

# MINUTES

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

**Date: December 20, 2006**

**POSTING:**

The agenda was posted on 12-15-06  
at City Hall 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 Marigonda

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

**COMMITTEE REPORTS**    CM Aguilar reported that the League of California Cities Monterey Bay Division held a reception hosted by Pacific Gas & Electric, so that newly elected and re-elected council members could get together and meet one another.

CM Johnson reported that the Santa Cruz County Regional Transportation Commission (SCCRTC) met and discussed the disbursement of Proposition 1B funds. He stated that the current Highway 1 construction project ends at Morrissey, and the SCCRTC has applied for funding to extend the auxiliary lanes from Morrissey to Soquel. The additional cost is \$18 to \$20 million and they are waiting to hear if any funding will be available.

CM Aguilar reported that AMBAG received \$350,000 to begin its blueprint planning for the region to assist with key projects for transportation in the region.

Mayor Bustichi reported that the Santa Cruz Metropolitan Transit District (SCMTD) met and discussed the State and Federal legislative program for funding. He stated that are standing in line with everyone else looking for funding for the metro system. He also stated that the SCMTD had authorized the General Manager to execute the purchase of eight 40' compressed natural gas busses, which is being funded almost entirely by grants.

## **PUBLIC COMMENT**

PC Weiss reviewed a recent accident that had occurred on Mt. Hermon Road this week, where two girls on their way to school had been hit by a pick-up truck. He asked that people please be sure to wait until their car windows are defrosted and clear before driving so that we can avoid accidents like this in the future.

Lynn Cordova, Lockhart Gulch resident, spoke about the parade held on the 4<sup>th</sup> of July. She stated that she was told she could not have a political float and that when she attended the parade there was a political float. She stated that she had wanted to have a peace float and was concerned about the breakdown in rules. She stated that at the parade she was told that this was a last minute entry, and she wanted to find out who had approved the entry and she also wanted to be sure they had paid double the fees in accordance with the rules. CM Aguilar stated that this was the first year for the parade and we learned from our mistakes. CM Comstock responded that fees had been waived for all entries.

Ann Wise, County Childcare Planning Council, stated that they stand ready to help the City of Scotts Valley bring our ordinances regarding day care facilities into compliance with state law.

Robert Norris, Santa Cruz resident, stated that he was shocked about not allowing political floats in the parade. He invited everyone to attend and participate in the parade on New Years Eve in Santa Cruz.

## **ALTERATIONS TO CONSENT AGENDA**

Mayor Bustichi requested that Item E regarding winter grading be moved to the regular agenda for a separate vote because he has a potential interest.

Robert Norris, HUFF, requested that Item J, regarding no overnight camping on City property, be moved to the regular agenda for discussion.

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

***To approve the Consent Agenda as amended, moving Item E regarding winter grading, and Item J regarding no overnight camping on City property, to the regular agenda for discussion.***

***Carried 5/0***

### **Consent Agenda:**

- A. Approve Joint City Council/RDA meeting minutes of 12-6-06
- B. Approve check register – 12-4-06
- C. Approve denial of claim from Lisa Warshaw in the amount of \$1,411.50
- D. Approve the Housing Element implementation and costs as follows:
  - (1) Housing Element adoption and implementation summary;
  - (2) Schedule for Housing Element adoption; and,
  - (3) Contract for professional services with Susan C. Westman for consultant assistance
- F. Approve sanitary sewer connection request for 3128 Glen Canyon Road // APN 068-282-01
- G. Approve Resolution No. 1783.1 approving the parcel map for 222 San Augustine Way // APN 023-401-26 (Joann Fiske and Steve Horlock)
- H. Second reading and adoption of Ordinance No. 16-ZC-204 approving a Zone Change (ZC06-001) and Planned Development Zoning Overlay and

Permit (PD06-001) to change the zoning from R-1-20 to R-1-10, and to allow reduced front yard setbacks (11 feet) for the existing residence at 305 Hacienda Drive (Parcel A), and reduced lot width (Parcel B), and reduced lot depth (Parcel C), to create a third lot between the two subject lots located at 305 Hacienda Way (APN 023-251-02) and 18 Nashua Drive (APN 023-251-07)

- I. Second reading and adoption of Ordinance No. 147.3 repealing Chapter 10.24 regarding Siltanen Park motor vehicle regulations
- K. Approve contract for professional services between the City of Scotts Valley and Larry Gale for broadcasting of all regularly scheduled City Council meetings which will be broadcast on public television
- L. Accept skate park litter review report from the Recreation Division Manager

**ALTERATIONS TO  
REGULAR AGENDA**

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

***To approve the Regular Agenda as amended, moving Item E regarding winter grading, and Item J regarding no overnight camping on City property, to the regular agenda for discussion.***

***Carried 5/0***

**REGULAR AGENDA**

- E. Approve request for winter grading to prepare site for future location of two modular buildings at 3192 Glen Canyon Road, The Camp Recovery Center

***M/S: Marigonda/Aguilar***

***To approve item E winter grading.***

***Carried 4/0/1 (ABSENT: Bustichi)***

- J. Second reading and adoption of Ordinance No. 147.4 amending Title 7, Chapter 7.12, Section 7.12.040 regarding no overnight camping on city property

Matt Marks, Cabrillo College Homeless Task Force, spoke in opposition to the City Council adopting this ordinance.

