



A G E N D A

Meeting of the Scotts Valley City Council

Date: December 21, 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 12-9-16 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 Jack Dilles, Council Member Jim Reed, Council Member	City Staff Members Jenny Haruyama, City Manager Kirsten Powell, City Attorney Taylor Bateman, Acting Community Development Dir Scott Hamby, Public Works Director Steve Walpole, Interim 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

- SPECIAL SET MATTER**
- a) Presentation by Mayor Lind
 - b) Approval of Resolution No. 1918.2 declaring the results of the consolidated General Municipal Election held on November 8, 2016
 - c) Swearing in of re-elected City Council Members Randy Johnson and Donna Lind, and newly elected City Council Member Jack Dilles
 - d) Nomination/Motion of Mayor/Chair
(Conducted by City Manager)
 - e) Nomination/Motion of Vice Mayor/Vice Chair
(Conducted by newly appointed Mayor)
 - f) Brief recess

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.)

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 12-7-16
- B. Approve check registers – 11-22-16, 12-2-16, 12-9-16, 12-16-16
- C. Approve second reading and adoption of Ordinance No. 16-ZC-226, approving Zone Change ZC15-003 and Planned Development (PD) District Overlay PD15-003 to change the existing zoning districts from C-S to C-S/PD (Commercial-Service/Planned Development), R-1-20 to R-H/PD (High-Density Residential / Planned Development) for the R-R2.5 to OS/PD (Open Space/Planned Development) for the "Dunslee Way" Planned Development consisting of a 5,000 square foot commercial building, 25 townhouses, and related property improvements, subject to the Zoning Classification map for a vacant parcel located on Scotts Valley Drive at Dunslee Way, APN 022-451-01
- D. Approve second reading and adoption of Ordinance No. 191, adding Chapter 8.38 of the Scotts Valley Municipal Code requiring the safe disposal of unwanted pharmaceuticals and hypodermic needles

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. Oral presentation of annual report for the Santa Cruz City/County Library System from Library Director Susan Nemitz
- 2. Consideration of appointments to the Oversight Board of the Successor Agency of the Scotts Valley Redevelopment Agency
- 3. 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.)

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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RESOLUTION NO. 1918.2

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SCOTTS VALLEY DECLARING RESULTS OF CONSOLIDATED
PRESIDENTIAL GENERAL ELECTION HELD ON NOVEMBER 8, 2016**

WHEREAS, a consolidated Presidential General Election was conducted in the City of Scotts Valley on November 8, 2016 for the election of candidates to two City Council seats; and

WHEREAS, the canvass of the returns of said consolidated election was conducted through the office of the County Clerk of Santa Cruz County; and

WHEREAS, the County Clerk of Santa Cruz County has certified the results of the said election; and

WHEREAS, the abstract attached hereto represents the certified abstract of the results of said election; and

WHEREAS, the candidates nominated for election to the three City Council seats were Dene Bustichi, Jack Dilles, Rosanna Herrera, Randy Johnson, and Donna Lind; and

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

1. The certified abstract hereto attached disclosing the results of the consolidated statewide general election conducted on November 8, 2016 is hereby accepted and declared to represent the final results of said election.
2. That candidates elected to fill the three City Council seats are the three candidates who received the highest number of votes: Donna Lind, Randy Johnson, and Jack Dilles.
3. The results of the election set forth in the attached certified abstract shall be entered in the minutes pursuant to Section 22933 of the Elections Code of California.

The above and foregoing resolution was adopted at a duly held regular meeting of the City Council on the 21st day of December, 2016 by the following vote:

AYES:

NOES:

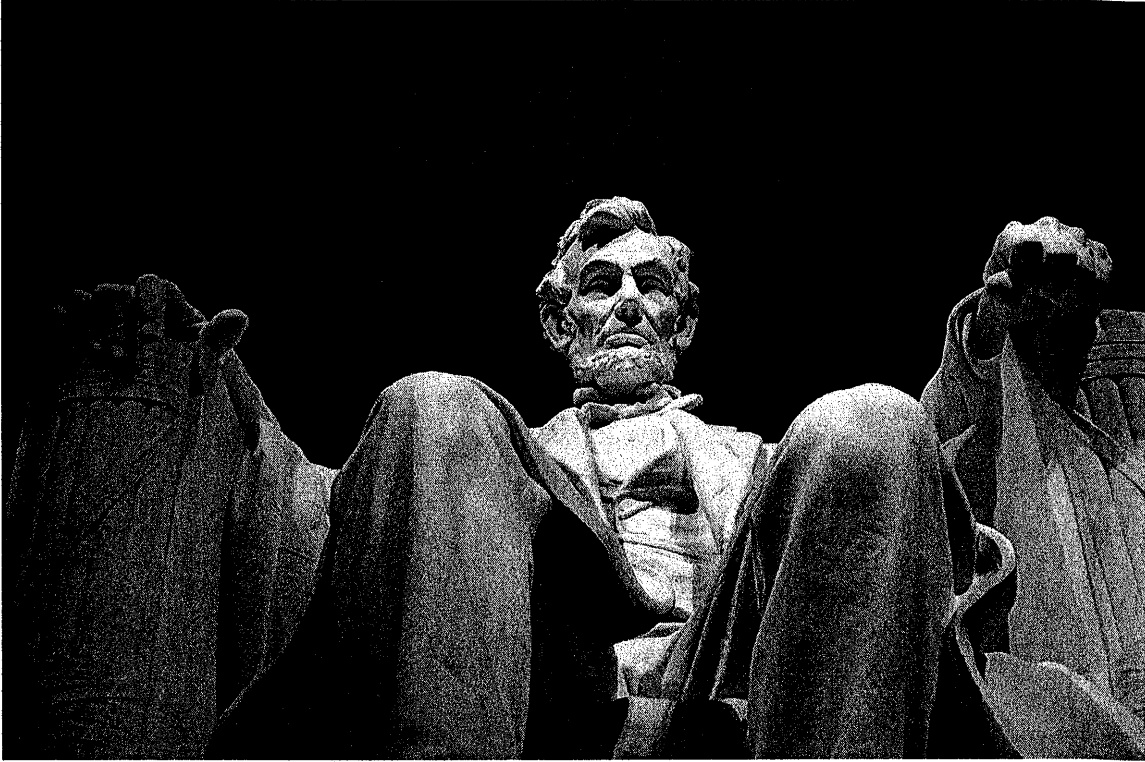
ABSENT:

ABSTAIN:

Approved: _____
Randy Johnson, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

Statement of Vote



**November 8, 2016
Presidential General Election**



Gail L. Pellerin, Santa Cruz County Clerk
701 Ocean St., Room 210
Santa Cruz, CA 95060
831-454-2060 / 1-866-282-5900
831-454-2445 (FAX)
www.votescount.com



County of Santa Cruz

COUNTY CLERK / ELECTIONS

701 Ocean Street, Room 210, Santa Cruz, CA 95060-4076

831-454-2060 Toll-free: 866-282-5900 FAX: 831-454-2445 TTY: 711

E-mail: info@votescount.com Web Sites: www.sccoclerk.com & www.votescount.com

Gail L. Pellerin, County Clerk
Tricia Webber, Assistant County Clerk

December 6, 2016

Information Regarding the Statement of Vote

This Statement of Vote is prepared and issued pursuant to Elections Code Sections 15372 - 15374.

How results are compiled

The Statement of Vote reports shows results by "consolidated" voting precinct for each contest on the ballot. There were 266 consolidated voting precincts in this election – 145 were assigned to a polling location and 121 were assigned to vote by mail ballot due to a limited number of voters in that unique ballot type in that area of the county. A key to the consolidated voting precincts is provided in the "Voting/Absentee/Regular Precinct Cross Reference" provided in this booklet. There were 85 different ballot types in this election.

The Statement of the Vote also reports the vote-by-mail "absentee" results by "consolidated" voting precinct. Vote-by-mail results are listed by voting precinct number which is followed by the words "Vote By Mail/Absentee." This category includes permanent vote-by-mail voters, mail ballot voters, voters who request to vote by mail, or voters who vote early (using paper ballots or touchscreen) at the County Elections Office or Watsonville City Clerk's Office. Voters who reside in an all-mail ballot precinct, but voted on the touchscreen, have their votes tallied in the precinct count versus the vote-by-mail count due to the fact that touchscreens were set up for precinct operations.

Following the precinct by precinct report, total results for the Precincts and Vote-by-Mail/Absentee are provided, plus grand totals by Congressional District, State Senate District, State Assembly Districts, Supervisorial Districts, cities, and the unincorporated area of the county where the contest was on the ballot.

The "Registration" column shows the total registration for the consolidated voting precinct. Voter registration information is current as of the last day to register to vote in the election (15 days prior to the election). Late arriving, but eligible, voter registration affidavits are not included in the registration figures. Voters voting provisional ballots reflected in the Ballots Cast column, but are not accounted for in the Registration column. The "Ballots Cast" column shows total ballots cast either in the precinct or vote-by-mail.

The Final Official Summary of votes cast is also provided.

The full Statement of the Vote Report includes additional reports, such showing vote-by-mail numbers, provisional numbers, and a list of precincts.

The key to registration precincts is: 1st digit = supervisorial district; 2nd digit = city, where 1 = Santa Cruz, 2 = Capitola, 3 = Watsonville, 4= Scotts Valley and 0 = unincorporated; 3rd digit designates the council district in Watsonville. The 4th and 5th digits are random.

Cost and Information

Bound copies of the complete Statement of Vote with all reports may be purchased for \$25 or individual pages for 50 cents per page.

If you have any questions concerning any portion of this Statement of Vote or need additional copies, please contact the Santa Cruz County Elections Department, 701 Ocean St., Room 210, Santa Cruz, CA, 95060; phone 831-454-2060; FAX 831-454-2445; Toll-Free 1-866-282-5900; info@votescount.com website www.votescount.com

Certification of County Clerk of the Results of the Canvass of the November 8, 2016 Presidential General Election

I, Gail L. Pellerin, County Clerk of the County of Santa Cruz, do hereby certify that, in pursuance to the provisions of Elections Code Section 15300, et. seq., I did canvass the results for the votes cast in the Presidential General Election held in Santa Cruz County on November 8, 2016, for measures and contests that were submitted to the vote of the voters, and that the Statement of Votes Cast to which this certificate is attached, is full, true and correct.

I hereby set my hand and official seal this 6th day of December, 2016 at the County of Santa Cruz.



Gail L. Pellerin

Gail L. Pellerin
Santa Cruz County Clerk

REGISTRATION & TURNOUT Santa Cruz County	
Completed Precincts:	265 of 266
Total Registration	157,204
Precinct Reporting Ballots Cast	49,144 31.26%
Vote By Mail / Absentee Reporting Ballots Cast	83,021 52.81%
Total Ballots Cast	132,165 84.07%

President and Vice President	
Completed Precincts:	265 of 266
Under Votes:	1,964
Over Votes:	182
DEM - HILLARY CLINTON	95,249 73.26%
REP - DONALD J. TRUMP	22,438 17.26%
GRN - JILL STEIN	4,485 3.45%
LIB - GARY JOHNSON	4,325 3.33%
WRITE-IN	2,888 2.22%
PAF - GLORIA ESTELA LA RIVA	627 0.48%

United States Senator	
Completed Precincts:	265 of 266
Under Votes:	17,683
Over Votes:	237
DEM - KAMALA D. HARRIS	81,443 71.34%
DEM - LORETTA L. SANCHEZ	32,720 28.66%

U. S. Congress 18th District	
Completed Precincts:	100 of 100
Under Votes:	1,988
Over Votes:	10
DEM - ANNA G. ESHOO	20,248 71.23%
REP - RICHARD B. FOX	8,179 28.77%

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U. S. Congress 20th District	
Completed Precincts:	165 of 166
Under Votes:	5,447
Over Votes:	26
DEM - JIMMY PANETTA	74,368 77.31%
REP - CASEY LUCIUS	21,831 22.69%

State Senator 17th District	
Completed Precincts:	265 of 266
Under Votes:	8,505
Over Votes:	15
DEM - BILL MONNING	96,926 78.43%
REP - PALMER KAIN	26,658 21.57%

State Assembly 29th District	
Completed Precincts:	234 of 235
Under Votes:	8,174
Over Votes:	20
DEM - MARK STONE	82,198 77.91%
REP - SIERRA ROBERTS	23,304 22.09%

State Assembly 30th District	
Completed Precincts:	31 of 31
Under Votes:	1,336
Over Votes:	43
DEM - ANNA CABALLERO	9,516 55.90%
DEM - KARINA GERVANDEZ ALEJO	7,506 44.10%

County Bd of Ed - TA 2	
Completed Precincts:	33 of 33
Under Votes:	5,625
Over Votes:	9
NPP - BRUCE VAN ALLEN	9,988 63.72%
NPP - CHRISTOPHER CHARMAN	5,550 35.40%
WRITE-IN	138 0.88%

Cabrillo Comm College TA 5	
Completed Precincts:	15 of 15
Under Votes:	981
Over Votes:	13
NPP - LETICIA MENDOZA	4,748 55.67%
NPP - DANIEL DODGE	3,664 42.96%
WRITE-IN	117 1.37%

Pajaro Valley Unified TA 2	
Completed Precincts:	7 of 7
Under Votes:	552
Over Votes:	5
NPP - GEORGIA ACOSTA	3,023 58.72%
NPP - LUPE RIVAS	2,075 40.31%
WRITE-IN	50 0.97%

Los Gatos-Saratoga High School	
Number to Vote For: 2	
Completed Precincts:	8 of 8
Under Votes:	2,200
Over Votes:	2
NPP - ROSEMARY ROSSI	1,234 31.82%
NPP - KATHERINE TSENG	975 25.14%
NPP - RON JONES	877 22.61%
NPP - KYLE PARK	783 20.19%
WRITE-IN	9 0.23%

Scotts Valley Unified School District	
Number to Vote For: 3	
Completed Precincts:	35 of 35
Under Votes:	11,138
Over Votes:	45
NPP - MICHAEL SHULMAN	4,149 19.36%
NPP - KIM SHULTZ	4,062 18.95%
NPP - SUE RAINS	3,886 18.13%
NPP - SUE ROTH	3,571 16.66%
NPP - FARAH GALVEZ THEISSEN	3,206 14.96%
NPP - CATHIE SIMONOVICH	2,541 11.85%
WRITE-IN	20 0.09%

Scotts Valley Unified Short Term			
Number to Vote For: 2	Completed Precincts:	35 of 35	
	Under Votes:	8,833	
	Over Votes:	76	
NPP - ROGER L. SNYDER		4,134	32.21%
NPP - COREY WARNER		3,049	23.75%
NPP - STEPHANIE ESPINOLA		3,021	23.54%
NPP - GIA SCHWARZER		2,608	20.32%
WRITE-IN		24	0.19%

Aromas-San Juan Unified			
Number to Vote For: 3	Completed Precincts:	1 of 1	
	Under Votes:	64	
	Over Votes:	0	
NPP - MONICA MARTINEZ-GUARACHA		22	35.48%
NPP - SHARY GREENE		15	24.19%
NPP - DREW MCALISTER		15	24.19%
NPP - JENNIFER COLBY		10	16.13%
WRITE-IN		0	0.00%

Live Oak School District			
Number to Vote For: 2	Completed Precincts:	14 of 14	
	Under Votes:	8,419	
	Over Votes:	12	
NPP - HEATHER RHODES		5,935	41.80%
NPP - JEREMY RAY		4,927	34.70%
NPP - MICHAEL D. LELIEUR		3,293	23.20%
WRITE-IN		42	0.30%

Mountain Elementary School District			
Number to Vote For: 3	Completed Precincts:	6 of 6	
	Under Votes:	1,111	
	Over Votes:	0	
NPP - MARISSA FEREJOHN SWEIT		554	34.78%
NPP - MARY NAVAS		386	24.23%
NPP - MARK H. SWAN		354	22.22%
NPP - SIMON FLETCHER		299	18.77%
WRITE-IN		0	0.00%

Member, Capitola City Council			
Number to Vote For: 2	Completed Precincts:	6 of 6	
	Under Votes:	3,556	
	Over Votes:	8	
NPP - KRISTEN PETERSEN		3,237	44.10%
NPP - ED BOTTORFF		1,535	20.91%
WRITE-IN		1,527	20.80%
NPP - BOB EDGREN		1,041	14.18%

Treasurer Capitola			
Number to Vote For: 2	Completed Precincts:	6 of 6	
	Under Votes:	2,039	
	Over Votes:	0	
NPP - PETER WILK		3,361	98.42%
WRITE-IN		54	1.58%

