



A G E N D A

Meeting of the Scotts Valley City Council

Date: November 16, 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 11-10-16 at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvalley.org .
---	---	--

Elected Officials Donna Lind, Mayor Randy Johnson, Vice Mayor Stephany E. Aguilar, Council Member Dene Bustichi, Council Member Jim Reed, Council Member	City Staff Members Jenny Haruyama, City Manager Kirsten Powell, City Attorney Taylor Bateman, Acting Community Development Dir Scott Hamby, Public Works Director John Weiss, Chief of Police Tracy Ferrara, City Clerk
--	--

Notice regarding City Council Meetings:

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

Agenda and Agenda Packet Materials:

The City Council agenda and the complete agenda packet are available for review by 5:00 pm the Friday before the Wednesday meeting on the Internet at the City's website: www.scottsvalley.org and in the lobby of City Hall at 1 Civic Center Drive, Scotts Valley, CA. Pursuant to Government Code §54957.5, materials related to an agenda item, submitted after distribution of the agenda packet, are available for public inspection in the lobby of City Hall during normal business hours, Monday-Friday, 8am-12 pm and 1-5 pm. In accordance with AB 1344, such documents will be posted on the City's website at www.scottsvalley.org.

Televised Meetings:

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

CALL TO ORDER 6:00 p.m.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

COMMITTEE REPORTS

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

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 11-2-16
- B. Approve check register – 10-31-16
- C. Approve second reading and adoption of Ordinance No. 102.14 amending Title 15 of the Scotts Valley Municipal Code and adopting the California Code of Regulations title 24, 2016 Building Standards Codes, subject to the specified deletions, amendments, exceptions and additions, and other codes and standards to establish minimum requirements to safeguard public health, safety and general welfare
- D. Approve the 2015/2016 annual report of Development Impact Fees (AB 1600)
- E. Approve the 2017 City Council meeting calendar
- F. Approve the closure of non-essential city facilities, including City Hall and Recreation administrative offices Tuesday, December 27 through Thursday, December 29, 2016 and the Senior Center Friday, December 16 through Thursday, December 22 and Tuesday, December 27 through Thursday, December 29

- G. Authorize city staff to commence a recruitment for the position of Maintenance Worker I due to the retirement of Joe Thuringer, Maintenance Worker II

ALTERATIONS TO REGULAR AGENDA

(Council can remove or add items to the Regular Agenda.)

REGULAR AGENDA

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

1. Consider approval of Agreement for Professional Services between the City of Scotts Valley and Management Partners for financial management and executive leadership support in an amount not to exceed \$100,000
(City Manager Haruyama)

PUBLIC HEARING (To be heard at 6:30 p.m.)

2. Consider Planning Commission recommendation of approval for Minor Land Division (MLD16-002) to subdivide an existing 167,305 square foot parcel into three parcels in the commercial (C-S) zoning district located at 104 & 106 Whispering Pines Drive and 203 Mt. Hermon Road, APN 021-021-36 (Charles Eadie/Scotts Valley Partners, LLC.)
(Planning/Stevens)
 - ➔ Open public hearing
 - ➔ Close public hearing
 - ➔ Approve Resolution No. 1927

REGULAR AGENDA

(For Regular Agenda items following the public hearing. Regularly scheduled subjects of discussion on the Regular Agenda include:)

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.



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; Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000; or, from or to Speech-to-Speech, English & Spanish 1-800-854-7787), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.

DATE: 11-16-2016

MINUTES

Meeting of the Scotts Valley City Council and the Scotts Valley Public Financing Authority

Date: November 2, 2016

POSTING:

The agenda was posted on 10-28-16
at City Hall, the SV Senior Center, and
the SV Library, by the City Clerk.

CALL TO ORDER 6:18 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
Police Lieutenant Wilson
City Clerk Ferrara

COMMITTEE REPORTS

CM Bustichi reported that the Santa Cruz Metropolitan Transmit District Board (SCMTD) met in Capitola and discussed the retirement of the SCMTD attorney. He stated that the SCMTD has decided to contract out for attorney services at this time instead of refilling this full-time position. He also reported that the Board discussed Measure D, which is on the November 8 ballot.

Mayor Lind reported that she attended a few flight path meetings in Palo Alto, and they will be recommending some procedural changes to the FAA to address the issues that are causing noise.

Mayor Lind reported that she and the City Manager met with Comcast to explore options to increase broadband and high speed internet connections throughout the City.

Mayor Lind reported that the City held its first volunteer appreciation lunch for our serving commissioners, committee members, and board members. She stated that the event was well received and that we hope to continue this event annually.

Mayor Lind reported that LAFCO met today in Scotts Valley and held a public hearing on the Pasatiempo Golf Course Reorganization and Service and Sphere of Influence Reviews for the City of Scotts Valley and the Scotts Valley Water District. She reported that they also held a continued public hearing regarding the Service and Sphere of Influence Reviews for Fire Districts.

CITY MANAGER REPORT

Police Department: The Police Department held their annual inspection today, which celebrates the department's 50th anniversary. Our very first Police Chief, Gerry Pittenger, served as the guest inspector.

Public Works Department:

- (1) The restriping of Mount Hermon Road was scheduled to take place this week; however, with all the rains, the work has been pushed back. The striping company is finishing the preliminary markings on Mount Hermon Road this week and the striping is now scheduled for next Monday, Tuesday and Wednesday.
- (2) The Granite Creek Storm Damage Repair Project is nearing completion. The contractor anticipates the job will be finished either next week or the week of November 14. New sidewalk, fencing and miscellaneous punch list items are all that remains.

Library:

The Santa Cruz Public Library System is embarking on a strategic planning process to help shape a library future that serves the region - which means they want to know your priorities, passions, values and experiences. Community conversations are being held at each branch and Scotts Valley's is scheduled for Thursday, November 10 at 7:00 pm at the SV Library.

PUBLIC COMMENT

No one came forward.

ALTERATIONS TO CONSENT AGENDA

CM Haruyama stated that Item H on the consent agenda must be moved to the regular agenda for consideration and approval.

M/S: Aguilar/Johnson

To approve the Consent Agenda as amended, moving Item H to the regular agenda for consideration and approval.

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

Consent Agenda:

- A. Approve City Council meeting minutes of 10-19-16
- B. Approve check register – 10-20-16
- C. Approve second reading and introduction of Ordinance No. 110.6 modifying Sections 10.08.010 and 10.08.020 of Title 10 of the Scotts Valley Municipal Code related to vehicle storage and vehicle code enforcement on private streets
- D. Approve Change Order No. 1 to the contract with Northwest Demolition, Inc., for the Granite Creek Road Storm Damage Repair Project, increasing the contract amount from \$166,080.00 to \$182,554.43

- E. Ratify the Scotts Valley Fire Protection District Fire Code, adopted by the Scotts Valley Fire Protection District Board of Directors by Ordinance No. 2016-1 at their October 12, 2016 Board meeting
- F. Approve the revised Scotts Valley Council Policy No. 01-16, the City of Scotts Valley Debt Management Policy
- G. Approve joint resolution of the City Council of the City of Scotts Valley, the Scotts Valley Public Financing Authority and the Successor Agency of the Scotts Valley Redevelopment Agency Approving the Adoption of Disclosure Policies and Procedures (Resolution No. 1925 / JPA-41 / SA-35)

ALTERATIONS TO REGULAR AGENDA

M/S: Aguilar/Johnson

To approve the Regular Agenda as amended, moving Item H from the consent agenda to the regular agenda for consideration and approval.

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

REGULAR AGENDA

- H. Approve the following resolutions for the issuance of refunding bonds to refund certain outstanding obligations of the Successor Agency of the Scotts Valley Redevelopment Agency:
 - (1) Approve Resolution No. 1926, a resolution of the City Council of the City of Scotts Valley approving the issuance of refunding bonds in order to refund certain outstanding obligations of the dissolved Redevelopment Agency of the City Of Scotts Valley, approving documents relating thereto, and providing for other matters properly relating thereto; and
 - (2) Approve Resolution No. JPA-42, a resolution of the Board of Directors of the Scotts Valley Public Financing Authority approving the execution and delivery of documents and other related actions in connection with a proposed refunding of certain outstanding obligations of the dissolved Redevelopment Agency of the City of Scotts Valley

CM Haruyama presented the written staff report and responded to questions from Council. She stated that there was a correction to the staff report, bullet point three, section (ii), which states that the bond amount is \$3,50,000; the correct amount is \$3,500,000. She stated that the City's Bond Advisor, Mark Northcross of NHA Advisors, and Bond Counsel, Chris Lynch, were available at the meeting for questions.

M/S: Aguilar/Johnson

To approve Resolution No. 1926, a resolution of the City Council of the City of Scotts Valley approving the issuance of refunding bonds in order to refund certain outstanding obligations of the dissolved Redevelopment Agency of the City Of Scotts Valley, approving documents relating thereto, and providing for other matters properly relating thereto.

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

M/S: Aguilar/Johnson

To approve Resolution No. JPA-42, a resolution of the Board of Directors of the Scotts Valley Public Financing Authority approving the execution and delivery of documents and other related actions in connection with a proposed refunding of certain outstanding obligations of the dissolved Redevelopment Agency of the City of Scotts Valley.

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

PUBLIC HEARINGS

1. **Consider first reading and introduction of Ordinance No. 102.14 to adopt the 2016 California Code of Regulations Title 24 Building Standards Codes and amend Title 15.04 (Building Regulations) of the Scotts Valley Municipal Code**

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

PUBLIC HEARING OPENED 6:35 PM

No one came forward.

PUBLIC HEARING CLOSED 6:35 PM

M/S: Aguilar/Bustichi

To approve the first reading and introduction of Ordinance No. 102.14, amending Title 15 of the Scotts Valley Municipal Code and adopting the California Code of Regulations Title 24 Building Standards Codes subject to the specified deletions, amendments, exceptions, and additions, and waive the reading thereof.

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

REGULAR AGENDA

(Resumed)

2. **Future Agenda Items**

CM Bustichi requested a future agenda to discuss the sign ordinance.

CM Aguilar requesting a future agenda item to discuss undergrounding of microwave facilities by telecommunication companies.

CM Reed requested a future agenda item discuss placing campaign finance statements on the City's website.

CM Reed requested a future agenda item regarding funding for the development of a high school sports complex.

ADJOURNMENT

The meeting adjourned at 6:40 p.m.

Approved: _____

Donna R. Lind, Mayor

Attest: _____

Tracy A. Ferrara, City Clerk

CONSENT AGENDA ITEM B
DATE: 11-16-2016

SCOTTS VALLEY ACCOUNTS PAYABLE
10/31/2016 18:33:55 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.03 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 103116 COMMENT... A/P AS OF OCT 31 2016

DATA-JE-ID DATA COMMENT

W-10312016-021 A/P AS OF OCT 31 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			
002066	AC3	108784	10/31/16	1,125.00
003457	ADAMS/TROY	108785	10/31/16	30.00
001818	ALLIANT INSURANCE SERVIC	108786	10/31/16	1,750.00
000620	ALVAREZ/TONY	108787	10/31/16	20.00
001009	ARD/KRISTIN	108788	10/31/16	30.00
003282	ARTS COUNCIL OF SC COUNT	108789	10/31/16	35.00
000998	ASSOCIATED SERVICES CO.	108790	10/31/16	98.61
001670	AT &T	108791	10/31/16	33.29
001373	BAY TREE, LLC	108792	10/31/16	3,620.38
001822	BC LABORATORIES INC.	108793	10/31/16	384.00
003260	BILES DDS MA/DAVID	108794	10/31/16	171.00
000500	BOLANOS/DORENE	108795	10/31/16	20.00
000021	BOWMAN & WILLIAMS	108796	10/31/16	345.00
000437	BRASS KEY LOCKSMITH	108797	10/31/16	10.07
000053	BSN SPORTS	108798	10/31/16	28.22
003088	CALIFORNIA COAST UNIFORM	108799	10/31/16	547.88
002091	COMCAST	108800	10/31/16	136.16
003134	CRIME SCENE CLEANERS, INC	108801	10/31/16	75.00
003043	CSG CONSULTANTS, INC	108802	10/31/16	31,780.70
001283	CULWELL/CHRIS	108803	10/31/16	97.50
000318	DEPT OF TRANSPORTATION	108804	10/31/16	1,455.52
001627	DITTRICH DDS/RUDOLPH	108805	10/31/16	164.00
001362	DUNCAN AUTO TECH	108806	10/31/16	26.27
003248	EARTHWORKS	108807	10/31/16	2,880.00
000202	FEDERAL EXPRESS	108808	10/31/16	49.70
000582	FERRARA/TRACY A.	108809	10/31/16	94.99
003253	FIRST ALARM	108810	10/31/16	129.60
000375	FIRST ALARM SECURITY & P	108811	10/31/16	110.00
000051	FISHER SCIENTIFIC	108812	10/31/16	313.87
003154	FLANNERY/MARLENE	108813	10/31/16	81.46
001392	FONG/MICHAEL DDS	108814	10/31/16	532.80
001828	GONZALES/GABE	108815	10/31/16	20.00
000895	GRANITE CONSTRUCTION CO	108816	10/31/16	150.39
003006	GRIFFIN DDS/PHILIP T	108817	10/31/16	218.40
000057	HACH COMPANY	108818	10/31/16	38.51
000615	HOHMANN/PATRICK J.	108819	10/31/16	20.00
000835	INTERSTATE SALES	108820	10/31/16	57.63
001308	JOHNSON DDS/BRETT	108821	10/31/16	50.40
001903	JONES/KIMARIE	108822	10/31/16	20.00
003292	KIMLEY-HORN & ASSOCIATES	108823	10/31/16	1,909.27
003292	KIMLEY-HORN & ASSOCIATES	108824	10/31/16	1,549.86
001992	KOSMONT COMPANIES, INC	108825	10/31/16	2,549.20
001372	KURATOMI DDS/REED K	108826	10/31/16	492.50
001333	LARA/ JESUS D	108827	10/31/16	92.01
000873	LEDYARD COMPANY	108828	10/31/16	212.42
003321	LOPEZ/RENE	108829	10/31/16	20.00
001591	MARKELL/ROD	108830	10/31/16	1,974.00
000050	MELROSE/TAMERA	108831	10/31/16	25.01

BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
002078	METRO MOBILE COMMUNICATI	108832	10/31/16	1,024.00
000218	MID VALLEY SUPPLY	108833	10/31/16	1,866.81
003556	NATIONAL FILTER MEDIA	108834	10/31/16	364.27
003554	NORTH WEST DEMOLITION	108835	10/31/16	103,311.00
001615	OLIN CORP-CHLOR ALKALI	108836	10/31/16	1,937.93
.15124	ONETO/JANET	108837	10/31/16	38.86
001802	ONTRAC	108838	10/31/16	87.80
000101	PACIFIC GAS & ELECTRIC C	108839	10/31/16	106.87
000098	PALACE ART & OFFICE	108840	10/31/16	1,966.70
001536	PAPA	108841	10/31/16	45.00
002063	PATEL-CROSKREY/DARSHANA	108842	10/31/16	52.21
000382	PETE'S OUTFLOW TECHNICIA	108843	10/31/16	690.00
000100	PETTY CASH - R. LIEB	108844	10/31/16	100.00
000100	PETTY CASH - R. LIEB	108845	10/31/16	400.00
001857	PHOENIX GROUP	108846	10/31/16	157.30
000723	PIED PIPER INC./THE	108847	10/31/16	57.80
003323	POMPETTE/NICOLE	108848	10/31/16	20.00
001233	PORTER DDS MS/BRENT J	108849	10/31/16	238.35
001097	PRODESSE PROPERTY GROUP	108850	10/31/16	3,112.44
001503	PRUDENTIAL INSURANCE CO/	108851	10/31/16	561.35
000171	RIVERSIDE LIGHTING INC	108852	10/31/16	100.00
000109	SAN LORENZO LUMBER CO.	108853	10/31/16	491.67
001544	SANTA CRUZ COUNTY CONFER	108854	10/31/16	55,284.32
003555	SANTA CRUZ COUNTY DA OFF	108855	10/31/16	6,711.00
000126	SANTA CRUZ FIRE EQUIPMEN	108856	10/31/16	418.88
000122	SANTA CRUZ/CITY OF	108857	10/31/16	1,556.38
000820	SANTA CRUZ/COUNTY OF	108858	10/31/16	920.45
000129	SCOTTS VALLEY BANNER	108859	10/31/16	130.00
000133	SCOTTS VALLEY SPRINKLER	108860	10/31/16	20.31
000160	SEA BERG METAL FABRICATO	108861	10/31/16	17.67
.SIL	SILVIA/DONNA	108862	10/31/16	40.24
001535	SKIP'S TIRE & AUTO CENTE	108863	10/31/16	820.05
000141	SNAP-ON AUTHORIZED DEALE	108864	10/31/16	51.98
003196	SONSRAY MACHINERY	108865	10/31/16	747.42
003474	SPRAYING SYSTEMS, CO.	108866	10/31/16	587.24
002053	STEPFORD	108867	10/31/16	12,170.40
001844	STERLING WATER TECHNOLOG	108868	10/31/16	1,488.00
001085	SYCAL ENGINEERING INC	108869	10/31/16	3,870.27
001933	THURINGER/JOE	108870	10/31/16	20.00
003548	TORO PETROLEUM CORP	108871	10/31/16	2,483.80
003435	ULTRAMAX	108872	10/31/16	778.49
000151	VISION SERVICE PLAN	108873	10/31/16	1,173.60
001342	WELCH/JAMES	108874	10/31/16	20.00
003008	WILLIAMS/JESSE	108875	10/31/16	20.00
000155	XEROX CORPORATION	108876	10/31/16	1,949.62
001625	YOSHIDA DDS/NOREEN	108877	10/31/16	247.00
003550	2ND NATURE	108878	10/31/16	4,192.00
	GENERAL CHECKING ACCOUNT			268,025.10

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
10/31/2016 18:33:55
GL540R-V08.03 PAGE 3

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				268,025.10

RECORDS PRINTED - 000158

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
10/31/2016 18:33:55
GL060S-V08.03 RECAPPAGE

Check Register

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
----	-----	
001	GENERAL	119,851.95
002	RECYCLING/ENVIRONMENTAL	920.45
003	GAS TAX - SPECIAL STATE TRST	2,880.00
004	RECREATION	1,213.85
008	TRAFFIC IMPACT MITIGATION	1,241.03
010	WASTEWATER OPERATIONS	13,378.19
011	TERTIARY TREATMENT PLANT	8,226.07
019	AFFORDABLE HOUSING	1,974.00
023	SVRDA SUCCESSOR AGENCY	8,829.62
025	GENERAL TRUST	1,549.86
028	SENIOR CENTER	1,300.82
035	GREEN BUILDING FUNDING	95.46
077	SKYPARK MAINT ASSESS DIST	10.07
112	DENTAL INS INTERNAL SERV	2,211.95
123	COMMUNITY FACILITY CENTER	458.00
150	GENERAL CAPITAL IMPROVEMENTS	103,883.78
TOTAL ALL FUNDS		268,025.10

BANK RECAP:

BANK	NAME	DISBURSEMENTS
----	-----	
BA	GENERAL CHECKING ACCOUNT	268,025.10
TOTAL ALL BANKS		268,025.10

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: November 16, 2016

TO: Honorable Mayor and City Council

FROM: Taylor Bateman, Acting Community Development Director

APPROVED: Jenny Haruyama, City Manager

SUBJECT: **SECOND READING AND ADOPTION OF ORDINANCE NO. 102.14 AMENDING BUILDING REGULATIONS CONTAINED IN TITLE 15 OF THE SCOTTS VALLEY MUNICIPAL CODE AND ADOPTING THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2016 BUILDING STANDARDS CODES AND OTHER CODES AND STANDARDS TO ESTABLISH MINIMUM REQUIREMENTS TO SAFEGUARD PUBLIC HEALTH, LIFE, SAFETY AND GENERAL WELFARE**

SUMMARY OF ISSUE

Every three (3) years, the building, plumbing, mechanical, electrical and other building codes are updated to include the most current construction and engineering principles and practices. Under the purview of the California Building Standards Commission, the newly revised California Building Standards Codes are published for required local adoption. This process is to assure that the latest construction, engineering and life safety techniques become standard practice throughout the State. The mandatory effective date of the 2016 Building Standards is January 1, 2017.

Amendments to the City's building regulations (Title 15 of the municipal code) are proposed in an effort to recognize the adoption of the State Building Standards Codes and other codes and standards used by the City of Scotts Valley to promote health, life and safety as it relates to building construction. The City is permitted to adopt amendments to these building standards provided the amendments are based on findings that these amendments are necessary due to local climatic, topographic or geological conditions. The proposed amendments are listed in the attached ordinance. Any amendments cannot be less restrictive than the provisions of the CBSC.

The Building Codes proposed for adoption with amendments as applicable include the following:

- 2016 California Building Code
- 2016 California Residential Code
- 2016 California Green Building Standards Code
- 2016 California Plumbing Code
- 2016 California Mechanical Code
- 2016 California Electrical Code
- 2016 California Administrative Code
- 2016 California Referenced Standards Code
- 2016 California Energy Code
- 2015 International Property Maintenance Code

Overall, the proposed ordinance provides for adoption of the mandatory State codes, while maintaining consistency with the intent of our local standards.

FISCAL IMPACT

The cost to purchase new building code books is approximately \$1,500.

RECOMMENDATION

It is recommended that the City Council adopt the 2016 California Code of Regulations Title 24 Building Standards Codes and amend Title 15.04 (Building Regulations) of the SVMC as listed below:

1. Second reading and approval of Ordinance No. 102.14 amending Title 15 of the Scotts Valley Municipal Code and adopting the California Code of Regulations title 24, 2016 Building Standards Codes, subject to the specified deletions, amendments, exceptions and additions, and other codes and standards to establish minimum requirements to safeguard public health, safety and general welfare. The first reading and introduction of this ordinance was held on November 2, 2016.

ATTACHMENTS

PAGE

Ordinance No. 102.14 3

ORDINANCE NO. 102.14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AMENDING TITLE 15 OF THE SCOTTS VALLEY MUNICIPAL CODE AND ADOPTING THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2016 BUILDING STANDARDS CODES, SUBJECT TO THE SPECIFIED DELETIONS, AMENDMENTS, EXCEPTIONS AND ADDITIONS, AND OTHER CODES AND STANDARDS TO ESTABLISH MINIMUM REQUIREMENTS TO SAFEGUARD PUBLIC HEALTH, SAFETY AND GENERAL WELFARE

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

WHEREAS, approximately every three years, new model building code standards are reviewed, modified and approved by the California Building Standard Commission, and thenceforth mandated for local jurisdiction enforcement within 180 days of publication.

WHEREAS, pursuant to Sections 17922, 17958, 17958.5 and 17958.7 of the California Health and Safety Code, the City of Scotts Valley may make changes to the California Building Standards Code or the other regulations thereafter adopted upon making findings based local geologic, topographic and climatic conditions.

WHEREAS, the following local geologic and climatic conditions necessitate modifications to the California Building Standards Code as detailed in Section 15.04.070 of the Scotts Valley Municipal Code:

1. Geological I - The region is located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants.
2. Geological II - The region is located in an area of high seismic activities as indicated by United State Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of flexibility of materials and/or building systems has been a contributing factor to damages that reduced the protection of the life-safety of building occupants and increased the cost of rehabilitation of structures.
3. Climatic I - The region is within a climate zone that requires compliance with energy efficiency standards for building construction. The amendment will add to energy efficiency and safety by utilizing the most current nationally recognized standards.

WHEREAS, the finding of necessity as set forth in Section 18941.5 (a) of the California Building Code and 17958.5 of Title 18 (Health and Safety Code) California Code of Regulations for the code amendments listed in Scotts Valley Municipal Code Section 15.04.070 is hereby made.

NOW THEREFORE, BASED UPON THE FOREGOING AND ALL EVIDENCE SUBMITTED TO IT, BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AS FOLLOWS:

Section 1. Section 15.04.060 is hereby amended to read as follows:

“15.04.060 Adoption of Codes

For the purpose of establishing proper regulations for building construction and for installation of mechanical, plumbing and electrical systems, the following codes or portions thereof hereinafter set forth are adopted and incorporated in this chapter by reference and made a part hereof as though fully set forth, without further publication or posting thereof:

A. California Code of Regulations (hereinafter referred to as “CCR”) T 24, Part 2, Volumes 1 and 2, the 2016 California Building Code, including Appendix C, H, I and J except as modified herein (hereinafter referred to as “CBC”).

B. CCR Title 24, Part 2.5, The 2016 California Residential Code, including Appendix H, J and V, except as modified herein (hereinafter referred to as “CRC”).

C. CCR Title 24, Part 3, The 2016 California Electrical Code, except as modified herein (hereinafter referred to as “CEC”).

D. CCR Title 24, Part 4, The 2016 California Mechanical Code, including Appendices B, C and D, except as modified herein (hereinafter referred to as “CMC”).

E. CCR Title 24, Part 5, The 2015 California Plumbing Code, including Appendices A, B, D, I and K except as modified herein (hereinafter referred to as “CPC”).

F. CCR Title 24, Part 10, The 2016 California Existing Building Code, Appendix Chapter A1, except as modified herein.

G. CCR Title 24, Part 11, The 2016 California Green Standards Code, except as modified herein (Refer to Scotts Valley Municipal Code Chapter 17.51, Green Building Regulations).

H. CCR Title 24, Part 1, The 2016 California Administrative Code except as modified herein (hereinafter referred to as “CAC”).

I. CCR Title 24, Part 12, The 2016 California Referenced Standards Code except as modified herein (hereinafter referred to as “CRSC”).

J. CCR Title 24, Part 6, The 2016 California Energy Code except as modified herein.

K. The International Property Maintenance Code (hereinafter referred to as “IPMC”), 2015 edition , as published by the International Code Council.”

Section 2: The title of Section 15.04.070 is hereby amended to read as follows:

“15.04.070 - Amendments to the 2016 California Code of Regulations Title 24.

The following sections of the codes as adopted in Section 15.04.060 are hereby modified as follows:

A. CBC Section 105.2. Buildings 2—Work exempt from permit is modified as follows: Fences not over eight feet as specified in Title 17, Section 17.46.110

B. Add sentence to CBC Section 1.8.8.1, CRC Section 1.8.7.1 and CBC Section 113: Refer to Scotts Valley Municipal Code (hereinafter referred to as “SVMC”) Chapter 15.04.120, Board of Appeals.

C. Add sentence to CBC Section 1804: Refer to SVMC Chapter 15.06, Excavation, Grading, Erosion and Sediment Control Regulations.

D. CBC Section 110.1, insert second paragraph to read as follows: A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

E. CRC Table R301.2(1) shall be populated with the following criteria as established by the City of Scotts Valley, using criteria published in the CRC where applicable: Ground Snow load = 0, Wind Design/Speed (mph) = 110, Wind Design/Topographic Effects = No, Seismic Design Category = D2, Subject To Damage From/Weathering = Negligible, Subject To Damage From/Frost line depth = 12 inches below undisturbed soil, Subject To Damage From/Termite = Very Heavy, Winter Design Temp = 40 degrees Fahrenheit, Ice Barrier Underlayment Required = No, Flood Hazards = FIRM 3/2/2006 (Panels 219D, 238D, 329D, 331D, 332D, 333D, 334D, 351D), Air Freezing Index = 0, Mean Annual Temp = 55 degrees Fahrenheit.”

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision of such Ordinance and shall not affect the validity of the remaining portions thereof.

Section 4. Repeals Conflicting Ordinances. All other ordinances of the City of Scotts Valley or provisions of the Scotts Valley Municipal Code which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. CEQA Compliance. The City Council finds and determines that the enactment of this Ordinance is not a “project” as that term is used in the California Environmental Quality Act (“CEQA”), (Cal. Pub. Res. Code Section 21000 et seq.) or the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.). Therefore, no environmental assessment is required or necessary.

Section 6. Effective Date. This Ordinance shall take effect thirty days after the date of its adoption. Prior to the expiration of fifteen days from the date of adoption, this Ordinance shall be published in at least three (3) public places.

