



A G E N D A

Meeting of the Scotts Valley City Council

Date: April 6, 2016

Time: 6:00 p.m.

CITY OF SCOTTS VALLEY 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5602	MEETING LOCATION City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066	POSTING: The agenda was posted 4-1-16 at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvalley.org .
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Elected Officials Donna Lind, Mayor Randy Johnson, Vice Mayor Stephany E. Aguilar, Council Member Dene Bustichi, Council Member Jim Reed, Council Member	City Staff Members Chuck Comstock, Interim City Manager Kirsten Powell, City Attorney Taylor Bateman, Acting Community Development Dir Scott Hamby, Public Works Director John Weiss, Chief of Police Tracy Ferrara, City Clerk
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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.

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.scottsvalley.org 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.scottsvalley.org.

Televised Meetings:

City Council meetings are cablecast "Live" on Community Television of Santa Cruz County on Comcast Channel 25.

CALL TO ORDER 6:00 p.m.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

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.)

Interjurisdictional Committees:

✓	Criminal Justice Council	(Lind/Johnson)
✓	Transportation Commission	(Johnson/Lind)
✓	Metro Transit District Board	(Bustichi)
✓	County Integrated Waste Mgmt Local Task Force	(Lind/Hamby)
✓	City/School District Joint Committee	(Reed/Johnson)
✓	AMBAG	(Aguilar/Lind)
✓	LAFCO	(Lind)
✓	City Selection Committee	(Mayor)
✓	League of California Cities Delegate Program	(Aguilar)
✓	Hazardous Materials Advisory Commission	(Ron Whittle)
✓	Cultural Council	(Lind)
✓	Seniors Advisory Council	(Lind)
✓	Santa Margarita Ground Water Basin Advisory Committee	(Lind /Aguilar)
✓	Library Financing Authority/Joint Powers Boards	(CityManager)
✓	Library Advisory Commission	(Vacant)

Standing Local Committees:

✓	Traffic Safety Committee	(Lind/Aguilar)
✓	Economic Development	(Johnson/Bustichi)
✓	Affordable Housing	(Aguilar/Bustichi)
✓	Water Subcommittee	(Bustichi/Lind)
✓	Budget Subcommittee	(Mayor/Vice Mayor)
✓	Sign Subcommittee	(Bustichi/Lind)
✓	Green Building Permit Process Subcommittee	(Lind/Reed)

Project Specific Committees:

✓	Skypark Subcommittee	(Johnson/Bustichi)
✓	Gateway South Commercial	(Reed/Johnson)
✓	Glenwood Trails Subcommittee	(Aguilar/Reed)

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 appear to be non-controversial. Persons wishing to speak on any item may do so by raising their hand to be recognized by the Mayor.)

- A. Approve City Council meeting minutes of 3-23-16, 3-22-16, 3-16-16
- B. Approve check register – 3-25-16, 3-18-16
- C. Authorize the City Manager to recruit for a Civil Engineer
- D. Approve amendment to lease agreement between the City of Scotts Valley and the Scotts Valley Community Theater Guild

- E. Approve the non collection of the \$1,200 facilities use permit fee for the Mountain Charlie Challenge hosted by Scotts Valley Educational Foundation on April 23, 2016.
- F. Approve the non collection of the \$300 facilities use permit fee for the Unconditional Love Animal Rescue - Days of Wine and Wet Noses held in Scotts Valley on April 6, 2016.

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. Consider approval of Resolution No. 1917 objecting to the tax-defaulted sale of APN 056-28-112 and authorizing the City Manager to execute all necessary documents for the purchase of the property (Attorney/Powell)
- 2. Future Council agenda items
(This portion of the Regular Agenda allows the Council to determine items to be placed on a future agenda and to choose a date, if so desired.)

CONVENE TO CLOSED SESSION

CLOSED SESSION

SUBJECT:

- (1) City Manager Employment
Legal Authority: 54957
Staff Present: Interim City Manager, City Attorney, Chief of Police

RECONVENE TO OPEN SESSION

REPORT ON ACTION TAKEN DURING CLOSED SESSION

ADJOURNMENT

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) 440-5602 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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MINUTES

CONSENT AGENDA ITEM A
DATE: 4-6-2016

Special Meeting of the Scotts Valley City Council

Date: March 23, 2016

POSTING:

The agenda was posted on 3-18-16
at City Hall, the SV Senior Center, and
the SV Library, by the City Clerk.

CALL TO ORDER 6:00 p.m.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

Present:

Mayor Lind
Vice Mayor Johnson
Council Member Aguilar
Council Member Bustichi
Council Member Reed

Interim City Manager Comstock
City Attorney Powell
Police Lieutenant Wilson
Public Wks Director Hamby
Acting Community Development Director Bateman
Senior Planner Fodge
Recreation Division Manager Ard
City Clerk Ferrara

COMMITTEE REPORTS

None.

CITY MANAGER REPORT

PL Wilson announced that Scotts Valley Police Department Traffic Sergeant, Dave, Ball, is putting on three motorcycle safety training classes scheduled for April 17, April 24, and May 1. Additional information regarding the motorcycle classes can be found at www.scottsvalleypd.com.

PWD Hamby reported that the illuminated street signs that were installed around Scotts Valley several months ago did not have electricity available upon installation, however, electricity has now been provided to all of the illuminated street signs.

PWD Hamby reported that a few projects are beginning at Siltanen Park: (1) Improvements to the barbecue area; (2) City crews will be replacing the wood retaining wall at the entrance to the park with a block keystone retaining wall to match the same type of retaining walls currently in the park and along Vine Hill School Road; (3) City crews will be repainting the main building; and (3) Repainting of a mural that is just below the majors little league field, which will be done with the involvement of the Arts Commission.

PWD Hamby provided an update on the Granite Creek overpass storm repair and stated that the City is currently waiting for the archaeologist survey and working with Caltrans for approval.

PUBLIC COMMENT

None.

ALTERATIONS TO CONSENT AGENDA

M/S: Aguilar/Reed

To approve the Consent Agenda.

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

Consent Agenda:

- A. Authorize the hiring of a part-time/temporary summer maintenance Worker for a term of four months, June through September, 2016
- B. Approve 2016 License Agreement between the City of Scotts Valley and the Scotts Valley/San Lorenzo Valley Youth Soccer Club for the use of Skypark Park
- C. Approve second reading and adoption of Ordinance No. 16-ZC-225 approving Zone Change ZC15-001 and Planned Development (PD) District overlays PD15-001 and PD15-002 to change the existing zoning district from I-RD(PD) (Industrial-Research & Development / Planned Development) to R-H/PD (High-Density Residential / Planned Development) and C-S/PD (Commercial-Service / Planned Development) for the "Enterprise Way" project consisting of 50 townhouse-style condominiums, a 120-room hotel, and related property improvements, on a vacant parcel located at the end of Santa's Village Road (previously approved Borland Phase II site), APN 024-031-017
- D. Accept bid from Courtteck Resurfacing for the Skypark Tennis Court improvements in the amount of \$13,000 (Polo Ranch funds), and the quote for resurfacing of the two half court basketball courts at Skypark Park in the amount of \$4,000 (Polo Ranch funds), authorize the City Manager to prepare and execute a contract for services, and authorize the Recreation Division Manager to move forward with the improvements this fiscal year

ALTERATIONS TO REGULAR AGENDA

M/S: Aguilar/Johnson

To approve the Regular Agenda.