Member, Santa Cruz City Council			
Number to Vote For: 4	Completed Precincts:	38 of 38	
	Under Votes:	30,574	
	Over Votes:	436	
NPP - MARTINE WATKINS		13,683	13.76%
NPP - CYNTHIA MATHIEWS		13,500	13.58%
NPP - CHRIS KROHN		12,296	12.37%
NPP - SANDY BROWN		11,325	11.39%
NPP - DREW GLOVER		10,770	10.83%
NPP - ROBERT SINGLETON		10,704	10.76%
NPP - J.M. BROWN		10,609	10.67%
NPP - STEVE SCHNAAR		10,423	10.48%
NPP - STEVE FLEICH		2,461	2.47%
NPP - NATHANIEL A. KENNEDY		2,257	2.27%
NPP - JIM DAVIS		1,216	1.22%
WRITE-IN		195	0.20%

Member, Scotts Valley City Council			
Number to Vote For: 3	Completed Precincts:	11 of 11	
	Under Votes:	5,308	
	Over Votes:	42	
NPP - DONNA R. LIND		3,472	22.58%
NPP - RANDY JOHNSON		3,351	21.79%
NPP - JACK DILLES		3,098	20.15%
NPP - ROSANNA HERRERA		2,808	18.26%

Member, Scotts Valley City Council			
Number to Vote For: 3	Completed Precincts:	11 of 11	
	Under Votes:	5,308	
	Over Votes:	42	
NPP - DENE BUSTICHI		2,623	17.06%
WRITE-IN		24	0.16%

Member of Watsonville City Council 1			
Completed Precincts:	3 of 3		
Under Votes:	193		
Over Votes:	0		
NPP - FELIPE HERNANDEZ		1,042	95.86%
WRITE-IN		45	4.14%

Member of Watsonville City Council 2			
Completed Precincts:	3 of 3		
Under Votes:	66		
Over Votes:	1		
NPP - OSCAR RIOS		678	49.93%
NPP - DAVID HERMOSILLO		675	49.71%
WRITE-IN		5	0.37%

Member of Watsonville City Council 6			
Completed Precincts:	4 of 4		
Under Votes:	196		
Over Votes:	1		
NPP - TRINA COFFMAN-GOMEZ		998	49.90%
NPP - DOREEN MARTINEZ		979	48.95%
WRITE-IN		23	1.15%

Central Fire Protection District			
Number to Vote For: 4	Completed Precincts:	40 of 41	
	Under Votes:	39,519	
	Over Votes:	172	
NPP - JOHN P. LUCCHESI		15,789	22.65%
NPP - OWEN T. MILLER		15,487	22.23%

Central Fire Protection District			
Number to Vote For: 4	Completed Precincts:	40 of 41	
	Under Votes:	39,519	
	Over Votes:	172	
NPP - KEVIN WALTER	10,532	15.11%	
NPP - DAVID BURNHAM	9,336	13.39%	
NPP - CHARLES HOWARD	6,341	9.10%	
NPP - RICHARD PHILLIPS	5,196	7.45%	
NPP - BRUCE BETTENCOURT	4,105	5.89%	
NPP - MICHAEL C. MITCHELL	2,826	4.05%	
WRITE-IN	93	0.13%	

Scotts Valley Fire Protection District			
Number to Vote For: 3	Completed Precincts:	37 of 37	
	Under Votes:	13,872	
	Over Votes:	48	
NPP - DARON L. PISCIOTTA	6,231	31.17%	
NPP - RUSS PATTERSON	3,822	19.12%	
NPP - ALAN L. SMITH	2,936	14.69%	
NPP - ARTHUR E. SMITH	2,806	14.04%	
NPP - SHAWN MOSLEY	2,255	11.28%	
NPP - PHILLIP WITT	1,907	9.54%	
WRITE-IN	32	0.16%	

San Lorenzo Valley Water District			
Number to Vote For: 2	Completed Precincts:	42 of 42	
	Under Votes:	10,062	
	Over Votes:	16	
NPP - BILL SMALLMAN	7,155	38.16%	
NPP - MARGARET V. BRUCE	6,591	35.15%	
NPP - RANDALL C. BROWN	4,935	26.32%	
WRITE-IN	70	0.37%	

Sequel Creek Water District			
Number to Vote For: 2	Completed Precincts:	29 of 29	
	Under Votes:	2,970	
	Over Votes:	16	
NPP - RACHÉL LATHER	13,087	65.25%	
NPP - JOHN EDWARD BARGETTO	6,906	34.43%	
WRITE-IN	63	0.31%	

Santa Cruz Port Commissioner			
Number to Vote For: 3	Completed Precincts:	73 of 73	
	Under Votes:	63,409	
	Over Votes:	1,038	
NPP - DARREN GERTLER	16,678	17.87%	
NPP - STEPHEN REED	13,924	14.92%	
NPP - DENNIS (DENNY) L. SMITH	13,703	14.68%	
NPP - BILL LEE	12,050	12.91%	
NPP - NELI CARDOSO	11,491	12.31%	
NPP - VICKI VANCE	10,232	10.96%	
NPP - LENNY HEWITT	8,467	9.07%	
NPP - BRYAN KRETSCH	6,586	7.06%	
WRITE-IN	188	0.20%	

51 - School Bonds-All State Props Majority to Pass			
Completed Precincts:	265 of 266		
Under Votes:	7,826		
Over Votes:	76		
Yes	70,836	57.02%	
No	53,402	42.98%	

52 - Medi-Cal			
Completed Precincts:	265 of 266		
Under Votes:	9,974		
Over Votes:	70		
Yes	90,286	73.96%	
No	31,793	26.04%	

53 - Revenue Bonds			
Completed Precincts:	265 of 266		
Under Votes:	12,161		
Over Votes:	112		
No	71,496	59.67%	
Yes	48,316	40.33%	

54 - Legislature			
Completed Precincts:	265 of 266		
Under Votes:	11,961		
Over Votes:	74		
Yes	70,251	58.51%	
No	49,815	41.49%	

55 - Tax Extension Health and Ed			
Completed Precincts:	265 of 266		
Under Votes:	7,505		
Over Votes:	52		
Yes	91,539	73.49%	
No	33,029	26.51%	

56 - Cigarette Tax			
Completed Precincts:	265 of 266		
Under Votes:	4,468		
Over Votes:	83		
Yes	92,068	72.15%	
No	35,530	27.85%	

57 - Criminal Sentences			
Completed Precincts:	265 of 266		
Under Votes:	7,062		
Over Votes:	59		
Yes	93,822	75.05%	
No	31,191	24.95%	

58 - English Proficiency			
Completed Precincts:	265 of 266		
Under Votes:	7,475		
Over Votes:	53		
Yes	99,237	79.64%	
No	25,364	20.36%	

59 - Corporations		Completed Precincts:	265 of 266	
		Under Votes:	14,049	
		Over Votes:	47	
Yes			80,321 68.08%	
No			37,651 31.92%	

60 - Adult Films		Completed Precincts:	265 of 266	
		Under Votes:	10,793	
		Over Votes:	93	
No			77,590 64.00%	
Yes			43,653 36.00%	

61 - State Drug Purchases		Completed Precincts:	265 of 266	
		Under Votes:	12,283	
		Over Votes:	116	
Yes			64,537 53.91%	
No			55,173 46.09%	

62 - Death Penalty		Completed Precincts:	265 of 266	
		Under Votes:	7,842	
		Over Votes:	94	
Yes			79,046 63.65%	
No			45,152 36.35%	

63 - Firearms		Completed Precincts:	265 of 266	
		Under Votes:	5,939	
		Over Votes:	49	
Yes			90,483 71.73%	
No			35,668 28.27%	

64 - Marijuana Legalization		Completed Precincts:	265 of 266	
		Under Votes:	4,378	
		Over Votes:	72	
Yes			89,253 69.89%	
No			38,450 30.11%	

65 - Carryout Bags		Completed Precincts:	265 of 266	
		Under Votes:	8,025	
		Over Votes:	140	
No			63,683 51.37%	
Yes			60,291 48.63%	

66 - Death Penalty Procedures		Completed Precincts:	265 of 266	
		Under Votes:	15,130	
		Over Votes:	90	
No			71,941 61.56%	
Yes			44,914 38.44%	

67 - Plastic Bags		Completed Precincts:	265 of 266	
		Under Votes:	6,392	
		Over Votes:	84	
Yes			93,850 74.68%	
No			31,815 25.32%	

A - Santa Cruz City High Schools Bond -55% to Pass		Completed Precincts:	111 of 112	
		Under Votes:	5,656	
		Over Votes:	28	
BONDS YES			45,033 75.80%	
BONDS NO			14,377 24.20%	

B - Santa Cruz City Elementary Bonds-55% to Pass		Completed Precincts:	53 of 53	
		Under Votes:	3,235	
		Over Votes:	8	
BONDS YES			24,522 79.50%	
BONDS NO			6,324 20.50%	

C - Soquel Elementary Bond - 55% to Pass		Completed Precincts:	26 of 27	
		Under Votes:	1,285	
		Over Votes:	6	
BONDS YES			10,064 71.56%	
BONDS NO			4,000 28.44%	

D - County Transportation Sales Tax - 2/3 to Pass		Completed Precincts:	265 of 266	
		Under Votes:	8,365	
		Over Votes:	97	
Yes			83,816 67.78%	
No			39,839 32.22%	

E - County Cannabis Business Tax Majority to Pass		Completed Precincts:	265 of 266	
		Under Votes:	13,880	
		Over Votes:	54	
Yes			95,016 80.41%	
No			23,143 19.59%	

F - Capitola Sales Tax Extension Majority to Pass		Completed Precincts:	6 of 6	
		Under Votes:	424	
		Over Votes:	1	
Yes			4,081 81.08%	
No			952 18.92%	

G - Santa Cruz City Mayor - Majority to Pass	
Completed Precincts:	38 of 38
Under Votes:	9,988
Over Votes:	75
Yes	18,423 81.77%
No	4,106 18.23%

H - Santa Cruz City Water - Majority to Pass	
Completed Precincts:	38 of 38
Under Votes:	10,146
Over Votes:	29
Yes	18,077 80.65%
No	4,336 19.35%

I - Santa Cruz City Cannabis Tax Majority to Pass	
Completed Precincts:	38 of 38
Under Votes:	5,681
Over Votes:	14
Yes	22,637 84.08%
No	4,287 15.92%

J - Watsonville TOT - Majority to Pass	
Completed Precincts:	23 of 23
Under Votes:	771
Over Votes:	7
Yes	9,628 75.24%
No	3,169 24.76%

K - Watsonville Utility Tax - Majority to Pass	
Completed Precincts:	23 of 23
Under Votes:	1,080
Over Votes:	8
Yes	9,057 72.54%
No	3,429 27.46%

L - Watsonville Cannabis Tax - Majority to Pass	
Completed Precincts:	23 of 23
Under Votes:	1,248
Over Votes:	13
Yes	9,136 74.20%
No	3,176 25.80%

M - Watsonville Cannabis Advisory Majority to Pass	
Completed Precincts:	23 of 23
Under Votes:	1,503
Over Votes:	9
Yes	8,949 74.19%
No	3,113 25.81%

N - Boulder Creek Fire Parcel Tax - 2/3 to Pass	
Completed Precincts:	7 of 7
Under Votes:	178
Over Votes:	1
Yes	4,457 83.84%
No	859 16.16%

O - Zayante Fire Parcel Tax - 2/3 to Pass	
Completed Precincts:	17 of 17
Under Votes:	77
Over Votes:	0
Yes	1,565 80.13%
No	388 19.87%

S - Aromas Tri-County Fire Parcel Tax 2/3 to Pass	
Completed Precincts:	2 of 2
Under Votes:	2
Over Votes:	0
No	22 55.00%
Yes	18 45.00%

**SANTA CRUZ COUNTY Statement of Vote
PRESIDENTIAL GENERAL ELECTION**

100021		NONPARTISAN MEMBER, SCOTTS VALLEY CITY COUNCIL													
		Registration	Ballots Cast	Turnout (%)		JACK DILLES	ROSANNA HERRERA	DONNA R. LIND	DENE BUSTICHI	RANDY JOHNSON					
14110 14110		0	0	0.00		0	0	0	0	0					
14110 - Vote By Mail / Absentee F		0	0	0.00		0	0	0	0	0					
14121 14121		1349	427	31.65		175	169	208	158	210					
14121 - Vote By Mail / Absentee F		1349	736	54.56		377	323	374	274	338					
14123 14123		0	0	0.00		0	0	0	0	0					
14123 - Vote By Mail / Absentee F		0	0	0.00		0	0	0	0	0					
14141 14141		151	0	0.00		0	0	0	0	0					
14141 - Vote By Mail / Absentee F		151	137	90.73		55	61	63	62	63					
54010 54010		1003	355	35.39		154	148	190	119	191					
54010 - Vote By Mail / Absentee F		1003	521	51.94		267	200	246	204	238					
54020 54020		573	143	24.96		57	52	73	53	67					
54020 - Vote By Mail / Absentee F		573	350	61.08		155	140	187	154	172					
54031 54031		1202	383	31.86		163	160	176	118	178					
54031 - Vote By Mail / Absentee F		1202	637	53.00		287	267	324	256	303					
54051 54051		1559	480	30.79		234	222	213	135	208					
54051 - Vote By Mail / Absentee F		1559	875	56.13		405	360	438	360	429					
54061 54061		963	316	32.81		131	130	158	105	172					
54061 - Vote By Mail / Absentee F		963	512	53.17		220	174	279	218	283					
54070 54070		1197	393	32.83		143	145	204	147	184					
54070 - Vote By Mail / Absentee F		1197	645	53.88		270	251	335	260	314					
54071 54071		9	0	0.00		0	0	0	0	0					
54071 - Vote By Mail / Absentee F		9	6	66.67		5	6	4	0	1					
Precinct Totals		8006	2497	31.19		1057	1026	1222	835	1210					
Vote By Mail / Absentee Reporting		8006	4419	55.20		2041	1782	2250	1788	2141					
Grand Totals		8006	6916	86.39		3098	2808	3472	2623	3351					
CALIFORNIA		8006	6916	86.39		3098	2808	3472	2623	3351					
18th Congressional Dist		8006	6916	86.39		3098	2808	3472	2623	3351					
20th Congressional Dist		0	0	0.00		0	0	0	0	0					
17th Senatorial District		8006	6916	86.39		3098	2808	3472	2623	3351					
29th Assembly District		8006	6916	86.39		3098	2808	3472	2623	3351					
State Board of Equal, District 1		8006	6916	86.39		3098	2808	3472	2623	3351					
State Board of Equal District 2		8006	6916	86.39		3098	2808	3472	2623	3351					
Supervisor District 1		1500	1300	86.67		607	553	645	494	611					
Supervisor District 5		6506	5616	86.32		2491	2255	2827	2129	2740					
Santa Cruz County		8006	6916	86.39		3098	2808	3472	2623	3351					
City of Scotts Valley		8006	6916	86.39		3098	2808	3472	2623	3351					

DATE: 12-21-2016

MINUTES

Meeting of the Scotts Valley City Council

Date: December 7, 2016

POSTING:

The agenda was posted on 12-2-16
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

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

COMMITTEE REPORTS

Mayor Lind reported that the Select Committee on South Bay Arrivals met and agreed to submit their November 17, 2016 report and recommendations to the FAA.

Mayor Lind reported that the Santa Margarita Groundwater Basin Advisory Committee met and they are in the process of creating a Groundwater Sustainability Agency that will involve San Lorenzo Valley, Scotts Valley, Santa Cruz County, Mt. Hermon, and other private well users. The Agency will be tasked with devising a plan to eliminate overdraft by 2040.

Mayor Lind reported that LAFCO met and passed a resolution approving the Service and Sphere of Influence reviews for the City of Scotts Valley and the Scotts Valley Water District. She reported that they also approved a review of work program for a potential fire study and service and sphere reviews.

Mayor Lind reported that she attended the Scotts Valley Chamber of Commerce events announcing the following: Business of the Year: Patti Malone - Malone's Grille; Alvin Scarborough Man of the Year: John P. Weiss; Annette Marcum Woman of the Year: Elizabeth Walch; Educator of the Year: John Postovit; Youth of the Year: Elana Weingord; Special Award for Volunteerism: Jeanette Larkin; Organization of the Year: Scotts Valley Advocates.

CITY MANAGER REPORT

Police:

- The Police Department hired a new citizen volunteer, Guy Collins, a retired Santa Cruz County Deputy and former Scotts Valley Police Department Officer.
- Chief Weiss and Lieutenants Wilson and Walpole attended the swearing in ceremony yesterday for Terry McManus, the new Police Chief for the Capitola Police Department.
- Police Department staff attended the Scotts Valley Unified School District's cyber safety and social media presentation last night at Scotts Valley High School.

