



# A G E N D A

## Meeting of the Scotts Valley City Council

**Date: February 17, 2016**

**Time: 6:00 p.m.**

|                                                                                                   |                                                                                                     |                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CITY OF SCOTTS VALLEY</b><br>1 Civic Center Drive<br>Scotts Valley, CA 95066<br>(831) 440-5602 | <b>MEETING LOCATION</b><br>City Council Chambers<br>1 Civic Center Drive<br>Scotts Valley, CA 95066 | <b>POSTING:</b> The agenda was posted<br>2-12-16 at City Hall, SV Senior Center,<br>SV Library and on the Internet at<br><a href="http://www.scottsvalley.org">www.scottsvalley.org</a> . |
|---------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                |                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Elected Officials</b><br>Donna Lind, Mayor<br>Randy Johnson, Vice Mayor<br>Stephany E. Aguilar, Council Member<br>Dene Bustichi, Council Member<br>Jim Reed, Council Member | <b>City Staff Members</b><br>Chuck Comstock, Interim City Manager<br>Kirsten Powell, City Attorney<br>Taylor Bateman, Acting Community Development Dir<br>Scott Hamby, Public Works Director<br>John Weiss, Chief of Police<br>Tracy Ferrara, City Clerk |
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### **Notice regarding City Council Meetings:**

The City Council meets regularly on the 1<sup>st</sup> and 3<sup>rd</sup> 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](http://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](http://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**

**SPECIAL SET MATTER** Recognition of City's Wastewater staff for winning Plant of the Year honors for the Monterey Bay Section of the CWEA and Operator Art Soto being named Operator of the Year for the Monterey Bay Section

### COMMITTEE REPORTS

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

#### Interjurisdictional Committees:

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

#### Standing Local Committees:

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

#### Project Specific Committees:

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

### CITY MANAGER REPORT

#### PUBLIC COMMENT TIME

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

### ALTERATIONS TO CONSENT AGENDA

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

### **CONSENT AGENDA**

(The Consent Agenda is comprised of items which appear to be non-controversial. Persons wishing to speak on any item may do so by raising their hand to be recognized by the Mayor.)

- A. Approve City Council meeting minutes of 2-3-16, 1-20-16
- B. Approve check register – 2-11-16, 2-8-16, 1-27-16
- C. Approve denial of claim from Michael Christopher Malloy, et al

### **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 support in concept only of Scotts Valley Arts Commission proposed first annual “Scotts Valley Arts Walk” and authorize the Scotts Valley Arts Commission to pursue a California Arts Council grant

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

- 2. Consider amendments to Planned Development Permit No. PD003-001 to allow tree removal and grading during the rainy season for a previously approved five-unit planned development located on Scotts Valley Drive, APN 022-861-21
  - ➔ Open public hearing
  - ➔ Close public hearing
  - ➔ Approve Resolution No. 1829.7

### **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.)

### **CONVENE TO CLOSED SESSION**

#### **CLOSED SESSION**

##### **SUBJECT:**

- (1) Conference with legal counsel regarding real property negotiations.
  - Legal Authority: Govt Code section 54956.8
  - Location/APN's: The City of Scotts Valley ocean outfall pipeline starting at the City's wastewater facility, APN 021-061-25 and through Hocus

|                |                                                                                                                                                                                                                                                                                                    |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Staff Present: | Pocus Park, APN 021-061-45 which runs along Whispering Pines Drive, to Estrella Drive, to Lockewood Lane to Graham Hill Road with turnouts located off of Sims Road and Deer Path Road onto APN 060-011-02, the Pasatiempo Golf Club<br>Interim City Manager, City Attorney, Public Works Director |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## **RECONVENE TO OPEN SESSION**

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

## **ADJOURNMENT**

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The City of Scotts Valley does not discriminate against persons with disabilities. The City Council Chambers is an accessible facility. If you wish to attend a City Council meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate at the meeting, please call the City Clerk's office at (831) 440-5602 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a City Council meeting be available in an alternative format consistent with a specific disability, please call the City Clerk's Office. The California State Relay Service (TTY/VCO/HCO to Voice: English 1-800-735-2929, Spanish 1-800-855-3000; or, Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.

## **PROCEDURAL INFORMATION FOR THE PUBLIC**

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

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

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

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

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

Unless otherwise determined by the presiding officer of the meeting:

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



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# MINUTES

CONSENT AGENDA ITEM A

DATE: 2-17-2016

## Special Meeting of the Scotts Valley City Council

**Date: February 3, 2016**

**POSTING:**

The agenda was posted on 1-29-16  
at City Hall, the SV Senior Center, and  
the SV Library, by the City Clerk.

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**CALL TO ORDER**                      4:15 p.m.

**ROLL CALL**

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

**SPECIAL SET MATTER**

**1. City Manager Candidate Interviews**

Wendy Brannan, Scotts Valley resident, expressed concerns that the City Manager job specification was from 1991. She stated that she feels the position has changed and should be updated. She provided her preferences for what she would like to see in a City Manager.

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

Jenny Haruyama  
Rudy Escalante

The City Council took a recess from 5:00 pm to 5:20 pm.

Wendy Brannan, Scotts Valley resident, spoke highly of the candidates and recommended using a search firm to get a broader perspective of City Manager candidates.

**CONVENE TO CLOSED SESSION**

The City Council convened to closed session at 5:25 p.m. to discuss the following item:

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

**RECONVENE TO OPEN SESSION**

The City Council reconvened to open session at 5:55 p.m.

**REPORT ON ACTION TAKEN DURING CLOSED SESSION**

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

**ADJOURNMENT** The meeting adjourned at 5:55 p.m.

Approved: \_\_\_\_\_

Donna Lind, Mayor

Attest: \_\_\_\_\_

Tracy A. Ferrara, City Clerk

# MINUTES

## Meeting of the Scotts Valley City Council

**Date: January 20, 2016**

**POSTING:**

The agenda was posted on 1-15-16  
at City Hall, the SV Senior Center, and  
the SV Library, by the City Clerk.

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**CALL TO ORDER**                      6:00 p.m.

**PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE**

**ROLL CALL**

Present:

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

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

**SPECIAL SET MATTER**

Mayor Lind presented Patriot Award Certificates of Appreciation from the Office of the Secretary of Defense, Employer Support of the Guard and Reserve. These Certificates were received based upon nominations that were submitted by Police Officer Joe Susco to thank the Scotts Valley Police Department and staff for their support of his California Army National Guard participation.

**COMMITTEE REPORTS**

CM Bustichi reported that the Santa Cruz Metropolitan Transit District Board met and discussed their structural deficit and their continued work on the plan to fix this deficit, which will include impacts throughout the County.

CM Aguilar reported that the League of California Cities met with the Governor regarding transportation and critical infrastructure funding.

CM Aguilar reported that the Traffic Safety Advisory Committee met and discussed the reconfiguration of the Mt. Hermon Road / Whispering Pines Drive / Scotts Valley Drive intersection.

CM Aguilar reported that the League of California Cities Monterey Bay Division met and discussed the impacts cities have experienced resulting from the increased popularity of vacation rentals, and related issues such as the effective collection of City transient occupancy tax related to the rentals.

Mayor Lind reported that the Seniors Council Area Agency on Aging met and announced that Meals on Wheels for Santa Cruz County is celebrating their 40<sup>th</sup> anniversary this year and is holding their third annual fundraiser on February 5, 2016, from 11:30 am to 1:30 pm at Chaminade Resort & Spa in Santa Cruz.

