

# MINUTES

## Meeting of the Scotts Valley City Council

**Date: November 4, 2015**

**POSTING:**

The agenda was posted on 10-30-15 at City Hall, the SV Senior Center, and the SV Library, by the City Clerk.

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**CALL TO ORDER** 6:05 p.m.

**PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE**

**ROLL CALL**

Present:

Mayor Bustichi  
Vice Mayor Lind  
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

Arrived 6:23 pm

Absent:

Council Member Aguilar

**COMMITTEE REPORTS**

VM Lind reported that LAFCO met and they are working on proposed changes to the sphere of influence for the Scotts Valley Water District. She reported that they also discussed a future study session on the formation of groundwater sustainability agencies.

CM Reed reported that the Library Joint Powers Board met and reviewed the new governance model that will be coming before the various jurisdictions involved. He reported that they also discussed the proposed bond measure for the 2016 ballot to support library capital improvements, which for Scotts Valley would not include improvements that are needed to the Scotts Valley Library, but also potentially other ancillary projects.

**CITY MANAGER REPORT**

- The City held its auction last Thursday, October 29. Nine vehicles and one motorcycle were sold for a total of \$8,500.
- I received the proofs for the free prescription discount card and poster. I approved the proofs and we should be receiving those in the near future. The cards will be at City Hall, branch library, Recreation office, and the Senior Center. People can also print them off the internet as well.
- The Glenwood EIR required the submission of a long-term management plan to U.S. Fish & Wildlife for their conditions to open the Glenwood to public use. Therefore the City and the Land Trust have provided a Habitat and Conservation Plan to Fish & Wildlife.

- City Staff and the Land Trust met with U.S. Fish and Wildlife biologists on site where the regulatory agency appeared to view the project favorable, but have not yet provided a timeline for completion of their review and conditions.
- Horse grazing has been replaced by cattle grazing to make the property more compatible for public use, while continuing to meet the requirements for vegetation management and fire protection.
- A proposed trail layout with public access points has been provided as requested by U.S. Fish & Wildlife to evaluate the long-term management plan for protection of the endangered species present on the property.
- The Santa Cruz Land Trust has launched a capital campaign to raise funds for infrastructure costs on the lands they manage, including the Glenwood.

## **PUBLIC COMMENT**

VM Lind announced that the annual antiques and craft fair is being held on November 7 and 8 at the Scotts Valley Community Center and the Scotts Valley Senior Center.

VM Lind announced that the annual Scotts Valley Chamber of Commerce Awards dinner is being held on Saturday, November 7 at the Scotts Valley Hilton.

Wendy Brannan, SV resident, stated that she believes the loss of the free green waste bin on Erba Lane has impacted the community, and recommended placing a green waste bin on the property behind the library where the Scotts Valley Water District is distributing tertiary water. She also asked that the City work with the County to improve the culverts on Lockwood Lane due to the potential flooding problems in this area.

PC Weiss announced that the Scotts Valley Police Department Explorer Program is holding an open house at the Scotts Valley Police Department on November 4, 2015 from 7:00 pm to 9:00 pm.

## **ALTERATIONS TO CONSENT AGENDA**

Wendy Brannan, SV resident, requested that Item G be moved to the regular agenda for discussion.

***M/S: Reed/Lind***

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

***Carried 3/0/2 (AYES: Bustichi, Lind, Reed; ABSENT: Aguilar, Johnson)***

## **Consent Agenda:**

- A. Approve City Council meeting minutes of 10-21-15
- B. Approve check register – 10-23-15, 10-19-15
- C. Approve the following for the MKT Investments Subdivision on Scotts Valley Drive:
  - (1) Resolution No. 1829.6 approving the final map for the MKT Investments Subdivision, Tract #1580, Scotts Valley Drive, APN 022-861-21; and

- (2) Resolution No. 960.81 authorizing execution of Improvement Agreement for the MKT Investments Subdivision, Tract #1580, Scotts Valley Drive, APN 022-861-21.
- D. Approving second reading and adoption of Ordinance No. 16-ZC-224 approving a planned development overlay zoning district (PD14-002) for a 19 unit planned development (The Terrace at Scotts Valley) located on Scotts Valley Drive / APN's 022-162-69 & -74
- E. Approve cancellation of regular City Council meeting of January 6, 2016
- F. Approve closure of City Hall and Recreation administrative offices for the weeks of December 21 and 28, 2015
- H. Approve At Will Employment Agreement between the City of Scotts Valley and Charles Comstock for Interim City Manager services from November 9, 2015 through December 23, 2015

**ALTERATIONS TO  
REGULAR AGENDA**

**M/S: Reed/Lind**

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

**Carried 3/0/2 (AYES: Bustichi, Lind, Reed; ABSENT: Aguilar, Johnson)**

**REGULAR AGENDA**

1. **Consideration of purchase agreement for sale of properties on Erba Lane, APN 022-481-18 and a portion of 022-481-19**

