

# MINUTES

## Meeting of the Scotts Valley City Council

**Date: January 6, 2016**

**POSTING:**

The agenda was posted on 1-1-16  
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 Lind  
Vice Mayor Johnson  
Council Member Aguilar  
Council Member Bustichi  
Council Member Reed

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

Arrived 6:25 pm

**COMMITTEE REPORTS**

Mayor Lind reported that LAFCO met and a public meeting with a water panel is scheduled on January 28, 2016 from 7-9 pm at New Brighton Middle School auditorium to discuss local collaborative efforts to protect and manage water resources.

**PUBLIC COMMENT**

None.

**CONVENE TO CLOSED SESSION**

The City Council convened to closed session at 6:09 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 54957, the City Council met in closed session to confer with their legal counsel regarding City Manager Employment.

**RECONVENE TO OPEN SESSION**

The City Council reconvened to open session at 6:49 p.m.

## **REPORT ON ACTION TAKEN DURING CLOSED SESSION**

Mayor Lind announced that there was nothing to report.

## **ALTERATIONS TO CONSENT AGENDA**

***M/S: Aguilar/Johnson***

***To approve the Consent Agenda.***

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

### **Consent Agenda:**

- A. Approve check register – 12-11-15
- B. Approve first amendment to Memorandum of Understanding between the City of Scotts Valley and the Scotts Valley Municipal Service Employees, SEIU Local 521 for the period July 1, 2015 to June 30, 2017

## **ALTERATIONS TO REGULAR AGENDA**

***M/S: Aguilar/Johnson***

***To approve the Regular Agenda.***

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

## **PUBLIC HEARINGS**

1. **Consider approval of ordinance of the City Council of the City of Scotts Valley adding Chapter 17.60 to the Scotts Valley Municipal Code prohibiting all commercial marijuana uses in the City and prohibiting cultivation for medical use by a qualified patient or primary caregiver and repealing Chapter 17.58 relating to medical marijuana dispensaries**

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

## **PUBLIC HEARING OPENED - 6:54 PM**

Jason Mathis, Santa Cruz County resident, spoke in opposition to the ordinance.

Trevor Luxon, Attorney in Santa Cruz, spoke in opposition to the ordinance.

Josie Roberto, Board Member of Responsible Cultivation Santa Cruz, spoke in opposition to the ordinance.

D'Angelo Roberto, Board Member of Responsible Cultivation Santa Cruz, spoke in opposition to the ordinance.

Colin Disheroon, Co-Founder, Association for Standardized Cannabis (ASC), Founder/CEO Santa Cruz Mountain Naturals, Inc., spoke in opposition to the ordinance.

Patrick Malo, Board Member of Responsible Cultivation Santa Cruz, spoke in opposition to the ordinance.

Joy Hems, Scotts Valley resident, spoke in opposition to the ordinance.

Mike Boyd, Santa Cruz County resident, spoke in opposition to the ordinance.

Gordon Drew, Scotts Valley resident, spoke in opposition to the ordinance.

Bryce Berryessa, Santa Cruz County resident, representing American Association for Standardized Cannabis, spoke in opposition to the ordinance.

**PUBLIC HEARING CLOSED - 7:26 PM**

***M/S: Bustichi/Aguilar***

***To approve first reading and introduction of Ordinance No. 16.128.4, adding Chapter 17.60 to the Scotts Valley Municipal Code prohibiting all commercial marijuana uses in the City and repealing Chapter 17.58 relating to medical marijuana dispensaries, amending Section 17.60.020B to read as follows: "To the extent not already covered by subsection A above, all deliveries of cannabis and/or medical cannabis are expressly prohibited within the City of Scotts Valley with the exception of discreet delivery of medical marijuana to a residence or business of a Qualified Patient or a primary caregiver from a medical marijuana dispensary located outside the City of Scotts Valley.", and waive the reading thereof. Carried 5/0 (AYES: Aguilar, Bustichi, Johnson, Lind, Reed)***

**REGULAR AGENDA**

**2. Future Council agenda items**

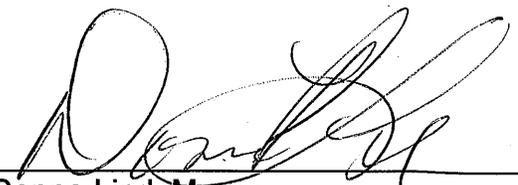
CM Bustichi requested a future agenda item to review the City's green building ordinance.

CM Aguilar requested a future agenda item regarding a request of support from Congress Member Eshoo on two bills related to the FAA.

**ADJOURNMENT**

The meeting adjourned at 7:45 p.m.

Approved:

  
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Donna Lind, Mayor

Attest:

  
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Tracy A. Ferrara, City Clerk