



AGENDA

Meeting of the
Scotts Valley City Council
In-Person and Remote Access
Date: November 15, 2023
Time: 6:00 PM

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066 OR Zoom Video Conference https://us02web.zoom.us/j/83295730901	Agenda posted on 11-09-2023 at City Hall, SV Senior Center, SV Public Works Building, and on the Internet at: www.scottsvally.gov

ELECTED OFFICIALS	CITY STAFF MEMBERS
Jack Dilles, Mayor Randy Johnson, Vice Mayor Donna Lind, Council Member Derek Timm, Council Member Allan Timms, Council Member	Mali LaGoe, City Manager Kirsten Powell, City Attorney Allison Pfefferkorn, Recreation Division Manager Cathie Simonovich, City Clerk

MEETING NOTICE AND AGENDA PACKET MATERIALS

Notice regarding City Council Meetings:

The City Council meets regularly on the 1st and 3rd Wednesday of each month at 6:00 PM in the City Hall Council Chambers located at 1 Civic Center Drive, Scotts Valley, CA 95066, and via Zoom Webinar remote access.

Agenda and Agenda Packet Materials:

The City Council agenda and the complete agenda packet are available for review by 5:00 PM the Friday before the Wednesday meeting on the Internet at the City's website:

www.scottsvally.gov and in the lobby of City Hall at 1 Civic Center Drive, Scotts Valley, CA.

Pursuant to Government Code §54957.5, materials related to an agenda item, submitted after distribution of the agenda packet, are available for public inspection in the lobby of City Hall during normal business hours, Monday-Friday, 8am-12 pm and 1-5 pm. In accordance with AB 1344, such documents will be posted on the City's website at www.scottsvally.gov.

Public Attendance:

The meeting will be available to view on Zoom and livestreamed to the City of Scotts Valley's

YouTube channel: <https://www.youtube.com/channel/UCLNTBScelB4wTfidYHrocWA>

For those wishing to watch via Zoom you can join the following ways:

Zoom Webinar meeting link: <https://us02web.zoom.us/j/83295730901>
Or dial one of these numbers: (669) 900-9128 or (669) 444-9171
Webinar ID: 832 9573 0901

Public Comment:

Public comment may be provided in-person only at the appropriate times throughout the meeting. The time limit is up to 3 minutes for an individual, or 5 minutes for someone who is representing a group of three or more, at the discretion of the Mayor. Please note that this is not a question-and-answer time, but simply a time to provide comments to the Council. At the appropriate times during the meeting for public comment, on items not on the agenda, and on specific agenda items, the Mayor will announce that public comment will be accepted. In-person attendees may proceed to the public comment podium when the Mayor opens the item for public comment. Alternatively, written public comment may be emailed to the City Clerk (csimonovich@scottsvally.gov) by 5:00 PM on the day of the meeting.

CALL TO ORDER 6:00 PM

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

SPECIAL SET MATTER

1. Mayor's Proclamation for the Scotts Valley High School Haunted House Team
2. Mayor's Proclamation for United Against Hate Week

COMMITTEE REPORTS

Council members are appointed to committees which are either City committees or committees dealing with other jurisdictions. This portion of the agenda allows the committee member to present oral or written reports to the Council regarding their committee assignments. It also allows the Council to make comments and give the committee member direction, as required.

CITY MANAGER REPORT

PUBLIC COMMENT TIME

This is the opportunity for individuals to make and/or submit written or oral comments to the Council on any items within the purview of the Council, which are NOT part of the Agenda. No action on the item may be taken, but the Council may request the matter be placed on a future agenda.

ALTERATIONS TO CONSENT AGENDA

Council can remove or add items to the Consent Agenda.

CONSENT AGENDA

The Consent Agenda is comprised of items which are intended to be non-controversial and are approved without discussion. Persons wishing to speak on any item may request the item be moved to the Regular Agenda by raising their hand to be recognized by the Mayor. An item will only be moved from the Consent Agenda to the Regular Agenda if a City Council Member requests it to be moved and a majority of the Council agrees.

1. Approve City Council minutes of 11-01-2023
2. Approve check register dated 10-27-2023 through 11-09-2023
3. Second reading and adoption of Ordinance No. 16.140 amending Scotts Valley Municipal Code Chapters 17.04 (Definitions), 17.09 (R-VH District), 17.10 (R-H District), 17.12 (R-M District), 17.14 (R-1 District), 17.16 (R-R District), 17.18 (R-MT District), 17.20 (C-S District), and 17.22 (C-SC District) and adding new Section 17.44.180 (Multi-unit Residential Design Standards) to establish design standards for multi-unit residential development citywide
4. Adopt Resolution 2038 to approve the Designation of Applicant's Agent for Non-State Agencies.
5. Adopt Resolution No. 2039 authorizing the application for grant funds from the California Department of Resources, Recycling, and Recovery (CalRecycle).

ALTERATIONS TO REGULAR AGENDA

Council can remove or add items to the Regular Agenda.

REGULAR AGENDA

Persons wishing to speak on any item may do so by raising their hand to be recognized by the Mayor.

1. Approve Resolution No. 2040 authorizing the purchase of the Vine Hill Elementary childcare modular buildings utilizing Congressional Community Project Funding, approving related NEPA and CEQA declarations, and approving the transfer of ownership to the Scotts Valley Unified School District
2. Introduce Ordinance No. 170.1 amending Scotts Valley Municipal Code Section 02.19.020 regarding the Arts Commission and Adopt Resolution No. 1666.2 amending the Arts Commission Bylaws
3. Future Council Agenda Items

ADJOURNMENT

ADA NOTICE

The City of Scotts Valley does not discriminate against persons with disabilities. The City Council Chambers is an accessible facility. If you wish to attend a City Council meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate at the meeting, please call the City Clerk's office at (831) 440-5600 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a City Council meeting be available in an alternative format consistent with a specific disability, please call the City Clerk's Office. The California State Relay Service (TTY/VCO/HCO to Voice: English 1-800-735-2929, Spanish 1-800-855-3000; or, Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.

PROCEDURAL INFORMATION FOR THE PUBLIC

THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN APPROVAL OF A RESOLUTION:

1. Move the Resolution number for approval.
2. Second the motion.
3. Vote by body, a roll call vote is not required.

THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN INTRODUCTION/ADOPTION OF AN ORDINANCE:

1. Move the Ordinance number for introduction (or adoption).
2. Move the Ordinance be introduced by title only and waive the reading of the text.
3. Read the Ordinance title.
4. Second the motion.
5. Vote by body, a roll call vote is not required.

THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN PUBLIC COMMENT/PUBLIC HEARINGS:

Unless otherwise determined by the presiding officer of the meeting:

1. Three minutes allowed per individual to speak.
2. Five minutes allowed per individual representing a group of three or more.



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City of Scotts Valley Mayor's Proclamation

Recognizing the Scotts Valley Haunted House Team

WHEREAS, the Scotts Valley Haunted House is a beloved local tradition and community event attended by thousands each year at Scotts Valley High School; and

WHEREAS, the Scotts Valley Haunted House Team this year was comprised of 35 staff positions led by Ringleaders Erik Duffy and Nora Clifton, and more than 150 student room heads, student actors, student tour guides, student Thriller dance performers, student makeup artists and adult volunteers/parents, who collectively gave thousands of hours to this labor of love; and

WHEREAS, this event has entertained our community since 2003 with a different theme each year, even adjusting to an outdoor experience during the pandemic; and

WHEREAS, Scotts Valley residents and visitors have received a memorable and frighteningly fantastic Haunted House experience; and

WHEREAS, the Scotts Valley Haunted House Team donates 100% of ticket proceeds after expenses to the Leukemia & Lymphoma Society, raising more than \$100,000 to fund research and to help patients since 2012; and

WHEREAS, the Team has worked incredibly hard this fall on an unusually compressed schedule and has shown exemplary dedication and sacrifice to ensure a successful and high-quality event; and

WHEREAS, the event provides unique educational opportunities for SVHS students to gain practical experience in leadership, teamwork, problem solving, collaboration, and valuable skills development in construction, design and operations; and

WHEREAS, Scotts Valley Haunted House Teacher and Advisor Erik Duffy has helped lead the Team each year since it began in 2003 and has helped to ensure a strong sense of community among the Team, so the students feel more connected to SVHS.

