



A G E N D A

Meeting of the
Scotts Valley City Council
REMOTE ACCESS ONLY

Date: October 21, 2020

Time: 6:00 pm

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	Zoom Videoconference	The agenda was posted 10-16-20 at City Hall and on the Internet at www.scottsvally.org .

PUBLIC ADVISORY REGARDING COVID-19 AND PUBLIC PARTICIPATION

Consistent with Executive Order No. N-29-20 issued by Governor Newsom on March 17, 2020, and the County of Santa Cruz Health Services Agency Shelter In Place Public Health Order dated March 31, 2020, this regular meeting of the City Council will be conducted through videoconference. Elected Officials and City Staff Members will be participating remotely via videoconference.

Public Participation:

The meeting will be available on Zoom and broadcast through Community Television of Santa Cruz on Channel 25 and via their website at the following link: <https://communitytv.org/watch/> (be sure to click on Channel 25). For those wishing to participate via Zoom you can join the following ways:

- Join from a PC, Mac, iPad, iPhone or Android device:
Please click this URL to join. <https://us02web.zoom.us/j/85161148424>
- Or join by phone:
Dial(for higher quality, dial a number based on your current location):
US: +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or
+1 646 558 8656 or +1 301 715 8592
Webinar ID: 851 6114 8424

You will be given opportunities to provide public comment at the appropriate times throughout the meeting via Zoom. If you are participating via dial-up only, use *9 to raise your hand at the requested time.

How to comment via Zoom:

1. At the appropriate times during the meeting for public comment, on items not on the agenda, and on specific agenda items, the Mayor will announce that public comment will be accepted. Our usual time limits of 3 minutes per individual, or 5 minutes for an individual who is representing a group of three or more, will apply. Please note that per our standard practice, this is not a question and answer time, but simply a time for you to provide your comments to the Council.
2. There is an option on Zoom to raise your hand. Please click on this option when the Mayor announces that public comment will be taken. Zoom places people in line automatically. If you are participating via dial-up, you can raise your hand at the appropriate time by pressing *9. When it is your turn, the City Clerk will unmute you, and you will be able to make your comments based on the above time frames. Once your time is up, you will once again be muted and the next person in line will be given their opportunity to speak.

How to comment via email:

1. Members of the public may provide public comment by sending comments to the City Clerk via email at cityhall@scottsvalley.org.
2. Additional materials and emails must be received by 5:30 pm the day of the meeting and will be distributed to agenda recipients prior to the meeting.
3. Emails received after 5:30 pm the day of the meeting will not be included in the record.

ELECTED OFFICIALS	CITY STAFF MEMBERS
Randy Johnson, Mayor Derek Timm, Vice Mayor Jack Dilles, Council Member Donna Lind, Council Member Jim Reed, Council Member	Tina Friend, City Manager Kirsten Powell, City Attorney Steve Walpole, Chief of Police Taylor Bateman, Community Development Director Daryl Jordan, Public Works Director Tracy Ferrara, City Clerk

MEETING NOTICE AND AGENDA PACKET MATERIALS

Notice regarding City Council Meetings:

The City Council meets regularly on the 1st and 3rd Wednesday of each month at 6:00 pm.

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: <http://scottsvalley.org/AgendaCenter>. Due to COVID-19, City Hall is closed to the public therefore, the agenda is only available for viewing online.

Televised Meetings:

City Council meetings are cablecast "Live" on Community Television of Santa Cruz County on Comcast Channel 25 and are also available livestream on the Community TV website at the following link: <https://communitytv.org/watch/>

Zoom Meetings/Webinars:

For those wishing to participate via Zoom you can join from a PC, Mac, iPad, iPhone or Android device by entering or clicking on the following URL:

<https://us02web.zoom.us/j/85161148424>

CALL TO ORDER 6:00 PM

MOMENT OF SILENCE

ROLL CALL

SPECIAL SET MATTER

Presentation from Elaine Johnson, Program Coordinator, Santa Cruz County District Attorney's Office on Neighborhood Courts.

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 items may do so raising their hand to be recognized by the Mayor.

- A. Approve City Council minutes of the 9-16-20
- B. Approve check registers dated 10-9-20, 10-16-20
- C. Approve Resolution No. 1988 authorizing application for, and entering into agreements for, AMBAG's Regional Early Action Planning (REAP) Grant Program in the amount of \$65,000
- D. Scotts Valley Library Measure S Renovations:
 - (1) Authorize an FY 2020/21 budget expenditure and appropriation up to \$170,050 from Measure S proceeds, with unspent funds to be rolled over to future fiscal years; and

- (2) Authorize the City Manager to execute an Agreement for Professional Services with Bogard Construction, Inc. for project management consultant services for the Scotts Valley Branch Library Renovations with a not-to-exceed amount of \$170,050.

ALTERATIONS TO REGULAR AGENDA

Council can remove or add items to the Regular Agenda.
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REGULAR AGENDA

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

1. City Financial Update and Discussion of FY 2019/20 and FY 2020/21
(City Manager Friend / Fiscal Consultant Steve Toler)
2. Consider Resolution No. 1989 granting a one-time credit to eligible commercial wastewater customers for decreased wastewater discharge during the COVID-19 pandemic restrictions for a two-month period from end of March to end of May 2020 (City Manager Friend / Fiscal Consultant Steve Toler)
3. Consider Resolution No. 1960.2 establishing the Town Center Opportunity Committee and appoint Committee Members (City Manager Friend)
4. Consider Resolution No. 1959.5 establishing the Joint Scotts Valley City/Water District Committee and appoint Committee Members (City Manager Friend)
5. 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

ADA NOTICE

The City of Scotts Valley does not discriminate against persons with disabilities. The City Council Chambers is an accessible facility. If you wish to attend a City Council meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate at the meeting, please call the City Clerk's office at (831) 440-5602 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.
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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

Meeting of the Scotts Valley City Council

Date: September 16, 2020

Time: 6:00 pm

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	Zoom Videoconference	The agenda was posted 9-11-20 at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvally.org .

CALL TO ORDER 6:00 PM

The City Council meeting was called to order at 6:00 pm.

MOMENT OF SILENCE

ROLL CALL

ELECTED OFFICIALS PRESENT:

Randy Johnson, Mayor
Derek Timm, Vice Mayor
Jack Dilles, Council Member
Donna Lind, Council Member
Jim Reed, Council Member

CITY STAFF MEMBERS PRESENT:

Tina Friend, City Manager
Kirsten Powell, City Attorney
Steve Walpole, Chief of Police
Taylor Bateman, Community Development Director
Daryl Jordan, Public Works Director/City Engineer
Tracy Ferrara, City Clerk

SPECIAL SET MATTERS

- (1) Mayor Johnson presented a Mayor's Proclamation to Frank Ashmore from 1440 Multiversity
- (2) Mayor Johnson presented a Mayor's Proclamation to Jacob's Heart Children's Cancer Support Services representative Brittany Maldonado recognizing September 2020 as Childhood Cancer Awareness Month

COMMITTEE REPORTS

CM Lind reported that the Santa Cruz Metropolitan Transit Board (SCMTD) met and is working to increase rider levels and reporting on safety steps and precautions to keep riders and employees safe.

CM Lind reported that the SCMTD Finance Committee met and continue to review budget impacts.

CM Lind reported that the Santa Margarita Groundwater Agency met and they are continuing to work on objectives and impacts to water due to the recent fire.