Mayor Lind reported that the City Select Committee met and discussed Gun Control and the appointment to the Monterey Bay Unified Air Pollution Control District.

Mayor Lind reported that a Committee met to discuss an event for the City's upcoming 50<sup>th</sup> Anniversary. She stated that they are also looking for sponsors for the event and anyone interested in volunteering or contributing can contact the City's Recreation Division.

### **CITY MANAGER REPORT**

- In the past six days the City has recorded almost 7-inches of rain, with more than 5-inches since Monday. Yesterday's rain caused the creeks to rise substantially, but no flooding occurred. Crews were busy responding to a few fallen trees and keeping the storm drains clear.
- The traffic signal at Bean Creek Road and SV Drive were flashing red for most of the day yesterday due to some minor water damage. The City's traffic signal maintenance contractor responded and was able to make repairs before the evening commute.
- Retired Lt. John Hohmann and Detective Michael Birley are in Livermore today for the Northern California Special Olympics Kick Off Conference and Awards Luncheon. Also, SVPD will once again be participating in the Special Olympics Polar Plunge, set for February 27 at 10:00 am at the SC Beach Boardwalk. Participants "plunge" in the ocean to raise money for Special Olympics.
- Former emergency dispatcher Andrea Richards has been hired back to replace Amber Bongio, who moved out of the area. Andrea Richards left SVPD to obtain her degree out of state. We're excited to have her rejoin the police department. Her first day back will be January 27.
- We have selected four new, additional police explorers to join our program. Oral boards were held and the four new candidates will attend their first orientation meeting tonight with our Coordinator, Detective Efraim Contreras.
- We have three (3) new Police Explorers, one of them being our first female Explorer. In addition, current Police Explorer, Sam Thygeson, is being promoted to Explorer Sergeant.

### **PUBLIC COMMENT**

Scott Hamby, Public Works Director, extended an invitation for the community to participate in a public meeting with a water panel scheduled on January 28, 2016 from 7-9 pm at New Brighton Middle School auditorium to discuss local collaborative efforts to protect and manage water resources.

### **ALTERATIONS TO CONSENT AGENDA**

**M/S: Aguilar/Johnson**

**To approve the Consent Agenda.**

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

**Consent Agenda:**

- A. Approve City Council meeting minutes of 1-6-16, 12-16-15, 12-2-15
- B. Approve check register – 1-14-15, 12-18-15
- C. Approve second reading and adoption of Ordinance No. 16.128.4 adding Chapter 17.60 to the Scotts Valley Municipal Code prohibiting all commercial marijuana uses in the City and repealing Chapter 17.58 relating to medical marijuana dispensaries
- D. Approve Resolution No. 1915 authorizing submittal of application for payment and related authorizations for state beverage container grants.
- E. Approve recruitment for Senior Building Inspector/Code Enforcement Officer position in the Building Division
- F. Approve recruitment for Administrative Secretary I position in the Recreation Division
- G. Approve letter of support for the Quiet Communities Act, H.R. 3384, and the FAA Community Accountability Act, H.R. 3965
- H. Approve third amendment to the City Attorney Professional Services Agreement

**ALTERATIONS TO  
REGULAR AGENDA**

**M/S: Aguilar/Reed**

**To approve the Regular Agenda.**

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

**REGULAR AGENDA**

**1. Appointments to interjurisdictional, standing local, and project specific committees**

Mayor Lind recommended the following changes:

**Interjurisdictional Committees:**

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

**Standing Local Committees:**

- ✓ Traffic Safety Committee
- ✓ Economic Development
- ✓ Affordable Housing
- ✓ Water Subcommittee
- ✓ Budget Subcommittee
- ✓ Sign Subcommittee
- ✓ Green Building Permit Process Subcommittee

Lind/Aguilar  
Johnson/Bustichi  
Aguilar/Bustichi  
Bustichi/Lind  
Mayor/ViceMayor  
~~Aguilar/Bustichi~~/Lind  
Lind/Reed

**Project Specific Committees:**

- ✓ Skypark Subcommittee
- ✓ Gateway South Commercial

Johnson/Bustichi  
Reed/Johnson

***M/S: Aguilar/Reed***

***To approve the Mayor's appointments to the interjurisdictional, standing local, and project specific committees.***

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

**2. Future Council agenda items**

None.

**CONVENE TO SUCCESSOR AGENCY OF THE SCOTTS VALLEY REDEVELOPMENT AGENCY BOARD MEETING**

The City Council convened to the Successor Agency of the Scotts Valley Redevelopment Agency Board of Directors meeting at 6:35.

**RECONVENE TO REGULAR CITY COUNCIL MEETING**

The City Council reconvened to it's regular City Council meeting at 6:47 p.m.

**CONVENE TO CLOSED SESSION**

The City Council convened to closed session at 6:47 p.m. to discuss the following items:

- (1) Pursuant to Government Code Section 54956.8, the City Council met in closed session to confer with their legal counsel regarding real property negotiations. Location/APN's: The City of Scotts Valley ocean outfall pipeline starting at the City's wastewater facility, APN 021-061-25 and through Hocus Pocus Park, APN 021-061-45 which runs along Whispering Pines Drive, to Estrella Drive, to Lockewood Lane to Graham Hill Road with turnouts located off of Sims Road and Deer Path Road onto APN 060-011-02, the Pasatiempo Golf Club.
- (2) Pursuant to Government Code Section 54957, the City Council met in closed session to confer with their legal counsel regarding City Manager Employment.

**RECONVENE TO OPEN SESSION**

The City Council reconvened to open session at 7:15 p.m.

**REPORT ON ACTION TAKEN DURING CLOSED SESSION**

Mayor Lind announced that there was nothing to report.

**ADJOURNMENT**            The meeting adjourned at 7:15 p.m.

Approved: \_\_\_\_\_  
Donna Lind, Mayor

Attest: \_\_\_\_\_  
Tracy A. Ferrara, City Clerk

DATE: 2-17-2016

| BANK                     | VENDOR                   | CHECK# | DATE     | AMOUNT    |
|--------------------------|--------------------------|--------|----------|-----------|
| BA                       | GENERAL CHECKING ACCOUNT |        |          |           |
| 000182                   | A SIGN ASAP              | 106548 | 02/11/16 | 237.08    |
| 003123                   | A T & T                  | 106549 | 02/11/16 | 378.42    |
| 001670                   | AT & T                   | 106550 | 02/11/16 | 849.89    |
| 000097                   | AT&T                     | 106551 | 02/11/16 | 392.51    |
| 001066                   | BEHAVIORAL HEALTH CARE I | 106552 | 02/11/16 | 120.00    |
| 000437                   | BRASS KEY LOCKSMITH      | 106553 | 02/11/16 | 133.96    |
| 000018                   | BRINK'S TROPHY SHOPPE    | 106554 | 02/11/16 | 50.57     |
| 001566                   | BUSINESS WITH PLEASURE   | 106555 | 02/11/16 | 82.30     |
| 000725                   | CALIFORNIA GREY BEARS, I | 106556 | 02/11/16 | 303.25    |
| 001349                   | CALVERT DDS/M SCOTT      | 106557 | 02/11/16 | 714.40    |
| 003174                   | CAPITAL ONE COMMERCIAL   | 106558 | 02/11/16 | 1,933.50  |
| 001896                   | D & G SANITATION         | 106559 | 02/11/16 | 114.36    |
| 000389                   | DASSEL'S PETROLEUM INC   | 106560 | 02/11/16 | 3,439.74  |
| 003160                   | DIXON & SON TIRE         | 106561 | 02/11/16 | 112.50    |
| 001362                   | DUNCAN AUTO TECH         | 106562 | 02/11/16 | 63.93     |
| 001782                   | FLORES/CARLOS            | 106563 | 02/11/16 | 312.00    |
| 003387                   | HEIDARI DDS/ALI          | 106564 | 02/11/16 | 152.00    |
| 000430                   | INTERSTATE BATTERIES     | 106565 | 02/11/16 | 5,818.99  |
| 000934                   | JOHN'S ELECTRIC MOTOR SE | 106566 | 02/11/16 | 347.08    |
| 001308                   | JOHNSON DDS/BRETT        | 106567 | 02/11/16 | 429.60    |
| 001246                   | JOINER DDS/MARK          | 106568 | 02/11/16 | 1,077.50  |
| 001903                   | JONES/KIMARIE            | 106569 | 02/11/16 | 348.80    |
| 000066                   | KING'S PAINT & PAPER     | 106570 | 02/11/16 | 419.39    |
| 001372                   | KURATOMI DDS/REED K      | 106571 | 02/11/16 | 289.60    |
| 000698                   | LAS ANIMAS CONCRETE & BU | 106572 | 02/11/16 | 303.35    |
| 000284                   | LOGAN & POWELL, LLP      | 106573 | 02/11/16 | 12,940.00 |
| 000218                   | MID VALLEY SUPPLY        | 106574 | 02/11/16 | 1,266.45  |
| 000967                   | MONTEREY BAY SYSTEMS     | 106575 | 02/11/16 | 451.18    |
| 000939                   | NATIONAL COMTEL NETWORK  | 106576 | 02/11/16 | 22.22     |
| 000098                   | PALACE ART & OFFICE      | 106577 | 02/11/16 | 4,852.99  |
| 001536                   | PAPA                     | 106578 | 02/11/16 | 125.00    |
| 001233                   | PORTER DDS MS/BRENT J    | 106579 | 02/11/16 | 55.10     |
| 003410                   | PRODUCTIVITY PLUS ACCOUN | 106580 | 02/11/16 | 274.97    |
| 000463                   | RALEY'S                  | 106581 | 02/11/16 | 270.98    |
| 000171                   | RIVERSIDE LIGHTING INC   | 106582 | 02/11/16 | 293.87    |
| 001544                   | SANTA CRUZ COUNTY CONFER | 106583 | 02/11/16 | 34,310.92 |
| 000128                   | SCARBOROUGH LUMBER       | 106584 | 02/11/16 | 2,309.77  |
| 000129                   | SCOTTS VALLEY BANNER     | 106585 | 02/11/16 | 146.00    |
| 000133                   | SCOTTS VALLEY SPRINKLER  | 106586 | 02/11/16 | 114.38    |
| 003312                   | SLAKEY BROS INC          | 106587 | 02/11/16 | 1,092.00  |
| 003363                   | SUSCO/JOSEPH             | 106588 | 02/11/16 | 86.00     |
| 000153                   | THOMSON REUTERS-WEST     | 106589 | 02/11/16 | 496.06    |
| 001687                   | TYNDALL/KEITH            | 106590 | 02/11/16 | 2,169.36  |
| 001366                   | U.S. BANCORP OFFICE      | 106591 | 02/11/16 | 1,257.46  |
| 000443                   | WALPOLE/STEVE            | 106592 | 02/11/16 | 560.00    |
| 000154                   | WINCHESTER AUTO STORES   | 106593 | 02/11/16 | 1,231.87  |
| GENERAL CHECKING ACCOUNT |                          |        |          | 82,751.30 |

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SCOTTS VALLEY ACCOUNTS PAYABLE  
CITY OF SCOTTS VALLEY  
02/10/2016 16:33:52  
GL540R-V07.27 PAGE 2

Check Register

| BANK           | VENDOR | CHECK# | DATE | AMOUNT    |
|----------------|--------|--------|------|-----------|
| REPORT TOTALS: |        |        |      | 82,751.30 |

RECORDS PRINTED - 000157

GL540R

FUND RECAP:

| FUND            | DESCRIPTION                | DISBURSEMENTS |
|-----------------|----------------------------|---------------|
| ----            | -----                      |               |
| 001             | GENERAL                    | 69,856.06     |
| 004             | RECREATION                 | 2,081.57      |
| 010             | WASTEWATER OPERATIONS      | 2,358.51      |
| 011             | TERTIARY TREATMENT PLANT   | 117.43        |
| 023             | SVRDA SUCCESSOR AGENCY     | 588.00        |
| 028             | SENIOR CENTER              | 1,529.94      |
| 077             | SKYPARK MAINT ASSESS DIST  | 25.43         |
| 112             | DENTAL INS INTERNAL SERV   | 4,025.00      |
| 306             | SUPPL LAW ENFORCEMENT SRVS | 2,169.36      |
| TOTAL ALL FUNDS |                            | 82,751.30     |

BANK RECAP:

| BANK            | NAME                     | DISBURSEMENTS |
|-----------------|--------------------------|---------------|
| ----            | -----                    |               |
| BA              | GENERAL CHECKING ACCOUNT | 82,751.30     |
| TOTAL ALL BANKS |                          | 82,751.30     |

| BANK | VENDOR                          | CHECK# | DATE     | AMOUNT         |
|------|---------------------------------|--------|----------|----------------|
| BA   | GENERAL CHECKING ACCOUNT        |        |          |                |
|      | 003457 ADAMS/TROY               | 106506 | 02/08/16 | 504.67         |
|      | 001055 ADAMSON POLICE SUPPLY    | 106507 | 02/08/16 | 519.65         |
|      | 001219 ALHAMBRA                 | 106508 | 02/08/16 | 82.06          |
|      | 000881 ALVAREZ INDUSTRIES INC.  | 106509 | 02/08/16 | 829.00         |
|      | 001528 AMERICAN MESSAGING       | 106510 | 02/08/16 | 6.84           |
|      | 003319 ARMSTRONG/KILEY          | 106511 | 02/08/16 | 560.00         |
|      | 003182 ARROW SIGN COMPANY       | 106512 | 02/08/16 | 33,587.50      |
|      | 001822 BC LABORATORIES INC.     | 106513 | 02/08/16 | 853.00         |
|      | .15010 BOYD & SONS CONSTRUCTION | 106514 | 02/08/16 | 21.10          |
|      | 001956 CENTRAL COAST CISM TEAM  | 106515 | 02/08/16 | 187.50         |
|      | 015008 CENTRAL HOME SUPPLY      | 106516 | 02/08/16 | 5,048.72       |
|      | 000037 CRYSTAL SPRINGS WATER CO | 106517 | 02/08/16 | 23.85          |
|      | .15008 CWEA-MBS                 | 106518 | 02/08/16 | 270.00         |
|      | 003464 DANIELS/JASON            | 106519 | 02/08/16 | 920.12         |
|      | 000318 DEPT OF TRANSPORTATION   | 106520 | 02/08/16 | 835.55         |
|      | 001537 DYNAMIC PRESS            | 106521 | 02/08/16 | 135.72         |
|      | 000426 ENTENMANN-ROVIN CO       | 106522 | 02/08/16 | 230.52         |
|      | 003290 EVOQUA WATER TECHNOLOGIE | 106523 | 02/08/16 | 252.00         |
|      | 001991 FASTENAL                 | 106524 | 02/08/16 | 61.26          |
|      | 003253 FIRST ALARM              | 106525 | 02/08/16 | 129.60         |
|      | 000375 FIRST ALARM SECURITY & P | 106526 | 02/08/16 | 220.00         |
|      | 001881 GRAINGER                 | 106527 | 02/08/16 | 358.29         |
|      | 000262 GRANITE ROCK COMPANY     | 106528 | 02/08/16 | 844.95         |
|      | 001660 KING/KATI                | 106529 | 02/08/16 | 220.01         |
|      | 003403 MAR-KEN INTERNATIONAL PO | 106530 | 02/08/16 | 260.00         |
|      | 001591 MARKELL/ROD              | 106531 | 02/08/16 | 1,974.00       |
|      | 000195 MESITI-MILLER ENGINEERIN | 106532 | 02/08/16 | 34,182.63      |
|      | .15007 NEEC                     | 106533 | 02/08/16 | 55.00          |
|      | 001872 NORTH CENTRAL LABORATORI | 106534 | 02/08/16 | 545.34         |
|      | 000101 PACIFIC GAS & ELECTRIC C | 106535 | 02/08/16 | 30,977.73      |
|      | 001982 PEAVEY COMPANY/LYNN      | 106536 | 02/08/16 | 111.70         |
|      | 001833 RADAR SHOP, INC./THE     | 106537 | 02/08/16 | 419.00         |
|      | 003085 SHRED-IT US JV LLC       | 106538 | 02/08/16 | 70.78          |
|      | 003395 SILICON VALLEY MONTEREY  | 106539 | 02/08/16 | 322.50         |
|      | 000405 SILVERSTEIN/THOMAS       | 106540 | 02/08/16 | 810.35         |
|      | 003287 SLV ELECTRIC, INC        | 106541 | 02/08/16 | 1,440.00       |
|      | 003379 SNAP ON INDUSTRIAL       | 106542 | 02/08/16 | 812.84         |
|      | 000153 THOMSON REUTERS-WEST     | 106543 | 02/08/16 | 312.00         |
|      | 001106 VERIZON WIRELESS         | 106544 | 02/08/16 | 104.89         |
|      | 003145 WAGE WORKS               | 106545 | 02/08/16 | 110.00         |
|      | 003166 WISDOM/ANGIE             | 106546 | 02/08/16 | 260.00         |
|      | .15009 WWT                      | 106547 | 02/08/16 | 850.00         |
|      | GENERAL CHECKING ACCOUNT        |        |          | 120,320.67 *** |

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| BANK           | VENDOR | CHECK# | DATE | AMOUNT     |
|----------------|--------|--------|------|------------|
| REPORT TOTALS: |        |        |      | 120,320.67 |

RECORDS PRINTED - 000068

GL540R

FUND RECAP:

| FUND            | DESCRIPTION                  | DISBURSEMENTS |
|-----------------|------------------------------|---------------|
| ----            | -----                        |               |
| 001             | GENERAL                      | 54,404.82     |
| 004             | RECREATION                   | 1,799.32      |
| 008             | TRAFFIC IMPACT MITIGATION    | 33,587.50     |
| 010             | WASTEWATER OPERATIONS        | 26,886.59     |
| 011             | TERTIARY TREATMENT PLANT     | 349.26        |
| 019             | AFFORDABLE HOUSING           | 1,974.00      |
| 028             | SENIOR CENTER                | 866.42        |
| 050             | PINEWOOD EST LNDSCP MAINT DT | 10.18         |
| 077             | SKYPARK MAINT ASSESS DIST    | 32.98         |
| 123             | COMMUNITY FACILITY CENTER    | 409.60        |
| TOTAL ALL FUNDS |                              | 120,320.67    |

BANK RECAP:

| BANK            | NAME                     | DISBURSEMENTS |
|-----------------|--------------------------|---------------|
| ----            | -----                    |               |
| BA              | GENERAL CHECKING ACCOUNT | 120,320.67    |
| TOTAL ALL BANKS |                          | 120,320.67    |

| BANK | VENDOR                          | CHECK# | DATE     | AMOUNT     |
|------|---------------------------------|--------|----------|------------|
| BA   | GENERAL CHECKING ACCOUNT        |        |          |            |
|      | 001405 AFLAC-FLEX ONE           | 106407 | 01/27/16 | 3,074.01   |
|      | 001219 ALHAMBRA                 | 106408 | 01/27/16 | 40.14      |
|      | 000881 ALVAREZ INDUSTRIES INC.  | 106409 | 01/27/16 | 2,186.00   |
|      | 000620 ALVAREZ/TONY             | 106410 | 01/27/16 | 20.00      |
|      | 001009 ARD/KRISTIN              | 106411 | 01/27/16 | 241.73     |
|      | 003282 ARTS COUNCIL OF SC COUNT | 106412 | 01/27/16 | 1,000.00   |
|      | 001969 ASCAP                    | 106413 | 01/27/16 | 336.00     |
|      | 000998 ASSOCIATED SERVICES CO.  | 106414 | 01/27/16 | 98.61      |
|      | 001670 AT &T                    | 106415 | 01/27/16 | 2,958.35   |
|      | 000097 AT&T                     | 106416 | 01/27/16 | 159.15     |
|      | 001278 AVERA DDS MS/JOHN B      | 106417 | 01/27/16 | 1,100.00   |
|      | 000205 BACK TO EDEN INC         | 106418 | 01/27/16 | 950.00     |
|      | 001593 BENEDICT DDS/NANETTE     | 106419 | 01/27/16 | 254.40     |
|      | 003281 BEYMER/AUSTIN            | 106420 | 01/27/16 | 347.20     |
|      | 003054 BIRLEY/MICHAEL           | 106421 | 01/27/16 | 10.50      |
|      | 003054 BIRLEY/MICHAEL           | 106422 | 01/27/16 | 42.00      |
|      | 000500 BOLANOS/DORENE           | 106423 | 01/27/16 | 20.00      |
|      | 001110 BOLLINGER INSURANCE INC  | 106424 | 01/27/16 | 300.00     |
|      | 000021 BOWMAN & WILLIAMS        | 106425 | 01/27/16 | 15,057.70  |
|      | 001566 BUSINESS WITH PLEASURE   | 106426 | 01/27/16 | 570.85     |
|      | 001633 CAL-WEST LIGHTING & SIGN | 106427 | 01/27/16 | 1,085.00   |
|      | 003088 CALIFORNIA COAST UNIFORM | 106428 | 01/27/16 | 283.73     |
|      | 001385 CALIFORNIA PUBLIC EMPLOY | 106429 | 01/27/16 | 129,844.43 |
|      | 003521 CARD SERVICE CENTER      | 106430 | 01/27/16 | 5,618.74   |
|      | 000773 CENTRAL COAST LANDSCAPE  | 106431 | 01/27/16 | 383.00     |
|      | 001051 COASTAL EVERGREEN CORP   | 106432 | 01/27/16 | 850.00     |
|      | 002091 COMCAST                  | 106433 | 01/27/16 | 136.16     |
|      | 002091 COMCAST                  | 106434 | 01/27/16 | 238.47     |
|      | 003476 CORIX                    | 106435 | 01/27/16 | 4,628.15   |
|      | 000037 CRYSTAL SPRINGS WATER CO | 106436 | 01/27/16 | 43.65      |
|      | 003043 CSG CONSULTANTS, INC     | 106437 | 01/27/16 | 5,639.16   |
|      | 000207 DEPARTMENT OF JUSTICE    | 106438 | 01/27/16 | 64.00      |
|      | 003286 ENCOMPASS YOUTH SERVICES | 106439 | 01/27/16 | 669.00     |
|      | 003253 FIRST ALARM              | 106440 | 01/27/16 | 349.60     |
|      | 000375 FIRST ALARM SECURITY & P | 106441 | 01/27/16 | 920.28     |
|      | 003154 FLANNERY/MARLENE         | 106442 | 01/27/16 | 53.81      |
|      | .15003 GIBSON/GERI              | 106443 | 01/27/16 | 39.85      |
|      | 000604 HOHMANN/JOHN V.          | 106444 | 01/27/16 | 42.00      |
|      | 000615 HOHMANN/PATRICK J.       | 106445 | 01/27/16 | 121.00     |
|      | 000666 HOUSING AUTHORITY OF SC  | 106446 | 01/27/16 | 134.00     |
|      | 001925 INDUSTRIAL CHEM LABS &   | 106447 | 01/27/16 | 209.91     |
|      | 000835 INTERSTATE SALES         | 106448 | 01/27/16 | 1,529.62   |
|      | 001903 JONES/KIMARIE            | 106449 | 01/27/16 | 20.00      |
|      | 003292 KIMLEY-HORN & ASSOCIATES | 106450 | 01/27/16 | 30,553.20  |
|      | 003292 KIMLEY-HORN & ASSOCIATES | 106451 | 01/27/16 | 4,527.41   |
|      | 001660 KING/KATI                | 106452 | 01/27/16 | 304.98     |
|      | 003331 KOFFLER ELECTRICAL MECHA | 106453 | 01/27/16 | 11,116.00  |
|      | 001992 KOSMONT COMPANIES, INC   | 106454 | 01/27/16 | 1,623.70   |

| BANK   | VENDOR                   | CHECK# | DATE     | AMOUNT     |
|--------|--------------------------|--------|----------|------------|
| BA     | GENERAL CHECKING ACCOUNT |        |          |            |
| 001030 | LEAGUE OF CA CITIES      | 106455 | 01/27/16 | 150.00     |
| .15004 | LIFESAVER TOWING         | 106456 | 01/27/16 | 250.00     |
| 001673 | LINCOLN FINANCIAL GROUP  | 106457 | 01/27/16 | 1,072.84   |
| 000079 | LOCC -MONTEREY BAY DIVIS | 106458 | 01/27/16 | 5,841.68   |
| 000284 | LOGAN & POWELL, LLP      | 106459 | 01/27/16 | 10,056.00  |
| 003321 | LOPEZ/RENE               | 106460 | 01/27/16 | 20.00      |
| 001648 | MARCELLO & COMPANY       | 106461 | 01/27/16 | 5,500.00   |
| 000050 | MELROSE/TAMERA           | 106462 | 01/27/16 | 168.00     |
| 003171 | MICHALAK/GENE            | 106463 | 01/27/16 | 110.00     |
| 001964 | MILROY/JUSTIN            | 106464 | 01/27/16 | 10.50      |
| 000083 | MISSION UNIFORM SERVICE  | 106465 | 01/27/16 | 823.76     |
| 001802 | ONTRAC                   | 106466 | 01/27/16 | 109.13     |
| 003152 | PETERSON POWER SYSTEMS,  | 106467 | 01/27/16 | 10,947.83  |
| 001787 | PETRINI'S GARDENING SERV | 106468 | 01/27/16 | 75.00      |
| 001857 | PHOENIX GROUP            | 106469 | 01/27/16 | 146.40     |
| 003283 | PIRATES PRESS            | 106470 | 01/27/16 | 4,140.61   |
| 000102 | PITNEY BOWES             | 106471 | 01/27/16 | 147.44     |
| 003323 | POMPETTE/NICOLE          | 106472 | 01/27/16 | 20.00      |
| 001097 | PRODESSE PROPERTY GROUP  | 106473 | 01/27/16 | 3,523.52   |
| 003410 | PRODUCTIVITY PLUS ACCOUN | 106474 | 01/27/16 | 3,140.91   |
| 001503 | PRUDENTIAL INSURANCE CO/ | 106475 | 01/27/16 | 571.65     |
| 001917 | PURE VALLEY WATER, INC   | 106476 | 01/27/16 | 179.01     |
| 000463 | RALEY'S                  | 106477 | 01/27/16 | 97.15      |
| 003230 | REDWOOD TOXICOLOGY LAB   | 106478 | 01/27/16 | 16.00      |
| .15006 | RETOUR TENNIS            | 106479 | 01/27/16 | 398.00     |
| 000171 | RIVERSIDE LIGHTING INC   | 106480 | 01/27/16 | 103.46     |
| 002043 | ROYAL WHOLESALE ELECTRIC | 106481 | 01/27/16 | 297.54     |
| 001118 | RUTHERFORD/JAYSON        | 106482 | 01/27/16 | 126.00     |
| 000135 | SAN LORENZO VALLEY WATER | 106483 | 01/27/16 | 34.00      |
| 000127 | SANTA CRUZ SENTINEL      | 106484 | 01/27/16 | 386.00     |
| 000122 | SANTA CRUZ/CITY OF       | 106485 | 01/27/16 | 126.70     |
| 000626 | SANTA CRUZ/COUNTY OF     | 106486 | 01/27/16 | 287,000.00 |
| 000820 | SANTA CRUZ/COUNTY OF     | 106487 | 01/27/16 | 81.50      |
| .15005 | SILVIA/DONNA             | 106488 | 01/27/16 | 151.18     |
| 003287 | SLV ELECTRIC, INC        | 106489 | 01/27/16 | 540.00     |
| 000141 | SNAP-ON TOOLS CORPORATIO | 106490 | 01/27/16 | 812.84     |
| 002053 | STEPFORD                 | 106491 | 01/27/16 | 5,313.00   |
| 001085 | SYCAL ENGINEERING INC    | 106492 | 01/27/16 | 700.00     |
| 000153 | THOMSON REUTERS-WEST     | 106493 | 01/27/16 | 343.92     |
| 001933 | THURINGER/JOE            | 106494 | 01/27/16 | 20.00      |
| 001942 | TOTAL COMPENSATION SYSTE | 106495 | 01/27/16 | 2,150.00   |
| 001687 | TYNDALL/KEITH            | 106496 | 01/27/16 | 168.00     |
| 001803 | VARGAS ACADEMY OF        | 106497 | 01/27/16 | 899.50     |
| 001106 | VERIZON WIRELESS         | 106498 | 01/27/16 | 939.08     |
| 000151 | VISION SERVICE PLAN      | 106499 | 01/27/16 | 1,109.20   |
| 000899 | VISTA CENTER FOR THE BLI | 106500 | 01/27/16 | 503.50     |
| 001342 | WELCH/JAMES              | 106501 | 01/27/16 | 20.00      |
| 003008 | WILLIAMS/JESSE           | 106502 | 01/27/16 | 20.00      |

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| BANK   | VENDOR                   | CHECK# | DATE     | AMOUNT     |     |
|--------|--------------------------|--------|----------|------------|-----|
| BA     | GENERAL CHECKING ACCOUNT |        |          |            |     |
| 003166 | WISDOM/ANGIE             | 106503 | 01/27/16 | 625.63     |     |
| 001625 | YOSHIDA DDS/NOREEN       | 106504 | 01/27/16 | 69.60      |     |
| 002021 | ZOOM                     | 106505 | 01/27/16 | 316.72     |     |
|        | GENERAL CHECKING ACCOUNT |        |          | 580,168.29 | *** |

SCOTTS VALLEY ACCOUNTS PAYABLE  
CITY OF SCOTTS VALLEY  
01/27/2016 14:48:22  
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Check Register

| BANK           | VENDOR | CHECK# | DATE | AMOUNT     |
|----------------|--------|--------|------|------------|
| REPORT TOTALS: |        |        |      | 580,168.29 |