Bernard Klitzner, City of Santa Cruz resident, spoke in opposition to the City Council adopting this ordinance. He stated that he had some questions regarding this ordinance and homelessness in Scotts Valley and provided those questions to City staff.

Tim Rumford, Santa Cruz resident, Humanity for Homeless, spoke in opposition to the City Council adopting this ordinance.

Robert Norris, Homeless United for Friendship and Freedom, spoke in opposition to the City Council adopting this ordinance and stated that there are already State laws that make this illegal.

CM Marigonda retracted the term clear-cutting from the last meeting and stated that he simply meant that properties should be cleaned up.

**M/S: Marigonda/Barrett**

**To adopt Ordinance No. 147.4 amending Title 7, Chapter 7.12, Section 7.12.040 regarding no overnight camping on City property, and waive the reading thereof.**

**Carried 5/0**

1. (a) **Motion to reconsider grant of appeal of use permit for the operation of a the large family day care home at 601 Coast Range Drive**

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

CM Marigonda stated that he had full opportunity to review his previous comments and that he did not want to reconsider the decision he made on July 19, 2006.

CM Aguilar stated that she had some concerns regarding this item as it relates to Item D(1) on the consent agenda, Housing Element adoption and implementation summary, which states the following in Item F:

*F. Revise Zoning Ordinance to allow family day care homes in residential areas consistent with State law and establish policies designed to encourage such facilities in the appropriate areas of the community, including multi-family housing and employer sites (pg 5-12).*

She then read into the record the following from the City of Scotts Valley Housing Plan that was approved by the State: *Scotts Valley Housing Element, Chapter 5, Housing Plan, page 5-12: Child and Day Care Facilities: Scotts Valley recognizes that children represent our future community, but also recognizes that existing childcare services and facilities may not be adequate to meet today's demand and that this demand is increasing. To ignore this fact jeopardizes the long-term quality of the City's social, physical, and economic well-being. Thus, the City is committed to making high quality childcare services available, affordable, and accessible to those persons who either live or work in the City and who desire or need such services. Five Year Action(s): Revise Zoning Ordinance regulations to allow family day care homes in residential areas consistent with State law. Establish policies designed to encourage such facilities in other appropriate areas of the community, including multi-family housing and employment sites.*

- (b) **Reconsideration of appeal of a Planning Commission decision to approve a use permit for operation of a large family day care home at 601 Coast Range Drive**

**M/S: Marigonda/Barrett**

**To adopt 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.**

**Carried 3/2 (NOES: Aguilar, Bustichi)**

**2. Discussion: Amendment to City of Scotts Valley Assessment District Policy**

CM Comstock presented the written staff report and responded to questions from Council.

Bob Haight, representing Bean Creek Estates, reviewed the history of the Assessment District policy, and reviewed his letter included in the Council packet that listed their reasons for requesting the amendment.

CM Marigonda stated that he did not feel this provides a city-wide benefit.

Mr. Haight stated that the property consists of 20 acres, 6 acres of which will be for development, and 14 acres will be held for open space and perpetual management of open space. He stated that he feels the open space provides a city-wide benefit.

VM Johnson went over the history of the project and stated that the City was the one who required the developer to make the 14 acres open space, instead of being owned by the property owners.

CM Aguilar stated that she concurs it is a city-wide benefit because it is an environmental habitat, and she feels this can be worked out with just a few minor amendments to the policy.

CA Powell stated that some provisions in the policy would have to be changed if the Council decides to approve an assessment district for this project.

Council directed staff to make the necessary changes to the policy and bring the revised policy back to Council for review and approval.

**PUBLIC HEARINGS**

**3. Consideration of Minor Land Division application (MLD06-002) to allow for the creation of a flat lot at 623 Grace Way // APN 23-132-15**

EDS Stevens presented the written staff report and responded to questions from Council. She stated that the property owner, Mr. Steward, was available for questions.

**PUBLIC HEARING OPENED – 7:14 PM**

John Steward, project applicant, thanked staff and the Council for their review and consideration of this proposal. Stated that the purpose of this lot split is to make it possible for them to retire here where they have made their home for the past 16 years.

**PUBLIC HEARING CLOSED – 7:16 PM**

**M/S: Aguilar/Marigonda**  
**To adopt Resolution No. 1794 approving Minor Land Division MLD06-002, to create two parcels from one existing 21,935 square foot parcel located at 623 Grace Way (APN023-132-15).**  
**Carried 5/0**

**REGULAR AGENDA**  
(Resumed)

4. Future Council/RDA agenda items  
None.

**ADJOURNMENT**

The meeting adjourned at 7:18 p.m.

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

Dene Bustichi, Mayor / Chair

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

Tracy A. Ferrara, City Clerk / Secretary