Public Works:

- The soccer fields at Skyark and Siltanen are now closed for the winter for annual re-seeding and maintenance.
- Maintenance crews have been working on ADA improvements at the Community Center as detailed in the City's ADA Transition Plan. Just a few more improvements and the interior of the Community Center's interior improvements will have been addressed. Some outdoor parking improvements are still needed and staff is working on getting quotes for that work.

PUBLIC COMMENT

Mayor Lind presented a Mayor's Proclamation to Dene Bustichi.

Ellen Buckingham, SV resident, expressed concerns about the traffic light at Civic Center Drive and Scotts Valley Drive that block access for anyone in a wheelchair from safely coming up Civic Center Drive to attend meetings at City Hall.

ALTERATIONS TO CONSENT AGENDA

M/S: Aguilar/Bustichi

To approve the Consent Agenda.

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

Consent Agenda:

- A. Approve City Council meeting minutes of 11-16-16
- B. Approve check register – 11-10-16
- C. Authorize the City Manager to sign the 2016 Memorandum of Agreement (MOA) for the Santa Cruz Integrated Regional Water Management Plan and approve payment of \$5,000 for the Santa Cruz Regional Water Management Group annual membership fee
- D. Accept the Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2016 and allocate the FY 2015/16 General Fund excess revenue of \$66,652 to the Unassigned Reserve in Fund Balance
- E. Approve Resolution No. 1897.2 approving the parcel map for Apple/Gerald Smith Joint Venture Land Division, MLD 13-001, APN 024-021-26

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. Oral presentation on legislative update from Assembly Member Mark Stone

Assembly Member Mark Stone provided a legislative update and responded to questions from the Council.

2. Oral presentation by Scotts Valley Water District General Manager, Piret Harmon, regarding their proposed water rate increase

Piret Harmon, General Manager of the Scotts Valley Water District (SVWD), gave a PowerPoint presentation on the Scotts Valley Water District proposed rate increases and responded to questions from Council.

Robert Aldana, SV resident, questioned the impact of the maintaining the rate increases after five years or possibly reducing the rates after the projects have been paid.

GM Harmon responded that revenues and expenditures will be evaluated annually, and once the projects have been completed, the Water Board will make a determination as to what is needed at that time.

Michael Shulman, SV resident, thanked the SVWD for their work and stated that his concerns were related more to whether safe, reliable water will continue to be available into the future.

PUBLIC HEARINGS

3. Consideration of Planning Commission recommendation to approve the proposed “Dunslee Way” Planned Development, consisting of a mitigated negative declaration and planning permits to build a 5,000 square foot commercial building and 25 townhouses on a vacant parcel at the corner of Scotts Valley Drive and Dunslee Way, APN 022-451-01

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

PUBLIC HEARING OPENED - 6:45 PM

Corbett Wright, applicant, described the project, gave some history, and responded to questions from Council.

Marlyn Bergman, SV resident, spoke in support of the project.

Ellen Buckingham, SV resident, expressed concerns that there is a need for affordable and low-income housing, and single story housing for people with disabilities.

Wendy Brannan, SV resident, expressed concerns about the open space and the lack of active park space that is available in that area for future residents and children.

Joy Hinz, SV resident, expressed concerns regarding the number of bedrooms being recommended, which is 3 to 4. She feels there is a need for 1 to 2 bedroom housing. She also expressed concerns about the number and type of affordable housing units being provided.

Robert Aldana, SV resident, spoke in support of the project.

Rosanna Herrera, SV resident and business owner, spoke in support of the project. She recommended amending our affordable housing ordinance to require specific amounts of affordable housing.

Andrew Helms, SV resident, expressed concerns regarding parking impacts.

Michael Shulman, SV resident, spoke in support of the project. He recommended amending out affordable housing ordinance to require specific amounts of affordable housing. He also expressed concerns related to payment of street maintenance by the future residents and recommended the City take this on.

Steve Patterson, President of Baymonte Christian Schools, spoke in favor of the project.

Diane Cohan, SV resident, spoke in support of the project and spoke in support of the affordable housing component.

PUBLIC HEARING OPENED - 8:25 PM

CM Aguilar requested an addition to Item 10, page 33, Construction Phasing. She stated that she wants to be sure that a disclosure is provided to residential buyers so that they clearly understand that they will not be able to receive a certificate of occupancy until the commercial building is under construction.

Acting CDD Bateman stated that we can include a condition requiring that as a part of the real estate transaction it be disclosed to the future buyer that there is a condition that the commercial building must be under construction prior to occupancy of the residential units.

M/S: Bustichi/Reed

To approve Resolution No. 1928 certifying Mitigated Negative Declaration MND15-002 for the "Dunslee Way" Planned Development consisting of a 5,000 square foot commercial building, 25 townhouses, and related property improvements, subject to mitigation measures on a vacant parcel located on Scotts Valley Drive at Dunslee Way, APN 022-451-01.

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

M/S: Bustichi/Reed

To approve Resolution No. 1928.1 approving General Plan Amendment GPA15-003 to change the General Plan land use designations from Service-Commercial to High-Density residential, from Low-Density residential to High-Density residential, and from Rural Residential to Open Space for the “Dunslee Way” Planned Development consisting of a 5,000 square foot commercial building, 25 townhouses, and related property improvements, subject to the General Plan land use map for a vacant parcel located on Scotts Valley Drive at Dunslee Way, APN 022-451-01.

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

M/S: Bustichi/Reed

To approve the first reading and introduction of Ordinance No. 16-ZC-226, approving Zone Change ZC15-003 and Planned Development (PD) District Overlay PD15-003 to change the existing zoning districts from C-S to C-S/PD (Commercial-Service / Planned Development), R-1-20 to R-H/PD (High-Density Residential / Planned Development) for the R-R2.5 to OS/PD (Open Space / Planned Development) for the “Dunslee Way” Planned Development consisting of a 5,000 square foot commercial building, 25 townhouses, and related property improvements, subject to the Zoning Classification map for a vacant parcel located on Scotts Valley Drive at Dunslee Way, APN 022-451-01, and waive the reading thereof.

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

M/S: Bustichi/Reed

To approve Resolution No. 1928.2 approving Land Division LD15-002 and Design Review DR15-004 for the “Dunslee Way” Planned Development consisting of a 5,000 square foot commercial building, 25 townhouses, and related property improvements, subject to conditions of approval on a vacant parcel located on Scotts Valley Drive at Dunslee Way, APN 022-451-01, as amended adding a condition requiring that, as a part of the real estate transaction, it be disclosed to the future buyer that there is a condition that the commercial building must be under construction prior to occupancy of the residential units.

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

REGULAR AGENDA

(Resumed)

- 4. Consideration of Ordinance No. 191 adding Chapter 8.38 to Title 8 of the Scotts Valley Municipal Code requiring the safe disposal of unwanted pharmaceuticals and hypodermic needles**

PWD Hamby presented the written staff report and responded to questions from Council. He stated that Tim Goncharoff, Resource Planner for the Santa Cruz County Department of Public Works, was available in the audience for questions from the Council.

Tim Goncharoff, Resource Planner for the Santa Cruz County Department of Public Works, spoke regarding the ordinance and responded to questions from Council.

M/S: Aguilar/Bustichi

To approve first reading and introduction of Ordinance No. 191 adding Chapter 8.38 of the Scotts Valley Municipal Code requiring the safe disposal of unwanted pharmaceuticals and hypodermic needles, and waive the reading thereof.

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

5. Consideration of online posting of Fair Political Practices Commission (FPPC) Campaign Disclosure Financial Statements and other forms

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

CM Reed recommended doing this in-house and following the City of Santa Cruz example for our posting formats.

M/S: Reed/Johnson

To have City staff do the posting in-house and follow the City of Santa Cruz example for our posting formats.

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

6. Future Council agenda items

Mayor Lind requested a future agenda item regarding secondary dwelling units ...

CM Aguilar requested a future agenda item regarding how traffic studies are prepared related to safety.

CONVENE TO CLOSED SESSION

The City Council convened to closed session at 9:05 p.m. to discuss the following items:

1. Pursuant to Government Code Section 54956.9b, the City Council met in closed session to confer with their legal counsel regarding potential litigation – 1 case.

RECONVENE TO OPEN SESSION

The City Council reconvened to open session at 9:15 p.m.

REPORT ON ACTION TAKEN DURING CLOSED SESSION

Mayor Lind announced that there was nothing to report.

ADJOURNMENT The meeting adjourned at 9:15 p.m.

Approved: _____
Donna R. Lind, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

CONSENT AGENDA ITEM B

DATE: 12-21-2016

SCOTTS VALLEY ACCOUNTS PAYABLE
11/22/2016 18:38:01 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.03 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 112216 COMMENT... A/P AS OF NOV 22 2016

DATA-JE-ID DATA COMMENT

W-11222016-052 A/P AS OF NOV 22 2016

Run Instructions:

Jobq	Banner	Copies	Form	Printer	Hold	Space	LPI	Lines	CPI	CP	SP	RT
L		01			Y	S	6	066	10			

BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
	000452 A.L. LEASE CO., INC	108969	11/22/16	56.94
	002066 AC3	108970	11/22/16	375.00
	003457 ADAMS/TROY	108971	11/22/16	93.08
	001405 AFLAC-FLEX ONE	108972	11/22/16	3,033.00
	002059 ALCOPRO, INC	108973	11/22/16	79.00
	001219 ALHAMBRA	108974	11/22/16	247.83
	003497 ALVAREZ INDUSTRIES, INC	108975	11/22/16	3,606.00
	000627 ALVAREZ/JOSE F.	108976	11/22/16	105.25
	000255 ARCHAEOLOGICAL RESOURCE	108977	11/22/16	3,900.00
	003282 ARTS COUNCIL OF SC COUNT	108978	11/22/16	1,000.00
	001670 AT & T	108979	11/22/16	3,388.96
	000097 AT&T	108980	11/22/16	158.05
	003560 AZZIE'S CONTAINERS	108981	11/22/16	370.00
	001822 BC LABORATORIES INC.	108982	11/22/16	192.00
	001066 BEHAVIORAL HEALTH CARE I	108983	11/22/16	120.00
	003281 BEYMER/AUSTIN	108984	11/22/16	210.00
	003054 BIRLEY/MICHAEL	108985	11/22/16	210.00
	001911 BOARDWALK BOWL	108986	11/22/16	264.97
	000021 BOWMAN & WILLIAMS	108987	11/22/16	9,825.00
	001115 BOYNTON/MIKE	108988	11/22/16	465.00
	000437 BRASS KEY LOCKSMITH	108989	11/22/16	563.60
	001888 CALIF PEACE OFFICER ASSO	108990	11/22/16	750.00
	003088 CALIFORNIA COAST UNIFORM	108991	11/22/16	4.30
	001385 CALIFORNIA PUBLIC EMPLOY	108992	11/22/16	124,739.88
	000773 CENTRAL COAST LANDSCAPE	108993	11/22/16	383.00
	001051 COASTAL EVERGREEN CORP	108994	11/22/16	1,675.00
	003552 COLEMAN/HOPE	108995	11/22/16	200.00
	002091 COMCAST	108996	11/22/16	273.44
	002091 COMCAST	108997	11/22/16	158.68
	002091 COMCAST	108998	11/22/16	238.56
	001860 CONTRERAS/EFRIAM	108999	11/22/16	10.50
	001906 COSTCO MEMBERSHIP	109000	11/22/16	275.00
	000389 DASSEL'S PETROLEUM INC	109001	11/22/16	3,725.51
	003558 DECKER EQUIPMENT	109002	11/22/16	199.35
	001537 DYNAMIC PRESS	109003	11/22/16	427.35
	003248 EARTHWORKS	109004	11/22/16	2,080.00
	000426 ENTENMANN-ROVIN CO	109005	11/22/16	168.37
	001597 ENVIRONMENTAL INNOVATION	109006	11/22/16	2,205.00
	000375 FIRST ALARM SECURITY & P	109007	11/22/16	220.00
	000057 HACH COMPANY	109008	11/22/16	173.13
	000283 HOSE SHOP	109009	11/22/16	12.93
	001841 IDEXX LABORATORIES, INC.	109010	11/22/16	385.74
	001308 JOHNSON DDS/BRETT	109011	11/22/16	236.00
	002032 KT MECHANICAL INC	109012	11/22/16	1,953.10
	000284 LOGAN & POWELL, LLP	109013	11/22/16	15,000.00
	003403 MAR-KEN INTERNATIONAL PO	109014	11/22/16	455.00
	001234 MC GRAW DDS/BERNARD	109015	11/22/16	497.60
	003496 MCDONALD/AUDREY	109016	11/22/16	94.50

BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
003428	MEIER/PAUL	109017	11/22/16	10.50
000195	MESITI-MILLER ENGINEERIN	109018	11/22/16	20,212.12
003171	MICHALAK/GENE	109019	11/22/16	110.00
001964	MILROY/JUSTIN	109020	11/22/16	728.20
000083	MISSION UNIFORM SERVICE	109021	11/22/16	684.80
000967	MONTEREY BAY SYSTEMS	109022	11/22/16	94.94
003491	MUNIQUEIP, LLC	109023	11/22/16	298.88
001872	NORTH CENTRAL LABORATORI	109024	11/22/16	547.61
003554	NORTH WEST DEMOLITION	109025	11/22/16	65,487.99
001615	OLIN CORP-CHLOR ALKALI	109026	11/22/16	1,916.39
000089	OLIVE SPRINGS QUARRY INC	109027	11/22/16	389.38
001802	ONTRAC	109028	11/22/16	16.47
000101	PACIFIC GAS & ELECTRIC C	109029	11/22/16	41.34
000382	PETE'S OUTFLOW TECHNICIA	109030	11/22/16	185.00
001857	PHOENIX GROUP	109031	11/22/16	74.30
000102	PITNEY BOWES	109032	11/22/16	147.44
000785	PITNEY BOWES INC	109033	11/22/16	66.54
003230	REDWOOD TOXICOLOGY LAB	109034	11/22/16	16.00
003559	ROBERTS/MEREDITH	109035	11/22/16	682.50
001894	S.V. WATER DISTRICT - BU	109036	11/22/16	214.15
001883	S.W.R.C.B.	109037	11/22/16	8,980.00
003407	SAN JOSE BMW VESPA	109038	11/22/16	338.31
001832	SANTA CRUZ AUTO TECH, IN	109039	11/22/16	372.00
003055	SANTA CRUZ CHILDREN'S	109040	11/22/16	955.00
001533	SANTA CRUZ COUNTY BANK	109041	11/22/16	1,925.82
001533	SANTA CRUZ COUNTY BANK	109042	11/22/16	4,259.35
001044	SANTA CRUZ COUNTY OFFICE	109043	11/22/16	634.00
000576	SANTA CRUZ/COUNTY OF	109044	11/22/16	330.00
000128	SCARBOROUGH LUMBER	109045	11/22/16	1,197.71
000129	SCOTTS VALLEY BANNER	109046	11/22/16	56.00
000319	SCOTTS VALLEY CAR WASH	109047	11/22/16	642.28
003085	SHRED-IT US JV LLC	109048	11/22/16	156.46
000405	SILVERSTEIN/THOMAS	109049	11/22/16	210.84
003221	SKYLIGHT PLACE INC./THE	109050	11/22/16	40.78
003312	SLAKEY BROS INC	109051	11/22/16	11.22
003287	SLV ELECTRIC, INC	109052	11/22/16	7,270.00
003196	SONSRAY MACHINERY	109053	11/22/16	529.62
001361	STEVENS DDS/JOHN A	109054	11/22/16	500.20
001085	SYCAL ENGINEERING INC	109055	11/22/16	3,552.50
000153	THOMSON REUTERS-WEST	109056	11/22/16	277.96
001933	THURINGER/JOE	109057	11/22/16	109.00
001033	TIMES PUBLISHING GROUP	109058	11/22/16	650.00
001366	U.S. BANCORP OFFICE	109059	11/22/16	342.03
001831	USA BLUE BOOK	109060	11/22/16	616.87
001106	VERIZON WIRELESS	109061	11/22/16	999.24
003145	WAGE WORKS	109062	11/22/16	160.00
000155	XEROX CORPORATION	109063	11/22/16	1,792.76
001625	YOSHIDA DDS/NOREEN	109064	11/22/16	1,341.50

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
002021	ZOOM	109065	11/22/16	337.36	
	GENERAL CHECKING ACCOUNT			315,318.98	***

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
11/22/2016 18:38:01
GL540R-V08.03 PAGE 4

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BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				315,318.98

RECORDS PRINTED - 000218

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
11/22/2016 18:38:01
GL060S-V08.03 RECAPPAGE