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

**M/S: Lind/Reed**

**To approve the following wording regarding right of first refusal: "Grant of Right of First Refusal. Purchaser grants to Seller the right of first refusal (the "Right of First Refusal") to purchase the Property until such time as Purchaser has paid off the Note. Prior to a) soliciting any offer for sale of the Property; or b) accepting any offer to purchase the Property, Purchaser shall notify Seller of such interest to sell or offer and deliver to Seller a copy thereof. Seller may exercise the Refusal Right by delivery to Purchaser of written notice of exercise within thirty (30) days after Purchaser has received Purchaser's notice of an intent to sell. In the event Seller does not exercise the Right Of First Refusal, Purchaser may sell the Project. The purchase price for the Property (the "Purchase Price") shall be the fair market value of the Property less the amount owed on the Note. The fair market value of the Property shall be determined as follows. Purchaser shall provide Seller with a list of no fewer than three acceptable appraisers for Seller's approval. Seller may reject any appraiser for reasonable cause. If any appraiser(s) are rejected with cause, then Purchaser will provide alternative appraiser(s) of an equal number. In the event Seller fails to select an appraiser with 15 days of receiving the list of appraisers, Purchaser may select appraiser. Purchaser shall pay the cost of the appraiser. Any appraiser selected pursuant to this section shall be an MAI appraiser with at least five years of experience and have experience appraising affordable rental housing in the region."**

**Carried 3/0/2 (AYES: Bustichi, Lind, Reed; ABSENT: Aguilar, Johnson)**

**2. Consideration of the City of Scotts Valley becoming a partner agency in the Regional Water Management Group for the purposes of development an Integrated Regional Water Management Plan (IRWMP)**

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

Mayor Bustichi requested that an annual report be presented to the City Council on this item to keep the Council up to date on the benefits and impacts.

Tim Carson, Program Director of the Regional Water Management Foundation, gave an overview of the program and responded to questions from Council.

**M/S: Lind/Johnson**

**To approve the City of Scotts Valley becoming a partner agency in the Santa Cruz Regional Water Management Group, authorize the City Manager to sign the Memorandum of Agreement for the Santa Cruz Integrated Regional Water Management Plan (IRWMP).**

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

**M/S: Lind/Johnson**

**To approve Resolution No. 1912 adopting the 2014 Santa Cruz Integrated Regional Waste Management Plan.**

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

**3. Consideration of proposed expenditures for the remaining 2014/15 State Supplemental Law Enforcement Services Fund (SLESF)/Citizens Option for Public Safety (COPS) and the upcoming 2015/16 SLESF/COPS funds**

PC Weiss presented the written staff report and responded to questions from Council.

**M/S: Lind/Johnson**

**To approve the proposed expenditures of the remaining 2014/15 SLESF (State Supplemental Law Enforcement Services Fund) funds and upcoming 2015/16 SLESF funds.**

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

**G. Approve Site Rental Agreement between the City of Scotts Valley and Vineyard Church for use of the Scotts Valley Community Center**

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

Wendy Brannan, SV resident, questioned whether the City will be making this facility ADA compliant as she feels this needs to be done if the City enters into this contract.

**M/S: Johnson/Lind**

**To approve the site rental agreement between the City of Scotts Valley and Vineyard Church for use of the Scotts Valley Community Center.**

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

**4. Future Council agenda items**

None.

**CONVENE TO CLOSED SESSION**

The City Council convened to closed session at 6:50 p.m. to discuss the following items:

- (1) Pursuant to Government Code Section 54956.8, the City Council met in closed session to confer with their legal counsel regarding real property negotiations. Location/APN's: The City of Scotts Valley ocean outfall pipeline starting at the City's wastewater facility, APN 021-061-25 and through Hocus Pocus Park, APN 021-061-45 which runs along Whispering Pines Drive, to Estrella Drive, to Lockwood Lane to Graham Hill Road with turnouts located off of Sims Road and Deer Path Road onto APN 060-011-02, the Pasatiempo Golf Club.
- (2) Pursuant to Government Code Section 54956.8, the City Council met in closed session to confer with their legal counsel regarding real property negotiations, APN 022-212-22.

**RECONVENE TO OPEN SESSION**

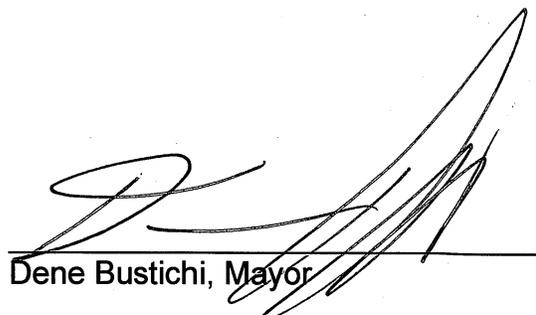
The City Council reconvened to open session at 7:25 p.m.

**REPORT ON ACTION TAKEN DURING CLOSED SESSION**

Mayor Bustichi announced that there was nothing to report.

**ADJOURNMENT**            The meeting adjourned at 7:25 p.m.

Approved:

  
Dene Bustichi, Mayor

Attest:



Tracy A. Ferrara, City Clerk