NOW, THEREFORE, I, Jack Dilles, as Mayor of the City of Scotts Valley, on behalf of the entire City Council, do hereby commend Ringleaders Erik Duffy and Nora Clifton and the entire Team for their outstanding efforts to create and present the extraordinary Scotts Valley Haunted House production.



Jack Dilles

Jack Dilles, Mayor

Signed and sealed this 15th day of November 2023

City of Scotts Valley

Mayor's Proclamation

Recognizing United Against Hate Week

WHEREAS, the City of Scotts Valley supports United Against Hate Week, which will be recognized by communities throughout California during the week of November 12th to 18th; the City stands for diversity, inclusivity, and respect for all, irrespective of race, ethnicity, religion, gender, sexual orientation, or disability; and

WHEREAS, united, we strengthen and celebrate our city's rich tapestry of cultures and perspectives; we collectively promote acceptance, respect, tolerance, and unity, enabling residents to live, work, and thrive without fear, aiming for a prejudice-free community; and

WHEREAS, we endorse the "California vs Hate" coalition's mission to combat hate, prejudice, and intolerance such as xenophobia, anti-Semitism, sexism, homophobia, transphobia, and anti-Muslim hatred; California vs Hate provides a hotline at 833-8-NO-HATE or CAVsHate.org, in order to promote a safer environment for all; and

WHEREAS, we are united in our resolve to combat hate and promote acceptance; during this week, we reaffirm our commitment to the following principles:

- * We denounce hate, discrimination, and related violence in all forms.
- * We pledge to stand up against hate and support victims of hate incidents.
- * We encourage open dialogue and respectful conversations to bridge divides and promote understanding.
- * We celebrate the richness of our diverse community and the strength it brings to our city.
- * We commit to working together to create a safe and welcoming environment for all.

NOW, THEREFORE, I, Jack Dilles, as Mayor of the City of Scotts Valley, on behalf of the entire City Council, do hereby proclaim November 12th to 18th, 2023, as United Against Hate Week; and call upon all residents, businesses, schools, and organizations to unite against hate, join related events, and champion inclusivity, tolerance, and unity.



Jack Dilles

Jack Dilles, Mayor

Signed and sealed this 15th day of November 2023



MINUTES

Meeting of the
Scotts Valley City Council
Date: November 1, 2023
Time: 6:00 PM

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066 OR Zoom Video Conference https://us02web.zoom.us/j/83295730901	The agenda was posted on 10-27-2023 at City Hall, SV Senior Center, SV Public Works Building, and on the Internet at www.scottsvally.gov .

CALL TO ORDER 6:00 PM

The City Council meeting was called to order at 6:05 PM.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

ELECTED OFFICIALS PRESENT: Jack Dilles, Mayor Randy Johnson, Vice Mayor Donna Lind, Council Member Derek Timm, Council Member Allan Timms, Council Member	CITY STAFF MEMBERS PRESENT: Mali LaGoe, City Manager Kirsten Powell, City Attorney Steve Jesberg, Interim Public Works Director Taylor Bateman, Community Development Director Stephanie Hill, Administrative Services Director Scott Garner, Police Captain Cathie Simonovich, City Clerk
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COMMITTEE REPORTS

CM Lind attended a meeting of the Santa Cruz Metropolitan Transit District (METRO) where they discussed the budget, the five-year plan update, the phases of the

Reimagine METRO program and the fiscal impact of the Reimagine METRO program.

CM Lind attended a meeting of the Criminal Justice Executive Board, and they are working on the second year of the behavioral health study which focuses on the services available in the jails, the court system and the probation system. The study results will come to the ad hoc committee meeting on November 14th, and then to the Executive Board in December.

CM Lind attended a meeting for the Holiday Tree Lighting Festival, which will be held on December 2nd at the Community Center from 5:00 PM to 8:00 PM. The event is sponsored by the Exchange Club of Scotts Valley, and it will include both a toy drive and a food drive.

CM Lind thanked the Scotts Valley Performing Arts Center for the recent Halloween event.

CM Timms attended a meeting of the Tobacco Waste Multijurisdictional Subcommittee where they worked on defining the categories of waste. The subcommittee members learned that over the course of several years, 25% of the waste removed from beaches was smoking-related. Of that, 98% were cigarette butts, which have toxic chemicals that infiltrate the water system. The goal is to give a presentation to the various City Councils in the future.

CM Timms participated in a meeting of the Economic Development Committee along with Mayor Dilles and City Manager LaGoe, and they discussed outreach to local businesses.

CM Timms attended two different meetings of the Local Agency Formation Commission (LAFCO). The CAL LAFCO meeting was an informational meeting and focused on how the LAFCO organizations throughout California are working together. The Monterey County LAFCO Board approved two routine items: 1) Reviewing the conference, and 2) Setting the schedule for the 2024 meetings.

CM Timm attended a meeting of the Association of Monterey Bay Area Governments Executive Special Session regarding a performance review of the Executive Director.

CM Timm attended the Town Center Kick-off meeting which also included Vice Mayor Johnson, City Manager LaGoe and the new architects from Urban Field.

CM Timm noted that, as the community may remember, a new modular building was installed at Vine Hill Elementary School which was a result of the efforts of the Joint City/Schools Committee. Recently, CM Timm received a package of amazing thank-you notes to the City Council Members from the teachers and students of the Champions program who currently use that modular building. CM Timm thanked the staff for their hard work on this project.

Mayor Dilles issued Mayor's Proclamations to three students (Camille, Matilda and Raaga) who raised money and donated it to the City so that a redbud tree could be purchased and planted at Skypark.

Mayor Dilles attended a meeting of the Santa Margarita Groundwater Agency where they received a report on groundwater monitoring. This information is an important component in stabilizing our water system for the future.

Mayor Dilles reported that he would be issuing a Mayor's Proclamation at the next City Council meeting to the Scotts Valley High School Haunted House Team. He also spoke to the volunteers and students on the last night of the event.

Mayor Dilles attended the *Journey to Learning* event at the University of California at Santa Cruz (UCSC). They heard about programs to educate students on diversity, they took a tour of the beautifully restored amphitheater, and they received an update on housing.

CITY MANAGER REPORT

Contracts Executed: The contracts for the slide repairs on Bean Creek Road and Green Hills Road have been executed, as well as the pavement contract for the Scotts Valley Drive asphalt repair.

Playground Equipment: The project to install the playground equipment at the Skypark 'Tot Lot' was delayed due to a leak but is now moving forward again.

Fencing at Skypark: The permanent fencing at Skypark around the future Town Center site is almost complete - the posts and rails are in, and the gates will go in next.

Grant Writing Request for Qualifications (RFQ): The City issued an RFQ for grant writing services today for assistance with writing grants in order to bring in more revenue. This will be mainly from state and federal sources but may also include opportunities from non-profits or regional organizations. The goal is to bring a recommendation for a grant writing vendor to the City Council prior to the end of the calendar year.

PUBLIC COMMENT TIME

David Alreck, a resident of Scotts Valley Drive, spoke about the condition of Scotts Valley Drive and he read what was written in the General Plan regarding the Scotts Valley Drive improvements. He expressed his desire for a holistic plan for the improvements.

ALTERATIONS TO CONSENT AGENDA

M/S: Lind/Timms

To approve the Consent Agenda with no alterations.

Carried 5/0 (AYES: Dilles, Johnson, Lind, Timm, Timms)

CONSENT AGENDA

1. Approve City Council minutes of 10-18-2023
2. Approve check register dated 10-13-2023 through 10-26-2023
3. Approval of 2024 Proposed City Council Meeting Schedule
4. Approval of Cooperative Services Agreement with the County of Santa Cruz for County Services Area 9C
5. Receive and file Investment Report for the Quarter Ended September 30, 2023
6. Appointment to the Santa Cruz County Housing for Health Policy Board
7. Appointment of Scotts Valley Senior Center Advisory Commission Members

PUBLIC HEARINGS

1. Introduce Ordinance No. 16.140 amending Scotts Valley Municipal Code Title 17 (Zoning) to establish objective design standards for multi-unit residential development in residential and commercial zoning districts

The Council Members voted to move this item after the Regular Agenda (see Alterations to Regular Agenda)

This item was introduced by Community Development Director Bateman and presented by Consultant Planner, Ben Noble. The Council had questions and comments, including educating staff members on the new standards; being mindful of complaints from past projects regarding street noise, parking, and other items; clarity for staff and decision makers; and the ability to see design guidelines in the future for the 'look and feel' of projects.