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

REGULAR AGENDA

- 1. Consider approval of the Water Supply Agreement between the City of Scotts Valley and Pasatiempo Golf Club and authorize the Mayor to execute the agreement

CA Powell presented the written staff report and responded to questions from Council.

CA Powell stated that if the City Council approves the agreement, it would require the following modifications:

- (1) Section 4.3 is amended to add the following language: *PGC shall support City in obtaining any necessary approvals to convey the water to the Point of Delivery and Point of Return Flow and shall pay for any costs associated with such approvals.*
- (2) Section 6.1 shall be amended to add language that either a lump sum payment of \$758,169 on May 1, 2017, which shall be paid to the Scotts Valley Water District or that amount shall be paid in 5 equal installments at an interest rate, if any, to be determined by the parties. The remaining \$800,000 shall be paid in five equal installments commencing May 1, 2017.

M/S: Aguilar/Bustichi

To approve the Water Supply Agreement between the City of Scotts Valley and the Pasatiempo Golf Club and authorize the Mayor to execute the agreement as amended with the following modifications: (1) Section 4.3 is amended to add the following language: PGC shall support City in obtaining any necessary approvals to convey the water to the Point of Delivery and Point of Return Flow and shall pay for any costs associated with such approvals; and (2) Section 6.1 shall be amended to add language that either a lump sum payment of \$758,169 on May 1, 2017, which shall be paid to the Scotts Valley Water District or that amount shall be paid in 5 equal installments at an interest rate, if any, to be determined by the parties. The remaining \$800,000 shall be paid in five equal installments commencing May 1, 2017.

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

PUBLIC HEARINGS

2. **Consideration of Planning Commission recommendation to adopt the 2015-2023 Housing Element Update and to send it to the state for final certification; File Nos. ND16-001, GPA16-001**

SP Fodge presented the written staff report and responded to questions from Council.

Bill Wiseman, Kimley-Horn, presented information on the process followed for the 2015-2023 Housing Element update and responded to questions from Council.

PUBLIC HEARING OPENED - 6:52 PM

Linda Kerner, SV resident and member of Affordable Housing NOW, spoke in opposition to the City's proposed Housing Element based on its lack of very-low and low income housing and recommended that the Council include the comments submitted by Affordable Housing NOW.

PUBLIC HEARING CLOSED - 6:57 PM

CM Aguilar requested that City staff look into reviewing the City's mobile home ordinance in order to protect affordable housing by eliminating mobile home park conversions.

M/S: Bustichi/Aguilar

To approve Resolution No. 1119.32 approving a Negative Declaration Addendum ND16-001 and approving General Plan Amendment GPA16-001 to adopt the 2015-2023 Housing Element for the City's General Plan.

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

REGULAR AGENDA

(Resumed)

3. Future Council agenda items

None.

Closed session cancelled.

CONVENE TO CLOSED SESSION

The City Council convened to closed session at 7:05 p.m. to discuss the following:

- (1) Pursuant to Government Code Section 54957, the City Council met in closed session to confer with the legal counsel regarding City Manager employment.

RECONVENE TO OPEN SESSION

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

REPORT ON ACTION TAKEN DURING CLOSED SESSION

Mayor Lind announced that there was nothing to report.

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

Approved: _____
Donna Lind, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

MINUTES

Special Meeting of the Scotts Valley City Council

Date: March 22, 2016

POSTING:

The agenda was posted on 3-22-16
at City Hall, the SV Senior Center, and
the SV Library, by the City Clerk.

CALL TO ORDER 3:00 p.m.

ROLL CALL

Present:	Donna Lind, Mayor	Chuck Comstock, Interim City Manager
	Randy Johnson, Vice Mayor	Kirsten Powell, City Attorney
	Stephany E. Aguilar, City Council Member	John Weiss, Chief of Police
	Dene Bustichi, City Council Member	Scott Hamby, Public Works Director
	Jim Reed, City Council Member	Taylor Bateman, Acting Community Development Dir
		Tracy Ferrara, City Clerk

SPECIAL SET MATTER

1. City Manager Candidate Interviews

The City Council interviewed the following three City Manager candidates separately by asking the same 10 questions to each of the candidates:

Al Bito
Chet Simmons
Derek Johnson

The City Council took a recess from 4:25 pm to 4:45 pm.

CONVENE TO CLOSED SESSION

The City Council convened to closed session at 4:48 p.m. to discuss the following item:

- (1) 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 5:15 p.m.

REPORT ON ACTION TAKEN DURING CLOSED SESSION

The City Council directed City staff to continue with the recruitment.

ADJOURNMENT The meeting adjourned at 5:15 p.m.

Approved: _____

Donna Lind, Mayor

Attest: _____

Tracy A. Ferrara, City Clerk

MINUTES

Meeting of the Scotts Valley City Council

Date: March 16, 2016

POSTING:

The agenda was posted on 3-11-16
at City Hall, the SV Senior Center, and
the SV Library, by the City Clerk.

CALL TO ORDER 6:00 p.m.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

Present:

Mayor Lind
Vice Mayor Johnson
Council Member Aguilar
Council Member Bustichi
Council Member Reed

Interim City Manager Comstock
City Attorney Powell
Public Wks Director Hamby
Police Chief Weiss
Acting Community Development Director Bateman
Senior Planner Fodge
City Clerk Ferrara

COMMITTEE REPORTS

CM Aguilar reported that the Affordable Housing Subcommittee met and their recommendation for affordable housing for the City Ventures project, which is included as a part of agenda item 2 on this agenda, is for 3 low income, and 4 moderate units.

Mayor Lind reported that she attended a meeting that was coordinated by Congress Member Eshoo and Congress Member Sam Farr with the FAA. This meeting also included several local citizens and representatives of Save Our Skies to address the flight path change and the noise complaints that have been received. She stated that a report is expected from the FAA in mid-April, and after receipt of the report, a select committee will be appointed that will include representatives from local government, Congress Member Eshoo, and the FAA in order to follow through on recommendations to mitigate the issues that have been a problem over the past year.

Mayor Lind reported that the planning committee for Scotts Valley's 50 Year Anniversary met. She stated that the committee is working on several activities for 4th of July, and on August 2, the City's actual anniversary.

CITY MANAGER REPORT

PC Weiss reported that the Scotts Valley Police Department recently put out a press release on their voluntary camera surveillance program, where people can register their cameras on the Police Department website so that in the event of a crime, investigators may contact the registrant to determine if useful information was captured by their cameras. Captured footage may also be relevant to other types of non-criminal cases, such as Missing Persons cases.

PUBLIC COMMENT

Jack Dilles, SV resident, announced that the Annual Scrabble Tournament will be held this Saturday, March 19 at 8:30 a.m. at the County Building, 701 Ocean Street, Santa Cruz, to benefit the Law Library and the Teen Peer Court Program.

Wendy Brannan, SV resident, expressed concerns regarding the City giving funding to another agency.

ALTERATIONS TO CONSENT AGENDA

VM Johnson requested that Item D be moved to the regular agenda for discussion.