CM Lind reported that KSCO Radio held a Think Local program that involved a variety of local agency representatives.

CM Lind announced that she had the honor of reading a page of names at the local 911 Memorial in Aptos that was coordinated by Aptos and La Selva Firefighters.

CM Lind reported that she attended a meeting held by the Senior Living Association regarding fire recovery steps and processes.

CM Dilles reported that he attended the AMBAG Board meeting as the City's Alternate Board Member where they discussed the regional growth projections forecast draft, which leads to the Regional Housing Needs Allocation (RHNA). He reported that they also accepted the Highway 1 Climate Resiliency Study.

CM Dilles reported that he attended a couple of Monterey Bay Air Resources District Board meetings where they received an annual report on the District's Air Toxics Program.

CM Dilles reported that the Integrated Solid Waste Task Force met and discussed organics recycling implementation and impacts.

CM Dilles reported that the Central Coast Community Energy (CCCE) Board (previously Monterey Bay Community Power) met where they discussed the impacts of the Power Charge Indifference Adjustment (PCIA) on electricity bills. He also reported that they changed their procurement policy and established a new goal of being 100% renewable energy by 2030.

CM Dilles reported that the Santa Margarita Groundwater Agency met and discussed climate change and its effect on our water supply and protected species.

CM Dilles reported that the Seniors Advisory Council met they are advocating for more monitoring of senior services, they are considering expanding Meals on Wheels to disabled people, and the State's Master Plan for Aging is still on track for completion in December.

VM Timm reported that the Local Economic Recovery Committee met and stated that the City has to follow State Tier guidelines as it relates to business operations. He stated that they are working closely with the Chamber of Commerce and local businesses to provide information as quickly as possible, and also assist with preparations for winter and its impacts.

VM Timm reported that the Joint City/School District Committee met and discussed school reopening plans, which is a very complicated process that is also impacted by State guidelines, and recommended that people contact the School Board or School District Superintendent with any questions. He also reported that the School District is working on a Bond Measure for the November ballot to address their fiscal concerns.

VM Timm reported that he attended an AMBAG Board meeting where they discussed the 2045 Metropolitan Transportation Plan for Sustainable Communities.

Mayor Johnson reported that the Santa Cruz County Regional Transportation Commission met and reviewed the five-year plan for Measure D and how the money has been spent. He reported that costs for the proposed wildlife tunnel under Highway 17 have increased from \$6 million to \$12 million. He also reported that the costs per mile on the rail trail are extremely high and the project has been pushed out for another four to five years.

CITY MANAGER REPORT

CZU Fire: Air quality is improving and the fire is 93% contained. The active firefighters on the line are down from 2,300 to 650 and evacuation orders are being lifted daily. She stated that the CalFire Base Camp, which has been located at Skypark, should be fully vacated within a week.

Scotts Valley Library: Curbside service is resuming on Monday, September 21, 2020.

Skypark: The Park will not be opening to the public until inspections and assessments have occurred and necessary repairs have been made.

County Emergency Operations Center (EOC): The County EOC is still operating, however, they are shifting into recovery mode. Due to COVID-19 and Fire impacts, and in order to help the community, the County is working to streamline some of their permit processes.

Debris Removal: The County is providing debris removal and preparing for potential problems related to debris and the winter rains. Additional information is available on the County's website at the following link:

<https://www.santacruzcounty.us/FireRecovery/DebrisRemoval.aspx> .

COVID-19: Santa Cruz County is currently in the red tier and is projected to not move to the purple tier until at least September 29th.

Economic Recovery: CM Friend reviewed all of the actions that have been taken by the City in support of the community and businesses. She stated that the City is very focused on local economic recovery and is working on processes for outdoor dining, has delayed business license renewals from July 1 to October 1, has passed a special order allowing fitness classes in parks, and is working to streamline permit processes.

PUBLIC COMMENT TIME

Wendy Brannan, Scotts Valley resident, expressed concerns regarding what she believes is a hazardous tree that needs to be removed and questioned the City's response to the fires.

Leah, Felton resident, thanked local Fire Departments and outside jurisdictions for their work. She questioned where she could obtain information on whether her home is susceptible to landslides and encouraged trying to keep emergency funds local. Mayor Johnson recommended that Leah contact the County of Santa Cruz for assistance as her home is located in the County, as Scotts Valley does not have the information necessary to respond.

Ilo Nilsson, Scotts Valley resident, thanked the first responders and stated that she appreciated their response, support and communications.

Mayor Johnson thanked CM Friend and Chief Walpole for all of their hard work throughout the emergency in keeping the community informed.

CM Lind encouraged everyone to go online to register on Nixle and Code Red, which allows the individual to identify how they would like to be notified.

ALTERATIONS TO CONSENT AGENDA

Wendy Brannan, Scotts Valley resident, requested that Item G be moved to the Regular Agenda for discussion regarding the Fire response.

M/S: Reed/Dilles

To approve the Consent Agenda as amended moving Item G to the Regular Agenda for discussion regarding the Fire response.

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

CONSENT AGENDA

- A. Approve City Council minutes of 8-5-20 Special City Council Closed Session meeting, 8-24-2020 Special City Council meeting

Date: September 16, 2020

- B. Approve check registers dated 7-16-20, 7-24-20, 7-30-20, 8-7-20, 8-14-20, 8-27-20, 9-4-20, 9-10-20
- C. Approve Resolution No.1985 confirming the order of the Director of Civil Defense and Disaster to issue emergency temporary permits for fitness classes in certain City parks
- D. Approve Resolution No. 1986 confirming the order of the Director of Civil Defense and Disaster authorizing a process for use permits for businesses affected by Shelter In Place Orders
- E. Approve the Operation & Maintenance Agreement for a private stormwater management facility at 22 Blake Lane, APN 022-902-16, Scotts Valley
- F. Approve Resolution No. 1955.1 amending the City Clerk/Administrative Manager Job Class Specification
- H. Approve the appointment of the Vice Mayor serving as the alternate on the Interagency Advisory Committee
- I. Authorize the City Manager to enter into a five-year lease agreement with Wizix Technology Group, Inc. for the City's fleet of Multi-Function Peripherals, in a form approved by the City Attorney

ALTERATIONS TO REGULAR AGENDA

M/S: Dilles/Lind

To approve the Regular Agenda as amended adding Item G from the Consent Agenda to the Regular Agenda.

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

REGULAR AGENDA

- 1. **Discuss Scotts Valley Police Department updates on training, use of force policy and transparency**

Chief Walpole presented the written staff report and responded to questions from City Council.

The City Council unanimously agreed to accept the report on the Scotts Valley Police Department updates on training, use of force policy, and transparency.

- G. **Approve the following responses to the 2019-2020 Santa Cruz County Civil Grand Jury reports and authorize submittal to the Grand Jury:**
 - (1) **The Tangled Web: Oh, What a Mangled Web We Weave ...**

- (2) **Managers of Risk or Victims of Risk – Rocked by the Shocks**
- (3) **Homelessness: Big Problem, Little Progress: It's Time to Think Outside The Box**
- (4) **Ready? Aim? Fire! Santa Cruz County on the Hot Seat**

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

Wendy Brannan, Scotts Valley resident, recommended that the City draft an ordinance in conjunction with the Fire District regarding vegetation management and expressed concerns about what she feels are fire concerns/vegetation issues around town. She also expressed concerns about City evacuation notifications and recommended that the Police Department promote education regarding notifications.