Mayor Dilles opened the public hearing at 7:19 PM.

Public comment was received from Sarah DeLeon, a resident of Scotts Valley. Ms. DeLeon requested that the Council Members consider landscaping and the placement of bike racks. Staff responded that both of these items are in fact included within the design standards.

Mayor Dilles closed the public hearing at 7:23 PM.

M/S: Lind/Timm

To introduce and waive the reading of Ordinance No. 16.140 to amend the Zoning Code; and to adopt Resolution No. 2036 to adopt the Multi-Unit Residential Design standards.

Carried 5/0 (AYES: Dilles, Johnson, Lind, Timm, Timms)

ALTERATIONS TO REGULAR AGENDA

M/S: Timm/Timms

To approve the Regular Agenda with a change in order to move the Regular Agenda item prior to the Public Hearing Item.

Carried 5/0 (AYES: Dilles, Johnson, Lind, Timm, Timms)

REGULAR AGENDA

1. Adopt a resolution accepting a donation of \$66,385.09 from the Community Advocates of Scotts Valley and approve Contract Change Order No. 1 in the amount of \$66,385.09 for the Skypark Tot Lot Project and authorize the City Manager to enter into an agreement with the Community Advocates of Scotts Valley

The City Council Members voted to move this item before the public hearing (see Alterations to Regular Agenda).

City Manager LaGoe and Interim Public Works Director Jesberg presented this item and responded to questions from the Council. Sara DeLeon, Founder and Board President for the Community Advocates of Scotts Valley, was in attendance and said a few words. Board Member Greg Wimp was also in attendance. The City Council Members thanked the Community Advocates for the generous donation.

M/S: Lind/Timm

To adopt Resolution No. 2037, accepting the donation from the Community Advocates of Scotts Valley, and authorize the City Manager to enter into an agreement with the Community Advocates of Scotts Valley that lays out terms and expectations of the donation

Carried 5/0 (AYES: Dilles, Johnson, Lind, Timm, Timms)

M/S: Lind/Timm

To approve Contract Change Order No. 1 to the Skypark Tot Lot project, increasing the contract by \$66,385.09 for replacing the engineered bark in the project with pour in place rubber matting

Carried 5/0 (AYES: Dilles, Johnson, Lind, Timm, Timms)

2. Future Council Agenda Items

None

ADJOURNMENT

The meeting adjourned at 7:32 PM.

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
Cash Account: 999-10100-000-000-000000					
130401	10/30/23	U.S. POSTMASTER	156.24	0	Regular
130402	11/02/23	ACC BUSINESS	3,054.83	0	Regular
130403	11/02/23	AFLAC-FLEX ONE	639.54	0	Regular
130404	11/02/23	ALLIANT INSURANCE SERVICES	520.00	0	Regular
130405	11/02/23	ALVAREZ IND INC CLEAN BLDG	256.00	0	Regular
130406	11/02/23	AMAZON CAPITAL SERVICES	674.19	0	Regular
130407	11/02/23	AT&T	1,259.26	0	Regular
130408	11/02/23	AT&T	3,169.00	0	Regular
130409	11/02/23	ATCO INTERNATIONAL	230.78	0	Regular
130410	11/02/23	BADAWI & ASSOCIATES	17,761.50	0	Regular
130411	11/02/23	BAKER TILLY US, LLP	8,600.00	0	Regular
130412	11/02/23	BUSINESS WITH PLEASURE	39.51	0	Regular
130413	11/02/23	CENTRAL HOME SUPPLY	11,069.86	0	Regular
130414	11/02/23	CHRISTOPHER DUMONCEAUX	101.80	0	Regular
130415	11/02/23	COMCAST	664.30	0	Regular
130416	11/02/23	CSG CONSULTANTS, INC	17,559.50	0	Regular
130417	11/02/23	CUMMING MANGEMENT GROUP, INC	4,293.75	0	Regular
130418	11/02/23	DASSEL'S PETROLEUM INC	61.98	0	Regular
130419	11/02/23	DMV	25.00	0	Regular
130420	11/02/23	FIRST ALARM	289.02	0	Regular
130421	11/02/23	FREYER & LAURETA, INC.	22,450.00	0	Regular
130422	11/02/23	GRAINGER	43.94	0	Regular
130423	11/02/23	HACH COMPANY	227.19	0	Regular
130424	11/02/23	HERWIT ENGINEERING	18,108.00	0	Regular
130425	11/02/23	HINDERLITER, DE LLAMAS & ASSOC	1,630.29	0	Regular
130426	11/02/23	INTERWEST CONSULTING GROUP	2,762.50	0	Regular
130427	11/02/23	KATI KING	350.00	0	Regular
130428	11/02/23	LIEBERT CASSIDY WHITMORE	6,974.00	0	Regular
130429	11/02/23	M-GROUP	13,282.50	0	Regular
130430	11/02/23	Mali Lagoe	416.36	0	Regular
130431	11/02/23	MID VALLEY SUPPLY	620.66	0	Regular
130432	11/02/23	MISSION UNIFORM SERVICE	1,553.96	0	Regular
130433	11/02/23	MONTEREY REGIONAL	5,258.82	0	Regular
130434	11/02/23	NAPA AUTO PARTS	59.23	0	Regular
130435	11/02/23	NBS GOVERNMENT FINANCE GROUP	1,680.71	0	Regular
130436	11/02/23	O'DELL ENGINEERING	3,096.05	0	Regular
130437	11/02/23	PACE ANALYTICAL SERVICES, LLC	250.00	0	Regular
130438	11/02/23	PALACE BUSINESS SOLUTIONS	2,492.31	0	Regular
130439	11/02/23	PHILLIP D NEUMAN	36,469.32	0	Regular
130440	11/02/23	PITNEY BOWES GLOBAL	527.84	0	Regular
130441	11/02/23	PRODESSE PROPERTY GROUP	3,112.40	0	Regular
130442	11/02/23	QUAD KNOPF, INC.	982.50	0	Regular
130443	11/02/23	QUINN COMPANY	5,007.22	0	Regular
130444	11/02/23	RANDALL KRUSEE	201.64	0	Regular

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
130445	11/02/23	RDO EQUIPMENT CO.	83.23	0	Regular
130446	11/02/23	REGIONAL GOVERNMENT SERVICES	1,257.44	0	Regular
130447	11/02/23	S.V. WATER DISTRICT	8,696.91	0	Regular
130448	11/02/23	SAN LORENZO VALLEY WATER DISTR	55.01	0	Regular
130449	11/02/23	SANTA CRUZ CNTY TAX COLLECTOR	550.98	0	Regular
130450	11/02/23	SANTA CRUZ COUNTY	735.03	0	Regular
130451	11/02/23	SANTA CRUZ SENTINEL	217.60	0	Regular
130452	11/02/23	SCARBOROUGH LUMBER	1,173.46	0	Regular
130453	11/02/23	SCOTTS VALLEY SPRINKLER	325.45	0	Regular
130454	11/02/23	SONSRAY MACHINERY	15,981.34	0	Regular
130455	11/02/23	STEPHANIE HILL	312.71	0	Regular
130456	11/02/23	STERLING WATER TECHNOLOGIES	2,880.00	0	Regular
130457	11/02/23	SUN RIDGE SYSTEMS INC	28,009.00	0	Regular
130458	11/02/23	SYCAL ENGINEERING INC	34,437.20	0	Regular
130459	11/02/23	THE PIED PIPER INC.	81.50	0	Regular
130460	11/02/23	TRIAD ELECTRIC	1,200.00	0	Regular
130461	11/02/23	TRISH MC GRATH	403.50	0	Regular
130462	11/02/23	TYLER HEBARD	1,050.50	0	Regular
130463	11/02/23	U.S. POSTMASTER	800.00	0	Regular
130464	11/02/23	VERIZON WIRELESS	1.02	0	Regular
130465	11/02/23	WAGE WORKS	633.68	0	Regular
130466	11/09/23	A SIGN ASAP	747.12	0	Regular
130467	11/09/23	ACCENT CLEAN & SWEEP INC	2,739.00	0	Regular
130468	11/09/23	ACE PORTABLE SERVICES	750.24	0	Regular
130469	11/09/23	ADOBE ANIMAL HOSPITAL SOQUEL	83.11	0	Regular
130470	11/09/23	AGILE OCCUPATIONAL MEDICINE	2,728.00	0	Regular
130471	11/09/23	AMAZON CAPITAL SERVICES	216.77	0	Regular
130472	11/09/23	APPI	857.08	0	Regular
130473	11/09/23	AT&T	28.91	0	Regular
130474	11/09/23	AT&T	284.97	0	Regular
130475	11/09/23	AT&T MOBILITY	1,226.18	0	Regular
130476	11/09/23	BOWMAN & WILLIAMS	2,805.00	0	Regular
130477	11/09/23	BRASS KEY LOCKSMITH	273.13	0	Regular
130478	11/09/23	BRIGHTVIEW LANDSCAPE	4,166.50	0	Regular
130479	11/09/23	BRINK'S AWARDS & SIGNS	301.73	0	Regular
130480	11/09/23	BURKE, WILLIAMS & SORENSEN,LLP	96.00	0	Regular
130481	11/09/23	CHLOE GRAHAM	638.14	0	Regular
130482	11/09/23	CORIE L. ASCANI, PSY.D.	500.00	0	Regular
130483	11/09/23	ECOLOGICAL CONCERNS	1,080.00	0	Regular
130484	11/09/23	ENTERPRISE FM TRUST	12,187.19	0	Regular
130485	11/09/23	ENVIRONMENTAL INNOVATIONS	770.00	0	Regular
130486	11/09/23	FIRST ALARM	131.55	0	Regular
130487	11/09/23	GOLDFARB LIPMAN ATTORNEYS	77.00	0	Regular
130488	11/09/23	K & D LANDSCAPING, INC.	350.00	0	Regular
130489	11/09/23	KENNEDY-JENKS CONSULTANTS	1,595.00	0	Regular