M/S: Aguilar/Reed

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

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

Consent Agenda:

- A. Approve City Council meeting minutes of 3-2-16
- B. Approve check register – 3-4-16
- C. Authorize the recruitment, hiring, and training of a Police Officer to replace retiring Police Officer Chris Culwell
- E. Approve appointment of Ellen Campos to the Library Advisory Commission to represent the City of Scotts Valley

ALTERATIONS TO REGULAR AGENDA

M/S: Reed/Aguilar

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

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

REGULAR AGENDA

- D. **Approve Agreement for Professional Services between the City of Scotts Valley and Mesiti-Miller Engineering for design and construction administration services for the Mt. Hermon Road/Scotts Valley Drive/Whispering Pines Drive Intersection Operations Improvement Project**

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

M/S: Johnson/Aguilar

To approve the agreement for professional services between the City of Scotts Valley and Mesiti-Miller Engineering for design and construction administration services for the Mt. Hermon Road/Scotts Valley Drive/Whispering Pines Drive Intersection Operations improvement Project.

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

1. **Consider reallocation of \$10,000 in Polo Ranch funds to be used for the resurfacing of the Scotts Valley High School tennis courts, and an additional allocation of \$2,000 for the Scotts Valley High School tennis courts**

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

CM Aguilar recommended the reallocation of \$10,000 but not the additional allocation of \$2,000. She also recommended that the City and the Scotts Valley Unified School District enter into a joint use agreement for use the Scotts Valley High School tennis courts.

Wendy Brannan, SV resident, stated that she feels the City should repair the City courts and facilities before providing assistance to another agency.

Mike Shulman, Scotts Valley Unified School Board Member, spoke in support of this item.

CM Aguilar questioned if the City was required to have a joint use agreement with another agency before they could provide funding to that agency.

CA Powell responded that the City is not required to have a joint use agreement if the facilities are open to the public, which they are on the weekends and evenings during the week.

M/S: Bustichi/Johnson

To approve the reallocation of \$10,000 in Polo Ranch funds to be used for the resurfacing of the Scotts Valley High School tennis courts, and an additional allocation of \$2,000 for the Scotts Valley High School tennis courts.

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

PUBLIC HEARING

2. **Consideration of Planning Commission recommendation to approve the proposed "Enterprise Way" project, consisting of a Final Environmental Impact Report and planning permits to build 50 residential townhouse-style condominiums, a 120-room hotel, and related property improvements on a vacant 6.80-acre parcel located on the former "Borland Phase II" site at the end of Santa's Village Road, APN 024-031-17**

SP Fodge presented the written staff report and responded to questions from Council. She stated that the following City consultants were available at the meeting for questions: Lee Trujillo, Hatch Mott MacDonald; and Bill Wiseman, Frederik Venter, and Jonathan Carey from Kimley-Horn.

Bill Wiseman, Kimley-Horn, presented project information regarding traffic and responded to questions from Council.

Frederik Venter, Kimley-Horn, responded to questions from Council regarding peak traffic delay times.

Samantha Hauser, City Ventures, gave a PowerPoint presentation regarding the residential project site and responded to questions from Council.

Bijan Patel, representing Coast Redwood Hospitality and SV resident, gave a PowerPoint presentation regarding the hotel portion of the project and responded to questions from Council.

Bob Sauvageu, Principle at RYS Architects, gave a PowerPoint presentation regarding the site presentation and architecture, and responded to questions from Council.

CM Aguilar expressed concerns regarding the lighting and recommended different lighting fixtures and lower poles for aesthetic reasons to augment the architectural relief and design of the building.

CM Aguilar stated that the Affordable Housing Subcommittee met regarding the required affordable housing for this project and they are recommending incorporating 3 low income units and 4 moderate income units, with the City contributing \$260,000 toward the low income units.

PUBLIC HEARING OPENED - 7:35 PM

Neil Schaeffer, Scotts Valley resident and UCSC Professor, spoke in support of the affordable housing component, however, he believes there should be 8 units and not 7 units.

Joan Lowe, Scotts Valley resident, spoke regarding affordable housing and expressed concerns that people cannot afford to live in the community that they work in. She spoke in support of the hotel.

Tim Willoughby, Boulder Creek resident and Chairperson for Affordable Housing Now, spoke in support of affordable housing and this project, however, he expressed concerns regarding the contribution from the City.

Jack Dilles, Scotts Valley resident, recommended that the developer provide some 1 or 2 bedroom units instead of all 3 and 4 bedroom units to make the housing more affordable, reduce traffic congestion, parking and water impacts.

Chris Monroe, Scotts Valley resident, recommended adding an 8th affordable housing unit due to the need for affordable housing in Scotts Valley.

David Foster, Executive Director for Habitat for Humanity Santa Cruz County, spoke in favor of affordable housing for this project.

Robert Aldana, Scotts Valley resident, spoke in support of the project and stated that he would like to see 8 affordable housing units instead of the 7 affordable housing units that are proposed.

Corey Spadaccini, Scotts Valley resident, spoke in support of the project and stated that she would like to see 8 affordable housing units instead of the 7 affordable housing units that are proposed.

Mike Shulman, Scotts Valley resident, expressed concerns regarding the time that this project has been under review, recommended smaller units, and redesigning this project to meet more of Scotts Valley's needs.

Gretchen Regenhardt, Legal Aid Office of Santa Cruz County, spoke regarding the legal requirements of providing affordable housing and recommended providing very low income housing.

Joy Hinz, Scotts Valley resident, spoke in support of the affordable housing and recommended a larger variety in the number of bedrooms that are offered.

Mary Blessing, Scotts Valley resident, spoke in support of affordable housing in Scotts Valley.

Wendy Brannan, Scotts Valley resident, expressed concerns regarding the parking for the project.

Linda Kerner, Affordable Housing Now, spoke in support of affordable housing in Scotts Valley for all of the income levels.

PUBLIC HEARING CLOSED - 8:09 PM

CM Aguilar requested the following amendments to the project approvals and conditions of approval: (1) Under Mitigation and Monitoring Program, Resolution No. 1916, clarify that each unit will have air conditioning; (2) Page 55, Resolution No. 1916.2, Condition 17, clarify

that sound attenuation should be a wall, not a fence; (3) Page 68, Resolution No. 1916.3, Condition 18, clarify that sound attenuation should be a wall, not a fence; (4) Page 69, Resolution No. 1916.3, Condition 25, include agreed upon affordable housing; and (5) Page 82, Resolution No. 1916.4, Condition 23, include that developer will work with City staff regarding height of light poles in parking lot.

M/S: Aguilar/Bustichi

To approve Resolution No. 1916 certifying a Final Environmental Impact Report EIR15-001 and adopting a statement of overriding considerations for the “Enterprise Way” project consisting of 50 townhouse-style condominiums, a 120-room hotel, and related property improvements, on a vacant parcel located at the end of Santa’s Village Road (previously approved Borland Phase II site), APN 024-031-017, as amended to clarify that each unit will have air conditioning .

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

M/S: Aguilar/Bustichi

To approve Resolution No. 1916.1 approving General Plan Amendment GPA15-001 to change the General Plan land use designation from research & development to high-density residential and commercial service for the “Enterprise Way” project consisting of 50 townhouse-style condominiums, 120-room hotel, and related property improvements, on a vacant parcel located at the end of Santa’s Village Road (previously approved Borland Phase II site), APN 024-031-017.

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

M/S: Aguilar/Bustichi

To approve first reading and introduction of Ordinance No. 16-ZC-225 approving Zone Change ZC15-001 and Planned Development (PD) District overlays PD15-001 and PD15-002 to change the existing zoning district from I-RD(PD) (Industrial-Research & Development / Planned Development) to R-H/PD (High-Density Residential / Planned Development) and C-S/PD (Commercial-Service/Planned Development) for the “Enterprise Way” project consisting of 50 townhouse-style condominiums, a 120-room hotel, and related property improvements, on a vacant parcel located at the end of Santa’s Village Road (previously approved Borland Phase II site), APN 024-031-017, and waive the reading thereof.

