

# MINUTES

## Meeting of the Scotts Valley City Council

**Date: August 19, 2015**

**POSTING:**

The agenda was posted on 8-14-15  
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  
Police Lieutenant Wilson  
Recreation Division Manager Ard  
City Clerk Ferrara

**COMMITTEE REPORTS:** None.

**CITY MANAGER REPORT:** None.

**PUBLIC COMMENT**

Wendy Brannan, SV resident, recommended that the City Council develop a long term maintenance plan for City facilities and amenities.

**ALTERATIONS TO  
CONSENT AGENDA**

CM Aguilar requested that Item G be moved to the regular agenda for discussion.

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

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

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

**Consent Agenda:**

- A. Approve City Council meeting minutes of 8-5-15, 7-22-15
- B. Approve check register – 8-11-15, 8-7-15, 7-31-15, 7-27-15
- C. Approve resolutions for abandonment of storm drain easement, APN 023-033-05:
  - (1) Approve Resolution No. 1895.6 approving the storm drain easement dedication for APN 023-033-05;
  - (2) Approve Resolution No. 1895.7 approving the summary vacation of portion of a storm drain easement for APN 023-033-05 (portion); and
  - (3) Approve Resolution No. 1895.8 approving the summary vacation of storm drain easement for APN 023-033-05
- D. Approve second reading and adoption 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
- E. Approve exclusive license agreement between the City of Scotts Valley and the Scotts Valley Water District for a recycled water fill station to be located on the north end of APN 022-211-36
- F. Approve Memorandum of Understanding between the City of Scotts Valley and the Service Employees International Union, Local 521, for the term July 1, 2015 through June 30, 2017

**ALTERATIONS TO  
REGULAR AGENDA**

CM Ando stated that additional information and documents had been provided to the Council on their dais, regarding Item 1, that were received after the agenda was published.

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

***To approve the Regular Agenda as amended moving Item G from the Consent Agenda to the Regular Agenda for discussion.***

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

**REGULAR AGENDA**

- G. **Approve the agreement for professional services between the City of Scotts Valley and the Recreation Accessibility Consultants, LLC in the amount of \$33,449 for a system-wide access audit & development of a transition plan**

Wendy Brannan, SV resident, requested that Camp Evers Fishing Park listed in the audit be changed to the correct name of "Vern Hart Fishing Park", and she requested the inclusion of the following: Glenwood Open Space, community garden, skate park, recreation offices, storage facilities, all parking lots and the tennis court area.

Ellen Buckingham, SV resident, expressed concerns regarding access issues to City parks and facilities and requested the consultant evaluate all areas.

Mayor Bustichi asked RDM Ard if the items noted by Ms. Brannan could be included in the audit.

RDM Ard stated that some of the items noted were already included, and that all City facilities would be included audit.

**M/S: Aguilar/Lind**

**To approve the agreement for professional services between the City of Scotts Valley and the Recreation Accessibility Consultants, LLC in the amount of \$33,449 for a system-wide access audit & development of a transition plan.**

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

1. **Consider approval of first reading and introduction of the Ordinance No. 189, adding Chapter 5.38 to Title 5 of the Scotts Valley Municipal Code requiring firearms dealers to meet certain requirements and to obtain a firearms dealers license, and approve Resolution No. 1908 establishing a firearms dealer license fee of \$150.00, to locally regulate and enforce the sales of firearms**

PL Wilson presented the written staff report and responded to questions from Council.

PC Weiss provided additional detail regarding this item and responded to questions from Council.

VM Lind recommended that gun shops not be allowed in homes and stated that she would like existing gun shops who are grandfathered in to comply with the security steps.

The following spoke in opposition to this ordinance:

Lee Ewing, owner of Pacific Military Arms and Service

Chris Culligan, SLV resident

Richard Veil, Santa Cruz resident

David Ralston, SV resident

Chuck Gilbert, SV resident

Robert De Forge, owner of Santa Cruz Armory

Bob Ro, General Manager of Santa Cruz Armory

Brannon Schell, owner of NorCal MedTac and employee of Santa Cruz Armory

Michael Mancebo, Santa Cruz resident

Perry Ralston, owner of Perry's Sporting Goods

Ruben Lopez, SV resident

Dave Truslow, San Jose resident

Matt Snow, SLV resident

Nathan Taylor, SV resident

John Crites, SV resident

Chris Parker, SV resident

Grant Wrathall, Santa Cruz resident

Annette Mello, SLV resident

Ken Lewis, SLV resident

Eric Sharping

The following spoke in support of this ordinance:

Martin Spierings, SV resident

Jack Dilles, SV resident, recommended applying this to existing businesses

Mayor Bustichi stated that he does not support this ordinance because he feels it is repetitive with state and federal regulations. He recommended working with local gun shop owners to evaluate possible options to enhance safety.

VM Lind stated that she supports the idea of City Police and Planning staff working with the local gun shop owners to work on key items to bring back to Council.

CM Johnson stated that he does not support this ordinance and agreed with Mayor Bustichi's comments regarding this ordinance. He recommended on-site inspections and working with local gun shop owners.

CM Aguilar recommended changes as follows should this come back to the Council: removing high risk alcohol area, removing 1,000 foot proximity requirements, mainly focus on schools, do not require video surveillance that requires recording facial features, and incorporate security systems for existing businesses.

The majority of the Council agreed to have City Police Department and Planning Department staff work with local gun shop owners to evaluate possible options to enhance safety for existing and potential future firearms dealers.

## 2. **Consideration of Scotts Valley Library upgrades**

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

CM Aguilar spoke in support of a new roof and new HVAC units. She stated that she would only support the bond if the City were able to get additional funding to use toward the theater.