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GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
----	-----	
001	GENERAL	158,450.54
002	RECYCLING/ENVIRONMENTAL	4,490.00
003	GAS TAX - SPECIAL STATE TRST	2,080.00
004	RECREATION	11,345.32
010	WASTEWATER OPERATIONS	31,947.53
011	TERTIARY TREATMENT PLANT	2,512.00
012	WASTEWATER CAPITAL RESERVE	1,232.50
023	SVRDA SUCCESSOR AGENCY	660.00
028	SENIOR CENTER	1,668.84
050	PINEWOOD EST LNDSCP MAINT DT	383.00
077	SKYPARK MAINT ASSESS DIST	825.00
112	DENTAL INS INTERNAL SERV	4,258.50
123	COMMUNITY FACILITY CENTER	3,823.88
150	GENERAL CAPITAL IMPROVEMENTS	89,343.11
316	HOMELAND SECURITY GRANT	2,298.76
TOTAL ALL FUNDS		315,318.98

BANK RECAP:

BANK	NAME	DISBURSEMENTS
----	-----	
BA	GENERAL CHECKING ACCOUNT	315,318.98
TOTAL ALL BANKS		315,318.98

SCOTTS VALLEY ACCOUNTS PAYABLE
12/05/2016 10:37:34 Check Register

CITY OF SCOTTS VALLEY
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Report Selection:

RUN GROUP... 120216 COMMENT... A/P AS OF DEC 2, 2016

DATA-JE-ID DATA COMMENT

W-12022016-061 A/P AS OF DEC 2, 2016

Run Instructions:

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BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
003123	A T & T	109066	12/02/16	378.42
003527	A-1 MOBILE SERVICE, INC	109067	12/02/16	630.00
003180	A-1 OVERHEAD DOOR COMPAN	109068	12/02/16	125.00
003457	ADAMS/TROY	109069	12/02/16	30.00
001405	AFLAC-FLEX ONE	109070	12/02/16	3,033.00
000620	ALVAREZ/TONY	109071	12/02/16	20.00
000563	APPI	109072	12/02/16	767.50
003149	AQUATIC BIOASSAY &	109073	12/02/16	3,645.00
001009	ARD/KRISTIN	109074	12/02/16	30.00
001518	BAY AREA POLYGRAPH	109075	12/02/16	275.00
001373	BAY TREE, LLC	109076	12/02/16	3,620.38
001066	BEHAVIORAL HEALTH CARE I	109077	12/02/16	242.00
000500	BOLANOS/DORENE	109078	12/02/16	20.00
000021	BOWMAN & WILLIAMS	109079	12/02/16	5,247.36
001115	BOYNTON/MIKE	109080	12/02/16	150.00
000018	BRINK'S TROPHY SHOPPE	109081	12/02/16	51.11
000053	BSN SPORTS	109082	12/02/16	214.03
003174	CAPITAL ONE COMMERCIAL	109083	12/02/16	1,002.94
.15126	CASTRO/BIANCE	109084	12/02/16	860.00
002091	COMCAST	109085	12/02/16	136.16
.15127	CORONA/LAURA	109086	12/02/16	190.00
001546	CRAIG/ROBERT J	109087	12/02/16	2,000.00
003043	CSG CONSULTANTS, INC	109088	12/02/16	24,001.61
003558	DECKER EQUIPMENT	109089	12/02/16	228.28
003036	EATON CORPORATION	109090	12/02/16	1,965.24
000202	FEDERAL EXPRESS	109091	12/02/16	527.55
000375	FIRST ALARM SECURITY & P	109092	12/02/16	110.00
001828	GONZALES/GABE	109093	12/02/16	20.00
000338	GRAHAM CONTRACTORS INC	109094	12/02/16	9,500.00
001881	GRAINGER	109095	12/02/16	85.01
001873	HARRIS/BUCK	109096	12/02/16	1,337.80
001239	HAYASHI DDS/ARTHUR K	109097	12/02/16	369.00
003387	HEIDARI DDS/ALI	109098	12/02/16	7.80
000615	HOHMANN/PATRICK J.	109099	12/02/16	20.00
003271	HOME DEPOT/THE	109100	12/02/16	448.12
001856	HUB INTERNATIONAL	109101	12/02/16	256.08
003266	INTERGRITY AUTOMOTIVE	109102	12/02/16	980.00
001308	JOHNSON DDS/BRETT	109103	12/02/16	273.60
001903	JONES/KIMARIE	109104	12/02/16	20.00
001992	KOSMONT COMPANIES, INC	109105	12/02/16	5,909.80
002032	KT MECHANICAL INC	109106	12/02/16	317.50
003321	LOPEZ/RENE	109107	12/02/16	20.00
001591	MARKELL/ROD	109108	12/02/16	1,974.00
001988	O'REILLY AUTOMOTIVE, INC	109109	12/02/16	1,339.68
003238	OANA CARNU, DDS	109110	12/02/16	19.00
000101	PACIFIC GAS & ELECTRIC C	109111	12/02/16	40,485.83
000098	PALACE ART & OFFICE	109112	12/02/16	1,232.95
001446	PEABODY DDS/GUY	109113	12/02/16	186.40

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BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
	003531 PEDIATRIC DENTISTRY LOS	109114	12/02/16	161.60	
	000102 PITNEY BOWES	109115	12/02/16	147.44	
	000785 PITNEY BOWES INC	109116	12/02/16	5,045.00	
	003323 POMPETTE/NICOLE	109117	12/02/16	20.00	
	001097 PRODESSE PROPERTY GROUP	109118	12/02/16	3,523.52	
	000463 RALEY'S	109119	12/02/16	287.40	
	000135 SAN LORENZO VALLEY WATER	109120	12/02/16	34.00	
	001919 SANTA CRUZ BEACH BOARDWA	109121	12/02/16	662.23	
	003055 SANTA CRUZ CHILDREN'S	109122	12/02/16	339.50	
	000128 SCARBOROUGH LUMBER	109123	12/02/16	1,533.59	
	001535 SKIP'S TIRE & AUTO CENTE	109124	12/02/16	95.70	
	001085 SYCAL ENGINEERING INC	109125	12/02/16	1,305.00	
	001933 THURINGER/JOE	109126	12/02/16	94.11	
	003548 TORO PETROLEUM CORP	109127	12/02/16	2,610.45	
	002064 TRUCK SERVICES	109128	12/02/16	480.00	
	.15125 TRUJILLO/APOLINANA	109129	12/02/16	200.00	
	001831 USA BLUE BOOK	109130	12/02/16	211.92	
	000151 VISION SERVICE PLAN	109131	12/02/16	1,173.60	
	000443 WALPOLE/STEVE	109132	12/02/16	140.00	
	001638 WATSONVILLE CADILLAC BUI	109133	12/02/16	13.99	
	001342 WELCH/JAMES	109134	12/02/16	20.00	
	003008 WILLIAMS/JESSE	109135	12/02/16	20.00	
	.15128 WILMOTH/LISA	109136	12/02/16	50.00	
	GENERAL CHECKING ACCOUNT			132,472.20	***

SCOTTS VALLEY ACCOUNTS PAYABLE
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BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				132,472.20

RECORDS PRINTED - 000218

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
----	-----	
001	GENERAL	64,112.38
003	GAS TAX - SPECIAL STATE TRST	9,500.00
004	RECREATION	4,142.19
010	WASTEWATER OPERATIONS	37,521.40
011	TERTIARY TREATMENT PLANT	3,770.45
012	WASTEWATER CAPITAL RESERVE	331.40
019	AFFORDABLE HOUSING	1,974.00
023	SVRDA SUCCESSOR AGENCY	7,219.30
028	SENIOR CENTER	910.39
050	PINEWOOD EST LNDSCP MAINT DT	43.87
077	SKYPARK MAINT ASSESS DIST	294.97
112	DENTAL INS INTERNAL SERV	1,310.50
123	COMMUNITY FACILITY CENTER	1,043.99
150	GENERAL CAPITAL IMPROVEMENTS	297.36
TOTAL ALL FUNDS		132,472.20

BANK RECAP:

BANK	NAME	DISBURSEMENTS
----	-----	
BA	GENERAL CHECKING ACCOUNT	132,472.20
TOTAL ALL BANKS		132,472.20

SCOTTS VALLEY ACCOUNTS PAYABLE
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Report Selection:

RUN GROUP... 120916 COMMENT... A/P AS OF DEC 9 2016

DATA-JE-ID DATA COMMENT

W-12092016-085 A/P AS OF DEC 9 2016

Run Instructions:

Jobq	Banner	Copies	Form	Printer	Hold	Space	LPI	Lines	CPI	CP	SP	RT
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BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
003457	ADAMS/TROY	109137	12/09/16	30.00
001219	ALHAMBRA	109138	12/09/16	169.42
001219	ALHAMBRA	109139	12/09/16	90.39
000620	ALVAREZ/TONY	109140	12/09/16	20.00
001009	ARD/KRISTIN	109141	12/09/16	30.00
000998	ASSOCIATED SERVICES CO.	109142	12/09/16	98.61
001670	AT & T	109143	12/09/16	3,388.96
000097	AT&T	109144	12/09/16	163.31
003038	BARCO PRODUCTS COMPANY	109145	12/09/16	123.76
000614	BATTERIES PLUS	109146	12/09/16	185.27
000286	BAY PHOTO LAB	109147	12/09/16	15.71
001593	BENEDICT DDS/NANETTE	109148	12/09/16	2,215.20
000500	BOLANOS/DORENE	109149	12/09/16	20.00
003010	BREWER DDS/DEAN	109150	12/09/16	305.60
000018	BRINK'S TROPHY SHOPPE	109151	12/09/16	85.25
003088	CALIFORNIA COAST UNIFORM	109152	12/09/16	12.89
003562	CARPET ONE	109153	12/09/16	1,012.00
000294	COUNTY TAX COLLECTOR	109154	12/09/16	500.74
003564	CREATIVE SECURITY COMPAN	109155	12/09/16	2,728.46
000037	CRYSTAL SPRINGS WATER CO	109156	12/09/16	81.55
000389	DASSEL'S PETROLEUM INC	109157	12/09/16	3,405.54
003561	DENNIS/EMILY	109158	12/09/16	30.00
001537	DYNAMIC PRESS	109159	12/09/16	50.43
003248	EARTHWORKS	109160	12/09/16	21,514.50
003563	ECS REFINING LLC	109161	12/09/16	859.09
001597	ENVIRONMENTAL INNOVATION	109162	12/09/16	2,925.00
001828	GONZALES/GABE	109163	12/09/16	20.00
001053	GOVERNMENT FINANCE OFFIC	109164	12/09/16	435.00
000061	HAINES & COMPANY INC	109165	12/09/16	575.00
001239	HAYASHI DDS/ARTHUR K	109166	12/09/16	106.00
000801	HINDERLITER, DE LLAMAS &	109167	12/09/16	4,175.04
000615	HOHMANN/PATRICK J.	109168	12/09/16	20.00
003277	IMPERIAL SPRINKLER SUPPL	109169	12/09/16	822.15
003266	INTERGRITY AUTOMOTIVE	109170	12/09/16	70.00
001903	JONES/KIMARIE	109171	12/09/16	20.00
001660	KING/KATI	109172	12/09/16	287.98
001333	LARA/JESUS D	109173	12/09/16	92.01
003321	LOPEZ/RENE	109174	12/09/16	20.00
003403	MAR-KEN INTERNATIONAL PO	109175	12/09/16	260.00
000195	MESITI-MILLER ENGINEERIN	109176	12/09/16	16,467.87
003171	MICHALAK/GENE	109177	12/09/16	110.00
000218	MID VALLEY SUPPLY	109178	12/09/16	1,547.64
001418	MONTEREY REGIONAL	109179	12/09/16	6,410.40
001988	O'REILLY AUTOMOTIVE, INC	109180	12/09/16	777.91
000101	PACIFIC GAS & ELECTRIC C	109181	12/09/16	153.19
000101	PACIFIC GAS & ELECTRIC C	109182	12/09/16	60.21
001787	PETRINI'S GARDENING SERV	109183	12/09/16	75.00
003323	POMPETTE/NICOLE	109184	12/09/16	20.00

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BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
	001233 PORTER DDS MS/BRENT J	109185	12/09/16	159.40	
	000879 QUEST DIAGNOSTICS	109186	12/09/16	64.74	
	000196 ROSS RECREATION EQUIPMEN	109187	12/09/16	714.19	
	000134 S.V. WATER DISTRICT	109188	12/09/16	3,000.00	
	000109 SAN LORENZO LUMBER CO.	109189	12/09/16	324.40	
	003055 SANTA CRUZ CHILDREN'S	109190	12/09/16	95.84	
	000122 SANTA CRUZ/CITY OF	109191	12/09/16	1,124.05	
	003179 SCHELLENTRAGER DDS/ROBER	109192	12/09/16	80.50	
	000131 SCOTTS VALLEY MEDICAL	109193	12/09/16	390.00	
	000805 SHAPE INC.	109194	12/09/16	9,177.41	
	002053 STEPFORD	109195	12/09/16	5,240.00	
	001933 THURINGER/JOE	109196	12/09/16	20.00	
	001366 U.S. BANCORP OFFICE	109197	12/09/16	1,257.46	
	000754 UPS STORE/THE	109198	12/09/16	75.00	
	001831 USA BLUE BOOK	109199	12/09/16	759.30	
	000714 VOLUNTEER CENTER	109200	12/09/16	653.25	
	003008 WILLIAMS/JESSE	109201	12/09/16	20.00	
	002021 ZOOM	109202	12/09/16	19.08	
	GENERAL CHECKING ACCOUNT			95,761.70	***

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
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BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				95,761.70

RECORDS PRINTED - 000135

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
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001	GENERAL	30,229.20
004	RECREATION	1,373.66
010	WASTEWATER OPERATIONS	29,912.14
011	TERTIARY TREATMENT PLANT	2,015.00
012	WASTEWATER CAPITAL RESERVE	3,243.50
014	WASTEWATER EQMT REPLACE RES	9,177.41
028	SENIOR CENTER	282.14
112	DENTAL INS INTERNAL SERV	2,962.54
123	COMMUNITY FACILITY CENTER	98.24
150	GENERAL CAPITAL IMPROVEMENTS	16,467.87
TOTAL ALL FUNDS		95,761.70

BANK RECAP:

BANK	NAME	DISBURSEMENTS
----	-----	
BA	GENERAL CHECKING ACCOUNT	95,761.70
TOTAL ALL BANKS		95,761.70

SCOTTS VALLEY ACCOUNTS PAYABLE
12/15/2016 18:11:51 Check Register

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GL540R

Report Selection:

RUN GROUP... 121616 COMMENT... A/P AS OF DEC 16- 2016

DATA-JE-ID DATA COMMENT

W-12162016-102 A/P AS OF DEC 16- 2016

Run Instructions:

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Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
003458	A.S.E.	109203	12/16/16	96,040.00
003566	ABA BUILDING SERVICES	109204	12/16/16	795.00
001405	AFLAC-FLEX ONE	109205	12/16/16	3,051.07
003497	ALVAREZ INDUSTRIES, INC	109206	12/16/16	1,326.00
000627	ALVAREZ/JOSE F.	109207	12/16/16	434.89
000614	BATTERIES PLUS	109208	12/16/16	2.38
001822	BC LABORATORIES INC.	109209	12/16/16	480.00
001593	BENEDICT DDS/NANETTE	109210	12/16/16	236.00
001073	BEWICK/KENNETH	109211	12/16/16	122.50
003260	BILES DDS MA/DAVID	109212	12/16/16	208.00
000021	BOWMAN & WILLIAMS	109213	12/16/16	8,365.00
001017	C.W.E.A.	109214	12/16/16	172.00
001633	CAL-WEST LIGHTING & SIGN	109215	12/16/16	1,295.00
001385	CALIFORNIA PUBLIC EMPLOY	109216	12/16/16	128,146.71
.15129	CASTILLO/LETICIA	109217	12/16/16	200.00
002091	COMCAST	109218	12/16/16	238.56
002091	COMCAST	109219	12/16/16	158.68
001103	CREATIVE FORMS & CONCEPT	109220	12/16/16	258.93
003536	CREDIT BUREAU ASSOCIATES	109221	12/16/16	36.00
003043	CSG CONSULTANTS, INC	109222	12/16/16	22,957.50
000207	DEPARTMENT OF JUSTICE	109223	12/16/16	98.00
000207	DEPARTMENT OF JUSTICE	109224	12/16/16	106.00
001362	DUNCAN AUTO TECH	109225	12/16/16	657.10
003500	ECOFERT, INC	109226	12/16/16	850.00
003354	ELITE MARTIAL ARTS, INC	109227	12/16/16	42.00
003181	ESRI	109228	12/16/16	417.50
000582	FERRARA/TRACY A.	109229	12/16/16	125.39
000375	FIRST ALARM SECURITY & P	109230	12/16/16	110.00
000375	FIRST ALARM SECURITY & P	109231	12/16/16	110.00
003502	FREITAS & FREITAS	109232	12/16/16	6,750.00
001131	GRUBER DDS/MICHAEL	109233	12/16/16	97.00
000350	HAMBY/SCOTT	109234	12/16/16	85.26
003277	IMPERIAL SPRINKLER SUPPL	109235	12/16/16	1,911.83
000835	INTERSTATE SALES	109236	12/16/16	509.06
001308	JOHNSON DDS/BRETT	109237	12/16/16	90.80
000066	KING'S PAINT & PAPER	109238	12/16/16	227.19
002032	KT MECHANICAL INC	109239	12/16/16	3,050.00
001673	LINCOLN FINANCIAL GROUP	109240	12/16/16	2,794.12
000284	LOGAN & POWELL, LLP	109241	12/16/16	17,300.00
003470	LYONS/KATHLEEN B	109242	12/16/16	1,250.00
003565	MANAGEMENT PARTNERS	109243	12/16/16	1,800.57
000618	MANDEGO, INC.	109244	12/16/16	4,088.88
001815	MC GRATH/TRISH	109245	12/16/16	141.75
.15130	MCCLISH/YVONNE	109246	12/16/16	40.00
000083	MISSION UNIFORM SERVICE	109247	12/16/16	856.00
000967	MONTEREY BAY SYSTEMS	109248	12/16/16	748.87
003490	MOTION PICTURE LICENSING	109249	12/16/16	625.00
001779	MUSICAL ME, INC	109250	12/16/16	3,814.40