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

M/S: Aguilar/Bustichi

To approve Resolution No. 1916.2 approving Land Division LD15-001 for the “Enterprise Way” project consisting of 50 townhouse-style condominiums, a 120-room hotel, and related property improvements, on a vacant parcel located at the end of Santa’s Village Road (previously approved Borland Phase II site), APN 024-031-017, amending condition #17 as follows:

- Condition #17. The fencing located along the property line with Highway 17 (behind units 41 & 42 and the common outdoor) shall be an acoustic design with no air gaps **a wall** to reduce noise. Fence **Wall** specifications shall be reviewed and approved by the Community Development Director prior to installation.

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

M/S: Aguilar/Bustichi

To approve Resolution No. 1916.3 approving Planned Development Permit PD15-001, Use Permit U15-002, Design Review DR15-001, and Cultural Resource Alteration CRA15-001 for the residential part of the Enterprise Way project and related property improvements on a vacant parcel located at the end of Santa's Village Road (previously approved Borland Phase II), APN 024-031-017, amending conditions #18 and #25 as follows:

- Condition #18. The fencing located along the property line with Highway 17 (behind units 41 & 42 and the common outdoor) shall be ~~an acoustic design with no air gaps~~ **a wall** to reduce noise. Fence **Wall** specifications shall be reviewed and approved by the Community Development Director prior to installation; and
- Condition #25. The developer shall comply with Title 14 of the City's Municipal Code **and shall provide four (4) moderate-income units and three (3) low-income units and in-lieu fees for 0.50 of a unit, given the project requirement of 7.5 units.**

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

M/S: Aguilar/Bustichi

To approve Resolution No. 1916.4 approving Planned Development Permit PD15-002, Use Permit U16-001, Design Review DR15-009 and DR16-001, and Cultural Resource Alteration CRA15-001 for the Hotel of the Enterprise Way project and related property improvements on a vacant parcel located at the end of Santa's Village Road (previously approved Borland Phase II), APN 024-031-017, amending conditions #21 and #23 as follows:

- Condition #21. Sign lighting shall be minimized to reduce light leakage beyond sign perimeters and to minimize ambient light pollution. To the extent feasible light sources shall not be directly visible. **The developer shall remove the wall-mounted channel letter sign facing the townhouses and may relocate the wall-mounted channel letter sign facing the pool to the main entry tower of the building (as shown in the "Entry View" graphic emailed on March 11, 2016, on file).; and**
- Condition #23 The final lighting plan shall be reviewed and approved by the Community Development Director prior to issuance of building permit. **The developer shall work with staff to reduce the heights of project light poles LBA, LBA1, and LBB shown on Project Plans Sheet E0.1.**

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

REGULAR AGENDA

(Resumed)

3. Future Council agenda items

None.

Wendy Brannan, Scotts Valley resident, commented regarding Item 1 on the closed session agenda.

CONVENE TO CLOSED SESSION

The City Council convened to closed session at 9:17 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, APN 056-28-112.
- (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 9:55 p.m.

REPORT ON ACTION TAKEN DURING CLOSED SESSION

Mayor Lind announced that there was nothing to report.

ADJOURNMENT The meeting adjourned at 9:55 p.m.

Approved: _____
Donna Lind, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

CONSENT AGENDA ITEM B

DATE: 4-6-2016

SCOTTS VALLEY ACCOUNTS PAYABLE
03/21/2016 07:59:42 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.02 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 031816 COMMENT... A/P OF 3/18/16

DATA-JE-ID DATA COMMENT

W-03182016-615 A/P OF 3/18/16

Run Instructions:

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000620	ALVAREZ/TONY	106812	03/18/16	43.38
001670	AT &T	106813	03/18/16	1,529.27
000097	AT&T	106814	03/18/16	168.55
000211	AVIS	106815	03/18/16	260.20
003416	BALBOA CAPITAL	106816	03/18/16	225.12
000614	BATTERIES PLUS	106817	03/18/16	249.35
001822	BC LABORATORIES INC.	106818	03/18/16	192.00
003260	BILES DDS MA/DAVID	106819	03/18/16	120.00
001040	BOGNER SHEET METAL	106820	03/18/16	140.00
000021	BOWMAN & WILLIAMS	106821	03/18/16	21,576.68
003236	BRAGA/JOEL	106822	03/18/16	665.00
000437	BRASS KEY LOCKSMITH	106823	03/18/16	114.32
000018	BRINK'S TROPHY SHOPPE	106824	03/18/16	43.50
001017	C.W.E.A.	106825	03/18/16	220.00
001633	CAL-WEST LIGHTING & SIGN	106826	03/18/16	1,390.04
001990	CALIFORNIA MUNICIPAL	106827	03/18/16	1,250.00
001385	CALIFORNIA PUBLIC EMPLOY	106828	03/18/16	121,842.40
003174	CAPITAL ONE COMMERCIAL	106829	03/18/16	1,086.20
001553	CARD SHARK/THE	106830	03/18/16	128.33
015008	CENTRAL HOME SUPPLY	106831	03/18/16	6,058.46
000226	COAST PAPER & SUPPLY INC	106832	03/18/16	320.86
002091	COMCAST	106833	03/18/16	273.34
002091	COMCAST	106834	03/18/16	158.61
002091	COMCAST	106835	03/18/16	238.47
002091	COMCAST	106836	03/18/16	136.16
000037	CRYSTAL SPRINGS WATER CO	106837	03/18/16	58.45
.15027	CWEA-SFBS	106838	03/18/16	130.00
003464	DANIELS/JASON	106839	03/18/16	209.52
001084	DAPPER TIRE CO	106840	03/18/16	595.12
000389	DASSEL'S PETROLEUM INC	106841	03/18/16	2,822.55
000207	DEPARTMENT OF JUSTICE	106842	03/18/16	296.00
001537	DYNAMIC PRESS	106843	03/18/16	50.36
001257	EBRAHIMIAN DDS/MARK	106844	03/18/16	244.00
000054	EWING IRRIGATION PRODUCT	106845	03/18/16	669.29
000375	FIRST ALARM SECURITY & P	106846	03/18/16	110.00
000051	FISHER SCIENTIFIC	106847	03/18/16	72.71
001597	FLEMING/JOSEPHINE	106848	03/18/16	1,125.00
.GIN	GINSBURG CONSTRUCTION	106849	03/18/16	463.95
001657	GOLDEN GATE TRUCK CENTER	106850	03/18/16	106.94
001053	GOVERNMENT FINANCE OFFIC	106851	03/18/16	190.00
003127	GRUNDY/LAURIE	106852	03/18/16	850.00
000057	HACH COMPANY	106853	03/18/16	234.69
000801	HINDERLITER, DE LLAMAS &	106854	03/18/16	1,120.48
000615	HOHMANN/PATRICK J.	106855	03/18/16	395.20
000430	INTERSTATE BATTERIES	106856	03/18/16	121.75
001992	KOSMONT COMPANIES, INC	106857	03/18/16	14,789.78