CM Reed stated that he is not in support of the Attain plan, which would include expanding into the space that the Scotts Valley Community Theater Guild is now renovating. He spoke in support of the Gain plan, which would include sound proofing. He stated that he would like to see bond amounts more equitably structured.

CM Johnson spoke in opposition to the bond based on its current structure and expressed concerns about the amount of return to Scotts Valley, based on our needs, and the inequality of what the costs would be to Scotts Valley citizens compared to the benefits received from the bond measure.

Mayor Bustichi spoke in opposition to the bond based on its current structure and expressed concerns about the amount of return to Scotts Valley, based on our needs, and the inequality of what the costs would be to Scotts Valley citizens compared to the benefits received from the bond measure. He stated that he would like to see parity with what Live Oak would be receiving.

Lee Besse, Scotts Valley Community Theater Guild, requested that the Theater Guild be included in any discussions regarding the roof, HVAC, and soundproofing.

The Council stated that they would like to get at least what everyone else would be getting as it relates to non-library facilities.

CM Reed stated that he would like to see any additional funding be used for integration with the Town Center, the Theater, the Boys & Girls Club, and recreation facilities.

**3. Consideration of Siltanen Park Little League Lights project funding**

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

Mayor Bustichi stated that he would like to have some idea of whether the City will have community support for this project before considering funding.

CA Powell explained the process that is required for this project. She stated that initial costs for the environmental review would be approximately \$15,000 assuming an EIR is not required.

CM Johnson stated that he would like to know what the benefits to Scotts Valley would be for this kind of investment and expressed concerns regarding the costs.

Corky Roberson, Scotts Valley Little League, spoke regarding the project, stated that the Board agreed to pay 50%, and responded to questions from Council.

CM Aguilar asked if the Board would be willing to pay 50% of the \$15,000 to go through the CEQA/negative declaration process.

Mr. Roberson agreed to the \$7,500 cost for the CEQA/negative declaration process.

Mayor Bustichi clarified that participation in the CEQA/negative declaration process would not guarantee that the lights would be approved and funded.

Wendy Brannan, SV resident, expressed concerns about light and noise issues, parking lot improvements, benefits based on costs, additional unforeseen expenses, and the improvements needed at other facilities.

CA Powell stated that the process for this project would start with Little League applying for a use permit application in order to begin the CEQA/negative declaration process, and should additional environmental review be needed staff would come back to the Council for additional direction.

**M/S: Lind/Johnson**

**To authorize Little League to begin the use permit application process, approve the expenditure of up to \$7,500 to share in the cost of the CEQA/negative declaration process with Little League (approximately \$15,000), and to return to Council for additional direction should an EIR be required.**

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

**4. Consideration of update to school site modulars and Skypark tennis area improvements**

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

CM Johnson stated that he did not support bathrooms and a storage area for the tennis courts and that he could not support new modulars this year.

VM Lind recommended applying for grant monies for the modular buildings.

CM Aguilar recommended moving forward with a grant application and loan application at the same time to expedite the process. She stated that she did not feel restrooms were an appropriate expenditure at this time for the tennis court area.

CM Reed stated that he would like more information to help Council prioritize the expenditure of funds. He supports the modulars and feels they are a top priority, but recommended the tennis court area be considered after the modulars.

Eric Seib, Parks & Recreation Commission Chair, spoke in support of the staff recommendations.

Wendy Brannan, SV resident, recommended looking at the use of park impact fees for restrooms at the tennis courts based on the increased use.

Marcia Bliss, past SV resident, spoke in support of including restrooms at the tennis courts due to the increased use for pickle ball and dodge ball. She also stated that they have no storage for pickle ball nets at this time and they have to load and bring them every weekend to the courts for set-up.

Dan Bliss, just returned from a national pickle ball tournament in Oregon, and recommended approving the improvements as requested by staff.

Mayor Bustichi stated that he would like some time to prioritize the issues in items 4 and 5, and make a more informed decision.

**M/S: Reed/Bustichi**

**To continue this item to allow time to further evaluate these projects.**

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

**5. Consideration of Siltanen Park improvements**

Wendy Brannan, SV resident, expressed concerns about ADA compliance, building safety, and barbecue area safety.

**M/S: Reed/Bustichi**

**To continue this item to allow time to further evaluate these projects.**

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

**6. Future Council agenda items**

None.

**CONVENE TO CLOSED SESSION**

The City Council convened to closed session at 9:50 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 Mid Management Group, Management Group, Scotts Valley Police Bargaining Unit, Scotts Valley Police Supervisors Association.

**RECONVENE TO OPEN SESSION**

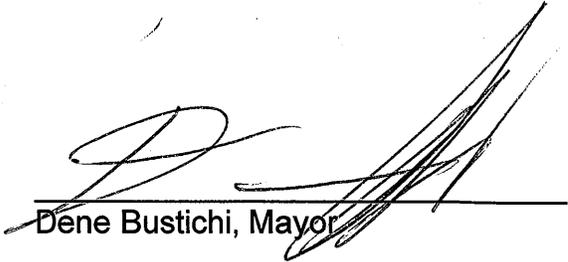
The City Council reconvened to open session at 10:15 p.m.

**REPORT ON ACTION TAKEN DURING CLOSED SESSION**

Mayor Bustichi announced that there was nothing to report.

**ADJOURNMENT**                      The meeting adjourned at 10:15 p.m.

Approved:

  
Dene Bustichi, Mayor

Attest:

  
Tracy A. Ferrara, City Clerk