M/S: To approve the following responses to the 2019-2020 Santa Cruz County Civil Grand Jury reports and authorize submittal to the Grand Jury:

- (1) ***The Tangled Web: Oh, What a Mangled Web We Weave ...***
 - (2) ***Managers of Risk or Victims of Risk – Rocked by the Shocks***
 - (3) ***Homelessness: Big Problem, Little Progress: It's Time to Think Outside The Box***
 - (4) ***Ready? Aim? Fire! Santa Cruz County on the Hot Seat***
- Carried 5/0 (AYES: Dilles, Johnson, Lind, Reed, Timm)***

2. Future Council agenda items

None.

CLOSED SESSION PUBLIC COMMENT

Mayor Johnson announced that the City Council would be holding a separate meeting to discuss the following Closed Session subjects. He stated that public comment would be taken at this time.

- (1) Pursuant to Government Code Section 54956.9(b), the City Council met in closed session to confer with their legal counsel regarding anticipated litigation; 2 cases.

No public comment.

- (2) Pursuant to Government Code Section 54956.8, the City Council met in closed session to confer with their legal counsel regarding real property negotiations; 251 Kings Village Road, Scotts Valley, CA (Scotts Valley Community Theater Guild [SVCTG] and Library).

Date: September 16, 2020

Larry Smith, representing the SVCTG, requested that the City release the \$95,000 that the City had earmarked for the theater. He stated that the dollars had already been expended by the SVCTG and receipts were available.

- (3) Pursuant to Government Code Section 54961, the City Council met in closed session to confer with their legal counsel regarding liability claim; Justin Milroy.

No public comment.

ADJOURNMENT

The meeting adjourned at 7:48 pm

Approved: _____
Randy Johnson, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

SCOTTS VALLEY ACCOUNTS PAYABLE
10/09/2020 11:39:28 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.14 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 100920 COMMENT... 10/09/2020 A/P

DATA-JE-ID DATA COMMENT

W-10092020-798 10/09/2020 A/P

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				
	003534 ADOBE ANIMAL HOSPITAL SO	120071	10/09/20	73.71	
	001219 ALHAMBRA	120072	10/09/20	185.62	
	001219 ALHAMBRA	120073	10/09/20	68.64	
	000097 AT&T	120074	10/09/20	359.27	
	003170 BOGARD CONSTRUCTION INC	120075	10/09/20	1,372.50	
	000018 BRINK'S AWARDS & SIGNS	120076	10/09/20	71.01	
	001566 BUSINESS WITH PLEASURE	120077	10/09/20	487.31	
	003714 CAPITOLA/CITY OF	120078	10/09/20	7,887.06	
	001553 CARD SHARK INC/THE	120079	10/09/20	1,254.99	
	003473 CENTRAL MEDICAL LAB., IN	120080	10/09/20	160.00	
	003043 CSG CONSULTANTS, INC	120081	10/09/20	49,277.50	
	001896 D & G SANITATION	120082	10/09/20	103.55	
	000389 DASSEL'S PETROLEUM INC	120083	10/09/20	2,975.71	
	001597 ENVIRONMENTAL INNOVATION	120084	10/09/20	7,590.00	
	000051 FISHER SCIENTIFIC	120085	10/09/20	94.48	
	003502 FREITAS & FREITAS	120086	10/09/20	10,875.00	
	001817 GROUP 4	120087	10/09/20	7,146.00	
	.15711 HAROS/JOANNA	120088	10/09/20	36.71	
	000195 MESITI-MILLER ENGINEERIN	120089	10/09/20	18,750.00	
	003756 MICHAEL BAKER INTERNATIO	120090	10/09/20	23,250.50	
	003171 MICHALAK/GENE	120091	10/09/20	250.00	
	000218 MID VALLEY SUPPLY	120092	10/09/20	70.37	
	003684 MILES CHEMICAL COMPANY,I	120093	10/09/20	2,832.32	
	000083 MISSION UNIFORM SERVICE	120094	10/09/20	867.48	
	001418 MONTEREY REGIONAL	120095	10/09/20	804.01	
	000939 NATIONAL COMTEL NETWORK	120096	10/09/20	17.48	
	003152 PETERSON POWER SYSTEMS,	120097	10/09/20	39,819.98	
	001787 PETRINI'S GARDENING SERV	120098	10/09/20	125.00	
	003572 REGIONAL GOVERNMENT SERV	120099	10/09/20	2,127.50	
	001909 SANTA CRUZ COUNTY	120100	10/09/20	20,564.00	
	001544 SANTA CRUZ COUNTY CONFER	120101	10/09/20	23,840.69	
	003658 SANTA CRUZ OCCUPATIONAL	120102	10/09/20	129.00	
	000127 SANTA CRUZ SENTINEL	120103	10/09/20	1,423.15	
	000122 SANTA CRUZ/CITY OF	120104	10/09/20	8,614.97	
	000114 SCOTTS VALLEY ROCKERY	120105	10/09/20	577.70	
	000133 SCOTTS VALLEY SPRINKLER	120106	10/09/20	10.26	
	002053 STEPFORD	120107	10/09/20	95.85	
	001844 STERLING WATER TECHNOLOG	120108	10/09/20	3,670.40	
	000143 SUMMIT UNIFORMS	120109	10/09/20	872.91	
	001085 SYCAL ENGINEERING INC	120110	10/09/20	946.45	
	001589 TELECOMMUNICATIONS	120111	10/09/20	6,666.24	
	000153 THOMSON REUTERS-WEST	120112	10/09/20	323.57	
	003548 TORO PETROLEUM CORP	120113	10/09/20	3,579.41	
	001366 U.S. BANCORP OFFICE	120114	10/09/20	1,269.03	
	003924 VIRTUAL PROJECT MANAGER	120115	10/09/20	1,000.00	
	000154 WINCHESTER AUTO STORES	120116	10/09/20	16.39	
	001625 YOSHIDA DDS/NOREEN	120117	10/09/20	188.00	
	GENERAL CHECKING ACCOUNT			252,721.72	***

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				252,721.72

RECORDS PRINTED - 000079

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
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001	GENERAL	143,892.69
002	RECYCLING/ENVIRONMENTAL	6,270.00
004	RECREATION	1,009.92
010	WASTEWATER OPERATIONS	63,153.85
019	AFFORDABLE HOUSING	10,875.00
025	GENERAL TRUST	63.76
088	LIBRARY FACILITIES-MEAS "S"	27,268.50
112	DENTAL INS INTERNAL SERV	188.00
TOTAL ALL FUNDS		252,721.72

BANK RECAP:

BANK	NAME	DISBURSEMENTS
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BA	GENERAL CHECKING ACCOUNT	252,721.72
TOTAL ALL BANKS		252,721.72

SCOTTS VALLEY ACCOUNTS PAYABLE
10/16/2020 12:26:56 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.14 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 101620 COMMENT... 10/16/2020 A/P

DATA-JE-ID DATA COMMENT

W-10162020-807 10/16/2020 A/P

Run Instructions:

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

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
	003497 ALVAREZ INDUSTRIES, INC	120118	10/16/20	196.00	
	003758 ASCANI, PSY.D./CORIE L.	120119	10/16/20	200.00	
	001670 AT &T	120120	10/16/20	3,441.83	
	000097 AT&T	120121	10/16/20	33.09	
	003746 AVENU HOLDINGS, LLC	120122	10/16/20	1,876.01	
	001822 BC LABORATORIES INC.	120123	10/16/20	298.00	
	000018 BRINK'S AWARDS & SIGNS	120124	10/16/20	71.01	
	001888 CALIF. PEACE OFFICER ASS	120125	10/16/20	125.00	
	002091 COMCAST	120126	10/16/20	156.31	
	002091 COMCAST	120127	10/16/20	283.82	
	002091 COMCAST	120128	10/16/20	323.21	
	003564 CREATIVE SECURITY COMPAN	120129	10/16/20	3,638.60	
	000037 CRYSTAL SPRINGS WATER CO	120130	10/16/20	56.10	
	000389 DASSEL'S PETROLEUM INC	120131	10/16/20	148.29	
	000207 DEPARTMENT OF JUSTICE	120132	10/16/20	66.00	
	003160 DIXON & SON TIRE	120133	10/16/20	110.50	
	001362 DUNCAN AUTO TECH	120134	10/16/20	744.76	
	001537 DYNAMIC PRESS	120135	10/16/20	102.07	
	000426 ENTENMANN-ROVIN CO	120136	10/16/20	80.40	
	000375 FIRST ALARM SECURITY & P	120137	10/16/20	87.29	
	003654 GENERAL LOGISTICS SYSTEM	120138	10/16/20	28.27	
	003706 GRANADOS/JUSTIN	120139	10/16/20	393.89	
	000057 HACH COMPANY	120140	10/16/20	110.51	
	.15712 HERITAGE PARKS	120141	10/16/20	390.00	
	003969 HULME PROFESSIONAL	120142	10/16/20	398.50	
	002000 INTERNATIONAL CONFERENCE	120143	10/16/20	125.00	
	000934 JOHN'S ELECTRIC MOTOR SE	120144	10/16/20	96.00	
	001903 JONES/KIMARIE	120145	10/16/20	20.19	
	003701 JORDAN/DARYL	120146	10/16/20	72.92	
	000284 LOGAN & POWELL, LLP	120147	10/16/20	18,720.00	
	001615 OLIN CORP-CHLOR ALKALI	120148	10/16/20	2,219.91	
	000101 PACIFIC GAS & ELECTRIC C	120149	10/16/20	42.74	
	000101 PACIFIC GAS & ELECTRIC C	120150	10/16/20	16.94	
	001233 PORTER DDS MS/BRENT J	120151	10/16/20	426.60	
	003085 SHRED-IT USA	120152	10/16/20	1,124.05	
	001366 U.S. BANCORP OFFICE	120153	10/16/20	345.17	
	001106 VERIZON WIRELESS	120154	10/16/20	1,113.83	
	003708 YORK FRAMING	120155	10/16/20	109.49	
	GENERAL CHECKING ACCOUNT			37,792.30	***

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
10/16/2020 12:26:56
GL540R-V08.14 PAGE 2

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				37,792.30

RECORDS PRINTED - 000066

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
----	-----	
001	GENERAL	31,726.61
004	RECREATION	311.80
010	WASTEWATER OPERATIONS	2,987.89
011	TERTIARY TREATMENT PLANT	1,426.23
028	SENIOR CENTER	435.23
088	LIBRARY FACILITIES-MEAS "S"	20.19
112	DENTAL INS INTERNAL SERV	825.10
123	COMMUNITY FACILITY CENTER	59.25
TOTAL ALL FUNDS		37,792.30

BANK RECAP:

BANK	NAME	DISBURSEMENTS
----	-----	
BA	GENERAL CHECKING ACCOUNT	37,792.30
TOTAL ALL BANKS		37,792.30

City of Scotts Valley

CITY COUNCIL STAFF REPORT

DATE: October 21, 2020

TO: Honorable Mayor and City Council

FROM: Cynthia Chase, Senior Management Analyst

APPROVED: Tina Friend, City Manager
Taylor Bateman, Community Development Director

SUBJECT: **CONSIDER RESOLUTION NO. 1988 AUTHORIZING
STAFF TO SUBMIT AN APPLICATION TO AMBAG
REAP GRANT PROGRAM FOR HOUSING PLANNING
SUPPORT**

SUMMARY OF ISSUE

In July 2020, the Association of Monterey Bay Area Governments (AMBAG) announced the release of the Regional Early Access Planning (REAP) grant application. The adopted FY 2019-20 California Budget (AB 74) and associated housing trailer bill (AB 101) established the Local Government Planning Support Grants Program which made REAP funding available to the California Central Coast region to fund housing planning activities. Based upon the approved sub-allocation approach from the Central Coast Housing Working Group and the AMBAG Board of Directors, the City of Scotts Valley is eligible for up to \$65,000 in grant funding.

REAP grant funding may be used for technical assistance, preparation, and adoption of planning documents and process improvements to accelerate housing production and facilitate compliance to implement the sixth cycle of the Regional Housing Needs Allocation (RHNA). Since 1969, the State of California has required that all local governments adequately plan to meet the housing needs of everyone in the community.

Based on the requirements outlined above and the City's housing priorities, it is recommended that the City apply for a \$65,000 REAP grant. It is proposed that the City use the grant funds for two separate activities. The first of these activities would be the development of objective design and development standards for residential projects to be consistent with recent state legislation. Secondly, the grant funds would also be used to update the City's Inclusionary housing ordinance for consistency with the City's Housing Element to facilitate housing production.

FISCAL IMPACT

There is no fiscal impact as there is no cost to the City to apply and no local match requirement.

STAFF RECOMMENDATION

It is recommended that the City Council approve Resolution No. 1988 authorizing staff to submit an application to, and entering into agreements to accept funds if awarded for, the AMBAG’s REAP Grant Program for \$65,000.

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RESOLUTION NO. 1988

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY
AUTHORIZING APPLICATION FOR, AND ENTERING INTO AGREEMENTS FOR
THE REGIONAL EARLY ACTION PLANNING GRANT
(REAP) PLANNING GRANTS PROGRAM FUNDS**

RECITALS

WHEREAS, Governor Gavin Newsom signed Assembly Bill 101 in September 2019, which established the Local Government Planning Support Grants Program which allocates \$125 million in housing planning funds to regional entities throughout the state; and

WHEREAS, the California Department of Housing and Community Development (HCD) has been assigned as the state agency overseeing this program; and

WHEREAS, the provisions of AB 101 require the California Central Coast's Councils of Government form a multiagency group comprising three representatives from each of the region's five counties to administer approximately \$8 million in housing planning funds dedicated to the Central Coast region through the Regional Early Action Planning (REAP) grant; and

WHEREAS, the Central Coast Housing Working Group has been established as the multiagency working group to administer these REAP funds pursuant to AB 101; and

WHEREAS, the Association of Monterey Bay Area Governments (AMBAG) will serve as the fiscal agent of the Central Coast Housing Working Group and will staff the group; and

WHEREAS, AMBAG will use three percent of the AB 101 Central Coast regional funding to administer the mega regional grant program, staff the Central Coast Housing Working Group, provide required reporting, and provide oversight of the grant program from 2020 to 2024; and

WHEREAS, AMBAG will allocate AB 101 housing planning funds to the four COGs in the Central Coast area: AMBAG, the San Luis Obispo Council of Governments, the Santa Barbara County Association of Governments, and the Council of San Benito County Governments; and