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BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
	000939 NATIONAL COMTEL NETWORK	109251	12/16/16	15.36	
	003554 NORTH WEST DEMOLITION	109252	12/16/16	18,755.44	
	001802 ONTRAC	109253	12/16/16	40.94	
	001857 PHOENIX GROUP	109254	12/16/16	101.10	
	000723 PIED PIPER INC./THE	109255	12/16/16	57.50	
	.15131 RIDDLE/MICHELLE	109256	12/16/16	200.00	
	001894 S.V. WATER DISTRICT - BU	109257	12/16/16	207.49	
	001883 S.W.R.C.B.	109258	12/16/16	7,531.00	
	001883 S.W.R.C.B.	109259	12/16/16	2,088.00	
	000128 SCARBOROUGH LUMBER	109260	12/16/16	1,185.73	
	000131 SCOTT'S VALLEY MEDICAL	109261	12/16/16	87.00	
	003085 SHRED-IT US JV LLC	109262	12/16/16	237.60	
	000405 SILVERSTEIN/THOMAS	109263	12/16/16	3,455.00	
	001535 SKIP'S TIRE & AUTO CENTE	109264	12/16/16	329.06	
	001361 STEVENS DDS/JOHN A	109265	12/16/16	201.00	
	000143 SUMMIT UNIFORMS	109266	12/16/16	984.57	
	001085 SYCAL ENGINEERING INC	109267	12/16/16	16,909.10	
	000153 THOMSON REUTERS-WEST	109268	12/16/16	277.96	
	001366 U.S. BANCORP OFFICE	109269	12/16/16	342.03	
	001803 VARGAS ACADEMY OF	109270	12/16/16	1,406.30	
	001106 VERIZON WIRELESS	109271	12/16/16	1,000.11	
	000154 WINCHESTER AUTO STORES	109272	12/16/16	164.33	
	000155 XEROX CORPORATION	109273	12/16/16	1,792.76	
	001370 ZELLER APPRAISAL SERVICE	109274	12/16/16	3,400.00	
	002021 ZOOM	109275	12/16/16	395.97	
	001880 ZUMAR INDUSTRIES INC	109276	12/16/16	988.72	
	GENERAL CHECKING ACCOUNT			375,375.01	***

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
12/15/2016 18:11:51
GL540R-V08.04 PAGE 3

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				375,375.01

RECORDS PRINTED - 000187

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
----	-----	
001	GENERAL	280,930.70
004	RECREATION	23,937.70
009	PARKS & REC FACILITIES	1,250.00
010	WASTEWATER OPERATIONS	28,266.83
011	TERTIARY TREATMENT PLANT	288.00
012	WASTEWATER CAPITAL RESERVE	16,909.10
014	WASTEWATER EQMT REPLACE RES	417.50
023	SVRDA SUCCESSOR AGENCY	400.00
028	SENIOR CENTER	1,736.88
112	DENTAL INS INTERNAL SERV	832.80
123	COMMUNITY FACILITY CENTER	1,650.06
150	GENERAL CAPITAL IMPROVEMENTS	18,755.44
TOTAL ALL FUNDS		375,375.01

BANK RECAP:

BANK	NAME	DISBURSEMENTS
----	-----	
BA	GENERAL CHECKING ACCOUNT	375,375.01
TOTAL ALL BANKS		375,375.01

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: December 21, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Michelle Edwards, Senior Planner

REVIEWED: Taylor Bateman, Acting Community Development Director

APPROVED: Jenny D. Haruyama, City Manager

SUBJECT: **SECOND READING AND ADOPTION OF ORDINANCE NO. 16-ZC-226 APPROVING ZONE CHANGE AND PLANNED DEVELOPMENT DISTRICT OVERLAY FOR THE “DUNSLEE WAY” PLANNED DEVELOPMENT ON A VACANT PARCEL LOCATED ON SCOTTS VALLEY DRIVE AT DUNSLEE WAY / APN 022-451-01**

SUMMARY OF ISSUE

On December 7, 2016, the City Council approved the first reading and introduction of Ordinance No. 16-ZC-226, which approved a Zone Change and Planned Development District Overlay and Permit to change the existing zoning districts from C-S to C-S/PD (Service-Commercial / Planned Development), R-1-20 to R-H/PD (High-density Residential / Planned Development), and R-R-2.5 to OS/PD (Open Space / Planned Development), subject to a zoning classification map, for the “Dunslee Way” project. The Ordinance is one of other entitlements approved to allow construction of a 5,000 square feet commercial building, 25 townhouses, and related property improvements.

FISCAL IMPACT

The proposed residences are not expected to have a significant fiscal impact to the City. The homeowners association (HOA) is required to manage and maintain the internal private streets, drainage/hydrology systems, and recycled water system plus pay for the maintenance of the new public street of Dunslee Way.

The total estimated cost to maintain the new public street is \$5,377 per year in perpetuity (\$17.93 per month per unit), with annual increases for inflation using the consumer price index. Homeowners through the HOA will be required to fund the maintenance of this new street.

The residential and commercial buildings will provided limited property tax; the commercial property is expected to generate sales tax if there is retail use.

RECOMMENDATION

It is recommended that City Council approve the second reading and adoption of the Ordinance No. 16-ZC-226, subject to the Zone Change/Planned Development District Overlay Map.

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ORDINANCE NO. 16-ZC-226

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING ZONE CHANGE ZC15-003 AND PLANNED DEVELOPMENT (PD) DISTRICT OVERLAY PD15-003 TO CHANGE THE EXISTING ZONING DISTRICTS FROM C-S TO C-S/PD (COMMERCIAL-SERVICE / PLANNED DEVELOPMENT), R-1-20 TO R-H/PD (HIGH-DENSITY RESIDENTIAL / PLANNED DEVELOPMENT), AND R-R-2.5 TO OS/PD (OPEN SPACE / PLANNED DEVELOPMENT) FOR THE “DUNSLEE WAY” PLANNED DEVELOPMENT CONSISTING OF A 5,000 SQUARE FOOT COMMERCIAL BUILDING, 25 TOWNHOUSES, AND RELATED PROPERTY IMPROVEMENTS, SUBJECT TO ZONING CLASSIFICATION MAP FOR A VACANT PARCEL LOCATED ON SCOTTS VALLEY DRIVE AT DUNSLEE WAY / APN 022-451-01

WHEREAS, the City of Scotts Valley has received an application and technical reports from Corbett Wright (referred to as the “applicant”) on behalf of property owners Marlyn Bergman and Scott Norton, to subdivide the parcel for commercial, high-density residential, and open space development and related property improvements on a vacant 10.41-acre parcel on Scotts Valley Drive at the corner of Dunslee Way, as shown on project plans on file with the Planning Department / APN 022-451-01; and

WHEREAS, the applicant has presented substantial evidence which supports the application; and

WHEREAS, the application is a “project” pursuant to the California Environmental Quality Act (“CEQA”), which requires the preparation and certification of an Environmental Impact Report in accordance with the requirements of the California Environmental Quality Act (“CEQA”) and

WHEREAS, the City conducted an Initial Study and prepared a Mitigated Negative Declaration (IS/MND), in accordance with the State CEQA Guidelines and requirements. The IS/MND was duly noticed, published, and distributed for a 20-day public review period from October 11-31, 2016 (5:00PM), and was made available for public review at City Hall, Planning Department, and City’s website. A public notice of the availability of this document was provided pursuant to the requirements of CEQA; and

WHEREAS, the project, as mitigated, is determined to not have a significant impact on the environment based upon the results of the environmental assessment; and

WHEREAS, the Planning Commission held a duly published and noticed special public hearing on November 17, 2016, to review and consider the proposed development and the requested planning permits (entitlements), hear public testimony, and recommended approval of the proposed project to the City Council, subject to amended mitigation measures and conditions of approval; and

WHEREAS, the City Council held a duly published and noticed public hearing on December 7, 2016, pursuant to the requirements of the Scotts Valley Municipal Code and State Law, to review and consider the Mitigated Negative Declaration, planning permit applications, and all other information in the record including, but not limited to, public testimony, and certified the Mitigated Negative Declaration and approved a Mitigation Monitoring and Reporting Program for the project in Resolution No. 1928; and,

WHEREAS, the City Council approved General Plan Amendment GPA15-003 in Resolution No. 1928.1; and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley hereby approves, as further discussed in the City Council staff report dated December 7, 2016, as follows:

SECTION 1: Approve Zone Change ZC15-003 based on the following findings and as shown in the Zone Classification Map in Exhibit A, attached hereto and incorporated herein:

- A. *The change in the zoning districts are consistent with the General Plan and the densities are compatible with adjacent uses and densities.*** The project meets the requirements of this finding because the project will change some of existing C-S zone to C-S/PD, R-1-20 zone to R-H/PD, and R-R-2.5 zone to OS/PD, consistent with the approved General Plan Amendment GPA15-003 approved via City Council Resolution No. 1928.1 . The Planned Development District Overlay and Permit (PD) will be an overlay zone to the proposed base zoning districts and will allow the development to be designed to meet the needs of the project, property, and surrounding area. The zoning districts will follow the same zoning pattern of other approved developments located in the vicinity on the same west side of Scotts Valley Drive.

SECTION 2: Approve the Planned Development District Overlay and Permit PD15-003 based on the following findings and as shown in the Zone Classification Map in Exhibit A, attached hereto and incorporated herein:

- B. *That the Planned Development Zoning District Overlay and Permit (PD) further the policies of the General Plan.*** The project meets the requirement of this finding in that the overall building locations, landscaping, and walls will provide buffers and green space between the different uses to ensure compatibility between commercial uses and their adjacent uses, consistent with General Plan (GP) Objective LO-37. The townhouses provide another type of residential product, consistent with GP Policy L-3. The required floating easement in the 7.2-acre "Remainder Parcel" for possible future trail systems or areas set aside as natural habitats or scenic view sheds is consistent with GP Action 610 & 611. The two outdoor passive park areas will provide amenities for project residents, consistent with one of the purposes of the PD permit.

- C. The proposed Planned Development District Overlay (PD) are consistent with the underlying land use designations and zoning districts and the of the City of Scotts Valley General Plan.** The project meets the requirements of this finding because the PD district overlay will be combined with the base zoning districts. The resulting C-S/PD, R-H/PD, and O-S/PD zones allow specific development standards to address the constraint of sloped parcel and to retain suitable trees that qualify for protection per City's Municipal Code.
- D. That the PD conforms in all respects to the planned development zoning of the property.** The "PD" will be an overlay zone to the proposed C-S, R-H, and O-S base zoning districts. The project design meets the requirement of this finding in that approval of the Planned Development and Permit will allow the project to vary from some of the development standards of R-H and C-S zones, while still allowing for the underused site to be developed. The R-H/PD and C-S/PD zones PD will include exceptions to: townhouse building heights of approximately 36-40+/- feet (where 35 feet is allowed); reduced garage sizes of 21 feet x 21 feet (where 22 feet x 22 feet is only required for single-family houses); reduced front setback for part of the commercial building of 13 feet-10 inches (where 20 feet is required); and various reduced setbacks for the townhouses.
- E. That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.** The project meets the requirements of this finding in that the overall siting and design of the buildings are well-designed in and of themselves. The 3-story design townhouses will have increased building heights of 36-40+/- feet, which will be located below the hillside ridge, consistent with the General Plan Action OSA-375. The PD will allow a variety of exceptions to provide commercial and housing opportunities on the site. The architecture, quality exterior materials/ finishes/colors, and landscaping will create a visually harmonious project, consistent with OSA-388 which requires critical review of visual resource areas designated on General Plan Figure OS-1.
- F. The environmental impacts of the project have been reviewed and considered.** The project meets the requirements of this finding in that the Mitigated Negative Declaration MND15-002 identifies potential impacts and ways to reduce those impacts to less than significant levels. The project will not have the potential to significantly degrade the quality of the environment, including effects on animals or plants. As mitigated, both short-term and long-term environmental effects associated with this project will be less than significant. Potential impacts to Air Quality, Biological Resources, Cultural Resources, Geology and Geophysics, Hazards and Hazardous Materials, Hydrological Resources and Drainage, and Noise, and will be less than significant with described mitigation measures and standard and project-specific conditions of approval. When impacts associated with this project are considered alone, or in combination, they are not significant as mitigated.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Zone Change ZC15-003 and Planned Development District Overlay and Permit PD15-003 to change the zoning district on the subject property located on Scotts Valley Drive at Dunslee Way / APN 022-451-01, subject to the Zone Classification Map in Exhibit A, attached hereto and incorporated herein by this reference.

