

# MINUTES

## Meeting of the Scotts Valley City Council

**Date: July 1, 2015**

**POSTING:**

The agenda was posted on 6-26-15  
at City Hall, the SV Senior Center, and  
the SV Library, 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 Bustichi  
Vice Mayor Lind  
Council Member Aguilar  
Council Member Johnson  
Council Member Reed

City Manager Ando  
City Attorney Powell  
Comm Dev Dir/Deputy City Mgr Kates  
Public Wks Director Hamby  
Police Chief Weiss  
City Clerk Ferrara

**SPECIAL SET MATTER:**                      Public Works Director Hamby introduced new employee, Troy Adams, Wastewater Division Manager

**COMMITTEE REPORTS**

VM Lind reported that she met with the Scotts Valley Chamber of Commerce and the Santa Cruz County Conference and Visitors Council (SCCCVC) to determine how to better represent Scotts Valley on the SCCVC tourism site. She stated that there is a subcommittee working on this in order to showcase Scotts Valley and our events.

VM Lind reported that she is working with Community Bridges and the Seniors Council regarding funding and budgets. She announced that farmer's market vouchers are available through the Seniors Council and can be used at the Scotts Valley Farmer's Market.

CM Johnson reported that the Santa Cruz County Regional Transportation Commission met and discussed several items, one of those items related to adding an employee to the SCCRTC staff to get information out to the public. He stated that he was the lone dissenting vote, as he does not believe with the status of the economy and budget concerns at the various jurisdictions, this is the appropriate time to expand staff.

Mayor Bustichi reported that the Budget Subcommittee met to discuss the City's structural deficit and they are preparing information for the first phase of structural deficit workshops that will be held. He stated that the first phase of the structural deficit workshop will include discussions regarding funds that the City needs to secure and have set-aside.

## **CITY MANAGER REPORT**

- On June 3, I mentioned that Monterey Peninsula Engineering was potholing to identify utilities on Skypark Drive and Mt. Hermon Road for the emergency intertie project for the SVWD. Now MPE will start the trenching to put the pipe in the ground across Mt. Hermon. People should expect some delays again.
- For the hotel project on Scotts Valley Drive, plan checkers have approved underground mechanical, electrical, and plumbing penetrations through the slab and the related engineering. The concrete pour is approved for the perimeter walls and foundation pour. That will take two weeks to cure. After that they will pour the decking which will take another two weeks to cure. Had a meeting today with SV School Superintendent Penny Weaver. She introduced their new Chief Business Officer, Mike Roske, who comes to Scotts Valley from San Lorenzo. He replaces Vickie Clark who retired. Mike will be on our Scotts Valley Successor Redevelopment Agency Oversight Board.
- She talked about the Middle School project. They will be taking a tour to view 3 different structural methodologies that could be used for their project. Those are custom built on site, pre-fab, and modular buildings. They have a design committee made up of parents, staff, and community members that have been working on a site plan. Blach Construction, their contractor, has been helping with those meetings. They have started CEQA with traffic and noise while school was still in session. If all goes well, they hope to start the project next summer. Lastly, she mentioned that the SV sports complex group is currently working on the field/track/bleacher project. The group has funds for architecture and engineering.
- The Parks and Recreation Advocates are still in need of volunteers for the July 4 fireworks event. They have morning shifts from 8:30 to noon and 3 pm to 9 pm. Entrance to the event and a meal ticket will be provided to volunteers. Contact City Recreation at their office in Skypark or call 438-3251.
- One last announcement for the July 4 events. The parade down Scotts Valley Drive starts at 3:00 pm. Application to be in the parade is on the City's web site. There will be a flyover during the parade. The July 4 fireworks event is at Skypark. For the first time, music will start at 4:30 with the Joint Chiefs, so get there early. They will be followed by Mike Hadley and the Groove at 6:00 pm. Another jump house for the kids will be added, so there will be three instead of two jump houses. New on the food menu will be finger food appetizers, a humus wrap for vegetarians, and a pulled pork sandwich. It's a great event.
- Police Chief Weiss announced that retired Police Lieutenant John Hohmann has been organizing the final leg of the Torch Run, which will be held on Thursday, July 16 at 11:00 am, for the 2015 World Summer Games for the Special Olympics, being held in Los Angeles.
- Police Chief Weiss also gave an update regarding the recent 72 hour closure of the skate park, which was related to non-compliance with the helmet rule.

## **PUBLIC COMMENT**

No one came forward.

## **ALTERATIONS TO CONSENT AGENDA**

**M/S: Lind/Johnson**

**To approve the Consent Agenda.**

**Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**Consent Agenda:**

- A. Approve City Council meeting minutes of 6-17-15
- B. Approve Agreement for Professional Services between the City of Scotts Valley and Mesiti-Miller Engineering, Inc. for the design of the Storm Damage Repair of Pedestrian Path on Granite Creek Road and authorize City Manager to execute the agreement

**ALTERATIONS TO  
REGULAR AGENDA**

**M/S: Aguilar/Lind**

**To approve the Regular Agenda.**

**Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**REGULAR AGENDA**

**1. Future Council agenda items**

None.

**PUBLIC HEARINGS**

**2. Consider first reading and introduction of a Zoning Ordinance Amendment regarding outdoor storage, File No. AZO15-001**

Mayor Bustichi recused himself from this item due to a conflict of interest.

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

**PUBLIC HEARING OPENED - 7:00 PM**

Juneen Lee McCombs and Jason McCombs, business owners of "Scotts Valley RV Storage" located on Mt. Hermon Road, spoke about their business operations and services to both City and County residents. They requested to stay in their current location until the Town Center is developed.

Phillip A. Passafuime, Attorney for Mr. Schriver, business and property owner of "Scotts Valley Sprinkler & Pipe Supply" located on Scotts Valley Drive, spoke about protecting his client's interests and requested confirmation that the business would be allowed to continue (as a legal nonconforming use) and would not be subject to the new ordinance.

**PUBLIC HEARING CLOSED - 7:10 PM**

**M/S: Aguilar/Reed**

**To approve Resolution No. 1904 approving negative declaration ND15-001 to regulate outdoor storage uses pursuant to Zoning Ordinance Amendment AZO15-001, via Ordinance No. 16-133.3.**

**Carried 4/0/1 (AYES: Aguilar, Johnson, Lind, Reed; ABSENT: Bustichi)**

**M/S: Aguilar/Reed**

**To approve first reading and introduction of Ordinance No. 16-133.3 amending Section 17.04.180 (definitions of "O" terms), Section 17.04.220 (definitions of "S" terms), 17.20.030 (conditional uses in the C-S zone), 17.26.030 (conditional uses in the I-L zone), 17.20.040 (development standards in the C-S zone), 17.26.040 (development standards in the I-L zone), and adding Section 17.20.035 (prohibited uses in the C-S zone) of Title 17, Zoning, of the Scotts Valley Municipal Code, to prohibit new outdoor storage uses in the C-S zone and on parcels on Mt. Hermon Road and Scotts Valley Drive no matter the zone and to establish development standards for screening outdoor storage in the I-L zone; Zoning Ordinance Amendment AZO15-001, and waive the reading thereof.**

**Motion Failed 2/2/1 (AYES: Aguilar, Reed; NOES: Johnson, Lind; ABSENT: Bustichi)**

CA Powell explained that the Council could amend the ordinance to eliminate the Mt. Hermon Road corridor.

After Council discussion, in order to minimize the unintended consequences of displacing RV's and other large items into residential neighborhoods, the Council removed language referencing Mt. Hermon Road and added language to clarify where outdoor storage is prohibited and a conditional use in the C-S zone subject to the new development standards.

The following amendments to the Ordinance were approved:

- (1) Section 1. SVMC Section 17.04.180 Definition of "O" terms: *Outdoor storage uses are prohibited in the C-S zone on Scotts Valley Drive and on all other properties located on Mt. Hermon Road and Scotts Valley Drive, no matter the zone. On all other properties zoned C-S, outdoor storage uses are conditional uses.*
- (2) Section 3. SVMC Section 17.20.030 Conditional uses in C-S zone: Replace "J. Outdoor storage" as a conditional use;
- (3) Section 4. SVMC Section 17.20.035 Prohibited uses in C-S zone: *Outdoor storage uses are prohibited in the C-S zone on Scotts Valley Drive and on all other properties located on Mt. Hermon Road and Scotts Valley Drive, no matter the zone. On all other properties zoned C-S, outdoor storage uses are conditional uses.*
- (4) Section 5. SVMC Section 17.20.040 Development standards in C-S zone: Add the same new development standards in I-L zone into the C-S zone.

- (5) Section 7. SVMC Chapter 17.26 and Chapter 17.20 is hereby amended by deleting and adding the text to include outdoor storage design standards for the I-L and the C-S zone.

**M/S: Aguilar/Johnson**

**To approve first reading and introduction of Ordinance No. 16-133.3 as follows, amending Section 17.04.180 (definitions of "O" terms), Section 17.04.220 (definitions of "S" terms), 17.20.030 (conditional uses in the C-S zone), 17.26.030 (conditional uses in the I-L zone), 17.20.040 (development standards in the C-S zone), 17.26.040 (development standards in the I-L zone), and adding Section 17.20.035 (prohibited uses in the C-S zone) of Title 17, Zoning, of the Scotts Valley Municipal Code, to prohibit outdoor storage uses on Scotts Valley Drive no matter the zone, to allow outdoor storage uses in the C-S zone as conditional uses only and to establish development standards for screening outdoor storage in the I-L and C-S zones; Zoning Ordinance Amendment AZO15-001**

**Carried 4/0/1 (AYES: Aguilar, Johnson, Lind, Reed; ABSENT: Bustichi)**

3. Consider first reading and introduction of three Zoning Ordinance Amendments regarding density bonus, reasonable accommodation, emergency shelters and transitional and supportive housing, File Nos. AZO15-002, AZO15-003, AZO15-004

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

Bill Wiseman, Kimley Horn and Associates, Inc., provided a presentation highlighting the zoning ordinance amendments and the reasons behind the amendments, and responded to questions from Council.

**PUBLIC HEARING OPENED - 7:42 PM**

Mark Lee, Ben Lomond resident, questioned the housing incentives and review process that will be required.

**PUBLIC HEARING CLOSED - 7:45 PM**

**M/S: Aguilar/Lind**

**To approve first reading and introduction of Ordinance No. 16-136 amending Title 17, Zoning, of the Scotts Valley Municipal Code regarding density bonus as amended adding the wording "very low, low," to Section 17.62.030(F)(2) immediately before moderate-income housing, and waive the reading thereof.**

**Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**M/S: Aguilar/Lind**

**To approve first reading and introduction of Ordinance No. 16-137 amending Title 17, Zoning, of the Scotts Valley Municipal Code to adopt the City's reasonable accommodation Procedures, and waive the reading thereof.**

**Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**M/S: Aguilar/Lind**

**To approve first reading and introduction of Ordinance No. 16-138 amending Title 17, Zoning, of the Scotts Valley Municipal Code to adopt the City's regulatory provisions for emergency shelters and transitional and supportive housing, and waive the reading thereof.  
Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**4. Skypark Open Space Maintenance Assessment District No. 1: Resolution No. 1555-SP-027; Annual Engineer's Report Skypark**

CM Reed stated that he lives within this assessment district and recused himself from consideration of this item.

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

**PUBLIC HEARING OPENED - 7:49 PM**

No one came forward.

**PUBLIC HEARING CLOSED - 7:49 PM**

**M/S: Lind/Johnson**

**To approve Resolution No. 1555-SP-27 ordering and authorizing the levy and collection of assessments therein pursuant to the Landscaping and Lighting Act of 1972, Skypark Open Space Maintenance District.  
Carried 4/0/1 (AYES: Aguilar, Bustichi, Johnson, Lind; ABSENT: Reed)**

**5. Pinewood Estates Landscape Maintenance Assessment District: Resolution No. 1213.29; Annual Engineer's Report Pinewood**

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

**PUBLIC HEARING OPENED - 7:51 PM**

No one came forward.

**PUBLIC HEARING CLOSED - 7:51 PM**

**M/S: Lind/Aguilar**

**To approve Resolution No. 1213.29 ordering and authorizing the levy and collection of assessments therein pursuant to the Landscaping and Lighting Act of 1972, Pinewood Estates Landscape Maintenance District.  
Carried 5/1 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**CONVENE TO CLOSED SESSION**

The City Council convened to closed session at 7:53 p.m. to discuss the following items:

1. Pursuant to Government Code Section 54957.6, the City Council met in closed session to confer with their labor negotiator regarding employee negotiations with SEIU, Mid Management Group, Management Group, Scotts Valley Police Bargaining Unit, Scotts Valley Police Supervisors Association.

**RECONVENE TO OPEN SESSION**

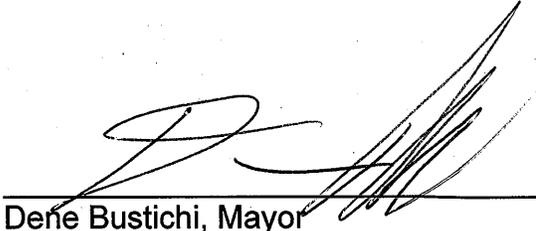
The City Council reconvened to open session at 8:30 p.m.

**REPORT ON ACTION TAKEN DURING CLOSED SESSION**

Mayor Bustichi announced that there was nothing to report.

**ADJOURNMENT**            The meeting adjourned at 8:31 p.m.

Approved:

  
Dene Bustichi, Mayor

Attest:

  
Tracy A. Ferrara, City Clerk