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000332	LABOR READY INC	106859	03/18/16	762.60
001333	LARA/ JESUS D	106860	03/18/16	92.01
003255	LE DOUX/STEPHEN	106861	03/18/16	805.00
003011	LOPEZ/PAUL	106862	03/18/16	21.00
003234	LOVEALL/CALVIN	106863	03/18/16	210.00
003124	M&M LIFTS	106864	03/18/16	477.72
003477	MANN/KRISTEN	106865	03/18/16	176.40
001234	MC GRAW DDS/BERNARD	106866	03/18/16	293.60
000050	MELROSE/TAMERA	106867	03/18/16	810.90
000195	MESITI-MILLER ENGINEERIN	106868	03/18/16	2,641.87
003171	MICHALAK/GENE	106869	03/18/16	110.00
000083	MISSION UNIFORM SERVICE	106870	03/18/16	753.18
000967	MONTEREY BAY SYSTEMS	106871	03/18/16	620.66
.15026	MONTEREY COAST PREP SCHO	106872	03/18/16	200.00
001418	MONTEREY REGIONAL	106873	03/18/16	5,991.00
000086	MOTION INDUSTRIES INC.	106874	03/18/16	79.34
003368	MT HERMON VETERINARY CLI	106875	03/18/16	38.56
000939	NATIONAL COMTEL NETWORK	106876	03/18/16	23.83
001988	O'REILLY AUTOMOTIVE, INC	106877	03/18/16	315.32
001802	ONTRAC	106878	03/18/16	32.94
000101	PACIFIC GAS & ELECTRIC C	106879	03/18/16	154.61
000101	PACIFIC GAS & ELECTRIC C	106880	03/18/16	63.15
003165	PHENOVA	106881	03/18/16	98.78
000102	PITNEY BOWES	106882	03/18/16	147.44
000106	RADIO SHACK CORPORATION	106883	03/18/16	81.54
001529	ROBERTS/CHER	106884	03/18/16	249.00
002043	ROYAL WHOLESALE ELECTRIC	106885	03/18/16	510.11
000134	S.V. WATER DISTRICT	106886	03/18/16	5,147.66
001894	S.V. WATER DISTRICT - BU	106887	03/18/16	228.22
001545	SAN LORENZO FLOORS	106888	03/18/16	644.00
001533	SANTA CRUZ COUNTY BANK	106889	03/18/16	4,791.94
000126	SANTA CRUZ FIRE EQUIPMEN	106890	03/18/16	44.00
003406	SANTA CRUZ RECORDS MGMT	106891	03/18/16	75.00
000122	SANTA CRUZ/CITY OF	106892	03/18/16	2,220.00
000128	SCARBOROUGH LUMBER	106893	03/18/16	1,386.23
000133	SCOTTS VALLEY SPRINKLER	106894	03/18/16	45.04
003085	SHRED-IT US JV LLC	106895	03/18/16	70.45
000405	SILVERSTEIN/THOMAS	106896	03/18/16	4,401.30
001535	SKIP'S TIRE & AUTO CENTE	106897	03/18/16	69.00
003287	SLV ELECTRIC, INC	106898	03/18/16	2,260.00
001555	STATE BOARD OF EQUALIZAT	106899	03/18/16	459.00
000143	SUMMIT UNIFORMS	106900	03/18/16	175.09
000882	SUPERIOR ALARM COMPANY	106901	03/18/16	133.50
001085	SYCAL ENGINEERING INC	106902	03/18/16	3,710.00
000153	THOMSON REUTERS-WEST	106903	03/18/16	269.86
001933	THURINGER/JOE	106904	03/18/16	613.72
001560	TRITON CONSTRUCTION	106905	03/18/16	75.00

Check Register

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	001106 VERIZON WIRELESS	106908	03/18/16	725.63	
	003308 VOGEL DDS/DARI	106909	03/18/16	692.30	
	003488 WALKER/SAREE	106910	03/18/16	275.00	
	000154 WINCHESTER AUTO STORES	106911	03/18/16	685.67	
	003166 WISDOM/ANGIE	106912	03/18/16	280.00	
	001625 YOSHIDA DDS/NOREEN	106913	03/18/16	325.00	
	002021 ZOOM	106914	03/18/16	358.11	
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SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
03/21/2016 07:59:43
GL540R-V08.02 PAGE 4

Check Register

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REPORT TOTALS:				302,117.80

RECORDS PRINTED - 000233

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
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001	GENERAL	221,901.89
004	RECREATION	18,832.00
010	WASTEWATER OPERATIONS	31,277.89
011	TERTIARY TREATMENT PLANT	322.06
014	WASTEWATER EQMT REPLACE RES	3,710.00
023	SVRDA SUCCESSOR AGENCY	11,559.08
025	GENERAL TRUST	7,847.25
028	SENIOR CENTER	1,252.50
077	SKYPARK MAINT ASSESS DIST	903.40
112	DENTAL INS INTERNAL SERV	3,218.10
123	COMMUNITY FACILITY CENTER	1,293.63
TOTAL ALL FUNDS		302,117.80

BANK RECAP:

BANK	NAME	DISBURSEMENTS
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BA	GENERAL CHECKING ACCOUNT	302,117.80
TOTAL ALL BANKS		302,117.80

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03/25/2016 12:40:06 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.02 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 032516 COMMENT... A/P AS OF MARCH 25, 2016

DATA-JE-ID DATA COMMENT

W-03252016-647 A/P AS OF MARCH 25, 2016

Run Instructions:

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000881	ALVAREZ INDUSTRIES INC.	106917	03/25/16	1,531.00
000614	BATTERIES PLUS	106918	03/25/16	30.44
001071	BAYSIDE OIL II INC	106919	03/25/16	107.23
001040	BOGNER SHEET METAL	106920	03/25/16	367.65
001566	BUSINESS WITH PLEASURE	106921	03/25/16	98.91
003088	CALIFORNIA COAST UNIFORM	106922	03/25/16	1,368.73
000773	CENTRAL COAST LANDSCAPE	106923	03/25/16	383.00
000756	CENTRAL HOME SUPPLY	106924	03/25/16	134.38
000226	COAST PAPER & SUPPLY INC	106925	03/25/16	96.24
001051	COASTAL EVERGREEN CORP	106926	03/25/16	850.00
000453	COLE-PARMER INSTRUMENT C	106927	03/25/16	255.74
002091	COMCAST	106928	03/25/16	140.91
001983	DEPARTMENT OF SOCIAL SER	106929	03/25/16	2,178.00
003298	DISCOVERY DOOR	106930	03/25/16	113.72
003334	DOGHERRA'S TOWING	106931	03/25/16	122.40
001362	DUNCAN AUTO TECH	106932	03/25/16	66.75
003253	FIRST ALARM	106933	03/25/16	367.58
000051	FISHER SCIENTIFIC	106934	03/25/16	108.19
001131	GRUBER DDS/MICHAEL	106935	03/25/16	110.00
000057	HACH COMPANY	106936	03/25/16	196.90
000615	HOHMANN/PATRICK J.	106937	03/25/16	123.00
001856	HUB INTERNATIONAL	106938	03/25/16	363.48
001841	IDEXX LABORATORIES, INC.	106939	03/25/16	385.74
001669	JIMENEZ DDS/JOHN J	106940	03/25/16	355.20
003402	KELINDA'S CUSTOMS	106941	03/25/16	341.72
001673	LINCOLN FINANCIAL GROUP	106942	03/25/16	925.21
000284	LOGAN & POWELL, LLP	106943	03/25/16	22,259.50
003495	LONG/CASEY	106944	03/25/16	66.13
003403	MAR-KEN INTERNATIONAL PO	106945	03/25/16	260.00
001234	MC GRAW DDS/BERNARD	106946	03/25/16	273.60
000323	NBS GOVERNMENT FINANCE G	106947	03/25/16	2,629.53
003493	NHA ADVISORS	106948	03/25/16	4,000.00
001866	O'NEIL/CAROL	106949	03/25/16	264.80
.15028	ROQUE/MACEDONIO	106950	03/25/16	200.00
003136	S.V. ADVOCATES	106951	03/25/16	19,550.06
001883	S.W.R.C.B.	106952	03/25/16	340.00
000135	SAN LORENZO VALLEY WATER	106953	03/25/16	34.00
001533	SANTA CRUZ COUNTY BANK	106954	03/25/16	6,317.71
000126	SANTA CRUZ FIRE EQUIPMEN	106955	03/25/16	419.43
000131	SCOTTS VALLEY MEDICAL	106956	03/25/16	296.00
000133	SCOTTS VALLEY SPRINKLER	106957	03/25/16	48.17
002053	STEPFORD	106958	03/25/16	5,313.00
000882	SUPERIOR ALARM COMPANY	106959	03/25/16	444.00
003363	SUSCO/JOSEPH	106960	03/25/16	159.20
003494	SV GIRLS SOFTBALL	106961	03/25/16	12,383.44
000146	U.S. POSTMASTER	106962	03/25/16	3,000.00

