

MINUTES

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

Date: December 21, 2011

POSTING:

The agenda was posted on 12-16-11
at City Hall, the SV Senior Center, and
the SV Library, by the City Clerk.

CALL TO ORDER 6:00 p.m.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

Present:	Mayor Lind	City Manager Ando
	Vice Mayor Johnson	City Attorney Powell
	Council Member Aguilar	Public Wks Director Anderson
	Council Member Bustichi	Police Chief Weiss
		Senior Planner Fodge
		City Clerk Ferrara

Absent: Council Member Reed

COMMITTEE REPORTS

VM Johnson reported that the Santa Cruz County Regional Transportation Commission met and discussed the rail line purchase.

CM Bustichi reported that the Santa Cruz Metropolitan Transit District met and rejected all bids for their Compressed Natural Gas (CNG) tank. He stated that it will be going out to bid after the first of the year.

PUBLIC COMMENT

Gary Richard Arnold, expressed concerns about the placement and deployment of SmartMeters due to health concerns.

**ALTERATIONS TO
CONSENT AGENDA**

*M/S: Aguilar/Bustichi
To approve the Consent Agenda.
Carried 4/0/1 (ABSENT: Reed)*

Consent Agenda:

- A. Approve Joint City Council/RDA meeting minutes of 12-7-11, 11-16-11
- B. Approve check register – 12-9-11, 12-2-11
- C. Approve second reading and adoption of Ordinance No. 57.2 amending Chapter 8.12 of the Scotts Valley Municipal Code establishing minimum standards for the recycling of electronic waste
- D. Approve and accept the 2010/2011 annual report of development impact fees
- E. Accept the Redevelopment Agency annual report for the fiscal year ended June 30, 2011

**ALTERATIONS TO
REGULAR AGENDA**

***M/S: Aguilar/Bustichi
To approve the Regular Agenda.
Carried 4/0/1 (ABSENT: Reed)***

REGULAR AGENDA

1. **Consider first reading and introduction of Ordinance No. 179.1 to dissolve Community Facility District 2007-1 (Bean Creek Estates) and authorization to eliminate all Subdivision Agreements on APN 022-631-22**

CM Ando presented the written staff report and responded to questions from Council. He introduced Dan Medeiros of the Land Trust, and Kate Anderton, a consultant for the Land Trust, and stated that they were available to respond to any questions that the Council may have.

CM Bustichi stated that although no fiscal impact was listed, he is concerned that there might be costs associated with the City Attorney preparing the necessary documents.

CM Ando responded that the Council could require the Land Trust to cover any costs incurred as a result of the City preparing documents.

***M/S: Aguilar/Bustichi
To approve first reading and introduction of Ordinance No. 179.1 an Ordinance of the City Council of the City of Scotts Valley, acting as the Legislative Body of Community Facilities District No. 2007-1 of the City of Scotts Valley (Bean Creek Estates) and authorizing the dissolution of the special tax lien on property within Community Facilities District No. 2007-1 of the City of Scotts Valley (Bean Creek Estates), and waive the reading thereof, with an amendment that any costs associated with the City be paid by the Land Trust.
Carried 4/0/1 (ABSENT: Reed)***

***M/S: Aguilar/Bustichi
To authorize the City Attorney and City Manager to execute any and all documents necessary to rescind all previous subdivision improvement agreements on APN 022-631-22.
Carried 4/0/1 (ABSENT: Reed)***

PUBLIC HEARINGS

2. **Consideration of a renewal for a temporary Use Permit to allow an outdoor contractor storage yard for Santana Paving & Grading Inc, located on a vacant lot at 5300 Scotts Valley Drive in the C-S and I-L zones for a 2-year period; APN 022-042-07; Planning Permit Applications: U10-002.1**

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

PUBLIC HEARING OPENED - 6:59 PM

Kathy Hansen, spoke in opposition to this use permit due to concerns related to the request for extended hours since they operate seven days a week.

Bill Chapman, Chapman Automotive, expressed concerns about the dust and noise impacts. He stated that if Mr. Noble is allowed to pave it will help the dust. He also stated that he would like to have the generator use regulated since it is right next to his office.

Steve Bogner, Bogner's All Air, spoke in opposition to this use permit due concerns about dust, noise, hours of operation, and lighting.

Santana Noble, Santana Paving and Grading, responded to questions from Council.

PUBLIC HEARING CLOSED - 7:27 PM

CM Bustichi expressed concerns about the hours of operation, lighting, noise, and impacts to neighbors. He recommended working with neighbors to obtain electricity, since Mr. Noble cannot obtain a PG&E meter because he does not have a building on the property. He also expressed concerns about possible future impacts to the creek and stated that he would like to see a storm water retention plan implemented on the site to protect the creek. He also stated that he would prefer to see a one year extension.

Mayor Lind expressed concerns about Mr. Noble not following the current use permit guidelines, specifically the impacts to Ms. Hansen.

Mr. Noble responded that he had given Ms. Hansen his cell phone number so that she could contact him personally if she had any concerns.

VM Johnson expressed concerns about the maintenance of the property.

CM Aguilar stated that she wants to be sure that use of the site does not intensify any more than what it currently is. She recommended the following conditions of approval: (1) If Mr. Noble vacates the property, there will be a total site clean-up of hazardous materials and debris; and (2) Obtain an electrical hook-up on the property in order to reduce generator noise.

CA Powell clarified that the use permit runs with the land, so if Mr. Noble vacates the property during the term of the use permit, and someone moves in within six months and uses the site, the use permit would be still be in effect and the new tenant would be allowed to continue operations under the use permit. She recommended that CM Aguilar's additional condition state that, "At the expiration of the term of the use permit, all improvements be removed from the site."

CM Bustichi recommended the following conditions of approval: within six months, obtain permanent power to help reduce generator noise for lighting and maintenance of the site, and return to Council if power is not obtained; obtain a storm water retention plan by a certified storm water expert within 60 days, with the implementation of that plan within 60 days of receiving that plan, or operations will cease; no work on-site on Sunday; at the expiration of the term of the use permit all improvements must be removed from the site.

CM Aguilar requested an amendment to CM Bustichi's recommendations stating that storage of paving materials not be allowed.

CM Bustichi stated that he did not accept the amendment to his recommended conditions of approval.

M/S: Bustichi/Johnson

To approve Resolution No. 1858.1 approving a 1-year temporary use permit (#U10-002.1) to allow an outdoor contractor's storage yard on a vacant lot in the C-S and I-L zones at 5300 Scotts Valley Drive // APN 022-042-07, with the following additions to the conditions of approval:

- (1) Within 6 months, obtain permanent power to help reduce generator noise for lighting and maintenance of the site, and return to Council if permanent power is not obtained;***
- (2) Obtain and a submit a storm water retention plan, prepared by a certified storm water expert, to the City within 60 days. The implementation of the storm water retention plan to occur 60 days after receipt of the plan, or operations will cease;***
- (3) No work allowed on-site on Sunday;***
- (4) At the expiration of the term of the use permit, all improvements must be removed from the site.***

Carried 3/1/1 (NOES: Aguilar; ABSENT: Reed)

REGULAR AGENDA

(Resumed)

3. Future Council/RDA agenda items

CM Bustichi requested a future agenda item to discuss off-site commercial signage.

ADJOURNMENT

The meeting adjourned at 7:40 p.m.

Approved: _____

Donna Lind, Mayor / Chair

Attest: _____

Tracy A. Ferrara, City Clerk / Secretary