

# MINUTES

## Meeting of the Scotts Valley City Council

**Date: August 5, 2015**

**POSTING:**

The agenda was posted on 7-31-15  
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 Bustichi	City Manager Ando
	Vice Mayor Lind	City Attorney Powell
	Council Member Aguilar	Comm Dev Dir/Deputy City Mgr Kates
	Council Member Johnson	Public Wks Director Hamby
Arrived at 6:10 pm	Council Member Reed	Police Chief Weiss
		City Clerk Ferrara

**COMMITTEE REPORTS**

VM Lind reported that the Criminal Justice Council met and they are planning a discussion on race relations and endangered children in the County

VM Lind reported that LAFCO met and approved one of the programs with the resource conservation district that is doing some work in the County.

Mayor Bustichi reported that a special meeting was held with Alex Clifford, General Manager of the Santa Cruz Metropolitan Transit District (SCMTD), regarding their structural deficit. More information related to the structural deficit will be coming forward in August and September. He also reported that they were able to test drive an electric bus and they have applied for grant funds in order to purchase some electric buses for the SCMTD fleet.

Mayor Bustichi and VM Lind met with the City Manager as the Budget Committee to discuss revenues and the upcoming structural deficit.

**CITY MANAGER REPORT**

- He stated that he received an e-mail from Nerdwallet.com stating that they ranked Scotts Valley #18 out of 177 cities in northern California as the best place to start a business. Nerdwallet was started in 2009 and by 2015 has grown to 200 employees. The company's goal is to provide information that educates consumers in making major financial decisions in areas such as selecting mortgage loans, credit cards, college savings accounts, retirement

investments, and medical insurance. They drew just under 30 million customers to their site in 2014. Business climate provided 65% of the score looking at average revenue of businesses, percentage of businesses with paid employees, and businesses per 100 people. The other 35% was local economic health looking at median annual income, median annual housing costs, and unemployment rate for residents over 16 years old.

- The new street signs were installed last week on Scotts Valley Drive and Mt. Hermon Road. Staff is now working with the City's signal maintenance contractor to install the electrical to illuminate the signs.
- Resurfacing of Kerry Court and the parking lot on Vine Hill School Road across from the school are scheduled for Friday, August 14. Residents on Kerry Court have been notified of the work and that there will be no vehicular access between the hours of 8 am to 5 pm on the August 14<sup>th</sup>.
- We have another free Movie in the Park, sponsored by the Scotts Valley Parks and Recreation Advocates, this Friday, August 7 at 8:20 at Skypark. The movie will be "Big Hero 6." Aunt Lali will be there to sell treats. Bring your lawn chairs and blankets. Next Movie in the Park will be in October.
- I wanted to let Council know of one of our swim classes that we have gotten very positive feedback on. It is the Adaptive Water Therapy Class for the developmentally disabled. Recreation staff have made this a fun class with lots of tactile equipment. Parents of the kids in the classes have told staff what a great program it is and even more importantly that they feel welcome at the class, which they have not experienced at classes at other pools.

## **PUBLIC COMMENT**

Jane Doyle, Board Member for the Community Action Board (CAB) of Santa Cruz County, discussed the goal and vision of CAB and stated that it is their mission to partner with the community to eliminate poverty and eliminate social change through advocacy and direct service. She stated that some of the programs they help with include homeless services, job training, day worker center, and immigration programs. She stated that CAB will be celebrating their 50<sup>th</sup> anniversary on September 10 with a fundraiser, and encouraged everyone to attend. She also stated that the Board of Directors is composed of people who are of, and who can speak for, their community, and announced that they are accepting applications and looking for a member who would represent Scotts Valley and San Lorenzo Valley.

VM Lind announced that the Scotts Valley Art/Wine/Beer Festival will be held August 15 and 16 at Skypark.

## **ALTERATIONS TO CONSENT AGENDA**

VM Lind requested that Item C be moved to the regular agenda for discussion.

***M/S: Reed/Aguilar***

***To approve the Consent Agenda as amended moving Item C to the regular agenda for discussion.***

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

**Consent Agenda:**

- A. Approve City Council meeting minutes of 7-15-15, 7-1-15
- B. Approve check register – 7-24-15, 7-16-15, 7-15-15
- D. Approve Resolution No. 1906 urging the state of California to provide new sustainable funding for state and local transportation infrastructure
- E. Approve denial of claim for reimbursement from Jesse Dresbach in the amount of \$363
- F. Approve new Senior Building Permit Technician job specification and corresponding salary range

**ALTERATIONS TO  
REGULAR AGENDA**

***M/S: Reed/Johnson***

***To approve the Regular Agenda as amended moving Item C from the consent agenda to the regular agenda for discussion.***

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

**REGULAR AGENDA**

- C. **Approve second reading and adoption 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**

VM Lind expressed concerns about the impacts to existing businesses who sell tobacco products, and there were also some concerns from local businesses regarding the fee.

CM Johnson stated that he would like to see this ordinance and its impacts evaluated further and recommended bringing this item back to Council after further evaluation.

Rosanna Herrera, President of the Scotts Valley Chamber of Commerce and business representative, expressed concerns about the current ordinance as written due to its negative impacts on local business owners.

Nick Sandoval, Salud Para La Gente, spoke in favor of the Tobacco Retailer License (TRL) ordinance and encouraged the Council to adopt a strong TRL.

Gina Cole, Chair of Santa Cruz County Tobacco Education Coalition, spoke in favor of the Tobacco Retailer License (TRL) ordinance and encouraged the Council to adopt a strong TRL.