WHEREAS, the City of Scotts Valley is eligible to submit a request for allocation for a portion of Central California AB 101 housing planning funds from AMBAG; and

WHEREAS, the amounts allocated to the Association of Monterey Bay Area Governments (AMBAG) are based on the allocation method approved by the Central Coast Housing Working Group; and

WHEREAS, the amounts allocated to the City of Scotts Valley will be based on the allocation method approved by AMBAG; and

WHEREAS, AMBAG shall approve allocation requests subject to the terms and conditions of eligibility, guidelines, Notices of Funding Availability, and program requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY RESOLVES AS FOLLOWS:

1. The City of Scotts Valley is hereby authorized to request an allocation not to exceed **\$ 65,000** from the Association of Monterey Bay Area Governments which acts on behalf of the Central Coast Housing Working Group, and
2. The City of Scotts Valley is hereby authorized to enter into agreements, and take further actions as may be necessary to give effect to this resolution, such as executing amendments and approving funding applications with the Association of Monterey Bay Area Governments for REAP grant funding.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 21st day of October, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Randy Johnson, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: October 21, 2020

TO: Honorable Mayor and City Council

FROM: Tina Friend, City Manager

SUBJECT: **APPROVAL OF CONTRACT WITH BOGARD CONSTRUCTION, INC. FOR PROJECT MANAGEMENT SERVICES FOR THE SCOTTS VALLEY LIBRARY MEASURE S RENOVATIONS**

SUMMARY OF ISSUE

The City of Scotts Valley's portion of Measure S, the 2016 library bond measure, is \$3.75 million. This investment into the Scotts Valley Branch Library is now underway, with structural upgrades and replacement of the roof and HVAC systems occurring from early October through the winter. Work is also proceeding in the coming months on plumbing, paving/stripping of the parking lot and other minor repairs. The next phase of renovations includes a host of projects in the interior and exterior of the Library with construction anticipated by late summer/fall of 2021.

Bogard Construction, Inc. (Bogard) has been providing project management services to the City of Scotts Valley (City) for the Library renovation project. The existing contract scope has been limited to renovation project identification and vetting and support for the infrastructure contract phase of the renovations, referenced above. At this point, the limited contract is exhausted and a comprehensive project management contract is needed.

The City intends for Bogard to provide the full suite of planning, coordination, owner representation and project management for the entirety of the Scotts Valley Library renovations. Spanning through 2022, Bogard will provide consultant services, to: serve as the owner representative to contractors and consultants; review and advise on consultant-prepared design, plans and specifications; produce three rounds of cost estimating; manage contractors/consultants; host and support project management team meetings; coordinate with the Library, other jurisdictions and utility companies; assist with value engineering and peer review; provide project management during the pre-construction, construction phases including general observation of quality; oversee project budgets and schedules; oversee project documentation; organize and coordinate meetings with project stakeholders; present to boards, commission and the City Council as needed; and provide other complementary services, as requested.

For this suite of services, Bogard estimates a total of 1,535 hours: 281 hours dedicated to pre-construction activities; 240 hours for cost estimating activities; 236 hours of bidding activities; 622 hours of construction activities; and 156 for post-construction activities. The total cost of these services is a not-to-exceed amount of \$170,050, with costs spread from October 2020 through at least July 2022. Previously, City staff met with Bogard to carefully review the time and cost estimates and make adjustments when necessary. The proposed scope is an accurate assessment given the complexity and time-intensity of the renovations.

The contract submitted for approval encompasses the comprehensive project management and planning consultant services to complete the Scotts Valley Library renovation.

FISCAL IMPACT

The contract has a not-to-exceed amount of \$170,050 and costs will be spread over multiple years, paid as they are incurred. As project management services were contemplated with the Measure S bond issue, these costs are fully reimbursable from the City’s portion of the Measure S proceeds.

There is no fiscal impact to the City’s Budget.

STAFF RECOMMENDATION

It is recommended that the City Council take the following actions:

- 1. Authorize an FY 2020/21 budget expenditure and appropriation up to \$170,050 from Measure S proceeds, with unspent funds to be rolled over to future fiscal years.
- 2. Authorize the City Manager to execute an Agreement for Professional Services with Bogard Construction, Inc. for project management consultant services for the Scotts Valley Branch Library Renovations with a not-to-exceed amount of \$170,050.

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AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement for Professional Services ("Agreement") is made and entered into as of _____, 2020, by and between the City of Scotts Valley, a municipal corporation, hereinafter referred to as "CITY", and Bogard Construction, Inc., 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: Kimi Owen, Senior Project Manager, whose address is 350-A Coral Street, Santa Cruz, CA 95060; telephone: (831) 426-8191; fax: (831) 426-4921; Email: kowen@bogardconstruction.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 February 1, 2023. 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 \$ 170,050. Periodic payments to CONSULTANT shall be made upon submittal of invoices by CONSULTANT to CITY for review and approval by the City Manager. Invoices will be paid by CITY within a reasonable time after the invoices are received and approved.

6. **Insurance:** CONSULTANT agrees to have and maintain, for the duration of the contract, the following:

i. General Liability insurance policies insuring him/her and his/her firm to an amount not less than One Million Dollars (\$ 1, 000,000) combined single limit per occurrence for bodily injury, personal injury and property damage.

ii. Automobile Liability insurance policy ensuring him/her and his/her staff to an amount not less than One Million Dollars (\$ 1, 000,000) combined single limit per accident for bodily injury and property damage.

iii. CONSULTANT agrees to have and maintain, for the duration of the contract, professional liability insurance in amounts not less than \$ 1, 000,000 which is Page 3 of 6 sufficient to insure CONSULTANT for professional errors or omissions in the performance of the particular scope of work under this agreement.

iv. CONSULTANT shall provide to the CITY all certificates of insurance, with original endorsements effecting coverage. CONSULTANT agrees that all certificates and endorsements are to be received and approved by the CITY before work commences.

v. The CONSULTANT'S insurance coverage shall be primary insurance as respects the CITY, its officers, officials, employees and volunteers. Any insurance or self-insurances maintained by the CITY, its officers, officials, employees or volunteers shall be excess of the CONSULTANT'S insurance and shall not contribute with it.

7. **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 any claims brought by CONSULTANT for default of this Agreement, or for 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.

8. **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 of 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 9 of this Agreement.

9. **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.

10. **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 that 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.

11. **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.

12. **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.

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

14. **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.

15. **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.

16. **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.

17. **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.

18. **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 ____ day of _____, 2020, at Scotts Valley, California.

CONSULTANT:
BOGARD CONSTRUCTION, INC.

CITY:
CITY OF SCOTTS VALLEY

Jared Bogaard, Executive
Executive Vice President

Tina Friend
City Manager

APPROVED AS TO FORM:

ATTEST:

Kirsten M. Powell, City Attorney

Tracy A. Ferrara, City Clerk

EXHIBIT “A”

SCOPE OF WORK

SEE ATTACHED

October 8, 2020

Mrs. Tina Friend
City Manager
City of Scotts Valley
1 Civic Center Drive, Scotts Valley, CA 95066

Re: Scotts Valley Library
Authorization for Project Management Services

Dear Mrs. Friend,

We have enjoyed working with the City of Scotts Valley on the Scotts Valley Library project and are looking forward to continuing to provide project management services. This letter is to request authorization to continue providing consulting services as needed to assist the city with the project.