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
130490	11/09/23	KIMLEY-HORN & ASSOCIATES INC	21,081.23	0	Regular
130491	11/09/23	MESITI-MILLER ENGINEERING	840.00	0	Regular
130492	11/09/23	METRO MOBILE COMMUNICATIONS	2,517.62	0	Regular
130493	11/09/23	MID VALLEY SUPPLY	312.84	0	Regular
130494	11/09/23	MOTOROLA SOLUTIONS, INC.	13,338.00	0	Regular
130495	11/09/23	PHOENIX GROUP	383.03	0	Regular
130496	11/09/23	PURE VALLEY WATER, INC	253.98	0	Regular
130497	11/09/23	RALEY'S	287.94	0	Regular
130498	11/09/23	ROBERT WILLIAM PAYNE JR.	1,120.00	0	Regular
130499	11/09/23	SANTA CRUZ CO ENVIRONMENTAL	1,811.25	0	Regular
130500	11/09/23	SCOTTS VALLEY CAR WASH	229.82	0	Regular
130501	11/09/23	SCOTTS VALLEY SPRINKLER	258.04	0	Regular
130502	11/09/23	SECURITY SHORING &	234.00	0	Regular
130503	11/09/23	SOIL CONTROL LAB	408.00	0	Regular
130504	11/09/23	SOUTH BAY REGIONAL PUBLIC	177.00	0	Regular
130505	11/09/23	STATE ELECTRIC GENERATOR, INC	1,477.19	0	Regular
130506	11/09/23	SUMMIT UNIFORMS	2,839.38	0	Regular
130507	11/09/23	THE PIED PIPER INC.	2,761.00	0	Regular
130508	11/09/23	TIRECHOICE AUTO SERVICE CENTER	898.35	0	Regular
130509	11/09/23	UNITED RENTALS	1,261.90	0	Regular
130510	11/09/23	VISION SERVICE PLAN	1,197.00	0	Regular
130511	11/09/23	WIZIX TECHNOLOGY GROUP, INC	14.50	0	Regular
130512	11/09/23	YESHE JACKSON FINE ART	800.00	0	Regular
130513	11/09/23	ZOLL MEDICAL CORPORATION	493.88	0	Regular

113	Checks total:	386,497.63
0	ACH total:	
0	EFTPS total:	
0	Wire transfer total:	
0	Payment Manager total:	
113	GRAND TOTALS	386,497.63

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 11/15/2023
TO: Honorable Mayor and City Council
FROM: Sarah Wickle, Senior Planner
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Second reading and adoption of Ordinance No. 16.140 amending Scotts Valley Municipal Code Chapters 17.04 (Definitions), 17.09 (R-VH District), 17.10 (R-H District), 17.12 (R-M District), 17.14 (R-1 District), 17.16 (R-R District), 17.18 (R-MT District), 17.20 (C-S District), and 17.22 (C-SC District) and adding new Section 17.44.180 (Multi-unit Residential Design Standards) to establish design standards for multi-unit residential development citywide**

SUMMARY OF ISSUE

On November 1, 2023, the City Council introduced Ordinance No. 16.140 to amend Scotts Valley Municipal Code Chapters 17.04 (Definitions), 17.09 (R-VH District), 17.10 (R-H District), 17.12 (R-M District), 17.14 (R-1 District), 17.16 (R-R District), 17.18 (R-MT District), 17.20 (C-S District), and 17.22 (C-SC District), and adding new section 17.44.180 (Multi-Unit Residential Design Standards) to establish design standards for multi-unit residential development citywide.

FISCAL IMPACT

This action does not create a fiscal impact.

STAFF RECOMMENDATION

It is recommended that the City Council adopt Ordinance No. 16.140 to amend Scotts Valley Municipal Code Chapters 17.04 (Definitions), 17.09 (R-VH District), 17.10 (R-H District), 17.12 (R-M District), 17.14 (R-1 District), 17.16 (R-R District), 17.18 (R-MT District), 17.20 (C-S District), and 17.22 (C-SC District), and adding new section 17.44.180 (Multi-Unit Residential Design Standards) to establish design standards for multi-unit residential development citywide.

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1. Ordinance No. 16.140 Adopting Zoning Code Amendments for the Objective Design Standards

ORDINANCE NO. 16.140

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AMENDING SCOTTS VALLEY MUNICIPAL CODE CHAPTERS 17.04 (DEFINITIONS), 17.09 (R-VH DISTRICT), 17.10 (R-H DISTRICT), 17.12 (R-M DISTRICT), 17.14 (R-1 DISTRICT), 17.16 (R-R DISTRICT), 17.18 (R-MT DISTRICT), 17.20 (C-S DISTRICT), AND 17.22 (C-SC DISTRICT) AND ADDING NEW SECTION 17.44.180 (MULTI-UNIT RESIDENTIAL DESIGN STANDARDS) TO ESTABLISH DESIGN STANDARDS FOR MULTI-UNIT RESIDENTIAL DEVELOPMENT

WHEREAS, SB-35 (Chapter 366, Statutes of 2017) enacted section 65913.4 to the Government Code, effective January 1, 2018.

WHEREAS, Government Code section 65913.4 requires cities and counties to approve qualifying multifamily projects through a streamlined ministerial process if a project conforms to applicable objective standards and meets other requirements.

WHEREAS, The Housing Accountability Act (HAA), Government Code section 65589.5, limits the ability of cities and counties to deny or reduce the density of housing development projects that are consistent with objective standards.

WHEREAS, SB-330 (Chapter 654, Statutes of 2019) enacted Government Code section 66300 which prohibits cities and counties from establishing design standards that are not objective.

WHEREAS, Scotts Valley's Zoning Code currently contains limited objective design standards for multi-unit residential development.

WHEREAS, Scotts Valley currently relies on subjective design review criteria in Zoning Code Section 17.50.030 to ensure that multi-unit residential development conforms with the General Plan and the City's design guidelines.

WHEREAS, For a project requesting streamlined review under SB-35, the City cannot enforce subjective design review criteria.

WHEREAS, Under the Housing Accountability Act and SB-330, the City cannot deny or reduce the density of a multi-unit residential project on the basis of non-conformance with a subjective design requirement.

WHEREAS, The City prepared draft Multi-Unit Residential Design Standards that translate subjective policies and guidelines into new objective standards.

WHEREAS, The Multi-Unit Residential Design Standards contains objective standards that would apply to SB-35 projects, AB 2011 projects, and conforms to the requirements of the Housing Accountability Act and SB-330.

WHEREAS, The Planning Commission held a duly noticed public hearing on October 12, 2023, at which time it considered all evidence presented, both written and oral and at the end of the hearing voted to recommend that the City Council adopt this Ordinance.