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SCOTTS VALLEY ACCOUNTS PAYABLE  
CITY OF SCOTTS VALLEY  
01/27/2016 14:48:23  
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GL540R

FUND RECAP:

| FUND            | DESCRIPTION                  | DISBURSEMENTS |
|-----------------|------------------------------|---------------|
| ----            | -----                        |               |
| 001             | GENERAL                      | 178,959.77    |
| 002             | RECYCLING/ENVIRONMENTAL      | 398.00        |
| 004             | RECREATION                   | 15,794.09     |
| 010             | WASTEWATER OPERATIONS        | 29,529.24     |
| 011             | TERTIARY TREATMENT PLANT     | 11,945.90     |
| 019             | AFFORDABLE HOUSING           | 134.00        |
| 023             | SVRDA SUCCESSOR AGENCY       | 290,579.52    |
| 025             | GENERAL TRUST                | 40,500.61     |
| 028             | SENIOR CENTER                | 2,548.54      |
| 050             | PINEWOOD EST LNDSCP MAINT DT | 417.00        |
| 077             | SKYPARK MAINT ASSESS DIST    | 950.00        |
| 112             | DENTAL INS INTERNAL SERV     | 1,771.20      |
| 123             | COMMUNITY FACILITY CENTER    | 2,121.70      |
| 150             | GENERAL CAPITAL IMPROVEMENTS | 3,996.45      |
| 302             | CMAQ                         | 522.27        |
| TOTAL ALL FUNDS |                              | 580,168.29    |

BANK RECAP:

| BANK            | NAME                     | DISBURSEMENTS |
|-----------------|--------------------------|---------------|
| ----            | -----                    |               |
| BA              | GENERAL CHECKING ACCOUNT | 580,168.29    |
| TOTAL ALL BANKS |                          | 580,168.29    |

CITY OF SCOTTS VALLEY  
M E M O R A N D U M

---

DATE: February 17, 2016  
TO: Honorable Mayor and City Council  
FROM: Tracy A. Ferrara, City Clerk  
SUBJECT: CLAIM DENIAL

---

**SUMMARY OF ISSUE:**

Claimant: Michael Christopher Malloy, et al  
924 30<sup>th</sup> Avenue  
Santa Cruz, CA 95062

**STAFF RECOMMENDATION:**

Approval of this item on the Consent Agenda will deny the claim.

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# CITY OF SCOTTS VALLEY

OFFICE OF THE CITY CLERK  
One Civic Center Drive • Scotts Valley • California • 95066  
Phone (831) 440-5600 • Facsimile (831) 438-2793 • www.scottsvally.org

RECEIVED  
JAN 15 2016

## CLAIM FORM

(To be completed by Claimant)

CITY OF SCOTTS VALLEY

CLAIMANT Michael Christopher Malloy, Telephone (831) 212-5957  
Ami Michelle Malloy, Minor children - Locin Sav Malloy,  
Eastin Sav Malloy  
ADDRESS 924 30th Ave. Santa Cruz, CA 95062

Description of Claim See attached narrative (one page)

Location of Occurrence See attached narrative (one page)

Amount of Claim In excess of jurisdictional amount / ongoing  
(Attach supporting receipts, etc.)

City Employees Involved UNKNOWN

Date of Occurrence July 15, 2015 - ongoing

Witnesses to Occurrence Michelle Hodges 924 30th Ave  
(Name and Address) Santa Cruz, CA 95062

There may be more

Date: 1.15.16

Signature

Ami Malloy

SEND TO: Scotts Valley City Clerk  
One Civic Center Drive  
Scotts Valley, CA 95066

- **CLAIM AGAINST CITY OF SANTA CRUZ AND INDIVIDUAL POLICE OFFICERS**
- **CLAIM AGAINST COUNTY OF SANTA CRUZ AND CPS AGENTS, SHERIFF'S DEPUTIES, ANIMAL CONTROL AND ITS OFFICERS**
- **CLAIM AGAINST THE CITY OF SCOTTS VALLEY AND INDIVIDUAL POLICE OFFICERS**

ON JULY 15, 2015 **COUNTY SHERIFFS DEPUTIES** RESPONDED TO AN INCIDENT OUTSIDE THE HOUSE AT 924 30<sup>TH</sup> AVENUE, SANTA CRUZ. THEY PROCEEDED TO ENTER THE HOUSE OVER THE OBJECTION OF AMI MALLOY WHO DID NOT GIVE CONSENT FOR THEM TO ENTER OR SEARCH NOR DID THEY HAVE A SEARCH WARRANT NOR WERE THERE EXIGENT CIRCUMSTANCES THAT WOULD EXCUSE THE NECESSITY FOR A WARRANT. THE **OFFICERS** GRABBED AMI'S ARM WHILE SHE WAS STILL INSIDE THE HOUSE INFLECTING SERIOUS INJURIES AND PULLED HER OUTSIDE THE HOUSE AND HANDCUFFED HER. THEY ALSO ASSAULTED MICHAEL MALLOY PULLING HIM OUTSIDE, GRABBING HIS ARMS AND HANDCUFFING HIM. 20 MINUTES LATER THEY RELEASED THE MALLOYS AND LEFT.

**THREE SHERIFFS DEPUTIES** CAME BACK 20 MINUTES LATER AND INFORMED THE MALLOYS THAT THEY WERE THERE TO DOCUMENT THE MALLOYS' INJURIES FROM THE PRECEDING INCIDENT. THE MALLOYS COMPLIED AND PRESENTED THEMSELVES FOR INSPECTION OF THEIR INJURIES AND THE **OFFICERS** IMMEDIATELY PLACED THEM IN HANDCUFFS AGAIN. AT NO TIME EITHER PRECEDING OR DURING THE HANDCUFFING DID THEY IN ANY WAY RESIST THE **OFFICERS'** ACTIONS. THEIR PLACEMENT IN HANDCUFFS WAS ILLEGAL, UNWARRANTED AND IN VIOLATION OF CALIFORNIA LAW AND THE CONSTITUTION.

AFTER ANOTHER 20 MINUTES, **SCOTTS VALLEY POLICE OFFICERS** ARRIVED AT THE HOUSE AND TRANSPORTED THE MALLOYS, STILL IN HANDCUFFS, TO THE **SCOTTS VALLEY POLICE DEPARTMENT** WHERE THEY WERE INTERROGATED. THE OFFICERS INFORMED THE MALLOYS THAT THEY WERE BEING ARRESTED FOR CHILD ABDUCTION, CHARGES OF WHICH THEY WERE ULTIMATELY EXONERATED. THIS ARREST AND DETENTION WAS WITHOUT PROBABLE CAUSE. THEY WERE SUBSEQUENTLY TRANSPORTED TO THE **SANTA CRUZ COUNTY JAIL** WHERE THEY WERE BOOKED AND INCARCERATED.

WHEN THEY RETURNED HOME SEVERAL HOURS LATER, THEY FOUND THAT **COUNTY ANIMAL SERVICES** HAD UNLAWFULLY SEIZED THE FAMILY DOG WHO WAS NOT ENDANGERED, HAD ADEQUATE SHELTER AND FOOD, WAS NOT AT LARGE AND WAS NOT ABANDONED. **ANIMAL CONTROL** SUBSEQUENTLY KILLED THE DOG.

THE MALLOYS ARE INFORMED AND BELIEVE THAT THE **SHERIFF'S DEPUTIES** REMAINED AT THE HOUSE AT 924 30<sup>TH</sup> AVENUE UNTIL THE **CPS SOCIAL WORKERS** ARRIVED AND TOOK THE MALLOY'S 2 SONS INTO CUSTODY.

**COUNTY CPS WORKERS** UNLAWFULLY TOOK CUSTODY OF THE MALLOYS' TWO CHILDREN WITHOUT A VALID WARRANT. THE MALLOYS ASSERT THAT THE **CPS WORKERS** WERE RETALIATING AGAINST THEM FOR THEIR OUTSPOKEN CRITICISM.

THE CHILDREN WERE ABUSED WHILE IN CUSTODY OF THE **CPS AND ITS AGENTS** AND THE MALLOYS' REPEATED COMPLAINTS WERE DISREGARDED. IN ADDITION TO THE ABUSE THE **CPS AND ITS AGENTS** ADMINISTERED NON-EMERGENCY MEDICAL PROCEDURES WITHOUT THE MALLOYS' CONSENT AND WITHOUT ANY LEGAL AUTHORITY. **CPS** ALSO PREVENTED THE MALLOYS' 13 YEAR OLD BOY FROM EXERCISING HIS CUSTOMARY RELIGIOUS WORSHIP AND PRACTICES.

## City of Scotts Valley CITY COUNCIL STAFF REPORT

**DATE:** February 17, 2016

**TO:** Mayor Lind and Members of the City Council

**FROM:** Taylor Bateman, Acting Community Development Director

**APPROVED:** Chuck Comstock, Interim City Manager

**SUBJECT:** Oral Presentation by the City of Scotts Valley Arts Commission  
Regarding a Proposed First Annual "Scotts Valley Arts Walk".

### **SUMMARY OF ISSUE**

The Scotts Valley Arts Commission will attend the Council meeting to give an oral presentation on a proposed First Annual "Scotts Valley Arts Walk". The Commission envisions an annual art walk within the City of Scotts Valley, with large-scale art displayed outdoors on public property. Locations could include the Scotts Valley Library/Theater, the Senior Center, Community Center, Recreation Center, Skypark's Linear Park, and the medians of Scotts Valley Drive and Mount Hermon Road. A description and draft budget are attached.

The first task will be to prepare a grant application requesting \$30,000 from the California Arts Council. The application requires a local matching contribution that will be solicited from local community members.

### **FISCAL IMPACT**

None at this time.

### **RECOMMENDATION**

The Arts Commission is asking for City Council support of the project in concept only and authorization to pursue the California Arts Council grant.

### **ATTACHMENTS**

### **PAGE**

Scotts Valley Arts Walk Concept Plan . . . . . 2

# Scotts Valley Art Walk

## A Concept of the Scotts Valley Arts Commission

The Scotts Valley Arts Commission is pleased to present this brief overview during the planning stage of the first Scotts Valley Arts Walk, and to invite the City Council's guidance. Today, we ask the Council to approve this project in concept, so that the Commission could look into opportunities for public grants and contributions from local businesses. In the future, the Commission also will welcome the City's support of the project.

### **Project Design**

The Commission envisions an annual art walk within the City of Scotts Valley, with large-scale art displayed outdoors on public property. Locations could include the Scotts Valley Library/Theater, the Senior Center, Community Center, Scotts Valley Recreation Center, Skypark's Linear Park, and the medians of Scotts Valley Drive and Mt. Hermon Drive. The Commission will recommend locations for the art works, for approval by the City.

The Commission will conduct an open call for artists to submit their art for consideration, and select ten-to-twenty pieces for public display from May 31, 2017 to September 30, 2017. The event will begin with a daylong launch designed to engage the community and express the City's support of the arts. After the display period, a closing event will celebrate the arts and honor the artists that the public has selected as the creators of the most popular art works.

### **Community Purpose**

The Scotts Valley Art Walk project will complement the successful Art, Wine & Beer Festival. It will serve both local residents and visitors to our community, develop appreciation of the visual arts, and represent the Scotts Valley's distinct character and quality as a center for cultural activities. The project also seeks to enhance the social and economic health of Scotts Valley, and support creative artists in a collaborative manner.

### **Art Selection**

The Scotts Valley Art Walk project will appoint a panel of qualified judges to articulate selection criteria, review each applicant's body of work, screen specific sculptures or media works that are submitted, and select several for display. The selection criteria will emphasize artistic quality, innovative design, and practical matters of installation, display, and public safety.

### **Documentation and Evaluation Plan**

The project includes systematic monitoring of the effectiveness of each stage of project

implementation, documenting the numbers of visitors, soliciting and summarizing visitors qualitative comments and votes, and tracking income and expenses. The Documentation and Evaluation Plan will provide feedback for refinement of the project design for future Art Walks.

### **Management and Leadership**

The Scotts Valley Arts Commission will supervise the project, follow guidelines provided by the City, and communicate with City staff. The City, with the advice of the Commission, will contract with a project coordinator to support project activities, e.g., soliciting applications, coordinate agreements with artists, arranging publicity, managing a basic website, and implementing the Documentation & Evaluation Plan.

### **Budget Planning**

Artists will receive an honorarium of up to \$1,000 for the installation of each art piece. The artists will be required to offer their art for purchase; deliver, place and insure their art; and remove their art when it has been sold or after the display period. Artists who sell their work during this project will be required to pay 35% of the purchase price as a gallery fee.

The preliminary budget for this project, subject to revision as we refine our plans, projects a \$30,000 grant from the California Arts Council's program, Creative California Communities, plus an equal amount as the required local matching contribution.

|                                          |               |
|------------------------------------------|---------------|
| Honoraria for Artists                    | 12,500        |
| Project Management                       | 6,000         |
| Installation Pedestals, Mounts, Supports | 6,000         |
| Project Coordination (contractor)        | 15,000        |
| Application Fees (100 @ \$35)            | -3,500        |
| Juror Stipends (5 @ \$350)               | 1,750         |
| Awards for Artists                       | 1,750         |
| Opening & Closing Events                 | 3,000         |
| Insurance                                | 3,000         |
| Publicity & Catalog of Art Works         | 6,000         |
| Website                                  | 2,500         |
| Contingencies (10%)                      | 6,000         |
| <b>Total</b>                             | <b>60,000</b> |

## **City of Scotts Valley CITY COUNCIL STAFF REPORT**

**DATE:** February 17, 2016

**TO:** Mayor Donna Lind and Members of the City Council

**FROM:** Taylor Bateman, Acting Community Development Director

**APPROVED:** Chuck Comstock, Interim City Manager

**SUBJECT:** **A PUBLIC HEARING TO CONSIDER AMENDMENTS TO  
PLANNED DEVELOPMENT PERMIT NO. PD003-001 TO  
ALLOW TREE REMOVAL AND GRADING DURING THE  
RAINY SEASON FOR A PREVIOUSLY APPROVED FIVE  
UNIT PLANNED DEVELOPMENT LOCATED ON SCOTTS  
VALLEY DRIVE // 022-861-21**

### **SUMMARY OF ISSUE**

On August 5, 2009, the City Council approved a five Unit Planned Development on Scotts Valley Drive. Presently the property owner is preparing to develop the site. Project approvals in 2009 specified that City Council approval is needed for grading during the rainy season. Specifically, project Condition of Approval No. 44 states "Any grading or earthwork proposed between October 15 to April 15 requires review and approval by the City Council before any earthwork may occur during this period." The purpose of this condition is to ensure that there are adequate erosion control measures in place at the time of construction. The applicant has prepared a grading plan that has been reviewed by the City Engineer (Grading Plans - Attachment 2). The grading plans are not complete and require additional information specific to winter grading. At this time, the property owner is requesting that the City Council authorize winter grading subject to the review and approval of the City Engineer. In addition to specific winter grading requirements included in the resolution below, the City's standard grading and erosion requirements will apply to the project (Title 15 of the Scotts Valley Municipal Code).