We understand our scope is to provide services as the project manager, representing the city, for planning and project management of the library renovation. Our services include, but are not necessarily limited to, the following:

- Under the direction of city staff, represent the city in managing the city's contract with Group 4 Architects.
- Review and advise city staff regarding documents prepared by Group 4 Architect including design, plans, and specifications
- Provide three cost estimates as needed.
- Manage the services of any required consultants
- Attend meetings, review, and gather site-related documents as requested
- Coordinate and interface with local jurisdiction and utility companies as needed
- Assist with value engineering and document peer reviews
- As owner's representative, provide project management during the construction phase, including general observation of quality (does not include inspection services)
- Oversee overall project budgets and schedules
- Oversee project documentation including prevailing wage documents
- Organize, coordinate, and/ or facilitate meetings with project stakeholders, including citizen groups and outside agencies
- Make presentations to boards, commissions and the City Council as requested
- Provide other services as requested by the city staff related to the construction of the library renovation

Based on the services listed above, and the attached anticipated schedule, we have estimated our time commitment over the duration of the project to be as follows:

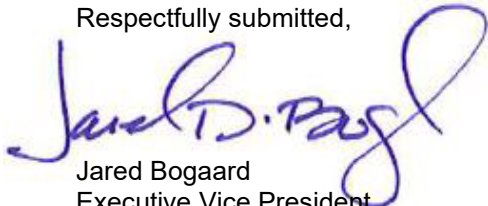
Pre-Construction	281 hours
Cost Estimating	240 hours
Bidding	236 hours
Construction Phase	622 hours
Post-Construction	156 hours

This letter is to request an amount of \$170,050 (One Hundred Seventy Thousand, Fifty Dollars) for the remaining services.

Upon authorization we continue our services on an hourly basis.

We look forward to continuing working with you on this exciting project. If you have any questions, or require additional information, please do not hesitate to contact us.

Respectfully submitted,



Jared Bogaard
Executive Vice President
Bogard Construction, Inc.

Attachment: Fee Schedule effective 11/1/2020

**Fee Schedule: Eff 11/1/2020**

<u>Personnel</u>	<u>Rate per Hour</u>
Principal	\$175.00
Sr. Project Manager	\$165.00
Project Architect	\$150.00
Project Manager	\$125.00
General Superintendent	\$120.00
Architect/Job Captain	\$100.00
Safety Inspector	\$120.00
Designer	\$110.00
Estimator	\$115.00
Scheduler	\$110.00
Assistant Project Manager	\$100.00
Project Engineer	\$ 85.00
Accounting Manager	\$ 85.00
Administrative / Clerical	\$ 65.00
Superintendent	\$100.00
Carpenter	\$ 95.00
Laborer	\$ 65.00

Fees noted above do not include Reimbursable Expenditures, which include actual expenditures made by Bogard Construction in the interest of the Project, which are billed at a rate of cost plus fifteen percent (15%). These expenditures include, but are not limited to, material and/or consultant costs/fees, transportation costs, travel costs (when authorized by client), drawing and contract document reproduction, postage, etc.

Bogard Construction, Inc. 350-A Coral Street, Santa Cruz, CA 95060 phone (831) 426-8191 fax (831) 426-4921

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: October 21, 2020
TO: Honorable Mayor and City Council
FROM: Tina Friend, City Manager
SUBJECT: **FINANCIAL UPDATE – FY 2019/20 AND FY 2020/21**

SUMMARY OF ISSUE

On June 24, 2020, the Scotts Valley City Council adopted the FY 2020/21 Budget after holding five separate budget discussions beginning in early May. The FY 2020/21 Budget development process was particularly challenging due to the indefinite impacts from COVID-19, especially on key revenue categories of hotel and sales tax, which were deeply affected by the closure of the economy.

At the time of the FY 2020/21 Budget adoption, staff committed to return to the Council with periodic updates as actual revenues were received and the course of the COVID-19 virus was better understood. This October 21st financial update is the first since budget adoption. The City Council will receive a presentation with updated actuals (revenues and expenditures) and status of City reserves.

This is an informational item and no Council action is requested at this time.

FISCAL IMPACT

There is no fiscal impact.

STAFF RECOMMENDATION

It is recommended that the Council receive and discuss the presentation.

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None.

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: October 21, 2020

TO: Honorable Mayor and City Council

FROM: Tina Friend, City Manager

SUBJECT: **WASTEWATER UTILITY– BILLING CREDITS FOR
COMMERCIAL BUSINESS ACCOUNTS RELATED TO COVID-19
PANDEMIC SHUTDOWNS**

SUMMARY OF ISSUE

Background

Commercial properties in Scotts Valley are issued bimonthly invoices for wastewater services based on water consumption in their February bills from Scotts Valley Water District. This practice is based on the assumption that irrigation usage (which often times is not separately metered) is at its lowest point during January and February and, thus, water usage is representative of consumption that ends up as discharge in the wastewater system.

On March 16, 2020, the County of Santa Cruz Health Officer, followed by the Governor on March 19, 2020, issued orders for residences to shelter in place, and non-essential businesses to close and/or severely restrict operations, to slow the spread of the COVID-19 coronavirus. The pandemic forced the closure of several businesses in Scotts Valley from the end of March until the end of May when restrictions were eased.

During this period, commercial wastewater customers were charged for wastewater usage during the time that restrictions were in place. Some business customers requested that the City consider issuing a credit for wastewater services during that time of closure.

Experience of Other Wastewater Agencies

While most of the costs associated with wastewater operations are fixed costs, which are incurred by the City irrespective of wastewater volume, the City recognizes the impacts that the COVID-19 pandemic has had on the local business community when businesses were not allowed to legally operate.

When the issue of wastewater charges for shuttered local businesses arose, the City's financial consultant firm, Management Partners, engaged with members of the California Special Districts Association and California Water Environment Association in their work

with other wastewater utilities in California. While there is no consistent policy, several agencies have implemented some form of financial relief to commercial customers whose wastewater services are based on water consumption similar to Scotts Valley. It would be consistent with that experience for the City to provide fiscal relief to businesses if they requested such a credit.

Analysis Methodology

City staff and Management Partners have analyzed water consumption patterns for commercial customers from June 2019, February 2020 and June 2020. Our purpose was to develop an approach for City Council consideration to grant one-time credits for wastewater services for the period equivalent to two months, or one billing cycle, from end of March to end of May 2020.

Proposed Criteria

In order for a business to qualify, it must meet certain verifiable criteria. Demonstrable reduction in wastewater usage would need to be evidenced in water consumption patterns. Also, the business would need to have been impacted by the countywide restrictions.