WHEREAS, The City Council held a duly noticed public hearing on this Ordinance on November 1, 2023, at which time it considered all evidence presented, both written and oral.

NOW, THEREFORE, the City Council of the City of Scotts Valley does hereby ordain as follows:

Section 1. Section 17.04.160, “M” Terms, of Chapter 17.04, Definitions, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following definition:

““Multi-unit residential development” means a development project that creates two or more dwelling units, including detached single-family dwellings, townhomes, multifamily dwellings, and mixed-use residential projects.”

Section 2. Section 17.09.040, Development Standards, of Chapter 17.09, R-VH Very High-Density Residential Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“G. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 3. Section 17.10.040, Development Standards, of Chapter 17.10, R-H High-Density Residential Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“F. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 4. Section 17.12.040, Development Standards, of Chapter 17.12, R-M-6 and R-M-8 Multiple Residential Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“F. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 5. Section 17.14.040, Development Standards, of Chapter 17.14, R-1 Single-Family Residential Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“J. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 6. Section 17.16.040, Development Standards, of Chapter 17.16, R-R-2.5 Residential-Rural Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“J. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 7. Section 17.18.040, Development Standards, of Chapter 17.18, R-MT-5 Residential-Mountain Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“J. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 8. Section 17.20.040, Development Standards, of Chapter 17.20, C-S Service Commercial Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“P. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 9. Section 17.22.040, Development Standards, of Chapter 17.22, C-SC Shopping Center Commercial Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“M. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 10. New Section 17.44.180, Multi-Unit Residential Design Standards is added to of Chapter 17.44, General and Special Provisions, of Title 17, Zoning, of the Scotts Valley Municipal Code as follows:

“17.44.180 Multi-unit Residential Design Standards.

A. All new multi-unit residential development shall comply with the Multi-Unit Residential Design Standards, which are adopted by City Council resolution and may be amended from time to time.

B. Where there is a conflict between the Zoning Code and the Multi-Unit Residential Design Standards, the Multi-Unit Residential Design Standards govern.”

Section 11. CEQA COMPLIANCE. This ordinance is subject to the California Environmental Quality Act (CEQA), and the project is exempt from CEQA, pursuant to CEQA Guidelines Sections: 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment). The multi-unit residential standards impose the same requirements as the existing design review process using an alternative method (objective standards). Alternatively, State CEQA Guidelines Section 15061(b)(3) provides that a project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Section 12. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 13. To the extent the provisions of the Scotts Valley Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 14. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

Section 15. PUBLICATION. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of adoption and shall post a certified copy of this Ordinance, including the vote for and against same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

This Ordinance was introduced on the 1st day of November, 2023, and passed and adopted on the 15th day of November, 2023, at a duly held meeting of the City Council of the City of Scotts Valley by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
Jack Dilles, Mayor

ATTEST:

Cathie Simonovich, City Clerk

APPROVED AS TO FORM:

Kirsten Powell, City Attorney

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 11/15/2023
TO: Honorable Mayor and City Council
FROM: Stephanie Hill, Administrative Services Director
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Adopt Resolution 2038 to approve the Designation of Applicant's Agent for Non-State Agencies.**

SUMMARY OF ISSUE

A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. This resolution is designating agents of the City of Scotts Valley to engage with FEMA and CalOES regarding grants applied for by the City.

The resolution includes titles only, as that allows the document to remain valid if an Authorized Agent(s) leaves the position and is replaced by another individual in the same title.

This is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval.

FISCAL IMPACT

There is no fiscal impact.

STAFF RECOMMENDATION

It is recommended that the City Council adopt the proposed Resolution 2038, thereby adopting and approving Designation of Applicant's Agent Resolution for Non-State Agencies.

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1. Resolution No. 2038 Designation of Applicant's Agents
2. Cal OES Form 130

RESOLUTION NO. 2038

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SCOTTS VALLEY**

WHEREAS, the City Council of the City of Scotts Valley is required to approve authorized agents; and

WHEREAS, the City is a public entity established under the laws of the State of California; and

WHEREAS, the City has authorized titles of the authorized agents to be: City Manager, Administrative Services Director, and the Finance Manager;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED as follows: the City Council of the City of Scotts Valley has approved the above titles as the authorized agents of the City regarding grants applied for by the City of Scotts Valley.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 15th day of November, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk



Cal OES ID No: _____

DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES

BE IT RESOLVED BY THE _____ OF THE _____
(Governing Body) (Name of Applicant)

THAT _____, OR
(Title of Authorized Agent)

_____, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the _____,
(Name of Applicant)

a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- **Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM),** under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
- **Flood Mitigation Assistance Program (FMA),** under Section 1366 of the National Flood Insurance Act of 1968.
- **National Earthquake Hazards Reduction Program (NEHRP)** 42 U.S. Code 7704 (b) ((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- **California Early Earthquake Warning (CEEW)** under CA Gov Code – Gov, Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11, 8587.12

That the _____, a public entity established under the
(Name of Applicant)

laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.



Please check the appropriate box below

- ☐ This is a universal resolution and is effective for all open and future disasters/grants declared up to three (3) years following the date of approval.
- ☐ This is a disaster/grant specific resolution and is effective for only disaster/grant number(s): _____

Passed and approved this ____ day of _____, 20 ____

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____ of
(Name) (Title)

_____, do hereby certify that the above is a true and
(Name of Applicant)

correct copy of a resolution passed and approved by the _____
(Governing Body)

of the _____ on the _____ day of _____, 20 ____.
(Name of Applicant)

(Signature)

(Title)



Cal OES Form 130 Instructions

A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. A new resolution must be submitted if a previously submitted resolution is older than three (3) years from the last date of approval, is invalid, or has not been submitted.

When completing the Cal OES Form 130, Applicants should fill in the blanks on pages 1 and 2. The blanks are to be filled in as follows:

Resolution Section:

Governing Body: This is the group responsible for appointing and approving the Authorized Agents.

Examples include: Board of Directors, City Council, Board of Supervisors, Board of Education, etc.

Name of Applicant: The public entity established under the laws of the State of California.

Examples include: School District, Office of Education, City, County or Non-profit agency that has applied for the grant, such as: City of San Diego, Sacramento County, Burbank Unified School District, Napa County Office of Education, University Southern California.

Authorized Agent: These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the California Governor's Office of Emergency Services regarding grants for which they have applied. There are two ways of completing this section:

1. **Titles Only:** The titles of the Authorized Agents should be entered here, not their names. This allows the document to remain valid if an Authorized Agent leaves the position and is replaced by another individual. If "Titles Only" is the chosen method, this document must be accompanied by either a cover letter naming the Authorized Agents by name and title, or the Cal OES AA Names document. The supporting document can be completed by any authorized person within the Agency (e.g., administrative assistant, the Authorized Agent, secretary to the Director). It does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names **and** titles of the Authorized Agents would be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document, or their title changes.



Checking Universal or Disaster-Specific Box: A Universal resolution is effective for all past disasters and for those declared up to three (3) years following the date of approval. Upon expiration it is no longer effective for new disasters, but it remains in effect for disasters declared prior to expiration. It remains effective until the disaster goes through closeout unless it is superseded by a newer resolution.

Governing Body Representative: These are the names and titles of the approving Board Members.

Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles **cannot** be one of the designated Authorized Agents. A minimum of three (3) approving board members must be listed. If less than three are present, meeting minutes must be attached in order to verify a quorum was met.

Certification Section:

Name and Title: This is the individual in attendance who recorded the creation and approval of this resolution.

Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person **cannot** be one of the designated Authorized Agents or Approving Board Member. If a person holds two positions (such as City Manager and Secretary to the Board) and the City Manager is to be listed as an Authorized Agent, then that person could sign the document as Secretary to the Board (not City Manager) to eliminate "Self-Certification."

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 11/15/2023
TO: Honorable Mayor and City Council
FROM: Steve Jesberg, Interim Public Works Director
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Adopt Resolution No. 2039 authorizing the application for grant funds from the California Department of Resources, Recycling, and Recovery (CalRecycle).**

SUMMARY OF ISSUE

The California Department of Resources, Recycling, and Recovery (CalRecycle) administers various statewide recycling and waste management programs aimed at promoting increased recycling and reducing litter in the waste stream. Scotts Valley last received over \$21,500 in grant funds from CalRecycle for organic waste recovery programs. In this grant cycle, the City is eligible to receive \$75,000. This funding is to assist in further implementing all recycling programs. To continue receiving CalRecycle grant funding, staff requests the City Council adopt Resolution No. 2039 (Attachment 1) authorizing the Public Works Director to execute all required application documents, receive any grant awards, and execute any grant renewals.

