

# MINUTES

## Meeting of the Scotts Valley City Council

**Date: July 15, 2015**

**POSTING:**

The agenda was posted on 7-10-15 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

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

Absent:

Council Member Reed

**COMMITTEE REPORTS**    None.

**CITY MANAGER REPORT**

- Staff coordinated the annual fuel break clearing at Glenwood. It was completed on July 2 and 3. We have a 12-foot clearing around the perimeter.
- The July 4 parade and fireworks events went off without a hitch. Having a second band start playing earlier at 4 pm really helped in bringing people earlier to the event. We sold 197 more entry tickets to the fireworks event than last year - 5,714 total for this year. We sold over 9,000 dollar tickets than last year, about a 30% increase. People use the dollar tickets to buy food or play games, rock climbing, animal petting zoo, bounce houses, etc. Some of those funds go to the organizations providing those activities. We are still waiting on some costs so we don't have a net revenue figure yet. Last year the event netted approximately \$40,000. This is the only fundraiser for the Advocates.
- On behalf of the SV Parks and Recreation Advocates, I'd like to thank all of the volunteers and City staff that helped make both events a great success.
- CalPERS is reporting a preliminary investment return for fiscal year 2014-15 of 2.4%. This is below their assumed rate of 7.5%. However, their 3-year and 5-year average investment rates are 10.9% and 10.7%. This low rate will affect retirement contributions in a negative way in two years. In setting rates, CalPERS uses the rate from two years prior.

- Vice-Mayor Lind forwarded an e-mail from Congresswoman Anna Eshoo regarding the noise complaints from planes flying overhead. First, Congresswoman Eshoo encourages everyone to report their complaint with the SFO Noise Abatement Office. If you google that name you can find their web page and there is a link to file a complaint. She met with FAA Administrator Michael Huerta in May. He agreed to reexamine flight altitudes passing over this region. She also had a survey that can be submitted to her that she can pass along to the FAA. We can forward that survey to anyone requesting it. Other information and a petition can be found at [www.sossantacruz.org](http://www.sossantacruz.org).
- Tomorrow the City of Scotts Valley will be welcoming the Special Olympics' "Flame of Hope" that is being carried by an international team of law enforcement officers. The flame is on its way to the opening ceremonies at the Los Angeles Coliseum for the 2015 Special Olympics World Games. The team of runners will come down Scotts Valley Drive and arrive at Canepa Design at 11am for a reception and lunch. Mayor Dene Bustichi and Police Chief John Weiss will both be speaking. Community members are encouraged to come out and cheer the runners on. The Opening Ceremony of the 2015 Special Olympics World Games will be July 25th at the Los Angeles Coliseum.
- This Saturday, July 18, marks the annual Cops and Rodders Car Show and Police Motorcycle Competition at Siltanen Park. The event is sponsored by the SV Peace Officer's Association and will take place from 9am-5pm. This free, family event will include a helicopter landing and police K-9 demonstration.

## **PUBLIC COMMENT**

Andrew Smith, resident of Old Coach Road, expressed concerns regarding noise impacts from the flight path change at San Francisco Airport that is negatively impacting him and his neighbors.

Mark Harris, SV resident, expressed concerns regarding noise impacts from the flight path change at San Francisco Airport that is negatively impacting him and his neighbors.

## **ALTERATIONS TO CONSENT AGENDA**

Mayor Bustichi stated that he would be recusing himself from voting on Item C.