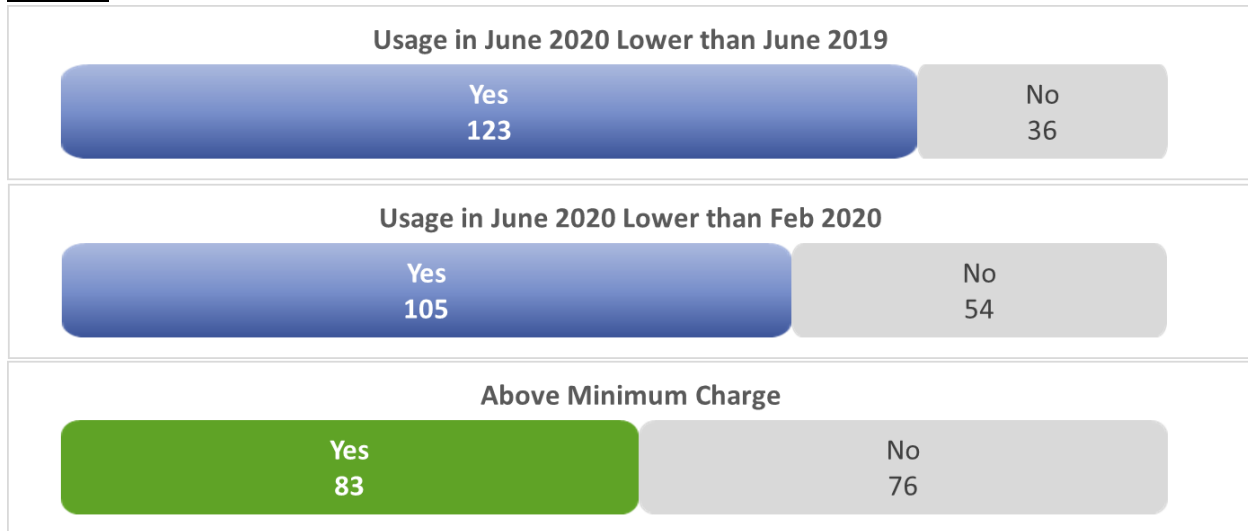
A summary of the criteria we recommend to determine eligibility is summarized as follows:

1. County- and/or Statewide Restrictions. The restrictions imposed by the County of Santa Cruz and/or the State of California starting on or about March 16, 2020 through end of May 2020 impacted the business' ability to conduct business as normal.
2. Water Consumption Reductions. Water consumption must have been reduced in comparing two periods:
 - a. June 2019 to June 2020 – indicative of reduced water/wastewater utilization from the prior year at the same time
 - b. February 2020 to June 2020 – indicative that the annual charge established from the February 2020 water consumption bills is higher than the water consumed in June 2020
3. Baseline Wastewater Charge Above Minimum Charge. The baseline charge in February must have exceeded the minimum charge of \$92.98 per bimonthly billing cycle (\$557.88 per year).

Results

The results of our analysis used the criteria above are presented in Figure 1 below. A total of 83 wastewater accounts (or 52%) of the 159 wastewater accounts would be eligible for a credit to their wastewater charges billed in July 2020 from June 2020 water consumption.

Figure 1. Summary of Wastewater Account Analysis based on COVID-19 Pandemic Proposed Criteria



The total amount of eligible credit that the 83 businesses could be eligible for would be approximately \$40,200, from the Wastewater Fund.

Credits Provided Upon Request; Extended Credits Beyond One Billing Cycle

Staff recommends that credits be provided to businesses upon their request. The property owner, business owner or representative thereof must sign a form that indicates that their business activity was impacted by the COVID-19 pandemic restrictions in place starting at the end of March 2020.

Staff would promote the wastewater credit program through outreach with the Chamber of Commerce, posts on social media and the City's website, and notices in the customers' November wastewater bills. Credits would be applied to the December 2020 bills upon timely receipt of the customer's credit request.

There are limited business sectors that may have experienced impacts beyond the end of May due to continued county- and/or statewide restrictions (e.g., hotels/lodging, theaters). Staff would recommend that the City Council provide authority to the City Manager to consider requests for additional credits not to exceed one additional two-month period (one billing cycle) upon request of the business owner/representative. Staff would then analyze water consumption for the subsequent two-month period (through August 2020) and provide a credit accordingly based on a comparison to the bimonthly charge established in February 2020.

FISCAL IMPACT

The fiscal impact of this credit, if all eligible businesses applied for the credit, would be a maximum of \$40,200 to the Wastewater Fund. If additional credits were extended to certain businesses for an additional two month period, we estimate the additional credit amount could approach \$15,000, which would make a combined total of \$55,200.

Annual service charges in the Wastewater Operations Fund (Fund #10) were expected to be \$2.9 million in FY 2020/21, with projected operating reserves at the end of FY 2020/21 totaling \$2.2 million. Staff believes there is sufficient fiscal capacity within the Wastewater Operations Fund to absorb the credits.

There is no impact to the General Fund.

STAFF RECOMMENDATION

It is recommended that the City Council approve Resolution No. 1989 granting a one-time credit to commercial wastewater customers for decreased wastewater discharge during the COVID-19 pandemic restrictions for a two-month period from end of March to end of May 2020, with the option to provide additional credits for specific business segments not to exceed one additional two-month period.

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RESOLUTION NO. 1989

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY GRANTING A CREDIT IN WASTEWATER CHARGES TO ELIGIBLE COMMERCIAL WASTEWATER CUSTOMERS DURING THE COVID-19 PANDEMIC

WHEREAS, commercial wastewater customers were impacted by the orders of the Santa Cruz County Health Officer on March 31, 2020 that placed restrictions on non-essential businesses for a period of approximately two months through the end of May 2020; and

WHEREAS, during the time of restrictions, commercial customer domestic (indoor) water consumption declined which reduced the amount of discharge into the City's wastewater collection system; and

WHEREAS, commercial wastewater accounts are billed a flat bimonthly charge based on water consumption in February 2020; and

WHEREAS, the City has analyzed the impacts on commercial customers and has developed a set of criteria based on the Health Officer restrictions and water consumption patterns from the months of June 2019, February and June 2020 that would allow affected commercial customers the ability to request a credit to their wastewater bills;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED as follows:

1. The City Manager is authorized to implement the COVID-19 Pandemic Commercial Wastewater Charges Credit program available to property owners/businesses with a commercial wastewater accounts with the City, upon their written request, subject to meeting the following criteria:
 - a. **County- and/or Statewide Restrictions.** The restrictions imposed by the County of Santa Cruz and/or the State of California starting on or about March 16, 2020 through end of May 2020 impacted the business' ability to conduct business as normal.
 - b. **Water Consumption Reductions.** Water consumption must have been reduced in comparing two periods:
 - i. June 2019 to June 2020 – indicative of reduced water/wastewater utilization from the prior year at the same time
 - ii. February 2020 to June 2020 – indicative that the annual charge established from the February 2020 water consumption bills is higher than the water consumed in June 2020
 - c. **Baseline Wastewater Charge Above Minimum Charge.** The baseline charge in February must have exceeded the minimum charge of \$92.98 per bimonthly billing cycle (\$557.88 per year).

2. The City Manager is authorized to grant an additional credit not to exceed one additional two-month period upon request of property owners/businesses with a commercial wastewater account with the City that experienced impacts beyond the end of May 2020 due to continued county- and/or statewide restrictions.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 21st day of October, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Randy Johnson, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: October 21, 2020

TO: Honorable Mayor and City Council

FROM: Tina Friend, City Manager

SUBJECT: **FORMATION OF CITY COUNCIL PROJECT SPECIFIC
TOWN CENTER OPPORTUNITY COMMITTEE**

SUMMARY OF ISSUE

The Scotts Valley Town Center continues to be the focal future development opportunity for the City of Scotts Valley (City). As articulated in the 2008 Town Center Specific Plan, the Town Center is envisioned to serve as the heart of Scotts Valley, providing a vibrant mix of retail and commercial, housing—including affordable housing, and entertainment uses, while fostering a community hub and family-friendly gathering place.