Andrea Silva Solano, MPH, Sr. Health Educator, Community Health Education, Santa Cruz County Health Services, stated that we cannot rely on state and federal programs as they are underfunded and they only come out to approximately 7% of the jurisdictions annually.

The City Council expressed concerns about impacts of the TRL Ordinance on the town center and existing retailers near schools.

The City Council unanimously agreed to have staff evaluate Council concerns as stated above and revisit this item for further consideration.

CA Powell stated that staff will return with a draft revised ordinance based on Council concerns to obtain feedback from the Council.

1. **Presentation from Sarah Emmert, United Way of Santa Cruz and a member of the Youth Violence Prevention Task Force on "Turning the Curve: Youth Violence Prevention Strategic Plan"**

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

Sarah Emmert, Community Coordinator, Youth Violence Prevention Task Force, United Way of Santa Cruz County, and Jennifer O'Brien Rojo, Steering Committee, gave a Powerpoint presentation regarding "Turning the Curve: Youth Violence Prevention Strategic Plan" and responded to questions from Council.

Gina Cole, spoke in support of accepting the strategic plan.

Nick Sandoval, spoke in support of accepting the strategic plan.

**M/S: Lind/Aguilar**

**To accept the plan "Turning the Curve: Youth Violence Prevention Strategic Plan".  
Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

2. **Consider approval of letter to the Federal Aviation Administration (FAA) regarding increased noise from airliners**

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

Andrew Smith, SV resident, spoke in support of the City sending this letter to the FAA and requested that the City Council work toward improving this issue.

Rosanna Herrera, Bruno's Barbecue, stated that she would be hosting another Save Our Skies meeting at Bruno's.

Nick Sandoval, spoke in support of the City sending this letter to the FAA.

**M/S: Reed/Johnson**

**To approve the letter to the Federal Aviation Administration regarding increased noise from airliners and authorize the Mayor to sign the letter.  
Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

3. **Consider approval of Resolution No. 1907 supporting the use of Transportation Development Act (TDA) funding for the City of Scotts Valley Crosswalk Safety Improvement Project**

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

**M/S: Aguilar/Lind**

**To approve Resolution No. 1907 supporting the use of Transportation Development Act (TDA) funding for the City of Scotts Valley Crosswalk Safety Improvement Project.  
Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

#### **PUBLIC HEARINGS**

4. **Consideration of General Plan Amendment and Zone Change from Public/Quasi Public (P/QP) to Residential High Density (RH) for an existing 12,096 square foot parcel along Erba Lane, APN 022-480-19**

CDD Kates presented the written staff report and responded to questions from Council.

**PUBLIC HEARING OPENED - 7:55 PM**

No one came forward.

**PUBLIC HEARING CLOSED - 7:55 PM**

**M/S: Johnson/Lind**

**To approve Resolution No. 1774.2 certifying Negative Declaration No. ND15-02 for a General Plan Amendment and zone change for a 12,096 square foot portion of an existing parcel on Erba Lane from public/quasi public parcel to high density residential, APN 022-480-19 (ptn).  
Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**M/S: Johnson/Lind**

**To approve Resolution No. 1774.3 approving General Plan Amendment No. GPA 15-03 for a 12,096 square foot portion of an existing parcel on Erba Lane from public/quasi public parcel to high density residential, APN 022-480-19 (ptn).  
Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

**M/S: Johnson/Lind**

**To approve first reading and introduction of Ordinance No. 16-ZC-201.1 approving Zone Change No. ZC15-02 for a 12,096 square foot portion of an existing parcel on Erba Lane from public/quasi public parcel to high density residential, APN 022-480-19 (ptn) and waive the reading thereof.  
Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)**

CM Aguilar stated that, for the record, she wanted to be sure that once the property is rezoned, any development will comply with all applicable provisions of the Scotts Valley Municipal Code including, but not limited to, Title 14, Affordable Housing.

## REGULAR AGENDA

(Resumed)

### 5. Discussion and direction on desired reserve balances

CM Ando presented the written staff report and responded to questions from Council. He requested that the City Council prioritize reserves and set balances and provided the following for Council consideration:

Reserve Fund	Estimated June 30, 2015 Balance	Estimated June 30, 2016 Balance	Recommended Balance
General Fund Reserve	\$1,700,000	\$1,578,000	\$1,826,000
Debt Service Reserve	\$943,000	\$943,000	\$2,000,000
Capital Projects Reserve	\$0	\$0	\$750,000
Retiree Medical Reserve	\$0	\$0	\$500,000

Mayor Bustichi recommended the following order of priority for the reserve funds and the balances as recommended by the City Manager:

- (1) General Fund Reserve \$1,826,000
- (2) Debt Service Reserve \$2,000,000
- (3) Retiree Medical Reserve \$ 500,000
- (4) Capital Projects Reserve \$ 750,000

**M/S: Johnson/Lind**

**To approve the priority order and balances as recommended by Mayor Bustichi and as shown above.**

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

### 6. Discussion and direction on structural budget deficit

CM Ando presented the written staff report and responded to questions from Council. He stated that this is an information only item and no action is required.

### 7. Future Council agenda items

None.

### CONVENE TO CLOSED SESSION

The City Council convened to closed session at 8:45 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 9:10 p.m.

### REPORT ON ACTION TAKEN DURING CLOSED SESSION

Mayor Bustichi announced that there was nothing to report.

**ADJOURNMENT**                      The meeting adjourned at 9:10 p.m.

Approved:

  
Dene Bustichi, Mayor

Attest:

  
Tracy A. Ferrara, City Clerk