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
001831	USA BLUE BOOK	106963	03/25/16	2,673.62	
001106	VERIZON WIRELESS	106964	03/25/16	153.37	
003145	WAGE WORKS	106965	03/25/16	149.00	
	GENERAL CHECKING ACCOUNT			95,366.90	***

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
03/25/2016 12:40:06
GL540R-V08.02 PAGE 3

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				95,366.90

RECORDS PRINTED - 000102

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
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001	GENERAL	40,496.49
004	RECREATION	7,315.26
010	WASTEWATER OPERATIONS	6,711.52
011	TERTIARY TREATMENT PLANT	108.19
023	SVRDA SUCCESSOR AGENCY	2,190.00
025	GENERAL TRUST	31,933.50
026	PERS TRUST	570.00
028	SENIOR CENTER	436.03
050	PINEWOOD EST LNDSCP MAINT DT	417.00
090	SV DRIVE A REDEMPTION	3,199.53
112	DENTAL INS INTERNAL SERV	1,285.80
123	COMMUNITY FACILITY CENTER	703.58
TOTAL ALL FUNDS		95,366.90

BANK RECAP:

BANK	NAME	DISBURSEMENTS
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BA	GENERAL CHECKING ACCOUNT	95,366.90
TOTAL ALL BANKS		95,366.90

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: April 6, 2016

TO: Honorable Mayor and City Council

FROM: Chuck Comstock, City Manager

SUBJECT: **AUTHORIZATION TO HIRE A STAFF CIVIL ENGINEER**

SUMMARY OF ISSUES

The previous Public Works Director was a registered civil engineer, and as such, was the City Engineer. The Public Works Director/City Engineer managed the Maintenance Division, Fleet, Parks and Recreation Division, and did plan checking. The City Engineer is also the engineer of record for all assessment districts and signs off on final maps. A civil engineer cannot be the signature of an assessment district engineer report or sign final maps. Since Mr. Hamby is not a civil engineer, the City has contracted with a third party to act as the City Engineer. There are a few reasons why staff believes a civil engineer on staff would be beneficial, quality of work not being one of them.

The reasons are:

(1) Better coordination and control. A staff civil engineer would bring a better and more direct interface with the City and development community, and have a vested interest in the City of Scotts Valley. Having a consistent presence for inspections and grant writing are also key duties for this position.

(2) Fiscal savings. In fiscal year 2014-15, \$73,900 was spent for contracted city engineering duties. That has escalated to \$167,900 to date for fiscal year 2015-16, and the year is not yet over. We estimate that high engineering costs will continue for the next couple of years due to the development window, and there may still be a need for some outside engineering during this period. The total compensation for a staff civil engineer is \$136,400. By doing this, we would still have to contract for a City Engineer for assessments and final maps. This would cost under \$7000 a year.

(3) Succession planning. Mr. Hamby may be retiring within the next four years, and time goes by fast. Having a civil engineer on board that shows the ability to move upwards would be a great advantage. A promising person could be promoted to Assistant Public Works Director for further mentoring. The intention is that when the Public Works Director retires, the City will return to having a Public Works Director/City Engineer (one position), with no need to contract out.

City staff met with Ken Anderson, our previous Public Works Director/City Engineer last week. Mr. Anderson not only agrees with the staff recommendation, but has offered to act as the City Engineer when needed.

FISCAL IMPACT

Based on the current trend of contracted costs with the ongoing development before us, costs could easily exceed \$200,000 this year and the next year. A staff civil engineer would immediately save about \$70,000 a year. There is always a concern that development activity will slow down and contracted services may be more feasible, but not in this case. By the time there becomes a lull in development activity, it may be very close to Mr. Hamby's retirement. At that time, the two positions of Public Works Director and Civil Engineer will become one position, saving a minimum of \$136,000 a year.

STAFF RECOMMENDATION

The City Council authorize the City Manager to recruit for a staff Civil Engineer.

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: April 6, 2016

TO: Honorable Mayor and City Council

FROM: Chuck Comstock, City Manager

SUBJECT: **Renewal of lease agreement with the Scotts Valley Community Theater Guild (Tenant)**

SUMMARY OF ISSUE

The City entered into a lease agreement with the Tenant effective September 3, 2014. The term was for 5 years with one 5 year extension. However the lease was officially terminated in accord with section 3.02 of the agreement by failing to meet the time sensitive milestones as outlined in that section. It has been over 18 months since the lease has been in effect.

The initial volunteer effort had a slower start than anticipated and the donation from the 1440 project (Bethany) was much larger than expected. Most of the first year was spent stripping the BUC theater and storing all the furniture and fixtures.

At this time the Tenant has a licensed project manager helping with the permitting process. Their team now also includes an architect, contractor, and ADA consultant. The demolition permit was issued the week of March 21 and they are working with staff to get their building permits in the next couple of months.

FISCAL IMPACT

None

STAFF RECOMMENDATION

The City Council renew the lease with the Scotts Valley Community Theater Guild.

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Amendment to lease agreement	2
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AMENDMENT TO LEASE AGREEMENT

THIS AMENDMENT TO LEASE AGREEMENT (the "Amendment") is made this 6th day of May, 2016, between the City of Scotts Valley ("Landlord") and the Scotts Valley Community Theater Guild ("Tenant").

RECITALS

- A. In 2008, the City acquired property located at 251 Kings Village Road, Scotts Valley, California, 95066 (the "Property"). A portion of the property was developed as a Tier II Library of 13,150 square feet.
- B. The remainder of the Property was reserved for a civic use to benefit the residents of the City of Scotts Valley (the "Premises").
- C. Landlord and Tenant entered into that certain Lease Agreement dated September 3, 2014, to lease the Premises (the "Lease").
- D. Landlord and Tenant desire to amend the Lease extend the term of the Lease subject to the terms of this Amendment.

NOW, THEREFORE, Landlord and Tenant agree to all of the terms and conditions of this Agreement as follows:

- 1. Section 1.02 of the Lease is hereby amended to read as follows:

"Section 1.02 Term. Six (6) year term which expires September 14, 2020, and one 5-year extension."

- 2. Section 3.02 of the Lease is hereby amended to read as follows:

"Section 3.02 Termination. This Lease shall immediately terminate and Tenant shall vacate the Premises if Tenant does not meet any of the milestones outlined below:

- a. Pull building permits for the proposed improvements by October 31, 2016;
- b. Begin construction of the improvements by December 31, 2016;
- c. Substantial completion of the improvements by June 30, 2017; and
- d. Obtain final sign off of the improvements by August 31, 2017.

Once the improvements are complete, Landlord may terminate the lease with 30 days' written notice if Tenant is not proceeding in a manner consistent with Tenant's and Landlord's goals and expectations by providing theatrical opportunities within the community; however, prior to such termination, Landlord shall give Tenant 60 days'

written notice of Tenant's failure to meet the expectations and goals and provide Tenant with 30 days to meet such goals and expectations. In addition, either party may terminate the lease by giving the other party 13 months' prior written notice."

3. Except as expressly modified by this Amendment, the Agreement shall remain in full force and effect.

The parties have executed this Amendment as of the date first written above.

LANDLORD:

City of Scotts Valley

By: _____

Chuck Comstock

Its: Interim City Manager

TENANT:

Scotts Valley Community Theater Guild

By: _____

Its: _____

City of Scotts Valley INTEROFFICE MEMORANDUM

DATE: April 6, 2016

TO: Honorable Mayor and City Council

FROM: Kristin Ard, Recreation Division Manager

APPROVED: Chuck Comstock, Interim City Manager

SUBJECT: NON-COLLECTION OF FEES FOR MOUNTAIN CHARLIE CHALLENGE - SCOTTS VALLEY EDUCATIONAL FOUNDATION

SUMMARY OF ISSUE

The Scotts Valley Educational Foundation is a non-profit 501(c)(3) corporation who hosts the Mountain Charlie Challenge, a bike race, in Scotts Valley. The annual event is scheduled to be held at Skypark Park on Saturday, April 23. Cyclists will ride to raise money where 100% of the net proceeds will go directly to benefit the local schools within the Scotts Valley Unified School District. The Scotts Valley Educational Foundation is requesting use of the three soccer fields and barbeque area at Skypark.

The Scotts Valley Educational Foundation is requesting that the City Council not collect the \$1,200 facilities use permit fee for the event. This fee is based on the number of people who will be attending the event and Council approval of this non-collection of fees is consistent with other similar events.

FISCAL IMPACT

Unbudgeted loss of Recreation Fund revenue.

STAFF RECOMMENDATION

The City Council approve the non collection of the \$1,200 facilities use permit fee for the Mountain Charlie Challenge hosted by Scotts Valley Educational Foundation on April 23, 2016.

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Letter from Scotts Valley Educational Foundation requesting non-collection of fees

2



Scotts Valley Educational Foundation
216-E Mt. Hermon Road, #150
Scotts Valley, CA 95066

February 23, 2016

Kristin Ard
361 Kings Village Road
Scotts Valley, CA 95066

Dear Kristin,

The Scotts Valley Educational Foundation is very excited to be hosting our 14th Annual Mountain Charlie Challenge to benefit the Scotts Valley Unified School District on April 23, 2016. Again, we plan to host our event start, finish and festival at Skypark.

We hope that the City of Scotts Valley can donate the use of the space to SVEF at no cost to assist in our goal of providing more funds to the local schools.

The Mountain Charlie Challenge is our biggest fundraiser of the year, and 100% of the net proceeds will go directly to benefit our local schools. **In the past 5 years, SVEF has donated over \$620,000, toward our children's education!**

- SVEF funded **all four school libraries** for the past 5 years;
- SVEF paid to reinstate and expand **counseling services** at all four schools;
- SVEF funded **technology needs** on each campus;
- SVEF underwrote GLAD training for our teachers;
- AND MORE! (view our annual report at www.SVEF.net to learn more)

These critical services would not have been possible without our community's support. Since SVEF is a 100% volunteer organization, the City's donation of the event space will directly benefit the quality of education in Scotts Valley. To learn more, please review our annual report online, which can be found on the homepage at www.SVEF.net. Your donation will be used to continue to provide critical services that directly impact each and every one of our Scotts Valley students.

Thank you in advance for answering the call to help our local schools. Hope to see you at the Mountain Charlie Challenge!

Sincerely,

Derek Timm
President & Volunteer
Scotts Valley Educational Foundation

SVEF is an all-volunteer 501(c)(3) non-profit organization. Our tax ID number is (Tax ID 77-0006718).

City of Scotts Valley INTEROFFICE MEMORANDUM

DATE: April 6, 2016

TO: Honorable Mayor and City Council

FROM: Kristin Ard, Recreation Division Manager

APPROVED: Chuck Comstock, Interim City Manager

SUBJECT: **NON-COLLECTION OF FEES FOR DAYS OF WINE AND WET NOSES - UNCONDITIONAL LOVE ANIMAL RESCUE**

SUMMARY OF ISSUE

The Unconditional Love Animal Rescue is a non-profit 501(c)(3) organization whose volunteers hosts the Days of Wine and Wets Noses event in Scotts Valley. The annual event is scheduled to be held at MacDorsa Park, on Saturday, April 23, 2016. The money raised at this event goes towards saving animals which have been deemed not fit for adoption by the Santa Cruz County Animal Shelter.

The Unconditional Love Animal Rescue is requesting that the City Council not collect the \$300 facilities use permit fee for the event. This fee is based on the number of people who will be attending the event, and Council approval of this non-collection of fees is consistent with other similar events.

FISCAL IMPACT

Unbudgeted loss of Recreation Fund revenue.

STAFF RECOMMENDATION

The City Council approve the non collection of the \$300 facilities use permit fee for the Unconditional Love Animal Rescue - Days of Wine and Wet Noses held in Scotts Valley on April 6, 2016.

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Letter from the Unconditional Love Animal Rescue requesting
non-collection of fees

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Days of Wine and Wet Noses

Kristin Ard
City of Scotts Valley
Recreation Division Manager

March 30, 2016

Dear Kristin,

This is the third year Days of Wine and Wet Noses will be having its yearly fundraiser at McDorsa Park. The event has live music and fun for all, dogs and humans alike.

The money raised from this event benefits Unconditional Love Animal Rescue. This is an organization that receives no government funding. It exists on private donations alone.

We are 501C organization: Unconditional Love tax exempt id is 91-2151394

Unconditional Love Animal Rescue is the last hope for animals deemed unsavable by the county shelter. We rescue then place in good homes. Everything from Horses to dogs. Many of our animals are the product of abuse and neglect.

Unconditional love is an all-volunteer organization. There are no paid staff members.

The first 2 years the event was at McDorsa Park, the city council was generous enough to waive the fees, thereby making more money available for the good work that we do.

We are hoping the council will waive the fees again this year.
Thank you in advance for your generosity.

Thank you for your time,

Chris Perri & Laurie Roberts
Laurie Roberts
KPIG 107oink5/KPIG.com
KFOX 98.5 SJ/102.1 SF
SF Bay Area Radio Hall of Fame

City of Scotts Valley INTEROFFICE MEMORANDUM

DATE: April 6, 2016
TO: Honorable Mayor and City Council
FROM: Kirsten M. Powell, City Attorney
SUBJECT: **Approval of Resolution to Purchase Tax Defaulted Property
(APN 056-28-112)**

SUMMARY OF ISSUE

In February 2016, the City was informed that the property adjacent to Lodato Park was tax-defaulted and would be sold at public auction unless the property taxes were redeemed by the current owner prior to June 3, 2016.

The City of Scotts Valley has a right to object to the sale of any or all of the parcels and purchase them by submitting various documents to the Santa Cruz County Board of Supervisors prior to the date of the public auction. Those documents include:

1. A resolution from the Scotts Valley City Council to the County Board of Supervisors and Edith Driscoll, Tax Collector, objecting to the sale.
2. Six copies of the completed agreement to purchase.
3. A completed application to purchase tax defaulted property from the County of Santa Cruz.

A check for the agreed upon purchase price will accompany the documents. These funds will be held in trust by the County and returned to the City if the property owner redeems the property taxes prior to the sale date.

Staff is recommending the City acquired the property as it is a key parcel for the parks master plan. A map is attached to this report showing the location of the parcel. Purchase of this parcel would enable the City to link trails at Lodato Park to proposed trails on the Meadow at Falcon Ridge property. If acquired, the property could be developed with public trails and recreational facilities.

A review of the County's website shows that the amount of property taxes needed to redeem this parcel during the month of February 2016 was \$3,700. The minimum bid per the County letter is \$3,700.

FISCAL IMPACT

The purchase price of \$3,700 would come from the General Fund.

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution No. 1917, which:

1. Objects to the sale of APN 056-28-112;
2. Authorizes the Mayor and City Manager to sign the necessary documents; and
3. Directs staff to transmit all documents to the appropriate County office.

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RESOLUTION NO. 1917

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY OBJECTING TO THE TAX-DEFAULTED SALE OF APN 056-28-112 AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS

WHEREAS, the County of Santa Cruz approved a Resolution Approving Sale of Tax-Defaulted Property on March 8, 2016, approving the sale of certain tax-defaulted properties within the county and directing the Tax Collector to sell the properties pursuant to Chapter 7 of Part 6 of Division 1 of the California Revenue and Taxation Code; and

WHEREAS, the City of Scotts Valley was informed in February 2016 that that certain property located in the County of Santa Cruz adjacent to the City of Scotts Valley, APN 056-28-112 was tax-defaulted and is scheduled for public auction on June 3, 2016, unless the property taxes are redeemed sooner; and

WHEREAS, the City of Scotts Valley has the right to object to the sale of the parcels by resolution to the County Board of Supervisors and Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley that unless the property taxes are redeemed by the current property owner prior to the scheduled sale date, the City of Scotts Valley hereby objects to the sale of APN No. 056-28-112 and authorizes the Mayor and City Manager to execute and transmit this resolution along with six copies of the completed agreement to purchase, a completed application to purchase tax defaulted property from the County of Santa Cruz, and any other necessary documents to the appropriate County offices.

This resolution was passed and adopted by the City Council of the City of Scotts Valley at a regularly scheduled meeting on the 6th day of April, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Donna Lind, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

AGREEMENT TO PURCHASE TAX-DEFAULTED PROPERTY

This agreement is made this 6th day of April, 2016, by and between the Board of Supervisors of Santa Cruz County, State of California, and the City of Scotts Valley ("PURCHASER"), pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

The real property situated within said county, hereinafter set forth and described in this agreement, is tax-defaulted and is subject to the power of sale by the tax collector of said county for the nonpayment of taxes, pursuant to provisions of law.

It is mutually agreed as follows:

1. That, as provided by Revenue and Taxation Code §3800, the cost of giving notice of this agreement shall be paid by the PURCHASER, and
2. That the PURCHASER agrees to pay the sum of \$ 3,700.00 for the real property, APN 056-28-112 within the County of Santa Cruz, adjacent to the City of Scotts Valley, within one day after the date this agreement becomes effective. Upon payment of said sum to the tax collector, the tax collector shall execute and deliver a deed conveying title to said property to PURCHASER.
3. That the PURCHASER agrees to use the parcel(s) for the public purpose under the following intent: Maintenance of open space and development of public trails to connect to existing public park.
4. That said purchaser will not share in the distribution of proceeds from the sale.

If all or any portion of any individual parcel described in this agreement is redeemed prior to the effective date of this agreement, this agreement shall be null and void as to that individual parcel. This agreement shall also become null and void and the right of redemption restored upon the PURCHASER'S failure to comply with the terms and conditions of this agreement.

The undersigned hereby agree to the terms and conditions of this agreement and are duly authorized to sign for said agencies.

ATTEST:

Tracy A. Ferrara, City Clerk

(seal)

By: _____
Charles Comstock, Interim City Manager

ATTEST:

BOARD OF SUPERVISORS

Clerk of the Board of Supervisors

By _____

By _____
Deputy

(seal)

By _____
Chairman

Pursuant to the provisions of Revenue and Taxation Code §3775, the governing body of the City of Scotts Valley hereby agrees to the selling price as provided in this agreement.

ATTEST:

CITY OF SCOTTS VALLEY

Tracy A. Ferrara, City Clerk

(seal)

By _____
Donna Lind, Mayor

Pursuant to the provisions of Revenue and Taxation Code §3795, the Controller approves the foregoing agreement this _____ day of _____, 2016.

JOHN CHIANG, CALIFORNIA STATE CONTROLLER

By: _____

Application to Purchase Tax Defaulted Property from County

This application is to be completed by eligible purchasing entities to commence purchase of tax-defaulted property by agreement sale from the county under applicable provisions of the California Revenue and Taxation Code. Please complete the following sections and supply supporting documentation accordingly. Completion of this application does not guarantee purchase approval.

A. Purchaser Information

1. Name of Organization: City of Scotts Valley
2. Corporate Structure - check the appropriate box below and provide corresponding information:
 - ☐ Nonprofit - provide Articles of Incorporation
 - ☒ Public Agency - provide mission statement (If redevelopment agency, also provide agency survey map)

B. Purchasing Information

Check only one of the six purchasing options below as provided under the Revenue and Taxation Code:

If the parcel(s) considered is currently scheduled for a Chapter 7 tax sale, check one of the following:

- ☐ 3695 Purchase by tax agency/revenue district to preserve its lien
- ☒ 3695.4 Purchase by tax agency/revenue district to use parcel(s) for public purpose
- ☐ 3695.5 Purchase by nonprofit to use parcel(s) for low-income housing or to preserve open space

If the parcel(s) considered is **not** currently scheduled for a Chapter 7 tax sale, check one of the following:

- ☐ 3791 Purchase by taxing agency for public purpose
- ☐ 3791.3 Purchase by State, county, revenue district or redevelopment agency for public purpose
- ☐ 3791.4 Purchase by nonprofit to use parcel(s) for low-income housing or to preserve open space

C. Property Detail

Provide the following information. If more space is needed for any of the criteria, consolidate the information into a separate document and attach accordingly:

1. County where the parcel(s) is located: County of Santa Cruz
2. List each parcel by Assessor's Parcel Number: APN 056-28-112
3. State the purpose and intended use for *each* parcel: Purchase of this parcel would enable the City to link trails at Lodato Park to proposed trails on the Meadow at Falcon Ridge property. If acquired, the property could be developed with public trails and recreational facilities.

D. Acknowledgement Detail

Provide the signature of the purchasing entity's authorized officer

Charles Comstock

Interim City Manager

Date

Proposed Scotts Valley Trail Plan

Existing Bike/Pedestrian Paths

Proposed Bike/Pedestrian Paths

Existing Multi-Use Trail System

Proposed Multi-Use Trail System

Equestrian Trail System

SCALE: 1" = 1600'