***M/S: Aguilar/Lind***

***To approve the Consent Agenda with Mayor Bustichi recusing himself from voting on Item C.***

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

## **Consent Agenda:**

- A. Approve check register – 7-2-15, 6-30-15
- B. Approve Resolution No. 1596.39 authorizing the levy of the annual special tax roll for Scotts Valley Drive for the Community Facilities District 97-1 for the fiscal year 2015/2016
- C. Approve second reading and adoption 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 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

- D. Approve second reading and adoption of Ordinance No. 16-136 amending Title 17, Zoning, of the Scotts Valley Municipal Code regarding density bonus
- E. Approve second reading and adoption of Ordinance No. 16-137 amending Title 17, Zoning, of the Scotts Valley Municipal Code to adopt the City's reasonable accommodation procedures
- F. Approve second reading and adoption 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
- G. Approve the improvement agreement for the realignment of Bethany Drive between the City of Scotts Valley and 1440 DEVCO LLC
- H. Approve and ratify Council Member Jim Reed's appointment of Lori Gentile to the Parks & Recreation Commission to replace Marci-Beth Maple
- I. Approve and ratify the following appointments to the newly reorganized ADA Accessibility Committee:
  - (1) Mayor Bustichi has requested the appointment of Robert White
  - (2) Vice Mayor Lind has requested the appointment of Tom Pohle
  - (3) Council Member Aguilar has requested the appointment of Ellen Buckingham

## **ALTERATIONS TO REGULAR AGENDA**

CM Ando stated that an amended ordinance had been provided to the Council for Item 1.

***M/S: Aguilar/Lind***

***To approve the Regular Agenda as amended.***

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

## **REGULAR AGENDA**

- 1. **Consider adding Chapter 5.22 to the Scotts Valley Municipal Code Regarding Tobacco Retailer Licenses (TRL)**

PS Milroy presented the written staff report, advised the City Council that an amended ordinance was provided for them on the dais, and responded to questions from Council.

The following individuals spoke in support of the City Council approving the ordinance regarding Tobacco Retailer Licenses (TRL):

Anna Lauridsen, Student  
Kate Shilling, Student  
Camilla Lauridsen, Student

Katie Shevlin, Student  
Carson Cole, Student  
Lorena Ramos, Santa Cruz County Health Services Agency  
Gina Cole, Chair of Santa Cruz County Tobacco Education Coalition  
Nick Sandoval, Salud Para La Gente  
Lynn Lauridsen, Scotts Valley Parent

**M/S: Aguilar/Lind**

**To approve first reading and introduction of Ordinance No. 188 adding Chapter 5.22 of Title 5 of the Scotts Valley Municipal Code requiring tobacco retailer licenses and amending Chapter 8.25 of the Scotts Valley Municipal Code to regulate the sale of tobacco products, and waive the reading thereof.**

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

**M/S: Aguilar/Lind**

**To approve Resolution No. 1905 establishing an annual tobacco retailer license fee.**

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

2. **Future Council agenda items** None.

**CONVENE TO CLOSED SESSION**

The City Council convened to closed session at 7:00 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 re employee negotiations with SEIU, Mid Management Group, Management Group, Scotts Valley Police Bargaining Unit, Scotts Valley Police Supervisors Association.

**RECONVENE TO OPEN SESSION**

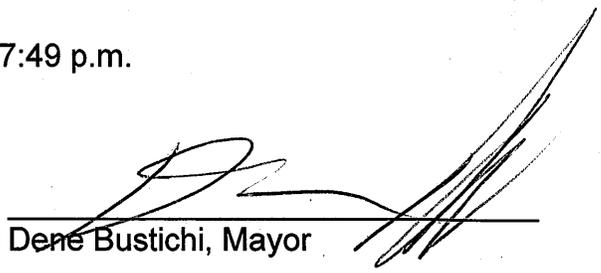
The City Council reconvened to open session at 7:48 p.m.

**REPORT ON ACTION TAKEN DURING CLOSED SESSION**

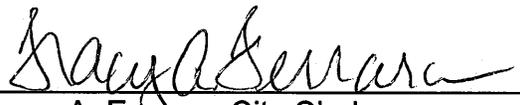
Mayor Bustichi announced that there was nothing to report.

**ADJOURNMENT** The meeting adjourned at 7:49 p.m.

Approved:

  
Dene Bustichi, Mayor

Attest:

  
Tracy A. Ferrara, City Clerk