The applicant is also requesting an amendment to Condition of Approval Number 15 which states: "Tree removal shall not occur in the rainy season (October 15 to April 15)." The purpose of this condition is to coordinate tree removals with grading activities. The applicant would like to remove the trees at this time to avoid potential disruptions to nesting birds. Since the site contains potential habitat for nesting birds, the project biologist limited tree removals during the nesting season (February through August). Tree removal may occur during this time as long as a qualified biologist surveys the site and verifies that there are no nesting raptors on site. The property owner will need to provide this documentation prior to tree removal.

**PUBLIC NOTICE & COMMENT**

The site was posted and a public notice was posted in three (3) public places and mailed to property owners within 300 feet pursuant to State law and to all properties north of Vine Hill School Road. No comments have been received.

**FISCAL IMPACT**

None at this time.

**RECOMMENDATION**

The Planning Department recommends adoption of Resolution No. 1829.7 amending the Planned Development Permit (PD03-001) as follows:

1. Authorize the property owner to pursue a winter grading application subject to the review and approval of the City Engineer.
2. Remove Condition of Approval Number 14 to allow tree removal during the rainy season (October 15 to April 15).

**ATTACHMENTS**

**PAGE No.**

Resolution No. 1829.7 Amending Planned Development Permit No. PD03-001 . . . . . 3  
Grading Plans (received 02/12/16) . . . . . Attached

## RESOLUTION NO. 1829.7

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AMENDING CONDITIONS OF APPROVAL NUMBERS 15 & 44 OF PLANNED DEVELOPMENT PERMIT NO. PD03-001 TO ALLOW TREE REMOVAL AND GRADING DURING THE RAINY SEASON FOR A PREVIOUSLY APPROVED FIVE UNIT PLANNED DEVELOPMENT LOCATED ON SCOTTS VALLEY DRIVE // 022-861-21.**

WHEREAS, the Planning Department of the City of Scotts Valley has received the application to amend Conditions of Approval numbers 15 & 44 of Planned Development Permit No. PD03-001 to allow tree removal and grading in the rainy season for a previously approved five unit planned development located on Scotts Valley Drive // 022-861-21.; and

WHEREAS, the application is a “project” pursuant to the California Environmental Quality Act (“CEQA”); and

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, the project is determined to not have a significant impact on the environment based upon the Mitigated Negative Declaration; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 17, 2009; August 5, 2009; and February 17, 2016, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

WHEREAS, the City Council certified the Negative Declaration for the project by adoption of Resolution No. 1829; and

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 June 17, 2009; August 5, 2009; and February 17, 2016:

#### Planned Development Permit

1. *The planned development permit, as issued, furthers the policies of the General Plan.* The project furthers the goals and objectives of the General Plan by providing housing opportunities. As called for in General Plan Land Use Element Policies LP-3 and LA-7, the City shall promote the availability of adequate sites

for a variety of housing types, densities, and zone vacant infill sites at densities sufficiently high to encourage development while respecting the character of surrounding uses.

2. *The planned development permit, as issued, conforms in all respects to the planned development zoning of the property.* Planned Development district and permit will allow the development to be designed to meet the needs of the individual property.
3. *The interrelationship between the orientation, location, mass and scale of building volumes, and elevations of proposed buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.* The proposed project is an adequate expression of the residential district regulations and the site.
4. *The environmental impacts of the project have been reviewed and considered.* A Mitigated Negative Declaration has been prepared and the proposed Planned Development Permit amendments as conditioned are consistent with the intent of the original approvals.

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 Planned Development Permit Amendment No. PD03-001.1 to allow tree removal and grading in the rainy season on a vacant parcel on Scotts Valley Drive // APN 022-861-21, subject to the Conditions of Approval set forth in 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 17<sup>th</sup> day of February, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Donna Lind, Mayor

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Tracy Ferrara, City Clerk

## **EXHIBIT A**

### **CONDITIONS OF APPROVAL** (Nos. 1-20)

#### **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. All required building permits shall be obtained and the application shall pay all appropriate fees prior to commencement of any construction on the property.

#### **PLANNING DEPARTMENT**

4. All applicable Conditions of Approval associated with City Council Resolutions 1829, 1829.1, 1829.2, 1829.3 & Ordinance 16-ZC-165.1 shall remain in effect.

#### **BUILDING DEPARTMENT**

5. All requirements of the Building Department of the City of Scotts Valley shall be met.
6. Applicant shall obtain a building permit(s) and pay appropriate fees before doing any earth disturbing work on the subject property.

#### **DEPARTMENT OF PUBLIC WORKS**

7. The City Engineer shall review and approve a winter grading plan prior to any grading of the site.

8. The project civil engineer of record & the project soils engineer of record shall provide documentation that the grading and erosion plans are acceptable for winter grading conditions.
9. The limits of grading shall be clearly marked with temporary construction fencing on the site prior to the issuance of a Grading Permit or Building Permit.
10. All excess material exported from the site shall be deposited at an approved landfill for this purpose or at another project site with an approved Grading Permit from the City of Scotts Valley or another jurisdiction. Prior to any site disturbance, the applicant shall identify the location of the property where the excess material is proposed to be taken and provide all necessary documentation to comply with the intent of this condition. The off-site location shall be approved by City staff before site disturbance.
11. All grading operations shall comply with Title 15 of the Scotts Valley Municipal Code.
12. Adequate erosion and sediment control measures must be in place during any land disturbance, and temporary erosion control measures must be applied to all soils bared at the end of each working day. Sufficient erosion control materials shall be kept on the site at all times to be installed immediately by the permittee upon advent of any rainfall, winds, or other storm event that may be expected to cause accelerated erosion.
13. All cuts and fill slopes, except sand slopes or dunes, without satisfactory vegetative cover between growing seasons shall be mulched with a minimum of four thousand pounds of straw or equivalent per acre of slope surface. Mulch will be anchored to the slope by punching or tacking into the soil or with netting installed over the mulch. Additional mulching and/or other anchoring methods as recommended by the erosion control specialist may be required by the building official or City Engineer.
14. Within ten working days after seeding, fertilizing and/or mulching, if necessary due to climate or drought conditions, the permittee will commence irrigation or watering of the seeded areas or slopes and shall continue until the rains come and/or a vegetative ground cover is permanently established. All other erosion and sediment control practices shall be installed prior to seeding and mulching.
15. All erosion and sediment control practices shall be closely monitored throughout the rainy season and/or slippage of cut and fill banks shall be repaired by the permittee at his expense.
16. The erosion control measures shall be inspected by a Construction General Permit Qualified SWPPP Practitioner (QSP) and/or Qualified SWPPP Developer (QSD) at a minimum weekly, and before and after rain events that exceed ½" in a 24 hour period, with needed repairs made immediately. A description of all inspections shall be provided in writing to DPW and Building department staff.

17. The grading plan shall include a sediment basin(s), truck washing, concrete wash-out facility, materials storage area, and staging area.
18. The Grading Plan shall provide sediment traps, including temporary siltation basins at downstream end of drainage channels.
19. All drainage ways shall be clear of debris and clean them when debris is observed.
20. The City Engineer shall require other conditions of approval as deemed necessary to fulfill the requirements of the City.

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Name and Signature of Property Owner

Date