THE ABOVE AND FOREGOING ORDINANCE NO. 16-ZC-226 was introduced for a first reading on the 7th day of December, 2016, and passed and adopted on the 21st day of December, 2016, at a duly held meeting of the City Council of the City of Scotts Valley by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Approved: _____

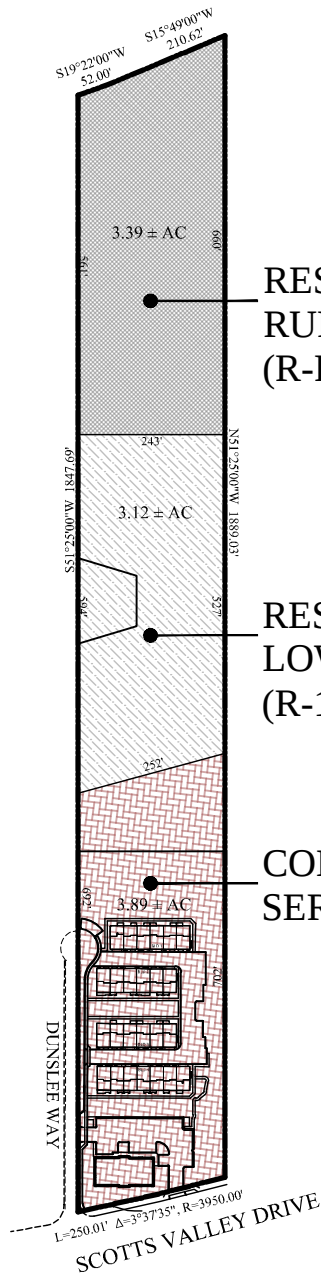
Donna R. Lind, Mayor

Attest:

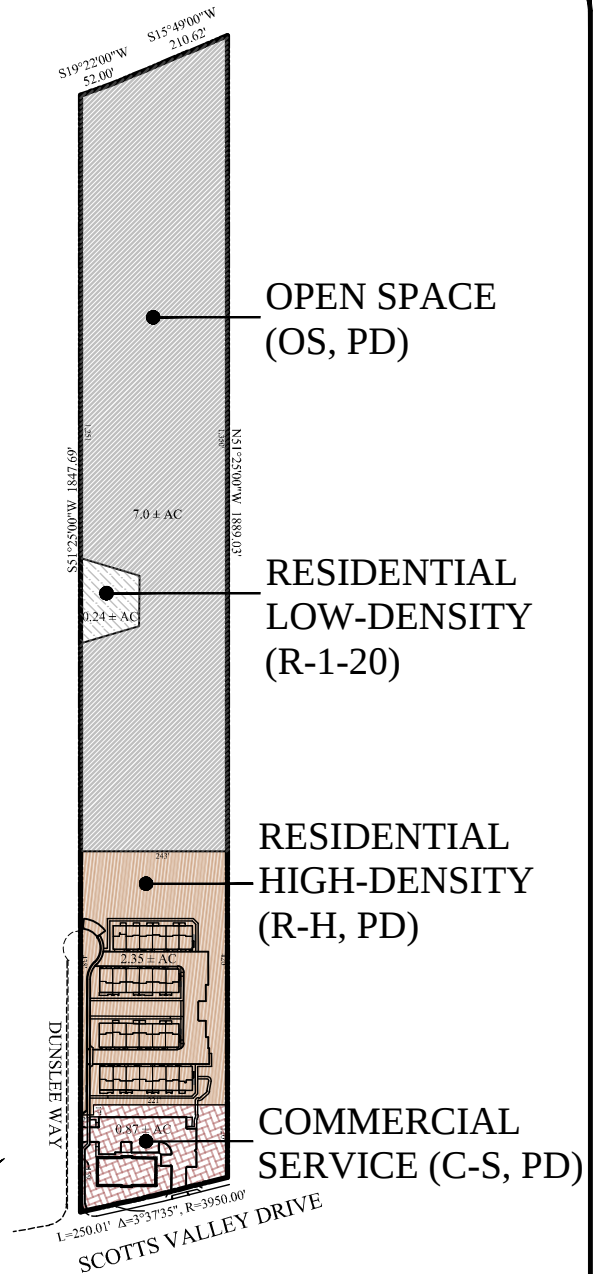
Tracy A. Ferrara, City Clerk

Approved as to Form:

Kirsten Powell, City Attorney



EXISTING ZONING CLASSIFICATION
(CITY OF SCOTTS VALLEY ZONING MAP - 3/15/2013)



PROPOSED ZONING CLASSIFICATION

DUNSLEE WAY ZONING CLASSIFICATIONS EXHIBIT

SCOTTS VALLEY, CALIFORNIA
30 NOVEMBER 2016

C.W. LAND CONSULTANTS, INC.
174 West Cliff Drive
Santa Cruz, CA 95060

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8055 CAMINO ARROYO GILROY, CA 95020
PHONE: (408) 848-0300 FAX: (408) 848-0302

JOB NUMBER: 092037-1001

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: December 21, 2016

TO: Honorable Mayor and City Council

FROM: Scott Hamby, Public Works Director

APPROVED: Jenny Haruyama, City Manager

SUBJECT: **SECOND READING AND ADOPTION OF ORDINANCE NO. 191
AMENDING TITLE 8 OF THE CITY'S MUNICIPAL CODE BY
ADDING CHAPTER 8.38 PERTAINING TO THE EXTENDED
PRODUCER RESPONSIBILITY AND SAFE COLLECTION OF
UNWANTED PHARMACEUTICALS AND HYPODERMIC
NEEDLES (SHARPS)**

SUMMARY OF ISSUE

On December 7, 2016, the City Council approved the first reading and introduction of Ordinance No. 191. Following is the information that was provided to the City Council at the December 7, 2016 Council meeting:

Since 2008, the City has participated in a voluntary publically funded collection program for unwanted pharmaceutical products. Under the existing program, there are four locations within Scotts Valley to dispose of unwanted pharmaceuticals (drugs) and spent hypodermic needles (sharps). This program is currently managed by the County of Santa Cruz; the City of Scotts Valley pays the County \$5,000 annually to administer the program within the City. This fee includes the collection of pharmaceuticals and sharps by a certified collector (Sharps-Solutions).

Over the past several years, the City has worked with the County and other local cities to establish a more efficient and permanent system to collect unwanted pharmaceuticals. The agencies recently developed a proposed Product Stewardship Program, which appropriately shifts the responsibility to divert unused pharmaceuticals and sharps from local government to private businesses with extended producer responsibility. The program would be implemented by the Med-Project of Santa Cruz County, and be seamless to the public. Private businesses such as CVS and Walgreens currently participate in the County's voluntary pharmaceutical and sharps take-back program and would be made aware of program requirements.

Background

In 2012, Alameda County became the first local government in the United States to pass an ordinance requiring pharmaceutical companies to design, fund, and operate a program to safely collect and dispose of drugs. The Ninth Circuit Court of Appeal rejected a legal challenge to Alameda County's Ordinance brought by pharmaceutical trade associations and the U.S. Supreme Court subsequently declined to hear ~~0011~~

appeal of this ruling. Since this time, the Counties of Santa Cruz, San Francisco, Marin, Santa Clara, San Mateo, Santa Barbara and the Cities of Santa Cruz and Capitola have all adopted similar ordinances.

On December 8, 2015, the Santa Cruz County Board of Supervisors passed an ordinance requiring the safe disposal of drugs and sharps and establishing a Product Stewardship Program to safely collect and dispose of unused/unwanted pharmaceutical and sharps waste from County residents. With this proposed ordinance the program will no longer be managed by the County of Santa Cruz or funded from public sources; the new program will be run as a manufacturer and/or producer funded program.

The Integrated Waste Management Local Task Force, of which the City is a member, developed the proposed ordinance to complement and be consistent with Santa Cruz County's Safe Disposal of Drugs and Sharps Ordinance (Santa Cruz County Code Chapter 7.95).

Should the City Council adopt this Ordinance to enact Extended Producer Responsibility (EPR) for pharmaceuticals and sharps in Scotts Valley, the City will enter a partnership agreement with Med-Project of Santa Cruz County, the designated stewardship organization. The proposed ordinance will require all drug producers to participate in a Product Stewardship Program; this will shift the City's current system from a government-funded program for the diversion of unused pharmaceuticals and sharps to one that relies on producer responsibility.

There are currently only two retailers (CVS and Walgreens) within the City who would be affected by the proposed Ordinance. Staff has reached out to each retailer to make them aware of the proposed new requirements. At this time, both of the retailers already participate in the County's voluntary pharmaceutical and sharps take-back program.

The need to adopt an EPR Ordinance to manage the safe and responsible disposal of unwanted pharmaceuticals and sharps is predicated upon the following:

- The growing awareness that traditional environmental protection policies focused solely on pharmaceutical and sharps production practices may no longer be adequate to protect the environment and the public health;
- The recognition of the shared responsibility of the producer at the post-consumer stage of their products life cycle;
- The currently limited participation of commercial producers in the costs of responsible disposal of the products at the post-consumer stages of the product's life-cycle;
- The damaging environmental consequences of unwanted pharmaceuticals in ground water, wastewater and drinking water sources;
- The public health consequences of sharps in public spaces.
- The consequences of unwanted pharmaceuticals and sharps ending up in the solid waste stream and the hazards to those working in public sanitation.

The Ordinance is lengthy so staff has summarized the noteworthy components:

Pharmaceutical and Sharps Producers and Retailers Requirements

- All pharmaceutical and sharps manufacturers and retailers must participate in a Product Stewardship Program, which in summary, means they must design, fund and operate in their own or joint program to safely collect and dispose of unwanted drugs and sharps.
- They must develop stewardship plans to ensure they comply with the above requirements, and submit their plans to the County/City for review and approval.
- Producers must submit an annual report to the County/City and revise their stewardship plans every three years.
- Producers must promote their plan to pharmacists, retailers of their products, health care providers and doctors and other prescribers of their products as the safe and proper method to store and dispose of unwanted products.
- Product retailers must provide a safe and convenient collection system for consumers' unwanted or spent products, either an on-site sharps and drugs collection system or mail-collection system.
- Sharps disposal containers will be required with all local sales of hypodermic needles.
- Producers and retailers are responsible for all costs of their programs.

City Role (to be carried out through coordination with the County of Santa Cruz)

- Under the City's oversight, the Med-Project of Santa Cruz County will be responsible for conducting a producer outreach and education program (an existing function that supports the current non-mandatory take-back program) and reviewing Product Stewardship Plans submitted by participating producers and retailers.
- Administrative fees will be assessed to all product manufacturers through the stewardship organization.
- Producers and local retailers of these products will have six months to become compliant and must provide an annual compliance report to the County/City.

Enforcement and Penalties

- The ordinance will be enforced under Federal Code Title 4, through the Scotts Valley Municipal Code Title 4.
- Non-compliant manufacturers and retailers will have their businesses published in the Federal Government's Significant Non-Compliance (SNC) list.
- Producers and local retailers are prohibited from charging consumers at point of sale or collection to recoup the cost of the Product Stewardship Program.
- The City has two retailers of products that would be subject to the terms of this ordinance.
- Any additional producers or local retailers that locate in Scotts Valley will be subject to this ordinance.

FISCAL IMPACT

Under the County's pharmaceuticals and sharps program, the City pays an annual fee of approximately \$5,000. Should the Council approve and introduce the attached ordinance, the City would no longer be subject to the annual program cost. Through the new stewardship program, administrative fees would be assessed to all product manufacturers to recover any City staff time required to implement and/or oversee the program. Staff anticipates minimal staff hours for initial implementation and ongoing oversight.

STAFF RECOMMENDATION

It is recommended that Council approve the second reading and adoption of Ordinance No. 191, an Extended Producer Responsibility (EPR) for pharmaceuticals and sharps in Scotts Valley.

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ORDINANCE NO. 191

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY ADDING CHAPTER 8.38 TO TITLE 8 OF THE SCOTTS VALLEY MUNICIPAL CODE REQUIRING THE SAFE DISPOSAL OF UNWANTED PHARMACEUTICALS AND SPENT HYPODERMIC NEEDLES

The City Council of the City of Scotts Valley hereby finds and declares the following:

WHEREAS, unwanted pharmaceuticals (drugs) and spent hypodermic needles (sharps) are necessary medical technologies which allow us to live longer, healthier and more productive lives and reduce suffering at the end of life; and

WHEREAS, the public, particularly children, the elderly and public employees, are at significant and unnecessary risk of poisoning and injury due to improper or careless disposal of drugs and sharps; and

WHEREAS, our groundwater and drinking water are being contaminated by unwanted, leftover or expired drugs passing through our wastewater treatment centers; and

WHEREAS, there is no mandatory statewide stewardship program for unwanted drugs or sharps in California, and manufacturers, retailers and producers have not offered any support for a permanent collection program to date; and

WHEREAS, although State law (California Health and Safety Code Section 118286) requires that home-generated sharps be transported to a collection center in sharps containers or other containers authorized by the local enforcement agency, and prohibits the loose disposal of home-generated sharps waste in trash or recycling containers, many people continue to dispose of contaminated sharps in a manner that increases the risk that others will come into contact with them; and

WHEREAS, the lack of sufficient safe, convenient disposal locations for leftover, expired, and/or unwanted drugs creates significant risks to human health and to the environment. As a result, leftover, expired, and/or unwanted drugs are often left in homes where they can be accidentally ingested or abused by children, adults, and the elderly, increasing the risk of poisoning, addiction, and death; and

WHEREAS, unwanted drugs are also often flushed down toilets or sinks. However, municipal wastewater treatment plants are not designed to remove the complex compounds in the drugs that end up in the sewer system. As a result, drugs can pass through wastewater treatment systems and contaminate receiving waters; and

WHEREAS, an Environmental Protection Agency report on drinking water released in December 2013 tested effluent samples from 50 large wastewater treatment plants nationwide for active pharmaceutical ingredients and metabolites. Out of the 63 total compounds tested for, 43 were detected in at least one of the samples and all samples were found to contain at least one pharmaceutical compound. The presence of pharmaceuticals in surface water is well documented to have ecological impacts, including negative effects on fish and other aquatic life; and

WHEREAS, establishing a safe, convenient collection and disposal system for leftover, expired, and unwanted drugs will reduce unintentional poisonings and drug overdose deaths by making drugs less accessible to persons who might accidentally ingest or abuse them; and

WHEREAS, establishing a safe, convenient collection and disposal system for leftover, expired, and unwanted drugs will also reduce the quantity of pharmaceutical compounds that are discharged into the Monterey Bay National Marine Sanctuary and other environmentally sensitive waters throughout the City; and

WHEREAS, Extended Producer Responsibility (EPR) laws, sometimes referred to as Product Stewardship laws, place responsibility for end-of-life management of consumer products on the manufacturers and producers of the products, while encouraging product design that minimizes negative impacts on human health and the environment at every stage of the product's lifecycle; and

WHEREAS, many local and national governmental bodies support EPR, including CalRecycle (formerly the California Integrated Waste Management Board), the National Association of Counties, and the National League of Cities; and

WHEREAS, California has passed four significant products stewardship laws for mercury thermostats (AB 2347, enacted as Chapter 572 of the statutes of 2008), carpet (AB 2398, enacted as Chapter 681 of the statutes of 2010), paint (AB 1343, enacted as Chapter 420 of the statutes of 2010) and mattresses (SB 254, enacted as Chapter 388 of the statutes of 2013). All four laws require producers to establish and fund product stewardship programs for their waste streams; and

WHEREAS, in 2010, Congress passed the "Secure and Responsible Drug Disposal Act of 2010," Public Law No. 111-273, which authorized the Attorney General to expand the methods through which pharmaceuticals classified as controlled substances may be collected, including through collection at pharmacies. The goal of the bill was to increase opportunities for drug collection in order to reduce substance abuse, accidental poisoning, and the release of harmful substances into the environment. On October 9, 2014, the Drug Enforcement Agency promulgated regulations implementing that Act. These regulations, among other things, authorize retail pharmacies to maintain secure collection bins for controlled substances; and

WHEREAS, Mexico, a number of Canadian provinces, much of Europe and several other countries already have active, well-established EPR drug disposal programs in place. Many of the same drug companies that participate in these programs manufacture drugs sold in the United States; and

WHEREAS, in 2012, Alameda County became the first local government in the United States to pass legislation requiring pharmaceutical companies to design, fund, and operate a program to safely collect and dispose of unwanted drugs, similar to the take-back programs in Canada's pharmacies. On September 30, 2014, the Ninth Circuit Court of Appeal rejected a legal challenge to Alameda County's Ordinance brought by pharmaceutical trade associations. *Pharm. Research & Mfrs. Of Am. v. Cty. of Alameda*, 13-16833, 768 F.3d1037 (9th Cir. 2014). The U.S. Supreme Court subsequently declined to hear an appeal of this ruling; and

WHEREAS, King County, Washington as well as the City and County of San Francisco and the Counties of Santa Cruz, San Mateo, Santa Clara, San Luis Obispo, Marin and the cities of Santa Cruz and Capitola have enacted similar ordinances requiring drug manufacturers to design, fund, and operate programs to safely collect and dispose of local residents' unwanted drugs and/or sharps; and

WHEREAS, beginning in 2008, the County of Santa Cruz has operated a voluntary County-funded collection program, pursuant to which the County of Santa Cruz and the City

have been working together with the cities of Watsonville, Santa Cruz and Scotts Valley to provide a convenient and permanent system to collect unwanted pharmaceuticals. As of October 2015, this program consists of 46 locations at pharmacies, police departments, and sheriff's stations, which collect both controlled and non-controlled substances, as well as city and county household hazardous waste disposal sites. Participation in collection and disposal of unwanted drugs is still voluntary, resulting in a patchwork of businesses participating in one or both programs, leading to confusion among consumers and sometimes improper disposal in the wrong containers; and

WHEREAS, on December 8, 2015, the Santa Cruz County Board of Supervisors passed an Ordinance (Ordinance No. 5214, effective the 31st day after the date of final passage) requiring the safe disposal of drugs and sharps and establishing a Product Stewardship Program to safely collect and dispose of unused/unwanted pharmaceutical and sharps waste from county residents. This City's Ordinance is intended to compliment and be consistent with Santa Cruz County's Safe Disposal of Drugs and Sharps Ordinance (Santa Cruz County Code Chapter 7.95); and

WHEREAS, a manufacturer and/or producer-funded collection and disposal program in the City for unwanted drugs and sharps would significantly increase convenient disposal options for City residents' unwanted drugs and sharps, enabling collection of larger quantities of unwanted drugs and sharps and reducing risks to public safety, health, and the environment.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AS FOLLOWS:
SECTION I

The Scotts Valley Municipal Code is hereby amended by adding Chapter 8.40 to read as follows:

Chapter 8.38 SCOTTS VALLEY SAFE DRUG AND SHARPS DISPOSAL

Sections:

8.38.010	Purpose and Intent
8.38.020	Title
8.38.030	Definitions
8.38.040	Product Stewardship Program
8.38.050	Product Stewardship Plan
8.38.060	Disposal of Unwanted Products
8.38.070	Product Stewardship Program Promotion and Outreach
8.38.080	Retailer and Provider Participation
8.38.090	Lists of Producers and Manufacturers of Covered Drugs and Sharps
8.38.100	Reporting
8.38.110	Program Assessment and Collection of Data
8.38.120	List of Producers
8.38.130	Regulations and Fees
8.38.140	Enforcement
8.38.150	Additional Provisions

SECTION II Conflict with State or Federal Law. This chapter shall be construed so as not to conflict with applicable federal, State, and/or Santa Cruz County laws, rules or regulations. Nothing in this chapter shall authorize any City agency or Department to impose any duties or obligations in conflict with limitations on municipal authority established by state or

federal law at the time such agency or Department action is taken. The City shall suspend enforcement of this chapter to the extent that said enforcement would conflict with any preemptive State or federal legislation subsequently adopted.