FISCAL IMPACT

There is no immediate financial impact or budget action necessary at this time. Staff will return to the City Council if grants are awarded and specific budget actions are required in the future.

STAFF RECOMMENDATION

It is recommended that the City Council consider and adopt Resolution No. 2039 authorizing the application for grant funds from the California Department of Resources, Recycling, and Recovery (CalRecycle).

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1. Resolution No. 2039 CalRecycle 2023

RESOLUTION NO. 2039

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AUTHORIZING THE SUBMISSION OF APPLICATION(S) TO THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) FOR GRANT FUNDS AND RELATED AUTHORIZATIONS

WHEREAS, Public Resources Code sections 48000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various grant programs (grants) in furtherance of the State of California's (state) efforts to reduce, recycle and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Scotts Valley, hereby:

1. Authorizes the submittal of applications to CalRecycle for all grants for which the City of Capitola is eligible.
2. Designate the Public Works Director, or his/her designee, as Signature Authority to execute all documents, including but not limited to applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project(s).
3. The authorizations set forth in this Resolution are effective for five (5) years from the effective date of this resolution.
4. This Resolution shall take effect immediately upon its adoption.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regularly scheduled meeting held on the 15th day of November, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 11/15/2023
TO: Honorable Mayor and City Council
FROM: Mali LaGoe, City Manager
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Approve Resolution No. 2040 authorizing the purchase of the Vine Hill Elementary childcare modular buildings utilizing Congressional Community Project Funding, approving related NEPA and CEQA declarations, and approving the transfer of ownership to the Scotts Valley Unified School District**

SUMMARY OF ISSUE

In Federal Fiscal Year 2022, Scotts Valley was awarded \$1,375,600 in Community Project Funding (CPF) Grant to replace the childcare classroom at Vine Hill Elementary School. However, because the grant funds were not available yet, and students were expected to return to campus following the COVID-19 pandemic in the fall of 2022, the City entered into a funding agreement with the Scotts Valley Unified School District (the "SVUSD") to lease two modular buildings for a two-year term to replace the existing unsuitable structures. The lease was entered into between the SVUSD and Elite Modular Leasing & Sales, Inc. ("Elite") (which was acquired by William Scotsman, Inc. ("Willscot") in May 2022) and expires in June 2024.

After assessing the options for a new permanent facility, the School District determined their preference to keep the leased modulares on site, rather than remove them and replace them with a different building. To effectuate this, the City, SVUSD and Elite and Willscot have agreed to the sale of the modulares for a purchase price of \$650,000. Once the modulares are acquired by the City, the modulares will be transferred to SVUSD and the lease between SVUSD and Elite will be terminated. Due to the federal grant, the City is required to complete a NEPA review in addition to a CEQA review for this project.

Environmental Review:

The project proposes to acquire two portable classroom buildings, located at Vine Hill Elementary School, which the SVUSD currently leases. Subsequent to acquisition of the portable classrooms, the City will transfer ownership to SVUSD. The classrooms are already on campus and in use and no physical changes will occur. There would be no change in student enrollment as the portables are currently being used by the campus. Therefore, the proposed project would not have the potential to cause a significant effect on the environment.

Since it can be seen with certainty that the proposed project would not cause a significant effect on the environment, the proposed project is not subject to CEQA pursuant to CEQA

Guidelines Section 15061(b)(3). The proposed project would not alter any conditions that would require review or compliance determination under the federal laws and authorities cited in § 58.5, nor are there any extraordinary circumstances or conditions affecting the location of the project that may have a significant environmental effect (pursuant to § 58.2(a)(3)). Building Acquisition: The City wishes to purchase the modular classrooms from Wilscott for a negotiated price of \$650,000 and to transfer ownership to the SVUSD through a second purchase agreement. These agreements have been drafted and are under legal review. The City Council may authorize the City Manager to enter into these agreements, in a form acceptable to the City Attorney in order to complete these transactions.

FISCAL IMPACT

This project is entirely funded by HUD via the Congressional Community Project Funding program. Approving the purchase agreements and environmental review will result in a short-term cashflow impact on the general fund as the City must expend the funds before submitting a reimbursement request to HUD for the project expenses.

STAFF RECOMMENDATION

The following actions are recommended:

1. Approve Resolution No. 2040 approving the purchase of the Vine Hill modular classroom buildings for \$650,000, approving the transfer of the modular classroom buildings from the City of Scotts Valley to the Scotts Valley Unified School District, and determining the purchase and transfer are exempt from NEPA pursuant to § 58.2(a)(3) and from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).
2. Authorize the City Manager to sign the purchase agreement with Wilscott in a form approved by the City Attorney.
3. Authorize the City Manager to execute the necessary documents to complete the transfer as approved by the City Attorney.

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1. Resolution No. 2040 Modular purchase 11-15-23

RESOLUTION NO. 2040

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING THE PURCHASE OF THE VINE HILL MODULAR CLASSROOM BUILDINGS FOR \$650,000, APPROVING THE TRANSFER OF THE MODULAR CLASSROOM BUILDINGS FROM THE CITY OF SCOTTS VALLEY TO THE SCOTTS VALLEY UNIFIED SCHOOL DISTRICT, AND DETERMINING THE PURCHASE AND TRANSFER ARE EXEMPT FROM NEPA PURSUANT TO 24 CFR § 58.35(b) AND FROM CEQA PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3)

WHEREAS, in Federal Fiscal Year 2022, Scotts Valley was awarded \$1,375,600 in Community Project Funding (CPF) Grant to replace the childcare classroom at Vine Hill Elementary School; and

WHEREAS, because the grant funds were not available yet, and students were expected to return to campus following the COVID-19 pandemic in the fall of 2022, the City entered into a funding agreement with the Scotts Valley Unified School District (the "SVUSD") to lease two modular buildings for a two-year term to replace the existing unsuitable structures; and

WHEREAS, the lease was entered into between the SVUSD and Elite Modular Leasing & Sales, Inc. ("Elite") (which was acquired by William Scotsman, Inc. ("Willscot") in May 2022) and expires in June 2024; and

WHEREAS, after assessing the options for a new permanent facility, SVUSD determined their preference to keep the leased modulares on site, rather than remove them and replace them with a different building; and

WHEREAS, to effectuate this, the City, SVUSD and Elite and Willscot have agreed to the sale of the modulares for a purchase price of \$650,000; and

WHEREAS, once the modulares are acquired by the City, the modulares will be transferred to SVUSD and the lease between SVUSD and Elite will be terminated; and

WHEREAS, due to the federal grant, the City is required to complete a NEPA review in addition to a CEQA review for this project; and

WHEREAS, the purchase and transfer are exempt from NEPA and CEQA as documented in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

1. The City Council hereby approves the purchase of the Vine Hill Modular classroom buildings for \$650,000, payable with the CPF and authorizes the City Manager to execute the purchase agreement with Willscot in a form acceptable to the City Attorney.

2. The City Council hereby approves the transfer of the Vine Hill Modular classroom buildings to the SVUSD and authorizes the City Manager to execute the necessary documents to effectuate the transfer in a form acceptable to the City Attorney.
3. The City Council hereby determines that the purchase and transfer of the Vine Hill Modular classroom buildings are exempt from NEPA pursuant to 24 CFR § 58.35(b) and from CEQA pursuant to CEQA Guidelines section 15061(b)(3) as detailed in Exhibit A which is attached hereto and incorporated herein.

The above and foregoing resolution was duly and regularly adopted and passed by the City Council of the City of Scotts Valley at a regular meeting held on the 15th day of November, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jack Dilles, Mayor

ATTEST:

Cathie Simonovich, City Clerk

APPROVED AS TO FORM:

Kirsten Powell, City Attorney

EXHIBIT A

NEPA and CEQA Exemptions



U.S. Department of Housing and Urban
Development

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Section 58.5 Pursuant to 24 CFR Part 58.34(a) and 58.35(b)

This is a suggested format that may be used by Responsible Entities to document completion of an Exempt or Categorically Excluded Not Subject to Section 58.5 environmental review.

Project Information

Project Name: Vine Hill Elementary School Portable Acquisition

Responsible Entity: City of Scotts Valley, Department of Public Works

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: Scotts Valley, California

Preparer: Jennifer Kelley, PlaceWorks

Certifying Officer Name and Title: Stephanie Hill, Administrative Services Director

Consultant (if applicable):

PlaceWorks
700 S. Flower Street, Suite 600
Los Angeles, CA 90017

Project Location:

The proposed project is located at Vine Hill Elementary School at 151 Vine Hill School Road in the City of Scotts Valley. As shown in Figure 1, *Project Location*, primary access to the project site is via Santa Cruz Highway 17. The project site is bound by open space to the north, residential to the east and west, and Santa Cruz Highway 17 to the south.

Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]:

The City of Scotts Valley proposes to acquire two portable classroom buildings, located at Vine Hill Elementary School, which Scotts Valley Unified School District currently leases. Subsequent to acquisition of the portable classrooms, the City will transfer ownership of the two portable classroom buildings to the Scotts Valley Unified School District. The classrooms are

already on campus and in use and no physical changes will occur. The proposed project will benefit the district, students, and staff by improving the educational environment.

Level of Environmental Review Determination:

- ☐ Activity/Project is Exempt per 24 CFR 58.34(a): _____
- ☒ Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b): _____

The proposed project would not alter any conditions that would require review or compliance determination under the federal laws and authorities cited in § 58.5, nor are there any extraordinary circumstances or conditions affecting the location of the project that may have a significant environmental effect (pursuant to § 58.2(a)(3)). Therefore, the Responsible Entity (RE) is not required to publish a Notice of Intent (NOI) or Request for Release of Funds (RROF), execute a certification, or submit a RROF to HUD. Following the award of the assistance, no further approval from HUD would be required with respect to environmental requirements.

Funding Information

Grant Number	HUD Program	Funding Amount
B-22-CP-CA-0072	Community Project Funding (CPF)	\$1,375,600.00

Estimated Total HUD Funded Amount: \$1,375,600.00

This project anticipates the use of funds or assistance from another Federal agency in addition to HUD in the form of (if applicable): No additional funding from another Federal agency.

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$1,375,600.00

Compliance with 24 CFR §50.4 and §58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6	Are formal compliance steps or	Compliance determinations
--	--------------------------------------	---------------------------

	mitigation required?	
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6		
Airport Runway Clear Zones and Accident Potential Zones 24 CFR Part 51 Subpart D	Yes No ☐ ☒	As shown in Figure 2, <i>Airports near the Project Site</i> , there are no airports near the project site. The nearest airport is Bonny Doon Village Airpark located approximately 10 miles west of the project site.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No ☐ ☒	The project site is located in Scotts Valley California. As shown in Figure 3, <i>Coastal Barrier Resources System Map</i> , there are no coastal barrier resources systems in California and the project is not located in a state with coastal barrier resources system.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No ☐ ☒	As shown in Figure 3, <i>FEMA Flood Hazards Map</i> , the project site is not located in any FEMA flood hazard zones. There are no designated Special Flood Hazard Area within the project site (FEMA 2023).

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

No Mitigation Measures apply or are required by the proposed project.

Preparer Signature: _____ Date: _____

Name/Title/Organization: Jennifer Kelley, PlaceWorks

Responsible Entity Agency Official Signature:

_____ Date: _____

Name/Title: Stephanie Hill, City of Scotts Valley

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

References:

FEMA. 2023, April 22 (accessed) FEMA Flood Map Service Center: Search By Address.
<https://msc.fema.gov/portal/search?AddressQuery=La%20Palma%20Park>

Figures:

NOTICE OF EXEMPTION

To: ☒ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: City of Scotts Valley

1 Civic Center Drive

Scotts Valley, CA 95066

☒ County Clerk
County of Santa Cruz

701 Ocean Street, Room 520

Santa Cruz, CA 95060

Vine Hill Elementary School Portable Acquisition

Project Title

151 Vine Hill School Rd

Project Location - Specific

Scotts Valley

Project Location – City

Santa Cruz

Project Location – County

The City of Scotts Valley proposes to acquire two portable classroom buildings, located at Vine Hill Elementary School, which Scotts Valley Unified School District currently leases. Subsequent to acquisition of the portable classrooms, the City will transfer ownership of the two portable classroom buildings to the Scotts Valley Unified School District. The classrooms are already on campus and in use and no physical changes will occur. The proposed project will benefit the district, students, and staff by improving the educational environment.

Description of Nature, Purpose, and Beneficiaries of Project

City of Scotts Valley

Name of Public Agency Approving Project

Stephanie Hill, Administrative Services Director, City of Scotts Valley

Name of Person or Agency Carrying Out Project

Exempt Status: (check one below)

☐ Ministerial (Sec. 21080(b)(1); 15268);

☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));

☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

☒ General Rule (Sec. 15061(b)(3)); Common Sense Exemption

☐ Categorical Exemption. State type and section number:

☐ Statutory Exemptions. State code number: _____

The California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter CEQA) requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The acquisition of two portable classroom buildings at Vine Hill Elementary School by a public agency is a project as defined by CEQA. Pursuant to CEQA Guidelines Section 15061(b)(3), an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The activity is not subject to CEQA where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

The City of Scotts Valley proposes to acquire two portable classroom buildings, located at Vine Hill Elementary School, which Scotts Valley Unified School District currently leases. The classrooms are already on campus and in use and no physical changes will occur. There would be no change in student enrollment as the portables are currently being used by the campus. Therefore, the proposed project would not have the potential to cause a significant effect on the environment. Since it can be seen with certainty that the proposed project would not cause a significant effect on the environment, the proposed project is not subject to CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

Reasons why project is exempt

Stephanie Hill

(831) 440-5600

Contact Person:

Area Code/Telephone/Extension:

If filed by applicant:

1. Attach certified document of exemption findings

2. Has a Notice of Exemption been filed by the public agency approving ☒ Yes ☐ No
the project

Date

Received for

Filing: _____

Signature: _____

Title: Administrative Services Director

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 11/15/2023
TO: Honorable Mayor and City Council
FROM: Allison Pfefferkorn, Recreation Division Manager
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Introduce Ordinance No. 170.1 amending Scotts Valley Municipal Code Section 02.19.020 regarding the Arts Commission and Adopt Resolution No. 1666.2 amending the Arts Commission Bylaws**

SUMMARY OF ISSUE

The City of Scotts Valley's Arts Commission is an advisory body to the City Council. Bylaws for the Arts Commission were first adopted by City Council on March 1st 2000, with updates in June of 2012. The Arts Commission bylaws have new revisions that meet the standard to which all City Advisory bodies operate. This version of the bylaws was reviewed and approved by the City Attorney.

Proposed Bylaws updates:

- The current bylaws dictate that the commission meets monthly on the second Wednesday of each month at 5:00 PM. The proposed change amends this section to schedule meetings during the second month of the quarter: February, May, August, November. This change would allow staff and board members to focus on committee work or special projects rather than preparing for meetings each month. A special meeting could still be called if needed between regularly scheduled commission meetings (Article III, Section 1).
- The current bylaws dictate commissioners serve four-year terms. The proposed amendment to this section would align the Arts Commission with other City Commissions where members of the Commission shall serve at the pleasure of the Council and any member may be dismissed by the City Council at any time. (Article I, Section 1)
- The current bylaws dictate that a Chairperson and Vice-Chairperson be selected on the first Wednesday of November each year. Staff recommend amending this section to reflect that the Chairperson and Vice-Chairperson shall be appointed annually by the commission from among its members entitled to vote. (Article II, Section 1)

Proposed Municiple Code Amendment:

- Current Municipal code 02.19.020 states: 'The Chairperson and Vice-Chairperson of the

commission shall be appointed annually by the commission from amongst its voting members. The appointments shall be made as soon as practical, following the first Tuesday of November of each year.”

- The proposed amendment to this section would align the Arts Commission with the other Commissions where the Chairperson and Vice-Chairperson shall be appointed annually by the commission from among its members entitled to vote.

FISCAL IMPACT

There is no fiscal impact associated with amending the Arts Commission Bylaws and Municipal Code Section 02.19.020.

STAFF RECOMMENDATION

There are two recommended actions associated with this item:

1. Adopt Resolution No. 1666.2 amending the Arts Commission Bylaws in their entirety.
2. Introduce Ordinance No. 170.1 amending the Scotts Valley Municipal Code 02.19.020 to reflect changes to Section 2.19.020 of Chapter 2.19 of Title 2 and waive the reading thereof.

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1. Ord 170.1ArtsCommission
2. Resolution No. 1666.2 Arts Commission Bylaw amendment
3. Exhibit A - Arts Commission bylaws REDLINE

ORDINANCE NO. 170.1

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AMENDING TITLE 2, CHAPTER 2.19, SECTION 2.19.020 OF THE SCOTTS VALLEY MUNICIPAL CODE REGARDING THE ARTS COMMISSION

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF SCOTTS VALLEY DOES
ORDAIN AS FOLLOWS:**

SECTION 1. Section 2.19.020 of Chapter 2.19 of Title 2 is hereby amended to read as follows:

“2.19.020 - Members.

The commission shall be comprised of five members to be appointed by the city council as provided in Section 2.21.010 of this title. All members of the commission shall be residents in the Scotts Valley planning area and shall serve at the pleasure of the city council and any member may be removed by the city council at their sole discretion at any time.

The chairman and vice-chairman of the commission shall be appointed annually by the commission from amongst its voting members. The appointments shall be made annually by the commission from among its members.”

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision of such Ordinance and shall not affect the validity of the remaining portions thereof.

SECTION 3. REPEALS CONFLICTING ORDINANCES. All other ordinances of the City of Scotts Valley or provisions of the Scotts Valley Municipal Code which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. CEQA COMPLIANCE. The City Council finds and determines that the enactment of this Ordinance is not a “project” as that term is used in the California Environmental Quality Act (“CEQA,” Cal. Pub. Resources Code Section 21000 et seq.) or the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.). Therefore, no environmental assessment is required or necessary.

SECTION 5. EFFECTIVE DATE. The above and foregoing ordinance was introduced for a first reading on November 15, 2023, and passed and adopted on May 18, 2022, at a duly held meeting of the City Council of the City of Scotts Valley by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
Jack Dilles, Mayor

ATTEST: _____
Cathie Simonovich, City Clerk

APPROVED
AS TO FORM: _____
Kirsten Powell, City Attorney

RESOLUTION NO. 1666.2

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY
AMENDING THE ART COMMISSION BYLAWS IN THEIR ENTIRETY**

WHEREAS, By Resolution 1666, adopted by the Scotts Valley City Council on March 1, 2000, established by the bylaws of the City of Scotts Valley Arts Commission; and

WHEREAS, By Resolution 1666.1, adopted by the Scotts Valley City Council on June 20, 2012, amended the bylaws of the City of Scotts Valley Arts Commission; and

WHEREAS, Section 2.19.040 of the Scotts Valley Municipal Code allows the bylaws of the Scotts Valley Arts Commission to be amended from time to time by resolution; and

WHEREAS, the Scotts Valley Arts Commission is requesting the bylaws be amended to meet the standards to which all City Advisory bodies operate.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Scotts Valley does hereby resolve that the Bylaws created and amended by Resolutions 1666 and 1666.1, are amended in their entirety and replaced by the Bylaws as attached and incorporated hereto as Exhibit A.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 15th day of November, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved:

Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk

CITY OF SCOTTS VALLEY

ARTS COMMISSION BYLAWS

ARTICLE I. ORGANIZATION AND MEMBERSHIP

Section 1. In accordance with Chapter 2.19 of the Scotts Valley Municipal Code, the Scotts Valley Arts Commission is an advisory agency to the ~~city council~~City Council of the City of Scotts Valley regarding matters concerning the arts, including literature, music and other cultural activities. The Commission consists of five members appointed by the ~~city council of the city. Members serve a four year term~~City Council of the City. Members of the Commission shall serve at the pleasure of the ~~Council~~ and any member may be dismissed by the City Council at any time.

ARTICLE II. SELECTION OF OFFICERS

Section 1. ~~As soon as practical, following the first Tuesday of November~~At the first meeting of each calendar of each year, a ~~chairperson~~Chairperson and ~~vice-chairperson~~Vice-Chairperson shall be selected by the Commission from among its members.

CHAIRPERSON

A) : The ~~chairperson~~Chairperson shall be selected by a majority vote of the members. The ~~chairperson~~Chairperson shall preside at all meetings and may call special meetings. He/she shall decide on all points of order and procedure during the meeting and the decision shall be final unless overruled by a majority vote of the Commission. The Chairperson shall represent the Commission before the Council whenever the ~~chairperson~~Chairperson, the Commission or the Council considers it necessary.

VICE-CHAIRPERSON

B) : A ~~vice-chairperson~~Vice Chairperson shall be selected by a majority vote of the members. He/she shall assume all duties of the ~~chairperson~~Chairperson in the absence or the disability of the ~~chairperson~~Chairperson.

SECRETARY

C) : The ~~city manager~~City Manager may designate a staff person to act as secretary who shall keep a record of Commission proceedings and transactions.

ACTING CHAIRPERSON

D) : In the case of absence of both the ~~chairperson~~Chairperson and the ~~vice-chairperson~~Vice Chairperson from any meeting an acting ~~chairperson~~Chairperson shall be elected from amongst the members present to serve only during the absence of the ~~chairperson~~Chairperson and ~~vice-chairperson~~Vice-Chairperson.

ARTICLE III. MEETINGS

Section 1. MEETINGS OF ARTS COMMISSION: The Arts Commission shall hold a minimum of four —meetings per year as follows:

- A. Open Meetings:- All regular and special meetings of the Commission shall be open meetings to which the public and the press shall be admitted.

B. Regular Meetings: -Regular meetings of the Commission shall be held quarterly per an annual calendar established during the first meeting of the calendar year. ~~on the 2nd Wednesday of each month~~ 1st Thursday (which months?) and shall begin at 5:00 PM at the Scotts Valley City hall ~~hall~~ Hall Council Chambers or such other place as may be specified at the previous regular meeting.

C. Special Meetings: -A special meeting may be called by the ~~chairperson~~ Chairperson of the Commission or by majority vote of the Commission. Notice of special meetings shall be given as required by law; and the purpose of or the business to be transacted during such special meeting shall be stated in the notice.

D. Quorum: -A quorum shall consist of three members of the Commission.

E. Absence of Quorum: - In the absence of a quorum at any meeting, the meeting shall be adjourned to the next regular meeting date by any member present. No meeting may be declared adjourned for lack of a quorum, however, until a 15 minute period after the scheduled time of the meeting has elapsed.

ARTICLE IV. COMMITTEES

All standing or special committees of the Commission which may be necessary to carry out the functions or purposes of the Commission shall be selected by the ~~chairperson~~ Chairperson ~~or Chairperson and~~ confirmed by vote of the majority of the Commission. Such committees may include, but not be restricted to, members of the Commission. Such committees shall comply with all legal requirements regarding meetings including, but not limited to, the Brown Act. The ~~chairperson~~ Chairperson of the Arts Commission shall make all committee assignments and appoint the ~~chairperson~~ Chairperson of each committee. A verbal or written report may be made at any meeting of the Commission by the Chairperson or member of a Committee on the subject under consideration by such Committee.

ARTICLE V. VOTING

All questions shall be resolved by a majority vote of the members present. The vote shall be taken by a roll call vote, voice vote, by the raising of hands, or by any other manner calculated to ensure an accurate determination of the vote; provided, ~~however, that~~ at the request of any member, the the vote shall be taken by a roll call vote.

ARTICLE VI. PARLIAMENTARY PROCEDURES

Roberts Rules of Order, revised, will govern the conduct of meetings of the Arts Commission.

AMENDMENTS

~~These bylaws may be amended from time to time in the manner provided in section 2.19.040 of the Scotts Valley Municipal code.~~ **ARTICLE VII. MISCELLANEOUS**

Section 1. Effective Date.

~~The Bylaws shall be effective upon approval of a majority of the Commissioners and subsequent approval of a majority of the City Council.~~

Section 2. Amendments to the Bylaws.

~~The Bylaws of the Commission may be amended by the Commission at any regular or special meeting by a vote of the majority of the Commissioners; however, such amendment will not be effective until approved by the City Council.~~

Section 3. Effect.

~~The bylaws shall not be considered or construed as superseding any ordinance or direction of the City Council of the City of Scotts Valley, nor shall they preclude the preparation and adoption of further procedural manuals and policies by which the Commission may direct its activities. In the event of a conflict between the Bylaws and any ordinance or direction of the City Council of the City of Scotts Valley, the ordinance or direction shall control.~~