This Ordinance is herein introduced on the 2th day of November, 2016, and passed and anticipated to be adopted on the 16th day of November, 2016, at a duly held meeting of the City Council of the City of Scotts Valley by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Donna R. Lind, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

Approved as to Form:

Kirsten Powell, City Attorney

City of Scotts Valley
INTEROFFICE MEMORANDUM

DATE: November 16, 2016
TO: Honorable Mayor and City Council
FROM: Jenny Haruyama, City Manager
SUBJECT: **ANNUAL REPORT FOR DEVELOPMENT IMPACT FEES**

SUMMARY OF ISSUE

In compliance with Government Code Section 66006, attached is a report of Development Impact Fee Funds for the year ended June 30, 2016. The report reflects the project fund, a project description, and corresponding fees, interest, and expenditures.

Specifically, for FY 2015/16, this report includes:

1. Fund balances at the beginning of the fiscal year, July 1, 2015;
2. Impact fees received;
3. Grant revenues received;
4. Interest earned;
5. Annual project expenditures;
6. Percentage of project expenditures funded with impact fees; and
7. Ending fund balances as of June 30, 2016.

FISCAL IMPACT

The annual report reflects an impact fee fund balance of \$4,295,125 at June 30, 2016. All projects were approved by the City Council as impact fee projects.

STAFF RECOMMENDATION

That Council accept the attached FY 2015/16 Development Impact Fee Annual Report.

<u>TABLE OF CONTENTS</u>	<u>PAGE</u>
Development Impact Fee Annual Report.....	2

CITY OF SCOTTS VALLEY
REPORT OF DEVELOPMENT IMPACT FEE FUNDS
FOR THE YEAR ENDED JUNE 30, 2016

FUND NO.	FUND NAME & PROJECT DESCRIPTION	FUND BALANCE 7/1/2015	2015 / 2016 FISCAL YEAR						% OF COSTS PAID BY IMPACT FEES	FUND BALANCE 6/30/2016
			IMPACT FEES	GRANTS	OTHER REVENUE	INTEREST EARNINGS	COST DETAIL	TOTAL COSTS		
7	STORM DRAINAGE FACILITIES	\$ 15,401	\$ 4,730			\$ 42		\$ -		\$ 20,173
8	STREETS & THOROUGHFARES	1,216,116	81,216			2,794		(85,679)		1,214,447
	City-wide Traffic Plan						(27,869)		100%	
	Sign Program						(57,810)		100%	
9	PARKS & RECREATION FACILITIES	463,152	40,844		19,586	1,067		(81,967)		442,682
	Skypark Shade Structure						(3,964)		100%	
	Siltanen Park Improvements						(14,874)		80%	
	ADA Access Ramps						(18,617)		100%	
	Tennis Courts Resurfacing						(16,634)		0%	
	Bocce Ball Court Improvements						(27,878)		100%	
12	WASTEWATER TREATMENT FACILITIES	2,103,003	28,989	86,720		3,556		(73,197)		2,149,071
	SCADA & Alarm Migration						(33,484)		100%	
	Scum Pit Grinder & Shredder						(30,753)		100%	
	Alarm System						(8,960)		100%	
21	GENERAL FACILITIES & EQUIPMENT	70,503	2,215		37,500	133		(57,220)		53,131
	Backhoe Loader						(57,220)		34%	
27	LAW ENFORCEMENT FACILITIES & EQUIPMENT	177,215	8,224			421		-		185,860
86	LIBRARY FACILITIES	225,112	4,120			529		-		229,761
002										
	GRAND TOTALS	<u>\$ 4,270,502</u>	<u>\$ 170,338</u>	<u>\$ 86,720</u>	<u>\$ 57,086</u>	<u>\$ 8,542</u>		<u>\$ (298,063)</u>		<u>\$ 4,295,125</u>

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: November 16, 2016

TO: Honorable Mayor and City Council

FROM: Tracy A. Ferrara, City Clerk

APPROVED: Jenny D. Haruyama, City Manager

SUBJECT: **2017 PROPOSED CITY COUNCIL MEETING SCHEDULE**

SUMMARY OF ISSUE

Scotts Valley Municipal Code Section 2.24.010 establishes regular City Council meeting times on the first and third Wednesdays of each month at 6:00 pm. While City Ordinance sets forth the City Council meeting schedule, it is recommended that the Council formally adopt its schedule on an annual basis. The schedule does not reflect special meetings such as study sessions, as these meetings are not typically scheduled in advance and are infrequent.

Historically, the City Council has cancelled the first meeting in January of each year due to the public's availability during the holiday season. Additionally, consideration should be given to the public's schedule during peak travel and vacation times during the summer months. Therefore, it is recommended meetings during the month of July be cancelled. Cancelling meetings in July is also consistent with public agency schedules in Santa Cruz County. Below is a survey of city, county, and special district meeting schedules and planned cancellations:

Agency Meeting and Scheduled Cancellation Survey Results

AGENCY	MEETING SCHEDULE	CANCELLATIONS
City of Scotts Valley	1 st & 3 rd Wednesdays	1 st meeting in January
City of Capitola	2 nd & 4 th Thursdays	1 st meeting in July 2 nd meeting in December
City of Santa Cruz	2 nd & 4 th Tuesdays	No meetings in July 2 nd meeting in December
City of Watsonville	2 nd & 4 th Tuesdays	2 nd meeting in July 1 st meeting in August 2 nd meeting in December
County of Santa Cruz	Scheduled Tuesdays	No meetings in July
Scotts Valley Water District	2 nd Thursday	No cancellations
Scotts Valley Fire Protection District	2 nd Wednesday	No cancellations
Scotts Valley Unified School District	2 nd & 4 th Tuesdays	No meetings in July 1 meeting in November 1 meeting in December
Santa Cruz METRO	4 th Friday	No meetings in July
SC Regional Transp. Commission	1 st & 3 rd Thursdays	No meetings in July
AMBAG	2 nd Wednesday	No meeting in July No meeting in December
LAFCO	1 st Wednesday (6x per year)	No meeting in July

To accommodate the holiday and summer schedule of the public, it is recommended that Council adopt the 2017 City Council Meeting Schedule below:

2017 City of Scotts Valley City Council Meeting Schedule

MONTH	1 ST WEDNESDAY	3 RD WEDNESDAY
January	No meeting – 4th	18 th
February	1 st	15 th
March	1 st	15 th
April	5 th	19 th
May	3 rd	17 th
June	7 th	21 st
July	No Meeting – 5 th	No Meeting 21st
August	2 nd	16 th
September	6 th	20 th
October	4 th	18 th
November	1 st	15 th
December	6 th	20 th

FISCAL IMPACT

There is no fiscal impact associated with the adoption of the 2017 Council meeting schedule.

STAFF RECOMMENDATION

It is recommended the Council approve the proposed 2017 City of Scotts Valley City Council Meeting Schedule.

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: November 16, 2016

TO: Honorable Mayor and City Council

FROM: Jenny Haruyama, City Manager

SUBJECT: HOLIDAY CLOSURE OF NON-ESSENTIAL CITY FACILITIES

SUMMARY OF ISSUE

Customer activity at city facilities during the holiday season in December and January has been historically slow. In prior years, the Council authorized the closure of non-essential city facilities during a holiday week. City staff recommends Council continue with past practice and consider a holiday closure for 2016.

A holiday closure would impact City Hall, the Recreation Offices, and the Senior Center. The Senior Center has traditionally been closed for a slightly longer period of time during the holiday season. However, the Public Works administration and maintenance, Wastewater Treatment Plant, and Recreation school-age winter camp would be staffed. Police would maintain their regular staffing levels.

Building inspection services will be provided if needed during the closure. Staff will also proactively connect with developers and residents that have construction projects underway to ensure the necessary inspections are scheduled.

Should Council authorize the closure, affected City employees have voluntarily agreed to take time off using their accrued leave. Below is the current proposed city facilities closure (including holidays) for the month of December 2016 and January 2017:

City Hall/Recreation Offices:

<i>Friday, December 23</i>	<i>Monday, December 26</i>	<i>Tuesday, December 27</i>	<i>Wednesday, December 28</i>	<i>Thursday, December 29</i>	<i>Friday, December 30</i>	<i>Monday, January 2</i>
Holiday	Holiday	City Offices Closed	City Offices Closed	City Offices Closed	Holiday	Holiday

Senior Center:

<i>Friday, December 16</i>	<i>Monday, December 19</i>	<i>Tuesday, December 20</i>	<i>Wednesday, December 21</i>	<i>Thursday, December 22</i>	<i>Friday, December 23</i>
Senior Center Closed	Senior Center Closed	Senior Center Closed	Senior Center Closed	Senior Center Closed	Holiday

<i>Monday, December 26</i>	<i>Tuesday, December 27</i>	<i>Wednesday, December 28</i>	<i>Thursday, December 29</i>	<i>Friday, December 30</i>	<i>Monday, January 2</i>
Holiday	Senior Center Closed	Senior Center Closed	Senior Center Closed	Holiday	Holiday

FISCAL IMPACT

Minor savings would be generated from lower heating and other operating costs. Employee accrued leave balances would also be reduced.

RECOMMENDATION

It is recommended that Council authorize the closure of non-essential city facilities, including City Hall and Recreation administrative offices Tuesday, December 27 through Thursday, December 29, 2016 and the Senior Center Friday, December 16 through Thursday, December 22 and Tuesday, December 27 through Thursday, December 29.

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: November 16, 2016

TO: Honorable Mayor and City Council

FROM: Scott Hamby, Public Works Director

APPROVED: Jenny D. Haruyama, City Manager

SUBJECT: **APPROVAL TO RECRUIT FOR MAINTENANCE WORKER I**

SUMMARY OF ISSUE

Joe Thuringer, Maintenance Worker II, is retiring December 30, 2016. The City's hiring freeze is still in effect unless authority is given by Council to fill the vacant position. Currently, the City has 5 maintenance workers that manage the City's facilities, streets, parks, landscape, and storm drains. A reduction in maintenance resources would result in additional deferred repair and maintenance of City infrastructure and other key assets that the public enjoys. Therefore, it is recommended that Council approve the recruitment of the position of Maintenance Worker I.

FISCAL IMPACT

There is no fiscal impact as the maintenance worker position is already included in the General Fund Budget. There will be some minor salary savings as the City will recruit and fill a Maintenance Worker I position in lieu of a Maintenance Worker II position.

STAFF RECOMMENDATION

It is recommended that the City Council authorize staff to commence recruitment and hire for the position of Maintenance Worker I due to the retirement of Joe Thuringer, Maintenance Worker II.

TABLE OF CONTENTS

PAGE

None.

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: November 16, 2016

TO: Honorable Mayor and City Council

FROM: Jenny Haruyama, City Manager

SUBJECT: **CONSULTANT SERVICES FOR FINANCIAL MANAGEMENT
AND EXECUTIVE LEADERSHIP SUPPORT**

SUMMARY OF ISSUE

In August 2016, the City recruited for the position of Administrative Services Director/Deputy City Manager. While many applications were received, candidates that were interviewed did not have the technical experience nor depth needed in the area of finance and budget.

At this time, in lieu of conducting another recruitment process, the City proposes to enter into an agreement with Management Partners, a national consulting firm to provide financial management and executive leadership support to address city-wide budget development and finance-related operational needs.

The engagement with Management Partners would be for a limited duration, and would help position the Finance Department for a new director, prepare a financial forecast, develop an improved budget and financial management structure to assist the City Manager and departments manage their finances, identify and implement improvements to the budget document and internal budget development process, oversee a parks and recreation fee study, and provide support and education to departments. It is anticipated that these services would commence the week of December 5 and continue to June 2017.

Steve Toler, a former Assistant City Manager and Finance Director will be on site working with the City Manager and department directors to perform the engagement described above. The City will also have access to several other consultants who will provide project and analytical support related to engaging employees in budget education, training, and employee outreach, developing financial forecasts, conducting fee studies, and evaluating budget documents. The attached proposal (Exhibit A of Attachment 1) reflects the scope of work for this project and qualifications of the Management Partner staff who will be directly working with the City.

Taking steps to ensure that a strong financial management structure is in place, coupled with the implementation of budget development best practices will better position the City when it conducts its subsequent recruitment for an Administrative Services Director/Deputy City Manager.

FISCAL IMPACT

The attached contract reflects a not to exceed amount of approximately \$100,000 to provide financial management and executive leadership support to the City from December 5 through June 2017. The contract cost will be covered through savings generated by the Administrative Services Director/Deputy City Manager vacancy. Approximately \$135,718 (salary and benefits) was budgeted as part of the FY 2016/17 Operating Budget. Remaining salary savings are estimated to be \$35,718.

STAFF RECOMMENDATION

It is recommended that the Council authorize the City Manager to enter into an agreement with Management Partners for financial management and executive leadership support for a not to exceed amount of \$100,000.

<u>TABLE OF CONTENTS</u>	<u>PAGE</u>
Agreement for Professional Services with Management Partners	3
Exhibit A – Scope of Services	7

CITY OF SCOTTS VALLEY AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement for Professional Services ("Agreement") is made and entered into as of the 16th day of November, 2016, by and between the City of Scotts Valley, a municipal corporation, hereinafter referred to as "CITY", and Management Partners hereinafter referred to as "CONSULTANT".

RECITALS

A. CITY desires to retain CONSULTANT for certain professional services as set forth in this Agreement.

B. CONSULTANT is specially trained, experienced and competent to perform the special services which will be required by this Agreement.

C. CONSULTANT possesses the skill, ability, background, certification and knowledge to provide the services described in this Agreement on the terms and conditions described herein.

NOW, THEREFORE, in consideration of the recitals and the mutual promises contained herein, CITY and CONSULTANT agree as follows:

AGREEMENT

1. **Employment of CONSULTANT:** CITY agrees to, and hereby does, retain and employ CONSULTANT to perform the professional services as outlined in the Scope of Work attached hereto and incorporated herein as Exhibit "A". CONSULTANT'S work product shall be performed pursuant to generally accepted standards of practice in effect at the time of performance.

2. **Responsible Personnel:** CITY has relied upon the professional training and ability of CONSULTANT to perform the services hereunder as a material inducement to enter into this Agreement. Primary personnel responsible for the completion of the work described in this Agreement shall be Nancy Hetrick, Management Partners, whose address is 2107 North First Street, Suite 470, San Jose, CA 95131; telephone: 408-674-3369; fax: 408-453-6191; Email: nhetrick@managementpartners.com.

3. **Scope of Work:** CONSULTANT shall perform the services as specified in Exhibit A in a professional manner.

4. **Time of Performance:** The services of CONSULTANT are to commence upon execution of this Agreement and shall continue until all authorized work is approved by the CITY. All such work shall be completed no later than June 30, 2017. Time is of the essence in the performance of this Agreement. No waiver by either party hereto of the nonperformance or any breach of any term, provision, or condition of this Agreement, or any default hereunder shall be considered to be or operate as a waiver of any subsequent nonperformance, breach or default.

5. **Compensation:** CONSULTANT shall accept compensation for services performed as set forth in Section 3 in an amount not to exceed \$100,000. Such compensation shall be paid upon the completion of the services set forth in Section 3.

Payments to CONSULTANT shall be made upon invoices submitted by CONSULTANT to CITY for review and approval. Invoices will be paid by CITY within a reasonable time after said approved invoices are received.

6. **Indemnity:** CONSULTANT shall hold harmless, indemnify and defend CITY, its elective and appointive boards, commissions, officers, agents, servants, volunteers, and employees from and against any and all claims, costs, damages, liability, losses, or suits (including court costs and attorney fees) for personal injury (including death), property damage and any other damages of any sort whatsoever, arising out of, or alleged to have arisen out of, the willful or negligent acts, errors, or omissions of CONSULTANT or CONSULTANT'S contractors, subcontractors, agents, or employees in the performance of this Agreement. This indemnity shall not apply to a) claims brought by CONSULTANT for default of this Agreement, or (b) claims brought by CITY or any third party where the underlying injury or damage is finally determined by a court of competent jurisdiction to arise solely from the negligent or willful misconduct of CITY.

CITY shall hold harmless and indemnify CONSULTANT from any damage which may be caused to the CITY's computer network system.

7. **Termination:** This Agreement may be terminated by the CITY immediately for cause or by either party without cause upon fifteen days' written notice of termination. Upon termination, CONSULTANT shall be entitled to compensation for services performed up to the effective date of termination.

CONSULTANT shall accept, for itself, as full payment for services rendered and all work to be done and performed hereunder and in complete satisfaction of all claims against CITY by reason of voluntary abandonment or suspension of work or termination of the Agreement, the sum determined on an hourly basis in accordance with the provisions of this Agreement, or any modification or amendment thereto, plus all direct expenses incurred, including those expenses incurred which are directly attributable to the incomplete portion of the work which could not be canceled.

In the event of termination, CONSULTANT shall deliver as a condition to the payment of the compensation provided for above, or otherwise make available to CITY, all research data, reports, estimates, summaries, and other such information and materials as may have been accumulated by CONSULTANT in performing this Agreement, whether completed or in process in accordance with Section 8 of this Agreement.

8. **Documents:** Notes, studies, charts, computations, electronic files, and other data and information obtained by CONSULTANT for this project shall, upon receipt of payment for services rendered, be made available to CITY by CONSULTANT at CITY'S request and shall become the property of CITY. In the event CITY alters the document, CITY agrees CONSULTANT shall have no responsibility whatsoever for any claim arising out of, or alleged to have arisen out of, use of the altered document,

All plans, studies, documents, charts, computations, and electronic files prepared by and for CONSULTANT, its officers, employees and agents and subcontractors in the course of implementing this Agreement, except working notes and internal documents, shall become the property of the CITY upon payment to CONSULTANT for such work, and the CITY shall have the sole right to use such materials in its discretion without further compensation to CONSULTANT or to any other party. CONSULTANT shall, at CONSULTANT'S expense, provide such reports, plans, studies, documents and other writings to CITY upon written request.

9. **Independent Contractor:** CONTRACTOR is an independent contractor retained by CITY to perform the work described herein. ALL personnel employed by CONSULTANT are not and shall not be deemed to be employees of CITY. CONSULTANT shall obtain no rights to retirement benefits or other benefits which accrue to CITY'S employees, and CONSULTANT hereby expressly waives any claim it may have to such rights. CONSULTANT shall comply with all state and federal laws pertaining to employment and compensation of its employees and its agents, including the provision of Workers' Compensation.

10. **Licenses:** CONSULTANT represents and warrants to CITY that it has all licenses, permits, qualifications, insurance and approvals of whatsoever nature which are legally required of CONSULTANT to practice its profession. CONSULTANT represents and warrants to CITY that CONSULTANT shall, at its sole cost and expense, keep in effect or obtain at all times during the term of this Agreement, any licenses, permits, insurance and approvals which are legally required of CONSULTANT to practice its profession. Consultant shall maintain a City of Scotts Valley business license.

11. **Assignment:** The parties recognize that a substantial inducement to CITY for entering into this Agreement is the professional reputation, experience and competence of CONSULTANT. Assignments of any or all rights, duties or obligations of the CONSULTANT under this Agreement will be permitted only with the express consent of the CITY. CONSULTANT shall not subcontract any portion of the work to be performed under this Agreement without the written authorization of the CITY. If the CITY consents to such subcontract, CONSULTANT shall be fully responsible to CITY for all acts or omissions of the subcontractor. Nothing in this Agreement shall create any contractual relationship between CITY and subcontractor nor shall it create any obligation on the part of the CITY to pay or to see to the payment of any monies due to any such contractor other than as otherwise required by law.

12. **Binding on Successors:** This Agreement is binding on the heirs, successors and assigns of the parties hereto.

13. **Amendment:** This Agreement may be amended, modified or changed by the parties, provided that said Agreement, modification or change is in writing and approved by the authorized representative of the parties.

14. **Applicable Law and Attorney's Fees:** This Agreement shall be construed and enforced in accordance with the laws of the State of California, and any action brought relating to this Agreement shall be held exclusively in a state court in the County of Santa Cruz. Should any legal action be brought by a party for breach of this Agreement or to enforce any provision of the Agreement, the prevailing party of such action shall be entitled to recover its reasonable litigation expenses, including attorney fees.

15. **Entire Agreement:** This Agreement contains the entire understanding between the parties with respect to the subject matter herein. There are no representations, agreements or understandings, whether oral or written, between or among the parties relating to the subject matter of this Agreement which are not fully expressed herein. The drafting and negotiation of this Agreement have been participated in by each of the parties and/or their counsel, and for all purposes this Agreement shall be deemed to have been drafted jointly by all parties.

16. **Waiver:** Waiver of a breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this agreement.

17. **Severability:** If any term or portion of this Agreement shall be held by a court of competent jurisdiction to be invalid, illegal, or otherwise unenforceable, the remaining provisions of this Agreement shall continue in full force and effect.

WITNESS WHEREOF this Agreement is executed by CITY and by CONSULTANT on this 16th day of November, 2016, at Scotts Valley, California.

CONSULTANT:

CITY OF SCOTTS VALLEY:

By: _____

By: Jenny D. Haruyama, City Manager

APPROVED AS TO FORM:

ATTEST:

Kirsten M. Powell, City Attorney

Tracy A. Ferrara, City Clerk



October 19, 2016

Ms. Jenny Haruyama
City Manager
City of Scott Valley
One Civic Center Drive
Scotts Valley, CA 95066

Dear Ms. Haruyama:

Thank you for the opportunity to submit a proposal to provide budget and financial management consulting and executive leadership for the City of Scotts Valley. Management Partners has the expertise and skills necessary to provide this consulting expertise and we would be pleased to do so. This proposal is based on recent discussions with Nancy Hetrick regarding the budget and financial needs facing the City of Scotts Valley.

About Management Partners

Management Partners was founded in 1994 with a specific mission to help local government leaders improve their service to the public. We are a national consulting firm with offices in San Jose and Costa Mesa, California, and Cincinnati, Ohio. We have a well-established track record of helping public sector organizations throughout the United States, including all the services provided by cities, counties, towns and special districts at the local level.

During our more than 20 years of service, we have earned a national reputation by delivering quality, actionable work products to our clients. We bring extensive experience to this engagement, along with first-hand knowledge of local government operations. We are distinguished by the fact that each team we assign is led and staffed by associates who have actual experience in direct public service and experience working together as a team. The work we do is not an academic exercise; it is grounded in the real world of customer service and accomplishment in the public sector. As a result, we have a bias for producing value-added work for each client that will be actionable, and will be implemented.

The firm is staffed with about 80 professionals who are experienced public service managers as well as qualified management consultants. This group includes generalists as well as subject-matter experts. Our consultants have years of experience working in all aspects of local government management and have built a track record of extraordinary quality service for our clients.

The firm has extensive experience helping improve both the efficiency and effectiveness of local government services. We have completed organizational staffing and improvement projects in virtually every type of local government service, including reviews of entire governments as well as selected studies of individual departments and functional activities.

Management Partners' services include everything required to support a local government leader, elected or appointed. Our full range of services includes the following:

- » *Organizational Analysis and Performance Audits* – Also called efficiency studies and organizational reviews, identifies improvements to an operation's efficiency and effectiveness.
- » *Performance Management* – Encompasses a wide range of management tools that can be and often are developed independently of one another, including: performance management and measurement, process management, performance budgeting, employee performance evaluation and strategic and process benchmarking.
- » *Process Improvement* – Examines the processes by which customers are served, an important technique for developing a program for operations improvement, including process mapping.
- » *Strategic and Business Planning* – Can be an important tool for focusing the efforts of an organization and fostering communication between leaders, staff and important stakeholder groups.
- » *Financial Planning, Budgeting and Analysis* – Assists clients in analyzing their finances and planning for the effective and efficient use of taxpayer or customer dollars.
- » *Organizational Development and Training* – Helps clients develop organizational capacity, a key to developing high performance organizations. Services include executive coaching, customer service training, employee and customer surveys and conflict management workshops.
- » *Interim Management* – Assists government leaders by providing executive staff during transitional periods. Rather than just "treading water," our approach to interim management combines continuation services along with organizational effectiveness analysis to provide a solid foundation for a new permanent employee.
- » *Executive Recruitment* – Identifies top candidates for chief executive officer positions and department director level jobs in local governments.
- » *Sharing and Consolidation of Services* – Offers a more efficient way to provide services, particularly on a regional basis. Options range from the complete integration of previously separate jurisdictions to sharing or consolidating the management of individually delivered services and operations.

We offer a balance of perspectives with a practitioner's bias and a proven track record of successful consulting engagements. This experience gives us a sensitivity that produces positive outcomes. Each of our projects is individually tailored to the unique needs of the client. We have a deep understanding of the service environment of local government and we are proud to



say that as a result of our quality work, many of our clients ask us to complete subsequent assignments.

Understanding of the Engagement

We understand the City has a need for expert financial management advice and additional executive leadership capacity for high-priority projects facing the City. Specifically, the projects will entail positioning the Finance Department for a new director, preparing a financial forecast, developing an improved budget and financial management structure that helps departments and you manage finances, identifying and implementing improvements to the budget document and process, overseeing a parks and recreation fee study, and providing support and education to departments. In addition, continuing support may be needed for staff training and development, internal communications, and reviews of and recommendations regarding City finance issues and operations as requested by you.

It is anticipated that this management support will serve to assist you, department managers, the Finance Department and other City staff with improved communications and coordination relative to the complexities of local government financial management. These services would commence the week of December 5 and may continue through June 2017.

We will assign Steve Toler to this engagement, with other professional support as required or requested. Steve will work for and at the direction of Management Partners in consultation with the City Manager, while providing expert consulting advice and services to your satisfaction. Management Partners will provide all insurance (including workers' compensation, liability, and professional errors and omissions coverage), training, and administrative support (including company equipment) as necessary during the assignment. He may assume informal working titles as appropriate for communications within your organization, but that does not change his employment relationship with Management Partners. Following Management Partners' management services protocol, we will prepare a report each month summarizing our work during the previous month. Our commitment is to provide continuous and seamless management services to you during this transition period.

In addition to Steve, Management Partners has several other consultants who will provide support to the City of Scotts Valley. The team includes Nancy Hetrick, who will provide project management support and additional capacity to the budgeting, education and outreach engagement needs, and analyst staff Heain Lee and Harrison Pugh, whose experience developing financial forecasts, conducting fee studies, and evaluating budget documents will aid Steve in these activities. Qualifications for all team members are attached. We have additional consultants available to work on this engagement as desired and needed.

Fee Proposal

Management Partners will provide the specified management consulting services based on hourly rates plus expenses. During this engagement, the actual consultant hours will be reimbursed by the City at a rate of \$130 per hour for Steve, plus travel expenses. This is a discounted rate in recognition of the anticipated duration of this project. Other consultants will be provided on an as-needed basis at the request of the City Manager at their regular hourly rates, ranging from \$75 (analyst) to \$200 (partner) per hour depending on the individual assigned to the project. Hourly rates are subject to periodic adjustment on a company-wide basis with no less than 30 days written notice to City. We propose a not-to-exceed contract in the amount of \$100,000 for consulting assistance and travel expenses, which may be extended or increased by the City as needed.

We appreciate the opportunity to be of assistance to the City of Scotts Valley. Please feel free to contact Nancy Hetrick (408-674-3369) or me if you have any questions about this proposal.

Sincerely,



Andrew S. Belknap
Regional Vice President

Accepted for the City of Scotts Valley by:

Name: _____

Title: _____

Date: _____



STEVE TOLER

Steve Toler, Senior Manager, joined Management Partners after spending nearly 20 years in local government public service. He has served in management positions ranging from assistant city manager, budget and finance director, and information technology manager. Steve has skills and knowledge in a wide range of areas including budgeting, revenue and expenditure forecasting, accounting, financial management and reporting, purchasing, information technology management, water and wastewater rate modeling, regional shared services planning, and public engagement.

Steve started his career in the public accounting profession as staff auditor, senior auditor, and audit manager for the San Francisco office of Grant Thornton, LLP where he specialized in serving clients in the local government, not-for-profit and financial institution sectors.

Steve's local government career spans nearly 20 years working for the cities of Cupertino, Foster City and Millbrae. Over 17 of those years he served in the roles of administrative services director, finance director, and assistant city manager with the City of Foster City, where he played an instrumental role in developing new budgeting approaches and systems to assist in ensuring a long-term balanced budgeting strategy. Upon taking over the responsibility of budget director from 2000-2014, he implemented collaborative approaches with departments to prepare their operating budgets and five-year financial plans and capital improvement plans. He performed the personnel, services and supplies, and capital outlay analyses required to ensure a more realistic need for budgeted resources to help departments achieve the City Council's goals. He also implemented new revenue forecasting strategies, working with departments, the county assessor's office, local hotels, and the business community, to project realistic revenue forecasts that narrowed the typical revenue forecast variance from 10-15% down to 2-4% on an annual basis, helping the organization better understand its financial resources available for appropriation.

Steve was the chief architect of the City's conservation-based water rate model and related programs that saw the community reduce its consumption by nearly 20% within three years. Steve also developed the City's Information Technology Strategic Plan, focused on enhancing operational efficiencies with the priority towards serving the public. Finally, served as the City's chief labor negotiator and on the city manager's labor negotiations strategic planning team, using an interest-based collaborative approach to resolving labor disputes to maintain a positive, cooperative spirit between employees and management. He has a keen understanding of the drivers for personnel services costs that impact the short- and long-term financial operations of the organization.

Steve earned a bachelor's degree in business administration with an accounting option from California State University at Hayward, and a master's in public administration from California State University – East Bay.



NANCY N. HETRICK

Nancy Hetrick, Partner, has over 20 years of local government experience as a consultant and as a practitioner. She began her career in the nonprofit sector and then worked for Norman Roberts and Associates, a professional executive recruitment firm, where she led candidate research efforts and background screening. Nancy joined Management Partners in 1996 and spent five years supporting organization and process improvement projects. She gained a particular expertise in developing performance measurement systems and served as a primary trainer the International City/County Management Association (ICMA) Center for Performance Measurement.

In 2001, Nancy accepted a position in the County Manager's Office in San Mateo County. As a principal management analyst, Nancy oversaw criminal justice assignments, including budget development and oversight, and led the county's outcome-based performance management efforts that included countywide training, facilitated planning and performance work sessions, and strengthening the linkage between program performance, budget and the County's Shared Vision.

Nancy returned to Management Partners in 2006. Since her return, she has led projects in the following areas: organization performance review and best practices, team building, strategic planning, executive recruitment, succession planning, performance management, and facilitated problem-solving/process improvement. Nancy is especially skilled at working with teams to improve their effectiveness. She has led projects with many clients, including the California cities of San Jose, Morgan Hill, Santa Clara, Santa Cruz, Woodside, American Canyon, Alameda, Daly City, Gilroy, El Cerrito, Pinole, Pleasanton, Livermore, Tracy, Modesto, Davis, Sacramento, Roseville, Santa Rosa, Garden Grove, Santa Maria, Fresno, Redwood City, Merced, San Carlos, Fairfax, Orinda, Martinez, and Rohnert Park; the Sacramento Area Council of Governments; the Contra Costa Transportation Authority; Peninsula Family Service (nonprofit) the Peninsula Library Partnership; and the Counties of San Mateo, Marin, Monterey, Santa Clara, Alameda, and Ventura.

Nancy earned a bachelor's degree in political science, with an emphasis in public administration, from California State University at Chico. She has completed coursework toward her master's degree in public administration from California State University at San Francisco and is certified in multiple assessment instruments, including the Myers-Briggs Type Indicator, DiSC, CPI200, and StrengthsFinder. She was president of the Municipal Management Association of Northern California in 2006 and is a member of the ICMA. In 2007 she founded and co-chaired the first annual MMANC Women's Leadership Summit.

HEAIN LEE

Heain Lee, Management Advisor, joined the Management Partners team in 2014. She is trained in analyzing and framing issues, both quantitatively and qualitatively. Her analytic training includes multivariate economic analysis, cost-benefit analysis, modeling and operations research, public financial management and budgeting, and strategic planning for the public sector. She is experienced using these tools with data, whether readily available or not, to produce tangible recommendations in team settings.

Heain's educational experience trained her to approach issues at various levels with different strategies. Her economic background provides theoretical analyses of issues that allow her to understand the underlying causal macro-factors. Based on the economic understanding coupled by a quantitative intuition, when data are unavailable, she is able to design creative ways to proxy the missing data points.

Prior to joining Management Partners, she was employed as a data analyst at an educational nonprofit organization. Her main role was to measure educational gain as an outcome for the organization. She was responsible for collecting raw data from 23 teachers in 8 course topics and measuring the educational outcomes. In this role, she streamlined the data collection, management, and analytic process.

A notable research project she has completed is the public sector strategy consulting project for the Santa Clarita Water Division. She organized a team of six individuals to lead focus groups with stakeholders to diagnose the strategic issues of the organization. At the conclusion of the project, the division implemented the recommendation to invest in a better information technology system.

Heain earned a bachelor's degree in economics from University of California, Berkeley. She received her masters of public policy from the University of Southern California's Price School of Public Policy, where she was a Dean's Merit Scholar.

HARRISON PUGH

Harrison Pugh, Management Analyst, joined the Management Partners team in 2015. He is trained in public policy and administrative analysis. His training includes descriptive and inferential statistics, cost-benefit analysis, public budgeting, human resources management, and peer comparisons. He is experienced at investigating and examining issues through qualitative and quantitative methods. He has used these skills to collect and analyze data to create actionable recommendations.

Harrison's educational experience trained him to approach issues from multiple perspectives and with varying strategies. His anthropology background provides theoretical analyses of issues and an understanding of interview and survey practices.

Prior to joining Management Partners, Harrison gained practical experience during an administrative internship with the City of San Jose. His work included conducting a peer comparison of the Information Technology Department, researching and writing the initial draft of the City of San Jose Open Data Policy, and performing associated administrative analysis tasks.

Harrison graduated from the University of California, Santa Cruz, in 2012 with a bachelor's degree in anthropology. He is currently enrolled in the Masters in Public Administration program at San Jose State University and will graduate in the spring of 2016.

Harrison lives in Scotts Valley.

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: November 16, 2016

TO: Mayor Donna Lind and Members of the City Council

FROM: Brenda Stevens, Assistant Planner

APPROVED: Jenny D. Haruyama, City Manager

SUBJECT: **A PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION OF APPROVAL FOR THE SUBDIVISION OF AN EXISTING 167,305 SQUARE FOOT PARCEL INTO THREE PARCELS IN THE COMMERCIAL (C-S) ZONING DISTRICT**

SUMMARY OF ISSUE

The project site is an existing 167,305 square foot parcel located at 104,106 Whispering Pines Drive and 203 Mount Hermon Road (Attachment 1 - Location Map). The site is zoned Commercial Service (C-S) and is built with two office buildings and one retail building. The applicant is proposing to subdivide the existing lot into three parcels with one building on each of the new parcels. Proposed Parcel A is 97,375 square feet in area; proposed Parcel B is 45,840 square feet in area and proposed Parcel C is 24,088 square feet in area (Attachment 2 - Project Plans). No development is proposed at this time. The project is exempt from the requirements of the California Environmental Quality Act.

PLANNING COMMISSION REVIEW

On October 13, 2016, the Planning Commission reviewed the proposed project plans and recommended approval of the project to the City Council. A discussion of the project is attached in the Planning Commission meeting minutes, resolution and staff report (Attachments 3, 4 & 5 - Planning Commission Minutes, Resolution, and Staff Report).

PUBLIC NOTICE & COMMENT

A public notice was posted and mailed to surrounding property owners within 300 feet pursuant to State law and the site was posted. There was no public testimony at the Planning Commission public hearing.

FISCAL IMPACT

None.

RECOMMENDATION

The Planning Commission recommends approval of Minor Land Division No. MLD16-002 by adoption of Resolution No. 1927.

TABLE OF CONTENTS

PAGE

Resolution No. 1927 Approving Minor Land Division No. MLD16-002	3
1. Location Map	8
2. Tentative Map (received 6/7/16)	9
3. Planning Commission Minutes (10/13/16)	12
4. Planning Commission Staff Report (10/13/16)	14

RESOLUTION NO. 1927

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING MINOR LAND DIVISION NO. MLD16-002 TO CREATE THREE PARCELS FROM ONE EXISTING 167,305 SQUARE FOOT COMMERCIAL PARCEL LOCATED AT 104, 106 WHISPERING PINES DRIVE AND 203 MOUNT HERMON ROAD (APN 021-021-36)

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Charles Eadie, for a Minor Land Division MLD16-002 to create three lots from one existing 167,305 square foot commercial parcel located at 104, 106 Whispering Pines Drive and 203 Mount Hermon Road (APN 021-021-36); and,

WHEREAS, Charles Eadie, (referred to as “applicant”) has presented substantial evidence which describes and supports the application; and

WHEREAS, the application was reviewed for completeness and is determined to be a “project” as defined by the California Environmental Quality Act (CEQA); and,

WHEREAS, the project is determined to have a Class 15 exemption (Minor Land Division) pursuant to Section 15315 of CEQA; and,

WHEREAS, the Planning Commission held a public hearing on October 13, 2016 to consider the application and after consideration of public testimony, the staff report, and evidence submitted to support the application, the Planning Commission recommended approval of the application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on November 16, 2016, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

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

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated November 16, 2016:

1. *The Minor Land Division will meet the design standards for the City of Scotts Valley, because the design was developed considering the City’s General Plan and related zoning ordinances.* The land division will create three parcels, each conforming to the General Plan designation Commercial Service, and the development standards of the C-S (Commercial Service) zoning district.
2. *The Minor Land Division will be carried out in a manner which is not detrimental to the surrounding uses and will be consistent with the overall planning goals of the City.* The new parcels will be similar in size and use of the surrounding parcels. The density of development will remain consistent with the General Plan.

3. *The design of the subdivision will not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.* The project site is not within any known critical fish or wildlife habitat. The surrounding parcels have been developed, therefore, the project site is not expanding the boundaries of urban development.
4. *The design of the subdivision will not cause serious public health problems.* The use proposed for the new parcels is to remain commercial, which would not have adverse health effects on the surrounding commercial uses.
5. *The design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of property within the subdivision.* All necessary easements shall be obtained prior to issuance of a Final Map.

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 Minor Land Division No. MLD16-002 to create three parcels from one existing parcel located at 104, 106 Whispering Pines Drive and 203 Mount Hermon Road (APN 021-021-36), pursuant to the conditions set forth in the attached Exhibit A, which are incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 16th day of November, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Donna Lind, Mayor

Tracy Ferrara, City Clerk

EXHIBIT A

CONDITIONS OF APPROVAL (Nos. 1-19)

STANDARD

1. Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council approval, the property owner shall sign the Conditions of Approval (Exhibit A) agreeing to the Conditions of Approval prior to the issuance of any building permits, transfer of title, or within 30 days of approval of this application, whichever occurs first.
3. After City Council approval, the property owner shall have a signed and notarized copy of the Notice of Conditions of Approval recognizing this application (provided by the City) recorded at the County Recorder's Office prior to issuance of any building permits or operation of the use.
4. All required building permits shall be obtained and the applicant shall pay all appropriate fees prior to commencement of any construction on the property.

PLANNING DEPARTMENT

5. The property owner shall execute an operating and easement agreement for the ongoing management and maintenance of the development. The agreement shall be reviewed and approved by the City and executed by the property owner prior to approval of the final map. The operating and easement agreement shall be recorded prior to or concurrently with the final map recording. The property owner shall pay for all recording costs.
6. The cross-access easements, parking and circulation plan for the development shall be incorporated into the project's operating and easement agreement.
7. Uniform standards for maintenance and upkeep of exterior buildings and grounds shall be incorporated into the project's operating and easement agreement.
8. Utility maintenance provisions addressing commonly owned infrastructure such as, but not limited to, landscaping water lines shall be incorporated into the project operating and easement agreement.

9. The operating and easement agreement shall state that any future signage shall have prior approval by the City.
10. The City shall be party to the operating and easement agreement to the extent that they cannot be changed without the consent of the City.
11. A provision will be included in the operating and easement agreement allowing an enforcement mechanism for the City in case of failure to maintain the on-going maintenance and management of the three parcels.
12. The operating and easement agreement will include the Scotts Valley Water District's (SVWD) condition that all landscaping for the three parcels will be irrigated by use of a reclaimed water distribution system.

WATER DISTRICT

13. SVWD requires that the property shall be connected to the nearby recycled water distribution system in order to irrigate landscaping on all three proposed parcels prior to the approval of the final map. The SVWD reserves the right to extend the time period if deemed necessary.

DEPARTMENT OF PUBLIC WORKS

14. A final subdivision or parcel map in conformance with the California Government Code, Section 66410 *et seq*, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer
15. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)
16. The final map shall be submitted to the City's Public Works Department in a digital format specified at the time of submittal.
17. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.
18. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.

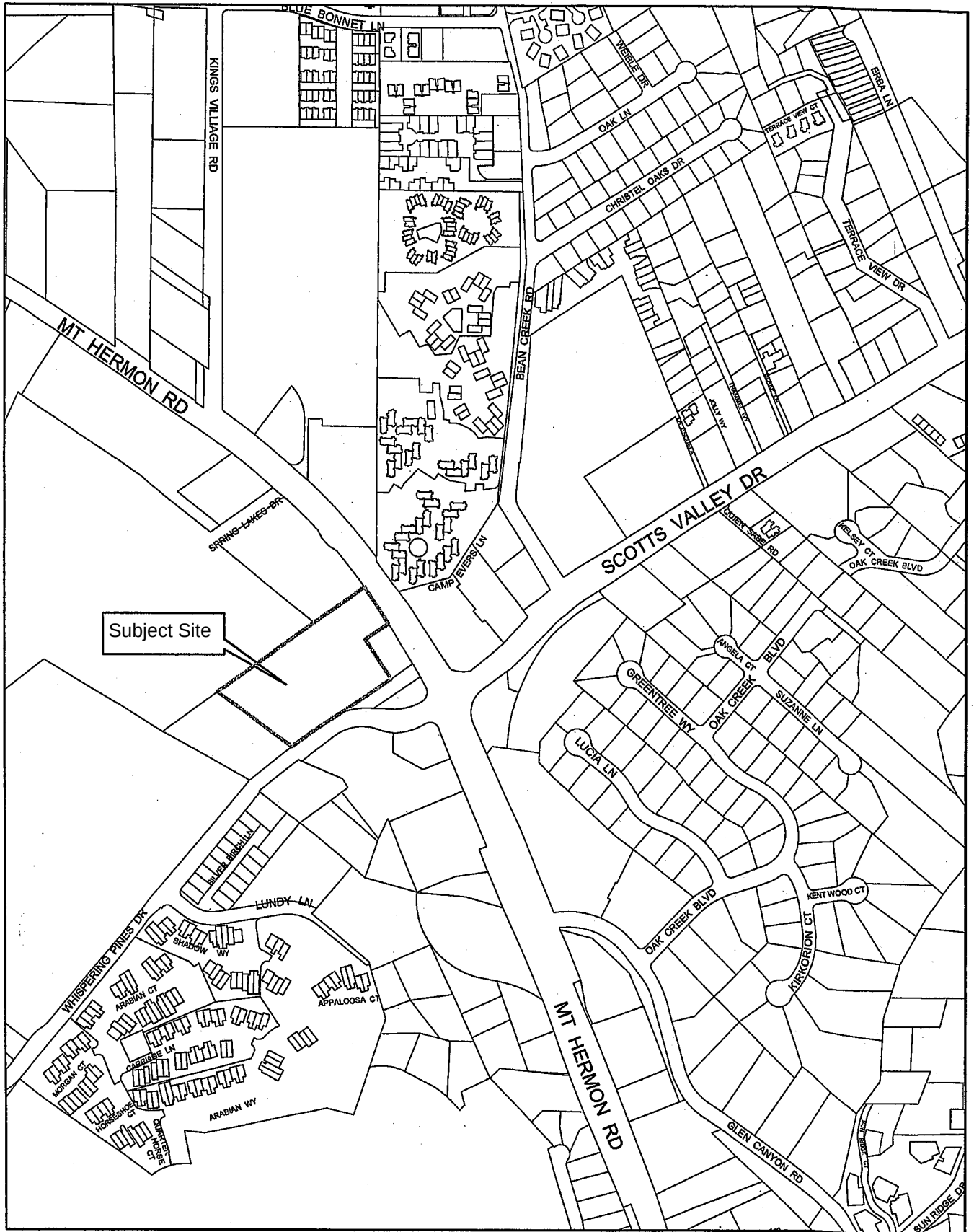
FIRE DISTRICT

19. Project shall comply with all SVFPD code requirements.

Signature of Property Owner

Date

Location Map



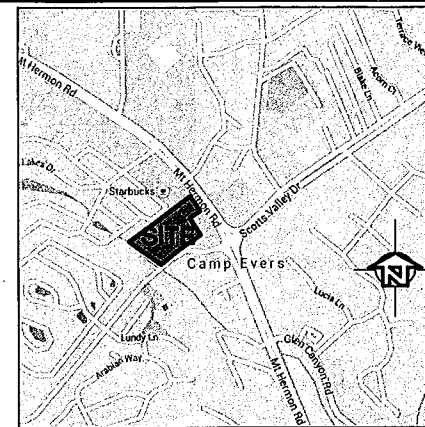
104, 106 Whispering Pines Drive & 203 Mount Hermon Road

RECEIVED

JUN 07 2016

CITY OF SCOTTS VALLEY

TENTATIVE PARCEL MAP



VICINITY MAP

GENERAL DATA

MAP PREPARED BY: IFLAND ENGINEERS
5300 SOQUEL AVENUE, SUITE 101
SANTA CRUZ, CA 95062
TEL: (831) 428-5315
FAX: (831) 428-5315
CONTACT: RICH TSO

SUBDIVIDER: VICTOR F. BOGARD, JR.
350 CORAL STREET # A
SANTA CRUZ, CA 95060
(831) 428-5191
CONTACT: VICTOR F. BOGARD, JR.

OWNER: R. JAY DORN AND LINDA L. DORN, CO-TRUSTEES OF THE
"JAY AND LINDA DORN LIVING TRUST" (20% INTEREST)
AND SCOTTS VALLEY PARTNERS, A CA GENERAL
PARTNERSHIP (80% INTEREST)

APH: 021-021-36

EXISTING USE: OFFICE AND COMMERCIAL

PROPOSED USE: NO CHANGE

EXISTING ZONING: C-S (COMMERCIAL SERVICE)

PROPOSED ZONING: C-S (COMMERCIAL SERVICE)

WATER SUPPLY: SCOTTS VALLEY WATER DISTRICT

SANITARY SEWER: CITY OF SCOTTS VALLEY

GAS & ELECTRIC: PACIFIC GAS & ELECTRIC (PG&E)

STORM DRAIN: CITY OF SCOTTS VALLEY

PROPOSED LOTS: 3

TOTAL ACREAGE: 3.84 AC± (167,505 SF±)

FLOOD ZONING: ZONE X (OTHER AREAS) - AREAS DETERMINED TO BE
OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
ZONE X (OTHER FLOOD AREAS) - AREAS OF 0.2%
ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE
FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR
WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND
AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE
FLOOD.

EXISTING PARKING ALLOCATION

PARCEL A: REGULAR STALLS - 128 SPACES
ACCESSIBLE STALLS - 6 SPACES
TOTAL = 132 SPACES

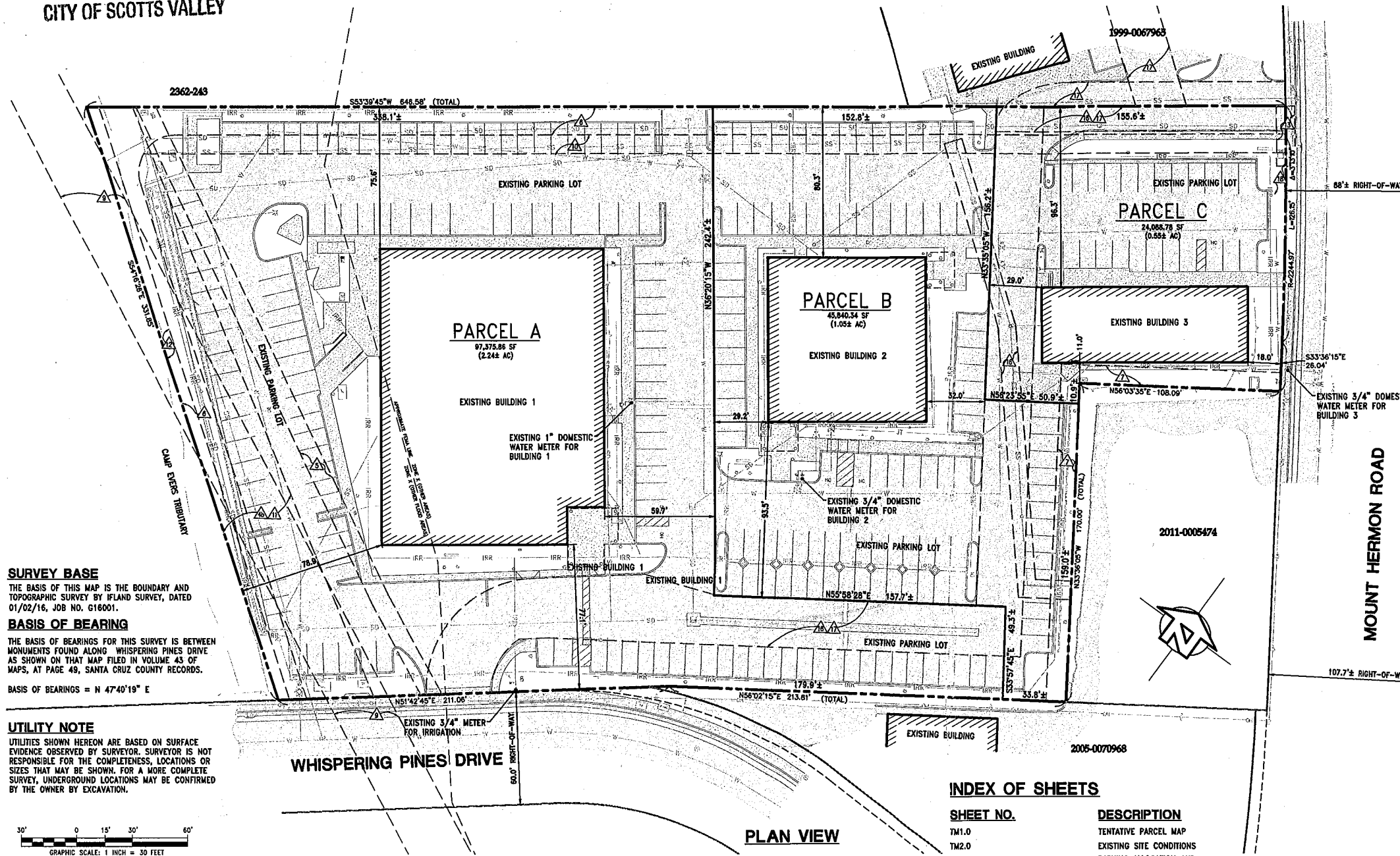
BUILDING AREA - 31,000 SF
REQUIRED REGULAR STALLS - 124 SPACES
REQUIRED ADA STALLS - 5 SPACES
ADA STALLS DEFICIENT - 2 SPACES

PARCEL B: REGULAR STALLS - 100 SPACES
ACCESSIBLE STALLS - 2 SPACES
TOTAL = 102 SPACES

BUILDING AREA - 14,700 SF
REQUIRED REGULAR STALLS - 59 SPACES
REQUIRED ADA STALLS - 3 SPACES
ADA STALLS DEFICIENT - 1 SPACE

PARCEL C: REGULAR STALLS - 23 SPACES
ACCESSIBLE STALLS - 1 SPACE
TOTAL = 24 SPACES

BUILDING AREA - 4,400 SF
REQUIRED REGULAR STALLS - 18 SPACES
REQUIRED ADA STALLS - 1 SPACE
NO SPACES DEFICIENT



SURVEY BASE

THE BASIS OF THIS MAP IS THE BOUNDARY AND
TOPOGRAPHIC SURVEY BY IFLAND SURVEY, DATED
01/02/16, JOB NO. G16001.

BASIS OF BEARING

THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN
MONUMENTS FOUND ALONG WHISPERING PINES DRIVE
AS SHOWN ON THAT MAP FILED IN VOLUME 43 OF
MAPS, AT PAGE 49, SANTA CRUZ COUNTY RECORDS.

BASIS OF BEARINGS = N 47°40'19" E

UTILITY NOTE

UTILITIES SHOWN HEREON ARE BASED ON SURFACE
EVIDENCE OBSERVED BY SURVEYOR. SURVEYOR IS NOT
RESPONSIBLE FOR THE COMPLETENESS, LOCATIONS OR
SIZES THAT MAY BE SHOWN. FOR A MORE COMPLETE
SURVEY, UNDERGROUND LOCATIONS MAY BE CONFIRMED
BY THE OWNER BY EXCAVATION.

INDEX OF SHEETS

SHEET NO.
TM1.0
TM2.0
TM3.0

DESCRIPTION
TENTATIVE PARCEL MAP
EXISTING SITE CONDITIONS
PARKING ALLOCATION AND
IMPROVEMENT PLAN

EXISTING EASEMENTS AND EXCEPTIONS

THE FOLLOWING EASEMENTS AND EXCEPTIONS ARE FROM A TITLE REPORT BY FIRST AMERICAN TITLE COMPANY, DATED SEPTEMBER 11, 2015,
ORDER NUMBER 4402-5024502.

REFERS TO A PLOTTABLE EASEMENT

4. AN EASEMENT FOR POLE OR TOWER LINE AND INCIDENTAL PURPOSES, RECORDED IN BOOK 990, PAGE 345 OF OFFICIAL RECORDS.
IN FAVOR OF: J. JACKSON GRAHAM AND LOLA A. GRAHAM
AFFECTS: A PORTION OF SAID LAND
5. DOCUMENT(S) DECLARING MODIFICATIONS THEREOF RECORDED FEBRUARY 27, 1975 IN BOOK 2479, PAGE 518 OF OFFICIAL RECORDS.
6. AN EASEMENT FOR POLE LINE AND INCIDENTAL PURPOSES, RECORDED IN BOOK 1699, PAGE 187 OF OFFICIAL RECORDS.
IN FAVOR OF: PACIFIC GAS AND ELECTRIC COMPANY, A CORPORATION
AFFECTS: A PORTION OF SAID LAND
7. AN EASEMENT FOR STORM DRAINAGE AND INCIDENTAL PURPOSES, RECORDED IN BOOK 1812, PAGE 221 OF OFFICIAL RECORDS.
IN FAVOR OF: PACIFIC GAS AND ELECTRIC COMPANY, A CORPORATION
AFFECTS: A PORTION OF SAID LAND
8. AN EASEMENT FOR UNDERGROUND UTILITY LINES AND INCIDENTAL PURPOSES, RECORDED IN BOOK 1848, PAGE 704 OF OFFICIAL RECORDS.
IN FAVOR OF: J. JACKSON GRAHAM
AFFECTS: A PORTION OF SAID LAND
9. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "MEMORANDUM OF AGREEMENT"
RECORDED NOVEMBER 22, 1968 IN BOOK 1918, PAGE 10 OF OFFICIAL RECORDS.
(BLANKET IN NATURE)

9. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED OCTOBER 12, 1973 IN BOOK 2355, PAGE 438 OF OFFICIAL RECORDS.
IN FAVOR OF: PACIFIC GAS AND ELECTRIC COMPANY, A CALIFORNIA CORPORATION
AFFECTS: A PORTION OF SAID LAND
(PLOTTED GRAPHICALLY PER SCHEMATIC DRAWING OF 115 KV POWER LINE ATTACHED TO EASEMENT)
10. AN EASEMENT FOR RIGHT OF WAY AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 7, 1975 IN BOOK 2475, PAGE 607 OF OFFICIAL RECORDS.
IN FAVOR OF: CITY OF SCOTTS VALLEY
AFFECTS: A PORTION OF SAID LAND
11. AN EASEMENT FOR RIGHT OF WAY AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 20, 1975 IN BOOK 2480, PAGE 197 OF OFFICIAL RECORDS.
IN FAVOR OF: CITY OF SCOTTS VALLEY
AFFECTS: A PORTION OF SAID LAND
12. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED DECEMBER 5, 1984 IN BOOK 3782, PAGE 956 OF OFFICIAL RECORDS.
IN FAVOR OF: PACIFIC BELL, A CORPORATION
AFFECTS: A PORTION OF SAID LAND
13. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED APRIL 2, 1985 IN BOOK 3819, PAGE 220 OF OFFICIAL RECORDS.
IN FAVOR OF: PACIFIC GAS AND ELECTRIC COMPANY
14. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED AUGUST 10, 1990 IN BOOK 4715, PAGE 651 OF OFFICIAL RECORDS.
IN FAVOR OF: PACIFIC GAS AND ELECTRIC COMPANY, A CALIFORNIA CORPORATION
AFFECTS: A PORTION OF SAID LAND
(BLANKET IN NATURE PENDING "NOTICE OF FINAL DESCRIPTION")
15. AN EASEMENT FOR MAINTENANCE OF UNDERGROUND COMMUNICATION FACILITIES AND INCIDENTAL PURPOSES, RECORDED NOVEMBER 15, 1990 IN BOOK 4758, PAGE 901 OF OFFICIAL RECORDS.
IN FAVOR OF: PACIFIC BELL, A CORPORATION
AFFECTS: A PORTION OF SAID LAND
(NOT PLOTTED, LOCATION IS 2.5' EACH SIDE OF UNDERGROUND LINE AS-BUILT)

16. AN EASEMENT FOR RIGHT OF WAY FOR THE PURPOSE OF INSTALLING AND OPERATING A SUBSURFACE SANITARY SEWER PIPELINE AND INCIDENTAL PURPOSES, RECORDED SEPTEMBER 10, 1991 IN BOOK 4895, PAGE 201 OF OFFICIAL RECORDS.
IN FAVOR OF: BP OIL COMPANY, AN OHIO CORPORATION
AFFECTS: A PORTION OF SAID LAND
17. THE TERMS, PROVISIONS AND EASEMENT(S) CONTAINED IN THE DOCUMENT ENTITLED "RECIPROCAL EASEMENT AGREEMENT" RECORDED SEPTEMBER 12, 1991 IN BOOK 4896, PAGE 286 OF OFFICIAL RECORDS.
18. AN EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF ROADWAY SIGNS, WALLS, WALKWAYS OR OTHER TRAFFIC RELATED APPURTENANCES, MUNICIPAL AND/OR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED JUNE 24, 1994 AS INSTRUMENT NO. 94-46519 IN BOOK 5528, PAGE 607 OF OFFICIAL RECORDS.
IN FAVOR OF: CITY OF SCOTTS VALLEY
AFFECTS: A PORTION OF SAID LAND
19. DEED OF TRUST AND ASSIGNMENT OF LEASES AND RENTS, NOT PLOTTED.
20. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED MAY 9, 1997 AS INSTRUMENT NO. 97-0020880 OF OFFICIAL RECORDS.
IN FAVOR OF: PACIFIC GAS AND ELECTRIC COMPANY, A CALIFORNIA CORPORATION
AFFECTS: A PORTION OF SAID LAND
(BLANKET IN NATURE PENDING "NOTICE OF FINAL DESCRIPTION")
21. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "MEMORANDUM OF AGREEMENT"
REGARDING CONDITIONS OF APPROVAL FOR A USE PERMIT APPLICATION U03-016 FOR PROPERTY LOCATED AT 203 MT. HERMON ROAD (BUILDING #5)
APH: 21-021-17 IN THE CITY OF SCOTTS VALLEY" RECORDED JANUARY 12, 2004 AS INSTRUMENT NO. 2004-0002015 OF OFFICIAL RECORDS.
(BLANKET IN NATURE)
22. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "NOTICE OF CONDITIONS OF APPROVAL TO ALLOW THE OPERATION OF A NORTH
COUNTY CARRILLO COLLEGE CAMPUS / APN 21-021-36 IN THE CITY OF SCOTTS VALLEY" RECORDED SEPTEMBER 6, 2006 AS INSTRUMENT NO.
2006-0052323 OF OFFICIAL RECORDS.
(BLANKET IN NATURE)

5300 SOQUEL AVE. SUITE 101
SANTA CRUZ, CA 95062
TEL: (831) 428-5315
FAX: (831) 428-5315
www.iflandengineers.com

IFLAND
ENGINEERS

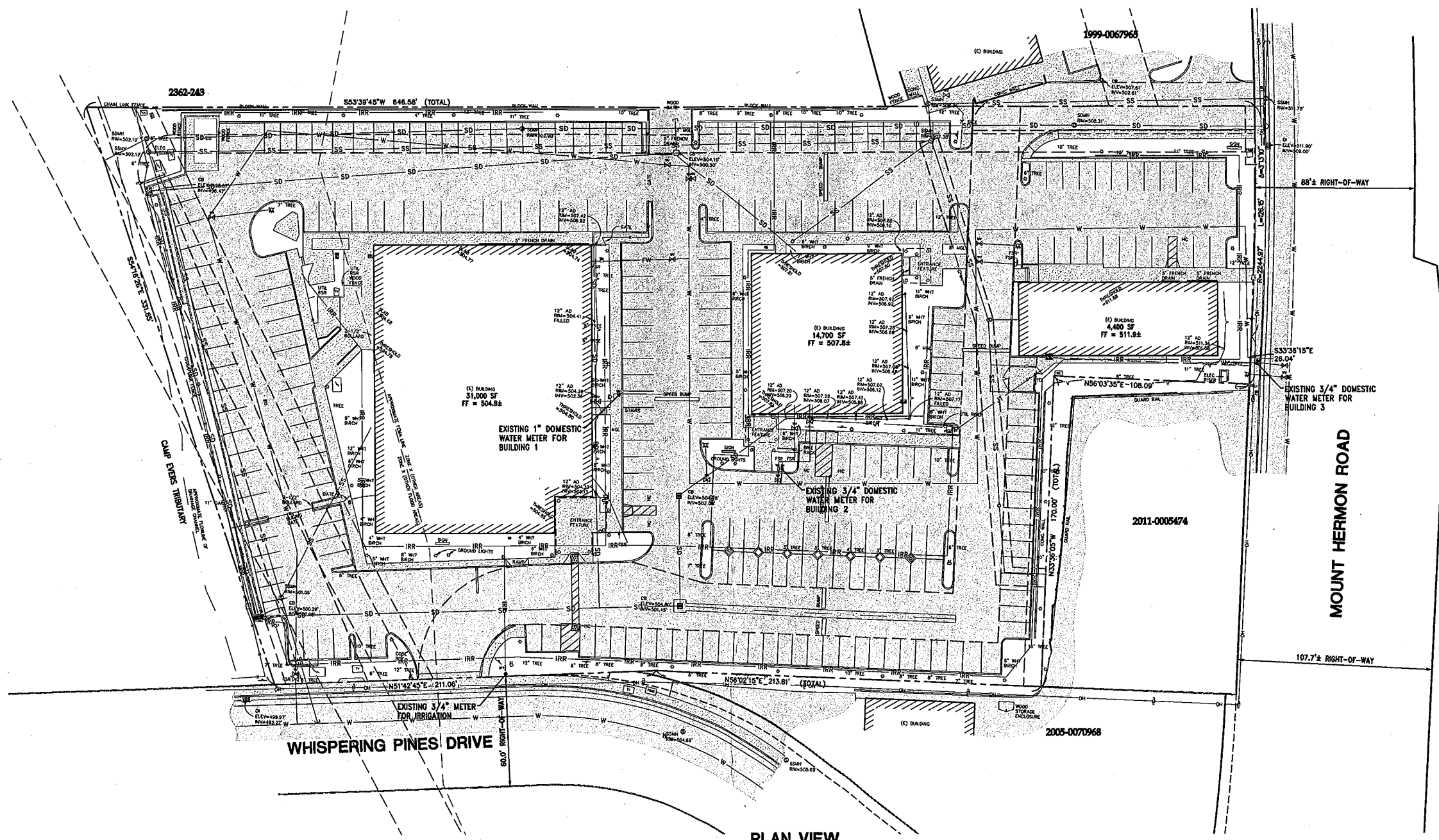


CIVIL ENGINEERING • LAND PLANNING • STRUCTURAL DESIGN

TENTATIVE MAP
BOGARD SV
104 WHISPERING PINES DRIVE, SCOTTS VALLEY, CA

ASSESSOR'S PARCEL NUMBER
021-021-36
DATE
05/25/16
DESIGN
RICH TSO
STAFF
DATE
05/25/16
SHEET
TM1.0
JOB NO. 16003

EXISTING SITE CONDITIONS



PLAN VIEW

Legend

▲ SODD BRASS DISK IN MONUMENT WELL	■ STORM DRAIN INLET	ASPHALT CONCRETE, AC (SHADED)
● MONUMENT FOUND AS NOTED	▲ SURVEY CONTROL POINT	CONCRETE
⊙ SAN. SEWER MANHOLE	— STREET SIGNAGE	TRUNCATED DOMES
⊙ STORM DRAIN MANHOLE	— TRAFFIC SIGNAL BOX	GRADE BREAK
♿ ACCESSIBLE PARKING	★ LIGHT STANDARD	— FIREWATER LINE
W WATER VALVE	★ SAN. SEWER CLEANOUT	— IRRIGATION LINE
W WATER METER	— UTILITY POLE	— OVERHEAD UTILITY LINE
W FIRE HYDRANT	— GUY WIRE	— SANITARY SEWER LINE
⊕ BENCHMARK	— GAS METER	— STORM DRAIN LINE
() INDICATES RECORD PER DEED	— ELECTRICAL BOX	— WATER LINE
() R2 INDICATES RECORD CALCULATED PER 43 M 44	— REFERENCE	— FENCE
R&C RECORD & CALCULATED DATA	— PG&E ELECTRICAL BOX	— GRADE BREAK
INV. INVERT ELEVATION	— TELEPHONE VAULT	— PROPERTY BOUNDARY
EUC EUCALYPTUS TREE	— FSR FIRE SERVICE RISER	— CONTOUR LINE
MGL MAGNOLIA TREE	— STREET LIGHT BOX	— TOE OF SLOPE
		— TELEVISION BOX

ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.

SURVEY BASE

THE BASIS OF THIS MAP IS THE BOUNDARY AND TOPOGRAPHIC SURVEY BY IFLAND SURVEY, DATED 01/02/16, JOB NO. G16001.

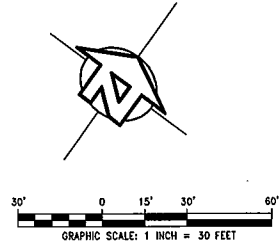
BASIS OF BEARING

THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN MONUMENTS FOUND ALONG WHISPERING PINES DRIVE AS SHOWN ON THAT MAP FILED IN VOLUME 43 OF MAPS, AT PAGE 49, SANTA CRUZ COUNTY RECORDS.

BASIS OF BEARINGS = N 47°40'19" E

UTILITY NOTE

UTILITIES SHOWN HEREON ARE BASED ON SURFACE EVIDENCE OBSERVED BY SURVEYOR. SURVEYOR IS NOT RESPONSIBLE FOR THE COMPLETENESS, LOCATIONS OR SIZES THAT MAY BE SHOWN. FOR A MORE COMPLETE SURVEY, UNDERGROUND LOCATIONS MAY BE CONFIRMED BY THE OWNER BY EXCAVATION.



6500 SOQUEL AVE SUITE 101
SANTA CRUZ, CA 95062
TEL: (831) 426-5555
WWW.IFLANDENGINEERS.COM



CIVIL ENGINEERING • LAND PLANNING • STRUCTURAL DESIGN

EXISTING SITE CONDITIONS

BOGARD SV

104 WHISPERING PINES DRIVE, SCOOTTS VALLEY, CA

ASSESSOR'S PARCEL NUMBER
021-021-98

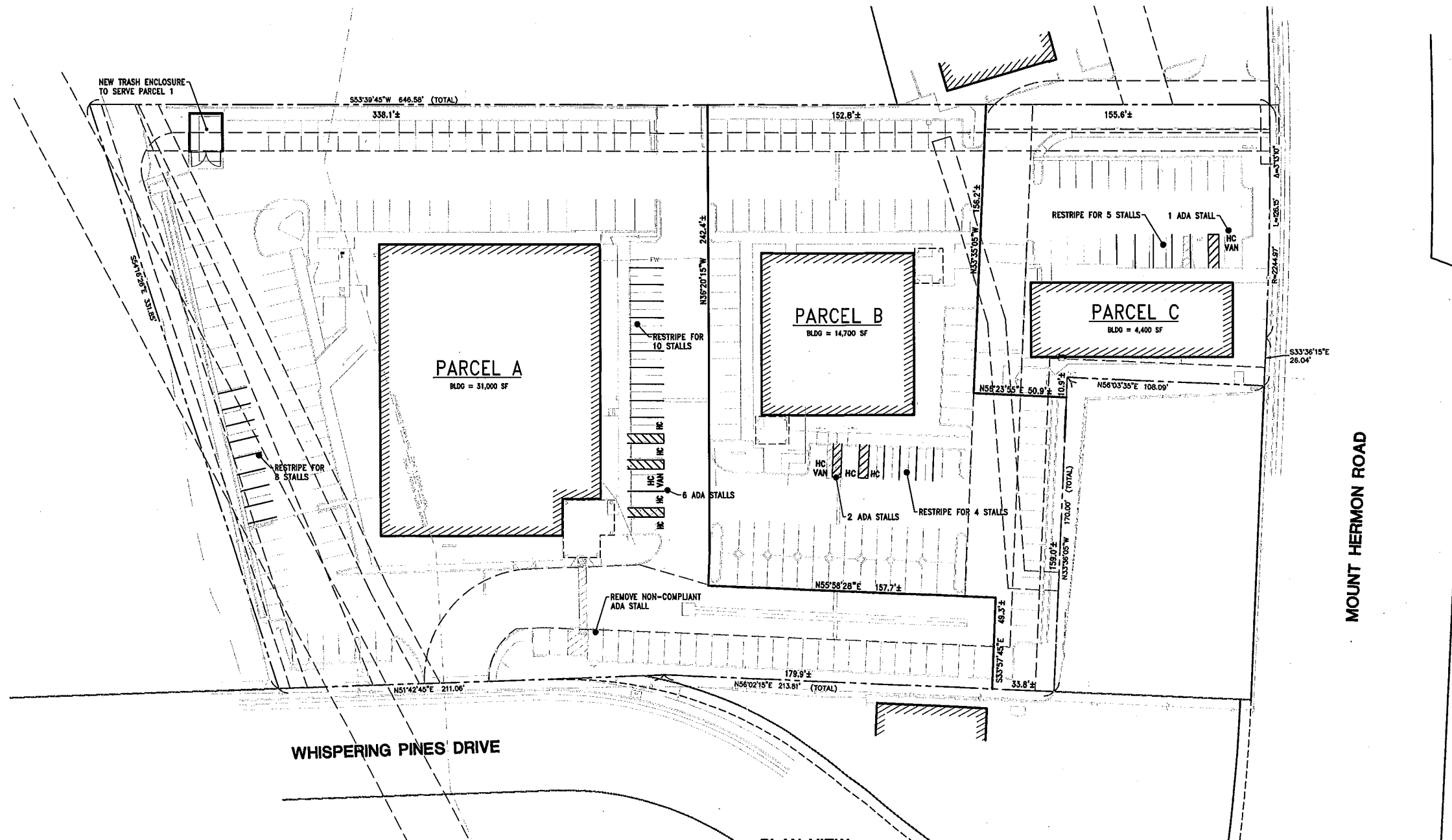
DATE
05/25/16

SHEET

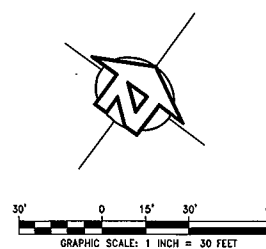
TM2.0

JOB NO. 010
16003

PARKING ALLOCATION AND IMPROVEMENT PLAN



PLAN VIEW



PROPOSED PARKING ALLOCATION

PARCEL A:	BUILDING AREA - 31,000 SF
	REQUIRED REGULAR STALLS - 124 SPACES
	REQUIRED ADA STALLS - 5 SPACES
	REGULAR STALLS PROVIDED - 124 SPACES
	ACCESSIBLE STALLS PROVIDED - 5 SPACES
	TOTAL SPACES PROVIDED = 130 SPACES
PARCEL B:	BUILDING AREA - 14,700 SF
	REQUIRED REGULAR STALLS - 59 SPACES
	REQUIRED ADA STALLS - 3 SPACES
	REGULAR STALLS PROVIDED - 99 SPACES
	ACCESSIBLE STALLS PROVIDED - 3 SPACES
	TOTAL SPACES PROVIDED = 102 SPACES
PARCEL C:	BUILDING AREA - 4,400 SF
	REQUIRED REGULAR STALLS - 18 SPACES
	REQUIRED ADA STALLS - 1 SPACE
	REGULAR STALLS PROVIDED - 22 SPACES
	ACCESSIBLE STALLS PROVIDED - 1 SPACE
	TOTAL SPACES PROVIDED = 23 SPACES

PARKING ALLOCATION AND IMPROVEMENT PLAN
BOGARD SV
 104 WHISPERING PINES DRIVE, SCOOT'S VALLEY, CA

ASSESSOR'S PARCEL NUMBER
 021-021-98
 DATE
 05/25/16
 DESIGN
 RICH TSO
 DRAWN
 STAFF

SHEET
TM3.0
 JOB NO. 0116003

6500 SOQUEL AVE SUITE 101
 SANTA CRUZ, CA 95062
 TEL 831 428-5353
 FAX 831 428-7005
 www.ifland.com
IFLAND ENGINEERS
 CIVIL ENGINEERING • LAND PLANNING • STRUCTURAL DESIGN

APPROVED
 REVISION
 DATE



CITY OF SCOTTS VALLEY

PLANNING DEPARTMENT

One Civic Center Drive • Scotts Valley • California • 95066
Phone (831) 440-5630 • Facsimile (831) 438-2793 • www.scottsvally.org

Planning Commission Meeting Action Minutes

DATE / TIME: Thursday, October 13, 2016, at 6:00PM

MEETING LOCATION: City Hall Council Chambers at One Civic Center Drive

POSTING: Agenda posted at the City of Scotts Valley City Hall and Senior Center, and the Public Library on September 30, 2016

Planning Commissioners Russ Patterson, Chair Derek Timm, Vice-Chair Carlos Arcangeli, Commissioner Steve Horlock, Commissioner Deborah Muth, Commissioner	City Staff Members Taylor Bateman, Acting Community Dev. Director Michelle Edwards, Senior Planner Brenda Stevens, Assistant Planner
---	--

CALL TO ORDER: The Planning Commission Chair called the meeting to order at 6:05pm.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE: *The Planning Commission Chair leads the pledge of allegiance.*

ROLL CALL: Present: Arcangeli, Horlock, Muth and Patterson. Absent: Timm with cause.

ORAL COMMUNICATIONS: None.

ALTERATIONS TO CONSENT AGENDA: None.

CONSENT AGENDA: The Commission acted on all the minutes in one motion.

1. Action Meeting Minutes from meeting on September 15, 2016.

ACTION:

Planning Commission M/S: Muth/Arcangeli

To approve the minutes as prepared

Carried 4/0/1 (AYES: Muth, Arcangeli, Horlock and Patterson. (ABSENT: Timm with cause)

ALTERATIONS TO REGULAR OR PUBLIC HEARING AGENDA: None.

PUBLIC HEARING AGENDA:

2. **Project Address:** 104, 106 Whispering Pines Drive and 203 Mount Hermon Road / APN 021-021-36
Planning Permit Application #: DR16-002
Applicant / Property Owner: Charles Eadie / Scotts Valley Partners LLC
Project Description: Consideration for recommendation to the Scotts Valley City Council of a Minor Land Division to subdivide an existing 167,305 square foot parcel into three parcels in the (C-S) Service Commercial zoning district.

ACTION:

Planning Commission M/S: Muth, Arcangeli

To recommend approval via Resolution No. 1710

Carried 4/0/1 (AYES: Arcangeli, Muth, Horlock and Patterson) **(ABSENT:** Timm with cause)

REGULAR AGENDA: None

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS: None.

WRITTEN COMMUNICATIONS - FOR INFORMATION ONLY: None.

ADJOURNMENT: Approximately 6:25pm

STAFF REPORT

Applicant/Owner: Charles Eadie

Application: Minor Land Division No. MLD16-002

Location: 104, 106 Whispering Pines Drive &
203 Mount Hermon Road // APN 021-021-36

General Plan/Zoning: Commercial Service (C-S)

Environmental Status: Categorically Exempt from CEQA (15315)

Request: Consideration for recommendation to the Scotts Valley City Council of a Minor Land Division to subdivide an existing 167,305 square foot commercial property into three separate parcels. Three existing commercial buildings will remain, one on each new parcel.

Staff Planner: Brenda Stevens, Assistant Planner

RECOMMENDATION

It is recommended that the Planning Commission recommend approval of the Minor Land Division to the City Council.

PROJECT DESCRIPTION

The project site is an existing 167,305 square foot parcel located at 104, 106 Whispering Pines Drive and 203 Mount Hermon Road (Attachment 1 - Location Map). The site is zoned Commercial Service (C-S) and is built with two office buildings and one retail building. The applicant is proposing to subdivide the existing lot into three parcels with one building on each of the new parcels. Proposed Parcel A is 97,375 square feet in area; proposed Parcel B is 45,840 square feet in area and proposed Parcel C is 24,088 square feet in area (Attachment 2 - Project Plans). No development is proposed at this time. The project is exempt from the requirements of the California Environmental Quality Act.

PROJECT DISCUSSION

Below is a discussion of the project's compliance with the City's General Plan and Zoning Regulations.

Circulation

The site is accessed from both Whispering Pines Drive and Mount Hermon Road. All three buildings will continue to be accessed from these streets via proposed right-of-way easements over proposed Parcels A, B and C as shown on the tentative map.

Site Management and Maintenance

The project has been conditioned to have an operating and easement agreement for the on-going management and maintenance of the site, including but not limited to the following: cross-access easements so that current circulation patterns through the entire site will be maintained; utility maintenance provisions to address commonly owned infrastructure such as landscaping water lines; uniform standards for maintenance and upkeep of building exteriors and grounds overtime; and a provision for the City to enforce mechanisms in case of failure to maintain the standards (Conditions # 5 &12).

Parking

Parking requirements will be met per the City of Scotts Valley's Municipal Code (SVMC) requirements of one parking space required for each 250 square feet of floor area. As noted on Sheet TM3.0 of the project plans, the reconfiguration of the parcels as they relate to the three buildings / building square footage / required parking spaces per building are specified. At a total of 50,100 square feet of space, 200 parking spaces are required and a total of 255 are being provided. Also noted are parking/ADA stall re-striping details. Parking lot maintenance and cross-access easement/circulation will be included in the operating and easement agreement (Condition # 6).

Signs

There are existing business identification signs on the site for each of the three buildings addressed as: 104, 106 Whispering Pines Drive and 203 Mount Hermon Road. No changes to the site signage are proposed at this time. No Planned Sign Program exists for the site. Future changes to on-site signage requires approval from the City. As proposed, Parcel B, addressed as 104 Whispering Pines Drive, does not have parcel frontage and under current sign regulations, would not be able to have a freestanding sign along Whispering Pines Drive.

Landscaping

According to the Scotts Valley Water District (SVWD), the project site is not currently using recycled water for landscape irrigation. SVWD has required that the property shall be connected to the recycled water distribution system in order to irrigate landscaping on all three proposed parcels. The operating and easement agreement will include the SVWD's conditions along with a requirement that the landscaping and irrigation are managed and maintained by recycled water (Condition # 13).

ATTACHMENTS

PAGE No.

<i>Resolution to recommend approval to the City Council (Action Item)</i>	4
1. Location Map	10
2. Project Plans	Attached

RESOLUTION NO. 1710

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY RECOMMENDING APPROVAL TO THE CITY COUNCIL OF MINOR LAND DIVISION NO. MLD16-002 TO CREATE THREE PARCELS FROM ONE EXISTING 167,305 SQUARE FOOT PARCEL, LOCATED AT 104, 106 WHISPERING PINES DRIVE AND 203 MOUNT HERMON ROAD (APN 021-021-36).

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Charles Eadie, for a Minor Land Division MLD16-002 and to create three parcels from one existing parcel located at 104, 106 Whispering Pines Drive and 203 Mount Hermon Road (APN 021-021-36); and,

WHEREAS, the application was reviewed for completeness and is determined to be a "project" as defined by the California Environmental Quality Act (CEQA); and,

WHEREAS, the project is determined to have a Class 15 exemption (Minor Land Division) pursuant to Sections 15315 of CEQA; and,

WHEREAS, the project was reviewed by the Planning Commission at a duly noticed public hearing on October 13, 2016.

NOW THEREFORE, the Planning Commission of the City of Scotts Valley hereby resolves as follows:

SECTION 1: The environmental determination represents the independent judgement of the City.

SECTION 2: The categorical exemption is hereby recommended for approval to the City Council.

SECTION 3: The Planning Commission of the City of Scotts Valley does hereby specifically make the following findings, as further clarified in the staff report dated October 13, 2016:

Minor Land Division

1. *The proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan or a specific area plan where the city has officially adopted such a plan, and the proposed subdivision or land use is compatible with the objectives, policies, general land uses and programs specified in such a plan.* The land division will create three parcels, each conforming to the General Plan and Zoning Regulations.

SECTION 4: 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 Planning Commission of the City of Scotts Valley does hereby recommend approval to the City Council of Minor Land Division No. MLD16-002 to create three parcels from one existing 167,305 square foot parcel, located at 104, 106 Whispering Pines Drive and 203 Mount Hermon Road (APN 021-021-36), subject to the conditions set forth in the attached Exhibit A, which are incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly adopted and passed by the Planning Commission of the City of Scotts Valley at a regularly scheduled meeting held on October 13, 2016 with the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Russ Patterson, Chair

Taylor Bateman, Acting Community Development Director

EXHIBIT A

CONDITIONS OF APPROVAL (Nos. 1-29)

STANDARD

1. Developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council approval, the property owner shall sign the Conditions of Approval (Exhibit A) agreeing to the Conditions of Approval prior to the issuance of any building permits, transfer of title, or within 30 days of approval of this application, whichever occurs first.
3. After City Council approval, the property owner shall have a signed and notarized copy of the Notice of Conditions of Approval recognizing this application (provided by the City) recorded at the County Recorder's Office prior to issuance of any building permits or operation of the use.
4. All required building permits shall be obtained and the applicant shall pay all appropriate fees prior to commencement of any construction on the property.

PLANNING DEPARTMENT

5. The property owner shall execute an operating and easement agreement for the on-going management and maintenance of the development. The agreement shall be reviewed and approved by the City and executed by the property owner prior to approval of the final map. The operating and easement agreement shall be recorded prior to or concurrently with the final map recording. The property owner shall pay for all recording costs.

-
6. The cross-access easements, parking and circulation plan for the development shall be incorporated into the project's operating and easement agreement .
 7. Uniform standards for maintenance and upkeep of exterior buildings and grounds shall be incorporated into the project's operating and easement agreement.
 8. Utility maintenance provisions addressing commonly owned infrastructure such as, but not limited to, landscaping water lines shall be incorporated into the project operating and easement agreement.
 9. The operating and easement agreement shall state that any future signage shall have prior approval by the City.
 10. The City shall be party to the operating and easement agreement to the extent that they cannot be changed without the consent of the City.
 11. A provision will be included in the operating and easement agreement allowing an enforcement mechanism for the City in case of failure to maintain the on-going maintenance and management of the three parcels.
 12. The operating and easement agreement will include the SVWD's condition that all landscaping for the three parcels will be irrigated by use of a reclaimed water distribution system.

WATER DISTRICT

13. Scotts Valley Water District (SVWD) requires that the property shall be connected to the nearby recycled water distribution system in order to irrigate landscaping on all three proposed parcels prior to the approval of the final map. The SVWD reserves the right to extend the time period if deemed necessary.

DEPARTMENT OF PUBLIC WORKS

14. A final subdivision or parcel map in conformance with the California Government Code, Section 66410 *et seq*, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer
15. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)

26. The final map shall be submitted to the City's Public Works Department in a digital format specified at the time of submittal.
27. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.
28. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.

FIRE DISTRICT

29. Project shall comply with all SVFPD code requirements.