SECTION III Severability. If any of the provisions of this chapter or the application thereof to any Person or circumstance is held invalid, the remainder of those provisions, including the application of such part or provisions to Persons or circumstances other than those to which it is held invalid shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this chapter are severable.

SECTION IV Environmental Findings. This chapter is entitled to a categorical exemption of the California Environmental Quality Act ("CEQA") pursuant to 14 California Code of Regulations sections 15307, which exempts "actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection."

8.38.010 Purpose and Intent

The purpose of this chapter is to protect the health, safety and welfare of the public and of the environment by providing for the safe and orderly collection and disposal of drug and sharps waste and by placing responsibility for end-of-life management of drug and sharps products on the manufacturers and/or producers of the products, while encouraging product design that minimizes negative impacts on human health and the environment at every stage of the product's lifecycle.

8.38.020 Title

This chapter may be cited as the "Scotts Valley Safe Drug and Sharps Disposal Ordinance."

8.38.030 Definitions

For the purposes of this chapter, the following terms have the meanings given below.

- A. "City Council" refers to the City Council of the City of Scotts Valley.
- B. "City" means the City of Scotts Valley, California.
- C. "Consumer Generators" means residents of single and multiple family residences or other locations who possess, dispose of and/or abandon household Covered Drugs or Sharps. "Consumer Generators" does not include airport security, drug seizures by law enforcement, pharmacy waste, business waste, or any other source identified by the Department as a non-consumer source.
- D. "Controlled Substance" for purposes of this section shall mean any substance listed under California Health and Safety Code Sections 11053 through 11058 and/or Title 21 of the United States Code, Sections 812 and 813 or any successor legislation.
- E. "Cosmetics" means (i) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to, the human body, or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (ii) articles intended for use as a component of any such articles.
- F. "Covered Drug" means all brand name and Generic Prescription Drugs. Notwithstanding the foregoing sentence, "Covered Drug" does not include: (i) vitamins or supplements;

(ii) herbal-based remedies and homeopathic drugs, products, or remedies; (iii) Cosmetics, soap (with or without germicidal agents), laundry detergent, bleach, household cleaning products, shampoos, sunscreens, toothpaste, lip balm, antiperspirants, or other personal care products that are regulated as Cosmetics under the Federal Food, Drug, and Cosmetic Act ("FFDCA") (21 U.S.C. Section 301 et seq. (2002)); (iv) Drugs for which Producers provide a take-back program as part of a Federal Food and Drug Administration managed risk evaluation and mitigation strategy (21 U.S.C. Section 355-1); (v) Drugs that are biological products as defined by 21 C.F.R. 600.3(h) as it exists on the effective date of this chapter if the Producer already provides a take-back program; and (vi) pet pesticide products contained in pet collars, powders, shampoos, topical applications, or other delivery systems.

- G. "County" means the County of Santa Cruz, California.
- H. "Department" means the City of Scotts Valley City's Manager's Department.
- I. "City Manager" means the City of Scotts Valley City Manager or his or her designee.
- J. "Drug Wholesaler" means a Person that sells or distributes Covered Drugs for resale to an Entity other than a consumer.
- K. "Drugs" means: (i) articles recognized in the official United States Pharmacopoeia, the official National Formulary, the official Homeopathic Pharmacopoeia of the United States, or any supplement to any of them; (ii) articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or other animals; (iii) articles, other than food, intended to affect the structure or any function of the body of humans or other animals; and (iv) articles intended for use as a component of any article specified in clause (i), (ii), or (iii) of this definition. Notwithstanding the foregoing sentence, "Drugs" does not include or mean medical devices, their component parts or accessories.
- L. "Entity" means a Person other than an individual.
- M. "Generic" means a Drug that is chemically identical or bioequivalent to a brand name Drug in dosage form, safety, strength, route of administration, quality, performance characteristics, and intended use, though inactive ingredients may vary.
- N. "Hazardous Waste" means a "hazardous waste" as defined in the Federal Resource Conservation and Recovery Act (RCRA) of 1976, as amended (42 USCA § 6901 et seq.) and the implementing regulations (40 C.F.R. §§239 through 282), as amended. This waste includes, but is not limited to, bulk chemotherapy drugs, P-listed waste, U-listed waste and characteristic hazardous waste.
- O. "Manufacture" means the production, preparation, propagation, compounding, or processing of Covered Drugs or Sharps but does not include the activities of a Repackager, Drug Wholesaler or medical practitioner who distributes or dispenses such substances or devices in the ordinary course of his or her professional practice or prepares, compounds, packages or labels such substances or devices.
- P. "Manufacturer" means a Person engaged in the Manufacture of Covered Drugs or Sharps.

- Q. "Mail-back Program" means a system whereby Consumer Generators of Unwanted Products obtain prepaid and preaddressed mailing envelopes in which to place Unwanted Products for shipment to an Entity that will dispose of them safely and legally.
- R. "Medical Waste" means "Medical waste" as defined in Section 117690 of the California Health and Safety Code, as amended.
- S. "Person" means an individual, firm, sole proprietorship, corporation, limited liability company, general partnership, limited partnership, limited liability partnership, association, cooperative, or other entity of any kind or nature, however organized.
- T. "Pharmacy" means a place licensed by the State of California Board of Pharmacy where the practice of pharmacy is conducted.
- U. "Plan" or "Product Stewardship Plan" means a product stewardship plan required under this chapter that describes the manner in which a Product Stewardship Program will be provided.
- V. "Plan Operator" means the Person that develops, implements and operates a Product Stewardship Plan, including, but not limited to, a Producer or Stewardship Organization.
- W. "Prescription Drug" means any Drug, including, but not limited to, any Controlled Substance, that is required by federal or state law, rule or regulation to be dispensed by prescription only or is restricted to use by practitioners only.
- X. "Producer" shall be determined, with regard to Covered Drugs and Sharps that are sold, offered for sale, or distributed in the City as meaning one of the following:
1. The Person who Manufactures Covered Drugs or Sharps and who sells, offers for sale, or distributes Covered Drugs or Sharps in the City under that Person's own name or brand.
 2. If there is no Person who sells, offers for sale, or distributes Covered Drugs or Sharps in the City under the Person's own name or brand, the Producer of Covered Drugs or Sharps is the owner or licensee of a trademark or brand under which the Covered Drugs or Sharps are sold or distributed in the City, whether or not the trademark is registered.
 3. If there is no Person who is a Producer of Covered Drugs or Sharps for purposes of paragraphs (1) and (2), the Producer of Covered Drugs or Sharps is the Person who brings the Covered Drug into the City for sale or distribution.
- Notwithstanding the foregoing, "Producer" does not include: (i) a Retailer or Repackager that only puts its label on a Covered Drug or Sharps; (ii) a pharmacist who dispenses Prescription Drugs to, or repackages or compounds a prescribed individual Drug product for a consumer; or (iii) a Drug Wholesaler who is not also a Manufacturer; or (iv) a veterinarian who sells Drugs or Sharps for animals provided the veterinarian has a program in place for the disposal of Drugs or Sharps for their own customer base.
- Y. "Product Stewardship Program" or "Program" means a program financed, developed, implemented, and operated by Producers to collect, transport, and dispose of Unwanted Products.

- Z. "Provider" means any Person that sells or otherwise furnishes Covered Drugs or Sharps to consumers at a medical or veterinary office, clinic, hospital or approved needle-exchange program located in the City.
- AA. "Public Hearing" means any hearing held by the Department or the City which is open to the public for the purposes of collecting public comment. It does not necessarily refer to meetings of the City Council.
- BB. "Repackager" means a Person who owns or operates an establishment that repacks, repackages, and/or re-labels a product or package (including a Covered Drug and/or Sharps) for further sale or for distribution without a further transaction.
- CC. "Retailer" means any Person that sells Covered Drugs or Sharps directly to consumers at a business located in the City.
- DD. "Santa Cruz County Safe Drug and Sharps Disposal Ordinance" refers to Chapter 7.95 of the Santa Cruz County Municipal Code, entitled " Santa Cruz County Safe Drug and Sharps Disposal", as such may be amended.
- EE. "Sharps" means one or more hypodermic needles, pen needles, intravenous needles, lancets and other devices used to penetrate the skin for drawing blood, or for the delivery of medications or Drugs.
- FF. "Stewardship Organization" means an organization designated by a group of Producers to act as an agent on behalf of each Producers to operate a Product Stewardship Program.
- GG. "Unwanted Products" means Covered Drugs or Sharps no longer wanted by the owner or that have been abandoned, discarded, or are intended to be discarded by the owner.

8.38.040 Product Stewardship Program

- A. Requirement for Sale. This chapter shall apply only to Producers whose Covered Drugs and/or Sharps are sold and/or distributed in the City and to Retailers who sell Covered Drugs and/or Sharps in the City. This chapter shall apply only to areas within the City limits. This chapter shall be administered and implemented by the City of Scotts Valley City Manager's Department. Each Producer shall participate in a Stewardship Program. Each Producer must:
 - 1. Operate, individually or jointly with other Producers, a Product Stewardship Program approved by the Department; or
 - 2. Enter into an agreement with a Stewardship Organization to operate, on the Producer's behalf, a Product Stewardship Program approved by the Department.
- B. Product Stewardship Program Costs.
 - 1. A Producer, group of Producers, or Stewardship Organization must pay all administrative and operational fees and costs associated with their Product (who?) Stewardship Program and related Product Stewardship Plan, including, but not limited to, the cost of collecting, transporting, and disposing of Unwanted Products collected from Consumer Generators and the recycling and/or disposal of packaging collected with the Unwanted Product.

2. No Person or Producer may charge a specific point-of-sale fee to consumers to recoup the costs of their Product Stewardship Program, nor may they charge a specific point-of-collection fee at the time the Unwanted Products are collected from Consumer Generators or delivered for disposal.
3. A Producer, group of Producers, or Stewardship Organization must pay all costs and expenses incurred by the City, including but not limited to the Department, in the administration and enforcement of their Product Stewardship Program. Exclusive of fines and penalties, the City shall only recover its actual costs of administration and enforcement under this chapter and shall not charge any amounts under this chapter in excess of its actual administrative and enforcement costs.
4. A Producer, group of Producers, or Stewardship Organization must pay all collection and disposal costs and expenses as of the date that the ordinance codified in this chapter becomes effective. If the City incurs any costs or expenses due to delays in establishment of an approved Stewardship Plan, the Producer, group of Producers, or Stewardship Organization must reimburse the City in full for such costs.

8.38.050 Product Stewardship Plan

- A. Plan Content. Each Product Stewardship Program shall have a Product Stewardship Plan (which must be submitted, reviewed and approved in accordance with Section 8.40.050(B) below) that contains each of the following:
 1. Certification that the Product Stewardship Program will accept all Unwanted Products regardless of who produced them, unless excused from this requirement by the Department as part of the approval of the Plan;
 2. Contact information (including the name, physical and mailing address, telephone number, and email address) for the individual and the Entity submitting the Plan, the Plan Operator, and each of the Producers participating in the Product Stewardship Program;
 3. A description of the methods by which Unwanted Products from Consumer Generators will be collected and handled at all retail sale facilities of Sharps and Covered Drugs in the City, including without limitation a description of bins to be used and collection methods;
 4. A description of the methods by which Unwanted Products from Consumer Generators will be collected and handled at all public health facilities in the City, as well as at such other locations as designated by the Department, including without limitation a description of bins to be used and collection methods;
 5. The location of each collection site and locations where envelopes for a Mail-back Program are available (if applicable);
 6. A list containing the name, location, permit status, and record of any penalties, violations, and/or regulatory orders received in the previous five years by each Person that will be involved in collecting and/or transporting Unwanted Products

and each Medical Waste or Hazardous Waste disposal facility proposed to participate in the Product Stewardship Program;

7. A description of how the Unwanted Products will be safely and securely tracked and handled from collection through final disposal and the policies and procedures to be followed to ensure security;
 8. A description of the public education and outreach activities required under this chapter and how their effectiveness will be evaluated;
 9. A description of how the scope and extent of the Product Stewardship Program are reasonably related to the amount of Covered Drugs and Sharps that are sold in the City, by the Producer or group of Producers;
 10. A starting date when collection of Unwanted Products will begin;
 11. A description of how support will be provided to any law enforcement agencies within the City that have, or later agree to have, a collection program for Controlled Substances, including, without limitation: (i) the provision of a collection kiosk with appropriate accessories and signage, (ii) an ability to accept Controlled Substances and other Covered Drugs, and (iii) technical support up to and including an appropriate Person to provide on-site assistance with the sorting and separation of Controlled Substances at no cost to a participating law enforcement agency;
 12. If more than one Producer will be involved in a proposed Product Stewardship Program, then the Product Stewardship Plan for that Program must include a fair and reasonable manner for allocating the costs of the Program among the participants in that Program, such that the portion of costs paid by each Producer is reasonably related to the amount of Covered Drugs and Sharps that Producer sells in the City.
- B. Existing County-Approved Product Stewardship Plan. If a Producer, group of Producers, or Stewardship Organization is/are operating a Product Stewardship Program within the County under an existing Product Stewardship Plan that has been approved by the County of Santa Cruz in accordance with Chapter 7.95 of the Santa Cruz County Code ("County-Approved Plan"), such Producer, group of Producers, or Stewardship Organization may comply with Section 8.40.050(A) above, by supplementing such County-Approved Plan to cover the City and include all items listed in Section 8.40.050(A) above. The Product Stewardship Plan, as supplemented, must be submitted to the Department for review and approval of the provisions relating to and/or applicable to the City in accordance with Section 8.40.050(D) below.
- C. Department Review and Approval; Updates.
1. No Producer, group of Producers, or Stewardship Organization within the City may begin collecting Unwanted Products to comply with this chapter until it has received written approval of its Product Stewardship Plan from the Department. The City may (at its discretion) continue collection on an interim basis if there is any delay in establishing a Stewardship Program as required under this chapter. Once approved by the Department, each Product Stewardship Plan must receive prior written approval from the Department for any proposed changes to the Plan.

2. All Product Stewardship Plans must be submitted to the Department for approval. Each Producer, group of Producers, or Stewardship Organization operating a Product Stewardship Program shall submit its initial Product Stewardship Plan (conforming to the above requirements) to the Department for review within sixty (60) days after the effective date of this chapter, or at a later date as approved in writing by the Department.
3. Within sixty (60) days after the Department's receipt and review of a Product Stewardship Plan, the Department will determine whether the Plan complies with the requirements of this chapter and of any regulations adopted pursuant to this chapter. The Department may at its sole discretion conduct a noticed Public Hearing as part of this process.
 - a. As part of its approval, the Department may set reasonable performance goals for the Program.
 - b. If the Department approves a Plan, it shall notify the applicant of its approval in writing.
 - c. If the Department rejects a Plan, it shall notify the applicant in writing of its reasons for rejecting the Plan. The Department may reject a Plan without conducting a Public Hearing.
 - d. An applicant whose Plan has been rejected by the Department must submit a revised Plan to the Department within thirty (30) days after receiving notice of the rejection. The Department may require the submission of a further revised Plan or, at its sole discretion, the Department may (without any obligation to do so) develop, approve and impose upon the applicant the Department's own Product Stewardship Plan or an approved Plan submitted by other Producer(s) pursuant to this chapter. The imposed Plan will be presented at a Public Hearing. The Department is not required, and nothing in this chapter shall be interpreted as requiring, the Department to create or impose a Product Stewardship Plan.
 - e. If the Department rejects a revised Product Stewardship Plan or any other subsequently revised Plan, the City Manager may deem the Producer(s) at issue to be out of compliance with this chapter and subject to the enforcement provisions contained in this chapter.
4. At least every three (3) years, a Producer, group of Producers or Stewardship Organization operating a Product Stewardship Program shall update its Product Stewardship Plan, explaining any substantive changes to components of the Plan, and submit the updated Plan to the Department for review and approval.
5. A Producer who begins to offer a Covered Drug or Sharps for sale in the City after the effective date of this chapter, must submit a Product Stewardship Plan to the Department or provide evidence of having joined an existing approved Product Stewardship Program within sixty (60) days following the Producer's initial offer for sale of a Covered Drug or Sharp in the City.
6. Any proposed changes to a Product Stewardship Plan must be submitted in writing to the Department and approved by the Department in writing prior to

implementation of any change. Notwithstanding the foregoing, for County-Approved Plans, only those changes relating to and/or applicable to the City must be submitted in writing to the Department for review and approval before implementation.

7. Required Plan Amendment. Within 60 days of the final promulgation of rules by the California Board of Pharmacy regarding collection of controlled substances by retail pharmacies in conformity with the U.S. Drug Enforcement Agency regulations implementing the Secure and Responsible Drug Disposal Act of 2010, each Producer, group of Producers or Stewardship Organization operating a Product Stewardship Program shall submit to the Department for review and approval an update to its Product Stewardship Plan that describes how the Plan will, within 120 days, comply with and conform to the requirements of such final rules of the California Board of Pharmacy.
8. The Department may audit the records of a Producer, group of Producers, or Stewardship Organization related to a Product Stewardship Plan and/or Product Stewardship Program, or request that the Producer, group of Producers, or Stewardship Organization arrange for the Department to inspect at reasonable times the facilities, vehicles, and equipment used in carrying out the Product Stewardship Plan.

8.38.060 Disposal of Unwanted Products

- A. Compliance with Applicable Law. Each Product Stewardship Program must comply with all local, state, and federal laws and regulations applicable to its operations, including, but not limited to, laws, rules, and regulations governing the treatment and disposal of Unwanted Products.
- B. Treatment and Disposal. Each Product Stewardship Program must treat Sharp's waste by high heat sterilization and dispose of all unwanted Covered Drugs by incineration at a Medical Waste or Hazardous Waste facility authorized to accept such waste. Each treatment and/or disposal facility utilized must be in possession of all required regulatory permits and licenses.
- C. New Technologies. Producers with Product Stewardship Programs may petition the Department for approval to use treatment and final disposal technologies, where lawful, that provide superior environmental and human health protection than provided by current Medical Waste or Hazardous Waste disposal technologies for Sharps and Covered Drugs if and when those technologies are proven and available. The proposed technology, at a minimum, must provide equivalent protection in each, and superior protection in one or more, of the following areas:
 1. Monitoring of any emissions or waste;
 2. Worker health and safety;
 3. Reduction or elimination of air, water, or land emissions contributing to persistent, bioaccumulative, and toxic pollution; and
 4. Overall impact on the environment and human health.
- D. Packaging Separation. Each Product Stewardship Program shall encourage Consumer Generators to separate Unwanted Products from their original containers and packaging, when appropriate, prior to collection or disposal.

8.38.070 Product Stewardship Program Promotion and Outreach

- A. A Product Stewardship Program must promote the Program to Consumer Generators, pharmacists, Retailers of Covered Drugs and/or Sharps, and health care practitioners (including, but not limited to, doctors and other prescribers, veterinarians and veterinary hospitals) as to the proper and safe method to storage and dispose of Unwanted Products.
- B. A Product Stewardship Program shall include, but is not limited to, developing, and updating as necessary, educational and other outreach materials for use by Retailers of Covered Drugs and/or Sharps. These materials may include, but are not limited to, two or more of the following:
 - 1. Signage that is prominently displayed and easily visible to the consumer.
 - 2. Written materials and templates of materials for reproduction by Retailers to be provided to the consumer at the time of purchase or delivery, or both.
 - 3. Advertising and/or other promotional materials related to the Product Stewardship Program.
- C. A Product Stewardship Program must prepare education and outreach materials that publicize the location and operation of collection locations in the City and disseminate the materials to health care facilities, Pharmacies, and other interested parties. The Program also must establish a website publicizing collection locations and Program operations and a toll-free telephone number that Consumer Generators can call to find nearby collection locations and understand how the Program works.

8.38.080 Retailer and Provider participation

- A. Every Retailer and every Provider of Covered Drugs and Sharps in the City shall establish a system consistent with the requirements of this chapter for the collection of consumer-generated Covered Drugs and Sharps waste for proper disposal during the Retailer's or Provider's normal hours of operation, except that:
 - 1. A Retailer or Provider who does not sell or provide Sharps to consumers is not required to establish a collection system for Sharps waste; and
 - 2. A Retailer or Provider who does not sell or provide Covered Drugs to consumers is not required to establish a collection system for Covered Drugs waste.
- B. Each system established by a Retailer or Provider for the collection and disposal of consumer generated Covered Drugs and Sharps waste shall include, at a minimum, the following elements:
 - 1. Subject to the limitations contained in subsection (A) of this Section above and subsection (E) of this Section below, each Retailer or Provider shall provide one of the following:
 - a. On-site collection system. Receptacles for the collection of consumer-generated Covered Drugs and Sharps waste within the Retailer or Provider establishment. The receptacle shall meet applicable state and federal standards for safe disposal of Covered Drugs and/or Sharps. The Retailer or Provider shall provide for the management and disposal of all

consumer-generated Covered Drugs and/or Sharps waste that is collected at the Retailer or Provider establishment in a safe manner consistent with all state and federal laws and regulations; or

- b. Mail-back collection system. Prepaid and preaddressed mail-back envelopes in sufficient capacity for safe disposal of the Covered Drugs and/or Sharps sold or provided to a consumer and meeting applicable state and federal standards for safe disposal of Covered Drugs and/or Sharps.
- 2. Signage prominently displayed within five feet of every public entrance to the Retailer or Provider establishment and easily visible to the consumer, indicating that the Retailer or Provider establishment collects consumer-generated Covered Drugs and/or Sharps waste from consumers.
- C. A Retailer or Provider of Sharps must provide at no additional cost to the consumer an approved Sharps disposal container or containers sufficient to dispose of all Sharps purchased. A Retailer or Provider of Sharps may refuse to accept from a consumer Sharps waste that is not properly contained in an approved container. In the event of a refusal to accept Sharps waste, the Retailer or Provider shall provide the consumer with an appropriate container for proper disposal of said Sharps waste.
- D. Sharps disposal containers shall be either a rigid puncture-resistant container with a sealable lid approved by the U.S. Food and Drug Administration for the purpose of transporting Sharps for disposal or a pre-paid mail-back container approved by the U.S. Food and Drug Administration for the purpose of transporting Sharps for disposal.
- E. All costs of participation by Retailers and Providers shall be paid or reimbursed by the Producer, group of Producers, or Stewardship Organization as part of its Program as provided in this chapter. Retailers and Providers shall not be expected to incur any costs for participation in a Product Stewardship Program.

8.38.090 Lists of Producers and Manufacturers of Covered Drugs and Sharps

- A. Within sixty (60) days after the effective date of this chapter (or at a later date as approved in writing by the Department), each Drug Wholesaler that sells any Covered Drugs and/or Sharps in the City must provide a list of the Producers of those Covered Drugs and/or Sharps to the Department in a form prescribed by the Department. Drug Wholesalers must update and submit to the Department such list of Producers of Covered Drugs and/or Sharps by January 15th of each calendar year.
- B. Within six (6) months after the effective date of this chapter, or within six (6) months after a Retailer whose label appears on a Covered Drug or Sharps or on the Covered Drug's or Sharps' packaging starts selling the Covered Drug or Sharps in the City (or at a later date as approved in writing by the Department), and, thereafter, upon request from the Department, a Retailer whose label appears on a Covered Drug or Sharps or on the Covered Drug's or Sharps' packaging must provide the contact information of the Manufacturer from whom the Retailer obtains the Covered Drug or Sharps, including the mailing address, physical address, telephone number, and email address of the Retailer's point of contact at the Manufacturer.
- C. Within six (6) months after the effective date of this chapter, or within six (6) months after a Covered Drug or Sharps repackaged by a Repackager is first sold in the City (or at a

later date as approved in writing by the Department), and, thereafter, upon request from the Department, a Repackager whose label appears on a Covered Drug or Sharps or on the Covered Drug's or Sharps' packaging must provide the contact information of the Manufacturer from whom the Repackager obtains the Covered Drug or Sharps, including the mailing address, physical address, telephone number, and email address of the Repackager's point of contact at the Manufacturer.

8.38.100 Reporting

- A. On or before July 1, 2017 (or at a later date as approved in writing by the Department) and in each subsequent year, every Producer, group of Producers, or Stewardship Organization operating a Product Stewardship Program in the City must prepare and submit to the Department an annual written report describing the Program activities during the previous reporting period. The report must include, at minimum, the following:
1. A list of Producers participating in the Product Stewardship Program;
 2. A list of Retailers and/or Providers participating in the collection of consumer-generated Covered Drugs and/or Sharps waste;
 3. The amount, by type and by weight, of Unwanted Products collected from Consumer Generators collected at each drop-off site and in the entire City and, if applicable, the total amount by type and by weight collected by a Mail-back Program;
 4. A description of the collection system, including, without limitation, the location of each collection site and if applicable, locations where envelopes for a Mail-back Program are provided;
 5. The name and location of disposal facilities at which Unwanted Products were disposed of and the weight by type of Unwanted Products collected from Consumer Generators disposed of at each facility;
 6. Whether policies and procedures for collecting, handling, transporting, and disposing of Unwanted Products, as established in the Plan, were followed during the reporting period and a description of any noncompliance;
 7. Whether any safety or security problems occurred during collection, handling, transportation, or disposal of Unwanted Products during the reporting period and, if so, what changes have or will be made to policies, procedures, or tracking mechanisms to alleviate the problem and to improve safety and security;
 8. A description of public education and outreach activities implemented during the reporting period and their effectiveness, including, without limitation, the methodology used to evaluate the outreach and Program activities;
 9. How the Product Stewardship Program complied with all other elements in the Product Stewardship Plan approved by the Department, including, without limitation, its degree of success in meeting any performance goals set by the Department as part of its approval of the Program; and
 10. Any other information that the Department may reasonably require.

- B. For the purposes of this section, "reporting period" means the period beginning January 1 and ending December 31 of the same calendar year.

8.38.110 Program Assessment and Collection of Data

- A. At least once per year, at a time to be determined by the Department, each Product Stewardship Program will conduct a detailed characterization study of Unwanted Products collected at specified locations to help assess effectiveness of the Product Stewardship Program
- B. Assessments shall be conducted in a secure location with proper supervision, in full compliance with federal and state laws, rules, and regulations, and in accordance with guidelines issued by the Department.
- C. Data collected from Program assessments shall be shared with the Department and other relevant agencies in a timely manner.
- D. The Department may require additional assessments as needed to address problems or to help determine Program needs.

8.38.120 List of Producers

The Department shall provide on its website a list of all Producers participating in Product Stewardship Programs approved by the Department and a list of all Producers the Department has identified as noncompliant with this chapter or any regulations adopted pursuant to this chapter.

8.38.130 Regulations and fees

- A. The City Manager may, after a noticed Public Hearing, adopt such rules and regulations as necessary to implement, administer, and enforce this chapter.
- B. The City Council authorizes the City Manager to charge Producers or a group of Producers participating in a Product Stewardship Program for any costs the City incurs in administering and enforcing this chapter. The amount charged shall not exceed actual costs to the City.

8.38.140 Enforcement

- A. The Department shall administer the penalty provisions of this chapter.
- B. It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter.
- C. Any Person, Producer, Plan Operator or Product Stewardship Organization that violates or continues to violate the provisions of this chapter shall be subject to the penalties, remedies, and criminal, civil and/or administrative enforcement actions set forth in Title 4 of the Scotts Valley Municipal Code. Each and every day a violation of this chapter exists constitutes a separate and distinct offense for which enforcement action may be taken.
- D. In determining the appropriate penalties, the Department shall consider the extent of harm caused by the violation, the nature and persistence of the violation, the frequency of past violations, any action taken to mitigate the violation, and the financial burden to the violator.

- E. Whenever the City finds that a Person has violated a provision or failed to meet a requirement of this chapter, the City may order compliance by written notice of violation to the responsible Person pursuant to Title 4 of the Scotts Valley Municipal Code.
- F. The Department may establish appropriate administrative rules for implementing this chapter, conducting hearings, and rendering decisions pursuant to this section.
- G. Upon the failure of any Person to comply with any requirement of this chapter and any rule or regulation adopted pursuant to this chapter, the City Attorney's office may petition any court having jurisdiction for injunctive relief, payment of civil penalties and any other appropriate remedy, including, without limitation, restraining such Person or Entity from continuing any prohibited activity and compelling compliance with lawful requirements. However, this subsection does not permit the City or any court of competent jurisdiction to restrain the sale of any Covered Drug or Sharps in the City.
- H. Any Person who knowingly and willfully violates the requirements of this chapter or any rule or regulation adopted pursuant to this chapter is guilty of a misdemeanor. A conviction for a misdemeanor violation under this chapter is punishable by a fine of not less than fifty dollars (\$50.00) and not more than five hundred (\$500.00) for each day per violation, or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment.
- I. The remedies provided by this chapter are cumulative and in addition to any other remedies available at law or in equity.

8.38.150 Additional provisions

- A. Disclaimer. In adopting and implementing this chapter, the City is assuming an undertaking only to promote the general welfare. The City is not assuming or imposing on its officers and/or employees an obligation by which they could be liable in money damages to any Person or Entity who claims that a breach proximately caused injury.
- D. Nothing in this chapter, or the Product Stewardship Program in which Producers of Sharps and Covered Drug products who sell Sharps and/or Covered Drugs in the are required to participate, is intended to protect anticompetitive or collusive conduct nor shall this chapter be construed to modify, impair, or supersede the operation of any of the antitrust laws or unfair competition laws of the State of California or of the United States.
- E. This chapter shall be construed in accordance with California state law, including but not limited to the Medical Waste Management Act set forth at California Health and Safety Code Section 117600, et seq., and shall not be construed in a way that would result in conflict with, or preemption by, any such state law.
- G. This chapter shall be in effect for a period of ten (10) years following enactment.

SECTION V

This Ordinance shall take effect on the 31st day after the date of final passage.

This ordinance was introduced on the 7th day of December, 2016, and was passed and adopted by the City Council of the City of Scotts Valley on the 21st day of December, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Mayor

Attest:

Tracy Ferrara, City Clerk

Approved as to Form:

Kirsten M. Powell, City Attorney

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: December 21, 2016

TO: Honorable Mayor and City Council

FROM: Tracy A. Ferrara, City Clerk

APPROVED: Jenny D. Haruyama, City Manager

SUBJECT: **CITY APPOINTMENTS TO THE OVERSIGHT BOARD OF THE
SUCCESSOR AGENCY FOR THE SCOTTS VALLEY
REDEVELOPMENT AGENCY**

SUMMARY OF ISSUE

Pursuant to AB X1 26, the City Council approved naming the City of Scotts Valley to act as the Successor Agency to the Scotts Valley Redevelopment Agency (RDA) effective February 1, 2012, when all redevelopment agencies in the state were dissolved. As part of that legislation, an Oversight Board of seven members was established to oversee the liquidation of assets, the payment of enforceable obligations of the former Scotts Valley Redevelopment Agency, and other issues that may arise. The legislation also authorizes the Mayor to appoint two of the seven members, which are highlighted below. These two members are typically a Council Member and City employee representing the former RDA.

- (1) One member appointed by the county board of supervisors.
- (2) One member appointed by the mayor for the city that formed the redevelopment agency.**
- (3) One member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues pursuant to Section 34188.
- (4) One member appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.
- (5) One member appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.
- (6) One member of the public appointed by the county board of supervisors.
- (7) One member representing the employees of the former redevelopment agency appointed by the mayor or chair of the board of supervisors, as the case may be, from the recognized employee organization representing the largest number of former redevelopment agency employees employed by the successor agency at that time.**

Given changes in City Council and staff, the two appointments will need to be updated.

Additionally, Jack Dilles, who was recently elected to City Council, served as the Santa Cruz County Board of Supervisors' public representative appointee. The County will need to appoint a new public representative. Nominations for the public representatives are due to the County by January 10, 2017; the Santa Cruz County Board of Supervisors is scheduled to make its appointment on January 24, 2017.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

It is recommended that the Mayor make the two appointments per AB X1 26, Chapter 4, Section 34179 (2) and (7), to the Oversight Board of the Successor Agency for the Scotts Valley Redevelopment Agency to replace vacated positions. It is also recommended that Council provide suggested nominations for the public representative appointment which would be presented to the County by for consideration prior to January 10, 2017.