunk Ponderosa Pine tree be removed as soon as possible.**

**Carried 5/0**

**REGULAR AGENDA**  
(Resumed)

4. **First reading and introduction of Ordinance #181 amending Chapter 10.08 of the Scotts Valley Municipal Code regarding storage of vehicles**

PC Weiss presented the written staff report and responded to questions from Council.

**M/S: Aguilar/Bustichi**

**To approve first reading and introduction of Ordinance No. 181 amending Chapter 10.08 of the Scotts Valley Municipal Code regarding storage of vehicles by amending Sections 10.08.010 and 10.08.060 and adding Section 10.08.120, and waive the reading thereof.**

**Carried 5/0**

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

VM Barrett requested a future agenda item to discuss the Mid-Town Interchange.

**ADJOURNMENT**

The meeting adjourned at 7:40 p.m.

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

Randy Johnson, Mayor / Chair

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

Tracy A. Ferrara, City Clerk / Secretary