The Town Center has been the subject of civic discussion for years and several development concepts have come forward and retreated for a variety of reasons associated with the complex attributes of the site and economics. The most recent concept under City consideration, the Town Green LLC, was withdrawn by the developers in mid-2019. After that withdrawal, the City Council formed a project specific Council subcommittee to identify options to activate the Town Center vision. Mayor Johnson and Vice Mayor Timm were appointed to the Committee.

The Town Center Exploratory Committee convened a handful of times from the winter of 2019 into early spring of 2020. The Committee first engaged in the review and validation of the guiding principles and design objectives of the 2008 Town Center Specific Plan. Next was research into other similar mixed-use district developments and the drafting of a Town Center mission statement to anchor future exploration efforts. Then, as the Committee was gaining momentum, the COVID-19 pandemic swept into Santa Cruz County and the Committee's work was suspended. The City pivoted to emergency operations and prioritized its economic development activity on local business support to weather the pandemic. Accordingly, the Town Center Exploratory Committee started strong but has been inactive since March and could not achieve its objectives. The Committee sunset on September 30, 2020.

On Wednesday, October 14, 2020, the City announced that a Target store would be opening in the Scotts Valley Square shopping center, occupying the former Kmart Building. With Kmart's closure in January, the City lost a vital general goods retailer and

a significant sales tax producer. The arrival of Target to Scotts Valley in the coming years will provide significant community benefits for expanded shopping options for Scotts Valley and the Greater Area and enhanced tax revenues for the City. Further, it will act as a catalyst for economic activity and invigorate the Town Center development. The City envisions the Target-anchored shopping center being integrated with the future Town Center to cultivate a thriving mixed-use district where locals and visitors are drawn to unique shopping, dining, and recreational experiences.

In anticipation of the planning horizon to launch the Target store in Scotts Valley, the City has a unique opportunity now to advance the Town Center vision with new dimension and urgency. To do so, the City will need to commit dedicated effort. The formation of a project specific Council Committee is recommended.

This subcommittee, working together with staff, would explore, identify and coordinate future development options of the Town Center concept with the identified opportunity sites in the Specific Plan, and in particular the Scotts Valley Square Shopping Center to be anchored by Target in the coming years. A draft subcommittee term and purpose is presented for discussion:

- Term:** The Town Center Opportunity Committee will be effective November 1, 2020 through October 31, 2021.
- Representation:** The Town Center Opportunity Committee will comprise two members of the City Council.
- Purpose:** The purpose of the Town Center Opportunity Committee is to explore, identify and coordinate future development options for the Town Center concept with a focus on key opportunity sites, for City Council consideration and action.

FISCAL IMPACT

There are no fiscal impacts identified at this time; however, should the Town Center Opportunity Committee be formed, it may require resources that could take the form of research, analysis and project management that, due to staff capacity constraints, will need to be filled through outside support. The Committee, if formed, would assess its needs and return recommendations and costs for Council discussion.

STAFF RECOMMENDATION

It is recommended that the Council discuss and approve Resolution No. 1960.2 establishing the Town Center Opportunity Committee, and appoint Committee Members.

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RESOLUTION NO. 1960.2

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SCOTTS VALLEY ESTABLISHING A TEMPORARY
PROJECT SPECIFIC TOWN CENTER OPPORTUNITY COMMITTEE**

WHEREAS, the City Council may establish project specific Council subcommittees to address an explicit purpose or need; and

WHEREAS, project specific Council subcommittees are of a limited duration and should be active for no more than one year; and

WHEREAS, the Council desires to establish a Project Specific Town Center Opportunity Committee effective November 1, 2020 through October 31, 2021; and

WHEREAS, the Town Center Opportunity Committee will comprise two members of the City Council; and

WHEREAS, the purpose of the Council Town Center Committee is to explore, identify and coordinate future development options for the Town Center concept with a focus on key opportunity sites, for City Council consideration and action.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the City Council of the City of Scotts Valley hereby establishes a Temporary Project Specific Town Center Opportunity Committee.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 21st day of October, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Randy Johnson, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: October 21, 2020

TO: Honorable Mayor and City Council

FROM: Tina Friend, City Manager

SUBJECT: **FORMATION OF JOINT CITY OF SCOTTS VALLEY AND
SCOTTS VALLEY WATER DISTRICT COMMITTEE TO
EXPLORE FUTURE WATER AND WASTEWATER PROJECTS**

SUMMARY OF ISSUE

The City of Scotts Valley (City) operates a wastewater utility that collects and processes wastewater to secondary water quality standards. In addition, the City operates a Tertiary Treatment Plant in conjunction with the Scotts Valley Water District that supplies recycled water for irrigation and landscape purposes across Scotts Valley. This infrastructure's last major rehabilitation occurred over two decades ago and is in need of significant investment. The City is commencing future planning efforts to scope and present options to the City Council and wastewater customers.

The Scotts Valley Water District (Water District) is similarly engaged in future planning for recycled water alternatives, and as part of the Santa Margarita Groundwater Basin Agency, in which Council Member Dilles (and Alternate Council Member Lind) also participate as representatives of the City.

Recently, the Water District approached the City and suggested the formation of an ad hoc joint committee between the agencies to provide for ongoing coordination and discussion on future water and wastewater project concepts. Staff agrees this committee would provide value and momentum to this important body of work.

A draft subcommittee term and purpose is presented for discussion:

Term: The Joint Scotts Valley City/Water District Committee shall be effective November 12, 2020 through May 11, 2021.

Representation: The Joint Committee will comprise two members of the City Council and two Board Members from the Scotts Valley Water District, to be appointed by their respective agencies. Staff from both entities will attend and support the Committee's work.

Purpose: The purpose of the Joint Scotts Valley City/Water District Committee is to coordinate on the future of water and wastewater resources in Scotts Valley, including assessment of the current situation, coordination on future planning efforts and review of conceptual project ideas.

The Scotts Valley Water District will formally consider the creation of this Joint Committee at its November 12, 2020 meeting.

FISCAL IMPACT

No fiscal impact is anticipated.

STAFF RECOMMENDATION

It is recommended that the Council discuss and consider draft Resolution No. 1959.5 establishing the Joint Scotts Valley City/Water District Committee, appoint Committee Members and provide direction, as appropriate.

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RESOLUTION NO. 1959.5

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SCOTTS VALLEY ESTABLISHING A TEMPORARY
JOINT CITY OF SCOTTS VALLEY AND
SCOTTS VALLEY WATER DISTRICT COMMITTEE**

WHEREAS, the City Council may establish project specific Council subcommittees to address an explicit purpose or need; and

WHEREAS, the Council desires to establish an ad hoc Joint Scotts Valley City/Waster District Committee effective November 12, 2020 through May 11, 2021; and

WHEREAS, the Joint Scotts Valley City/Waster District Committee will comprise two members of the City Council and two members of the Scotts Valley Water District; and

WHEREAS, the purpose of the Joint Scotts Valley City/Waster District Committee is to coordinate on the future of water and wastewater resources in Scotts Valley, including assessment of the current situation, coordination on future planning efforts and review of conceptual project ideas.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the City Council of the City of Scotts Valley hereby establishes a Joint Scotts Valley City/Waster District Committee.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 21st day of October, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Randy Johnson, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk