A G E N D A

Meeting of the
Scotts Valley City Council
REMOTE ACCESS ONLY
Date: June 16, 2021
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 https://us02web.zoom.us/j/82882075837 *See information below for how to participate.*	The agenda was posted 6-11-21 at City Hall and on the Internet at www.scottsvalley.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/82882075837
- Or iPhone one-tap:
  +16699009128,,88999122100# US (San Jose)
  +12532158782,,88999122100# US (Tacoma)
- Or join by phone:
  Dial(for higher quality, dial a number based on your current location):
  US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 828 8207 5837

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
Derek Timm, Mayor	Tina Friend, City Manager
Jim Reed, Vice Mayor	Kirsten Powell, City Attorney
Jack Dilles, Council Member	Steve Walpole, Chief of Police
Randy Johnson, Council Member	Taylor Bateman, Community Development Director
Donna Lind, Council Member	Casey Estorga, Administrative Services Director
	Scott Hamby, Interim 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/82882075837

CALL TO ORDER 6:00 PM

MOMENT OF SILENCE

ROLL CALL

SPECIAL SET MATTERS

(1) Presentation of Mayor's Proclamation declaring June as LGBTQ Pride month in the City of Scotts Valley.

(2) Presentation from Scotts Valley Fire Protection District regarding fire safety.

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 5-19-21

B. Approve check registers dated 5-28-21

C. Authorize the Mayor to execute the Fourth Amendment to Professional Services Agreement with Logan & Powell, LLP

D. Approve Resolution No. 1847.3 granting consent to the County of Santa Cruz for the renewal of the Santa Cruz County Tourism Marketing District in the City of Scotts Valley predicated on the continuation of exemption of not-for-profit organizations from the TMD

E. Authorize the City Manager to execute a subrecipient agreement, with any changes or amendments approved by the City Attorney, with the Boys and Girls Clubs of Santa Cruz County for CDBG-CV funding

F. Approve the following FY 2021-22 Annual Budget resolutions:
   (1) Resolution No. 630.41 approving the final FY 2021-22 Annual Budget and making appropriations for the amounts budgeted.
   (2) Resolution No. 1501.28 approving the continued collection of the Utility Users' Tax for FY 2021-22.
   (3) Resolution No. 1932.2 approving a minimum reserve policy for the City's General Fund, General CIP Fund, Recreation Enterprise Fund and Wastewater Enterprise Funds (Council Policy No. 04-17).

G. Authorize the City Manager to execute a three-year agreement, in a form approved by the City Attorney and any amendments thereto, with NeoGov for a not-to-exceed amount of $85,609.62 for human resources services

H. Approve Resolution No. 1139.25 approving the Investment Policy for the City of Scotts Valley

I. Approve Resolution No. 1007.34 making certain findings including the selection of the two factors stated in the Fiscal Impact section above and adopting the 2021/2022 appropriations limit of $220,044,816

J. Authorize the City Manager to execute a professional services agreement, and any amendments thereto, with HouseKeys, in a form approved by the City Attorney, for the administration of the City's Below Market Rate (BMR) Program in an amount not to exceed $75,000

K. Approve the following documents for Skypark Field Repairs:
   (1) Authorize a budget expenditure appropriation in the amount of $140,346 from the General Fund, including the contract cost of $116,955, plus a 20% contingency in the amount of $23,391.
   (2) Authorize the City Manager to execute the attached agreement with K&D Landscaping, Inc., and any amendments thereto in a form approved by the City Attorney, for the Skypark Field Repair Project.

L. Approve the ratified terms for the FY 2021/22-2023/24 Memoranda of Understanding between the City and the PBU and PSA groups and authorize the City Manager to sign once finalized and authorize the City Manager and the Administrative Services Director to take any administrative actions necessary to effectuate the terms and conditions of the agreements

M. Approve the following Polo Ranch documents:
   (1) Resolution No.1830.07, to approve the Final Map, Tract No. 1575, PD07-006 APN'S 024-281-04 and 024-281-03;

(2) Resolution No. 960.89, authorizing execution of the Subdivision Improvement Agreement for the Polo Ranch Subdivision, Tract No. 1575, end of Santa's Village Road, APN 024-281-04; and
(3) Resolution No. 960.90, authorizing execution of the Subdivision Improvement Agreement for the Polo Ranch Subdivision, Tract No. 1575, end of Santa's Village Road, APN 024-081-04.

N. Approve the non-collection of fees for Music In The Park concert at Siltanen Park on September 26, 2021

O. Approve the non-collection of fees for the Library Summer Reading Performance to be held at Siltanen Park on July 24, 2021 from 1:00 to 4:00 pm

ALTERATIONS TO REGULAR AGENDA

Council can remove or add items to the Regular Agenda.

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

1. PUBLIC HEARING: Pinewood Estates Landscape Maintenance Assessment District: Resolution No. 1213.35; Annual Engineer's Report Pinewood Estates
(Interim Public Works Director Hamby)

- Open public hearing
- Close public hearing
- Approve Resolution No. 1213.35

2. PUBLIC HEARING: Skypark Open Space Maintenance Assessment District No. 1: Resolution No. 1555-SP-033; Annual Engineer's Report Skypark
(Interim Public Works Director Hamby)

- Open public hearing
- Close public hearing
- Approve Resolution No. 1555.SP-033

3. PUBLIC HEARING: Consider approval for a Planned Development Zoning Permit, Land Division, Design Review Application and Environmental Review in the High Density Residential General Plan and Zoning District for a ten-lot subdivision for the construction of ten units (six detached single-family dwellings and two attached duet/duplexes) and related site improvements on a 1.04 acre site located at Erba Lane (No Situs), APN's 022-481-18 and 022-481-22
(Community Development Director Bateman)

- Open public hearing
- Close public hearing
- Approve Resolution No. 1997
- First Reading and Introduction of Ordinance No. 16-ZC-230

- Approve Resolution No. 1997.1
- Approve Resolution No. 1997.2

4. PUBLIC HEARING: Consider approval for a Planned Development Zoning Permit, Minor Land Division, Environmental Review and Design Review Application in the High Density Residential General Plan and Zoning District for a three-lot subdivision and a common parcel, for two new single-family dwellings and a new detached two-car garage for the existing single family dwelling on a 0.43-acre site located at 4303 B Scotts Valley Drive, APN 022-902-11
(Community Development Director Bateman)

   - Open public hearing
   - Close public hearing
   - Approve Resolution No. 1998
   - Approve first reading and introduction of Ordinance No. 16-ZC-231
   - Approve Resolution No. 1998.1
   - Approve Resolution No. 1998.2

5. PUBLIC HEARING: Consider approval of Wastewater Rates for FY 2021/22 through FY 2025/26
(City Manager Friend)

   - Open public hearing
   - Close public hearing
   - Approve Resolution No. 1198.73

REGULAR AGENDA

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

REGULAR AGENDA (resumed)

6. Policy Direction on Use of American Rescue Plan Act (ARPA) Funds
(Administrative Services Director Estorga)

7. 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

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.

PROCEDURAL INFORMATION FOR THE PUBLIC

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

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

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

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

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

Unless otherwise determined by the presiding officer of the meeting:

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



The City of Scotts Valley does not discriminate against persons with disabilities. The City Council Chambers is an accessible facility. If you wish to attend a City Council meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate at the meeting, please call the City Clerk's office at (831) 440-5602 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a City Council meeting be available in an alternative format consistent with a specific disability, please call the City Clerk's Office. The California State Relay Service (TTY/VCO/HCO to Voice: English 1-800-735-2929, Spanish 1-800-855-3000; Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000; or, from or to Speech-to-Speech, English & Spanish 1-800-854-7787), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.

City of Scotts Valley

Mayor's Proclamation

WHEREAS, this month in 1969, at the Stonewall Inn in New York City, a courageous group of citizens resisted harassment and mistreatment, setting in motion a chain of events that would become known as the Stonewall Uprising and the birth of the modern gay and lesbian civil rights movement. Gays and lesbians, their families, and friends, celebrate the anniversary of Stonewall every June in America as Gay and Lesbian Pride Month; and

WHEREAS, the City of Scotts Valley has a diverse Lesbian, Gay, Bisexual, Transgender, Questioning (LGBTQ) community and is committed to supporting visibility, dignity and equity for all people in the community; and

WHEREAS, many of the residents, students, employees, and business owners within the City of Scotts Valley who contribute to the enrichment of our City are a part of the lesbian, gay, bisexual, transgender, and questioning community; and

WHEREAS, various advancements have been made with respect to equitable treatment of lesbians, gay men, bisexual, transgendered, and questioning persons throughout the nation, but there continues to be discrimination against people in the LGBTQ community making it important for cities like Scotts Valley to stand up and show support for our residents who are affected; and

WHEREAS, the US Government, our State and cities across the United States recognize and celebrate June as LGBTQ Pride Month; and

WHEREAS, June has become a symbolic month in which lesbians, gay men, bisexual people, transgender, and supporters come together in various celebrations of pride.

NOW THEREFORE, I, Derek Timm, as the Mayor of the City of Scotts Valley do hereby declare the month of June as LGBTQ Pride month in the City of Scotts Valley, and invite everyone to reflect on ways we all can live and work together with a commitment to mutual respect and understanding, as well as celebrate diversity, equity, social justice, and inclusion.

CITY OF SCOTTS VALLEY CALIFORNIA
1966

Derek Timm, Mayor
Signed and sealed this 16th day of June 2021

AGENDA ITEM A
DATE: 6-16-2021

MINUTES

Meeting of the
Scotts Valley City Council

Date: May 19, 2021
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 5-14-21 at City Hall and on the Internet at www.scottsvalley.org.

CALL TO ORDER 6:00 PM

The City Council meeting was called to order at 6:03 pm.

MOMENT OF SILENCE

ROLL CALL

ELECTED OFFICIALS PRESENT:	CITY STAFF MEMBERS PRESENT:
Derek Timm, Mayor Jim Reed, Vice Mayor Jack Dilles, Council Member Donna Lind, Council Member Randy Johnson, Council Member	Tina Friend, City Manager Kirsten Powell, City Attorney Steve Walpole, Chief of Police Taylor Bateman, Community Development Director Casey Estorga, Administrative Services Director Scott Hamby, Interim Public Works Director Tracy Ferrara, City Clerk

COMMITTEE REPORTS

CM Lind reported that the 4th of July Parade Planning Committee has been meeting and receiving sponsors. Applications to participate in the parade are available on the City's website at the following link: http://scottsvalley.org/CivicAlerts.aspx?AID=126

CM Lind reported that the Criminal Justice Council met and they are in the process of creating a new website. The CJC Regional Policy Review Committee also met and they are continuing to work on policies and procedures for consistency throughout the agencies.

CM Lind reported that the Santa Cruz Metropolitan Transit District Board met and they are continuing to work on their budget. She also reported that ridership is slowly increasing.

CM Lind reported that planning continues for the Scotts Valley Art, Wine and Beer Festival that will be held August 21 and 22 at Siltanen Park.

CM Lind reported that the Joint City/Water District Committee met discussed drought impacts and treatment plant efficiency.

CM Dilles reported that he attended the Annual Monterey Bay Economic Partnership (MBEP) Economic Summit where they heard about a variety of subjects including fire resiliency efforts by the state and state business recovery legislation.

CM Dilles reported that the Seniors Advisory Council met and received a presentation from the California Department of Aging on the State Master Plan on Aging and the major goals that have been set.

CM Dilles reported that the Monterey Bay Air Resources District Board met and they discussed budget and a possible 2% increase in fees.

CM Johnson reported that the Santa Cruz Regional Transportation Commission (SCCRTC) met and reaffirmed a 6/6 vote to not pursue the business plan that had been presented to the SCCRTC. He also reported that the Draft EIR for Highway 1 is available for comment.

Mayor Timm reported that the Town Center Subcommittee met and received a presentation from Bob Gibbs on the report he prepared on the Town Center Retail Market Analysis and Best Practices. He announced that a special Council meeting will be held on June 2nd at 4:30 pm.

CITY MANAGER REPORT

Public Works Week: It is Public Works Week and the City honors its incredible team who accomplish so much, especially with limited staffing. Our Public Works Department is the second largest in the City and manages the Wastewater Treatment Plant, streets and traffic light maintenance, parks and facilities maintenance, Recreation services, engineering design and project management and implementation of the City's Capital Improvement Program. Much of how our residents and visitors experience Scotts Valley is in the purview of Public Works. The City is grateful for its excellent Public Works staff!

4th of July: Planning for 4th of July parade is going well. Tremendous thanks go to Council Member Donna Lind, Chief Walpole and Captain Dean for pulling this together. The Community is responding positively to the return of this event. Parade applications can be found on the City's website: www.scottsvalley.org and the City will follow all COVID-19 guidance applicable at the time.

Scotts Valley Library Open for Active Browsing: as of Monday, May 17th the Scotts Valley Library expanded access to include active browsing. Library patrons are now allowed inside to browse shelves and select reading material and media. Masks, social distancing and occupancy limits will be followed. There is a 30 minute per person limit on browsing. The Library is progressively expanding services in concert with the lifting of restrictions and the rehiring of staff.

Screening Wall at PG&E Substation: Work continues at Camp Evers PG&E substation on Mt. Hermon Road. After clearing dense vegetation to mitigate fire risk, PG&E worked with the City on plans to construct a screen wall to mask much of the substation from Mt. Hermon Road. Residents will see an active worksite for site preparation. The wall should go up in the next few weeks.

Skypark Field: The City has good news about Skypark fields. The City has been working on the damage assessment and claims process for the repair of the fields after its use as the CalFire CZU Fire Basecamp. The City had the field closed, but after deeper assessment and some work by our maintenance crew, we plan to open about 1/3 of the field tomorrow, May 20th. This section will be closest to the dog park and pump track. The field will be available for drop-in play and use, but will not be reservable.

The City is working on a plan to correct the dangerous rutting and uneven surfaces and refurbish the entire 7.3 acres of the natural turf field. We are hoping to begin construction in July, with completion of the entire field and reopening anticipated in about 10 weeks. Once the project starts, the entire field will be closed for the active restoration work.

Community Development Block Grant Public Hearing: This Public Hearing will be held tomorrow, Thursday, May 20, 2021 at 5:00 p.m. to hear project ideas for a potential $550,000 the City can allocate over the next three fiscal years. The Public Hearing notice and link to the Zoom Public Hearing can be found on the City's website.

PUBLIC COMMENT TIME

None.

ALTERATIONS TO CONSENT AGENDA

M/S: Lind/Johnson
To approve the Consent Agenda.
Carried 5/0 (AYES: Dilles, Johnson, Lind, Reed, Timm)

CONSENT AGENDA

A. Approve City Council minutes of 5-5-21

B. Approve check registers dated 5-7-21

C. Approve Resolution No. 1851.8 temporarily closing a portion of Scotts Valley Drive for the City's 4th of July Parade

D. Approve Resolution No. 1975.1 extending the order authorizing the use of electronic signatures through December 31, 2021

E. Approve Resolution No. 1977.1 extending the order of the Director of Civil Defense and Disaster authorizing a process for use permits for businesses affected by Shelter In Place Orders and authorize and direct City staff to develop guidelines and a streamlined program to establish permanent outdoor dining in the City of Scotts Valley

F. Approve the Third Amendment to the Joint Powers Authority Agreement establishing the Santa Cruz County Library Financing Authority, and authorize the City Manager to sign the amendment

G. Authorize the City Manager to execute a professional services agreement, and any amendments thereto, with OpenGov, Inc., in a form approved by the City Attorney, for the procurement, deployment, training and maintenance costs for permitting, licensing and code enforcement software services in an amount not to exceed $191,825

ALTERATIONS TO REGULAR AGENDA

M/S: Lind/Dilles
To approve the Regular Agenda.
Carried 5/0 (AYES: Dilles, Johnson, Lind, Reed, Timm)

REGULAR AGENDA

1. **Consider adoption of the final version of the Housing for a Healthy Santa Cruz: A Strategic Framework for Addressing Homelessness in Santa Cruz County to guide the work of the City of Scotts Valley alongside the County of Santa Cruz through December 31, 2023**

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

   Randy Morris, HSD Director of the County of Santa Cruz Human Services Department, spoke regarding this item and responded to questions from Council.

   Dr. Robert Ratner, Director Housing for a Healthy Santa Cruz, provided a PowerPoint presentation and responded to questions from Council.

M/S: Reed/Lind
To adopt of the final version of the Housing for a Healthy Santa Cruz: A Strategic Framework for Addressing Homelessness in Santa Cruz County to guide the work of the City of Scotts Valley alongside the County of Santa Cruz through December 31, 2023.
Carried 5/0 (AYES: Dilles, Johnson, Lind, Reed Timm)

2. **Review of Preliminary FY 2021-22 Annual Budget, Five-Year Financial Plan and Ten-Year General Fund Financial Forecast**

CM Friend, ASD Estorga and Financial Consultant Steve Toler presented the written staff report, provided a PowerPoint presentation and responded to questions from Council.

The following residents of Bluebonnet Lane expressed concerns regarding traffic and pedestrian safety on Bluebonnet Lane and requested funding for improvements:

Karin Meyer
Griffon Walker
Maura Bailey
Ilo Nilsson
Kathryn Griffon
Scott Dickie
Travis Rosgen

3. **Consideration of Assembly Bill 1344, State Department of Public Health: Needle and Syringe Exchange Services**

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

The City Council decided not to take any action at this time and directed staff to continue to track this bill.

4. **Future Council agenda items**

None.

ADJOURNMENT

The meeting adjourned at 9:40 pm.

Approved: _____
Derek Timm, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

SCOTTS VALLEY ACCOUNTS PAYABLE CITY OF SCOTTS VALLEY
05/28/2021 11:23:20 Check Register GL050S-V08.15 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 052821 COMMENT... 05/28/2021 A/P

DATA-JE-ID	DATA COMMENT
W-05282021-212	05/28/2021 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					
000182	A SIGN ASAP	121583	05/28/21	949.34	
000041	ACC BUSINESS	121584	05/28/21	1,219.38	
001405	AFLAC-FLEX ONE	121585	05/28/21	1,563.20	
003149	AQUATIC BIOASSAY &	121586	05/28/21	4,330.00	
001670	AT &T	121587	05/28/21	178.12	
003746	AVENU HOLDINGS, LLC	121588	05/28/21	1,951.05	
001822	BC LABORATORIES INC.	121589	05/28/21	10.00	
000018	BRINK'S AWARDS & SIGNS	121590	05/28/21	49.16	
001051	COASTAL EVERGREEN CORP	121591	05/28/21	1,515.00	
000318	DEPT OF TRANSPORTATION	121592	05/28/21	2,435.49	
000054	EWING IRRIGATION PRODUCT	121593	05/28/21	793.29	
000202	FEDERAL EXPRESS	121594	05/28/21	152.98	
003654	GENERAL LOGISTICS SYSTEM	121595	05/28/21	9.65	
001881	GRAINGER	121596	05/28/21	2,940.33	
003706	GRANADOS/JUSTIN	121597	05/28/21	970.00	
003266	INTERGRITY AUTOMOTIVE	121598	05/28/21	682.96	
001471	JACKSON DDS/ALISON K	121599	05/28/21	285.60	
001660	KING/KATI	121600	05/28/21	125.00	
001673	LINCOLN FINANCIAL GROUP	121601	05/28/21	1,194.18	
000078	LLOYD'S TIRE SERVICE INC	121602	05/28/21	839.76	
000967	MONTEREY BAY SYSTEMS	121603	05/28/21	210.24	
003676	MONTEREY ONE WATER	121604	05/28/21	585.00	
001615	OLIN CORP-CHLOR ALKALI	121605	05/28/21	2,298.37	
003117	PRIORITY 1 PUBLIC SAFETY	121606	05/28/21	11,364.40	
001563	ROBINSON DDS/RICHARD N	121607	05/28/21	254.40	
000134	S.V. WATER DISTRICT	121608	05/28/21	500.00	
000135	SAN LORENZO VALLEY WATER	121609	05/28/21	33.66	
003658	SANTA CRUZ OCCUPATIONAL	121610	05/28/21	210.00	
004002	SECURITY CONTRACTOR SVCS	121611	05/28/21	1,643.75	
000805	SHAPE INC.	121612	05/28/21	10,158.80	
001672	SILICON VALLEY PAVING IN	121613	05/28/21	71,720.25	
001844	STERLING WATER TECHNOLOG	121614	05/28/21	1,488.00	
001361	STEVENS DDS/JOHN A	121615	05/28/21	139.00	
000146	U.S. POSTMASTER	121616	05/28/21	245.00	
000151	VISION SERVICE PLAN	121617	05/28/21	997.50	
000154	WINCHESTER AUTO STORES	121618	05/28/21	7.65	
GENERAL CHECKING ACCOUNT				124,050.51	***

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				124,050.51

RECORDS PRINTED - 000076

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
001	GENERAL	18,684.76
002	RECYCLING/ENVIRONMENTAL	585.00
004	RECREATION	51.39
010	WASTEWATER OPERATIONS	19,894.22
011	TERTIARY TREATMENT PLANT	906.63
028	SENIOR CENTER	254.93
031	STP EXCHANGE PROJECTS	71,720.25
088	LIBRARY FACILITIES-MEAS "S"	500.00
112	DENTAL INS INTERNAL SERV	679.00
123	COMMUNITY FACILITY CENTER	9.93
306	SUPPL LAW ENFORCEMENT SRVS	10,764.40
TOTAL ALL FUNDS		124,050.51

BANK RECAP:

BANK	NAME	DISBURSEMENTS
BA	GENERAL CHECKING ACCOUNT	124,050.51
TOTAL ALL BANKS		124,050.51

AGENDA ITEM C
DATE: 6-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Tina Friend, City Manager

SUBJECT: **FOURTH AMENDMENT TO CITY ATTORNEY CONTRACT**

SUMMARY OF ISSUE

Logan & Powell, LLP and its predecessor, Law Offices of Robert J. Logan, have served as the City Attorney since July 1991. A copy of the Professional Services Agreement is attached to this report. The compensation paid to the City Attorney has only been increased once since that time. This amendment would increase the monthly retainer to $15,000.00 and the hourly rate for litigation and extraordinary services to $275.00. With the increase, the rates paid for City Attorney services are still lower than other similar cities.

The amendment also clarifies extraordinary services provided by the City Attorney which are billed on an hourly rate. Under the retainer, the City Attorney is required to have on-site office hours four (4) Wednesdays per month. Under the current agreement, additional office hours were defined as extraordinary services. The City Attorney was paid at an additional hourly rate for any additional time spent at City Hall. During the pandemic, while working remotely, the City Attorney and staff have determined that having more flexibility for access to the City Attorney throughout the week better served the needs of the City. Therefore, under this amendment, the City Attorney will be available for retainer services other days of the week as agreed upon by the City Attorney and City staff. The increase in the retainer is intended to compensate for this increased availability. This amendment also provides for annual adjustments to compensation.

FISCAL IMPACT

Execution of this amendment will increase the City Attorney budget by approximately $48,000 for Fiscal Year 2021-2022.

STAFF RECOMMENDATION

Staff recommends that the City Council authorize the Mayor to execute the Fourth Amendment to Professional Services Agreement with Logan & Powell, LLP.

TABLE OF CONTENTS PAGE

Fourth Amendment to the Agreement with Logan & Powell, LLP..... 2
Professional Services Agreement and Prior Amendments..... 5

FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This Fourth Amendment to Professional Services Agreement is entered into by and between the City of Scotts Valley ("City") and Logan & Powell, LLP ("Attorney") on this 16th day of June, 2021.

RECITALS

A. Attorney and its predecessor has acted as the City Attorney since 1991.
B. Attorney and City entered into that certain Professional Services Agreement on July 1, 1991 (the "Agreement").
C. The Agreement was amended on February 7, 2001, May 1, 2004 and January 20, 2016.
D. The parties desire to amend the Agreement to further define legal services and adjust compensation.

AGREEMENT

1. Section I of the Agreement is hereby amended to read as follows:

"I. **Retainer Services**: Except as provided elsewhere in this Agreement, Attorney shall provide in a professional manner, all of the usual, customary and necessary services, usually and normally provided by a City Attorney to the City of Scotts Valley as those services are required. Scope of services to be provided in the monthly retainer shall include the following:

A. Attendance at two City Council meetings per month and up to two special City Council meetings per month.
B. Regular established office hours for four full days each month at the Scotts Valley City Hall to be provided on the first four Wednesdays of each month.
C. Attendance at departmental meetings, staff meetings or committee meetings as deemed necessary and appropriate, or as requested by the City Manager or City Council provided that the meetings shall be scheduled on the days Attorney holds regular office hours at the City. Meetings may be held on other days via telephone or electronic platform (i.e. Zoom) on days and times mutually agreeable to City staff and Attorney.
D. Research, preparation or review of written opinions, ordinances, resolutions, agreements, leases, public works contracts, staff reports and other documents of a legal nature.
E. Providing legal advice to City Council Members, City Manager, City Commissioners, department heads and other designated personnel as appropriate.

F. Commencement and prosecution of all criminal actions to enforce municipal ordinance, including enforcement through City administrative proceedings provided, however, these services do not include enforcement of municipal code violations through civil actions.

G. Monitoring and advising the City Council and staff of legislation affecting the City and providing information to the City Manager as necessary to assist the City Manager in preparation of the annual budget.

H. Representing the City in the administration of all claims and actions filed against it including, but not limited to, coordination with the City's insurance carrier or risk management fund.

I. Monitoring the activities of any Special Counsel directly retained by the City.

J. Providing legal advice and attendance at administrative hearings before the City Council."

2. Section II of the Agreement is hereby amended to read as follows:

"II. **Services Provided Outside of Retainer Services (Litigation and Extraordinary Services)**:

Attorney shall provide litigation and extraordinary services on an hourly basis. Litigation services include all services related to the prosecution, defense or oversight of any matter being heard before any administrative board or tribunal (except the council), federal or state court where the City is a party or cases handled by the City's insurance pool, as well as time expended for depositions court hearings, trials, conferences or other administrative or judicial appearances, preparation of any papers, briefs, documents and other matters related to any administrative or court proceeding, as well as preparation for any hearings before any public administrative agency, body or court.

Extraordinary services include review of annexation applications, development agreement, employee negotiations, bond issuances, federal, state or local emergencies, eminent domain, general or specific plans and zoning text amendments, environmental documents or any other matters for which the City receives refunds from the developer for purposes of reimbursement of legal expenses. In addition, extraordinary expenses includes any additional on-site office hours of Attorney beyond four Wednesdays per month.

It is the obligation of City to make payments directly to Attorney for Extraordinary Services in a timely manner after billing those services. City may direct Attorney not to proceed on Extraordinary Services until City is satisfied that sufficient funds have been deposited with City to cover the costs of the required extraordinary services. In addition, the City may order Attorney to cease any Extraordinary Services at any time to assure that sufficient funds will be available for completion of the services."

3. Section III of the Agreement is hereby amended to read as follows:

"III. **Compensation and Reimbursement:**

Effective July 1, 2021, City shall compensate Attorney for all services performed under the monthly retainer described in Section I herein in the amount of Fifteen Thousand ($15,000.00) per month for 800 hours per fiscal year. For any hours over 800 billed in a fiscal year, such hours will be billed and paid at an hourly rate of $250/hour. All attorney services rendered in addition to the Retainer Services shall be compensated for at the following rates:

Extraordinary Services and Litigation:

Attorney	$275 per hour
Special Counsel	$200 per hour
Paralegals/Law Clerk	$85 per hour

City shall reimburse Attorney for all customary and reasonable out-of-pocket costs and expenses advances or paid on behalf of City in the performance of any legal services, whether retainer or otherwise, including all travel expenses incurred in the performance of the legal services described herein. Mileage shall be reimbursed at the IRS standard mileage rate."

4. Section IV of the Agreement is hereby amended to read as follows:

"**IV. Adjustments to Compensation:**

Attorney's compensation for Retainer services shall be increased July 1st of each year by the United States Consumer Price Index for Urban Wage Earners, San Francisco, California, all Items Series A ("CPI") for the previous 12 months prior to review. Compensation for litigation and extraordinary services shall be increased $5 per year on July 1st of each year. City shall consider any additional adjustments to compensation at the same time it reviews Management (Director) salaries."

5. All other terms and conditions of the Agreement and the earlier amendments shall remain unchanged and in effect during the term of the Agreement.

* *

IN WITNESS WHEREOF, this Fourth Amendment to Professional Services Agreement between the City of Scotts Valley and Logan & Powell, LLP is hereby executed on the date written above.

"CITY"	"ATTORNEY"
CITY OF SCOTTS VALLEY	LOGAN & POWELL, LLP
_____	_____
Derek Timm, Mayor	Kirsten M. Powell, Managing Partner

ATTEST:

_____
Tracy Ferrara, City Clerk

THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This Third Amendment to Professional Services Agreement is entered into by and between the City of Scotts Valley ("City") and Logan & Powell, LLP ("Attorney") on this 20th day of January, 2016.

RECITALS

A. Attorney and its predecessor, has acted as the City Attorney since 1991.
B. Attorney and City entered into that certain Professional Services Agreement on July 1, 1991 (the "Agreement").
C. The Agreement was amended on February 7, 2001 and May 1, 2004.
D. The parties desire to amend the Agreement to further define legal services and adjust compensation.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants and promises contained herein, the parties agree as follows:

AGREEMENT

1. Section II of the Agreement is hereby amended to read as follows:

"II. **Services Provided Outside of Retainer Services (Litigation and Extraordinary Services)**

Attorney shall provide litigation and extraordinary services on an hourly basis. Litigation services include all services related to the prosecution or defense of any matter being heard before any administrative board or tribunal (except the council), federal or state court where the City is a party, as well as time expended for depositions court hearings, trials, conferences or other administrative or judicial appearances, preparation of any papers, briefs, documents and other matters related to any administrative or court proceeding, as well as preparation for any hearings before any public administrative agency, body or court.

Extraordinary services include review of annexation applications, development agreement, general or specific plans and zoning text amendments, environmental documents or any other matters for which the City receives refunds from the developer for purposes of reimbursement of legal expenses. In addition, extraordinary expenses includes any additional on-site office hours of Attorney beyond four Wednesdays per month.

It is the obligation of City to make payments directly to Attorney for Extraordinary Services in a timely manner after billing those services. City may direct Attorney not to proceed on Extraordinary Services until City is satisfied that sufficient funds have been deposited with City to cover the costs of the required extraordinary services. In addition, the City may order Attorney to cease any Extraordinary Services at any time to assure that sufficient funds will be available for completion of the services."

2. Section III of the Agreement is hereby amended to read as follows:

"III. **Compensation and Reimbursement**

City shall compensate Attorney for all services performed under the monthly retainer described in Section I herein in the amount of Eleven Thousand ($11,000.00) per month. All attorney services rendered in addition to the Retainer Services shall be compensated for at the following rates:

Extraordinary Services and Litigation:

Attorney	$200 per hour
Special Counsel	$200 per hour
Paralegals/Law Clerk	$85 per hour

City shall reimburse Attorney for all customary and reasonable out-of-pocket costs and expenses advances or pain on behalf of City in the performance of any legal services, whether retainer or otherwise, including all travel expenses incurred in the performance of the legal services described herein. Mileage shall be reimbursed at the IRS standard mileage rate."

3. All other terms and conditions of the Agreement and the earlier amendments shall remain unchanged and in effect during the term of the Agreement.

IN WITNESS WHEREOF, this Third Amendment to Professional Services Agreement between the City of Scotts Valley and Logan & Powell, LLP is hereby executed on the date written above.

"CITY"
CITY OF SCOTTS VALLEY

Donna Lind, Mayor

"ATTORNEY"
LOGAN & POWELL, LLP

Kirsten M. Powell, Managing Partner

ATTEST:

Tracy Ferrara, City Clerk

SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT ("Second Amendment") is entered into by and between the City of Scotts Valley, a general law city and municipal corporation of the State of California ("City") and Logan & Powell, LLP ("Attorney").

RECITALS

A. The City and Attorney have executed a "Professional Services Agreement" dated July 10, 1991, and an "Amendment to Professional Services Agreement" dated February 7, 2001, (collectively referred to as the "Agreement").

B. The City and Attorney desire the modify the Agreement with this Second Amendment.

AGREEMENT

1. Commencing May 1, 2004, Section IX of the Agreement is hereby amended to read as follows:

"IX. Designation of City Attorney/Redevelopment Counsel: Kirsten M. Powell shall be designated as City Attorney. An Assistant City Attorney may be designated at the option of Attorney and may, from time to time, appear on behalf of the City Attorney at established office hours, special meetings called by City and/or council meetings."

2. Except as provided in section 1 above, all other terms and conditions of the Agreement shall remain the same.

IN WITNESS WHEREOF, the parties have executed this Second Amendment effective on May 1, 2004.

ATTORNEY:
LOGAN & POWELL, LLP

Robert J. Logan, Managing Partner

CITY:
CITY OF SCOTTS VALLEY

Cliff Barrett, Mayor 4-7-04

ATTEST:

Judi Coffman, City Clerk

SV.Agr.CityAttorney2ndAmend.5.1.04

AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT ("Amendment ") is entered into by and between the City of Scotts Valley, a general law city and municipal corporation of the State of California ("City") and the Law Offices of Robert J. Logan, doing business as Logan & Powell, LLP (hereinafter "Attorney").

City and Attorney hereby agree to amend the PROFESSIONAL SERVICES AGREEMENT (the "Agreement") executed between the parties on July 1, 1991, as follows:

1. The law offices of Robert J. Logan has, by adding a partner to the firm, changed the name of the firm to Logan & Powell, LLP, commencing February 1, 2001. Commencing on that date City agrees that services provided in the name of the Law Offices of Robert J. Logan will now be provided by the law firm of Logan and Powell, LLP.

2. Except as provided in section 1 above, all other terms and conditions of the Agreement shall remain the same.

IN WITNESS WHEREOF, the parties have executed this Amendment on Feb.7, 2001.

ATTORNEY:
LOGAN & POWELL, LLP

Robert J. Logan, Managing Partner

CITY OF SCOTTS VALLEY

Sheryl Ainsworth, Mayor

ATTEST:

Judi Coffman, City Clerk

PROFESSIONAL SERVICES AGREEMENT

This PROFESSIONAL SERVICES AGREEMENT is made and entered into this 1st day of July 19 91, by and between the City of Scotts Valley, a general law city and municipal corporation of the State of California and the Scotts Valley Redevelopment Agency (hereinafter collectively referred to as "City"), and the Law Offices of Robert J. Logan (hereinafter "Attorney").

The City and Attorney hereby agree as follows:

I. Retainer Services: Except as provided elsewhere in this Agreement, Attorney shall provide, in a professional manner, all of the usual, customary and necessary services, usually and normally provided by a City Attorney and Redevelopment Agency General Counsel, to the City of Scotts Valley and the Scotts Valley Redevelopment Agency as those services are required. Scope of services to be provided in the monthly retainer shall include the following:

A. Attendance at two City Council/Redevelopment Agency meetings per month, which meetings shall be held concurrently on the same day.

B. Regular established office hours for four full days each month at the Scotts Valley City Hall to be provided on the first four Wednesday's of each month.

C. Attendance at departmental meetings, staff meetings or committee meetings as deemed necessary and appropriate, or as requested by the City Manager or City Council, provided that the meetings shall be scheduled on the days Attorney holds regular office hours at the City.

D. Research, preparation or review of written opinions, ordinances, resolutions, agreements, leases, public works contracts, and other documents of a legal nature.

E. Providing legal advice to City Councilmembers, City Manager, Commissioners, department heads and other designated personnel as appropriate.

F. Commencement and prosecution of all criminal actions to enforce municipal ordinances, including enforcement through City administrative proceedings provided, however, these services do not include enforcement of municipal code violations through civil actions.

G. Monitoring and advising the City Council and staff of legislation affecting the City, and providing information to the City Manager as necessary to assist the City Manager in preparation of the annual budget.

H. Representing the City in the administration of all claims and actions filed against it including, but not limited to, coordination with the City's insurance carrier or risk management fund.

I. Rendering advice and assistance to City's representatives on labor relations matters, reviewing memoranda of understanding or other labor agreements, drafting implementing legislation or other pertinent documents and representation of City before mediators or arbitrators on matters arising from memoranda of understanding or the City's personnel rules.

J. Monitoring activities of any Special Counsel directly retained by the City.

K. Providing legal advice and attendance at administrative hearings before the City Council.

II. Services Provided Outside Of The Retainer Services (Litigation and Extraordinary Services): Attorney shall provide Litigation and Extraordinary services to City on an hourly basis.

Litigation services include all services related to the prosecution or defense of any matter being heard before any administrative board or tribunal (except the council), federal or state court where the City is a party, as well as time expended for depositions, court hearings, trials, conferences or other administrative or judicial appearances, preparation of any papers, briefs, documents and other matters related to any administrative or court proceeding, as well as preparation for and hearings before any public administrative agency body or court.

The City requires one hundred percent cost recovery for processing annexation applications, development agreements, general plan amendments and zoning text amendments, provided same are developer initiated. In addition, the city charges substantial fees for the review of environmental documentation. For purposes of this Agreement, Extraordinary Services shall include review of annexation applications, development agreements, general or specific plans and zoning text amendments or any other matters, including redevelopment matters, for which the City receives funds from the developer or redeveloper for purposes of reimbursement of legal expenses. In addition, Extraordinary Services shall include review of environmental documentation for which the City receives a fee for review. It is the obligation of City to make payments directly to Attorney for Extraordinary Services in a timely manner after billing for those services. City may direct Attorney not to proceed on Extraordinary Services until City is satisfied that sufficient funds have been deposited with City to cover the costs of the required extraordinary services. In addition City may direct Attorney to cease extraordinary services at any time in order to assure that sufficient funds will be available for completion of the services.

III. Compensation and Reimbursement: City shall compensate Attorney for all services performed under the Monthly Retainer described in Section I herein in the amount of Ten Thousand Dollars ($10,000) per month. All attorney services rendered in addition to the Retainer Services shall be compensated for at the following rates:

Extraordinary Services and Litigation

Attorney	$140 per hour
Associate	$120 per hour
Law Clerk	$ 45 per hour
Paralegal	$ 35 per hour

City shall reimburse Attorney for all customary and reasonable out-of-pocket costs and expenses advanced or paid on behalf of City in the performance of any legal services, whether Retainer or otherwise, including all travel expenses incurred in the performance of the legal services described herein. Mileage shall be reimbursed at the rate of $.25 per mile.

Notwithstanding the above, Attorney shall not be compensated for travel time associated with the performance of retainer services.

IV. Adjustments to Compensation: City shall consider any adjustments to compensation at the same time it reviews other municipal employee salaries. Attorney's compensation for Retainer Services shall be increased by the United States Consumer Price Index for Urban Wage Earners, San Francisco, California, all Items Series A ("CPI") for the previous twelve months prior to review, provided, however, that any increase shall not exceed the highest percentage increase given to any administrative or management personnel within the City of Scotts Valley for the same fiscal year. Compensation for litigation and extraordinary services shall only be increased by mutual agreement of the parties as expressed in writing.

V. Attendance at Conferences, Meetings and Seminars: Attorney shall be reimbursed by City for all out-of-pocket expenses incurred for attendance at any conferences of the National Institute of Municipal Law Officers, any meetings and conferences of City Attorneys or such courses and seminars relating to municipal law as may be deemed appropriate. In no event shall

such reimbursement of the expenses referenced in this paragraph exceed a maximum of One Thousand Dollars ($1000) per year.

VI. Term: This contract shall remain in full force and effect until terminated by either City or Attorney as set forth herein.

VII. Defense and Indemnification: City agrees to provide a defense to Attorney for any civil action or proceeding brought against him in his official or individual capacity, or both, on account of an act or omission in the scope of his duties as City Attorney/Redevelopment Counsel in the same fashion as required of public agencies regarding their employees pursuant to Government Code section 825 et seq.

VIII. Billing: Attorney shall submit monthly statements to the City within thirty (30) days of the end of the month for all Retainer, Litigation and Extraordinary Services for which services were rendered. The statements will itemize those services related to Litigation and Extraordinary Services performed during the preceding calendar month. The statement shall indicate the nature of the service, the date and time expended. All bills are due and payable thirty (30) days after receipt of the statement.

Attorney shall submit monthly expense account statements indicating the nature and date of the expense to the Finance Director. Attorney shall comply with City policies regarding reimbursement of expenses.

If the Finance Director brings to the attention of the City Council, through the City Manager, any disputes regarding billing, the City Council, shall meet with Attorney to resolve the issue. If the issue is not resolved, City and Attorney agree to submit the matter to a mutually agreeable third party. The third party shall render his/her recommendation in writing to both sides. The City Council shall consider said recommendation and shall, thereafter, determine the appropriate action to resolve the dispute. The Council resolution of the dispute shall not affect the rights of the Attorney or City to pursue any appropriate legal remedies available to them regarding said dispute.

IX. Designation of City Attorney/Redevelopment Counsel and Assistant City Attorney/Redevelopment Counsel: Robert J. Logan shall be designated as City Attorney/Redevelopment Agency General Counsel. An Assistant City Attorney/Assistant Redevelopment Counsel shall be designated by, and at the option of, Attorney and may, from time to time, appear on behalf of City Attorney at established office hours, special meetings called by City and/or council meetings.

X. Special Counsel: Attorney shall determine if special legal services are required for highly specialized or complicated legal services or litigation such as bond counsel. The Attorney, in consultation with the City Manager, shall recommend the retention of special outside counsel to the City Council.

XI. Office Hours and Facilities: City shall provide office space for attorney while performing Retainer Services conducive to rendering legal advice. This includes providing office furniture, telephone, office supplies, postage, copying facilities and other usual office support services. City shall also provide access to secretarial assistance for general clerical duties during the office hours maintained at City Hall.

XII. Annual Review: The City Council shall review the performance of the Attorney in providing the services described herein and the compensation provisions thereof in January 1991 and thereafter annually on or before the adoption of the annual budget. Such review shall occur during the annual budget review process so as to incorporate any proposed changes in compensation. The parties may agree to changes or amendments hereto, which changes or amendments shall be evidenced by written agreement. Nothing in this paragraph shall be deemed to prevent or inhibit more frequent review of performance, compensation, Attorney/client

relationships, or otherwise inhibit the free and candid exchange of views between the parties hereto to the end that the legal interests of the City shall be best served.

XIII. Termination. Either party hereto may terminate this Agreement, without cause, by giving the other party one hundred eighty (180) days written notice. Attorney shall be paid the compensation and accrued reimbursable expenses incurred and earned up to cessation of services. Attorney shall use his best efforts to limit the amount of expenses incurred subsequent to giving or receiving notice of termination as provided herein. In the event of termination, the parties shall cooperate to achieve an orderly transition and assumption of duties by any succeeding City Attorney. All files, documents and other City property shall be returned in good order to the City.

XIV. Nonassignability: The legal services to be provided under this Agreement are personal in nature and this contract cannot be assigned.

XV. Notices: Written notices required hereunder shall be delivered personally or by registered mail to Robert J. Logan, 152 North Third Street, Suite 201, San Jose, CA 95112 or by depositing same with the City Clerk of the City of Scotts Valley, or to such other address as the parties may designate in writing.

XVI. Independent Contractor: Attorney and City understand and agree that Attorney is an independent contractor and City shall not be liable for Workers' Compensation, retirement or unemployment benefits for Attorney or Attorney's agents or employees. Attorney shall not receive any benefits normally provided to full-time employees of City except as otherwise provided in this agreement.

XVII. 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 between the parties relating to the subject of this agreement which are not fully expressed herein. This agreement shall not be amended except pursuant to a written instrument signed by all parties.

IN WITNESS WHEREOF, the parties have executed this Agreement on July 10, 1991.

LAW OFFICES OF ROBERT J. LOGAN

Robert J. Logan, Principal

CITY OF SCOTTS VALLEY

By _____
Mayor

SCOTTS VALLEY REDEVELOPMENT AGENCY

By _____
Chairman Redevelopment Agency

Attest:

_____, City Clerk

AGENDA ITEM D
DATE: 6-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Tina Friend, City Manager

SUBJECT: **CONSENT TO THE EXTENSION OF THE TOURISM MARKETING DISTRICT (TMD) IN THE CITY OF SCOTTS VALLEY**

SUMMARY OF ISSUE

The City of Scotts Valley (City) is being asked to provide consent for the renewal of the Santa Cruz County Tourism Marketing District (TMD) which has been in effect since it was originally established on June 15, 2010. The City is one of four cities included in the TMD along with Watsonville, Santa Cruz and Capitola. The TMD was supplemented on June 28, 2013 for a period of five years through June 30, 2015 with boundaries contiguous to the County of Santa Cruz, including the four cities referenced above. The TMD was thereafter renewed on July 1, 2015 for an additional seven-year period which will expire on June 30, 2022. The purpose of the district is to provide a sustained, consistent source of funding for tourism promotion benefitting lodging businesses, to increase occupancy in the lodging industry, to market Santa Cruz County as a visitor destination, and to allow our community to be competitive in the group and leisure markets.

On June 2, 2021 the Scotts Valley City Council initially considered the TMD extension and after a robust discussion, acted to defer action until June 16, 2021 in order to allow additional time for Council Members to seek information related to the TMD operations. The Santa Cruz County Board of Supervisors will consider approval of extending the TMD at its meeting on June 29, 2021.

Process For Renewal

Section 36660 of the Property and Business Improvement Law of 1994, Streets and Highways Code provides for renewal of the TMDs. They "shall be renewed following the same procedure as for the establishment". Specifically, owners paying 50% or more of the estimated total assessment proposed submit petitions in support of forming the district; a management plan containing certain key elements is prepared; the legislative body adopts a resolution declaring its intent to renew the district; a noticed public meeting and public hearing are held; and, any written protests submitted to the Clerk of the legislative body must be tabulated. If there is no majority protest the legislative body may adopt a resolution renewing the district. There is no requirement for the boundaries,

assessments, or activities of a renewed district to be the same as the original or prior district. Upon renewal, any remaining revenues derived from the levy of assessments shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues are spent to benefit only the parcels or businesses in the prior district.

In preparing to propose renewal of the TMD, the Visit Santa Cruz County (VSCC) Board of Directors voted unanimously to request the Board of Supervisors to initiate the plan renewal process as presented by the TMD Task Force. Subsequently, petitions in support of the Plan were circulated to the owners paying 50% or more of the estimated total assessment and they have been received by the County. County Staff has confirmed that the petitions received meet the majority test. A roster of lodging businesses and copies of the signed petitions have been placed on file with the Clerk of the County Board. More information about the TMD renewal process and the TMD Plan can be found on the VSCC website: https://www.santacruz.org/partners/tourism-marketing-district/

The Santa Cruz County Board of Supervisors unanimously approved the renewal of the District and the proposed Plan at its May 11, 2021 Meeting. At the same meeting, the County Board of Supervisors unanimously adopted a resolution requesting that cities located in the District grant consent to the County of Santa Cruz to renew the Santa Cruz County Tourism Marketing District with the modifications further outlined below. If cities do not consent to renew the TMD, no hotels within their jurisdictions will be included.

Proposed modifications to the Plan include:

1. Assessment Rate Increases and Tier Adjustments. Annual assessment rates are currently, and will continue to be, assessed upon each night of a visitor stay within tiers based upon annual benefit measured by calculating "Revenue per Available Room," or RevPAR. RevPAR is a widely used performance metric in the lodging industry, and it is calculated by dividing the total guestroom revenue for a lodging property for the prior fiscal year by the room count and by the number of days in the period being measured, in this case, one year. The benefit tiers are as follows:

Tier 1 (RevPar less than $50.00)	$2.10 per occupied unit per night
Tier 2 (RevPar $50.00 to $74.99)	$2.75 per occupied unit per night
Tier 3 (RevPar $75.00 to $99.00)	$3.10 per occupied unit per night
Tier 4 (RevPar $100.00 or more)	$4.00 per occupied unit per night

The assessment structure using RevPAR Tiers as implemented at the July 1, 2015 renewal of the TMD is consistent with what is being proposed in the proposed Plan. Tier rates are recommended to be increased by 10% for Tier 1, 15% for Tiers 2 and 3 and 25% for Tier 4. Additionally, under the 2015 renewal annual increases were determined by a cost of living (CPI) adjustment; this renewal proposes an across the board 1.5% annual increases.

Vacation Rental Management Company (VRMC) businesses, which operate as agents on behalf of other property owners, are a unique sector within the lodging industry. This sector is designated as a special class within the TMD and is assessed without calculation of RevPAR. VRMC businesses will start at a rate equivalent to Tier 3 in year one of the District operations and then move to Tier 4 in year two.

Rates are as follows:

VRMC Tier 3	$3.10 per room night sold
VRMC Tier 4	$4.00 per room night sold

As provided for in § 36632 (c) of the Streets and Highways Code, properties zoned solely for residential use or for agricultural use are conclusively presumed not to benefit from the services funded through TMD assessments and are therefore not subject to assessment. (In the unusual case that a privately owned and operated Vacation Rental is not zoned exclusively for residential purposes then such a lodging business would also be assessed at the same rates identified for VRMC's and subject to a 1.5 percent annual increase.)

Recreational Vehicle (RV) Parks and campgrounds continue to be exempt from assessment.

In order to ensure a competitive marketing position and avoid erosion of the marketing budget due to inflation or increases in the cost of services such as media buys, under the July 1, 2015 renewal assessment rates were subject to review and update by a change in a Consumer Price Index (CPI) measure specified in the Plan in years three, six and nine. The current plan proposes a simpler 1.5% across the board annual increase. In addition, each year VSCC as Plan Administrator will review each member's Tier Rate, and if that review results in a finding to recommend a change, the recommendation will be made in writing in by January 31st prior to implementation the following July 1st. There is an administrative review process for any dispute of the findings.

2. Modification to TMD membership. Since the June 2, 2021 City Council meeting, a change was made to the proposed TMD Management Plan related to applicability of the TMD to not-for-profit organizations. With the strong urging of Scotts Valley with respect to a not-for-profit education institution operating within its jurisdiction, the not-for-profit organization exemption was restored. At the June 8, 2021 Santa Cruz County Board of Supervisors meeting, unanimous Board direction was given to "direct staff to work with the Board of the Tourism Marketing District to incorporate a change to the Plan to continue exempting non-profit lodging businesses from the TMD."

The TMD Management District Plan has been modified to include the following:

"R.V. parks **and not-for-profit or publicly owned establishments** shall not be assessed in the SCCTMD (emphasis added)." (page 2)

Moreover, 1440 Multiversity has now been struck from the roster of properties subject to the TMD assessment. (See amended TMD Management District Plan, Appendix 2.)

The City's hotel properties, the Hilton Santa Cruz/Scotts Valley, Four Points Santa Cruz Scotts Valley and the Best Western have petitioned in support of their continued participation in the TMD (petitions attached). City Council approval of the attached Resolution provides consent from the City of Scotts Valley to the TMD extension with the necessary condition of continuing the not-for-profit organization exemption, which has been effected.

FISCAL IMPACT

There is a nominal fiscal impact to the City of Scotts Valley. Hotel visitors pay the TMD assessment, which the City collects monthly from hotels and remits to VSCC. The City will be reimbursed 1% of collections as a processing fee.

STAFF RECOMMENDATION

The City Council is recommended to adopt Resolution No. 1847.3 granting consent to the County of Santa Cruz for the renewal of the Santa Cruz County Tourism Marketing District in the City of Scotts Valley predicated on the continuation of exemption of not-for-profit organizations from the TMD.

TABLE OF CONTENTS PAGE

Resolution No. 1847.3 5
Scotts Valley Hotel TMD Petitions 7
Amended TMD Management District Plan 2022 Renewal 10

RESOLUTION NO. 1847.3

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY GRANTING CONSENT TO THE COUNTY OF SANTA CRUZ TO RENEW THE SANTA CRUZ COUNTY TOURISM MARKETING DISTRICT (TMD)

WHEREAS, the Board of Supervisors of the County of Santa Cruz ("Board") has informed the City of its desire to renew the Santa Cruz County Tourism Marketing District ("TMD") including fixing the time and place of a Public Meeting, and a Public Hearing thereon, and giving notice thereof; and

WHEREAS, a portion of the territory proposed to be included in the TMD lies within the boundaries of the cities of Capitola, Santa Cruz, Scotts Valley and Watsonville (the "cities"), as shown on the map attached hereto as Exhibit A and incorporated herein by such attachment; and

WHEREAS, the Board has indicated its belief that the area of the cities which lies within the boundaries of the proposed TMD will be benefited by the activities and the purpose sought to be accomplished and that the work can best be accomplished by a single comprehensive scheme of work; and

WHEREAS, the Board has requested consent to form the TMD in the City of Scotts Valley with adoption of Santa Cruz Board of Supervisors Resolution No. 106-2021, dated May 11, 2021.

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

Section 1: The above recitals are true and correct.

Section 2: The City Council hereby consents to the County of Santa Cruz forming the TMD which District shall include the City of Scotts Valley subject to the requirement that not-for-profit organizations continue to be exempted from the TMD. If not-for-profit organizations are not exempted, the City of Scotts Valley does not consent to the TMD.

Section 3: The City Clerk is hereby directed to transmit a certified copy of this Resolution to the County of Santa Cruz Board of Supervisors.

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 16th day of June, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Derek Timm, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

DocuSign Envelope ID: AC0C6E7D-73BE-4BA2-B1F8-F32F467ED6A8

Petition to the County of Santa Cruz
to Renew a Santa Cruz County Tourism Marketing District

I am petitioning to initiate special assessment proceedings to renew a Tourism Marketing District in accordance with the Property and Business Improvement District Law of 1994, Streets and Highways Code Section 36600 et seq., for the purpose of undertaking and implementing the Tourism Marketing District as described in the Management District Plan found on the Visit Santa Cruz County website at **https://www.santacruz.org/wp-content/uploads/2021/04/Santa-Cruz-County-District-Plan-Renewal_2022_LegalReview_Final-V2-Updated-TMD-Properties-04-09-21.pdf**

Santa Cruz County Tourism Marketing District formation requires submittal of petitions from lodging businesses within the proposed district boundaries representing more than 50% of the total annual assessment. Specifically, each lodging establishment's petition will be weighted by the total gross room rental revenue (less any local, State or Federal sales taxes or transient occupancy taxes) of that lodging establishment. If written petitions representing more than 50% of the total assessment revenue support renewal, the petitions will be forwarded to the Santa Cruz County Board of Supervisors for a public meeting and a public hearing, and an opportunity for a written protest. The assessed lodging business owners will receive notice of the public hearings by USPS mail and electronic mail.

The undersigned hereby certifies under penalty of perjury that he or she is the owner of the lodging business herein referenced or the duly authorized agent of said owner with full authority to execute this petition and to thereby legally bind said lodging business in doing so. The City/County and the undersigned hereby also acknowledge and agree that this petition may be executed by electronic signature and that said electronic signature will have the full force and effect as an original signature.

Lodging Establishment

Best Western Plus Scotts Valley Inn

Name of Property (one property per petition)

Business Owner

Praful C Patel

Name of Owner or Authorized Representative (please print)

Owner

Title

DocuSigned by:
Praful C Patel
72E0E9E0FAAD497...

Signature

4/13/2021

Date

Please fill out, sign and return to by email to dharris@santacruz.org or mail to 303 Water Street, Suite 100, Santa Cruz, CA 95060 or fax to 831.427.4407

DocuSign Envelope ID: D70EF8C2-5E4E-47E9-B33D-925B2A6879D7

Petition to the County of Santa Cruz
to Renew a Santa Cruz County Tourism Marketing District

I am petitioning to initiate special assessment proceedings to renew a Tourism Marketing District in accordance with the Property and Business Improvement District Law of 1994, Streets and Highways Code Section 36600 et seq., for the purpose of undertaking and implementing the Tourism Marketing District as described in the Management District Plan found on the Visit Santa Cruz County website at **https://www.santacruz.org/wp-content/uploads/2021/04/Santa-Cruz-County-District-Plan-Renewal_2022_LegalReview_Final-V2-Updated-TMD-Properties-04-09-21.pdf**

Santa Cruz County Tourism Marketing District formation requires submittal of petitions from lodging businesses within the proposed district boundaries representing more than 50% of the total annual assessment. Specifically, each lodging establishment's petition will be weighted by the total gross room rental revenue (less any local, State or Federal sales taxes or transient occupancy taxes) of that lodging establishment. If written petitions representing more than 50% of the total assessment revenue support renewal, the petitions will be forwarded to the Santa Cruz County Board of Supervisors for a public meeting and a public hearing, and an opportunity for a written protest. The assessed lodging business owners will receive notice of the public hearings by USPS mail and electronic mail.

The undersigned hereby certifies under penalty of perjury that he or she is the owner of the lodging business herein referenced or the duly authorized agent of said owner with full authority to execute this petition and to thereby legally bind said lodging business in doing so. The City/County and the undersigned hereby also acknowledge and agree that this petition may be executed by electronic signature and that said electronic signature will have the full force and effect as an original signature.

Lodging Establishment

Four Points Scotts Valley

Name of Property (one property per petition)

Business Owner

Sita Patel

Name of Owner or Authorized Representative (please print)

Regional Director of Operations

Title

DocuSigned by:
Sita Patel
E56A4AC9313345E...

Signature

4/12/2021

Date

Please fill out, sign and return to by email to dharris@santacruz.org or mail to 303 Water Street, Suite 100, Santa Cruz, CA 95060 or fax to 831.427.4407

DocuSign Envelope ID: CAAF0602-82B5-4033-A2D5-C217347FCB0F

Petition to the County of Santa Cruz
to Renew a Santa Cruz County Tourism Marketing District

I am petitioning to initiate special assessment proceedings to renew a Tourism Marketing District in accordance with the Property and Business Improvement District Law of 1994, Streets and Highways Code Section 36600 et seq., for the purpose of undertaking and implementing the Tourism Marketing District as described in the Management District Plan found on the Visit Santa Cruz County website at **https://www.santacruz.org/wp-content/uploads/2021/04/Santa-Cruz-County-District-Plan-Renewal_2022_LegalReview_Final-V2-Updated-TMD-Properties-04-09-21.pdf**

Santa Cruz County Tourism Marketing District formation requires submittal of petitions from lodging businesses within the proposed district boundaries representing more than 50% of the total annual assessment. Specifically, each lodging establishment's petition will be weighted by the total gross room rental revenue (less any local, State or Federal sales taxes or transient occupancy taxes) of that lodging establishment. If written petitions representing more than 50% of the total assessment revenue support renewal, the petitions will be forwarded to the Santa Cruz County Board of Supervisors for a public meeting and a public hearing, and an opportunity for a written protest. The assessed lodging business owners will receive notice of the public hearings by USPS mail and electronic mail.

The undersigned hereby certifies under penalty of perjury that he or she is the owner of the lodging business herein referenced or the duly authorized agent of said owner with full authority to execute this petition and to thereby legally bind said lodging business in doing so. The City/County and the undersigned hereby also acknowledge and agree that this petition may be executed by electronic signature and that said electronic signature will have the full force and effect as an original signature.

Lodging Establishment

Hilton Santa Cruz/Scotts Valley

Name of Property (one property per petition)

Business Owner

Josh Belcher

Name of Owner or Authorized Representative (please print)

General Manager

Title

DocuSigned by:
Josh Belcher
90EEFAEAFDA9459...
Signature

4/20/2021

Date

Please fill out, sign and return to by email to dharris@santacruz.org or mail to 303 Water Street, Suite 100, Santa Cruz, CA 95060 or fax to 831.427.4407

ADD ON AGENDA ITEM D
DATE: 6-16-2021

SANTA CRUZ COUNTY
TOURISM MARKETING DISTRICT

MANAGEMENT DISTRICT PLAN
2022 Renewal

Formed pursuant to the Property and Business Improvement District Act of 1994
(Streets and Highways Code §36600 et seq.)

Submitted To:

Visit Santa Cruz County Board of Directors
&
Santa Cruz County Board of Supervisors

Proposed Adoption June 29, 2021

SANTA CRUZ COUNTY TOURISM MARKETING DISTRICT MANAGEMENT DISTRICT PLAN
2022 Renewal

TABLE OF CONTENTS

I. INTRODUCTION AND OVERVIEW 2-4

II. PURPOSE OF TOURISM MARKETING DISTRICT FOR LODGING BUSINESSES IN SANTA CRUZ COUNTY 5

III. WHAT IS A TOURISM MARKETING DISTRICT? 6

IV. THE BOUNDARY OF THE SANTA CRUZ COUNTY TMD 7

V. SERVICE PLAN AND BUDGET 8-14
- A. Annual Service Plan
- B. Annual Budget
- C. California Constitutional Compliance
- D. Assessment and Classes
- E. Adjustments to Status of Lodging Businesses
- F. Delinquency, Penalty and Interest
- G. Audits
- H. Disestablishment of the District

VI. BID GOVERNANCE 15
- A. Santa Cruz County Tourism Marketing District Governance .....
- B. Brown Act and Public Records Act Compliance .....
- C. Annual Report .....

APPENDIX 1 – THE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994 16-28

APPENDIX 2 – LODGING BUSINESSES TO BE ASSESSED WITHIN THE SCCTMD 29-31

I. INTRODUCTION AND OVERVIEW

Operating since July 1, 2010, the Santa Cruz County Tourism Marketing District, or "SCCTMD," is an established benefit assessment district that has been developed to help fund marketing and sales efforts for the Santa Cruz County lodging businesses and lodging business categories that are identified in this plan as beneficiaries ("Lodging Businesses"). The SCCTMD is an assessment district proposed to continue providing specific benefits to payors, by funding programs that specifically benefit assessed lodging businesses.

This approach has been used successfully in Santa Cruz County and in over 100 other destination areas throughout California and the country to drive additional room nights by publicizing the available lodging and related tourism opportunities. The SCCTMD is implemented by Visit Santa Cruz County (VSCC), identified here as the Owners' Association.

Location: The SCCTMD includes all Lodging Businesses, and only lodging businesses, located within the boundaries of the County of Santa Cruz, including without limitation businesses such as hotels, motels, inns, studio hotels, bachelor hotels, vacation rental management companies, lodging houses, rooming houses, dormitories, hostels, public or private clubs or similar structures or other lodging wherein living accommodations for periods less than thirty days are offered for hire, and including vacation rental dwellings (other than those located on property zoned exclusively for residential purposes), and vacation rental services operated by professional property managers. R.V. parks **and not-for-profit or publicly owned establishments** shall not be assessed in the SCCTMD.

Services: The SCCTMD will provide specific benefits directly to payors (Lodging Businesses) to support increased room night sales. Benefits include marketing activities such as advertising, social media, public relations, online promotions, direct sales, and destination marketing. Additionally, policy development for programs will be addressed by the SCCTMD. All activities are directed toward marketing overnight business for Santa Cruz County as a tourist, meeting, and event destination.

Budget: The total SCCTMD annual budget is anticipated to be approximately $3 Million in the first year, which will be used to fund the operations of the Santa Cruz County Tourism Marketing District.

Cost: Annual assessment rates are assessed upon each night of a visitor stay within tiers based upon annual benefit levels to each Lodging Business measured by calculating "Revenue Per Available Room," or "RevPAR". Hotels, motels, inns, studio hotels, bachelor hotels, vacation rental management companies, lodging houses, rooming houses, dormitories, hostels, and public or private clubs or similar structures (hereinafter "Lodging Businesses") will be assessed. Assessments will not be collected on stays of more than thirty (30) consecutive days. The assessment rates will be increased each year by a factor of 1.5% with rates being rounded off to the nearest $.05.

RevPAR	Tier 1	Tier 2	Tier 3	Tier 4
Amount	Less than $50.00	$50.00 to $74.99	$75.00 to $99.99	$100.00+
Assessment	$2.10	$2.75	$3.10	$4.00

RevPAR, or revenue per available room, is a widely used performance metric in the lodging industry. For the purposes of the District Plan, RevPAR is calculated by dividing the total guestroom revenue of a Lodging Business for the prior fiscal year by the room count, and by the number of days in the period being measured, in this case one year. The VSCC has ascertained that the degree of benefit of the SCCTMD varies based upon RevPAR for Lodging Businesses in Santa Cruz County, as these tiers best serve to capture the degree of benefit. The Rate tiers 1-4 are intended to capture this degree of benefit, by incorporating a base "Tier 1", as well as a higher assessment applicable to higher RevPAR Lodging Businesses.

Given that the actual "guestroom" or unit inventory may vary by month or season for Vacation Rental Management Companies (VRMC's), will be assessed at the Tier 3 rate without calculation of RevPAR. In year two of TMD operations VRMC's will move to Tier 4.

Assessments will not be collected on stays of more than thirty (30) consecutive days, nor on complimentary stays. For purposes of this plan a complimentary stay is defined as one when the customer is not paying any fee for any portion of their stay. Other than long-term visits (over 30 days) or complimentary stays there are no exceptions or exemptions to the collection of assessments.

Collection: The County of Santa Cruz and Cities (Capitola, Santa Cruz, Scotts Valley and Watsonville) will be responsible for collecting the assessment monthly (including delinquencies, penalties, and interest) from each Lodging Business located within the boundaries of the SCCTMD, within their respective jurisdictions. Jurisdictions will be reimbursed 1% of collections as a processing fee.

Formation: SCCTMD formation and renewal require submittal of petitions from Lodging Businesses representing more than 50% of the total estimated annual assessment followed by a Board of Supervisors hearing and an opportunity for a written protest. The assessed Lodging Business owners will receive official notice of the public hearing by mail from the lead agency, the County of Santa Cruz. If there is a majority written protest, the SCCTMD will not be renewed and will lapse as of June 30, 2022.

Duration: The SCCTMD renewal shall begin July 1, 2022 and shall terminate on June 30, 2029. Once per year, beginning on the anniversary of formation of the District, there is a 30-day period in which assessed owners may file a written petition with the Clerk of the Board of Supervisors seeking disestablishment of the District. If written petitions seeking disestablishment of the District are filed by owners paying 50% or more of the assessment, the Board of Supervisors shall adopt a Resolution of Intention to disestablish the District and hold a noticed hearing on disestablishment in accordance with Streets and Highways Code Section 36670.

Renewal: To renew the District, the same procedures that were undertaken to form the District must be followed, subject to any changes in procedures caused by amendments to the Property and Business Improvement District Law of 1994 and related government codes. Specifically, owners paying 50% or more of the estimated amount of the assessments that are proposed must submit petitions in support of forming the District; a management plan must be prepared; the Board of Supervisors must adopt a resolution declaring its intent to renew the District; a noticed public meeting and public hearing must be held; any written protests submitted to the Clerk of the Board of Supervisors must be tabulated, and if there is no majority protest the Board of Supervisors may adopt a resolution renewing the District.

Management: Visit Santa Cruz County serves as the SCCTMD Owners' Association. The Owner's Association is charged with managing funds and implementing programs in accordance with this Plan and must provide annual reports to the Santa Cruz County Board of Supervisors.

II. PURPOSE OF TOURISM MARKETING DISTRICT FOR LODGING BUSINESSES IN SANTA CRUZ COUNTY

1. The Continuing Need to Maintain and Increase Occupancy

The renewal of the SCCTMD is a proactive effort to continue to provide sustained funding for tourism promotion benefitting Lodging Businesses, based upon an existing and successful model. The funding will ensure that adequate financing exists for the investment required to increase occupancy in the lodging industry and be competitive in group and leisure tourism markets. The investment will cover an expanded marketing and promotional budget needed to reach these market segments.

2. Stable Funding for Tourism Promotion Benefitting Lodging Businesses

The SCCTMD will provide a continuing and stable source of funding for consistent tourist lodging promotion efforts. The SCCTMD will provide funding for such promotion free of the political and economic circumstances that can reduce or eliminate government funding for tourist lodging promotion.

3. Effective Tourism Promotion Benefitting Lodging Businesses

Tourism promotion efforts funded by the SCCTMD provide special benefit to members of the District by both promoting their individual Lodging Business as well as effectively drawing visitors (customers) to the destination (identified as Santa Cruz County) to purchase their lodging product. Santa Cruz County has special attributes that make it an appealing tourism destination. Such attributes include, but are not limited to, legitimate tourism activities that support overnight lodging stays such as State Parks, beaches, attractions, festivals, cultural and sporting events, and other area activities. These attributes are included in marketing efforts with the intended purpose of increasing overnight visitation for Lodging Businesses. Any general benefits (if any) to the surrounding community based on these efforts are a byproduct of the special benefit being paid for and are therefore intangible and unquantifiable.

III. WHAT IS A TOURISM MARKETING DISTRICT?

Tourism Marketing Districts (TMDs) utilize the efficiencies of private sector operation in the market-based promotion of tourism districts. TMDs allow lodging and tourism-related business owners to organize their efforts to increase tourism and thus lodging occupancy. Tourism-related Lodging Businesses within the District fund a TMD, and those funds are used to provide services that the businesses desire and that benefit the Lodging Businesses within the District.

Tourism Marketing District services may include, but are not limited to:

- Marketing of the Destination
- Tourism Promotion Activities
- Sales Lead Generation

In California, Tourism Marketing Districts are formed and renewed pursuant to the Property and Business Improvement District Law of 1994 (PBID Law). This law allows for the creation of a special benefit assessment district to raise funds within a specific geographic area. The key difference between TMDs and other special benefit assessment districts is that funds raised are returned to the private non-profit corporation to administer and implement the District Plan.

There are many benefits to Tourism Marketing Districts:

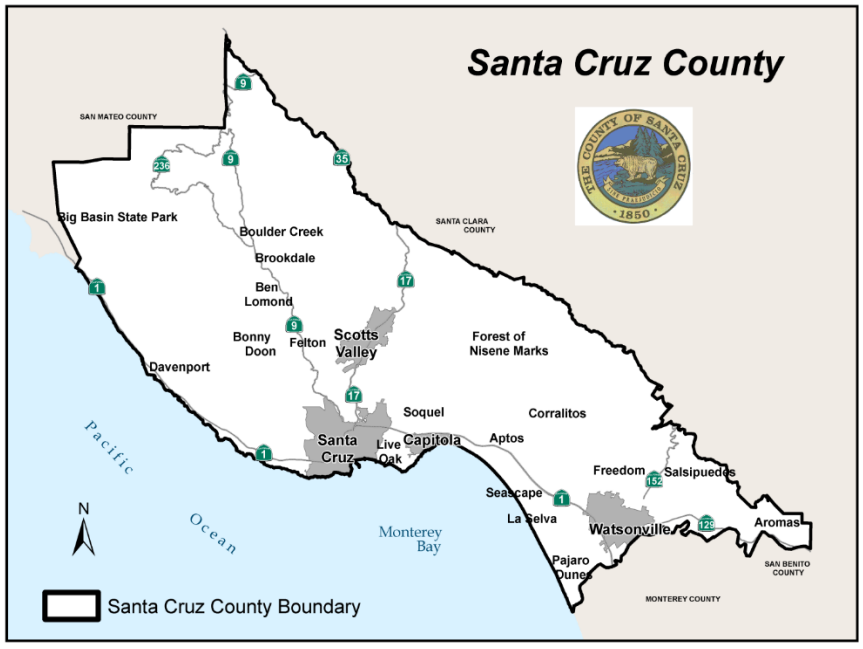
- Funds may only be used for the benefit of those paying assessments;
- Tourism Marketing Districts are customized to fit the needs of each tourism district;
- They allow for a range of services, including those listed above;
- Tourism Marketing Districts are designed, created, and administered by those who will pay the assessment;
- They provide a stable funding source for promotion activities.

The text of the Property and Business Improvement District Law of 1994 (AB 3754), as amended, is provided in Appendix 1 of this document.

IV. THE BOUNDARY OF THE SANTA CRUZ COUNTY TMD

The SCCTMD geographic boundaries are the boundaries of the County of Santa Cruz. The SCCTMD includes all Lodging Businesses available for transient public occupancy located within the boundaries of the County of Santa Cruz. An assessment is levied against all Lodging Businesses providing transient lodging, including both existing Lodging Businesses at the time of the District's formation, and Lodging Businesses that open during the existence of the SCCTMD. For purposes of the SCCTMD assessment rates apply to hotels, motels, inns, studio hotels, bachelor hotels, vacation rental management companies, lodging houses, rooming houses, dormitories, hostels, public or private clubs, not-for profit organizations that provide lodging, or similar structures. As used herein, the term "transient" means: any person who is in need of occupancy by reason of concession, permit, right of access, license, or other agreement for a period of thirty (30) consecutive calendar days or less. The length of stay includes portions of a calendar day as a full day. Any person meeting this criteria and occupying space in a Lodging Business will be deemed a transient until the period of thirty (30) days has expired. If a written agreement exists between the Lodging Business and the occupant, which identifies a longer stay than thirty (30) days, the stay will not be deemed transient. R.V. parks or camping facilities shall not be assessed, similarly communal sleeping rooms in which lodgers rent one of multiple beds within the room and share communal restroom/shower facilities shall not be subject to assessment or factored in the pertinent RevPAR calculation in the SCCTMD.

The boundary of the SCCTMD is understood to include approximately 100 professionally managed Lodging Businesses, inclusive of about 9 VRMC businesses currently operating in the SCCTMD area. Please see the map below. A listing of the Lodging Businesses within the proposed SCCTMD can also be found on Appendix 2 of this Plan.



V. SERVICE PLAN AND BUDGET

A. Annual Service Plan

Assessment funds will be spent to provide specific benefits directly to the payors. Benefits and services are not provided to those not charged the assessment. The services provided by the SCCTMD funds include various marketing initiatives including advertising, public relations, social media promotion, sales, and policy development to assessed businesses. SCCTMD programs and services generate a specific benefit of increased room night bookings for assessed Lodging Businesses.

1. Marketing, Communications and Promotions

The annual budget will support the existing and ongoing marketing and promotions efforts. All marketing and promotions activities will be designed and implemented with the goal of attracting overnight visitors with a primary focus on visits during the non-summer season. Budget categories include all costs related to providing the related service. Sales and Marketing budgets include the cost of staff time dedicated to implementation of various initiatives. Staff time focused specifically on administrative tasks is allocated to the administrative category of the budget. One staff member's time may be allocated to multiple budget categories as appropriate in accordance with generally accepted accounting principles. Staffing levels for various services are determined through the annually approved budget under the leadership of the Owner's Association. Activities may include any or all of the following initiatives:

- Direct Advertising
- On-line/Web Based Promotional Programs
- Trade Shows/Sales Blitzes
- Familiarization Tours
- Collateral Material Development
- Professional Industry Conferences/Affiliation Fees
- Contract Consulting Fees
- Special Event Promotion Funding
- Visitor Services
- Research
- Staffing Costs
- Public, Community and Media Relations
- Social Media Promotions
- Trade Shows/ Media Events
- Website Development
- Electronic Newsletters and On-line Marketing Programs
- Collateral Material Development

2. Advertising/ Public Relations

All direct advertising and public relations efforts promote Santa Cruz County Lodging Businesses. A wealth of efforts includes direct advertising, digital, print, and social media. Brand advertising efforts are directed toward retail promotions as well as trade. Content marketing efforts are a significant part of programming and provide in depth destination information through media relations and various

owned media including santacruz.org and a variety of social media platforms. Ongoing public relations outreach with travel and lifestyle media generates earned media coverage to entice and inspire travel, while prioritizing Lodging Business awareness and travel motivators for overnight travel to Santa Cruz County.

All advertising and public relations efforts are developed in such a way as to increase awareness and inspire overnight visitation. Increasing room night sales and extended stays is the ultimate goal. Examples of advertising and public relation initiatives include but may not be limited to:

- Employing initiatives that attract overnight visitors and increase visitation during non-peak seasons and non-peak days of the week.
- Seeking messaging and incentives that present compelling information regarding appealing aspects of non-peak travel times.
- Investing in and maintaining a high-quality inventory of photo and video content that presents a compelling enticement and drives overnight visitation.
- Continual updates and maintenance of www.santacruz.org including rotation of image and text content, seasonal offerings, SEO optimization and aggressive digital efforts to support qualified, increased traffic to the website.
- Utilizing social media efforts to increase awareness of various themes related to the Santa Cruz County travel experience and to support driving additional traffic to www.santacruz.org .
- Hosting familiarization trips for journalists and travel media to provide a first-hand experience that will result in positive exposure for the destination and increase overnight visitation and room sales to assessed businesses.
- Ongoing development of opt-in, segmented email lists for direct email marketing.
- Conduct periodic research to gauge the level of ROI and effectiveness of specific marketing initiatives and provide relevant market updates to inform future efforts.

3. Sales

Conference and group sales efforts focus on supporting a destination message focusing on the appeal of Santa Cruz County as an ideal location for meetings and retreats. Sales efforts include attendance of key trade shows, direct email marketing support, organized client events, hotel site inspections and destination familiarization tours. All efforts ultimately address prospecting for leads and working with conference hotels to support converting leads into booked business.

Travel trade efforts for international travel promotion focuses on selling Santa Cruz County Lodging Businesses to international travel agents, wholesaler operators and receptive tour operators.

Examples of programs to support sales efforts would include but may not be limited to:

- Attendance at industry trade shows independently and in collaboration with lodging representatives where possible.

- Hosting familiarization tours for meetings and travel trade.

- Developing industry alliances with key tourism organizations such as Visit California, Brand U.S.A., and Central Coast Tourism Council to promote key selling points promoting Santa Cruz County as an appealing destination for overnight visitation.

- Advertising and digital marketing support including email marketing to qualified opt-in email lists.

4. Administration/Operations/Policy Development

The budget may also be allocated to administration and operational expenses to support the operations of the VSCC. These expenses may include:

- Staffing costs
- Legal and consulting fees
- Office space rental
- General administrative and operational costs
- Development of policies as necessary

5. Jurisdictional Administration Fees

(a) The County of Santa Cruz and each City will be paid a fixed administrative fee of 1% of the amount collected within their jurisdiction for the costs of administration of assessments, which is a reasonable estimate of the costs of services to be delivered by the jurisdictions. An additional .5% shall be reserved by the VSCC and used to reimburse the County and Cities for the actual costs of auditing and delinquency collections, to the extent not covered by interests and penalties. The County of Santa Cruz will be paid any actual costs which exceed the fixed fee mentioned above provided that the County of Santa Cruz makes available to the VSCC a full itemization of the actual costs. Upon request of the VSCC, the County of Santa Cruz will meet with the VSCC for the purpose of reducing future actual costs to 1.5% or less. The fee for administration and any additional actual costs incurred by the County of Santa Cruz and the cities will be retained by the County of Santa Cruz and the Cities from the assessments collected.

(b) Any Lodging Business that fails to remit any assessment imposed by the District within the time required shall pay penalties in accordance with the regulations and procedures established for TOT collections in each jurisdiction. Any penalty and interest fees shall be retained by the collecting jurisdiction as an offset to the actual costs of delinquency collection.

(c) The jurisdictions shall be responsible for collecting and distributing assessments and for reasonable efforts in collecting delinquencies. The VSCC may call for an annual meeting of the jurisdictions to review administrative matters and address any concerns regarding the administration of the assessment, as they determine necessary.

6. Reserves: Contingency Renewal/Annual Financial Audit/Research

Approximately .25% of the budget shall be retained in designated contingency reserve line items for annual audits, periodic research, and renewal of the District. If there are reserve funds remaining at the expiration of the District, these funds may be used for costs and expenses required to renew the District.

B. Santa Cruz County Tourism Marketing District Annual Budget

The service plan budget has been developed to focus on, and deliver, services to benefit the assessed businesses. The detailed budget is approved by the Visit Santa Cruz County Board of Directors. The table below provides the annual budget allocations. The total initial budget is estimated to be approximately $3 million. The budget is intended to support the ongoing operations and administration of the Santa Cruz County Tourism Marketing District. An annual service plan and budget will be developed and approved by the VSCC Board of Directors. The budget also includes a portion for audit, research, and contingencies and renewal of the District. Should the VSCC Board of Directors approve, funds may be appropriated for the renewal effort. If there are funds remaining at the end of the District term and Lodging Businesses choose to renew, these remaining funds could be transferred to the renewed District. If there are funds remaining at the end of the District and Lodging Businesses choose not to renew, any remaining funds will be spent consistent with this Plan or returned to assessed businesses in equal proportion to the assessment paid by each business. SCCTMD funds shall not be used to pay for activities in support or opposition to an application for a proposed land use modification. Annual revenues will fluctuate based on the health of the tourism industry overall, however, the proportional allocations of the budget will remain consistent. The VSCC Board of Directors will have the authority to adjust budget allocations between categories by no more than fifteen percent (15%) of the total budget per year. The proposed annual improvements and activities for the first year of operations is outlined in more detail below. The same programs are proposed for subsequent years, at varying degrees depending on trends and market conditions. In the event of a legal challenge against the SCCTMD, the County, or the Cities concerning the formation of the District, all assessment funds may be used for the costs of defending the SCCTMD, the County, or the Cities.

Category	Percentage of Budget
Marketing /Promotions/Sales	73.25%
Administration/Operations and Policy Development	25%
Jurisdictional Administration Fee	1%
Reserve for Audit/Collections	.25%
Reserve for Research	.25%
Contingency and Renewal	.25%
Total Estimated Tourism District Annual Budget	**100%**

C. California Constitutional Compliance

The SCCTMD assessment is not a property-based assessment subject to the requirements of Proposition 218. The SCCTMD assessment is a business-based assessment and is excerpted from the application of subject to Proposition 26. Pursuant to Proposition 26 levies are taxes unless they fit one of seven exceptions. Two of these exceptions apply to the SCCTMD, a "specific benefit" and a "specific government service." Both require that the costs of benefits or services do not exceed the reasonable costs to the governmental agency conferring the benefits or providing the services.

SCCTMD operations will be conducted and implemented carefully to ensure they do not exceed the reasonable cost of such services. All assessment revenue will be used to provide special benefit services described in the Marketing District Plan. Funds will be managed and overseen by the VSCC Board of Directors and reports will be submitted annually to the Santa Cruz County Board of Supervisors as specified in the contract between VSCC and the County of Santa Cruz.

D. Assessment and Classes

1. *Time and Manner for Collecting Assessments*

The SCCTMD assessment will begin July 1, 2022 and will continue for 7 years through June 30 2029. The County and Cities will be responsible for collecting the assessment monthly (including any delinquencies, penalties, and interest) from each Lodging Business located in the boundaries of the SCCTMD, within their respective jurisdictions. The County and Cities will forward the assessments collected to the Owner's Association pursuant to agreements between VSCC and the County and Cities. The County and the Cities may retain all penalties and interest collected on delinquent assessments to cover their actual costs associated with collecting the delinquent assessments. Assessments will be collected concurrently with TOT and shall be subject to any changes in each jurisdiction's TOT collection procedures. Each jurisdiction shall collect assessments in accordance with its own regulations and procedures consistent with the collection of TOT. Each jurisdiction will remit assessments on a monthly or at most a quarterly basis to Visit Santa Cruz County (VSCC), which will have the responsibility to manage the SCCTMD programs as provided in this District Plan.

Based on the benefit received, assessments will not be collected on stays of more than thirty (30) consecutive days, nor on complimentary stays. For purposes of this plan a complimentary stay is defined as one when the customer is not paying any fee for any portion of their stay. Other than long-term visits (over 30 days) or complimentary stays there are no exceptions.

Bonds may not be issued. In addition, there will be no debt financing required by any of the jurisdictions. Assessments are levied upon and a direct obligation of the assessed Lodging Business. However, the assessed Lodging Business may at its discretion pass the assessment on to transients. The amount of assessment, if passed on to each transient, will be disclosed in advance and separately stated from the amount of rent charged and any applicable tax or fee and each transient will receive a receipt for the payment from the business. If the SCCTMD assessment is identified separately it will be disclosed as the "SCCTMD Assessment." As an alternative, the disclosure may include the amount of the SCCTMD assessment and the amount of the assessment imposed pursuant to the California Tourism Marketing Act, Government Code sections 13995 et seq., and will be disclosed as the "Tourism Assessment." The assessment is imposed solely upon and is the sole obligation of the

assessed Lodging Business even if it is passed on to transients. The assessment will not be considered revenue for any purpose, including calculation of transient occupancy taxes.

2. Vacation Rental Management Companies

Vacation Rental Management Companies (VRMC's) are a distinct sector of the lodging industry. They contract with individual owners of houses and condominiums. VRMC's operate as agents on behalf of other property owners. The VRMC, rather than the underlying property or properties, is assessed, and VRMCS's are not exempt due to the residential character of their lodging inventory. VRMC's are identified as a unique sector of businesses within the lodging industry. As such, this sector is designated as a special class within the SCCTMD membership.

Qualifying attributes for a special class include the following: The vacation rentals are each distinct, unique and are generally not centrally located in one building or building complex but are in various areas of the County of Santa Cruz.

Given that the assessments for the SCCTMD are based on RevPAR Tiers and the inventory of a VRMC may fluctuate throughout any given year (preventing the calculation of RevPAR Tiers on a comparable basis over the year) VRMC's will pay the equivalent of Tier 3 within the assessment structure (initially $3.10 per night sold) subject to increases based upon annual increase of 1.5%. In year two of the operations of the District, or beginning July 1, 2023, VRMC's will begin paying the assessment identified in Tier 4.

3. Exclusions from Assessments

Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and services funded through these assessments and are not subject to assessment under this District Plan.

For example, there are many Privately Owned and Operated Vacation Rentals such as houses and condominiums in various areas of Santa Cruz County. These properties are rented and promoted by their owners, primarily through online outlets such as the Vacation Rental By Owner (VRBO) and Airbnb web sites. Substantially all of these individually owned properties are zoned solely for residential use, and those properties are not subject to assessment. These entities do not receive direct benefits provided to TMD members such as placement on the website and direct promotion through social media or other marketing initiatives. The legislature has found that, "A specific benefit is not excluded from classification as a 'specified benefit' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific benefit to the payor."

4. Assessment Rate Increases:

In order to ensure the Santa Cruz County tourism industry's competitive marketing position through adequate funding levels and avoid erosion of the marketing budget due to inflation, assessment rates will be updated and increased annually by a factor of 1.5%.

Each year, Visit Santa Cruz County (VSCC), in its role as the Tourism Marketing District's Plan Administrator, will review current RevPAR tier rates paid by each member of the SCCTMD. If that review makes the finding to recommend a change of a member's Tier and associated assessment level, that member will be officially notified in writing of the proposed change, no later than January 31st

preceding the beginning of the next fiscal year (July 1) when any increase would take effect. If a SCCTMD member disputes the finding, the VSCC will arrange a meeting with a County representative to review the data used to develop the finding.

E. Adjustments to Status of Lodging Businesses:

New Lodging Businesses without a twelve-month history of operations will automatically be identified as Tier 1 and pay that current assessment level for the first twelve months of operations, at which time RevPAR will be determined. The Lodging Business would then be notified of any Tier adjustment the following January 31st after their first twelve months of operations. Any Tier adjustment would take effect the following July 1. In the event that a currently operating Lodging Business closes and ceases to conduct business for twelve consecutive months or longer, upon reestablishment of operations, that Lodging Business would follow the same process as a new lodging establishment. In the case of the sale of an existing property that continues operations, the current Tier assessment will transfer with the Lodging Business.

F. Delinquency, Penalty and Interest

Any Lodging Business that fails to remit any assessment imposed by the District within the time required shall pay penalties in accordance with the regulations and procedures established for TOT collections in each jurisdiction. If the County or the Cities determine that any non-payment of assessments due is related to fraud, a penalty of twenty-five percent (25%) of the amount of the assessment due will be added to the debt, in addition to any other fees or penalties being applied.

Collecting jurisdictions shall be responsible for collecting delinquencies. Any penalty and interest fees shall be retained by the collecting jurisdiction to help offset the actual costs of such action.

Without limiting any other remedies, any SCCTMD Lodging Business that has been notified of having outstanding assessment fees and is more than six months in arrears with such payments may have their SCCTMD benefits suspended until such payments have been satisfied. Suspension of benefits must be initiated by official action taken by a majority vote of the VSCC Board of Directors.

G. Audits

The County of Santa Cruz shall perform or cause to be performed an audit of the books and records of the District not less than at the close of the third, fifth and seventh fiscal years of the operations of the TMD. Independently conducted audit results will be submitted with the annual report to the Santa Cruz County Board of Supervisors.

H. Disestablishment of the District

Per the Streets and Highways Code section 36670 of the Business Improvement District Law of 1994 the District may be disestablished by resolution by the Board of Supervisors for misappropriation of funds, malfeasance, or a violation of law in connection with the management of the District. Disestablishment may also occur upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the area who pay 50 percent or more of the assessments levied during a 30-day period beginning one year after the establishment of the District. A 30-day period shall occur for each successive year of the District's operation.

VI. BID GOVERNANCE

A. Santa Cruz County Tourism Marketing District Governance

The VSCC will serve as the Owners' Association for the SCCTMD. The Santa Cruz County Board of Supervisors through adoption of this Management District Plan has the right, pursuant to Streets and Highways Code section 36651, to identify the body that will implement the proposed marketing services, which will be the Owners' Association of the SCCTMD as defined in Streets and Highways Code section 36612. Funds will be paid by the County and the Cities to VSCC as a contractor, and only pursuant to agreements between VSCC and the County and the Cities. Within the SCCTMD, the CEO and Executive Vice President of VSCC will continue to be charged with the day-to-day operations of the SCCTMD. The VSCC Board of Directors will continue to be charged with approving budgets and priorities for the SCCTMD. The VSCC Board will continue to be comprised of a majority membership of lodging representatives and continue to take into consideration the size and type of Lodging Businesses as well as seek geographic representation within the boundaries of SCCTMD. The VSCC Board makeup may be revised during the SCCTMD term, as modified by an amendment of the VSCC bylaws.

B. Brown Act and Public Records Act Compliance

The Owner's Association of SCCTMD shall comply with the Ralph M. Brown Act (Government Code § 54950 et seq.) regarding open meetings. Thus, meetings of the VSCC Board must be always held in compliance with the public notice and other requirements of the Brown Act when matters within the subject matter of the District are heard, discussed, or deliberated, and with the California Public Records Act, for all records relating to activities of the District. The Owner's Association is also subject to the record keeping requirements of the California Public Records Act. VSCC is a private, non-profit entity.

C. Annual Report

The VSCC Board shall present an annual report at the end of each year of operation to the Santa Cruz County Board of Supervisors pursuant to Streets and Highways Code section 36650 (see Appendix 1). The annual report will include: 1) Proposed changes in the boundaries of the TMD or in any benefit zones or classification of businesses within the District; 2) Improvements and activities to be provided for that fiscal year; 3) An estimate of the cost of providing the improvements and activities for that fiscal year; 4) Method and basis of levying the assessment; 5) Estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year and 6) An estimate of the amount of any contributions to be made from sources other than assessments levied pursuant to this part.

APPENDIX 1 – THE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

STREETS AND HIGHWAYS CODE
Division 18. Parking

§ 36600. Citation of part

This part shall be known and may be cited as the "Property and Business Improvement District Law of 1994."

§ 36601. Legislative findings and declarations

The Legislature finds and declares all of the following:

(a) Businesses located and operating within the business districts of this state's communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.

(b) It is in the public interest to promote the economic revitalization and physical maintenance of the business districts of its cities in order to create jobs, attract new businesses, and prevent the erosion of the business districts.

(c) It is of particular local benefit to allow cities to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that benefits from those improvements.

(d) Assessments levied for the purpose of providing improvements and promoting activities that benefit real property or businesses are not taxes for the general benefit of a city, but are assessments for the improvements and activities which confer special benefits upon the real property or businesses for which the improvements and activities are provided.

§ 36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within a business improvement area. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

§ 36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

§ 36603.5. Part prevails over conflicting provisions

Any provision in this part that conflicts with any other provision of law shall prevail over the other provision of law.

§ 36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

§ 36605. [Section repealed 2001.]

§ 36606. "Assessment"

"Assessment" means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and promoting activities which will benefit the properties or businesses located within a property and business improvement district.

§ 36607. "Business"

"Business" means all types of businesses and includes financial institutions and professions.

§ 36608. "City"

"City" means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with *Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code*, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

§ 36609. "City council"

"City council" means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

§ 36610. "Improvement"

"Improvement" means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

(a) Parking facilities.

(b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.

(c) Trash receptacles and public restrooms.

(d) Lighting and heating facilities.

(e) Decorations.

(f) Parks.

(g) Fountains.

(h) Planting areas.

(i) Closing, opening, widening, or narrowing of existing streets.

(j) Facilities or equipment, or both, to enhance security of persons and property within the area.

(k) Ramps, sidewalks, plazas, and pedestrian malls.

(l) Rehabilitation or removal of existing structures.

§ 36611. "Property and business improvement district"; "District"

"Property and business improvement district," or "district," means a property and business improvement district established pursuant to this part.

§ 36612. "Property"

"Property" means real property situated within a district.

§ 36613. "Activities"

"Activities" means, but is not limited to, all of the following:

(a) Promotion of public events which benefit businesses or real property in the district.

(b) Furnishing of music in any public place within the district.

(c) Promotion of tourism within the district.

(d) Marketing and economic development, including retail retention and recruitment.

(e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.

(f) Activities which benefit businesses and real property located in the district.

§ 36614. "Management district plan"; "Plan"

"Management district plan" or "plan" means a proposal as defined in Section 36622.

§ 36614.5. "Owners' association"

"Owners' association" means a private nonprofit entity that is under contract with a city to administer or implement activities and improvements specified in the management district plan. An owners' association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners' association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners' association shall comply with the Ralph M. Brown Act

(Chapter 9 (commencing with *Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code*), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Chapter 3.5 (commencing with *Section 6250) of Division 7 of Title 1 of the Government Code*), for all documents relating to activities of the district.

§ 36615. "Property owner"; "Business Owner"; "Owner"

"Property owner" means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. "Business owner" means any person recognized by the city as the owner of the business. "Owner" means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

§ 36616. "Tenant"

"Tenant" means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

§ 36617. Alternate method of financing certain improvements and activities; Effect on other provisions

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

§ 36620. Establishment of property and business improvement district

A property and business improvement district may be established as provided in this chapter.

§ 36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

§ 36621. Initiation of proceedings; Petition of property or business owners in proposed district

(a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.

(b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:

(1) A map showing the boundaries of the district.

(2) Information specifying where the complete management district plan can be obtained.

(3) Information specifying that the complete management district plan shall be furnished upon request.

(c) The resolution of intention described in subdivision (a) shall contain all of the following:

(1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.

(2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

§ 36622. Contents of management district plan

The management district plan shall contain all of the following:

(a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.

(b) The name of the proposed district.

(c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected lands and businesses included. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part.

This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.

(d) The improvements and activities proposed for each year of operation of the district and the maximum cost thereof. If the improvements and activities proposed for each year of operation are the same, a description of the first year's proposed improvements and activities and a statement that the same improvements and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.

(e) The total annual amount proposed to be expended for improvements, maintenance and operations, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.

(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against his or her property or business. The plan also shall state whether bonds will be issued to finance improvements.

(g) The time and manner of collecting the assessments.

(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.

(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof, including operation and maintenance.

(l) Any other item or matter required to be incorporated therein by the city council.

§ 36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.

(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of businesses in the proposed district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

§ 36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements or activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

§ 36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish the proposed property and business improvement district, the city council shall adopt a resolution of formation that shall contain all of the following:

(1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement about whether bonds will be issued, and a description of the exterior boundaries of the proposed district. The descriptions and statements do

not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.

(2) The number, date of adoption, and title of the resolution of intention.

(3) The time and place where the public hearing was held concerning the establishment of the district.

(4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.

(5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.

(6) A statement that the improvements and activities to be provided in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements and activities funded by the assessments proposed to be levied.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

§ 36626. Resolution establishing district

If the city council, following the public hearing, desires to establish the proposed property and business improvement district, and the city council has not made changes pursuant to Section 36624, or has made changes that do not substantially change the proposed assessment, the city council shall adopt a resolution establishing the district. The resolution shall contain all of the information specified in paragraphs (1) to (8), inclusive, of subdivision (b) of Section 36625, but need not contain information about the preliminary resolution if none has been adopted.

§ 36626.5. [Section repealed 1999.]

§ 36626.6. [Section repealed 1999.]

§ 36626.7. [Section repealed 1999.]

§ 36627. Notice and assessment diagram

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625 or Section 36626, the clerk of the city shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

§ 36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

§ 36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements and activities.

§ 36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

§ 36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and a new district established pursuant to this part.

§ 36631. Time and manner of collection of assessments; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part shall be charged interest and penalties.

§ 36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

(a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.

(b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.

(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

§ 36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in any action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36626. Any appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

§ 36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

§ 36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

§ 36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention; Modification of improvements and activities by adoption of resolution after public hearing

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public meetings and public hearings pursuant to this section shall comply with both of the following:

(1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public meeting.

(2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public meeting, to each business owner or property owner affected by the proposed modification.

(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

§ 36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

§ 36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

(a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with *Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code*). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.

(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

§ 36641. [Section repealed 2001.]

§ 36642. [Section repealed 2001.]

§ 36643. [Section repealed 2001.]

§ 36650. Report by owners' association; Approval or modification by city council

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.

(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

(1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.

(2) The improvements and activities to be provided for that fiscal year.

(3) An estimate of the cost of providing the improvements and the activities for that fiscal year.

(4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.

(5) The amount of any surplus or deficit revenues to be carried over from a previous fiscal year.

(6) The amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

§ 36651. Designation of owners' association to provide improvements and activities

The management district plan may, but is not required to, state that an owners' association will provide the improvements or activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

§ 36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

(a) Any district previously established whose term has expired, may be renewed by following the procedures for establishment as provided in this chapter.

(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.

(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement

that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

§ 36670. Circumstances permitting disestablishment of district; Procedure

(a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:

(1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.

(2) During the operation of the district, there shall be a 30-day period each year in which assesses may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the area who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.

(b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

§ 36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district

(a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – LODGING BUSINESSES TO BE ASSESSED WITHIN THE SCCTMD

	Property Name	Number of Units	Physical Address	Jurisdiction
~~1~~	~~1440 Multiversity~~	~~225 units~~	~~800 Bethany Drive~~	~~Scotts Valley~~
2	Royal Inn (formerly America's Best Value Inn - Watsonville)	28 units	781 Freedom Blvd.	Watsonville
3	Aqua Breeze Inn	50 units	204 Second Street	Santa Cruz
4	At the Dunes	42 units	2661 Beach Road	Watsonville
5	Bailey Property Management	100 Units	106 Aptos Beach Drive	County/Capitola/Santa Cruz
6	Bay Front Inn	46 units	325 Pacific Avenue	Santa Cruz
7	Beach House Rentals	60 units	312 Capitola Avenue, Suite D	County/Capitola/Santa Cruz
8	Beach Street Inn & Suites	48 units	125 Beach Street	Santa Cruz
9	Beachnest Property Management & Vacation Rentals	39 units	180 7th Avenue, #103	County/Capitola/Santa Cruz
10	Beachview Inn	22 units	50 Front Street	Santa Cruz
11	Bella Notte - The Inn at East Cliff	10 units	21305 East Cliff Drive	County
12	Best Western Inn - Santa Cruz	29 units	126 Plymouth Street	Santa Cruz
13	Best Western Plus - All Suites Inn	58 units	500 Ocean Street	Santa Cruz
14	Best Western Plus - Scotts Valley Inn	58 units	6020 Scotts Valley Dr.	Scotts Valley
15	Best Western Plus Capitola By-the-Sea Inn & Suites	58 units	1435 41st Avenue	Capitola
16	Best Western Rose Garden Inn	46 units	740 Freedom Boulevard	Watsonville
17	Best Western Seacliff Inn	148 units	7500 Old Dominion Court	County
18	Boca del Cielo	6 units	118 First Street	Santa Cruz
19	Brookdale Lodge	46 units	11570 Hwy. 9	County

	Property Name	Number of Units	Physical Address	Jurisdiction
20	Budget Inn Motel of Santa Cruz	19 units	110 San Lorenzo Boulevard	Santa Cruz
21	Capitola Beach Suites	10 units	5000 Cliff Drive	Capitola
22	Capitola Hotel	10 units	210 Esplanade	Capitola
23	Capitola Venetian Hotel	20 units	1500 Wharf Road	Capitola
24	Capri Motel	17 units	337 Riverside Avenue	Santa Cruz
25	Carousel Beach Inn	34 units	110 Riverside Avenue	Santa Cruz
26	Casablanca Inn on the Beach	33 units	101 Main Street at Beach	Santa Cruz
27	Chaminade Resort & Spa	156 units	One Chaminade Lane	County
28	Cheshire Rio Realty and Property Management	65 units	107 Aptos Beach Drive	County
29	Cliff Crest Bed & Breakfast Inn	6 units	407 Cliff Street	Santa Cruz
30	Comfort Inn - Beach/Boardwalk	30 units	314 Riverside Ave.	Santa Cruz
31	Comfort Inn - Santa Cruz	62 units	110 Plymouth Street	Santa Cruz
32	Comfort Inn - Watsonville	40 units	112 Airport Boulevard	Watsonville
33	Continental Inn	49 units	414 Ocean Street	Santa Cruz
34	Davenport Roadhouse Inn	12 units	1 Davenport Ave.	County
35	Dream Inn Santa Cruz	165 units	175 West Cliff Drive	Santa Cruz
36	Economy Inn	30 units	584 Auto Center Drive	Watsonville
37	Edgewater Beach Inn & Suites	17 units	525 Second Street	Santa Cruz
38	El View Lodge	22 Units	810 Third Street	Santa Cruz
39	Fairfield Inn & Suites by Marriott Capitola	84 units	1255 41st Avenue	Capitola

	Property Name	Number of Units	Physical Address	Jurisdiction
40	Fairfield Inn & Suites by Marriott Santa Cruz	82 units	2956 Mission Street	Santa Cruz
41	Fairview Manor Bed & Breakfast	4 units	245 Fairview Avenue	County
42	Fern River Resort	15 units	5250 Hwy. 9	County
43	Fireside Inn	25 units	311 2nd Street	Santa Cruz
44	Flipjack	3 units	4600 Smith Grade Road	County
45	Flora Vista Inn	6 units	1258 San Andreas Road	Watsonville
46	Four Points Santa Cruz Scotts Valley	128 units	5030 Scotts Valley Drive	Scotts Valley
47	Hampton Inn	46 units	1505 Ocean Street	Santa Cruz
48	Hampton Inn - Watsonville	112 units	75 Lee Street	Watsonville
49	Hampton Inn - Westside Santa Cruz	60 units	2424 Mission Street	Santa Cruz
50	Harbor Inn	19 units	645 7th Avenue	County
51	Hilton Santa Cruz / Scotts Valley	174 units	6001 La Madrona Drive	Santa Cruz
52	Hinds Victorian Guest House	11 units	529 Chestnut Street	Santa Cruz
53	Historic Sand Rock Farm	5 units	6901 Freedom Boulevard	County
54	Hitching Post Studios Inn	31 units	1717 Soquel Avenue	Santa Cruz
55	Holiday Inn Express Hotel & Suites	65 units	1855 Main Street	Watsonville
56	Holiday Inn Express Hotel & Suites - Santa Cruz	100 units	1410 Ocean Street	Santa Cruz
57	Home H2 By Hilton	80 units	1 Western Drive	Watsonville
58	Hotel Paradox, Autograph Collection	170 units	611 Ocean Street	Santa Cruz
59	Hotel Solares	78 units	600 Riverside Avenue	Santa Cruz

	Property Name	Number of Units	Physical Address	Jurisdiction
60	Howard Johnson Santa Cruz Beach Boardwalk	30 units	130 West Cliff Drive	Santa Cruz
61	Hyatt Place Santa Cruz	106 units	407 Broadway Avenue	Santa Cruz
62	Inn at Depot Hill	12 units	250 Monterey Avenue	Capitola
63	Inn at Pasatiempo	54 units	555 Hwy 17	County
64	Jaye's Timberlane Resort	10 units	8705 Hwy. 9	County
65	Kendall & Potter Property Management	39 Units	522 Capitola Avenue	County/Capitola/Santa Cruz
66	Kennolyn	30 Units	8400 Glen Haven Road	County
67	La Quinta (formerly Lanai Lodge)	60 units	550 Second Street	Santa Cruz
68	Marriott Courtyard	151 units	313 Riverside Avenue	Santa Cruz
69	Masood's Lodge	10 units	13420 Big Basin Way	County
70	Mission Inn	53 units	2250 Mission St.	Santa Cruz
71	Monarch Cove Inn	11 units	620 El Salto Drive	Capitola
72	Monterey Bay Realty	3 units	324 Ocean View	County/Capitola/Santa Cruz
73	Motel 6 - Watsonville	124 units	125 Silver Leaf Drive	Watsonville
74	Motel Santa Cruz	55 units	370 Ocean Street	Santa Cruz
75	National 9 Motel	25 units	130 Plymouth Street	Santa Cruz
76	Ocean Echo Inn & Beach Cottages	15 units	401 Johans Beach Drive	County
77	Ocean Gate Inn	25 units	111 Ocean Street	Santa Cruz
78	Ocean Lodge	29 units	1015 Ocean St	Santa Cruz
79	Ocean Pacific Lodge	56 units	301 Pacific Ave.	Santa Cruz
80	Oceana Inn	55 units	525 Ocean Street	Santa Cruz
81	Pacific Blue Inn	9 units	636 Pacific Ave	Santa Cruz
82	Pacific Inn Santa Cruz	36 units	330 Ocean Street	Santa Cruz

	Property Name	Number of Units	Physical Address	Jurisdiction
83	Pajaro Dunes Resort	125 units	105 Shell Drive	Watsonville
84	Pelican Point Inn	10 units	21345 East Cliff Drive	County
85	PowerWest Property Management (formerly Taylor Property Management)	17 units	118 Pearl Alley, Suite B	County/Capitola/Santa Cruz
86	Quality Inn - Downtown Santa Cruz	42 units	1101 Ocean Street	Santa Cruz
87	Quality Inn & Suites (Capitola By-The-Sea)	55 units	720 Hill Street	Capitola
88	Quality Inn & Suites Santa Cruz Mountains	25 units	9733 Highway 9	County
89	Ramada Limited Santa Cruz	50 units	516 Water Street	Santa Cruz
90	Rio Sands Hotel	51 units	116 Aptos Beach Drive	County
91	Rio Vista Luxury Suites	16 units	611 Third Street	Santa Cruz
92	Riverside Inn & Suites Santa Cruz	25 units	505 Riverside Avenue	Santa Cruz
93	Rodeway Inn	94 units	1620 W. Beach Street	Watsonville
94	Salt Air Lodge	28 units	510 Leibrandt Ave.	Santa Cruz
~~95~~	~~Santa Cruz Hostel~~	~~5 units~~	~~321 Main Street~~	~~Santa Cruz~~
96	Santa Cruz Inn	20 units	2950 Soquel Ave	Santa Cruz
97	Santa Cruz/Monterey Bay KOA	34 units	1186 San Andreas Road	Watsonville
98	Sea & Sand Inn	22 units	201 West Cliff Drive	Santa Cruz
99	Seascape Beach Resort - Monterey Bay	285 units	One Seascape Resort Drive	County
100	Seaway Inn	23 units	176 West Cliff Drive	Santa Cruz
101	Sunny Cove Motel	13 units	2-1610 East Cliff Drive	County
102	Super 8 Motel - East	24 units	338 Riverside Avenue	Santa Cruz

	Property Name	Number of Units	Physical Address	Jurisdiction
103	Surf City Inn and Suites	63 units	619 Riverside Avenue	Santa Cruz
104	Surf City Rentals	19 units	P.O. Box 623	Capitola
105	The Babbling Brook Inn	13 units	1025 Laurel St.	Santa Cruz
106	The Islander Motel	22 units	522 Ocean Street	Santa Cruz
107	Torch Lite Inn	38 units	500 Riverside Avenue	Santa Cruz
108	Valley Inn	22 units	970 Main Street	Watsonville
109	West Cliff Inn, A Four Sisters Inn	10 units	174 West Cliff Drive	Santa Cruz

AGENDA ITEM E
DATE: 6-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Tina Friend, City Manager

SUBJECT: **APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT-CORONAVIRUS SUBRECIPIENT FUNDING AGREEMENT WITH THE BOYS AND GIRLS CLUBS OF SANTA CRUZ COUNTY**

SUMMARY OF ISSUE

On April 7, 2021, the City Council considered programs and activities to fund with the City of Scotts Valley's allocation from the Community Development Block Grant Coronavirus Aid, Relief, and Economic Security (CDBG-CV) Program. The City of Scotts Valley (City) was allocated $394,456 in total through CDBG-CV. After discussion of alternatives and receiving public comment, the City Council directed staff to proceed with an application to the State to provide funding for a business assistance grant program of $250,000, and funding of $93,177 for childcare services offered by the Boys and Girls Clubs of Santa Cruz County. City staff timely applied to the State and is working through final documentation requests, with final approval expected from the State in the coming weeks.

Upon approval by the State, the City may initiate its funding of the selected programs. One required step is executing an agreement between the City (grantee) and the program provider (subrecipient). The subrecipient agreement establishes terms and conditions for the receipt and use of CDBG-CV funds and outlines the obligations of the subrecipient.

Attached is the subrecipient agreement between the City and the Boys and Girls Clubs of Santa Cruz County for childcare services. With Council approval, the City will be able to execute the agreement and initiate CDBG-CV funding.

FISCAL IMPACT

There is no fiscal impact. Funds disbursed by the City to the Boys and Girls Clubs will be reimbursed by the State's CDBG-CV program. The City will receive a share of funding for administrative costs which will support staff and consultant efforts to manage and monitor the program.

STAFF RECOMMENDATION

It is recommended that the City Council authorize the City Manager to execute a subrecipient agreement, with any changes or amendments approved by the City Attorney, with the Boys and Girls Clubs of Santa Cruz County for CDBG-CV funding.

TABLE OF CONTENTS PAGE

Subrecipient Agreement with Boys and Girls Clubs of Santa Cruz County 3

SUBRECIPIENT AGREEMENT

Boys & Girls Clubs of Santa Cruz County		**City Manager**		
Contractor		Department		
Boys & Girls Summer and After School Support Program		**Community Development Block Grant (CDBG)**		
Description		Division		
xxxx		**$93,000**		
Agreement Number		Amount	Org. Key	Object Code

THIS AGREEMENT ("Agreement") is entered into by and between the City of Scotts Valley ("Grantee") and Boys & Girls Club of Santa Cruz County. ("Subrecipient").

WHEREAS, the Grantee has applied for program funds from the State of California, Department of Housing and Community Development, State Community Development Block Grant Program originating from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended (HCD Act), Public Law 93-383; and

WHEREAS, subject to the approval of the State Department of Housing and Community Development, the Grantee wishes to engage the Subrecipient to assist the Grantee in utilizing such funds.

NOW, THEREFORE, it is agreed between the parties hereto that:

I. SCOPE OF SERVICE

A. Activities

The Subrecipient will be responsible for providing summer and after school support program for Community Development Block Grant (CDBG) project as awarded under the CDBG-CV funding allocation in a manner satisfactory to the Grantee and consistent with any standards required as a condition of providing these funds. Such project will include the activities specified and outlined in the Grant Application submitted and made part of this contract by this reference and provided in Exhibit A "Scope of Work".

General Administration

The Grantee will provide general administrative services in support of the activity noted above as required by the CDBG contract issued.

B. National Objectives

All activities funded with CDBG funds must meet one of the CDBG program's National Objectives: benefit low- and moderate-income persons; aid in the prevention or elimination of slums or blight; or meet community development needs having a particular urgency, as defined in 24 CFR 570.208.

The Subrecipient certifies that the activity carried out under this Agreement will meet the National Objective of benefitting low and moderate income persons through the income screening of the low and moderate income beneficiaries of the program.

C. Levels of Accomplishment – Goals and Performance Measures

The goals and performance measures are specified in Exhibit A, herein incorporated by reference.

D. Staffing

Subrecipient staff, and selected contractors, will implement activities of the project according to CDBG requirements.

Any changes in the Subrecipient's responsibilities under this project are subject to the prior approval of the Grantee.

E. Performance Monitoring

The Grantee will monitor the performance of the Subrecipient against goals and performance standards as stated above. Substandard performance as determined by the Grantee will constitute noncompliance with this Agreement. If action to correct such substandard performance is not taken by the Subrecipient within a reasonable period of time after being notified by the Grantee, contract suspension or termination procedures will be initiated.

II. TIME OF PERFORMANCE

Services of the Subrecipient shall start on the date of contract approval by the State Department of Housing and Community Development and will end 22 months thereafter. The term of this Agreement and the provisions herein may be extended to cover any additional time period during which the Subrecipient remains in control of CDBG funds or other CDBG assets, including program income, if any.

III. COMPENSATION

For the services described in Section 1 above, Subrecipient shall be compensated at the rates as set forth in Exhibit B: Budget, attached hereto and incorporated herein by this reference provided, however, the total amount of compensation to be paid Subrecipient for the services described in Section 1 shall not exceed ninety-three thousand dollars ($93,000) as detailed in Exhibit B: Budget. This budget may be amended by the City if additional funding becomes available.

IV. PAYMENT

It is expressly agreed and understood that the total amount to be paid by the Grantee under this Agreement shall not exceed the amounts specified in Section III Budget. Drawdowns for the payment of eligible expenses shall be made consistent with the budget specified in Paragraph III herein and in accordance with Exhibit B Budget and Timeline.

Payments may be contingent upon certification of the Subrecipient's financial management system in accordance with the standards specified in 2 CFR Part 200.

V. NOTICES

Notices required by this Agreement shall be in writing and delivered via mail (postage prepaid), commercial courier, or personal delivery or sent by facsimile or other electronic means. Any notice delivered or sent as aforesaid shall be effective on the date of delivery or sending. All notices and other written communications under this Agreement shall be addressed to the individuals in the capacities indicated below, unless otherwise modified by subsequent written notice.

Communication and details concerning this Agreement shall be directed to the following Agreement representatives:

City	**Subrecipient**
Tina Friend, City Manager City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5606	Bob Langseth Executive Director 5060 Scotts Valley Dr Scotts Valley, CA 95066 (861) 535-7017

VI. SPECIAL CONDITIONS

The Subrecipient agrees to comply with all requirements of the CDBG contract which is hereby attached and incorporated by reference.

VII. GENERAL CONDITIONS

A. General Compliance

The Subrecipient agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart K of these regulations, except that (1) the Subrecipient does not assume the recipient's environmental responsibilities described in 24 CFR 570.604 and (2) the Subrecipient does not assume the recipient's responsibility for initiating the review process under the provisions of 24 CFR Part 52. The Subrecipient also agrees to comply with all other applicable Federal, state and local laws, regulations, and policies governing the funds provided under this Agreement. The Subrecipient further agrees to utilize funds available under this Agreement to supplement rather than supplant funds otherwise available.

B. "Independent Contractor"

Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The Subrecipient shall at all times remain an "independent contractor" with respect to the services to be performed under this Agreement. The Grantee shall be exempt from payment of all Unemployment

Compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance, as the Subrecipient is an independent contractor.

C. Hold Harmless

The Subrecipient shall hold harmless, defend and indemnify the Grantee from any and all claims, actions, suits, charges and judgments whatsoever that arise out of the Subrecipient's performance or nonperformance of the services or subject matter called for in this Agreement.

D. Workers' Compensation

The Subrecipient shall provide Workers' Compensation Insurance coverage for all of its employees involved in the performance of this Agreement.

E. Insurance & Bonding

The Subrecipient shall carry sufficient insurance coverage to protect contract assets from loss due to theft, fraud and/or undue physical damage, and as a minimum shall purchase a blanket fidelity bond covering all employees in an amount equal to cash advances from the Grantee.

The Subrecipient will maintain unemployment, disability and liability insurance as required by State law and CDBG Program requirements.

Specific insurance requirements required by the Grantee are included in Exhibit B herein incorporated by reference.

F. Grantee Recognition

The Subrecipient shall insure recognition of the role of the Grantee in providing services through this Agreement. All activities, facilities and items utilized pursuant to this Agreement shall be prominently labeled as to funding source. In addition, the Subrecipient will include a reference to the support provided herein in all publications made possible with funds made available under this Agreement.

G. Amendments

The Grantee or Subrecipient may amend this Agreement at any time provided that such amendments make specific reference to this Agreement, and are executed in writing, signed by a duly authorized representative of each organization, and approved by the Grantee's governing body. Such amendments shall not invalidate this Agreement, nor relieve or release the Grantee or Subrecipient from its obligations under this Agreement.

The Grantee may, in its discretion, amend this Agreement to conform with Federal, state or local governmental guidelines, policies and available funding amounts, or for other reasons. If such amendments result in a change in the funding, the scope of services, or schedule of the activities to be undertaken as part of this Agreement, such modifications will be incorporated only by written amendment signed by both Grantee and Subrecipient.

H. Suspension or Termination

In accordance with 2 CFR Part 200.339, the Grantee may suspend or terminate this Agreement if the Subrecipient materially fails to comply with any terms of this Agreement, which includes (but are not limited to) the following:

1. Failure to comply with any of the rules, regulations or provisions referred to herein, or such statutes, regulations, executive orders, and HUD guidelines, policies or directives as may become applicable at any time;

2. Failure, for any reason, of the Subrecipient to fulfill in a timely and proper manner its obligations under this Agreement;

3. Ineffective or improper use of funds provided under this Agreement; or

4. Submission by the Subrecipient to the Grantee reports that are incorrect or incomplete in any material respect.

In accordance with 2 CFR Appendix II to Part 200, this Agreement may also be terminated for convenience by either the Grantee or the Subrecipient, in whole or in part, by setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if in the case of a partial termination, the Grantee determines that the remaining portion of the award will not accomplish the purpose for which the award was made, the Grantee may terminate the award in its entirety.

VIII. ADMINISTRATIVE REQUIREMENTS

A. Financial Management

1. Accounting Standards

The Subrecipient agrees to comply with 2 CFR Part 200and agrees to adhere to the accounting principles and procedures required therein, utilize adequate internal controls, and maintain necessary source documentation for all costs incurred.

2. Cost Principles

The Subrecipient shall administer its program in conformance with 2 CFR Part 200 Subpart E including 200.419. These principles shall be applied for all costs incurred whether charged on a direct or indirect basis.

B. Documentation and Record Keeping

1. Records to be Maintained

The Subrecipient shall maintain all records required by the Federal regulations specified in 2 CFR Part 200.333, that are pertinent to the activities to be funded under this Agreement. Such records shall include but not be limited to:

a) Records providing a full description of each activity undertaken;
b) Records demonstrating that each activity undertaken meets one of the National Objectives of the CDBG program;
c) Records required to determine the eligibility of activities;
d) Records required to document the acquisition, improvement, use or disposition of real property acquired or improved with CDBG assistance;
e) Records documenting compliance with the fair housing and equal opportunity components of the CDBG program as specified in Exhibit D;
f) Financial records; and
g) Other records necessary to document compliance.

2. Retention

The Subrecipient shall retain all financial records, supporting documents, statistical records, and all other records pertinent to the Agreement for a period of five (5) years from contract close-out. Notwithstanding the above, if there is litigation, claims, audits, negotiations or other actions that involve any of the records cited and that have started before the expiration of the five-year period, then such records must be retained until completion of the actions and resolution of all issues, or the expiration of the five-year period, whichever occurs later.

3. Client Data

The Subrecipient shall maintain client data demonstrating client eligibility for services provided. Such data shall include, but not be limited to, client name, address, income level or other basis for determining eligibility, and description of service provided. Such information shall be made available to Grantee monitors or their designees for review upon request.

4. Disclosure

The Subrecipient understands that client information collected under this Agreement is private and the use or disclosure of such information, when not directly connected with the administration of the Grantee's or Subrecipient's responsibilities with respect to services provided under this Agreement, is prohibited by State or Federal law unless written consent is obtained from such person receiving service and, in the case of a minor, that of a responsible parent/guardian.

5. Closeouts

The Subrecipient's obligation to the Grantee shall not end until all close-out requirements are completed. Activities during this close-out period shall include, but are not limited to: making final payments, disposing of program assets (including the return of all unused materials, equipment, unspent cash advances, program income balances, and accounts receivable to the Grantee), and determining the custodianship of records. Notwithstanding the foregoing, the terms of this Agreement shall remain in effect during any period that the Subrecipient has control over CDBG funds, including program income.

6. Audits & Inspections

All Subrecipient records with respect to any matters covered by this Agreement shall be made available to the Grantee, grantor agency, and the Comptroller General of the United States or any of their authorized representatives, at any time during normal business hours, as often as deemed necessary, to audit, examine, and make excerpts or transcripts of all relevant data. Any deficiencies noted in audit reports must be fully cleared by the Subrecipient within 30 days after receipt by the Subrecipient. Failure of the Subrecipient to comply with the above audit requirements will constitute a violation of this Agreement and may result in the withholding of future payments. The Subrecipient hereby agrees to have an annual agency audit conducted in accordance with current Grantee policy concerning subrecipient audits and OMB Circular A-133.

C. Reporting and Payment Procedures

1. Program Income

The proposed program will not result in Program Income.

2. Indirect Costs

Indirect costs are not allowed under this contract. All costs must be direct costs documented to the satisfaction of the City.

3. Payment Procedures

The Grantee will pay to the Subrecipient funds available under this Agreement based upon information submitted by the Subrecipient and consistent with any approved budget and Grantee policy concerning payments. With the exception of certain advances, payments will be made for eligible expenses actually incurred by the Subrecipient, and not to exceed actual cash requirements. Payments will be adjusted by the Grantee in accordance with advance fund and program income balances available in Subrecipient accounts. In addition, the Grantee reserves the right to liquidate funds available under this Agreement for costs incurred by the Grantee on behalf of the Subrecipient.

4. Progress Reports

The Subrecipient shall submit regular (at a minimum quarterly) Progress Reports to the Grantee in the form, content, and frequency as required by the Grantee. Progress reports should be submitted by the 15th of the month following the requested period.

D. Procurement

1. Compliance

The Subrecipient shall comply with current Grantee policy concerning the purchase of equipment and shall maintain inventory records of all non-

expendable personal property as defined by such policy as may be procured with funds provided herein. All program assets (unexpended program income, property, equipment, etc.) shall revert to the Grantee upon termination of this Agreement.

2. Regulation Standards

Unless specified otherwise within this Agreement, the Subrecipient shall procure all materials, property, or services in accordance with the requirements of 2 CFR Part 200.318. All procurement must be approved by the City prior to reimbursement. Failure to follow required procurement regulations may result in reimbursement requests not being approved.

3. Travel

The Subrecipient shall obtain written approval from the Grantee for any travel outside the State with funds provided under this Agreement.

E. Use and Reversion of Assets

The use and disposition of real property and equipment under this Agreement shall be in compliance with the requirements of 2 CFR Part 200.313 and 311, as applicable, which include but are not limited to the following:

1. The Subrecipient shall transfer to the Grantee any CDBG funds on hand and any accounts receivable attributable to the use of funds under this Agreement at the time of expiration, cancellation, or termination.

2. Real property under the Subrecipient's control that was acquired or improved, in whole or in part, with funds under this Agreement in excess of $25,000 shall be used to meet one of the CDBG National Objectives pursuant to 24 CFR 570.208 until five (5) years after expiration of this Agreement If the Subrecipient fails to use CDBG-assisted real property in a manner that meets a CDBG National Objective for the prescribed period of time, the Subrecipient shall pay the Grantee an amount equal to the current fair market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for acquisition of, or improvement to, the property. Such payment shall constitute program income to the Grantee. The Subrecipient may retain real property acquired or improved under this Agreement after the expiration of the five-year period

3. In all cases in which equipment acquired, in whole or in part, with funds under this Agreement is sold, the proceeds shall be program income (prorated to reflect the extent to that funds received under this Agreement were used to acquire the equipment). Equipment not needed by the Subrecipient for activities under this Agreement shall be (a) transferred to the Grantee for the CDBG program or (b) retained after compensating the Grantee an amount equal to the current fair market value of the equipment less the percentage of non-CDBG funds used to acquire the equipment.

IX. RELOCATION, REAL PROPERTY ACQUISITION AND ONE-FOR-ONE HOUSING REPLACEMENT

The Subrecipient agrees to comply with (a) the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), and implementing regulations at 49 CFR Part 24 and 24 CFR 570.606(b); (b) the requirements of 24 CFR 570.606(c) governing the Residential Anti-displacement and Relocation Assistance Plan under section 104(d) of the HCD Act; and (c) the requirements in 24 CFR 570.606(d) governing optional relocation policies. The Subrecipient shall provide relocation assistance to displaced persons as defined by 24 CFR 570.606(b)(2) that are displaced as a direct result of acquisition, rehabilitation, demolition or conversion for a CDBG-assisted project. The Subrecipient also agrees to comply with applicable Grantee ordinances, resolutions and policies concerning the displacement of persons from their residences.

X. PERSONNEL & PARTICIPANT CONDITIONS

A. Civil Rights

1. Compliance

The Subrecipient agrees to comply with Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended, Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended ("HCDA"), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive Order 11063, and Executive Order 11246 as amended by Executive Orders 11375, 11478, 12107 and 12086.

2. Nondiscrimination

The Subrecipient agrees to comply with the non-discrimination in employment and contracting opportunities laws, regulations, and executive orders referenced in 24 CFR 570.607, as revised by Executive Order 13279. The applicable non-discrimination provisions in Section 109 of the HCDA are still applicable.

3. Land Covenants

This Agreement is subject to the requirements of Title VI of the Civil Rights Act of 1964 (P. L. 88-352) and 24 CFR 570.601 and 570.602. In regard to the sale, lease, or other transfer of land acquired, cleared or improved with assistance provided under this Agreement, the Subrecipient shall cause or require a covenant running with the land to be inserted in the deed or lease for such transfer, prohibiting discrimination as herein defined, in the sale, lease or rental, or in the use or occupancy of such land, or in any improvements erected or to be erected thereon, providing that the Grantee and the United States are beneficiaries of and entitled to enforce such covenants. The Subrecipient, in undertaking its obligation to carry out the program assisted hereunder, agrees to take such measures as are necessary to enforce such covenant, and will not itself so discriminate.

4. Section 504

The Subrecipient agrees to comply with all Federal regulations issued pursuant to compliance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), which prohibits discrimination against the individuals with disabilities or handicaps in any Federally assisted program. The Grantee shall provide the Subrecipient with any guidelines necessary for compliance with that portion of the regulations in force during the term of this Agreement.

B. Affirmative Action

1. Approved Plan

The Subrecipient agrees that it shall be committed to carry out pursuant to the Grantee's specifications an Affirmative Action Program in keeping with the principles as provided in President's Executive Order 11246 of September 24, 1966. The Grantee shall provide Affirmative Action guidelines to the Subrecipient to assist in the formulation of such program. The Subrecipient shall submit a plan for an Affirmative Action Program for approval prior to the award of funds.

2. Women- and Minority-Owned Businesses (W/MBE)

The Subrecipient will use its best efforts to afford small businesses, minority business enterprises, and women's business enterprises the maximum practicable opportunity to participate in the performance of this Agreement. As used in this Agreement, the terms "small business" means a business that meets the criteria set forth in section 3(a) of the Small Business Act, as amended (15 U.S.C. 632), and "minority and women's business enterprise" means a business at least fifty-one (51) percent owned and controlled by minority group members or women. For the purpose of this definition, "minority group members" are Afro-Americans, Spanish-speaking, Spanish surnamed or Spanish-heritage Americans, Asian-Americans, and American Indians. The Subrecipient may rely on written representations by businesses regarding their status as minority and female business enterprises in lieu of an independent investigation.

3. Access to Records

The Subrecipient shall furnish and cause each of its own subrecipients or subcontractors to furnish all information and reports required hereunder and will permit access to its books, records and accounts by the Grantee, HUD or its agent, or other authorized Federal officials for purposes of investigation to ascertain compliance with the rules, regulations and provisions stated herein.

4. Notifications

The Subrecipient will send to each labor union or representative of workers with which it has a collective bargaining agreement or other

contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or worker's representative of the Subrecipient's commitments hereunder, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

5. Equal Employment Opportunity and Affirmative Action (EEO/AA) Statement

The Subrecipient will, in all solicitations or advertisements for employees placed by or on behalf of the Subrecipient, state that it is an Equal Opportunity or Affirmative Action employer. Additional State of California Requirements regarding the State Equal Opportunity provisions are contained within this Agreement.

6. Subcontract Provisions

The Subrecipient will include the provisions of Paragraphs X.A, Civil Rights, and B, Affirmative Action, in every subcontract or purchase order, specifically or by reference, so that such provisions will be binding upon each of its own subrecipients or subcontractors.

C. Employment Restrictions

1. Prohibited Activity

The Subrecipient is prohibited from using funds provided herein or personnel employed in the administration of the program for: political activities; inherently religious activities; lobbying; political patronage; and nepotism activities.

2. Labor Standards

The Subrecipient agrees to comply with the requirements of the Secretary of Labor in accordance with the Davis-Bacon Act as amended, the provisions of Contract Work Hours and Safety Standards Act (40 U.S.C. 327 *et seq.*) and all other applicable Federal, state and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of this Agreement. The Subrecipient agrees to comply with the Copeland Anti-Kick Back Act (18 U.S.C. 874 *et seq.*) and its implementing regulations of the U.S. Department of Labor at 29 CFR Part 5. The Subrecipient shall maintain documentation that demonstrates compliance with hour and wage requirements of this part. Such documentation shall be made available to the Grantee for review upon request.

The Subrecipient agrees that, except with respect to the rehabilitation or construction of residential property containing less than eight (8) units, all contractors engaged under contracts in excess of $2,000.00 for construction, renovation or repair work financed in whole or in part with assistance provided under this Agreement, shall comply with Federal requirements adopted by the Grantee pertaining to such contracts and with the applicable requirements of the regulations of the Department of

Labor, under 29 CFR Parts 1, 3, 5 and 7 governing the payment of wages and ratio of apprentices and trainees to journey workers; provided that, if wage rates higher than those required under the regulations are imposed by state or local law, nothing hereunder is intended to relieve the Subrecipient of its obligation, if any, to require payment of the higher wage. The Subrecipient shall cause or require to be inserted in full, in all such contracts subject to such regulations, provisions meeting the requirements of this paragraph.

"Section 3" Clause

a) Compliance: Compliance with the provisions of Section 3 of the HUD Act of 1968, as amended, and as implemented by the regulations set forth in 24 CFR 135, and all applicable rules and orders issued hereunder prior to the execution of this Agreement, shall be a condition of the Federal financial assistance provided under this Agreement and binding upon the Grantee, the Subrecipient and any of the Subrecipient's subrecipients and subcontractors. Failure to fulfill these requirements shall subject the Grantee, the Subrecipient and any of the Subrecipient's subrecipients and subcontractors, their successors and assigns, to those sanctions specified by the Agreement through which Federal assistance is provided. The Subrecipient certifies and agrees that no contractual or other disability exists that would prevent compliance with these requirements.

The Subrecipient further agrees to comply with these "Section 3" requirements and to include the following language in all subcontracts executed under this Agreement:

> "The work to be performed under this Agreement is a project assisted under a program providing direct Federal financial assistance from HUD and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701). Section 3 requires that to the greatest extent feasible opportunities for training and employment be given to low- and very low-income residents of the project area, and that contracts for work in connection with the project be awarded to business concerns that provide economic opportunities for low- and very low-income persons residing in the metropolitan area in which the project is located."

The Subrecipient further agrees to ensure that opportunities for training and employment arising in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction project are given to low- and very low-income persons residing within the metropolitan area in which the CDBG-funded project is located; where feasible, priority should be given to low- and very low-income persons within the service area of the project or the

neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs; and award contracts for work undertaken in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction project to business concerns that provide economic opportunities for low- and very low-income persons residing within the metropolitan area in which the CDBG-funded project is located; where feasible, priority should be given to business concerns that provide economic opportunities to low- and very low-income residents within the service area or the neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs.

The Subrecipient certifies and agrees that no contractual or other legal incapacity exists that would prevent compliance with these requirements.

b) Notifications: The Subrecipient agrees to send to each labor organization or representative of workers with which it has a collective bargaining agreement or other contract or understanding, if any, a notice advising said labor organization or worker's representative of its commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.

c) Subcontracts: The Subrecipient will include this Section 3 clause in every subcontract and will take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the grantor agency. The Subrecipient will not subcontract with any entity where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR Part 135 and will not let any subcontract unless the entity has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

D. Conduct

1. Assignability

The Subrecipient shall not assign or transfer any interest in this Agreement without the prior written consent of the Grantee thereto; provided, however, that claims for money due or to become due to the Subrecipient from the Grantee under this Agreement may be assigned to a bank, trust company, or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to the Grantee.

2. Subcontracts

a) Approvals: The Subrecipient shall not enter into any subcontracts with any agency or individual in the performance of this Agreement

without the written consent of the Grantee prior to the execution of such agreement.

b) Monitoring: The Subrecipient will monitor all subcontracted services on a regular basis to assure contract compliance. Results of monitoring efforts shall be summarized in written reports and supported with documented evidence of follow-up actions taken to correct areas of noncompliance.

c) Content: The Subrecipient shall cause all of the provisions of this Agreement in its entirety to be included in and made a part of any subcontract executed in the performance of this Agreement.

d) Selection Process: The Subrecipient shall undertake to insure that all subcontracts let in the performance of this Agreement shall be awarded on a fair and open competition basis in accordance with applicable procurement requirements. Executed copies of all subcontracts shall be forwarded to the Grantee along with documentation concerning the selection process.

3. Hatch Act

The Subrecipient agrees that no funds provided, nor personnel employed under this Agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V of the U.S.C.

4. Conflict of Interest

The Subrecipient agrees to abide by the provisions of 24 CFR 84.42 and 570.611, which include (but are not limited to) the following:

a) The Subrecipient shall maintain a written code or standards of conduct that shall govern the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds.

b) No employee, officer or agent of the Subrecipient shall participate in the selection, or in the award, or administration of, a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.

c) No covered persons who exercise or have exercised any functions or responsibilities with respect to CDBG-assisted activities, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest in any contract, or have a financial interest in any contract, subcontract, or agreement with respect to the CDBG-assisted activity, or with respect to the proceeds from the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for a period of one (1) year thereafter. For purposes of this paragraph, a “covered person” includes any person who is an employee, agent,

consultant, officer, or elected or appointed official of the Grantee, the Subrecipient, or any designated public agency.

5. Lobbying

The Subrecipient hereby certifies that:

a) No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

c) It will require that the language of paragraph (d) of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly:

d) Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

6. Copyright

If this Agreement results in any patentable or copyrightable material or inventions, the Grantee and/or grantor agency reserves the right to royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use, the work or materials for governmental purposes.

7. Religious Activities

The Subrecipient agrees that funds provided under this Agreement will not be utilized for inherently religious activities prohibited by 24 CFR 570.200(j), such as worship, religious instruction, or proselytization.

8. Child Support Compliance Act

The Subrecipient will comply with the Child Support Compliance Act , Section 5200 of Part 5 of Division 9 of the State Family Code.

XI. ENVIRONMENTAL CONDITIONS

A. Air and Water

The Subrecipient agrees to comply with the following requirements insofar as they apply to the performance of this Agreement:

- Clean Air Act, 42 U.S.C. , 7401, *et seq.*;
- Federal Water Pollution Control Act, as amended, 33 U.S.C., 1251, *et seq.*, as amended, 1318 relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder;
- Environmental Protection Agency (EPA) regulations pursuant to 40 CFR Part 50, as amended.

B. Flood Disaster Protection

In accordance with the requirements of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001), the Subrecipient shall assure that for activities located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, flood insurance under the National Flood Insurance Program is obtained and maintained as a condition of financial assistance for acquisition or construction purposes (including rehabilitation).

C. Lead-Based Paint

The Subrecipient agrees that any construction or rehabilitation of residential structures with assistance provided under this Agreement shall be subject to HUD Lead-Based Paint Regulations at 24 CFR 570.608, and 24 CFR Part 35, Subpart B. Such regulations pertain to all CDBG-assisted housing and require that all owners, prospective owners, and tenants of properties constructed prior to 1978 be properly notified that such properties may include lead-based paint. Such notification shall point out the hazards of lead-based paint and explain the symptoms, treatment and precautions that should be taken when dealing with lead-based paint poisoning and the advisability and availability of blood lead level screening for children under seven. The notice should also point out that if lead-based paint is found on the property, abatement measures may be undertaken. The regulations further require that, depending on the amount of

Federal funds applied to a property, paint testing, risk assessment, treatment and/or abatement may be conducted.

D. Historic Preservation

The Subrecipient agrees to comply with the Historic Preservation requirements set forth in the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470) and the procedures set forth in 36 CFR Part 800, Advisory Council on Historic Preservation Procedures for Protection of Historic Properties, insofar as they apply to the performance of this Agreement.

In general, this requires concurrence from the State Historic Preservation Officer for all rehabilitation and demolition of historic properties that are fifty years old or older or that are included on a Federal, state, or local historic property list.

XII. 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.

XIII. SECTION HEADINGS AND SUBHEADINGS

The section headings and subheadings contained in this Agreement are included for convenience only and shall not limit or otherwise affect the terms of this Agreement.

XIV. WAIVER

The Grantee's failure to act with respect to a breach by the Subrecipient does not waive its right to act with respect to subsequent or similar breaches. The failure of the Grantee to exercise or enforce any right or provision shall not constitute a waiver of such right or provision.

XV. 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.

XVI. 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.

IN WITNESS THEREOF the parties hereto execute this Agreement this 16th day of June, 2021.

"GRANTEE" City of Scotts Valley	"SUBRECIPIENT" Boys & Girls Club of Santa Cruz
By_____ Tina Friend, City Manager	By_____ Bob Langseth, Executive Director
Approved as to Legal Form:	Attest:
By_____ Kirsten Powell, City Attorney	By_____ Tracy A. Ferrara, City Clerk

EXHIBIT A: SCOPE OF WORK

Boys & Girls Clubs of Santa Cruz County	**City Manager**
Contractor	Department
Boys & Girls Summer and After School Support Program	**Community Development Block Grant (CDBG)**
Description	Division

xxxx	**$93,000**		
Agreement Number	Amount	Org. Key	Object Code

TYPE OF PROJECT:
Youth Centers - 03D

PROJECT DESCRIPTION:
See Application

ELIGIBLE COSTS/PAYMENTS:
CDBG funding may be expended on the following eligible costs to directly benefit CDBG income eligible households as follows:

Eligible Cost	Provide Record of:
Wages/Staffing	Payment records and timecards
Background Checks	Purchase Receipts, proof of payment, and invoices
Training	Purchase Receipts, proof of payment, invoices, copy of training agenda, and certificates of completion
Fuel	Mileage logs, record of payment, and receipts.
Repairs	Payment records, invoices, proof of payment, and vin number.
Insurance	Copy of policy, invoice and proof of payment

Payment requests must be submitted monthly for reimbursement. All payment requests will be provided on forms provided by the City in a format outlined by the Sub-Recipient Grant Management Manual.

COMMENCEMENT OF WORK:
Once a fully executed contract is approved by the State Department of housing and Community Development (HCD), the Subrecipient will attend a CDBG Sub-Recipient Training prior to the commencement of implementation of the activities.

Upon completion of training, Sub-Recipient will commence with implementation of the activities outlined in Section 5 of this Exhibit.

REPORTING/MONITORING:
All progress reports will be submitted to the City by the 15th day of the month following the calendar month or at a minimum quarterly per the City directive on reports provided by City in the Sub-Recipient Grantee Management Manual.

Any reports which will be sent to HCD will be submitted to the City 15 days prior to the due date at HCD.

The Subrecipient will provide all information necessary for Grantee to monitor Subrecipient for compliance with CDBG requirements. The Grantee will be monitored at a minimum once per year and as needed to ensure compliance.

MITIGATION MEASURES:
None

EXHIBIT B: BUDGET

Boys & Girls Clubs of Santa Cruz County	City Manager
Contractor	Department
Boys & Girls Summer and After School Support Program	**Community Development Block Grant (CDBG)**
Description	Division

xxxx	**$93,000**		
Agreement Number	Amount	Org. Key	Object Code

The Sub-Recipient may expend CDBG funds anytime within the program term of the CDBG contract award to the City by the CDBG program and after authority to commence has been provided by the City and required training has been completed.

Reimbursement will only be made for eligible activity costs as outlined in Exhibit A and the approved budget. Subrecipient shall submit revenue and expense reports documenting the use of CDBG funds on a monthly basis or at least quarterly per the City directive.

All expenditures will be made 90 days prior to the final date provided in the State CDBG Contract with the City and shall not exceed the following without prior approval from the City.

Budget Item	Amount
Wages	$ 212,244.00
Background Checks	$ 400.00
Training	$ 500.00
Fuel	$ 21,200.00
Repairs	$ 15,000.00
Insurance	$ 24,000.00
Total	$ 273,344.00

Any amendments or changes to the above budget must be approved by the City. A letter of request must be submitted with documentation of the purpose/reason of the change.

EXHIBIT C: INSURANCE

Boys & Girls Club of Santa Cruz County	**City Manager**
Contractor	Department
Boys & Girls Summer and After School Support Program	**Community Development Block Grant (CDBG)**
Description	Division
xxxx	**$93,000**
Agreement Number	Amount Org. Key Object Code

During the term of this Agreement, Subrecipient shall at all times maintain, at its expense, commercial general liability insurance, Workers' Compensation and Employers' Liability insurance as required by the State of California, and automobile liability insurance. The comprehensive general liability insurance shall include broad form property damage insurance.

1. Limits. The limits of such insurance shall be no less than $1,000,000 per occurrence; $2,000,000 in the aggregate for the commercial general liability insurance, $1,000,000 for the Workers' Compensation/Employers' Liability insurance per accident for bodily injury or disease, and $1,000,000 combined single limit for each accident for the automobile liability insurance.

2. Full Force. The policies shall remain in force through the life of this Agreement and shall be payable on a "per occurrence" basis.

3. Additional Insured. City, its elected representatives, officers, agents, employees and volunteers shall be named as additional insured on the commercial general and automobile liability insurance policies. All of Subrecipient's available insurance coverage and proceeds in excess of the specified minimum limits shall be available to satisfy all claims of the City, including defense costs and damages. Any insurance limitations are independent of and shall not limit the indemnification terms of this Agreement. Subrecipient's insurance policies, including excess and umbrella insurance policies, shall include an endorsement and be primary and non-contributory and will not seek contribution from any other insurance (or self-insurance) available to City. Subrecipient's excess and umbrella insurance shall also apply on a primary and non-contributory basis for the benefit of the City before City's own insurance policy or self -insurance shall be called upon to protect it as a named insured. Additional Insured endorsement shall be at least as broad as ISO Form Number CG 20 38 04 13.

4. Retentions or Deductibles. Retentions or deductibles must be declared and are subject to the approval of City.

5. Endorsement. Each insurance policy shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty calendar (30) days' prior written notice, return receipt requested, has been given to City.

6. Rating. Insurance is to be placed with insurers with current A.M. Best's rating of no less than A-: VII, unless otherwise approved by the City Risk Manager.

7. Excess. Any insurance maintained by City shall apply in excess of, and not contribute with, insurance provided by Contractor's liability insurance policy.

8. Certificates. Prior to commencing services pursuant to this Agreement, Subrecipient shall furnish the City Manager with certificates of insurance reflecting coverage required by this Agreement. The certificates are to be signed by a person authorized by that insurer to bond coverage on its behalf. All certificates are to be received by, and are subject to the approval of, the City Manager before work commences. Subrecipient may use forms provided by the City Manager or, as an alternative, may provide complete, certified copies of all required insurance policies, including endorsements effecting the coverage required by these specifications.

9. Changes. During the term of this Agreement, Subrecipient shall furnish the City Manager with original endorsements reflecting renewals, changes in insurance companies and any other documents reflecting the maintenance of the required coverage throughout the entire term of this Agreement. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf.

10. Workers compensation. Subrecipient shall provide Workers' Compensation coverage as required by State law, and prior to commencing services pursuant to this Agreement shall file the following statement with the City Risk Manager in a form substantially as set forth below.

WORKERS' COMPENSATION CERTIFICATION
I am aware of the provisions of Labor Code Section 3700, which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing any services required by this Agreement.
The person executing this certificate on behalf of Subrecipient affirmatively represents that he/ she has the requisite legal authority to do so on behalf of Subrecipient, and that both the person executing this Agreement on behalf of Subrecipient and Subrecipient understand that City is relying on this representation in entering into this Agreement.
Initials: _____

11. Professional Liability Insurance. As applicable, Subrecipient agrees to have and maintain, for the duration of the contract, professional liability insurance in amounts not less than $1,000,000 which is sufficient to insure Subrecipient for professional errors or omissions in the performance of the particular scope of work under this agreement.

AGENDA ITEM F
DATE: 6-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Casey Estorga, Administrative Services Director

APPROVED: Tina Friend, City Manager

SUBJECT: **APPROVAL OF FY 2021-22 ANNUAL OPERATING AND CAPITAL BUDGET**

SUMMARY OF ISSUE

Over the past several months, the City Council has provided policy and budget direction at the following meetings:

- **February 17, 2021** – the Council received the FY 2020-21 Mid-Year Financial Report and provided policy direction on City goals and priorities relative to the preparation of the Preliminary FY 2021-22 Annual Budget and Five-Year Financial Plan. The Council also adopted a set of guiding budget principles to guide preparation and evaluation of budget proposals for the FY 2021-22 budget.
- **April 7, 2021** – the Council reviewed an updated wastewater rate study prepared by Bartle Wells Associates and provided direction to increase wastewater rates by 9% annually for the next five years starting July 1, 2021 through June 30, 2026, subject to the Proposition 218 process and Public Hearing on June 16, 2021. The Council also provided direction in preparing an updated master fees and charges schedule for FY 2021-22 and to hold a public hearing on May 5, 2021.
- **April 21, 2021** – the Council provided direction regarding the draft Five-Year Capital Improvement and Capital Purchase Plan ("Five-Year CIP Plan"). The Council also approved a proposal to begin restoration of recreation services for the Summer of 2021 through a partnership with the Boys Club and Girls Clubs of Santa Cruz County.
- **May 5, 2021** – the Council held a public hearing and approved changes to the FY 2021-22 master fees and charges schedule.
- **May 19, 2021** – the Council reviewed the Preliminary FY 2021-22 Annual Budget and Five-Year Financial Plan and provided direction.
- **June 2, 2021** – the Council conducted a public hearing to allow opportunities for the public to provide input into the proposed budget. Council also provided direction to staff to incorporate appropriations in the final budget to fund priority projects as part of the City's Strategic Plan Priorities.

The final budget incorporates the Council's direction received at these meetings.

Final FY 2021-22 Annual Budget

The FY 2021-22 General Fund indicates an annual deficit of ($1.4 million) that will draw down reserves from $5.4 million to $4.0 million. Ending reserves equate to 26.1% of annual operating expenditures plus net transfers out to other funds, exceeding the City Council's targeted minimum reserve of 17%. As the City exits the impacts from the COVID-19 pandemic recession, the General Fund is expected to recover, thanks in large part to revenues associated with Measure Z, the 1.25% local transactions and use (sales) tax measure approved by voters in March 2020. The long-range General Fund forecast included in the final budget indicates that the General Fund will draw down its General Fund reserves until the local economy fully recovers – expected by FY 2023-24 – but would become fiscally sustainable and add capacity to address future recessionary impacts, adverse changes to the CalPERS discount rate, and provide opportunities to enhance service delivery to the community.

The Five-Year Financial Plan has been updated to reflect Council policy direction regarding the City's Five-Year Capital Improvement and Purchase Plan. The CIP Plan has been updated to include the five-year program of projects for the use of Measure D funds, a resolution of which was approved by the City Council at the June 2, 2021 meeting. The final proposed CIP Plan includes 51 capital improvement projects and purchases totaling $23.8 million, of which $18.3 million of projects are funded and scheduled over the five years. Twenty-six capital improvement projects and purchases totaling $7.0 million are scheduled and incorporated in the FY 2021-22 Annual Budget.

It should be noted that there are no assumptions built into the baseline proposed FY 2021-22 annual budget for two matters. First, changes that may be the result of labor negotiations concerning successor memoranda of understanding for the SEIU, Mid-Management and Management & Confidential labor groups have not been incorporated into the proposed budget. City and employee labor representatives are in discussion regarding the proposals for successor agreements. Agreements that have been reached with the Police Bargaining Unit and Police Supervisors Association labor groups have been incorporated into the budget subject to Council approval of their respective memoranda of understanding under a separate agenda item at this meeting.

Secondly, the proposed FY 2021-22 annual budget does not include receipt and use of American Rescue Plan Act (ARPA) funds that is the subject of a separate report for Council consideration at this meeting.

The annual budget will be amended accordingly when action is taken on these two items.

Attached are the financial and personnel summary pages for the proposed FY 2021-22 Annual Budget. Once the City Council adopts the resolutions approving the final budget, and subject to any final changes resulting from labor agreements and Council direction on use of ARPA funds as indicated above, the entire budget document will be produced and distributed. Staff expects to produce the final budget on or before June 30, 2021.

Utility Users Tax Continuation
Ordinance No. 109.3 (SVMC §3.35.180) requires, concurrent with budget adoption, that the Council also approve the continued collection of the utility users' tax placed upon gas and electric service providers serving Scotts Valley properties. The final Annual Budget assumes the continued collection of the Utility Users' Tax, which is estimated to total $843,300 in FY 2021-22.

Fund Balances and Minimum Reserve Policy
Council previously adopted a fund balance minimum reserves policy in FY 2017/18 to implement a minimum reserve targets for the City's various operating and capital funds. As part of the wastewater rate study conducted in April 2021, the rate study recommended reducing the minimum reserve policy for the Wastewater operating fund from 67% (eight months) of annual operating expenses to 50% (six months) in light of revenue collection trends and to minimize the impact on future rate requirements. All other reserve policies remain consistent with Council's prior policies. The targeted minimum reserves, as amended, are as follows:

- General Fund – 17% of annual operating expenditures plus net transfers out to other funds, equivalent to approximately two months of operating expenditures.
- General CIP Fund - $500,000 for emergency capital infrastructure replacement needs not funded by other sources
- Recreation Enterprise Fund – a minimum reserve equal to zero, with the General Fund subsidizing any deficits through a transfer of available reserves
- Wastewater Enterprise Funds – 50% of annual operating expenses (equivalent to six months of operating expenses), plus $1,000,000 in capital reserves for emergency capital infrastructure replacement.

These minimum reserves policies have been incorporated into the FY 2021-22 annual budget. A resolution is attached affirming these fund balance minimum reserve targets by policy.

FISCAL IMPACT

The City's final FY 2021-22 Annual Budget, including all funds, indicates total expenditures of $26,773,512, and transfers between funds totaling $3,010,571.

STAFF RECOMMENDATION

It is recommended that the City Council adopt the following resolutions:

1. Resolution No. 630.41 approving the final FY 2021-22 Annual Budget and making appropriations for the amounts budgeted.
2. Resolution No. 1501.28 approving the continued collection of the Utility Users' Tax for FY 2021-22.

3. Resolution No. 1932.2 approving a minimum reserve policy for the City's General Fund, General CIP Fund, Recreation Enterprise Fund and Wastewater Enterprise Funds (Council Policy No. 04-17).

TABLE OF CONTENTS **PAGE**

Resolution No. 630.41 approving the final FY 2021-22 Annual Budget and Appropriations 5
Exhibit A FY 2021-22 Financial Summary 7
Resolution No. 1501.28 approving the continued collection of the Utility Users' Tax for FY 2021-22 35
Resolution No. 1932.2 approving a minimum reserve policy for the City's General Fund, General CIP Fund, Recreation Enterprise Fund and Wastewater Enterprise Funds 36
Council Policy No. 04-17 (Minimum Reserve Policy) 37

RESOLUTION NO. 630.41

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING THE CITY'S ANNUAL BUDGET FOR FISCAL YEAR 2021-22 AND MAKING APPROPRIATIONS FOR THE AMOUNTS BUDGETED

WHEREAS, the City Manager is responsible for preparing and submitting a City budget for the operation and improvements of the community for City Council approval; and

WHEREAS, the City Council has reviewed and evaluated the proposed budget submitted by the City Manager; and

WHEREAS, the community has had an opportunity to review and make additional suggestions regarding the proposed annual budget to the City Council.

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

1. The City of Scotts Valley's FY 2021-22 Annual Budget for the fiscal year ending June 30, 2022 is hereby approved as set forth in the attached Exhibit A and incorporated herein.

2. The City Manager is hereby delegated responsibility for the administration of the budget and is authorized to transfer appropriations as necessary between departments, except that any transfers between funds must be approved by the City Council.

3. The City Manager is authorized to establish encumbrances from unexpended budget appropriations for operating and/or capital expenditures from the prior and current fiscal year, and shall not certify any encumbrance nor execute any payment in excess of approved department budget appropriations.

4. The City Manager or designee is hereby authorized to establish an operating reserve to accumulate receipts in excess of the estimated revenues as set forth in the budget document. Said reserve is established for the purpose of funding the budget of subsequent years and the receipts in this reserve are hereby appropriated for said purpose.

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 16th day of June, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Derek Timm, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

City of Scotts Valley
Summary of Financial Resources and Requirements
FY 2021-22

	Fund	Projected Beginning Fund Balance 7/1/2021	Estimated Revenue	Transfers In	Total Funds Available	Budgeted Expenditures	Transfers Out	Projected Ending Fund Balance 6/30/2022
General Funds								
1	General Fund	4,481,000	13,922,000	-	18,403,000	13,810,067	1,228,527	3,364,406
6	Equipment Replacement Reserve	872,000	63,000		935,000	300,000		635,000
Subtotal General Funds		**5,353,000**	**13,985,000**	**-**	**19,338,000**	**14,110,067**	**1,228,527**	**3,999,406**
General Capital Improvement Fund								
150	General Capital Improvements	883,000	65,600	-	948,600	578,900	-	369,700
Special Revenue Funds - Development Impact Fees								
7	Drainage Construction Impact Fees	36,000	16,000	-	52,000	25,000	-	27,000
8	Traffic Impact Mitigation Fees	688,000	63,600	-	751,600	365,000	-	386,600
9	Park & Recreation Facilities Impact Fees	381,000	58,900	-	439,900	30,000	-	409,900
21	General Facility Impact Fees	(44,000)	11,800	-	(32,200)	-	-	(32,200)
27	Police Facility Building Impact Fees	233,000	12,300	-	245,300	93,750	-	151,550
51	Mt. Hermon Traffic Mitigation	191,000	2,500	-	193,500	-	-	193,500
86	Library Impact Fees	368,000	22,400	-	390,400	620	-	389,780
315	Police Development Fees	69,000	2,600	-	71,600	-	-	71,600
Subtotal Special Revenue Funds - Development Impact Fees		**1,922,000**	**190,100**	**-**	**2,112,100**	**514,370**	**-**	**1,597,730**
Special Revenue Funds - Other								
2	Recycling/Environment	(73,200)	23,700	-	(49,500)	100,050	-	(149,550)
3	Gas Tax	269,000	549,600	-	818,600	341,000	-	477,600
5	SMIP Fees	3,000	2,300	-	5,300	4,990	-	310
19	Affordable Housing	1,651,000	1,008,100	-	2,659,100	165,500	-	2,493,600
24	Lennar Funds	680,000	-	-	680,000	136,300	-	543,700
28	Senior Center Operations	(59,000)	23,500	130,834	95,334	93,392	1,942	-
31	STP Exchange Projects	(220,000)	400,700	-	180,700	400,000	-	(219,300)
33	Tree Replacement	27,000	1,500	-	28,500	10,050	-	18,450
35	Green Building Funding	463,000	30,200	-	493,200	3,840	-	489,360
36	Disability Compliance	13,000	4,300	-	17,300	5,020	-	12,280
50	Pinewood Estates Maintenance District	(2,000)	6,500	-	4,500	5,400	-	(900)
77	Skypark Landscape Maintenance District	26,000	42,200	-	68,200	28,060	-	40,140
78	Skypark Landscape Maintenance District Insurance	548,000	19,100	-	567,100	-	-	567,100
88	Library Facilities Improvements (Measure S)	630,000	2,180,200	-	2,810,200	2,717,200	-	93,000
89	Library - Cty MOE Excess Distribution	355,000	249,800	-	604,800	600	-	604,200
123	Commmunity Facility Center Operations	114,000	34,200	-	148,200	98,120	1,942	48,138
155	Measure D Sales Tax for Transportation	87,000	308,000	-	395,000	574,100	-	(179,100)
178	CalTRANS - Get Everyone Moving Grant	-	-	-	-	-	-	-
268	Prop 68 Parks/Water Bond Act	-	178,000		178,000	178,000		-
306	Supplemental Law Enforcement Services	173,000	102,500	-	275,500	-	22,000	253,500
309	Police Prop 56 Tobacco Prevention	-	189,002		189,002	189,002		-
312	Police Budget Act 2016	7,000	500	-	7,500	1,000	-	6,500
316	Homeland Security Grant	(22,000)	-	22,000	-	-	-	-

City of Scotts Valley
Summary of Financial Resources and Requirements
FY 2021-22

	Fund	Projected Beginning Fund Balance 7/1/2021	Estimated Revenue	Transfers In	Total Funds Available	Budgeted Expenditures	Transfers Out	Projected Ending Fund Balance 6/30/2022
317	EDG Revolving Loan	1,000	394,456	183,333	578,789	577,789	-	1,000
Subtotal Special Revenue Funds - Other		**4,670,800**	**5,748,358**	**336,167**	**10,755,325**	**5,629,413**	**25,884**	**5,100,028**
Debt Service Funds								
26	Pension Obligation Bond	-	-	443,844	443,844	443,844	-	-
66	COP Debt Service Reserve	1,016,000	22,200	-	1,038,200	-	-	1,038,200
Subtotal Debt Service Funds		**1,016,000**	**22,200**	**443,844**	**1,482,044**	**443,844**	**-**	**1,038,200**
Recreation Enterprise Fund								
4	**Recreation**	**(382,000)**	**327,700**	**540,729**	**486,429**	**472,549**	**13,880**	**-**
Wastewater Enterprise Funds								
10	Wastewater Operations	1,965,000	3,169,500	181,181	5,315,681	3,508,832	52,449	1,754,400
11	Tertiary Operating	110,000	113,300	-	223,300	169,717	-	53,583
12	Wastewater Capital Reserve	527,000	62,500	1,251,000	1,840,500	1,040,500	-	800,000
14	Wastewater Equipment Replacement	1,727,000	5,000	-	1,732,000	200	1,689,831	41,969
15	TTP District Reserve	32,000	5,400	257,650	295,050	265,050	-	30,000
Subtotal Wastewater Enterprise Funds		**4,361,000**	**3,355,700**	**1,689,831**	**9,406,531**	**4,984,299**	**1,742,280**	**2,679,952**
Internal Service Fund								
112	**Dental Insurance**	**28,000**	**68,800**	**-**	**96,800**	**40,070**	**-**	**56,730**
Total All Funds		**17,851,800**	**23,763,458**	**3,010,571**	**44,625,829**	**26,773,512**	**3,010,571**	**14,841,746**

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
GENERAL FUNDS						
	1-GENERAL					
	TAXES:					
3010	PROPERTY TAXES/CURRENT/SEC	939,684	957,868	1,013,000	1,007,300	**1,047,600**
3011	PROPERTY TAXES/CURRENT/UNSEC	19,053	18,838	20,000	19,900	**20,700**
3012	SUPPLEMENTAL ROLL/CURR/SEC	33,022	21,425	18,000	18,000	**18,700**
3013	SUPPLEMENTAL ROLL/CURR/UNSEC	1,459	300	500	500	**500**
3014	PROPERTY TAXES - TEA	376,701	401,691	489,100	437,056	**454,500**
3015	PROP TAX-SVSA-TEA	339,200	169,600	200,000	258,866	**269,200**
3017	PROP TAX-SVSA-PASSTHRU(ABX1)	2,989	3,042	3,000	3,000	**3,100**
3018	PROP TAX-SVSA-RESIDUAL(ABX1)	192,318	255,029	175,000	123,947	**128,900**
3021	PROPERTY TAXES/PRIOR/UNSEC	1,655	1,947	1,000	1,000	**1,000**
3022	SUPPLEMENTAL ROLL/PRIOR/SEC	583	1,538	900	900	**900**
3023	SUPPLEMENTAL ROLL/PRIOR/UNSE	363	623	500	500	**500**
3040	PENALTIES ON DELINQUENT TAX	2,184	7,927	1,000	1,000	**1,000**
3080	SALES AND USE TAXES	2,541,075	2,309,677	1,870,000	2,133,300	**2,199,900**
3081	STATE AID - PROP 172	67,417	66,207	64,000	64,200	**68,200**
3083	SALES TAX - MEASURE U	1,479,418	1,343,682	2,707,000	75,816	**-**
3085	SALES TAX - MEASURE Z	-	4,141	-	3,288,200	**3,473,200**
3120	BUSINESS LICENSE TAX	372,098	253,533	349,000	309,700	**312,800**
3121	DELINQUENT BUSINESS LIC TAX	3,291	4,183	2,000	2,000	**2,000**
3140	REAL PROPERTY TRANSFER TAX	122,142	98,776	80,000	90,000	**93,600**
3150	UTILITY USER'S TAX	778,650	794,878	786,000	818,700	**843,300**
3160	TRANSIENT OCCUPANCY TAX	1,907,567	1,520,372	971,000	1,120,800	**1,445,300**
3521	STATE IN LIEU TAXES/MOTOR VE	1,152,360	1,205,024	1,253,225	1,275,100	**1,326,100**
3582	HOMEOWNER'S PROP TAX RELIEF	5,625	5,460	6,000	5,200	**5,400**
	TOTAL TAXES	10,338,853	9,445,761	10,010,225	11,054,986	**11,716,400**
	FRANCHISE FEES:					
3101	FRANCHISES - GAS	46,596	44,406	50,000	45,700	**47,100**
3102	FRANCHISES - ELECTRIC	152,370	154,153	154,000	158,800	**163,600**
3104	FRANCHISES - SOLID WASTE	633,046	665,939	**634,000**	650,000	**669,500**
3105	FRANCHISES - VIDEO SERVICES	181,683	178,618	195,000	160,800	**160,800**

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
	TOTAL FRANCHISE FEES	1,013,694	1,043,116	1,033,000	1,015,300	**1,041,000**
	INTERGOVERNMENTAL:					
3549	OTHER GRANTS	-	-	-	7,500	**7,500**
3551	POST	11,647	-	10,000	-	**-**
3555	STATE MANDATED COSTS REIMB	-	-	1,000	1,000	**1,000**
3558	PTP-BUDGET ACT OF 2020	-	-	-	144,375	**-**
	TOTAL INTERGOVERNMENTAL	11,647	-	11,000	152,875	**8,500**
	FINES & FORFEITURES:					
3310	VEHICLE CODE FINES	3,280	2,815	2,000	2,000	**2,000**
3311	LOCAL CRIME PREVENTION	11	14	100	100	**100**
3312	GENERAL FINES	29,774	25,062	21,000	12,500	**12,600**
3313	NARCO FINES	72	78	100	100	**100**
3320	PARKING FINES	1,845	2,861	2,000	2,000	**2,000**
3330	OTHER FINES	-	9	-	100	**100**
3350	OTHER FORFEITURES/PENALTIES	9,295	617	-	-	**-**
	TOTAL FINES & FORFEITURES	44,276	31,455	25,200	16,800	**16,900**
	CHARGES FOR SERVICES:					
3250	CONSTRUCTION PERMITS	472,347	406,449	415,000	415,000	**427,500**
3280	ENCROACHMENT PERMITS	19,285	16,347	16,000	16,000	**16,500**
3290	OTHER LICENSES & PERMITS	302	-	-	-	**-**
3608	GENERAL PLANNING MAINT FEE	-	-	16,000	23,500	**24,200**
3609	FEES & PERMITS-TREE REMOVAL	1,057	3,343	3,000	3,000	**3,100**
3611	FEES & PERMITS-ZONING/PD	24,352	6,279	15,000	17,900	**18,400**
3612	FEES & PERMITS-USE PERMITS	10,586	10,046	8,000	20,700	**21,300**
3615	FEES & PERMITS-GEN PLAN AM	12,680	-	-	12,100	**12,500**
3616	FEES & PERMITS-OTHER PLNG	3,605	651	1,000	2,100	**2,200**
3617	FEES & PERMITS-DESIGN REV	38,968	10,889	20,000	19,300	**19,900**
3618	FEES&PERMITS-SITE PN/PLAN CK	46,438	25,167	20,000	18,500	**19,100**
3619	CULTURAL RESOURCE ALT APPLI	-	-	-	200	**200**
3620	SUBDIVISION FEES	26,562	7,797	20,000	38,700	**39,900**
3624	LOT LINE ADJUSTMENT	1,842	1,706	1,000	1,000	**1,000**
3630	SALE OF MAPS, PUBL, & COPIES	260	56	200	3,400	**500**

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
3640	OTHER FILING & CERT FEES	691	67	100	100	**100**
3650	SPECIAL POLICE DEPT SERVICES	367	1,527	500	500	**500**
3651	ALARM SVCE FEE & FALSE ALARM	14,599	16,235	20,000	20,000	**20,000**
3652	ABANDONED VEHICLE ABATEMENT	6,353	5,992	6,000	6,000	**6,000**
3653	D.U.I. COST RECOVERY PROGRAM	97	15	20	20	**-**
3654	VEHICLE RELEASE/IMPOUND FEE	13,785	4,657	6,000	5,000	**5,000**
3660	ENGINEERING PLAN CHECK FEES	18,077	4,560	7,000	11,800	**12,200**
3662	ON-SITE CIVIL IMP PERMIT	41,624	8,976	15,000	10,000	**10,300**
3710	EIR ADMINISTRATION	20,163	-	-	-	**-**
3711	ENVIRONMENTAL ASSESSMENT	2,217	1,464	2,500	2,500	**2,600**
3712	NEGATIVE DECLARATION	7,913	-	-	-	**-**
3713	PUBLIC HEARING NOTICE	3,087	2,492	2,500	3,500	**2,500**
3715	TIME EXTENSION	-	2,054	-	-	**-**
3717	CODE COMPLIANCE	88	348	500	500	**500**
3718	PLANNING SERVICES	2,243	2,937	3,000	1,000	**2,500**
3750	OTHER BUILDING DEPT SERVICES	126	0	-	400	**400**
3760	COLLECTION FEE - FIRE DIST	623	284	500	500	**500**
3762	COLLECTION FEE-TOURISM MRKTG	2,710	2,073	2,000	2,000	**2,000**
3770	MEMBERSHIP FEES	460	-	-	-	**-**
3815	IMPACT FEES	42,817	4,531	10,000	14,500	**14,900**
	TOTAL CHARGES FOR SERVICES	836,324	546,940	610,820	669,720	**686,300**
	INVESTMENT EARNINGS:					
3410	INVESTMENT EARNINGS	35,069	44,188	59,000	59,000	**59,600**
3415	INVESTMENT EARNINGS-BONDS	-	594	-	-	**-**
	TOTAL INVESTMENT EARNINGS	35,069	44,782	59,000	59,000	**59,600**
3430	**RENTS & CONCESSIONS**	65,888	65,202	66,000	347,200	**69,200**
	OTHER REVENUE:					
3818	LEGAL FEE REIMBURSEMENTS	683	-	-	-	**-**
3819	COST REIMBURSEMENTS	69,669	29,693	10,000	10,000	**10,000**
3890	OTHER REVENUE	(3,801)	12,093	100,000	5,000	**5,000**
3891	RETURNED CHECK CHARGES	50	75	100	100	**100**
3950	PROCEEDS FROM DEBT ISSUANCE	-	9,460,000	-	-	**-**

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
3955	PREMIUM FROM DEBT ISSUANCE	-	356,636	-	-	-
3996	COST ALLOCATION	224,799	244,613	300,000	300,000	**309,000**
	TOTAL OTHER REVENUE	291,399	10,103,110	410,100	315,100	**324,100**
	TOTAL GENERAL FUND (1)	**12,637,151**	**21,280,368**	**12,225,345**	**13,630,981**	**13,922,000**
	6-GENERAL EQUIPMENT RESERVE					
3410	**INVESTMENT EARNINGS**	13,720	16,679	10,000	10,000	**10,100**
	OTHER REVENUE:					
3110	PEG VIDEO FEE	37,521	36,318	38,000	32,700	**32,700**
3716	MODERNIZATION FEE	22,916	2,852	20,000	20,000	**20,200**
	TOTAL OTHER REVENUE	60,437	39,170	58,000	52,700	**52,900**
	TOTAL GENERAL EQUIPMENT RESERVE FUND (6)	**74,158**	**55,848**	**68,000**	**62,700**	**63,000**
	TOTAL GENERAL FUNDS	**12,711,308**	**21,336,216**	**12,293,345**	**13,693,681**	**13,985,000**
	GENERAL CAPITAL IMPROVEMENT FUND					
	150-GENERAL CAPITAL PROJECTS					
	INTERGOVERNMENTAL:					
3550	OTHER STATE GRANTS	-	75,000	-	-	-
3557	STATE TRANSPORTATION GRANT	-	9,396	-	-	-
	TOTAL INTERGOVERNMENTAL	-	84,396	-	-	-
3410	**INVESTMENT EARNINGS**	9,290	22,733	20,000	20,000	**20,200**
3608	**GENERAL PLANNING MAINT FEE**	146,942	75,401	30,000	44,100	**45,400**
3890	**OTHER REVENUE**	155,827	160,596	-	-	-
	TOTAL GENERAL CAPITAL PROJECTS FUND (150)	**312,060**	**343,127**	**50,000**	**64,100**	**65,600**

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
SPECIAL REVENUE FUNDS - DEVELOPMENT IMPACT FEES						
	7-DRAINAGE CONSTRUCTION					
3410	**INVESTMENT EARNINGS**	-	666	500	500	**500**
	OTHER REVENUE:					
3815	IMPACT FEES	16,803	4,848	15,000	15,000	**15,500**
3815	IMPACT FEES - Significant	-	-	-	-	**-**
	TOTAL OTHER REVENUE	16,803	4,848	15,000	15,000	**15,500**
	TOTAL DRAINAGE CONSTRUCTION FUND (7)	**16,803**	**5,514**	**15,500**	**15,500**	**16,000**
	8-TRAFFIC IMPACT MITIGATION					
3410	**INVESTMENT EARNINGS**	8,501	13,641	12,000	12,000	**12,100**
	OTHER REVENUE:					
3815	IMPACT FEES	84,695	30,143	50,000	50,000	**51,500**
3815	IMPACT FEES - Significant	300,000	-	-	-	**-**
	TOTAL OTHER REVENUE	384,695	30,143	50,000	50,000	**51,500**
	TOTAL TRAFFIC IMPACT MITIGATION FUND (8)	**393,197**	**43,784**	**62,000**	**62,000**	**63,600**
	9-PARK & RECREATION FACILITIES					
3410	**INVESTMENT EARNINGS**	15,825	20,366	17,500	17,500	**17,700**
	OTHER REVENUE:					
3690	PARK DEDICATION IN LIEU FEES	65,513	-	10,000	10,000	**10,300**
3815	IMPACT FEES	42,198	35,009	30,000	30,000	**30,900**
3815	IMPACT FEES - Significant	255,000	-	-	-	**-**
	TOTAL OTHER REVENUE	362,711	35,009	40,000	40,000	**41,200**
	TOTAL PARK & RECREATION FACILITIES FUND (9)	**378,536**	**55,375**	**57,500**	**57,500**	**58,900**

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
	21-GENERAL FACILITY					
3410	**INVESTMENT EARNINGS**	1,756	1,756	1,500	1,500	**1,500**
	OTHER REVENUE:					
3815	IMPACT FEES	10,879	2,739	10,000	10,000	**10,300**
3815	IMPACT FEES - Significant	12,000	-	-	-	**-**
	TOTAL OTHER REVENUE	22,879	2,739	10,000	10,000	**10,300**
	TOTAL GENERAL FACILITY FUND (21)	**24,635**	**4,495**	**11,500**	**11,500**	**11,800**
	27-POLICE FACILITY BUILDING					
3410	**INVESTMENT EARNINGS**	5,445	6,572	6,000	2,000	**2,000**
	OTHER REVENUE:					
3815	IMPACT FEES	14,166	6,333	10,000	10,000	**10,300**
3815	IMPACT FEES - Significant	50,000	-	-	-	**-**
	TOTAL OTHER REVENUE	64,166	6,333	10,000	10,000	**10,300**
	TOTAL POLICE FACILITY BUILDING FUND (27)	**69,611**	**12,905**	**16,000**	**12,000**	**12,300**
	51-MT HERMON TRAFFIC MITIGATION					
3410	INVESTMENT EARNINGS	2,990	4,015	3,500	2,500	**2,500**
	OTHER REVENUE:					
3815	IMPACT FEES	103,686	-	-	-	**-**
	TOTAL MT HERMON TRAFFIC MITIGATION FUND (51)	**106,676**	**4,015**	**3,500**	**2,500**	**2,500**
	86-LIBRARY FACILITIES					
3410	**INVESTMENT EARNINGS**	6,087	7,321	6,500	6,500	**6,600**
	OTHER REVENUE:					

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
3815	IMPACT FEES	11,176	4,781	10,000	15,300	**15,800**
3815	IMPACT FEES - Significant	28,000	-	-	-	**-**
	TOTAL OTHER REVENUE	39,176	4,781	10,000	15,300	**15,800**
	TOTAL FUND 86	**45,263**	**12,102**	**16,500**	**21,800**	**22,400**
	315 - POLICE DEVELOPMENT FEES					
3410	**INVESTMENT EARNINGS**	3,208	2,040	2,600	2,600	**2,600**
	TOTAL POLICE DEVELOPMENT FEES FUND (315)	**3,208**	**2,040**	**2,600**	**2,600**	**2,600**
	TOTAL SPECIAL REVENUE FUNDS - DEVELOPMENT IMPACT FEE	**1,037,929**	**140,230**	**185,100**	**185,400**	**190,100**
	SPECIAL REVENUE FUNDS - OTHER					
	2-RECYCLING					
3410	**INVESTMENT EARNINGS**	566	33	100	100	**100**
	OTHER REVENUE:					
3090	CSA-9CA RECYCLING	73,803	-	70,000	66,800	**23,600**
3092	CCP - CAL/RECYCLE	10,000	-	-	-	**-**
3550	OTHER STATE GRANTS	-	4,000	5,000	-	**-**
	TOTAL OTHER REVENUE	83,803	4,000	75,000	66,800	**23,600**
	TOTAL RECYCLING FUND (2)	**84,369**	**4,033**	**75,100**	**66,900**	**23,700**
	3-GAS TAX					
3410	**INVESTMENT EARNINGS**	3,263	5,992	3,000	3,000	**3,000**
	TAXES:					
3530	STATE GAS TAX/2105	66,909	61,631	64,041	64,041	**66,000**
3531	STATE GAS TAX/2106 SELECT SY	43,163	38,725	41,513	41,513	**42,800**
3532	STATE GAS TAX/2107 NON-SEL	81,690	71,907	77,042	77,042	**79,400**
3533	STATE GAS TAX/2107.5 ENG	5,455	19,119	3,000	3,000	**3,000**

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
3534	STATE GAS TAX/2030 RMRA 2017	237,387	209,259	207,649	215,615	**236,100**
3536	STATE GAS TAX/2103	40,740	73,105	102,084	97,021	**119,300**
	TOTAL TAXES	475,346	473,746	495,329	498,232	**546,600**
	OTHER REVENUE:					
3550	OTHER STATE GRANTS	-	13,583	-	-	**-**
	TOTAL GAS TAX FUND (3)	**478,609**	**493,321**	**498,329**	**501,232**	**549,600**
	5-SMIP					
3410	**INVESTMENT EARNINGS**	124	140	150	100	**100**
	OTHER REVENUE:					
3240	SMIP FEES	6,370	3,286	5,000	2,100	**2,200**
	TOTAL FUND 5	**6,494**	**3,425**	**5,150**	**2,200**	**2,300**
	19-AFFORDABLE HOUSING					
3410	**INVESTMENT EARNINGS**	15,591	18,878	15,500	10,000	**37,800**
	OTHER REVENUE:					
3025	AFFORD HOUSING IN LIEU FEES	128,297	209,629	50,000	120,000	**120,000**
3430	RENTS & CONCESSIONS	33,170	34,398	32,760	34,400	**34,700**
3440	LOAN REPAYMENT	210,000	48,527	49,000	718,200	**764,900**
3442	LOAN/NOTE INTEREST	45,742	29,429	25,000	49,700	**49,700**
3890	OTHER REVENUE	-	-	1,000	1,000	**1,000**
	TOTAL OTHER REVENUE	417,209	321,983	157,760	923,300	**970,300**
	TOTAL AFFORDABLE HOUSING FUND (19)	**432,799**	**340,861**	**173,260**	**933,300**	**1,008,100**
	24-LENNAR FUNDS					
3840	**CONTRIBUTIONS FROM NON-GVMT**	4,650	4,945	52,000	-	**-**

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
	28-SENIOR CENTER OPERATIONS					
	CHARGES FOR SERVICES:					
3632	BOUTIQUE SALES	9,687	8,577	9,000	-	**2,900**
3770	MEMBERSHIP FEES	11,745	8,540	9,000	3,200	**3,500**
3897	SR CENTER VAN INCOME	-	-	150	-	**-**
3898	SR CENTER ACTIVITIES	30,214	23,377	32,000	-	**9,100**
3940	FACILITY/BUILDING RENTAL	13,055	11,667	9,000	300	**3,900**
8940	RENTAL REFUNDS	-	(130)	-	(900)	**-**
	TOTAL CHARGES FOR SERVICES:	64,701	52,031	59,150	2,600	19,400
3410	**INVESTMENT EARNINGS**	38	-	-	-	**-**
	OTHER REVENUE:					
3840	CONTRIBUTIONS FROM NON-GVMT	13,818	3,560	2,500	1,200	**4,100**
3890	OTHER REVENUE	50	591	400	-	**-**
	TOTAL OTHER REVENUE	13,868	4,151	2,900	1,200	**4,100**
	TOTAL SENIOR CENTER OPERATIONS FUND (28)	**78,607**	**56,182**	**62,050**	**3,800**	**23,500**
	31-SURFACE TRANSPORTATION GRANTS					
3410	**INVESTMENT EARNINGS**	-	-	-	700	**700**
	OTHER REVENUE:					
3550	OTHER STATE GRANTS	32,138	-	1,844,844	1,844,844	**400,000**
3563	SURFACE TRANS PROGRAM GRANT	971,191	266,536	-	54,200	**-**
	TOTAL OTHER REVENUE	1,003,330	266,536	1,844,844	1,899,044	**400,000**
	TOTAL STP EXCHANGE FOR STORM DAMAGE FUND (31)	**1,003,330**	**266,536**	**1,844,844**	**1,899,744**	**400,700**
	33-TREE REPLACEMENT FUND					
3410	**INVESTMENT EARNINGS**	499	621	500	500	**500**
	OTHER REVENUE:					
3622	TREE REPLANTING FEES	320	3,080	1,000	6,400	**1,000**

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
	TOTAL TREE REPLACEMENT FUND (33)	**819**	**3,701**	**1,500**	**6,900**	**1,500**
	35-GREEN BUILDING FUNDING					
3410	**INVESTMENT EARNINGS**	7,293	9,029	8,500	8,500	**8,600**
	CHARGES FOR SERVICES:					
3242	GREEN BLDG STANDARDS FEE	1,809	1,258	1,000	1,000	**1,000**
3707	GREEN BUILDING FEES	22,927	20,745	20,000	20,000	**20,600**
3707	GREEN BUILDING FEES - Significant	35,000	-	-	-	**-**
	TOTAL OTHER REVENUE	59,736	22,004	21,000	21,000	**21,600**
	TOTAL GREEN BUILDING FUND (35)	**67,029**	**31,032**	**29,500**	**29,500**	**30,200**
	36-DISABILITY COMPLIANCE FUND					
3410	**INVESTMENT EARNINGS**	155	289	250	250	**300**
	OTHER REVENUE:					
3244	DISABILITY COMPLIANCE FEE	5,671	3,901	4,000	4,000	**4,000**
	TOTAL DISABILITY COMPLIANCE FUND (36)	**5,826**	**4,190**	**4,250**	**4,250**	**4,300**
	50-PINEWOOD EST LNDSCP MAINT DIST					
3410	**INVESTMENT EARNINGS**	179	213	200	200	**200**
	OTHER REVENUE:					
3890	OTHER REVENUE	6,539	5,940	6,300	6,300	**6,300**
	TOTAL PINEWOOD EST LNDSCP MAINT DIST FUND (50)	**6,719**	**6,153**	**6,500**	**6,500**	**6,500**
	77-SKYPARK MAINTENANCE ASSESSMENT DISTRICT					
3410	**INVESTMENT EARNINGS**	**69**	**363**	**200**	**200**	**200**
	OTHER REVENUE:					

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
3890	OTHER REVENUE	41,995	41,121	42,000	42,000	**42,000**
	TOTAL SKYPARK MAINT ASSESSMENT DIST FUND (77)	**42,064**	**41,484**	**42,200**	**42,200**	**42,200**
	78-SKYPARK MAINTENANCE ASSESSMENT DISTRICT INSURANCE					
3410	**INVESTMENT EARNINGS**	9,674	11,301	10,000	10,000	**10,100**
	OTHER REVENUE:					
3895	PREMIUMS	9,000	9,000	9,000	9,000	**9,000**
	TOTAL SKYPARK MAINT ASSESSMENT DIST INSURANCE FUND (78)	**18,674**	**20,301**	**19,000**	**19,000**	**19,100**
	88-LIBRARY FACILITIES AUTHORITY					
3410	**INVESTMENT EARNINGS**	9,734	12,921	10,000	10,000	**10,100**
	OTHER REVENUE:					
3030	TAXES - SPECIAL ASSESSMENTS	188,045	260,700	-	-	**-**
3542	BOND PROCEEDS-MEAS S LIBRARY	-	55,858	444,000	523,517	**2,170,100**
	TOTAL LIBRARY FACILITIES AUTHORITY (88)	**197,780**	**329,479**	**454,000**	**533,517**	**2,180,200**
	89-LIBRARY - CTY MOE EXCESS DISTRIBUTION					
3410	**INVESTMENT EARNINGS**	3,398	7,416	7,000	7,000	**7,100**
	OTHER REVENUE:					
3030	TAXES - SPECIAL ASSESSMENTS	339,321	-	-	-	**242,700**
	TOTAL LIBRARY FACILITIES AUTHORITY (88)	**342,719**	**7,416**	**7,000**	**7,000**	**249,800**
	123-COMMUNITY FACILITY CENTER					
3410	**INVESTMENT EARNINGS**	1,458	2,855	-	-	**-**
	CHARGES FOR SERVICES:					

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
3940	FACILITY/BUILDING RENTAL	113,935	75,634	68,000	39,800	**34,200**
8940	RENTAL REFUNDS	-	(5,075)	-	(1,500)	**-**
	TOTAL CHARGES FOR SERVICES	113,935	70,559	68,000	38,300	**34,200**
	TOTAL COMMUNITY CENTER FUND (123)	**115,392**	**73,414**	**68,000**	**38,300**	**34,200**
	155-MEASURE D SALES TAX FOR TRANSPORTATION					
3410	**INVESTMENT EARNINGS**	7,962	6,954	6,000	6,000	**6,100**
	OTHER REVENUE:					
3084	SALES TAX-MEASURE "D" FUNDS	287,756	311,638	265,800	289,500	**301,900**
	TOTAL MEASURE D SALES TAX FOR TRANSPORTATION (155)	**295,718**	**318,592**	**271,800**	**295,500**	**308,000**
	178 - CALTRANS - GET EVERYONE MOVING					
	OTHER REVENUE:					
3557	STATE TRANSPORTATION GRANT	-	103,429	113,000	113,000	**-**
3890	OTHER REVENUE	-	-	-	-	**-**
	TOTAL CT-GEM FUND (178)	**-**	**103,429**	**113,000**	**113,000**	**-**
	268-PROP 68 PARKS/WATER BOND ACT					
	OTHER REVENUE:					
3550	OTHER STATE GRANTS	-	-	-	-	**178,000**
	TOTAL PROP 68 PARKS/WATER BOND ACT	**-**	**-**	**-**	**-**	**178,000**
	306-SUPPLEMENTAL LAW ENFORCEMENT SERVICES (SLESF)					
3410	**INVESTMENT EARNINGS**	2,534	3,755	2,500	2,500	**2,500**
	OTHER REVENUE:					
3550	OTHER STATE GRANTS	100,000	100,000	100,000	100,000	**100,000**
	TOTAL SLESF FUND (306)	**102,534**	**103,755**	**102,500**	**102,500**	**102,500**

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
	309-PROP 56 TOBACCO PREVENTION					
	OTHER REVENUE:					
3550	OTHER STATE GRANTS	-	-	-	-	**189,002**
	TOTAL PROP 56 TOBACCO PREVENTION	**-**	**-**	**-**	**-**	**189,002**
	312 -POLICE BUDGET ACT OF 2016					
3410	**INVESTMENT EARNINGS**	666	503	500	500	**500**
	TOTAL POLICE BUDGET ACT OF 2016 (312)	**666**	**503**	**500**	**500**	**500**
	316 -HOMELAND SECURITY GRANT					
3410	**INVESTMENT EARNINGS**	-	11	-	-	**-**
	OTHER REVENUE:					
3550	OTHER STATE GRANTS	63,906	-	-	-	**-**
	TOTAL HOMELAND SECURITY GRANT FUND (316)	**63,906**	**11**	**-**	**-**	**-**
	317 - EDG REVOLVING LOAN FUND					
3410	**INVESTMENT EARNINGS**	11	12	10	10	**-**
	OTHER REVENUE:					
3553	COMMUNITY DEVEL BLOCK GRANT	-	-	-	-	**394,456**
	TOTAL EDG REVOLVING LOAN FUND (317)	**11**	**12**	**10**	**10**	**394,456**
	TOTAL SPECIAL REVENUE FUNDS - OTHER	**3,348,715**	**2,212,774**	**3,830,493**	**4,605,853**	**5,748,358**
	DEBT SERVICE FUNDS					
	26-PENSION OBLIGATION BONDS					

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
3890	**OTHER REVENUE**	-	-	-	-	**-**
	66-COP DEBT SERVICE RESERVE					
3410	**INVESTMENT EARNINGS**	18,463	21,131	22,000	22,000	**22,200**
	TOTAL COP DEBT SERVICE RESERVE FUND (66)	**18,463**	**21,131**	**22,000**	**22,000**	**22,200**
	TOTAL DEBT SERVICE FUNDS	**18,463**	**21,131**	**22,000**	**22,000**	**22,200**
	RECREATION ENTERPRISE FUND					
	4-RECREATION					
	CHARGES FOR SERVICES:					
3871	AQUATICS	67,824	45,320	7,000	100	**20,300**
3872	CLASSES	115,196	76,214	11,500	100	**34,600**
3873	FACILITIES RENTALS	98,695	92,031	11,000	11,000	**29,600**
3874	SCHOOL AGE RECREATION	776,461	539,030	80,000	1,000	**232,900**
3875	SPECIAL EVENTS	428	-	-	-	**100**
3876	SPORTS	31,352	21,430	5,000	5,000	**9,400**
8471	AQUATIC REFUNDS	-	(3,806)	-	(500)	**-**
8472	CLASS REFUNDS	-	(1,226)	-	(1,900)	**-**
8473	RENTAL REFUNDS	-	(5,769)	-	(400)	**-**
8474	SCHOOL AGE REC REFUNDS	-	(53,823)	-	(1,200)	**-**
8476	SPORTS REFUNDS	-	(660)	-	(200)	**-**
	TOTAL CHARGES FOR SERVICES	1,089,956	708,740	114,500	13,000	**326,900**
	OTHER REVENUE:					
3819	COST REIMBURSEMENTS	-	-	-	-	**-**
3861	SCHOLARSHIP FUNDS	-	1,500	-	-	**-**
3890	OTHER REVENUE	2,571	-	200	200	**800**
	TOTAL OTHER REVENUE	2,571	1,500	200	200	**800**
	TOTAL RECREATION ENTERPRISE FUND	**1,092,527**	**710,240**	**114,700**	**13,200**	**327,700**

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
WASTEWATER ENTERPRISE FUNDS						
	10-WASTEWATER OPERATIONS					
	CHARGES FOR SERVICES:					
3277	WASTEWATER DISCHARGE PERMITS	-	3,000	-	-	**-**
3670	SEWER SERVICE FEES	2,513,648	2,859,822	2,900,000	2,900,000	**3,161,000**
3775	PENALTIES FOR DELINQUENCIES	1,456	6,614	3,500	3,500	**3,500**
	TOTAL CHARGES FOR SERVICES	2,515,105	2,869,436	2,903,500	2,903,500	**3,164,500**
	OTHER REVENUE					
3810	SALE OF REAL OR PERSONAL PRO	-	27	-	-	**-**
3890	OTHER REVENUE	3,458	6,070	5,000	5,000	**5,000**
3893	INSURANCE REIMBURSEMENT	-	2,672	-	-	**-**
	TOTAL OTHER REVENUE	3,458	8,769	5,000	5,000	**5,000**
3410	**INVESTMENT EARNINGS**	-	30,602	-	-	**-**
	TOTAL WASTEWATER OPERATIONS FUND (10)	**2,518,563**	**2,908,807**	**2,908,500**	**2,908,500**	**3,169,500**
	11-TERTIARY TREATMENT PLANT					
	CHARGES FOR SERVICES:					
3571	SV WATER DEPT REIMBURSEMENTS	97,126	138,834	110,000	110,000	**113,300**
	TOTAL TERTIARY TREATMENT PLANT FUND (11)	**97,126**	**138,834**	**110,000**	**110,000**	**113,300**
	12-WASTEWATER CAPITAL RESERVE					
3410	**INVESTMENT EARNINGS**	21,941	10,207	12,500	12,500	**12,500**
	OTHER REVENUE:					
3815	IMPACT FEES	50,624	31,204	50,000	50,000	**50,000**
3815	IMPACT FEES - Significant	175,000	-	-	-	**-**
	TOTAL OTHER REVENUE	225,624	31,204	50,000	50,000	**50,000**

City of Scotts Valley
Summary of Revenues
FY 2021-22

ACCT#	ACCOUNT TITLE	2018-19 ACTUAL	2019-20 ACTUAL	2020-21 BUDGET	2020-21 PROJECTED REVENUE	2021-22 ESTIMATED REVENUE
	TOTAL WASTEWATER CAPITAL RESERVE FUND (12)	**247,566**	**41,411**	**62,500**	**62,500**	**62,500**
	14-WASTEWATER EQMT REPLACEMENT RESERVE					
3410	**INVESTMENT EARNINGS**	14,154	2,600	5,000	5,000	**5,000**
	TOTAL WASTEWATER EQUIPMENT REPLACEMENT RESERVE FUND (14)	**14,154**	**2,600**	**5,000**	**5,000**	**5,000**
	15-TTP - DISTRICT RESERVE FUND					
3410	**INVESTMENT EARNINGS**	381	493	400	400	**400**
	OTHER REVENUE:					
3890	OTHER REVENUE	1,406	6,066	5,000	5,000	**5,000**
	TOTAL TTP DISTRICT RESERVE FUND (15)	**1,787**	**6,559**	**5,400**	**5,400**	**5,400**
	TOTAL WASTEWATER ENTERPRISE FUNDS	**2,879,195**	**3,098,211**	**3,091,400**	**3,091,400**	**3,355,700**
	INTERNAL SERVICE FUND					
	112 - DENTAL INSURANCE					
3410	**INVESTMENT EARNINGS**	662	681	700	700	**600**
	OTHER REVENUE:					
3895	PREMIUMS	58,538	47,771	70,000	70,000	**68,200**
	TOTAL DENTAL INSURANCE FUND (112)	**59,199**	**48,451**	**70,700**	**70,700**	**68,800**
	TOTAL ALL FUNDS	**21,459,395**	**27,910,381**	**19,657,738**	**21,746,334**	**23,763,458**

City of Scotts Valley
Summary of Expenditures by Fund/Department
FY 2021-22

Fund/ Dept	Fund/Department Title	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Revised	FY 2021-22 Proposed
General Funds					
General Fund (#001)					
41	Legislative	246,355	248,186	302,644	335,340
42	City Attorney	160,975	249,577	184,000	296,000
43	General Government	1,056,199	11,191,479	1,368,628	1,430,325
44	City Manager's Office	443,306	491,369	470,919	879,031
45	Admin Services - Finance	602,446	659,489	696,015	1,046,194
46	Admin Services - Human Resources	34,203	146,773	40,740	147,950
47	Admin Services - Information Technology	135,743	126,889	142,200	171,500
48	Admin Services - Risk Management	263,043	424,517	437,725	476,417
51	Police	4,985,219	5,388,515	5,568,294	5,354,669
52	Animal Control	116,790	116,070	120,000	105,000
53	Emergency Services	98,382	108,914	48,305	48,350
61	Community Development - Planning	596,150	656,448	691,855	956,886
62	Community Development - Building	506,865	493,375	539,800	504,776
71	Public Works - Engineering	598,064	657,553	716,285	856,048
72	Public Works - Streets	392,403	369,709	497,611	322,964
73	Public Works - Vehicle/Equipment Maintenance	112,384	21,658	45,038	130,043
75	Public Works - Parks	283,878	309,920	336,588	523,825
76	Public Works - Building Maintenance	254,975	208,240	309,733	224,749
	Total General Fund (#001)	10,887,380	21,868,680	12,516,380	13,810,067
6	**Equipment Replacement Fund**	1,985	1,414	2,000	300,000
	Total General Funds	**10,889,365**	**21,870,093**	**12,518,380**	**14,110,067**
General Capital Improvement Fund					
150	**General Capital Improvement**	**120,043**	**504,712**	**525,835**	**578,900**

City of Scotts Valley
Summary of Expenditures by Fund/Department
FY 2021-22

Fund/ Dept	Fund/Department Title	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Revised	FY 2021-22 Proposed
Special Revenue Funds - Development Impact Fees					
7	Drainage Construction Fund	40,419	53	12,000	25,000
8	Traffic Impact Mitigation	39,940	23,728	17,000	365,000
9	P&R Facilities	41,394	45,454	642,000	30,000
21	General Facility Fees	33,330	140	200	-
27	Police Facility Impact Fees	16,988	4,523	89,750	93,750
51	Mt. Hermon Traffic Mitigation	298	320	400	-
86	Library Impact Fees	612	583	700	620
315	Police Development Fees	2,384	103,102	300	-
	Total Special Revenue Funds - Development Impact Fees	**175,365**	**177,904**	**762,350**	**514,370**
Special Revenue Funds - Other					
2	Recycling/Env	72,208	86,019	70,000	100,050
3	Gas Tax	222,924	28,262	295,700	341,000
5	SMIP	3,587	5,609	5,000	4,990
19	Affordable Housing	165,636	204,565	222,000	165,500
24	Lennar Funds	4,650	4,945	52,000	136,300
28	Senior Center	83,758	65,290	57,761	93,392
31	STP Exchange Projects	1,114,138	563,424	1,844,844	400,000
33	Tree Replacement Fund	50	49	10,050	10,050
35	Green Building Fund	4,893	4,548	4,750	3,840
36	Disability Compliance	370	647	5,040	5,020
50	Pinewood Estates Maintenance District	6,565	20,056	5,520	5,400
77	Skypark Landscape Maintenance District	25,606	26,171	59,000	28,060
78	Skypark Landscape Maintenance District Insurance	975	901	1,000	-
88	Library Facilities Improvements Measure S	23,948	25,646	751,000	2,717,200
89	Library - County MOE Excess Distribution	298	591	750	600
123	Community Facility Center	50,896	56,687	66,701	98,120
155	Measure D Transportation	308,318	473,005	324,897	574,100
178	CalTRANS - Get Everyone Moving	-	103,429	113,000	-
268	Prop 68 Parks/Water Bond Act	-	-	-	178,000

City of Scotts Valley
Summary of Expenditures by Fund/Department
FY 2021-22

Fund/ Dept	Fund/Department Title	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Revised	FY 2021-22 Proposed
306	SLESF	73,074	9,044	148,500	-
309	Police Prop 56 Tobacco Prevention	-	-	-	189,002
312	Police Budget Act 2016	11,158	7,207	15,100	1,000
316	Homeland Security Grants	62,144	23,610	-	-
317	EDG Revolving Loan Fund	1	1	1	577,789
	Total Special Revenue Funds - Other	**2,235,199**	**1,709,707**	**4,052,614**	**5,629,413**
Debt Service Funds					
26	Pension Obligation Bonds	445,089	446,954	443,745	443,844
66	COP Debt Service Reserve	1,863	1,684	1,000	-
	Total Debt Service Funds	**446,952**	**448,637**	**444,745**	**443,844**
Recreation Enterprise Fund					
4	**Recreation**	**1,419,413**	**2,211,353**	**291,880**	**472,549**
Wastewater Enterprise Funds					
10	Wastewater Operations	2,236,326	1,239,610	3,063,462	3,508,832
11	Tertiary Treatment Plant	176,922	252,662	205,255	169,717
12	Wastewater Capital Reserve	236,302	347,566	2,000	1,040,500
14	Wastewater ERF	1,428	207	500	200
15	TTP District Reserve	38	39	40	265,050
	Total Wastewater Enterprise Funds	**2,651,016**	**1,840,084**	**3,271,257**	**4,984,299**
Internal Service Fund					
112	**Dental Insurance**	**60,382**	**44,546**	**68,070**	**40,070**
	Total All Funds	**17,997,736**	**28,807,036**	**21,935,131**	**26,773,512**

City of Scotts Valley
Summary of Expenditures by Fund/Type
FY 2021-22

Fund/ Dept	Fund/Department Title	FY 2021-22 Proposed Salaries and	Services and Supplies	Fixed Assets/ Capital	Debt Service	Other	Total
General Funds							
General Fund (#001)							
41	Legislative	282,530	50,310	2,500	-	-	335,340
42	City Attorney	240,000	56,000	-	-	-	296,000
43	General Government	555,000	117,500	10,500	732,325	15,000	1,430,325
44	City Manager/Administration	790,731	85,800	2,500	-	-	879,031
45	Admin Services - Finance	814,944	229,250	2,000	-	-	1,046,194
46	Admin Services - Human Resources	125,450	22,500	-	-	-	147,950
47	Admin Services - Information Technology	-	171,500	-	-	-	171,500
48	Admin Services - Risk Management	-	476,417	-	-	-	476,417
51	Police	4,903,440	243,837	164,757	-	42,636	5,354,669
52	Animal Control	-	105,000	-	-	-	105,000
53	Emergency Services	-	1,350	-	-	47,000	48,350
61	Community Development - Planning	700,236	252,000	4,650	-	-	956,886
62	Community Development - Building	110,276	393,500	1,000	-	-	504,776
71	Public Works - Engineering	558,048	275,500	22,500	-	-	856,048
72	Public Works - Streets	118,764	119,200	85,000	-	-	322,964
73	Public Works - Vehicle/Equipment Maintenance	11,703	106,340	12,000	-	-	130,043
75	Public Works - Parks	409,925	63,900	50,000	-	-	523,825
76	Public Works - Building Maintenance	83,649	75,600	65,500	-	-	224,749
	Total General Fund (#001)	**9,704,696**	**2,845,504**	**422,907**	**732,325**	**104,636**	**13,810,067**
6	**Equipment Replacement Fund**	**-**	**-**	**300,000**	**-**	**-**	**300,000**
	Total General Funds	**9,704,696**	**2,845,504**	**722,907**	**732,325**	**104,636**	**14,110,067**
General Capital Improvement Fund							
150	**General Capital Improvement**	**-**	**-**	**578,900**	**-**	**-**	**578,900**
Special Revenue Funds - Development Impact Fees							
7	Drainage Construction Fund	-	25,000	-	-	-	25,000
8	Traffic Impact Mitigation	-	-	365,000	-	-	365,000
9	P&R Facilities	-	-	30,000	-	-	30,000
21	General Facility Fees	-	-	-	-	-	-
27	Police Facility Impact Fees	-	750	93,000	-	-	93,750

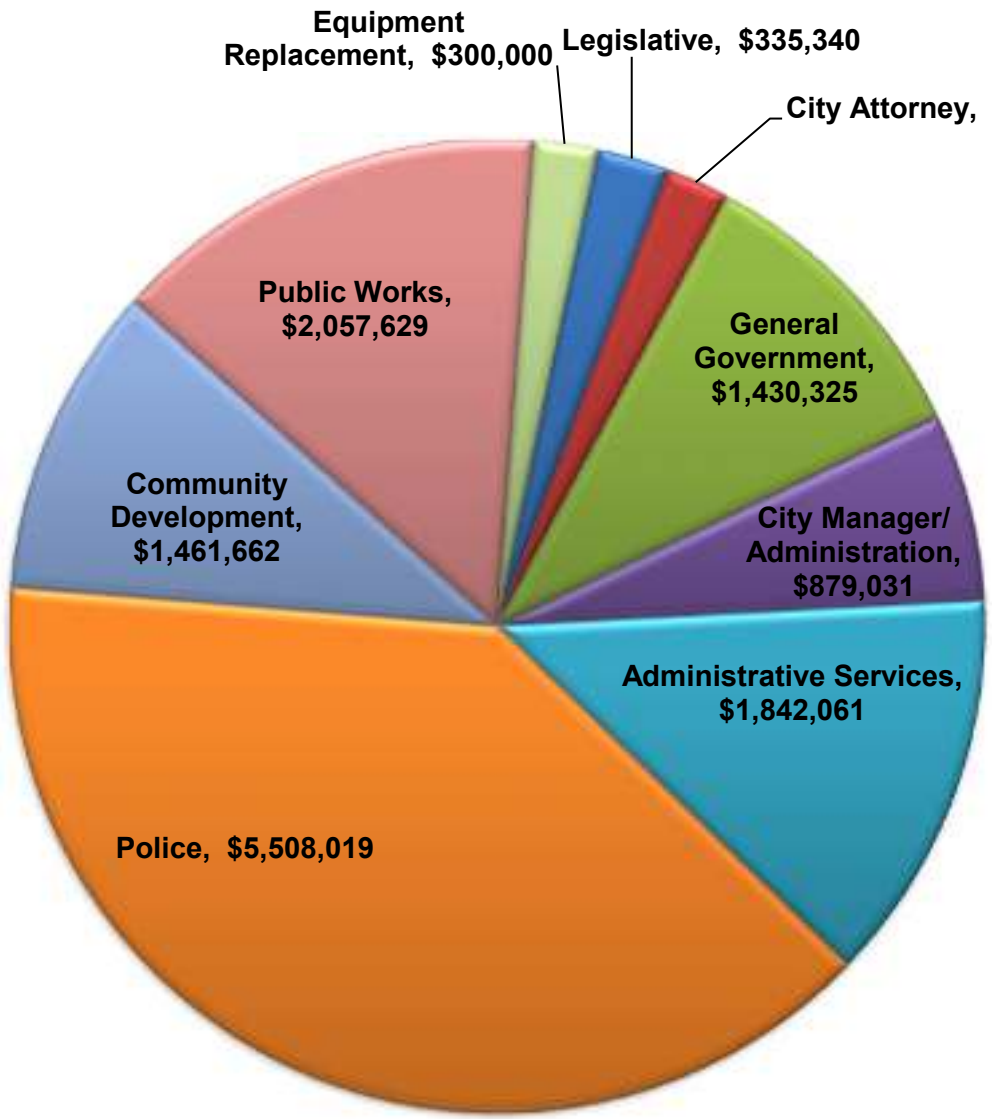
City of Scotts Valley
Summary of Expenditures by Fund/Type
FY 2021-22

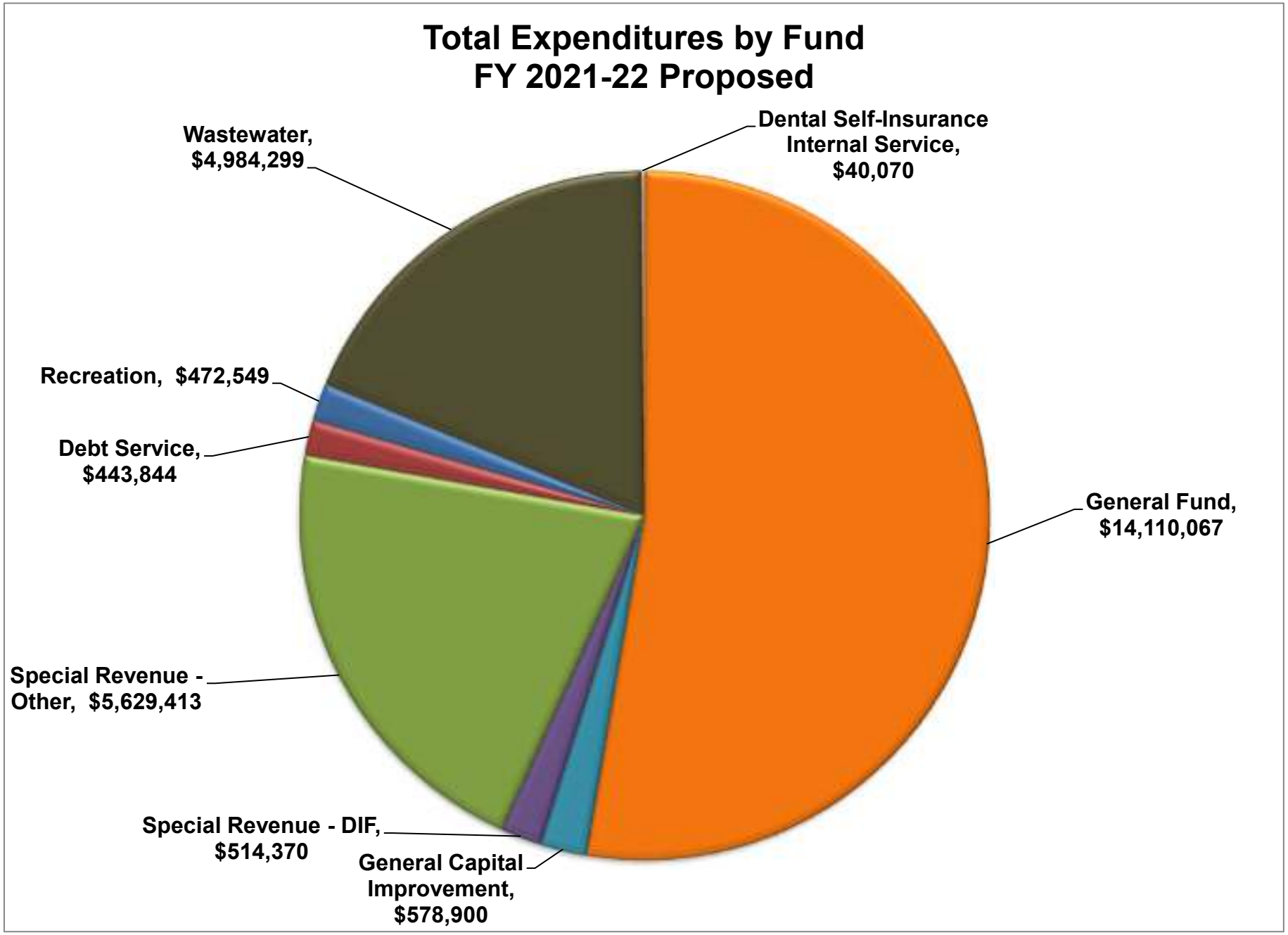
Fund/ Dept	Fund/Department Title	FY 2021-22 Proposed Salaries and	Services and Supplies	Fixed Assets/ Capital	Debt Service	Other	Total
51	Mt. Hermon Traffic Mitigation	-	-	-	-	-	-
86	Library Impact Fees	-	620	-	-	-	620
315	Police Development Fees	-	-	-	-	-	-
	Total Special Revenue Funds - Development Impact Fees	**-**	**26,370**	**488,000**	**-**	**-**	**514,370**
Special Revenue Funds - Other							
2	Recycling/Env	-	100,050	-	-	-	100,050
3	Gas Tax	-	-	341,000	-	-	341,000
5	SMIP	-	4,990	-	-	-	4,990
19	Affordable Housing	-	141,500	-	-	24,000	165,500
24	Lennar Funds	-	-	136,300	-	-	136,300
28	Senior Center	55,747	23,145	14,500	-	-	93,392
31	STP Exchange Projects	-	-	400,000	-	-	400,000
33	Tree Replacement Fund	-	50	10,000	-	-	10,050
35	Green Building Fund	-	3,840	-	-	-	3,840
36	Disability Compliance	-	5,020	-	-	-	5,020
50	Pinewood Estates Maintenance District	-	400	5,000	-	-	5,400
77	Skypark Landscape Maintenance District	-	25,060	3,000	-	-	28,060
78	Skypark Landscape Maintenance District Insurance	-	-	-	-	-	-
88	Library Facilities Improvements Measure S	-	1,200	2,716,000	-	-	2,717,200
89	Library - CTY MOE Excess Distribution	-	600	-	-	-	600
123	Community Facility Center	55,747	21,873	20,500	-	-	98,120
155	Measure D Transportation	-	-	574,100	-	-	574,100
178	CalTRANS - Get Everyone Moving	-	-	-	-	-	-
268	Prop 68 Parks/Water Bond Act	-	-	178,000	-	-	178,000
306	SLESF	-	-	-	-	-	-
309	Police Prop 56 Tobacco Prevention	156,691	32,311	-	-	-	189,002
312	Police Budget Act 2016	-	1,000	-	-	-	1,000
316	Homeland Security Grants	-	-	-	-	-	-
317	EDG Revolving Loan Fund	-	51,279	-	-	526,510	577,789
	Total Special Revenue Funds - Other	**268,185**	**412,318**	**4,398,400**	**-**	**550,510**	**5,629,413**

City of Scotts Valley
Summary of Expenditures by Fund/Type
FY 2021-22

Fund/ Dept	Fund/Department Title	FY 2021-22 Proposed Salaries and	Services and Supplies	Fixed Assets/ Capital	Debt Service	Other	Total
Debt Service Funds							
26	Pension Obligation Bonds	-	3,500	-	440,344	-	443,844
66	COP Debt Service Reserve	-	-	-	-	-	-
	Total Debt Service Funds	**-**	**3,500**	**-**	**440,344**	**-**	**443,844**
Recreation Enterprise Fund							
4	**Recreation**	**353,503**	**103,546**	**15,500**	**-**	**-**	**472,549**
Wastewater Enterprise Funds							
10	Wastewater Operations	1,294,333	912,302	1,002,197	-	300,000	3,508,832
11	Tertiary Treatment Plant	-	144,717	25,000	-	-	169,717
12	Wastewater Capital Reserve	-	50,500	990,000	-	-	1,040,500
14	Wastewater ERF	-	200	-	-	-	200
15	TTP District Reserve	-	50	265,000	-	-	265,050
	Total Wastewater Enterprise Funds	**1,294,333**	**1,107,769**	**2,282,197**	**-**	**300,000**	**4,984,299**
Internal Service Fund							
112	**Dental Insurance**	**40,000**	**70**	**-**	**-**	**-**	**40,070**
	Total All Funds	**11,660,717**	**4,499,077**	**8,485,904**	**1,172,669**	**955,146**	**26,773,512**

General Fund Expenditures by Department
FY 2021-22 Proposed



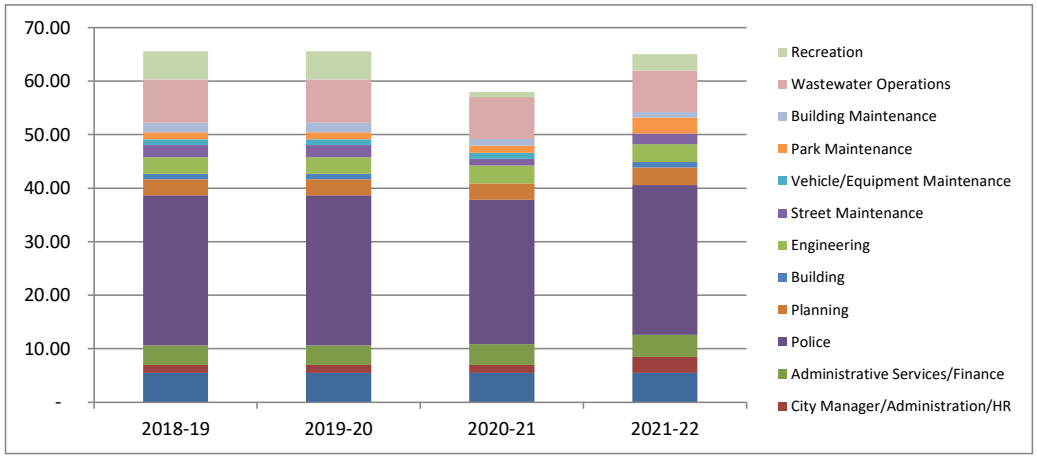

Total Expenditures by Fund
FY 2021-22 Proposed
Wastewater, $4,984,299
Dental Self-Insurance Internal Service, $40,070
Recreation, $472,549
Debt Service, $443,844
General Fund, $14,110,067
Special Revenue - Other, $5,629,413
Special Revenue - DIF, $514,370
General Capital Improvement, $578,900

City of Scotts Valley
Personnel Summary by Department
FY 2021-22

	Fiscal Year			
	Actual		Amended	Proposed
Department	**2018-19**	**2019-20**	**2020-21**	**2021-22**
Legislative	5.50	5.50	5.50	5.50
City Manager/Administration/HR	1.50	1.50	1.50	3.00
Administrative Services/Finance	3.65	3.65	3.85	4.10
Police	28.00	28.00	27.00	28.00
Commmunity Development				
Planning	3.00	3.00	3.00	3.25
Building	1.00	1.00	-	1.00
Public Works				
Engineering	3.10	3.10	3.35	3.35
Street Maintenance	2.30	2.30	1.30	2.00
Vehicle/Equipment Maintenance	1.10	1.10	1.10	-
Park Maintenance	1.30	1.30	1.30	3.00
Building Maintenance	1.80	1.80	1.30	1.00
Wastewater Operations	8.05	8.05	7.80	7.80
Recreation	5.25	5.25	1.00	3.00
Total	**65.55**	**65.55**	**58.00**	**65.00**

Added:
One (1) Police Officer for Prop 56 Tobacco Prevention services; one (1) Assistant to the City Manager; one (1) Administrative Secretary III; one (1) Building Permit Technician; two (2) Sr. Recreation Leader/Site Director; one (1) Public Works Maintnenance Worker III

Eliminated
None



City of Scotts Valley
Capital Improvement Project Plan
FY 2021-22

No.	Project Description	Priority	FY 2021-22 Project Amount	Funding Sources													
				General Fund Equipment Replacement Fund	General CIP	Gas Tax	Drainage Construction DIF	Traffic Impact Mitigation DIF	Parks & Recreation Facilities DIF	Lennar Funds	Police Facility DIF	Transportation Grants	Measure S - Library Facilities Authority	Measure D - Sales Tax for Transportation	Prop 68 Grants	Wastewater Capital	Tertiary Treatment Plant
Wastewater																	
1	Wastewater Recovery Facility Master Plan	A	$ 50,000													$ 50,000	
2	PLC Upgrades	A	$ 40,000													$ 40,000	
4	Bar Screen #2	A	$ 250,000													$ 250,000	
5	Upgrade Tertiary Treatment Pumps	A	$ 265,000														$ 265,000
6	Aeration Basin System Upgrade	A	$ 250,000													$ 250,000	
8	Dump Truck	B	$ 110,000													$ 110,000	
14	Collection System Pipeline Upgrades	A	$ 200,000													$ 200,000	
15	Collection System Inspection and Monitoring Program	A	$ 100,000													$ 100,000	
	Subtotal - Wastewater Projects		**$ 1,265,000**		**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$1,000,000**	**$ 265,000**
Transportation																	
16	Annual Street Maintenance/Resurfacing Program	A	$ 275,000			$275,000											
17	Annual Street Maintenance Program	A	$ 66,000			$ 66,000											
18	Bean Creek Road Pavement Rehabilitation - Phase 1	A	$ 974,100									$ 400,000		$ 574,100			
19	Mt. Hermon Road Median Improvements	B	$ 365,000					$365,000									
	Subtotal - Transportation Projects		**$ 1,680,100**		**$ -**	**$341,000**	**$ -**	**$365,000**	**$ -**	**$ -**	**$ -**	**$ 400,000**	**$ -**	**$ 574,100**	**$ -**	**$ -**	**$ -**
Storm Drains																	
27	Storm Drain Trash Capture System	A	$ 125,000		$ 125,000												
28	Storm Drain Master Plan Update	B	$ 25,000				$ 25,000										
29	Pinecone Drive Draining Improvements	B	$ 105,000		$ 105,000												
30	Sunridge Drive Stormwater Repair	B	$ 62,500		$ 62,500												
	Subtotal - Storm Drains Projects		**$ 317,500**		**$ 292,500**	**$ -**	**$ 25,000**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
Parks																	
31	Parks ADA Improvements - Phase 1	A	$ 116,300							$ 116,300							
34	Siltanen Family Swim Center Pool Resurfacing	B	$ 15,000		$ 15,000												
35	New Lawn Mowers and Equipment	B	$ 33,000		$ 33,000												
37	SkyPark Play Structure Equipment	B	$ 223,000		$ 45,000										$ 178,000		
40	SkyPark Tennis Area Improvements	C	$ 50,000						$ 30,000	$ 20,000							
	Subtotal - Parks Projects		**$ 437,300**		**$ 93,000**	**$ -**	**$ -**	**$ -**	**$ 30,000**	**$ 136,300**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 178,000**	**$ -**	**$ -**
General Facilities																	
42	HVAC Replacement for City Hall and Police Department	A	$ 300,000	$ 300,000													
43	City Facility ADA Improvements - Phase 1	A	$ 48,400		$ 48,400												
45	Library Improvements	A	$ 2,716,000										$2,716,000				
	Subtotal - General Facilities Projects		**$ 3,064,400**	**$ 300,000**	**$ 48,400**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$2,716,000**	**$ -**	**$ -**	**$ -**	**$ -**
Police																	
49	Police Department Locker Room	A	$ 93,000								$ 93,000						
Information Technology																	
51	Citywide Network Infrastructure Upgrades	A	$ 185,000		$ 145,000											$ 40,000	
	Grand Total - All Projects		**$ 7,042,300**	**$ 300,000**	**$ 578,900**	**$341,000**	**$ 25,000**	**$365,000**	**$ 30,000**	**$ 136,300**	**$ 93,000**	**$ 400,000**	**$2,716,000**	**$ 574,100**	**$ 178,000**	**$1,040,000**	**$ 265,000**

City of Scotts Valley
Schedule of Fund Balance Transfers
FY 2021-22

				Transfers In																	
	Fund #			4		10		12		15		26		28		316		317	
	Fund #	Fund Title		Recreation		Wastewater Operations		Wastewater Capital Reserve		TTP Reserve		Pension Obligation Bond		Senior Center		Homeland Security		EDG Revolving Loan	Total
Transfers out	1	General Fund	F	540,729							A	373,631	F	130,834			B	183,333	**1,228,527**
	4	Recreation Fund									A	13,880							**13,880**
	10	Wastewater Operations									A	52,449							**52,449**
	14	Wastewater Equipment Replacement			C	181,181	D	1,251,000	E	257,650									**1,689,831**
	28	Senior Center Operations									A	1,942							**1,942**
	123	Community Facility Center Operations									A	1,942							**1,942**
	306	Supplemental Law Enforcement Services													G	22,000			**22,000**
		Totals		**540,729**		**181,181**		**1,251,000**		**257,650**		**443,844**		**130,834**		**22,000**		**183,333**	**3,010,571**

Notes:

A - Transfer from operating department budgets to fund allocation of costs associated with Pension Obligation Bond debt service and administrative costs
B - Transfer General Fund reserves to EDG Revolving Loan to advance fund CDBG loan over a three year period (1st of 3 years)
C - Transfer to maintain reserves in Wastewater Operations fund equal to 50% of annual operating expenses
D - Transfer excess reserves from Wastewater Equipment Replacement to restore reserves in Wastewater Capital Reserve to $900,000 for emergencies/contingencies
E - Transfer to Tertiary Treatment Plant Fund from Wastewater Operations Fund to fund City's costs to operate the Tertiary Treatment Plant
F - Transfers to Recreation and Senior Center operations to subsidizes losses as a result of the COVID-19 pandemic recession impacts on operations
G - Transfer to eliminate deficit in Homeland Security Grant to funds expended in excess of grant amount out of SLESF funds

RESOLUTION NO. 1501.28

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING THE CONTINUED COLLECTION OF THE UTILITY USERS' TAX FOR THE FISCAL YEAR 2021-22

WHEREAS, the City Council adopted Ordinance 109.3 in July 1992 imposing a utility users' tax subject to voter approval (Measure R); and

WHEREAS, Measure R was approved by the voters on November 5, 2002; and

WHEREAS, the utility users' tax is solely for the purpose of providing revenue for the usual current expenditures of the City; and

WHEREAS, Ordinance 109.3 requires that the City Council review this tax on an annual basis at the same time as it reviews its proposed annual budget; and

WHEREAS, the proposed FY 2021-22 Annual Budget requires the continuation of the collection of the utilities users' tax for FY 2021-22.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the City Council hereby approves the continued collection of the utility users' tax through June 30, 2022.

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 16th day of June, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Derek Timm, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

RESOLUTION NO. 1932.2

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A MINIMUM RESERVE POLICY FOR THE GENERAL FUND, GENERAL CAPITAL IMPROVEMENT FUND, RECREATION ENTERPRISE FUND AND WASTEWATER ENTERPRISE FUNDS FOR FY 2021-22

WHEREAS, the terms "fund balances" and "reserves" describe the net position of governmental and/or proprietary funds that measure the financial resources available within a fund; and

WHEREAS, maintaining adequate levels of reserves that help mitigate current and future financial risks due to revenue shortfalls and/or unanticipated capital or operating expenditures represent a best practice used by governmental agencies; and

WHEREAS, the City Council desires to establish a formal policy on the level of unassigned fund balance/reserves that should be maintained in the City's General Fund, General Capital Improvement Fund, Recreation Enterprise Fund and Wastewater Enterprise Funds; and

WHEREAS, the level of fund balances/reserves to be maintained represent a targeted minimum reserve level that will be used for fiscal planning purposes that would trigger action on the part of the City Council and staff to implement remedies to maintain the fiscal health of the City.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that a minimum reserve policy is hereby established for the General Fund, General Capital Improvement Fund, Recreation Enterprise Fund and Wastewater Enterprise Funds for FY 2021-22 and future years, unless amended, as follows:

- **General Fund** – a targeted minimum reserve equal to 17% (or, approximately two months) of annual operating expenditures plus net transfers out to other funds
- **General Capital Improvement Fund** – a targeted minimum reserve equal to $500,000 for emergency capital infrastructure replacement needs not funded by other sources
- **Recreation Enterprise Fund** – a targeted minimum reserve equal to zero ($0), with the General Fund subsidizing any deficits through a transfer of unassigned available reserves
- **Wastewater Enterprise Funds** – a targeted minimum operating reserve equal to 50% (or, approximately six months) of annual operating expenses, plus $1,000,000 in capital reserves for emergency capital infrastructure replacement.

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 16th day of June, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Derek Timm, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

CITY OF SCOTTS VALLEY COUNCIL POLICY MANUAL

TITLE: MINIMUM RESERVE POLICY	**POLICY NUMBER:** 04-17
EFFECTIVE DATE: 6/30/2017	**PAGES:** 1
REVISED DATES: 6/20/2018; 6/16/2021	

APPROVED BY: Derek Timm, Mayor

POLICY

This policy establishes a minimum reserve policy for the General Fund, General Capital Improvement Fund, Recreation Enterprise Fund and Wastewater Enterprise Funds for FY 2021-22 and future years unless amended.

SCOPE

- The terms "fund balances" and "reserves" describe the net position of governmental and/or proprietary funds that measure the financial resources available within a fund; and,
- Maintaining adequate levels of reserves that help mitigate current and future financial risks due to revenue shortfalls and/or unanticipated capital or operating expenditures represent a best practice used by governmental agencies; and,
- The City Council desires to establish a formal policy on the level of unassigned fund balance/reserves that should be maintained in the City's General Fund, General Capital Improvement Fund, Recreation Enterprise Fund and Wastewater Enterprise Funds; and,
- Level of fund balances/reserves to be maintained represent a targeted minimum reserve level that will be used for fiscal planning purposes that would trigger action on the part of the City Council and staff to implement remedies to maintain the fiscal health of the City.

OBJECTIVES

A minimum reserve policy is hereby established for the General Fund, General Capital Improvement Fund, Recreation Enterprise Fund and Wastewater Enterprise Funds for FY 2021-22 and future years, unless amended as follows:

- **General Fund** – a targeted minimum reserve equal to 17% (or, approximately two months) of annual operating expenditures plus net transfers out to other funds;
- **General Capital Improvement Fund** – a targeted minimum reserve equal to $500,000 for emergency capital infrastructure replacement needs not funded by other sources;
- **Recreation Enterprise Fund** – a targeted minimum reserve equal to zero ($0), with the General Fund subsidizing any deficits through a transfer of unassigned available reserves;
- **Wastewater Enterprise Funds** – a targeted minimum operating reserve equal to 50% (or, approximately six months) of annual operating expenses, plus $1,000,000 in capital reserves for emergency capital infrastructure replacement.

APPROVED AS TO FORM:

_____
Kirsten Powell, City Attorney

AGENDA ITEM G
DATE: 6-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Casey Estorga, Administrative Services Director

APPROVED: Tina Friend, City Manager

SUBJECT: **AUTHORIZATION TO EXECUTE AN AGREEMENT WITH NEOGOV FOR HUMAN RESOURCES SERVICES**

SUMMARY OF ISSUE

The City of Scotts Valley (City) administers human resources services for over 60 FTEs. This includes elements such as recruitment and retention services, benefit administration, onboarding/offboarding, timecard and payroll administration, staff development, employee evaluations, personnel file maintenance and preservation, as well as numerous other human resources functions. In most cases, the processes to administer these functions have remained unchanged for decades. The workload is heavily reliant on manual tasks, including manual data entry, and requires significant staff time from individual employees as well as an exorbitant amount of staff time from human resources and finance personnel administering each function.

Management conducted a needs analysis of the City's human resources operation to analyze the performance of the City's existing functions, future human resources needs, staff's capacity to meet these dynamic needs now and in the future, as well as analyzing best practices throughout the public sector human resources and finance industries.

As a result, management concluded the City's processes were antiquated and did not adequately utilize contemporary technology that would result in operational efficiencies, including improved timeliness and accuracy for nearly all human resources work products.

To respond to the City's needs, management conducted a review of multiple technology solutions and evaluated how they could meet the City's specific, and often unique, human resources needs. This exploration included speaking with multiple vendors and numerous government agencies throughout the country to learn about various technology products, costs and operational considerations. Through this review, the City discovered that vendors offering popular off-the-shelf products would fail to meet the City's human resources needs without extensive customization, thus deeming those options cost prohibitive.

However, this search revealed a vendor that could meet the City's needs. NeoGov was deened the preferred and most responsive vendor, in great part to their robust public sector experience and series of products tailored to meet needs of government agencies like the City of Scotts Valley. Additionally, NeoGov has a dedicated small government team to assist with product integration and to respond to the City's needs now and throughout the duration of the agreement.

Some of the most notable process improvements that will result from an agreement between the City and NeoGov includes transitioning from paper-based processes for functions like timecards, onboarding, recruitment, and benefits administration to a web-based platform that provides users (existing employees and job candidates) with a singular dashboard for nearly all human resources needs. A candidate will be able to apply for a job and schedule interviews, then complete new hire paperwork, select a benefits package, enter timecards and retrieve pay stubs, access online training materials, and review performance evaluation documentation all within the same web-based portal. This is a substantial improvement from the City's existing process where completing these same tasks would require interactions with numerous City staff and a dependence on paper-based, manual processes and dozens of staff hours each month.

FISCAL IMPACT

The total contract amount is $85,609.62 for a three-year term starting July 1, 2021. Payments to the vendor are due annually and with the first year's fees being fully incorporated into the FY 2021-22 Proposed Budget that is currently under consideration by the City Council. If the contract is approved, costs for year 2 and year 3 of the agreement will be included in future budgets.

This contract will be supported by General Fund dollars. However, the NeoGov product bundle will introduce operational efficiencies into numerous City processes that will directly and substantially decrease the amount of staff time necessary to manually administer human resources functions that impact all City employees. It is anticipated that cost-savings from operational efficiencies will wholly offset the costs of this agreement.

STAFF RECOMMENDATION

It is recommended that the City Council authorize the City Manager to execute a three-year agreement, in a form approved by the City Attorney and any amendments thereto, with NeoGov for a not-to-exceed amount of $85,609.62 for human resources services.

TABLE OF CONTENTS PAGE

NeoGov Human Resources Management Suite Quotation 3

NEOGOV



HUMAN RESOURCES MANAGEMENT SUITE

for the public sector

Exhibit A
Order Form

NEOGOV

NEOGOV

Governmentjobs.com, Inc. (dba "NEOGOV")
300 Continental Blvd, Suite 565
El Segundo, CA 90245
United States
billing@neogov.com

Customer:

Scotts Valley, City of (CA)
1 Civic Center DR
Scotts Valley, CA 95066-4197
USA

Quote Valid From: 5/13/2021
Quote Valid To: 6/12/2021

Quote Number: Q-01835
Payment Terms: Annual Net 30

Order Summary

Year 1 — Year 1 License Fees Free, Training and Set Up Fees Due (see below)

Service Description	Start Date	End Date	Term Price
Manage Module Includes Payroll, Time & Attendance License, Benefits,Core & HR.			$0.00
Recruit Module Includes Insight License, Onboard License, Government Jobs, Candidate Text Messaging (CTM)			$0.00
eForms License			$0.00
Payroll Services License			$0.00
		Year 1 TOTAL:	$0.00

Year 2

Service Description	Start Date	End Date	Term Price
Manage Module Includes Payroll, Time & Attendance License, Benefits,Core & HR.			$21,810.01

DRAFT

Service Description	Start Date	End Date	Term Price
Recruit Module Includes Insight License, Onboard License, Government Jobs, Candidate Text Messaging (CTM)			$9,222.42
eForms License			$5,346.00
Payroll Services License			$1,508.00
		Year 2 TOTAL:	$37,886.43

Year 3

Service Description	Start Date	End Date	Term Price
Manage Module Includes Payroll, Time & Attendance License, Benefits,Core & HR.			$23,092.95
Recruit Module Includes Insight License, Onboard License, Government Jobs, Candidate Text Messaging (CTM)			$9,683.54
eForms License			$5,613.30
Payroll Services License			$1,583.40
		Year 3 TOTAL:	$39,973.19

Year 1 Year 1 License Fees Free, Training and Set Up Fees Due (see below)

Service Description	Start Date	End Date	Term Price
Manage Module Setup And Training			$1,750.00
Recruit Module Setup And Training			$3,500.00
eForms Setup and Training			$2,500.00
		Year 1 TOTAL:	$7,750.00

ORDER TOTAL: **$85,609.62**

DRAFT

A. Terms and Conditions

1. Agreement. This Ordering Document and the Services purchased herein are expressly conditioned upon the acceptance by Customer of the terms of the NEOGOV Services Agreement either affixed hereto or the version most recently published prior to execution of this Ordering Form available at https://www.neogov.com/service-specifications. Unless otherwise stated, all capitalized terms used but not defined in this Order Form shall have the meanings given to them in the NEOGOV Services Agreement.
2. Effectiveness & Modification. Neither Customer nor NEOGOV will be bound by this Ordering Document until it has been signed by its authorized representative (the "Effective Date"). Unless otherwise stated in this Ordering Document, all SaaS Subscriptions shall commence on the Effective Date. This Ordering Document may not be modified or amended except through a written instrument signed by the parties.
3. Summary of Fees. Listed above is a summary of Fees under this Order. Once placed, your order shall be non-cancelable and the sums paid nonrefundable, except as provided in the Agreement.
4. Order of Precedence. This Ordering Document shall take precedence in the event of direct conflict with the Services Agreement, applicable Schedules, and Service Specifications.

DRAFT

"Scotts Valley, City of (CA)"		NEOGOV	
Signature:		**Signature:**	
Print Name:		**Print Name:**	
Date:		**Date:**	

AGENDA ITEM H
DATE: 6-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Casey Estorga, Administrative Services Director

APPROVED: Tina Friend, City Manager

SUBJECT: **ADOPT RESOLUTION APPROVING THE ANNUAL SUBMITTAL OF CITY OF SCOTTS VALLEY INVESTMENT POLICY**

SUMMARY OF ISSUE

The State of California Government Code Section 53646 was amended in 2010 and states that a City Treasurer may submit the City Investment Policy to the City Council for review and approval. While not required, it is a best practice to have the local governing body review and approve its investment policy.

The City's existing Investment Policy, last adopted on June 3, 2020, is attached at the end of this Staff Report for your information. Staff recommends that no changes be made to the existing Investment Policy at this time.

The City's Investment Policy affirms the City's fiduciary responsibility to safeguard public assets. A high priority is placed on ensuring the safety of principal and that the City's liquidity needs for payroll and other City obligations are met prior to considering yield on the investment.

The investments authorized in Investment Policy are typical governmental investments and are broadly recognized as reasonably safe investments. More risky investments, such as derivative investments or reverse repurchase agreements, have been categorically excluded from the City's Investment Policy. Typically, the City invests most of its cash other than bond proceeds in the State of California Local Agency Investment Fund (LAIF), which has proved to be a safe investment with a good yield and highly liquid.

A glossary of investment security terms and a summary of permitted investments and limitations are included at the back of the Investment Policy, as a guide to the reader.

FISCAL IMPACT

No change is recommended and approving the Investment Policy will have no fiscal impact. Investment reports are provided to the City Council each month, as required by the City's existing Investment Policy.

STAFF RECOMMENDATION

It is recommended that the City Council adopt Resolution No. 1139.25 approving the Investment Policy for the City of Scotts Valley.

TABLE OF CONTENTS PAGE

Resolution No. 1139.25 3
Investment Policy 4

RESOLUTION NO. 1139.25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING THE INVESTMENT POLICY FOR THE CITY OF SCOTTS VALLEY

WHEREAS, under government Code Section 53646, et seq, the City Treasurer may submit the City's Investment Policy for City Council approval; and

WHEREAS, it is in the public's best interest that an investment policy be approved by the City Council so that the public assets will be properly safeguarded and invested.

NOW THEREFORE be it resolved by the City Council of the City of Scotts Valley that the attached Investment Policy (Exhibit "A") is hereby approved.

This resolution was passed and adopted on the 16th day of June, 2021, at a duly held regular meeting of the City Council of the City of Scotts Valley by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Derek Timm, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

CITY OF SCOTTS VALLEY COUNCIL POLICY MANUAL

TITLE: INVESTMENT POLICY	**POLICY NUMBER:** 05-17
EFFECTIVE DATE: 6/5/2019	**PAGES:** 11
REVISED DATES: 6/03/2020, 6/16/2021	
APPROVED BY: Randy Johnson, Mayor	

A. PURPOSE

This investment policy is designed to develop a clear understanding for the City Council, City staff, citizens, and third parties of the objectives, policies, and guidelines for the investment of City funds which are not required for immediate needs. The investment policy also offers guidance to investment staff and to any external investment advisors on the investment of City funds.

This statement is intended to provide direction for the investment of the City's temporary idle cash under the prudent investor rule. Civil Code Section 2261, et seq. states in part "...When investing...for the benefit of another, a trustee shall act with the care, skill, prudence, and diligence...that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise..."

B. OBJECTIVES

The City's ultimate investment goal is to enhance the economic condition of the City while ensuring the safety of funds invested and assuring that money is always available when needed.

The City strives to maintain the level of investment of all idle funds as near 100% as possible, through the optimum operation of its cash management system which is designed to accurately monitor and forecast expenditures and revenue. The City attempts to obtain the highest yield on its investments with preservation of principal and liquidity.

The primary objective of the investment policy of the City of Scotts Valley is SAFETY. Investments shall be placed only in securities described in this policy, authorized by federal, state, and local laws and regulations, and managed in a manner that seeks to ensure the preservation of principal. The portfolio shall also be appropriately diversified to avoid incurring unreasonable risks regarding specific types of individual financial institutions. Maximizing interest earned is a secondary objective once safety, liquidity, and legality have been assured.

C. DELEGATION OF AUTHORITY

The City delegates the authority to invest to the City Manager and City Treasurer and appropriate assistant, subject to the limitations set forth in the Investment Policy and Investment Guidelines. The City holds its public investor harmless for responsible investment transactions undertaken in accordance with the Investment Policy, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

The City may delegate the investment of City funds to a professional investment advisor registered under the provisions of the Investment Advisors Act of 1940, subject to approval by the City Council. All investments shall be consistent with this Investment Policy and procedures established by the City Treasurer.

D. ETHICS AND CONFLICT OF INTEREST

Officers and employees involved in the investment process shall refrain from personal business activity that conflicts with proper execution of the investment program or impairs their ability to make impartial decisions. Additionally, the City Manager and City Treasurer are required to annually file applicable financial disclosures as required by the Fair Political Practices Commission (FPPC).

E. INVESTMENT GUIDELINES AND INVESTMENT STRATEGY

The City uses a set of written Investment Guidelines which define the procedures for investing within the directives of the Investment Policy. In accordance with the Investment Guidelines, investment strategy is used to maximize yield depending on market conditions.

To maximize returns, the economy and various markets are monitored carefully in order to assess the probable course of interest rates. The City lengthens its maturities when rates are falling and shortens maturities when rates are rising. The City attempts to take advantage of imperfections in the market where a security's price is out of line with other investments, and tries to improve yields during cyclical changes in interest rates.

F. SCOPE

This policy applies to all cash assets of the City of Scotts Valley, the Scotts Valley Redevelopment Agency, and the Scotts Valley Public Financing Authority. Included are all pooled funds accounted for in the City's Comprehensive Annual Financial Report, as follows:

- General Funds
- Special Funds
- Debt Service Funds
- Capital Project Funds
- Internal Service Funds
- Enterprise Funds
- Trust and Agency Funds

Excluded funds are those, held by a fiscal agent, over which the City does not exercise control over investment of the funds.

G. PERMITTED INVESTMENTS AND LIMITATIONS ON INVESTMENT

The investment of surplus funds is governed by California Government Code Section 53601 et seq. and by California Government Code section 53630 et seq.

Funds not deposited in banks may be invested in the securities described in sections a-j below. The maximum maturity of any securities purchased shall not exceed five (5) years from date of purchase, unless specified below as shorter than five years, or unless a longer maturity is allowed by bond documents for the investment of bond proceeds, as described in section 1 below. All investments shall be subject to limitations as described herein.

1. Obligations of the U.S. Treasury, or securities guaranteed by the full faith and credit of the United States ("Treasury Obligations"), excluding securities which have been stripped of their coupons.

    a. There is no limitation to the percent of the portfolio which may be held in these Treasury obligations.

2. Obligations which are guaranteed by the full faith and credit of agencies or instrumentalities of the U.S. government ("Agency obligations"), including but not limited to FNMA, FFCB, FHLB, and SLMA.

    a. There is no limitation to the percent of the portfolio which may be held in these Agency obligations.

3. Negotiable certificates of deposit at banks, the short-term obligations of which are rated A1 or higher by Standard and Poor's or rated P1 or higher by Moody's Investors Service, and the long term obligations (if any) of which are rated A or higher by Standard and Poor's or by Moody's Investors Service, or the equivalent by another recognized rating agency.

    a. The maximum maturity of certificates of deposit may not exceed five years.

    b. No more than 30% of the portfolio, excluding bond proceeds, may be invested in certificates of deposit.

    c. The institution must be located in California.

    d. The institution must have current financial information, a signed contract, and a waiver on file with the City.

    e. The institution must maintain a net worth to asset ratio of at least 30% and have a positive earnings record.

    f. The institution must be at least 3 years old.

    g. For collateralized investments, the institution must have at least $500 million in assets.

4. Banker's acceptances issued by banks, the short term obligations of which are rated A1 or higher by Standard and Poor's or rated P1 or higher by Moody's Investors Services, or the equivalent by another nationally rating agency.

    a. The maximum maturity of banker's acceptances may not exceed 180 days.

    b. No more than 40% of the portfolio, excluding bond proceeds, may be invested in banker's acceptances.

5. Commercial paper issued by corporations, the short term obligations of which are rated A1 or higher by Standard and Poor's, or P1 by Moody's Investor Services, or the equivalent by another nationally recognized rating agency.

    a. The maximum maturity of commercial paper may not exceed 270 days.

    b. Eligible paper is limited to notes issued by corporations organized and operating within the United States and having total assets in excess of $500 million, and having a long term debt rating of "A" or higher.

    c. No more than 15% of the portfolio, excluding bond proceeds, may be invested in commercial paper.

    d. An additional 15% of the portfolio (for a total of 30%), excluding bond proceeds, may be invested in commercial paper if the dollar-weighted average maturity of the entire amount does not exceed 31 days.

6. Repurchase agreements collateralized by any securities permitted under paragraphs 1. and 2. of this section of this policy (Treasury obligations or Agency obligations).

    a. The term of a repurchase agreement may not exceed 30 days.

    b. The market value of securities shall not be less than 102% of the repurchase amount.

    c. No more than 15% of the portfolio, excluding bond proceeds, may be invested in repurchase agreements.

    d. The repurchase agreements shall be subject to a master repurchase agreement between the City and the provider of the repurchase agreement. The repurchase agreement shall be substantially in the form developed by the Public Securities Association.

    e. Collateral underlying repurchase agreements shall be delivered to the City's custodial bank. Clearly marked evidence of ownership (safekeeping receipts) must be supplied to the bank.

7. Corporate medium notes, rated A or higher by Moody's Investor Services and by Standard and Poor's.

    a. No more than 30% of the portfolio, excluding bond proceeds, may be invested in corporate medium term notes.

8. Mortgage pass through securities issued by an agency of the U.S. government.

    a. No more than 15% of the portfolio, excluding bond proceeds, may be invested in mortgage pass through securities.

9. Money market mutual funds with a minimum of $250 million is assets which invest in securities described in a. through h. above, provided:

    a. The fund has attained the highest rating provided by two of the three largest nationally recognized rating agencies, or

    b. The fund has an investment advisor registered with the Securities and Exchange Commission with not less than five year's experience investing in the securities and obligations in a. through h. above.

    c. No more than 15% of the portfolio, excluding bond proceeds, may be invested in money market mutual funds.

10. The State of California "Local Agency Investment Fund" ("LAIF") and the "Investment Fund of California" ("CalTRUST").

    a. No more than the maximum deposit allowed per agency set by the State Treasurer may be invested in LAIF.

    b. No more than 30% of the portfolio, excluding bond proceeds, may be invested in CalTRUST.

11. The City of Scotts Valley also utilizes deposits from commercial banks for regular depository services including operating and payroll accounts. Utilization of "sweep" account services provides short term interest on operating funds. Interest-bearing accounts may also be maintained for certain individual City funds.

    a. Deposits in local banks or savings and loans must be consistent with the basic investment goals which stress safety and liquidity above yield.

    b. All bank and savings and loan association deposits shall be insured by the FDIC or, to the extent not insured, be collateralized with securities in accordance with California law.

12. Bond proceeds, obligations under lease, installment sales, or proceeds from other agreements of the City may be invested with more flexibility, in accordance with Section 53601 of the California Government Code, in any security that meets the statutory provisions governing the issuance of bonds or other agreements made by the City.

H. POLICY CRITERIA FOR SELECTING INVESTMENTS, IN ORDER OF PRIORITY

1. **Safety**

Safety and the minimization of risk associated with investing refers to attempts to reduce the potential for loss of principal, interest, or combination of the two. The first level of risk control is found in state law which restricts the particular types of investments permitted

for municipalities. The second level of risk control is reduction of default risk by investing in instruments that appear upon examination to be the most creditworthy. The third level of risk control is reduction of market risk by investing in instruments that have maturities coinciding with dates of disbursement, thereby eliminating risk of loss from a forced sale. The City only invests in those instruments that are considered very safe.

2. **Liquidity**

Liquidity refers to the "ability to easily sell" at any time with a minimal risk of losing some portion of principal or interest. Liquidity is an important quality for an investment to have, for at any time the City may have unexpected or unusual circumstances that result in larger disbursements than expected, and some investments may need to be sold to meet the contingency. Most investments of the City are highly liquid, with the exception of bond proceeds. Maturities of investments are selected in anticipation if disbursement needs, thereby obviating the need for forced liquidation or lost interest penalties.

3. **Yield**

Yield is the potential dollar earnings an investment can provide, and also is sometimes described as the rate of return. The City attempts to obtain the highest yield possible when selecting an investment, provided that the criteria stated in the Investment Policy for safety and liquidity are met and provided that the Investment Guidelines and Strategy are followed.

I. POLICY CONSTRAINTS

The City operates its investment program with many state and self-imposed constraints. The City does not speculate; it does not buy stocks; it does not deal in futures or options; it does not purchase on margin through reverse repurchase agreements. The weighted average life of the portfolio is maintained within the limits dictated by the cash flow needs of the City and by Investment Guidelines. The City diversifies its investments to reduce potential default on market risks. The portfolio is carefully monitored to assure the prudent management of the portfolio.

J. SELECTION OF INVESTMENT CONTACTS

The City determines those firms with which it will do investment business through a process outlined in the Investment Guidelines. The City will not invest with any firm not on the approved list of Investment Contacts.

K. SAFEKEEPING

All securities in the City's portfolio are maintained in the City's vault or in an acceptable safekeeping account with a perfected interest in the City's name, and are evidenced by safekeeping receipts. All transactions will be conducted as delivery-vs-payment settlements.

L. INVESTMENT CONTROLS

The City Treasurer has developed a system of internal investment controls and a segregation of responsibilities of investment functions, in order to assure an adequate system of internal controls over the investment function. The controls are designed to prevent losses of public funds arising from fraud, employee error, misrepresentation of third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City of Scotts Valley. Controls deemed most important include: clear delegation of authority to subordinate staff members, separation of transaction authority from accounting and recordkeeping, supervisory control of employee actions, written confirmation of all transactions, minimizing the number of authorized investment officials, documentation of transactions and strategies, custodial safekeeping, avoidance of bearer-form securities, specific limitations regarding securities losses and remedial actions, proper review and approval of brokerage accounts and investment transactions, and control of collusion.

M. INVESTMENT REPORTS

1. The City Treasurer many annually render a Statement of Investment Policy to the City Council for their approval at a public meeting per California Government Code section 53646(a).

2. The City Treasurer may generate and forward to the City Manager and City Council a monthly report within 30 days after the end of each month. Included in these types of reports are: type of investment, issuer, date of maturity, face value, cost of security, current market value (and source of valuation), yield, citation of compliance with the investment policy (or explanation), and a statement of the City's ability to meet expenditure requirements for the next 6 months.

N. INVESTMENT AUDITS

Annually, there shall be both internal and external audits of the City's Investment Program to assure compliance with the Investment Policy, Investment Guidelines, and Investment Controls.

O. INVESTMENT PERFORMANCE EVALUATION

Annually, the City Council, at the time that the Investment policy is brought to the City Council, shall review and evaluate the investment program and update the Statement of Investment Policy. The City Manager shall review the Investment guidelines semi-annually.

P. RATING OF SECURITIES

Only securities which meet the ratings specified above may be purchased. If the rating of a security which the City owns is downgraded below these rating standards, the Treasurer shall determine whether to retain or liquidate the security, based upon the new rating, the reason for the re-rating, the maturity date, the amount, and the market value of the security.

Q. INVESTMENT GUIDELINES

1. Cash Availability Guidelines

a. Cash flow analysis is developed which serves as a basis for determining the cash available for investment and maturity dates needed to cover future disbursements.

b. A close rapport is maintained with all departments having a significant impact on cash flow to ensure receipt of timely and accurate data.

c. Where practical, revenue receipts are consolidated into one bank account and invested on a pooled concept basis. Interest earnings are allocated according to fund cash and investment balances.

d. Active bank balances are kept as low as possible without jeopardizing good banking relationships by maintaining investment of available cash as near to 100% as possible.

c. Bank balances are obtained weekly to assure accurate and detailed information.

d. Sufficient funds are maintained in very liquid investments to meet most unexpected contingencies.

2. Investing Guidelines

a. A close working relationship is maintained with a list of well-established brokers, dealer/brokers, and bankers whose proven technical knowledge and expertise is of assistance in making investment decisions.

b. Economic data, forecasts, and conditions are continuously obtained from financial experts in the field and evaluated as to impact on investment decisions.

c. Business journals are routinely reviewed and education programs are attended to enhance knowledge and professional skills required to manage an investment portfolio.

d. Only investments authorized by the Investment Policy are transacted. Investments are made with qualifying institutions based only on competitiveness of interest rates offered.

e. Purchases of investments are made with the intent of holding the investments to maturity. If, under favorable market conditions, investments of similar maturities can be swapped or traded and portfolio performance can be improved without compromising safety, the trades may be transacted.

f. Individuals authorized by delegation to assist the City Treasurer and City Manager in conducting transactions are limited to purchases of 90 days maturity or less, and are limited to transactions of no more than $100,000 in size, unless specifically otherwise authorized under unusual circumstances.

3. **Guidelines for Broker/Dealer and Banker Relationships**

a. A list of approved brokers, broker/dealers, banks, and savings and loans is reviewed monthly based upon the following:

(1) Being authorized under California Government Code section 53635.5 to transact investments with local agencies.

(2) Receipt of positive audited financial statements.

(3) Being in business for a minimum of three years.

b. The City Treasurer reviews and acts on requests to be on the approved list and accompanying financial statements.

c. There is a formal filing system of the required information for those on the approved list, which provides for an annual report of updated financial information.

e. There is a timely transaction monitoring system to ensure that all documents and confirmation are received and are correct.

f. Transactions are monitored monthly to assure that there are no undue concentrations of investments with any single firm.

GLOSSARY OF INVESTMENT SECURITIES

a. **Obligations of the U.S. Treasury** - Debt obligations backed by the full faith and credit of the U.S. Government. They are issued with initial maturities from three months to 30 years.

b. **Agency Obligations** - Obligations guaranteed by the full faith and credit of agencies and instrumentalities of the U.S. Government, such as FNMA, FFCB, FHLB, and GNMA.

c. **Negotiable Certificates of Deposits** - A bank deposit issued in negotiable form (i.e., one that can be bought or sold in the open market).

d. **Banker's Acceptance** - A draft that is drawn and accepted by banks. Because the accepting institution is obligated to pay the draft without regard to whether it is paid or not, banker acceptances are considered to be high quality money market instruments.

e. **Commercial Paper** - Unsecured promissory notes issued by corporations to fund short term cash requirements.

f. **Repurchase Agreement** - An agreement in which an investor buys securities from a contra-party with the provision that the buyer must sell the securities back to the contra-party at a specific date at a pre-agreed upon price. The repurchase amount is expressed as principal plus interest at an agreed upon rate.

g. **Corporate Medium Term Note** - An obligation of a corporation issued with an initial term of maturity of nine months to 15 years.

h. **Mortgage Pass Through Certificates** - Bonds backed by an undivided interest in a pool of mortgages or trust deeds. Income and principal from the underlying mortgages is used to pay off the securities.

i. **Money Market Mutual Funds** - Mutual funds which invest in short term securities and strive to maintain a share price of $1.

j. **Local Agency Investment Fund (LAIF)** - An investment pool managed by the California State Treasurer's Office to provide safe, low cost, and highly liquid investment alternative for California's local governmental agencies.

Investment Trust of California - More commonly known as CalTRUST, a trust created for public agencies to provide for the investment of pooled funds of its participants.

k. **Demand Deposits** - A deposit of monies where the monies are payable by the bank upon demand of the depositor.

PERMITTED INVESTMENTS AND LIMITATIONS ON INVESTMENT

Investment Type	Percent of Portfolio	Maximum Life	Other Requirements
a. US Treasury	No Limit	5 Years	No Strips
b. Agencies of US Government	No Limit	5 Years	
c. Certificates of Deposit	30%	5 Years	Rated A1/P1
d. Banker's Acceptances	40%	180 Days	Rated A1/P1
e. Commercial Paper	15% (30% if weighted dollar)	270 Days (Average <31 days)	Rated A1/Pa US Corporations Assets >$500 M LTD Rated A
f. Repurchase Agreements	15%	30 Days	Collateralized Market >102%
g. Corporate Medium Term Notes	30%	5 Years	Rated A
h. Mortgage Pass-Through	15%	5 Years	US Government Only
i. Money Market Mutual Funds	15%	N/A	Assets >$250M Invests only in a-h above. Highest rating possible. Registered Advisor
j. LAIF Investment Trust of California	LAIF Limit 30%	N/A N/A	
k. Demand Deposits	No Limit	N/A	FDIC or collateralized

APPROVED AS TO FORM:

_____
Kirsten Powell, City Attorney

AGENDA ITEM I
DATE: 6-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Casey Estorga, Administrative Services Director

APPROVED: Tina Friend, City Manager

SUBJECT: **2021/2022 APPROPRIATIONS LIMIT (GANN INITIATIVE)**

SUMMARY OF ISSUE

In 1979, State voters approved Proposition 4, commonly known as the Gann Initiative. The Proposition created Article XIIIB of the State constitution placing limits on the amount of certain revenue, called proceeds from taxes, which can be spent (appropriated) by governmental entities. In 1990, the State voters approved Proposition 111, which modified the formula for calculating the limit and required an annual review of the limit.

The Appropriations Limit is based on adjusting the previous year's limit by two factors. The City can select one factor from the following two sets of factors:

- Percentage change in population in the City of Scotts Valley, or
- Percentage change in population in the County of Santa Cruz, and

and

- Percentage change in the local nonresidential new construction assessment roll for the City of Scotts Valley (to be used as the change in the cost of living), or
- Percentage change in the per capita personal income in the State of California.

All of the above factors are provided by the State of California, except for the local new construction assessment which is provided by the County of Santa Cruz. The factors for the FY 2020/21 calculation are as follows:

Percentage change in population in the City of Scotts Valley:	0.35%
Percentage change in population in the County of Santa Cruz:	-3.41%
Percentage change in local nonresidential new construction:	0.0336%
Percentage change in per capita personal income in the State:	5.73%

FISCAL IMPACT

Using the percentage change in population in the City of Scotts Valley at 0.35% and the percentage change in the per capita personal income in the State at 5.73% will produce the highest appropriations limit for 2021/22. With $207,393,687 being the appropriations limit from FY 2020-21, the appropriations limit formula for FY 2021-22 is as follows:

[(1.0035 x 1.0573) x 207,393,687 = $220,044,816

The appropriations subject to this limit based on the proposed budget for FY 2021-22 is $11,766,264. Therefore, the City of Scotts Valley is well below its appropriations limit.

STAFF RECOMMENDATION

It is recommended that the City Council adopt Resolution No. 1007.34 making certain findings including the selection of the two factors stated in the Fiscal Impact section above and adopting the 2021/2022 appropriations limit of $220,044,816.

TABLE OF CONTENTS PAGE

Resolution No. 1007.34 3
Bulletin from the State Department of Finance on Price and Population Data for Local Jurisdiction dated May 2021 4
Santa Cruz County Nonresidential Transactions 7

RESOLUTION NO. 1007.34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY MAKING CERTAIN FINDINGS AND DETERMINATIONS IN COMPLIANCE WITH SECTION XIII B OF THE CALIFORNIA CONSTITUTION (GANN INITIATIVE) AND SETTING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2021/2022

BE IT RESOLVED by the City Council of the City of Scotts Valley that in compliance with Section XIII B of the Constitution of the State of California, the following is hereby found and determined:

1. That the appropriations limit for fiscal year FY 2020/2021 was $207,939,687.

2. That the change in population in the City of Scotts Valley in 2020, according to the State of California was 0.35%, was selected as a factor.

3. That during fiscal year 2020/21, according to the State, the percentage change in per capita personal income in California was 5.73%, was selected as a factor.

4. That the appropriations limit under the Gann Initiative for FY 2020/2021 is $220,044,816.

5. That the change in cost of living is selected to be the change in per capita personal income.

6. That the documentation for establishing the appropriations limit for 2021/2022 was prepared by the Finance Department and presented to the City Council on June 16, 2021.

7. That more than 15 days have elapsed since documentation used in this determination was made available to the public.

The foregoing resolution was adopted by the City Council of the City of Scotts Valley at a regularly scheduled meeting held on the 16th day of June, 2021 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Approved:_____
Derek Timm, Mayor

Attest:_____
Tracy A. Ferrara, City Clerk

Previous Roll Year - 2019/20
AB8 Roll Year - 2020/21

SANTA CRUZ COUNTY NONRESIDENTIAL CONSTRUCTION TRANSACTIONS
DISTRIBUTED AMOUNTS BY INDEX
Includes all new construction to be completed in 2020

GLKey	Fund Description	Non Residential Growth from Construction	Current Roll Assessed Vallue	Previous Roll Assessed Value	Change in Assessed Value	Non Residential Growth %
131220	**S C COUNTY GENERAL**	**16,373,176**	**50,444,263,768**	**48,214,931,553**	**2,229,332,215**	**0.7344%**
131610	**CAPITOLA CITY TR**	**55,041**	**2,735,653,131**	**2,613,684,913**	**121,968,218**	**0.0451%**
131622	**SANTA CRUZ CITY TR**	**7,760,680**	**10,873,802,074**	**10,391,986,604**	**481,815,470**	**1.6107%**
131627	SANTA CRUZ PARKING #1	854,829	442,951,779	421,199,240	21,752,539	3.9298%
131630	**SCOTTS VALLEY CITY TR**	**51,776**	**3,099,061,367**	**2,945,122,189**	**153,939,178**	**0.0336%**
131648	**WATSONVILLE CITY - TRUST**	**318,629**	**4,610,334,305**	**4,440,954,739**	**169,379,566**	**0.1881%**
131855	COUNTY LIBRARY	750,621	37,506,170,179	35,833,281,203	1,672,888,976	0.0449%
134910	REC & PARKS - CO SERV AREA #11	61,005	26,667,318,645	25,480,417,220	1,186,901,425	0.0051%
135461	SC FLOOD CONT & WTR CONS ZONE 4	152,438	50,442,120,319	48,212,830,130	2,229,290,189	0.0068%
135462	SC FLOOD CONT & WAT CONS DISTGEN	129,918	50,444,263,768	48,214,931,553	2,229,332,215	0.0058%
304100	COUNTY FIRE	710,194	4,422,861,791	4,215,414,286	207,447,505	0.3423%
622115	CO HWY SAFETY SERVICE AREA #9	56,225	29,127,657,320	27,825,383,528	1,302,273,792	0.0043%
622120	CO HWY SAFETY SERV AREA #9-A	47,822	13,564,213,717	12,942,409,489	621,804,228	0.0077%
622125	CO HWY SAFETY SVC AREA #9-ZN B	3,209	4,037,090,269	3,866,304,440	170,785,829	0.0019%
622245	PAJARO STORM DRAIN MAINT DIST	135,596	7,658,908,184	7,352,929,882	305,978,302	0.0443%
622350	SC FLOOD CONT & WTR CONS ZONE 5	28,565	9,838,137,774	9,378,901,503	459,236,271	0.0062%
640301	LIVE OAK SCH DIST GENL	711,629	4,337,086,463	4,158,336,302	178,750,161	0.3981%
640701	SCOTTS VAL SCH DIST GENL	308,048	4,746,488,084	4,521,921,370	224,566,714	0.1372%
640801	SOQUEL SCH DIST GENL	647,990	6,298,908,769	5,980,290,849	318,617,920	0.2034%
641101	SLV UNIF SCH DIST GENL	5,662,501	4,256,213,617	4,070,797,500	185,416,117	3.0539%
641210	COUNTY SCHOOL SERVICE	1,862,630	48,915,628,720	46,748,114,325	2,167,514,395	0.0859%
641401	S C HI SCH DIST GENL	6,849,174	23,563,903,017	22,487,037,047	1,076,865,970	0.6360%
641501	S C SCH DIST GENL	9,494,021	11,385,653,072	10,866,122,095	519,530,977	1.8274%
642001	PAJ VAL UNIF SCH DIST GENL	3,274,658	16,325,721,945	15,643,043,726	682,678,219	0.4797%
642501	642501 CABRILLO COMM COL DIST GENERAL	4,325,415	48,963,189,394	46,790,890,295	2,172,299,099	0.1991%
680600	BEN LOMOND FIRE PROT DIST	7,905	839,021,899	804,413,915	34,607,984	0.0228%
680810	BOULDER CREEK FIRE PROT DIST	5,640	1,653,932,303	1,581,655,578	72,276,725	0.0078%
680900	BLDR CREEK REC & PARK DIST	1,334	1,650,487,418	1,578,162,955	72,324,463	0.0018%
681310	CENTRAL FPD OF SANTA CRUZ COUNTY	918,289	10,825,591,514	10,322,279,571	503,311,943	0.1824%
681410	CENTRAL WATER DIST GEN	18,205	632,317,823	609,634,989	22,682,834	0.0803%
681800	FELTON FIRE PROT DIST	218,082	1,010,706,716	968,026,808	42,679,908	0.5110%
683100	PAJARO VALLEY FIRE PROTECTION DIST G	209,954	1,783,357,966	1,703,172,352	80,185,614	0.2618%
683310	PAJARO VALLEY PUB CEM DIST	39,114	8,763,565,706	8,421,538,120	342,027,586	0.0114%
684000	S C PORT DIST TR GENL	401,408	18,893,373,580	18,036,081,602	857,291,978	0.0468%
684700	SAN LOR VAL CO WAT DIST TR GEN	18,928	3,467,143,311	3,312,105,173	155,038,138	0.0122%
684810	S C CO RESOURCE CONS DIST	4,998	31,862,242,396	30,438,058,103	1,424,184,293	0.0004%
685001	SCOTTS VAL WATER DIST TR GEN	33,824	2,682,487,124	2,553,583,656	128,903,468	0.0262%
685010	SCOTTS VALLEY FIRE PROT DIST	128,763	4,965,098,807	4,734,658,302	230,440,505	0.0559%
	Total	62,632,234	571,712,210,082	546,298,823,830		

DEPARTMENT OF FINANCE
OFFICE OF THE DIRECTOR

Gavin Newsom ▪ Governor
State Capitol ▪ Room 1145 ▪ Sacramento CA ▪ 95814-4998 ▪ www.dof.ca.gov

May 2021

Dear Fiscal Officer:

Subject: Price Factor and Population Information

Appropriations Limit
California Revenue and Taxation Code section 2227 requires the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2021, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2021-22. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2021-22 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts
Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: http://leginfo.legislature.ca.gov/faces/codes.xhtml.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification
The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2021**.

Please Note: The prior year's city population estimates may be revised. The per capita personal income change is based on historical data. Given the stay-at-home orders due to COVID-19, growth in the coming years may be substantially lower than recent trends.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

KEELY MARTIN BOSLER
Director
By:

/s/ Erika Li

Erika Li
Chief Deputy Director

Attachment

A. **Price Factor**: Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2021-22 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2021-22	5.73

B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2021-22 appropriation limit.

2021-22:

Per Capita Cost of Living Change = 5.73 percent
Population Change = -0.46 percent

Per Capita Cost of Living converted to a ratio: $\frac{5.73 + 100}{100} = 1.0573$

Population converted to a ratio: $\frac{-0.46 + 100}{100} = 0.9954$

Calculation of factor for FY 2021-22: 1.0573 x 0.9954 = 1.0524

Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2020 to January 1, 2021 and Total Population, January 1, 2021

County City	Percent Change 2020-2021	--- Population Minus Exclusions --- 1-1-20	 1-1-21	Total Population 1-1-2021
Santa Cruz				
Capitola	-0.50	10,142	10,091	10,091
Santa Cruz	-13.00	64,547	56,156	56,156
Scotts Valley	0.35	11,714	11,755	11,755
Watsonville	-0.56	51,656	51,366	51,366
Unincorporated	-0.40	132,232	131,705	131,747
County Total	-3.41	270,291	261,073	261,115

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

AGENDA ITEM J
DATE: 06-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Taylor Bateman, Community Development Director

PREPARED BY: Melanie Shaffer Freitas, Contract Consultant

APPROVED: Tina Friend, City Manager

SUBJECT: **AUTHORIZE AGREEMENT FOR AFFORDABLE HOUSING PROGRAM ADMINISTRATION**

SUMMARY OF ISSUE

For over 25 years, the City of Scotts Valley (City) has actively implemented affordable housing requirements in new residential developments. The City's current inventory of "Below Market Rate" (BMR) units includes 84 rental units and 44 ownership units with an additional 6 low income owner units expected to be constructed by the end of the year (Acorn Commons/Polo Ranch). Owners/renters of these units must comply with affordability and household income requirements.

There are considerable administrative issues that the City must manage in order to maintain the inventory of existing units as well as new units added to the inventory. Examples of some of the management issues include monitoring of existing units, managing resale/refinancing, updating program procedures and forms, maintaining a website presence, etc. Currently, the City has no permanent staff capacity for this program and administration needs are being fulfilled by contract support that is soon concluding.

In April 2021, City staff issued an RFP for management of the City's BMR Program. HouseKeys, an organization based in Gilroy and provider of BMR services to numerous cities and counties, submitted a comprehensive proposal which met and exceeded expectations. Not only was their proposal very impressive but two of their current clients (City of Morgan Hill and City of San Ramon) provided high praise for their services. A copy of the City's April 2021 RFP and HouseKeys' May 2021 proposal are attached to this staff report.

FISCAL IMPACT

The total cost for this agreement may be up to $75,000, paid annually with affordable housing fees collected from development projects. Going forward, the City will be evaluating the need for a development impact fee to fund the program.

STAFF RECOMMENDATION

It is recommended that the City Council authorize the City Manager to execute a professional services agreement, and any amendments thereto, with HouseKeys, in a form approved by the City Attorney, for the administration of the City's Below Market Rate (BMR) Program in an amount not to exceed $75,000.

TABLE OF CONTENTS PAGE

Request for Proposal (April 2021) 3
HouseKeys Proposal (May 2021) 13

CITY OF SCOTTS VALLEY

REQUEST FOR PROPOSALS
AFFORDABLE HOUSING PROGRAM (BMR) ADMINISTRATION

CITY OF SCOTTS VALLEY
APRIL 2021

Background

The City of Scotts Valley invites proposals from qualified individuals and/or companies for the administration of its Affordable Housing Program.

The City has implemented a Below Market Rate (BMR) program for the production of affordable housing units for several decades, beginning in the mid-1990s. Currently, the City's inventory of BMR units includes 84 rental units and 43 ownership units, with an additional 7 ownership units approved but not yet completed. The City's Inclusionary Housing Ordinance has been and continues to be the primary mechanism for the development of affordable (BMR) housing units.

At the current time, it is projected that approximately 2 new BMR units will be added annually to the housing stock. The major focus of the BMR Administrator's efforts will be to monitor the development of new BMR units, the resale/refinance of existing BMR ownership units, the affordability and occupancy of BMR rental units and to provide recommendations for policy or program changes to enhance and increase the BMR program.

Scope of Services:

The general responsibilities of the selected BMR Administrator include, but are not limited to, the items below. If the candidate identifies opportunities to add to the scope of services, the candidate may submit an addendum to the proposal with options and associated costs.

BMR Program Administration:

- Provide information to interested persons about the City's BMR ownership and rental program.

- Update and maintain information regarding BMR opportunities and affordable housing program information on the City's website and program marketing materials.
- Coordinate and provide BMR requirements and information to developers of new BMR units. Developers of new BMR units are responsible for the marketing of the BMR unit and qualifying eligible households in coordination with the City's written process and the assistance of the Housing Authority of the County of Santa Cruz. The BMR Administrator will be responsible for assuring that all procedures meet the City's written requirements.
- Provide information and monitor the resale and refinancing of existing BMR units. Owners of existing BMR units are responsible for marketing the resale of their unit as well as qualifying eligible households in coordination with the City's written process and the assistance of the Housing Authority of the County of Santa Cruz. The BMR Administrator will be responsible for assuring that all procedures meet the City's written requirements.
- Working with the Housing Authority of the County of Santa Cruz, monitor compliance of rental and occupancy requirements for the City's BMR rental housing stock.
- Working with other City staff, refine procedures to track affordable unit data for State HCD and Department of Finance reports as well as City progress reports.
- Monitor and update as needed all forms, instruction sheets and policy documents related to the BMR program on the City's computer system as well as paper copies, when appropriate.

Affordable Housing Reporting and Monitoring

- Prepare reports as required by the State of California, Department of Housing and Community Development, Department of Finance or other agencies on the status and progress of affordable housing in the City. As requested by staff, prepare presentations and/or reports to policy makers such as the Affordable Housing Subcommittee, Planning Commission, City Council and other appropriate groups.

Affordable Housing Planning and Goal Setting

- When requested, provide recommendations to City staff and other policy makers such as the Affordable Housing Subcommittee, Planning Commission, City Council and other appropriate groups regarding revisions or changes to the City's Inclusionary Housing Program policies, BMR administrative policies and procedures, Housing Element and other affordable housing issues/programs.

Proposal Requirements

Proposals must include the information listed below and may include additional information which the candidate determines will facilitate the City's consideration.

Qualifications

Describe your organization's experience and qualification to administer the City of Scotts Valley's BMR programs including the following:

- Cover letter expressing your interest in administering the Scotts Valley programs and any information you would like to highlight.
- Project experience with other public municipalities that includes a summary of work performed, the total project cost, period over which the work was completed and the name, title and phone number of said clients to be contacted for references.
- Experience/Familiarity with affordable housing issues and State/local affordable housing requirements.
- Experience with processing real estate transactions.
- Provide example documents for compliance monitoring and certifications, marketing materials, application forms and other program materials the candidate deems appropriate.
- Relevant licenses and certifications (i.e. real estate license, housing administration certifications, etc.)

Compensation

Proposals should describe how organizations intend to bill for services, including an itemized outline of all services being proposed. Where possible, fixed costs should be itemized. If hourly billing rates would be charged and those rates would vary for different types of work, indicate what rates will be charged for each type of service.

Selection Process

City staff will determine the process by which the proposals are reviewed, although it is anticipated that the information provided in the proposals, interviews with potential candidates, a thorough background check and references will be the determinative factors in making a selection. Proposed fees, experience, service delivery, capacity and other qualifications will be important selected factors.

Dependent on the proposal selected and the amount of a proposed contract, City staff will present the proposed contract and supporting documentation to the Scotts Valley City Council for approval.

RFP Schedule

RFP Issued	April 14, 2021
Deadline for RFP Questions	April 21, 2021
RFP Q & A Posted	April 28, 2021 or sooner
Proposal Due	May 5, 2021
RFP Interviews	Week of May 10, 2021
Selection of Firm	May 19, 2021
Recommendation to City Council	Late May/Early June 2021

How to Submit Proposals

Proposals must be submitted electronically by uploading the cover letter and all supporting documents by 5 P.M., May 5, 2021. Proposals should be sent to Taylor Bateman, Community Development Director, at tbateman@scottsvalley.org

Questions

Please submit all questions in writing via email to Taylor Bateman at the email address above by April 21, 2021.

Exhibits:

Exhibit A: City of Scotts Valley Professional Services Agreement
Exhibit B: City of Scotts Valley "Affordable Housing Action Plan Brochure (2021)"
Located at https://scottsvalley.org/220/Housing

EXHIBIT A: Standard City Professional Services Agreement

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement for Professional Services ("Agreement") is made and entered into as of _____, 2021, by and between the City of Scotts Valley, a municipal corporation, hereinafter referred to as "CITY", and _____, 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: _____, whose address is_____; telephone:_____; fax:_____; Email:_____.

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 _____. 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 $_____. 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, chain, 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 risen 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 _____, 2021, at Scotts Valley, California.

CONSULTANT:	CITY: CITY OF SCOTTS VALLEY
_____	_____
By:	Tina Friend, City Manager
APPROVED AS TO FORM:	ATTEST:
_____	_____
Kirsten M. Powell, City Attorney	Tracy A. Ferrara, City Clerk

EXHIBIT "A"

SCOPE OF WORK

1. Cover Letter

May 5, 2021

Taylor Bateman
Community Development Director
tbateman@scottsvalley.org

Re: RFP: Affordable Housing Program (BMR) Administration – due May 5, 2021

Dear Taylor,

In response to the RFP issued April 14, 2021, please accept the following response packet that includes:

2. Team Experience and Client References
3. Full Client List
4. Project Description, Costs and Compensation
5. Example Program Exhibits: 1) Rental Compliance: Property and Tenant Checklist 2) Buyer Application, 3) Program Website (email attachments)

HouseKeys asks the City to accept the enclosed packet as proof of our interest in pursuing the role of Program Administrator for the Ownership and Rental programs. If you should have any questions regarding this proposal, I may be contacted at (415) 846-8004 or by email at Julius@HouseKeys.org.

Sincerely,

Julius Nyanda
CEO/Program Manager
HouseKeys Inc (a California C-Corporation)
358 Digital Drive
Morgan Hill, CA

2. Program Manager and Key Staff Experience

HouseKeys Team Dynamic in Managing Program Administration Projects

HouseKeys has a very intentional approach to program administration that combines Program Operations, Underwriting & Compliance, Asset Management, Software Engineering and Communications. The examples provided below show how our team tackles program administration projects in a collaborative way.

City of Morgan Hill – Inclusionary Rental Program; First Lease Up

In the City of Morgan Hill, HouseKeys assisted staff to transition from the City's previous affordable housing program that was based on a 1977, voter-approved growth control measure known as the Residential Development Control System (RDCS), to an Inclusionary Housing Program in 2018. As part of this process, private developers were going to affordable housing commitments based on the new ordinance as opposed to the RDCS-based point system. This had a significant impact on the affordable rental portfolio. In the past, the city's affordable housing rental stock was primarily built by nonprofit developers and much of the city's rental stock was 100% affordable as opposed to the fractional commitment made by private for-profit developers. The first project in the new program was Morgan Ranch - a 182- unit multi-family residential rental development that included 15 Inclusionary Units at Extremely Low, Very Low-, and Low-Income Levels. Our Program Asset Management Team led by Christina Enriquez worked with the Developer to finalize the Inclusionary Agreement and get the project setup in the HouseKeys system. Our Program Operations Team led by Mandy Israde worked with the Property Manager to get set up a Program Manual with processing and underwriting policies and workflows. Kamala Loving, our Program Operations Coordinator setup the applicant pool and scheduled and held the lotteries to determine the tenant selection order. The Agreement for the Project was completed in May 2020 and the 15 units were connected with eligible renters by February 2021. It is important to note that this process took place despite a global pandemic and all parties needing to transition to a fully remote process that was facilitated online.

HouseKeys performed this work as part of an expanded contract scope that added to the Ownership and Finance program scope. On its standard fee schedule, HouseKeys charges Developers $1,500 for each unit to process and underwrite. For this project, HouseKeys worked with the property management company, who performed the processing and underwriting activities. HouseKeys held the lottery and managed the applicant pool. HouseKeys will perform the annual audits of the project and tenants as part of its updated scope.

City of San Ramon – Inclusionary Ownership – First Project in over 15 years

Since 2015, HouseKeys has been the program administrator for the City of Morgan Hill's homeownership program. In 2016, a developer named CalAtlantic committed to building 11 for-sale affordable units as part of a 134-Unit Development Project. After successfully selling all 11 homes, and after CalAtlantic was purchased by Lennar in 2018, HouseKeys was asked to work with the City of San Ramon and Lennar on a for-sale project that included 28 affordable units. It was the City's first affordable project in nearly 15 years and it was featured on the CBS news affiliate - (https://sanfrancisco.cbslocal.com/2019/10/18/san-ramon-to-sell-low-income-housing-with-lottery-program/). Within 60 days, HouseKeys was able to setup the city's program manual, program website, orientation deck, and begin fielding applications. The first set of units were completed in the Winter of 2020 and HouseKeys is continuing to work with the City and Lennar to sell the remaining units. This was also a project that took place during the global pandemic.

HouseKeys charges the Developer a transaction fee of 3% of the sales price to handle the application and compliance workflows of the project. HouseKeys is in discussions with the City of San Ramon to establish a program administration services contract to assist with day-to-day program administration and compliance.

Jurisdictions with Similar Services (this helps to understand pricing)

City of Morgan Hill

- Client Since 2015
- Ownership, Rental, and Loan Portfolio
- 40-Year Affordable Homeownership Program with 568 Units spread out over 84 subdivisions.
- 324 Loan Units in 7 different loan programs including BEGIN, CalHome, CDBG, RDA, and Developer Loans
- In 2019, HouseKeys took on administration of newly constructed Inclusionary Units that are into the rental program for the first time.
- Budget: $550,000

City of Campbell

- Client since 2016
- Ownership, Rental, and Loan Portfolio
- 87 Ownership Units in 15 Subdivisions
- 52 Rental Units in 5 Rental Complexes
- 42 Loan Units in a First-Homebuyer Program
- Budget: $137,200

City of Menlo Park is our newest client (Jan 2021). They have a similar portfolio, with 68 Ownership Units and 39 Rental Units. We are still working out the kinks with onboarding and even some changes we are making to the software – so they should be able to provide some feedback (positive and negative) about the HouseKeys experience.

Reference Contacts

City of Morgan Hill	Rebecca Garcia, Housing Manager City of Morgan Hill 17575 Peak Avenue, Morgan Hill, CA 95037 408-310-4637 /rebecca.garcia@morganhill.ca.gov
City of Campbell	Stephen Rose, Senior Planner City of Campbell 70 N. First Street, Campbell, CA 95008 408-866-2142 / stephenr@campbellca.gov
City of San Ramon	Cindy Yee, Senior Planning City of San Ramon 7000 Bollinger Canyon Road, San Ramon, CA 94583 925-973-2562 / cyee@sanramon.ca.gov
City of Menlo Park – Contact 1	Rhonda L. Coffman Deputy Community Development Director – Housing 701 Laurel Street, Menlo Park, CA 94025 650-330-6614 / RLCoffman@menlopark.org
City of Menlo Park – Contact 2	Mike Noce Management Analyst II 701 Laurel Street, Menlo Park, CA 94025 650-330-6624 / MRNoce@menlopark.org

HouseKeys
Unlock Opportunity

3. Client List

92-1 City of Morgan Hill

Role: Program Administrator

Program(s): Ownership, Rental, Lending

Timeline: June 2015 to Present (Note: 4 Team Members were employed by previous Program Administrator from 2012-2015)

Scope of Services Includes (see full scope of work in the attachment):

- Homebuyer Orientation
- Homeowner Workshops and "Town Hall" Listening Sessions
- Applicant Eligibility (Processing and Underwriting)
- Participant Compliance
- Asset Management
- Administering Ownership Program, Loan Portfolio, and Rental Program
- Real Estate Acquisition, Rehabilitation, and Sales
- Program Development (Marketing Materials, Guideline Creation, and Municipal Code Modifications)

Description Relevant Experience:

Morgan Hill has a well-established ownership program that has been in place for over 40 years and includes over 568 units spread out across nearly 84 residential development projects. Due to the varying nature of each restriction agreement, this has been the training ground on which the HouseKeys team continues to hone its skills. Resale Restriction Agreements include mutual self-help homes, forgivable notes that lock up equity for the first 20 years before passing it to the owner by year 30, and index-based restricted resale prices. Affordable Properties have been built through the City's former Redevelopment Agency and through its Residential Development Control System, whereby developers compete for allocations and earn points for affordable units. In 2016, HouseKeys took on the cities loan portfolio and works alongside the finance team to service program loans. In 2018, the City enacted an Inclusionary Housing Ordinance that includes ownership and rental units. HouseKeys has dealt with a variety of compliance challenges and transaction types, all while handling a healthy volume of new construction and resale transactions.

Budget: $550,000 per year

Morgan Hill Contact: Rebecca Garcia, Housing Manager
City of Morgan Hill
408-310-4637 /rebecca.garcia@morganhill.ca.gov

92-2 City of Campbell

Role: Program Administrator

Program(s): Ownership, Rental, Lending

Timeline: June 2016 to Present (Note: 4 Team Members were employed by Affordable First Mortgage Lender that financed many of the affordable ownership units in the city's program)

Applicable Scope of Services Includes:

- Homebuyer Orientation
- Applicant Eligibility (Processing and Underwriting)
- Participant Compliance
- Asset Management
- Overseeing Ownership Program, Loan Portfolio, and Rental Program
- Real Estate Acquisition, Rehabilitation, and Sales
- Program Development (Marketing Materials and Guideline Creation)

Description of Relevant Experience:

The HouseKeys team's experience in the City of Campbell started with an early partnership on one of their largest affordable ownership projects. At our previous employer, we used our Fannie Mae Seller Servicer status to serve as the primary first mortgage lender for 40 affordable homeownership units. We coordinated with the City of Campbell, Charities Housing, and Housing Trust Silicon Valley. Years later, when the City of Campbell was looking for a Program Administrator, HouseKeys was invited to propose in response to the city's 2016 RFP. Our onboarding process including ownership units, rentals, and the first-time homebuyer loan portfolio. After a rocky start during the first year, HouseKeys was able to gain the trust of staff and council and got a renewal in 2017 and has continued to do so. The strength that shined through in this contract, was our ability to tackle difficult compliance enforcement activities that culminated with the acquisition of a BMR Unit and a resale to an eligible subsequent purchaser.

Budget: $137,200 per year ($30,000 Onboarding)

City of Campbell Contact: Stephen Rose, Senior Planner
City of Campbell
408-866-2142 / stephenr@campbellca.gov

92-4 City of Burlingame

Role: Program Administrator

Program(s): Rental

Timeline: June 2018 to Present

Scope of Services Includes:

- Renter Orientation
- Applicant Eligibility (Processing and Underwriting)
- Participant Compliance
- Asset Management
- Overseeing Rental Program
- Initial Lease-Ups and Vacancies
- Program Development (Marketing Materials and Municipal Code Modifications)

Description of Relevant Experience:

Like Los Gatos, Burlingame was a legacy client from the team's time at Neighborhood Housing Services Silicon Valley. We reconnected in 2018 to provide assistance with the existing rental portfolio and then added a formalized contract in 2020 to assist with the new construction pipeline. We are presently working

Budget: $96,000 ($40,000 onboarding)

City of Burlingame Contact:
Ruben Hurin, Planning Manager
City of Burlingame
650-558-7256
rhurin@burlingame.org

92-5 City of Gilroy

Role: Program Administrator

Program(s): Ownership, Rental, Lending

Timeline: June 2017 to Present

Scope of Services Includes:

- Homebuyer Orientation
- Applicant Eligibility (Processing and Underwriting)
- Participant Compliance
- Asset Management
- Overseeing Ownership Program, Loan Portfolio, and Rental Program
- Real Estate Acquisition, Rehabilitation, and Sales
- Program Development (Marketing Materials and Municipal Code Modifications)

Description of Relevant Experience:

Gilroy is a multi-faceted contract whereby the HouseKeys team has a longstanding relationship through its work with South County Housing. Members of the HouseKeys Team were part of the first mortgage lending teams that provided financing to many of the homeowners in the project. As we continue to rebuild the database of existing units and determine which units are still in the program, we will rely on this experience as we work to facilitate transactions and perform compliance reviews. The City of Gilroy has over 480 ownership units, spread across 10 residential development projects. These were made possible through nonprofit developer financing and the Residential Development Ordinance. HouseKeys has been holding orientation classes each month to build the buyer pool and our team is working alongside staff to refine the scope as we work through the onboarding.

Budget: Updated Contract Pending - $240,000 with $30,000 Onboarding

City of Gilroy Contact:

Karen L. Garner, Community Development Director
City of Gilroy
408-846-0451
Karen.garner@ci.gilroy.ca.us

92-6 City of San Ramon

Role: Program Administrator

Program(s): Ownership

Timeline: June 2019 to Present

Scope of Services Includes:

- Buyer Orientation
- Applicant Eligibility (Processing and Underwriting)
- Overseeing Ownership Program
- New Construction Project setup
- Program Development (Marketing Materials and Municipal Code Modifications)

Description of Relevant Experience:

Lennar built the first affordable homeownership project in the City of San Ramon in nearly 15 years. Knowing that staff needed assistance with getting their homeownership program materials updated and in place, HouseKeys signed a contract to assist Lennar with its 28 affordable homeownership units and a contract with the City of San Ramon exclusively to assist with the Lennar Project.

Budget: $30,000 Onboarding – Fee Agreement with Developer (Faria Preserve by Lennar)

City of San Ramon Contact:
Cindy Yee, Senior Planner
City of San Ramon
925-973-2562
cyee@sanramon.ca.gov

92-7 City of Santa Clara

Role: Program Administrator

Program(s): Rental with Ownership added in the 4th quarter of 2020

Timeline: June 2019 to Present

Scope of Services Includes:

- Renter Orientation
- Applicant Eligibility (Processing and Underwriting)
- Participant Compliance
- Asset Management
- Overseeing Rental Program
- Initial Lease-Ups and Vacancies
- Program Development (Marketing Materials and Municipal Code Modifications)

Description of Relevant Experience:

In 2019, City of Santa Clara brought in HouseKeys to be the first 3rd party program administrator to oversee its rental program. This includes a large pipeline of new construction rental units that are being built, along with over 1,400 rental units in its existing inventory. In October of 2020, HouseKeys took over the homeownership program that has new construction pipeline and approximately 140 ownership units.

Budget: $166,000 ($55,000 onboarding) – Rental
$75,000 ($15,000 onboarding) - Ownership

City of Santa Clara Contact:

Jonathan Veach, Housing Division Manager
City of Santa Clara
408-615-2297
jveach@santaclaraca.gov

92-8 City of Hayward (Non-Administrator Engagement)

Role: Program Administrator

Program(s): Ownership (Builder Contract Only)

Timeline: July 2020 to Present

Scope of Services Includes:

- Buyer Orientation
- Applicant Eligibility (Processing and Underwriting)
- Overseeing Ownership Program
- New Construction Project setup
- Program Development (Marketing Materials and Municipal Code Modifications)
- Assisted the City to apply for CalHome Funding for the 2020 HCD NOFA

Description of Relevant Experience:

Taylor Morrison (formerly William Lyon Homes) has built an ownership project that contains 28 affordable ownership units. HouseKeys was commissioned to interface with the City of Hayward and help them formalize program materials and facilitate the marketing, application, and transaction process for income-eligible buyers. This is a tough project that we have been struggling with as they are 1-bedroom (429 Square Feet) Moderate-Income Units for $371,148 with a market-rate that was initial in the low $400,000. The market is starting to push up and now market-rate is up to $480,000, but the units have not been selling and the Sales Manager now works for another builder.

HouseKeys did compete in an RFP that was released October 16, 2020. HouseKeys was selected, but the City has made the engagement contingent upon receipt of CalHome Funding.

Budget: Fee Agreement with Developer (SoHay by Taylor Morrison)

City of Hayward Contact:

Christina Morales, Housing Division Manager
City of Hayward
510-583-4243
Christina.morales@hayward-ca.gov

92-9 City of West Hollywood

Role: Program Administrator

Program(s): Ownership, Rental, and Finance

Timeline: October 2020 to June 2021 – with new contract pending

Scope of Services Includes:

- Creating Homeownership Program Materials for the City's attempt at putting an affordable homeownership program in place (it is not in place now)
- HouseKeys assisted the City to apply for the 2020 HCD NOFA for CalHome Funds
- HouseKeys will take over administration of the Rental Program as well

Description of Relevant Experience:

HouseKeys has been consulting the City since the 4th quarter of 2020. Our plan is to go to City Council and assist staff to establish their homeownership program and further formalize the policies for their rental program. There has been some staff change over since we initial signed the interim contract that runs from December to June 30, 2021. We plan on entering a formal contract for July 1, 2020.

Budget: $120,000

City of West Hollywood Contact:

Alicen Bartle
Project Development Administrator
City of West Hollywood
323-438-1949
abartle@weho.org

Jonathan Holub (recently took over)
Acting Department Director
City of West Hollywood
jholub@weho.org

92-10 City of Menlo Park

Role: Program Administrator

Program(s): Ownership, Rental, and Finance

Timeline: January 2021 to Present

Scope of Services Includes:

- Transition services from Previous Administrator (Hello Housing)
- Onboard and Manage Loan Portfolio
- Onboard and Manage Rental Portfolio
- Onboard and Manage Ownership Portfolio
- Setup Orientation Classes throughout the Year
- Facilitate Applicant Pools for Ownership and Rental Housing

Description of Relevant Experience:

HouseKeys won the RFP in 2020 in competition with several other agencies. We are in the process of onboarding the city's portfolio that includes existing housing units and several new construction projects. We are still in the onboarding phase of this contract.

Budget: $90,000

City of West Hollywood Contact:

Michael R. Noce
Management Analyst
City of Menlo Park
650-330-6624
MRNoce@menlopark.org

Rhonda L. Coffman
Deputy Community Development Director
650-330-6614
RLCoffman@menlopark.org

4. Project Description and Proposal (with Compensation Breakdown)

Program Description

Currently, the City of Scotts Valley has 84 rental units and 43 ownership Units, with an additional 7 units in the new construction pipeline. The major focus of the BMR Administrator will be to monitor the development of new BMR Units, resale/refinance of the existing ownership units and lease-up and compliance on the rental units. Additionally, HouseKeys will provide policy recommendations and changes to improve and enhance the BMR Program.

$75,000 Base plus Per-Unit Fee Above 150 Units

HouseKeys prices each contract with a base fee of $75,000 and then evaluates the # of Units, Population Size, Budget, and other factors to determine a per-unit fee for all existing units above a 150-Unit Threshold. A "Unit" is considered an ownership, rental, or finance program resource allocated to an eligible household. For example, if an Agency had 200 Units, HouseKeys could price out the contract at $75,000 plus $500 per Unit. Total cost would come to $75,000 plus $25,000 (the Charge for Units 151-200) totaling $100,000 per year. Note: Rental Units are priced differently from Ownership Units. We also count new construction units differently since we can plan for transaction fees that cover the initial cost of onboarding those units.

Based on the description above, HouseKeys will price in a $75,000 annual fee, billed monthly at $6,250, for this engagement.

#	Description		Proposed Pricing
1	1	Transition Program Assets from Previous Administrator	One-Time Fee billed at the Start of the Contract (Up Front) $15,000 Onboarding is scheduled to be completed 90 days after the fully executed contract
	2	Migrate existing records (Applicants, Participants, Inventory Records) from Previous Administrator to HouseKeys	
	3	Setup New Program Website	
	4	Applicant File System (Rental & Ownership Applicants)	
	5	Program Forms	
	6	Program Orientation Deck and Orientation Schedule 2021	
	7	Database of Affordable Ownership Units	
	8	Database of Affordable Rental Units	
	9	Letter to Existing Program Owners (Draft for Town Signature)	

	10	Letter to Existing Rental Tenants (Draft for Town Signature)	
	11	Email and Mailer Communications to Applicants & Participants	
	12	Updated Program Guidelines, Applicant Guide, & Participant Compliance Guide	
2	**Program Type**	**Count**	$75,000/Year Annual Billed Monthly at $6,250
	Ownership	43	
	Rental	84	
	Under Construction	7	
	In Planning	Projected: 2 Units Per Year	
3	**Total First Year Cost**		$90,000 plus Fee Schedule
4	**Annual Cost for Subsequent years**		$75,000 plus Fee Schedule

Transaction Fees

In addition to the base cost above, Transaction Fees are charged in accordance with an annual Fee Schedule. Please note that Transaction Fees are typically charged to third parties at the point-of-service (e.g. New Construction Fees are charged to the Developer for delivering an eligible buyer and as part of their contribution to ongoing compliance costs). HouseKeys uses these fees to cover marketing costs and to compensate third parties for services performed, including HUD-Approved Counseling Agencies and outside Real Estate Agents.

#	Description	Fee[1]	Fee Cap / Max	Billed To
1	**Program Administration**	Base Fee to be Determined at Contract (minimum $75,000/year)		Agency
2	**Rental Unit Processing Fee**	$1,500.00 per lease transaction	$1,500 per lease transaction	Developer
3	**Loan Processing Transaction Fee**	$1,250.00 per transaction[2]	$1,250.00 per transaction	Owner / Lender

[1] Fees may be lowered pursuant to previously executed Agreements (e.g., developer agreement, resale restriction agreement, promissory note, etc.) with lower fee schedules or stated fee limitations. These are collectively referred to as "Legacy Agreements."

[2] A percentage of the Loan Processing Fee and Refinance Fee will be transferred to the Agency Client for administration and internal processing of finance transactions (Items 3 and 4 above).

4	**Refinance & Document Processing Fee**	$1,250.00 per transaction[2]	$1,250.00 per transaction	Homeowner
5	**New Ownership Sales Transaction Fee**	3% of Sales Price	Maximum $18,000.00	Developer
6	**Ownership Resale Transaction Fee**	6% of New Sales Price	Maximum $36,000.00	Homeowner and added to Sales Price
7	**Acquisition and Ownership Resale / Rehab Transaction Fee**	5% of Resale Restriction Price plus 5% of New Sales Price	Maximum $60,000.00	Homeowner and added to Sales Price
8	**Applicant File Onboarding** (Buyer, Renter)	No fee charged at this time	No fee charged at this time	n/a
9	**Participant File Onboarding** (Owner, Tenant, Borrower)	No fee charged at this time	No fee charged at this time	n/a
10	**Billing Rate for Projects Outside of Contract Scope**	$250.00 / hour	$250.00 / hour	Billed to Approved Project Agreement or Amendment

Onboarding

In addition to the base cost and fee schedule, there is an Onboarding Process that can take between 30 days and 6 months. Onboarding costs and timelines depend on Agency-specific Scope of Work. While HouseKeys does its best to accurately price its contracts, experience has shown that it takes 12 to 18 months of working as the Agency's Administrator to truly understand and recalculate cost and scope. HouseKeys aims to work with Agencies who value standardization and who are willing to defer to HouseKeys best practices when it comes to program administration workflows, policies, and procedures. Note: Agencies with an existing Administrator must account for the time it takes to interface with the existing Administration and transition files and procedures as the different in approach requires added communication and coordination.

Scope of Services Breakdown

1. **Documentation**. Administrator will administer the program and assure Affordability Deed Restrictions are recorded and followed by all parties as applicable for each

property.

2. **Support and Education**. Administrator will provide offsite support for service requests. Orientations and workshops will be held for residents of the Agency. Note: In Response to COVID-19 restrictions, content is streamed online via webinars and pre-recorded content available on HouseKeys-hosted program websites.

    a. Administrator shall conduct introductory Home Buyer, Renter Education/Training classes – Homebuyer/Renter Orientation Classes prior to Program application. A minimum of 6 events will be held each year and at least 40 Weekly Live Online Webinars are held where staff answers Frequently Asked Questions (FAQs) from program applicants and participants.

3. **Guidelines and Materials**. Administrator will regularly update program guidelines and program materials in conjunction with Agency staff to reflect the Administrator's administrative process for Program Administration including, but not limited to: applications, program pamphlets, rent & resale calculations, selection processes, vacancies, sale and resale of units, refinancing requests, collection of Agency fees and other applicable fees, and default monitoring/resolution process.

4. **Website Presence**. Administrator will maintain an affordability program website presence that will link to the Agency's housing website.

5. **Performance Measures**. Administrator and the Agency will agree to mutually acceptable performance measures for program administration. These measures shall be included in the quarterly program summary report.

    a. General Inquiries: Respond within 48 business hours
    b. Loan Requests: Respond within 48 business hours, Complete requests within reasonable time, with weekly status updates for outstanding requests
    c. Rental Vacancies: Fill vacancies within 60 days
    d. Annual Ownership Monitoring: 1 Certification Per Year
    e. Annual Rental Monitoring: 1 Project Certification per Project and 1 Tenant Certification Per Unit
    f. Eligibility List: Maintain a minimum buyer-to-property and renter-to-unit ratio of 5:1
    g. Application ID issuance: Available online year-round 24/7 with troubleshooting issues handled within 2 business days. Manual Application ID issuance will also take up to 2 business days.

6. **Recordkeeping**. Administrator shall maintain the Agency's existing records and files through a proprietary database-driven information retention and management system for the programs. All electronic records will be considered work products that are property of the Agency and will be available via data export. The database shall contain all

important details for each Program, Ownership Unit, Rental Unit, and Financing Unit.

7. **Reporting**. Administrator shall provide a quarterly program summary report to the Agency with the following information. An abbreviated monthly report will accommodate each monthly invoice. This reporting also includes reports to 3rd parties (E.g. State of California, Department of Housing, and others)

8. **Day-to-Day Services**. Administrator will provide the following services:
    a. Making minor revisions to the Agency's existing program materials and legal documents.
    b. Overall management and implementation of specific program policies, including required reporting.
    c. Conducting income qualifications including review of assets, income, Verifications of Employment, and all other necessary approvals to ensure qualification for the Agency Programs (Ownership, Rental, Finance).
    d. Underwriting program applications in accordance with program requirements.
    e. Underwriting program compliance in accordance to restrictive covenants and project-specific program agreements
    f. Underwriting transaction compliance (e.g. refinances, transfers) to ensure they conform with restricted covenants and project-specific program agreements
    g. Preparing all program documents, overseeing proper execution thereof, and conducting final program approval reviews.
    h. Ensuring timely delivery of all necessary documents into escrow, and preparing escrow demands and funding requests.
    i. Preparation of program materials by revising the Agency's current documents.
    j. Calculating all pay off demands and issuing any disclosures and tax forms as required by State and/or Federal Law.
    k. Calculating the resale value of all ownership program homes as requested annually by the County.
    l. Work with Agency staff to ensure a seamless and coordinated development of documents as it relates to the Affordability Program, including the Developer application process where Restricted Affordability Units are included, reviewing developer agreements, and ensuring that affordability requirements are outlined in an Affordable Housing Agreement or equivalent document, and any subsequent amendments to the development documentation.

       Note 1: HouseKeys recommends that Agency Agencies include affordability requirements, the Administrators roles, and any fees related to affordable unit commitments in the **conditions of approval** to assure transparency at the earliest possible point in the entitlement process. See Fee Schedule.

9. **Transaction Coordination**. Administrator shall act as transaction coordinator for all real estate transactions and will provide the Agency with a Fee Schedule. Where there is a conflict between the Administrator's Fee Schedule and recorded Agreements ("Legacy

Agreements"), Administrator will adjust fees to compensate for the difference with the understanding that newly drafted agreements will conform to the fee schedule.

Note 2: Transaction Fees charged for New Construction Sales are considered a single transaction with a partial "side" of the real estate transaction to represent the buyer pool. During the resale of an ownership unit, there are two sides of the transaction – one for the first-time home seller and two for the eventual buyer who completes the selection process. This two-sided transaction has a higher cost as reflected on the fee schedule. This accounts not only for the work involved (eligibility, legal timelines, property condition), but also accounts for the legal liability and risk.

Note 3: Transaction fees charged to homeowners for refinance transactions are charged for the time taken to ensure that proposed transaction complies with restrictive covenants. This can include a refinance with a mortgage lender or other types of transfers as referenced in the recorded document (E.g. Divorce, Estates, Inheritance, etc.)

a. Administrator will coordinate document transmittals between buyers, renters, borrowers, homeowners, tenants, developers, and Agency as needed. Administrator will be responsible for ensuring all documents submitted for Agency signatures are complete and accurate. Administrator will be responsible for making any necessary corrections to documents.

10. **Monitoring, Compliance, and Loss Mitigation**. Administrator shall work alongside Staff to conduct monitoring to annually evaluate Program Owners' & Renters' ("Counterparty's") compliance with the terms and conditions of the recorded deed restrictions and program guidelines including the following:

    a. Mailing monitoring letters to all the Program units.
    b. Reviewing in conjunction with Agency staff, Agency or County Assessor data to assist in the process (e.g., water utility bills, property records).
    c. Review Agency's preliminary monitoring list to identify follow up actions required.
    d. Meet with Agency staff to develop guidelines for acceptable default remedies (e.g., allowing rental of Program Units for hardship cases).

    e. Administrator shall work alongside Staff to investigate and identify cure potential program-related defaults including:
        i. Conduct follow up of those Program Owners, Project Owners, and Management Companies (collectively referred to as "Counterparties") who do not submit their compliance documentation.
        ii. Reviewing information on calls from Program Unit neighbors and interested parties.
        iii. Conduct reasonable follow-up investigation to assess potential defaults

including unit site visits.
    iv. Scheduled appointments with Counterparties to discuss compliance issues.
f. For confirmed defaults, provide Counterparties with list of actions needed to remedy the default and conduct follow-up to monitoring compliance.
    i. Maintaining log of actions taken to remedy the defaults.
g. For those defaults in which the Counterparties choose not to remedy the situation within a reasonable amount of time, Administrator will meet with Agency staff to determine the course of action to pursue. Agency authorization will be sought for any legal action taken.
h. Administrator will participate in legal deliberations at all Staff Levels and Council Decisionmakers as needed.
i. Agency will provide a list of any current program participant defaults and actions taken to date.

11. **Marketing**. HouseKeys continually grows its applicant pool through a series of outreach efforts. This includes targeting the least likely to apply and working in compliance with federal laws addressing Affirmative Fair Housing Marketing.
    a. All Materials will include proper fair housing logo and other federal and state-mandated disclosures
    b. Initial Campaign to Introduce HouseKeys to key employers, community organizations, religious organizations, trade associations, and small businesses
    c. Mailers and other collateral that go out within a .25 to .5-mile radius of each Opportunity listing featured in the HouseKeys Proprietary Software Platform
    d. Local workshops targeting the groups above.
    e. Participating in local events as public health restrictions (e.g. COVID-19) allow
    f. Online and Social Media Campaigns to share available opportunities locally
    g. Listings on popular websites and real estate aggregators (E.g. Craigslist, Local MLS, etc.)
    h. When appropriate and when the budget allows, Administrator will advertise in local media (radio, print, etc.)

12. **Additional Service Descriptions**. Administrator will provide the following additional services.

    a. Administrator shall build and maintain a group of qualified and eligible Program homebuyers and renters at a minimum Buyer/Renter-to-Property ratio of 5:1. For Agencies that maintain an accruing Waitlist based on registration timestamp, HouseKeys will assign Application ID using the Timestamp and assign a “Legacy Applicant” Preference Assignment.

    b. Administrator will partner with the Agency to create Program legal templates for documents required for signature by the Program participants. Administrator shall supply documents that are typically used in the Applicable County for residential

real estate transactions (e.g. purchase and sale, disclosure acknowledgements, addendums, etc.)

c. Administrator will maintain a list of approved loan officers and lending operations eligible to provide mortgage lending for purchase and refinance transactions

d. Administrator will maintain a list of approved real estate agents and brokers eligible to provide listing services to sellers for resale transactions

e. Administrator will maintain a list of appraisers for fair market valuations

f. Administrator will maintain a list of escrow officers who are familiar with program requirements and transaction compliance

g. Administrator will review individual program restrictions for terms and requirements as needed including shared equity programs, down payment assistance loans and any resale restriction agreements.

h. Administrator will prepare Agency staff reports and hold Council Study and Closed Sessions to discuss complicated and sensitive program matters.

i. Administrator will enter contract with the Agency with the intention of adding the Agency to the Model City Project that incorporates Industry Best Practices, A Program Database, and a Regional Program Working Group. This Project will improve efficiencies and reduce program costs to the Agency. This includes Planning and Goal Setting exercises that involve Staff, Council, Commissions, and other Key Stakeholders.

j. Administrator will provide training, analysis, and suggested improvements to the Affordability Program.

k. Administrator will prepare a presentation for Staff and Council Members on the Model City Project.

13. **Special Projects**. There will be cases where Administrator will be asked to complete a Project that is outside of the contract scope. If project scope and terms are defined in writing, Administrator will agree to complete project at a specified billing rate.

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Scott Hamby, Interim Public Works Director

APPROVED: Tina Friend, City Manager

SUBJECT: **APPROVAL OF BUDGET EXPENDITURE APPROPRIATION AND AGREEMENT WITH K&D LANDSCAPING INC. FOR SKYPARK FIELD REPAIRS**

SUMMARY OF ISSUE

The use of Skypark by CalFire as an emergency base camp during the CZU Lightning Complex Fire last summer rendered the park's fields unsafe and unusable from damage caused by heavy trucks and apparatus on the turf. Restoring Skypark for the use and enjoyment of the community is a top priority in the current fiscal year. Restoration work includes weed removal, leveling and seeding the field, and repairing the irrigation system.

An informal bid was issued by Public Works on May 26, 2021. Three bids were received on June 9, 2021, with the lowest responsive and responsible bid received from K&D Landscaping, Inc., in the amount of $116,955. The bid is approximately 27% below the construction estimate.

Public Works received the following bids:

K&D Landscaping, Inc.	$116,955
Quality Landscape Service, Inc.	$148,891
Marina Landscape, Inc.	$149,919

Staff recommends that the City enter into a contract with K&D Landscaping, Inc. to perform the work. Attached for Council consideration is the proposed agreement. Following contract execution, a notice to proceed with work will be issued. It is anticipated that field repairs will take 75 working days from issuance of the notice to proceed.

FISCAL IMPACT

The cost of the contract is $116,955, plus a 20% contingency in the amount of $23,391 for unanticipated conditions. The total potential cost is $140,346. This project is not included in the adopted Capital Improvement Program (CIP), but reimbursement is expected from the State for most of the cost (damage not directly attributable to Cal Fire may not qualify for reimbursement). Prior to the reimbursement process, an appropriation must be approved by Council. The proposed funding source is the General Fund. Staff will update Council once the reimbursement total from the State is known.

STAFF RECOMMENDATION

It is recommended that the City Council take action on the following:

1. Authorize a budget expenditure appropriation in the amount of $140,346 from the General Fund, including the contract cost of $116,955, plus a 20% contingency in the amount of $23,391.

2. Authorize the City Manager to execute the attached agreement with K&D Landscaping, Inc., and any amendments thereto in a form approved by the City Attorney, for the Skypark Field Repair Project.

TABLE OF CONTENTS PAGE

Agreement with K&D Landscaping, Inc.……3

AGREEMENT
CITY OF SCOTTS VALLEY
STATE OF CALIFORNIA

THIS AGREEMENT, made and concluded on **June 16, 2021** between the **CITY OF SCOTTS VALLEY**, hereinafter called CITY, and **K&D LANDSCAPING, INC.**, hereinafter called CONTRACTOR.

ARTICLE I. WITNESS TO, that for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by CITY, and under the conditions expressed in the bonds, bearing even date with these presents and hereunto annexed, CONTRACTOR agrees with CITY, at CONTRACTOR'S own proper cost and expense, to do all the work and furnish all the materials, except such as are mentioned in the specifications to be furnished by CITY, necessary to construct and complete the work of the improvement herein referenced in a good workmanlike and substantial manner and to the satisfaction of the CITY'S Director of Public Works, Skypark Field Repair Project , in accordance with the Special Provisions hereto annexed, and also in accordance with the General Prevailing Wage Rates as determined by the Department of Industrial Relations, which said Special Provisions and General Prevailing Wage Rates are hereby specifically referred to and by such reference made a part hereof.

The work to be done is described in Section 9 "Description of Work" of the Special Provisions, which said Special Provisions are hereby made a part of this contract, and is shown upon the plans entitled **"** Skypark Field Repair Project **"**, which said plans are hereby made a part of the contract. **The work shall be completed 75 working days after issuance of notification to proceed.**

ARTICLE II. CITY hereby promises and agrees with CONTRACTOR to employ, and does hereby employ, CONTRACTOR to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the prices set forth in the Bid of CONTRACTOR for the work to be constructed and completed under this Agreement, which prices shall be considered as though repeated herein, subject to additions and deductions as provided therein, and hereby contracts to pay the same at the time, in the manner upon the conditions herein set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III. The statement of prevailing wages appearing in the General Prevailing Wage Rates is hereby specifically referred to and by this reference is made a part of this contract. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the bid or proposal of said CONTRACTOR, then this instrument shall control, and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE IV. By my signature hereunder, as CONTRACTOR, I certify that I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workmen's compensation or to undertake self-insurance in accordance

with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE V. **CONTRACTOR shall be compensated for satisfactory completion of the work in compliance with the contract documents for the sum not to exceed $116,955 in accordance with the payment schedule outlined in the CONTRACTOR'S Bid Form received on June 9, 2021.**

CONTRACTOR agrees to receive and accept the prices as set forth in the Bid of CONTRACTOR for the work to be constructed and completed under this Agreement, which prices shall be considered as though repeated herein, subject to additions and deductions as provided therein, as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement; also, for all loss or damage arising out of the nature of the work aforesaid, or from the action of elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by CITY, and for all the risks of every description connected with the work; also, for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, and the whole thereof, in the manner and according to the plans and specifications, and the requirements of Engineer.

ARTICLES VI. CONTRACTOR shall indemnify and save harmless and defend Owner, its officers, agents, servants and employees, and each of them from and against:

(a) Any and all claims, demands, causes of action, damages, costs, expenses, losses or liabilities, in law or in equity, of every kind and nature whatsoever for, but not limited to, injury to or death of any person including CONTRACTOR, or any officer, agent, consultant, servant and/or employee of CITY or CONTRACTOR, and damages to or destruction of property of any person, including but not limited to, CITY and/or CONTRACTOR and their officers, agents, consultants, servants and/or employees, arising out of or in any manner directly or indirectly connected with the work to be performed under this agreement, however caused, regardless of any negligence of CITY or its officers, agents, servants or employees, except the sole negligence or willful misconduct of CITY or its officers, agents, consultants, servants or employees, or the active negligence of CITY, its officers, agents or employees;

(b) and any and all actions, proceedings, damages, costs, expenses, penalties or liabilities, in law or equity, of every kind or nature whatsoever, arising out of, resulting from, or on account of the violation of any governmental law or regulation, compliance with which is the responsibility of CONTRACTOR.

CONTRACTOR shall, at CONTRACTOR'S own cost, expense and risk, defend any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against CITY or CITY'S officers, agents, consultants, servants or employees.

CONTRACTOR shall pay and satisfy and judgment, award or decree that may be rendered against CITY or its officers, agents, consultants, servants or employees, in any such suit, action or other legal proceedings.

CONTRACTOR shall reimburse CITY and its officers, agents, servants and employees for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

ARTICLE VII. Prior to the commencement of any work, CONTRACTOR shall provide CITY with evidence that it has obtained insurance and Performance and Payment Bonds satisfying all requirements outlined in the Insurance Certificate. Failure to do so shall be deemed a material breach of this Construction Contract.

ARTICLE VIII. The complete contract for the work of improvement herein referenced consists of the following documents, all of which are hereby expressly made a part hereof and incorporated herein by this reference. CONTRACTOR shall be bound by the requirements and obligations of such documents.

1. Notice To Bidders
2. Bid Form
3. Designation of Subcontractors
4. Bidder's Bond
5. Agreement
6. Bond for Faithful Performance
7. Bond of Security of Laborers and Material Person
8. Labor Surcharge and Equipment Rental Rates and the General Prevailing Wage Rates as determined by the California Department of Transportation Division of Construction (all as referenced herein)
9. Plans entitled, **"**Skypark Field Repair Project**"**
10. Insurance Certificate
11. Information for Bidders
12. Special Provisions

* *

IN WITNESS WHEREOF, CITY has caused these presents to be executed by its officers hereunto duly authorized, and CONTRACTOR has subscribed same, all on the day and year first above written.

CONTRACTOR
K&D LANDSCAPING, INC.

By: _____ Date:

License No. 664584

CITY
CITY OF SCOTTS VALLEY

By:_____ Date:
Tina Friend, City Manager

ATTEST:

By:_____ Date:
Tracy A. Ferrara, City Clerk

APPROVED AS TO FORM:

By:_____ Date:
Kirsten Powell, City Attorney

AGENDA ITEM L
DATE: 6-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Casey Estorga, Administrative Services Director

APPROVED: Tina Friend, City Manager

SUBJECT: **APPROVAL OF RATIFIED TERMS FOR FY 2021/22 – 2023/24 MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF SCOTTS VALLEY AND THE POLICE BARGAINING UNIT AND THE POLICE SUPERVISORS ASSOCIATION**

SUMMARY OF ISSUE

During the past several months, the City of Scotts Valley (City) has been actively negotiating with the Police Bargaining Unit (PBU) and the Police Supervisors Association (PSA) to reach an agreement on new contract terms and conditions for each group's respective Memorandum of Understanding (MOU). The existing agreements for these bargaining groups will expire on June 30, 2021. The City, PBU and PSA came to tentative agreements for terms of new MOUs commencing July 1, 2021, which were ratified by the PBU and PSA memberships. The new MOUs are being finalized and may be presented by the June 16, 2021 Council meeting.

Consistent with the parameters established by the City Council, the highlights of the new agreements are as follows:

Contract Term:

- Three-year agreements from July 1, 2021 – June 30, 2024

Compensation:

- Effective the first full pay period after July 1, 2021, the salary range for each classification in the unit will receive a **4%** salary increase.
- Effective the first full pay period after July 1, 2022, the salary range for each classification in the unit will receive a **5%** salary increase.
- Effective the first full pay period after July 1, 2023, the salary range for each classification in the unit will receive a **2%** salary increase.

Employ Medical Benefits:

- Beginning January 1, 2022, the City's monthly contributions to employee medical benefits will be placed into three tiers with maximum contribution limits based on an employee's enrollment level. Each tier will be subject to an annual increase of 3% for the life of the agreements. The tiers as of January 1, 2022 are as follows:

Enrollment Level	City Contribution
Employee Only	$1,000.00
Employee +1	$2,000.00
Employee + 2 or More	$3,000.00

Members that elect coverage with a cost greater than the tiered maximums shall have the difference automatically deducted from their pay. Members that elect coverage with actual costs less than the tiered maximums shall have the difference contributed to the employee's deferred compensation account.

New Steps:

- In July 2021, Step One of the current salary schedule will be eliminated for all classifications. Concurrently, a new step will be added to the top end of the salary schedule, 5% above the existing top step for all classifications.
- In July 2023, Step One of the new salary schedule will be eliminated for all classifications. Concurrently, a new step will be added to the top end of the new salary schedule, 5% above the top step for all classifications.

FISCAL IMPACT

It is estimated that the fiscal impact over the life of the 3-year agreements will total $563,000 in additional General Fund costs. The estimated costs for year 1 of the agreements have been included in the FY 2021-22 Proposed Budget that is currently under review by the City Council. If the agreements are approved, annual costs for year 2 and year 3 will be included in the FY 2022-23 and FY 2023-24 budgets, respectively.

STAFF RECOMMENDATION

It is recommended that the City Council approve the ratified terms for the FY 2021/22-2023/24 Memoranda of Understanding between the City and the PBU and PSA groups and authorize the City Manager to sign once finalized.

Additionally, it is recommended that the City Council authorize the City Manager and the Administrative Services Director to take any administrative actions necessary to effectuate the terms and conditions of the agreements.

TABLE OF CONTENTS PAGE

None.

AGENDA ADD ON ITEM L
DATE: 6-16-2021

Between the CITY OF SCOTTS VALLEY and the SCOTTS VALLEY POLICE BARGAINING UNIT

July 1, 2021 – June 30, 2024

TABLE OF CONTENTS

Page

1.00 ASSOCIATION RECOGNITION 1
- 1.01 Recognition of Association 1
- 1.02 Notice of Recognized Association 1
- 1.03 Payroll Deduction and Pay Over 1
- 1.04 Association Dues, Initiation Fees and Credit Union Share Contribution 2
- 1.05 Indemnification 2
- 1.06 Bulletin Boards 3
- 1.07 Use of Employer Facilities 3
- 1.08 Job Contacts 3
- 1.09 Bargaining Committee 4
- 1.10 Alternative Locations 4

2.00 HIRING PROVISIONS 4
- 2.01 Non-Discrimination 4
- 2.02 Employment 4

3.00 PAYMENTS 5
- 3.01 Items Not Covered by Agreement 5
- 3.02 New Job Classifications 5

4.00 HOURS OF WORK, SHIFT, SCHEDULES AND REST PERIODS 5
- 4.01 Work Schedule and Departmental Shift Change 5
- 4.02 Hours of Work 5
- 4.03 Voice Mail / Email 6
- 4.04 Rest Periods 6

5.00 OVERTIME 7
- 5.01 Regular Work Schedule Requirement 7
- 5.02 Authorization of Overtime 7
- 5.03 Definition of Overtime 7
- 5.04 Payment of Overtime 7
- 5.05 Definition of Hourly Rate 8
- 5.06 Fractions of Less than Eight (8) minutes 8
- 5.07 Compensatory Time-Off ("CTO") 8
- 5.08 Shift Adjustments 8

6.00 HEALTH AND SAFETY 9
- 6.01 Health and Safety - Equipment 9
- 6.02 Equipment 9

7.00 UNIFORMS 9

8.00 HOLIDAYS 10

TABLE OF CONTENTS
(continued)

Page

9.00 HEALTH AND WELFARE BENEFITS 11
9.01 PERS Medical Plan 11
9.02 Section 125 Plan 13
9.03 Dental and Vision 13
9.04 Deductibles 13
9.05 Long-Term Disability Insurance 13
9.06 Employee Retiree Medical Coverage Program 14
9.07 Life Insurance 16
9.08 Joint Committee for Health Care Cost Containment 16

10.00 CALL-BACK PAY 16

11.00 COURT APPEARANCE 16

12.00 STANDBY PAY 16
12.01 On-Call Pay 17

13.00 ADDITIONAL COMPENSATION 17
13.01 Temporary Assignment to Higher Level 17
13.02 Designation of Bilingual Position 17
13.03 Daylight Savings Time 17
13.04 Mileage Allowance 17
13.05 Assignment Differential 17
13.06 Canine Officer Differential 18
13.07 Stacking of Incentives 18

14.00 LEAVE OF ABSENCE 19
14.01 Other Leave Without Pay 19
14.02 Outside Employment 19
14.03 Military Leave 19
14.04 Leave for Jury Duty 19
14.05 Maternity Leave 20
14.06 Paternity Leave 20
14.07 Bereavement Leave 20

15.00 VACATION 20
15.01 Vacation 20
15.02 Vacation Accrual 21
15.03 Effect of Absence on Continuous Service 21
15.04 Vacation Scheduling 21
15.05 Rate of Vacation Pay 22
15.06 Vacation Request Notification 22
15.07 Vacation Buy-back 22

16.00 SICK LEAVE 22

TABLE OF CONTENTS
(continued)

Page

16.01 Definition of Sick Leave 22
16.02 Exclusion of Self-Inflicted Injury 22
16.03 Industrial Sick Leave 23
16.04 Amount and Duration of Payment 23
16.05 Denial of Payment 23
16.06 Employees Excluded 24
16.07 Cumulative Sick Leave Plan 24
16.08 16.08 Medical Report 24
16.09 Emergency Leave: Sickness in Immediate Family 24
16.10 Sick Leave Compensation on Termination 24
16.11 Personal Leave 25
16.12 State Disability Insurance 25

17.00 WAGES 25

18.00 GRIEVANCE PROCEDURES 26
18.01 Effect of Failure of Timely Action 27
18.02 Limitation on Stale Grievances 27
18.03 Exclusion of Non-Recognized Organizations 27

19.00 SAVINGS CLAUSE 27

20.00 ENACTMENT 27

21.00 PEACE OFFICERS BILL OF RIGHTS 27

22.00 DEPARTMENT VEHICLES AND EQUIPMENT 28
22.01 Definition of Vehicles 28
22.02 Repairs 28
22.03 Unsafe Vehicles 28
22.04 Claims - Unsafe Vehicles 28
22.05 Vehicle Maintenance 28
22.06 Vehicle Equipment 28
22.07 Mileage 28
22.08 Vehicle Equipment Determination 29

23.00 VOLUNTARY EDUCATIONAL INCENTIVE PROGRAM 29
23.01 Definition and Purpose 29
23.02 Objectives 29
23.03 Procedures for Establishing Educational Incentive Pay 29
23.04 Eligibility 29
23.05 Education Committee 30
23.06 Certification 30
23.07 Effective Date 30
23.08 Educational Incentive Pay 30

TABLE OF CONTENTS
(continued)

Page

23.09 Course Reimbursement 30

24.00 RETIREMENT 31

25.00 LAYOFF POLICY 32
25.01 Layoffs 32
25.02 Order 32
25.03 Seniority 32
25.04 Special Skills 32
25.05 Association President 32
25.06 Notification 32

26.00 MANAGEMENT RIGHTS 33

27.00 PEACEFUL PERFORMANCE 33

28.00 STAY WELL PLAN 33

29.00 TERM OF AGREEMENT 34

30.00 ENTIRE AGREEMENT 35

MEMORANDUM OF UNDERSTANDING
between
CITY OF SCOTTS VALLEY
and
SCOTTS VALLEY POLICE BARGAINING UNIT
July 1, 2021- June 30, 2024

This **Memorandum of Understanding**, (the "Agreement") is made and entered into this 16th day of June 2021, by and between the Scotts Valley Police Bargaining Unit, hereinafter referred to as "Association," and the City of Scotts Valley, hereinafter referred to as "City," for and on behalf of its represented classification hereinafter identified.

1.00 ASSOCIATION RECOGNITION

Rights and Security.

1.01 Recognition of Association

The City hereby recognizes the Association as the exclusive collective bargaining agent for Police Officers and Dispatchers (collectively referred to as "the Association").

1.02 Notice of Recognized Association

The Police Department ("Department") shall give written notice to persons newly employed in the classifications of Police Officers and Dispatchers, which shall contain the name and address of the Association as the organization recognized by the City as the exclusive bargaining agent for the Association. The City will direct all inquiries from employees about Association membership or dues deduction to the Association or Association's designated agent.

1.03 Payroll Deduction and Pay Over

The City shall deduct Association dues, initiation fees, PORAC, Credit Union Share Contribution, and premiums for approved insurance programs from employees' pay in conformance with State, Federal, and local regulations from the monthly pay of each member employee. The Association will provide the City with information regarding the amount of dues deductions and the list of Association member employees who have affirmatively consented to or authorized dues deductions. The City shall remit the deducted dues and any other mutually agreed payroll deductions, to the extent permitted by law, to the Association as soon as possible after the deduction.

The Association is responsible for providing the City with timely information regarding changes to Association member employees' dues and any other lawful Association-related payroll deduction.

The City agrees to direct each Association member employee to the Association with regard to any questions or concerns related to membership dues or any other mutually agreed payroll deduction, to the extent permitted by law.

1.04 Association Dues, Initiation Fees and Credit Union Share Contribution

1.04.01 Dues and Initiation Fees and Association Certification

The City shall make payroll deductions in reliance on the Association's certification that the Association has and will maintain an authorization, signed by each Association member employee who affirmatively consents to pay Association membership dues. Similarly, the City shall only cancel or modify any membership dues or any other mutually agreed payroll deduction, to the extent permitted by law, for any Association member employees in reliance on the information provided by the Association. The City shall not request the Association to provide a copy of any Association member employees' authorization unless a dispute arises about the existence or terms of the authorization on non-scheduled work days. The Association shall notify the City immediately in writing of any changes to the list of employees from which deductions shall be taken.

1.04.02 Credit Union Share Contributions

The City shall deduct credit union share contributions and transmit these deductions to the employee's applicable credit union at the employee's request. Such deduction(s) shall be authorized by signature on a proper assignment form.

1.05 Indemnification

The Association shall indemnify, defend, protect and hold harmless the City and its elected and appointed officials, officers, employees, officers and agents (collectively hereafter the "Indemnitees") from and against any and all claims, liabilities, losses, damages, fines, penalties, claims, demands, suits, actions, causes of action, judgments, costs and expenses (including, but not limited to, reasonable attorneys' fees and court costs) arising from the application of any provisions under Section 1.03, including, but not limited to, any claims made by any Association member employees for the membership dues deductions the City made in reliance on the Association's certification, and any claims made by any Association member employees for any deduction cancellation or modification the City made in reliance on

the information provided by the Association, provided that the City promptly notify the Association of any such matter for which it is seeking indemnification after the City has knowledge of the occurrence of such matter.

In the event any such action or proceeding is brought against the City by reason of any such claim, the Association, upon notice from the City, covenants to defend such action or proceeding by counsel reasonably satisfactory to the City. Further, the Association agrees to indemnify and hold harmless the Indemnitees for any loss or damage arising from the Union's actions or inaction. However, the Union shall have the exclusive right to direct counsel, control the defense of any action or proceeding, and determine whether any such action or proceeding shall or shall not be compromised, resisted, defended, tried or appealed—on the premise and condition that the Union shall fully compensate for any monetary loss to the City based on the Union's determination, if any.

1.06 Bulletin Boards

Reasonable space shall be allowed on bulletin boards as specified by the Chief of Police for use by the Association to communicate with Association member employees. Material shall be posted on the bulletin board space as designated, and not upon the walls, doors, file cabinets or any other place. Posted material shall not be obscene, defamatory or of a partisan political nature, nor shall it pertain to public issues which do not involve the City or its relations with City employees. The City will post employment solicitations for police positions; however, Association shall maintain notices while they remain on the bulletin board and shall be responsible for their removal in a timely fashion. All posted material shall bear the identity of the sponsor, be neatly displayed and be removed when no longer timely.

1.07 Use of Employer Facilities

City facilities may be made available upon timely application for use by Association member employees. Application for such use shall be made to the management person under whose control the facility is placed.

1.08 Job Contacts

Any authorized representative of the Association shall have the right to contact individual represented employees working within the Association in City facilities during business hours on matters within the scope of representation, providing prior arrangements have been made for each contact with the Chief of Police or the Chief's designated representative who shall grant permission for such contact if, in his judgment, it will not disrupt the business of the work unit involved or the Department.

1.09 Bargaining Committee

Members of the Association's bargaining committee shall be allowed time to absent themselves from duties for a reasonable period without loss of pay, for the purpose of participating in contract negotiations. No more than two (2) Members at a time may absent themselves from work for this purpose. Off-duty personnel participating in negotiations are not authorized compensation for this time. Members of Association's bargaining committee shall be extended the same privilege to participate in any meetings mutually called by the parties during the term of this Agreement for review of grievances and contract compliance questions. Adequate levels of police protection shall be maintained at all times.

1.10 Alternative Locations

When contact and bargaining on the work location is precluded by reason of confidentiality of records, work situations, health and safety of employees, the public, or disturbance to others, the Chief of Police or the Chief's representative shall have the right to make other arrangements for a contact location removed from the work area.

2.00 HIRING PROVISIONS

2.01 Non-Discrimination

There shall be no discrimination because of a person’s political, or Union affiliation or belief, non-affiliation or non-belief, ancestry, age (40 and above), color, disability (physical and mental, including HIV and AIDS), genetic information, gender identity, gender expression, marital status, medical condition (genetic characteristics, cancer or a record or history of cancer), military or veteran status, national origin (includes use and possession of a driver’s license issued to persons unable to provide their presence in the United States is authorized under federal law, race, religion (includes religious dress and grooming practices) sex/gender (includes pregnancy, childbirth, breastfeeding, and/or related medical conditions, or sexual orientation.

2.02 Employment

The City shall not discipline, discharge or otherwise discriminate against any represented employee for any Association activity that does not interfere with the proper performance of that employee's work.

3.00 PAYMENTS

3.01 Items Not Covered by Agreement

Existing wages, hours and other terms and conditions of employment including fringe benefits not changed, modified or specifically referenced in this Agreement and not inconsistent with the terms and conditions of this Agreement shall remain in full force and effect during the term of this Agreement.

3.02 New Job Classifications

If a represented employee covered by this Agreement is assigned work of a substantially new or different nature so as to constitute a new job classification, the City and the Association will negotiate the wage rate applicable to the new classification.

4.00 HOURS OF WORK, SHIFT, SCHEDULES AND REST PERIODS

4.01 Work Schedule and Departmental Shift Change

The Chief of Police has implemented a 3/12 work schedule for the patrol division and emergency dispatch/clerical unit ("EDC") (except for the EDC-II and EDC-III positions).

The Chief of Police will designate the schedule that FTO's and their trainees will work. The SRO schedule is on a 5/8 plan with holidays off.

The Chief of Police or the Chief's designated representative shall prepare a schedule showing the hours each employee is to work. Except under unforeseeable circumstances, the Chief of Police shall make every reasonable effort to assure that no represented employee shall have more than one shift change in any calendar month. Whenever shift changes are required, it shall not result in a reduction in salary where overtime is actually worked.

The normal working hours for detectives, when the investigations division is fully staffed, shall be a 4/10 schedule, which includes a one hour lunch period.

4.02 Hours of Work

Hours of work for patrol officers and Emergency Dispatcher Clerk I (EDC-1) will be twelve (12) hours per shift. For patrol personnel, the normal work period for the purpose of calculating overtime will be twenty-eight (28) days. For emergency dispatchers and all other personnel, the normal period for calculating overtime will be seven (7) days. The normal work week for employees other than patrol and EDC-1 personnel will be forty (40) hours.

The day shift EDC-1 personnel will work a 40-hour work week beginning Wednesday at 1200 hours and ending the following Wednesday at 1200 hours.

The night shift EDC-1 personnel will begin their work week on Wednesday at 2400 hours and end their work week the following Wednesday at 2400 hours.

For the detectives, hours of work include paid holidays. The work week for all other personnel shall begin on Friday at 2400 hours and end on the following Friday at 2400 hours.

The City may elect to use a 28-day work cycle for patrol division under the 7(k) exemptions contained in the Fair Labor Standards Act (FLSA). All hours worked shall be compensated at the straight hourly rate (Section 5.05), provided that i) hours of work in excess of one hundred and seventy- one (171) per each twenty-eight (28) day work period will be considered overtime for patrol personnel, and ii) hours of work in excess of forty (40) hours per each seven (7) day work period will be considered overtime for all other employees. All overtime hours will be compensated pursuant to the provisions of Section 5.04 of this Agreement.

4.03 Voice Mail / Email

All employees are required to check their voice mail and email at least once daily on scheduled work days. Employees are not required to check voice mail or email during vacation leave. Employees are required to telephonically respond to text messages but will not be entitled to on-call pay.

4.04 Rest Periods

Each employee on the 3/12 plan will have three (3) fifteen (15) minute breaks that will be scheduled throughout the work day. Rest breaks will not be scheduled during the first or last hour of any period of work. Each employee will be granted a forty-five (45) minute lunch break close to the middle of the employee's shift. No wage deduction shall be made nor time off charged against employees taking authorized rest periods, nor shall any rights or overtime be accrued for rest periods voluntarily not taken. There is no obligation upon the City to provide facilities for refreshments during the rest periods, or for procurement thereof.

5.00 OVERTIME

5.01 Regular Work Schedule Requirement

The Department shall prepare a schedule designating the hours each employee shall work. Work for the City by an employee at time other than those so scheduled shall be approved in advance by the Chief of Police or the Chief's designated representative.

5.02 Authorization of Overtime

No employee shall receive compensation for overtime in cash, in time off or a combination thereof unless such overtime work has been approved by the Chief of Police or the Chief's designated representative.

5.03 Definition of Overtime

For the purposes of the 3/12 work schedule, all overtime work for patrol will be defined as all work performed in excess of one hundred and seventy-one (171) hours in an established twenty-eight (28) day work period. For employees other than patrol personnel, all overtime work will be defined as all work performed pursuant to Section 4.01 and 4.02 in excess of forty (40) hours for each seven (7) day work period.

For all employees on the 3/12 work schedule, all work performed does not include the eight (8) hours of holidays paid (whether they work on those holidays or not) and does not include the four (4) hours of additional holiday hours paid to employees who work on holidays as provided elsewhere in this Agreement.

5.04 Payment of Overtime

For patrol personnel, all hours in excess of one hundred seventy-one (171) hours in the twenty-eight day work period will be paid in accordance with the FLSA and settlement agreement reached between the City and Association dated May 8, 2020. For all other employees, all overtime work will be compensated at the rate of one and one half (1.5) times the hourly rate after forty (40) hours in any work week. All paid time off will be considered time worked in determining overtime, except that for employees on the 3/12 work schedule, both the eight (8) or ten (10) hours of holiday paid to employees (whether they work holidays or not) and the four (4) hours or pro-rated hours of additional holiday hours paid to employees who do work holidays other than the floating holiday will not be considered time worked in determining overtime.

5.05 Definition of Hourly Rate

For purposes of this section, hourly rate shall be defined as follows:

- For employees assigned to the patrol division, Base Monthly Pay times (12) months, divided by 2,184 hours (per year) equals hourly rate.

- For all other employees, Base Monthly Pay times (12) months, divided by 2,080 hours (per year) equals hourly rate.

5.06 Fractions of Less than Eight (8) minutes

No overtime payment shall be allowed for any period of less than eight (8) minutes, and fractions of less than eight (8) minutes worked shall not be considered overtime and may not be accumulated in order to total more than eight (8) minutes or more.

5.07 Compensatory Time-Off ("CTO")

At the sole option of an employee, CTO may be accrued in lieu of monetary compensation for overtime and is earned at a rate of one and one-half (1.5) times the hourly rate up to the maximum CTO accruals established herein.

All employees may accrue CTO in lieu of monetary compensation for overtime to a maximum of eighty-four (84) hours. Such CTO may be replenished during the year up to the eighty-four (84) hour maximum. The timing of taking the CTO shall be determined by the Division Captain, considering the employee's preference.

CTO may be granted with a two (2) pay period notice at the discretion of the supervisor. Supervisors are not precluded from granting CTO with a shorter notice if the needs of the Department will allow this time off. CTO will not be approved if it creates undue disruption to cover the absence from the requested CTO.

Any accrued and unused CTO will be cashed out in the last paycheck of the calendar year.

5.08 Shift Adjustments

If the department intends to adjust an employee's shift due to overtime worked on a shift, the employee's supervisor must notify them of the intended shift adjustment on the day before the adjustment occurs. Such notice shall be given by the end of the employee's shift.

For patrol personnel, all shift adjustments shall be made within the twenty-eight (28) day work period. For all other employees, all shift adjustments shall be made within a forty (40) hour work week. All shift adjustments will

be completed at the time that the change in the shift is made. Except for unforeseeable circumstances, the Chief of Police shall make every effort to assure that no employee shall have more than one shift adjustment occur during a pay period.

6.00 HEALTH AND SAFETY

6.01 Health and Safety - Equipment

City shall comply with all applicable State and Federal Safety Regulations and shall furnish all safety equipment required by law or deemed necessary by the Chief of Police to all employees as appropriate. At the commencement of employment, each employee shall be provided safety equipment by the City as follows:

One (1) belt for slacks
One (1) leather duty belt with: holster, double magazine holder, double handcuff case, O.C. spray holder, baton ring, key ring, four (4) keepers, belt buckle
One (1) semiautomatic handgun with three magazines and duty ammunition sufficient for the capacity of a full loaded pistol and three magazines
One (1) O.C. spray canister
One (1) soft body armor ballistic vest, replaced every five years
Two (2) pair of handcuffs with keys
One (1) baton
One (1) police flashlight

6.02 Equipment

City shall provide all equipment deemed essential by the Chief of Police to complete assigned duties.

7.00 UNIFORMS

At the commencement of employment, each employee shall be provided uniforms by the City as follows:

Officers:

One (1) uniform hat and hat piece
Three (3) uniform shirts, long or short sleeve
Three (3) uniform slacks
One (1) uniform duty jacket
One (1) uniform dress jacket
Patches as required for above uniforms
One (1) name tag for uniform shirt
One (1) name tag for uniform jacket
One (1) complete set of rain gear

Two (2) B.D.U. uniforms
One (1) duty badge
One (1) off-duty badge and badge wallet

Dispatchers:

Three (3) uniform shirts, long or short sleeve
Three (3) uniform slacks
One (1) uniform sweater
One (1) duty badge
One (1) name tag for uniform shirt
One (1) belt for slacks
Patches as required for above uniforms

During the course of employment, the City shall replace uniforms, at no cost to the employee, at the discretion of the Chief of Police. The City further agrees to establish an account at a local dry cleaners to clean and maintain said uniforms at no cost to the employee. All above uniform costs shall be subject to the applicable public retirement rate as required by the Public Employees Retirement System (PERS) regulations.

For the detectives, City will pay to clean clothes soiled as a result of a work-related incident, with the approval of the Chief of Police or designee. This cost will be paid through the City's local dry cleaners account.

8.00 HOLIDAYS

All employees on the 3/12 work schedule will receive eight (8) hours of straight time as compensation in lieu of paid holidays for each holiday other than the floating holiday and ten (10) hours of straight time as compensation in lieu of the paid floating holiday. One twelfth (1/12) of the annual aggregate in lieu compensation shall be paid for each calendar month of employment. This compensation shall be received in equal monthly increments. In addition, any employee on the 3/12 work schedule who works a twelve (12) hour shift on a City recognized holiday other than the floating holiday will receive an additional four (4) hours of pay at straight time in addition to regular pay for the day worked. Any employee on the 3/12 work schedule who works less than twelve (12) hours on a City recognized holiday other than the floating holiday will receive pro-rated straight time holiday pay.

Each employee of the bargaining unit who is assigned as a detective shall be entitled to the following holidays and receive wages based on the normal scheduled work for the day. Any holiday that would otherwise be on a Saturday will be taken on the preceding Friday. Any holiday that would otherwise be on a Sunday will be taken on the following Monday.

A. First day of January
B. Third Monday in January - Dr. Martin Luther King Jr. Day
C. Third Monday in February - Presidents Day
D. Last Monday in May - Memorial Day
E. July 4th
F. First Monday in September - Labor Day
G. Second Monday in October - Columbus Day
H. November 11 - Veterans Day
I. Thanksgiving Day
J. The day following Thanksgiving Day
K. The day preceding Christmas
L. Christmas Day
M. The Day preceding New Year's Day
N. One floating holiday per fiscal year. Employees must use the floating holiday for that fiscal year
O. Every day appointed by the President of the United States, or the Governor of the State of California or the City Council for a public fast,

thanksgiving or holiday

Detectives shall take Holidays and shall be paid for those days off. EDC-2 and EDC-3 employees do not take Holidays off. Instead they shall be paid eight (8) additional hours of overtime compensation in lieu of paid holidays for each recognized municipal holiday (refer to Personnel Rules and Regulations). One-twelfth (1/12) of the annual compensation shall be paid for each calendar month of employment. Such compensation shall be received monthly.

9.00 HEALTH AND WELFARE BENEFITS

Health and Welfare Benefits

9.01 PERS Medical Plan

9.01.01 Cafeteria Plan:

The City will provide medical insurance through the Public Employees' Retirement System (PERS). The City's contribution towards medical coverage will be the minimum amount required by Government Code section 22825 for regular full-time employees. All employees who elect coverage in the PERS medical plan may choose any medical plan available.

The City will also make available a Flexible Benefit Plan (Cafeteria Plan).

9.01.02 City Contributions

a From July 1, 2021 to December 31, 2021, the City will continue to contribute to the cafeteria plan up to the PERS HMO rate, minus the

Government Code section 22825 contribution. However, for employees choosing the PERS Choice or PORAC Plans, the City shall contribute either the PERS Choice or PORAC plan rate plus 50% of the difference between the PERS Choice or PORAC plan and the PERS HMO plan per month towards the cafeteria plan.

b. The City shall also pay administrative fees and contingency reserve fund assessments, if any.

c. Beginning January 1, 2022, the City will contribute the following amounts per month toward the cost of health benefits for each bargaining unit member. The flex dollar allowances shall increase on the December 15th paycheck of each subsequent year up to a maximum of three percent (3%) on an annual basis, based on but not to exceed the Kaiser Bay Area premium rate increase for the upcoming calendar year. Unit members electing coverage with a cost greater than the amount paid by the City in this Section shall have the difference deducted automatically from the unit member's pay. In the event the actual monthly premium is less than the amount shown on the chart below, the difference shall be provided as contribution to the employee's deferred compensation account.

Enrollment Level	**City Contribution**
Employee Only	$1,000.00
Employee + 1	$2,000.00
Employee + 2 Or More	$3,000.00

d. Employees may also elect the following optional benefits:

1. Medical reimbursement account
2. Dependent care assistance plan
3. AFLAC supplemental insurance
4. Deferred compensation
5. Taxable cash-out

Employees who wish to participate in the optional benefits in the plan, but do not have any surplus City-contributed cafeteria funds, can elect to make pre-tax deductions in an amount to cover the cost of the optional benefits.

9.01.03 Rebate for Non-Enrolled Dependents:

The City shall pay any full-time (40 hours per week) employee who chooses not to enroll in the PERS Health plan the employee's otherwise eligible dependents the following amount provided proof of alternative medical coverage is provided:

1. Employee eligible to enroll as employee plus one, but enrolls as employee only = $100.

2. Employee eligible to enroll as employee plus two, but enrolls as

   employee plus one = $100.

3. Employee eligible to enroll employee plus two, but enrolls employee only = $150.

9.01.04 Reopener in the Event of Provider Change:

In the event that no PERS HMO and/or no PERS Choice contract with one of the four major care providers in the area (Sutter, Dominican, Santa Cruz Medical Clinic or Physicians Medical Group) during the term of this MOU, the parties agree that to re-open section 10.01 if employees are covered by the affected health plans.

9.02 Section 125 Plan

The City also agrees, to the extent allowable by law, to adopt the provisions of Section 125 of the Internal Revenue Code, thereby enabling employees to pay allowable medical costs with pre-tax dollars.

9.03 Dental and Vision

The City shall provide reimbursement for employees' and dependents' document dental expenses, with the first $200 in expenses – 100% reimbursed, the next $500 in expenses – 80% reimbursed, and the next $1,000 in expenses – 50% reimbursed up to a maximum of $1,100 in City contribution each calendar year.

Vision coverage benefits shall remain the same as those benefits in effect in the previous MOU in the Vision Service Plan.

9.04 Deductibles

Employees shall be responsible for paying the deductible portion of their medical, dental and vision insurance plans, where applicable.

9.05 Long-Term Disability Insurance

City agrees to maintain a long-term disability plan at City's sole cost, not to exceed one and eight-tenths (1.8%) of annual salary per month.

9.06 Employee Retiree Medical Coverage Program

It is the purpose of the employees Retiree Medical Coverage program to provide for medical insurance compensation to retired employees in order to insure that these individuals, who have dedicated a number of years of service to the City of Scotts Valley, do not face an economic hardship at the time of retirement in paying for medical insurance coverage.

To be eligible for this retirement benefit an employee:

1. Must have been employed with the City for ten (10) years or longer.

2. Shall retire from the City of Scotts Valley. Public safety employees shall be eligible for this benefit upon retiring at age 50 or older; all other employees shall be eligible upon retiring at age 55 or older. Retirement shall be defined as "retiring under the provisions of the PERS Retirement Plan."

3. The retired employee shall provide annual proof on annual basis during retirement of current medical insurance coverage including the costs to the retiree. The retiree must notify the City if the medical insurance policy is cancelled. Failure to carry medical insurance or to notify the City of its cancellation will eliminate eligibility for this benefit. The retired employee must secure his/her own medical insurance coverage.

The medical benefit will be provided directly to the retired employee at the following rates:

A. For employees hired on or before June 30, 2018

   1. For employees who have served 10 to 15 years with the City: 100% of premiums to a maximum of 33% of the premiums for the PERS-CARE plan (benchmark plan); reduced to 16.5% at Medicare eligibility.

   2. For employees who have served 15-20 years with the City: 100% of the premiums to a maximum of 50% of the PERS-CARE plan; reduced to 25% at Medicare eligibility age.

   3. For employees who have served over 20 years: 100% of premiums to a maximum of 67% of the PERS-CARE plan; reduced to 33.5% at Medicare eligibility.

   The medical benefit will be provided to the retired employee and the employee's spouse. However, this benefit shall only be payable

while the retiree is living, and shall not be payable to the spouse of the retiree after the retiree's death.

B. For employees hired on or after July 1, 2018

To be eligible for this benefit an employee:

1. Must have been employed with the City for ten (10) years or longer.

2. Shall retire from the City of Scotts Valley. Public safety persons shall be eligible for this benefit upon retiring at age 50 or older; all other employees shall be eligible upon retiring at age 55 or older. Retirement shall be defined as “retiring under the provisions of the PERS Retirement Plan.”

3. The retired employee shall provide annual proof on an annual basis during retirement of current medical insurance coverage including the costs to the retiree. The retiree must notify the City if the medical insurance policy is cancelled. Failure to carry medical insurance or to notify the City of its cancellation will eliminate eligibility for this benefit. The retired must secure his/her own medical insurance coverage. The medical benefit will be provided directly to the retiree at the following rates:

   a. For employees who have served 10 to 15 years with the City up to a maximum of monthly contribution which is inclusive of the PEMCHA minimum:

      Employee Only: $250.00
      Employee plus Spouse: $375.00

   b. For employees who have served 15 to 20 years with the City up to a maximum of monthly contribution which is inclusive of the PEMCHA minimum:

      Employee Only: $350.00
      Employee plus Spouse: $550.00

   c. For employees who have served over 20 years with the City up to a maximum of monthly contribution which is inclusive of the PEMCHA minimum:

      Employee Only: $500.00
      Employee plus Spouse: $750.00

The medical benefit will be provided to the retiree and their spouse. However, this benefit shall only be payable while the retiree is living, and shall not be payable to the spouse of the retiree after the retiree's death.

9.07 Life Insurance

The City shall pay the premium for a $50,000 life insurance plan for all employees.

9.08 Joint Committee for Health Care Cost Containment

City and Association agree to participate in a "Joint Health Care Cost Containment Committee" for the purpose of controlling health care costs. The Committee shall make recommendations consistent with this goal. Recommendations shall be implemented if approved by the City and Association.

10.00 CALL-BACK PAY

Any employee who has departed from the employee's work location and is called back to work by the Chief of Police or the Chief's designated representative on a regularly scheduled work day for that employee shall be guaranteed a minimum of two (2) hours compensation at one and one-half (1.5) times the hourly rate in accordance with Section 4.02. Any employee who has departed from the employee's work location and is called back to work by the Chief of Police or the Chief's designated representative on a day for which the employee is not scheduled to work shall be guaranteed a minimum of four (4) hours compensation at one and one-half times (1.5) the hourly rate in accordance with Section 4.02. A regularly scheduled work day is defined as each day on which the majority of hours worked in each shift falls.

11.00 COURT APPEARANCE

Any employee who is required to testify in connection with an employee's usual official duties or in connection with a case in which the City or Police Department is a party shall be guaranteed a minimum of four (4) hours compensation at one and one-half (1.5) times the hourly rate.

12.00 STANDBY PAY

Employees who are required to perform standby duty by the Chief of Police, or the Chief's designee or the court shall be compensated at the flat rate of one hundred dollars ($100.00) per day. Standby duty is that period of time an employee is required to be available by phone for immediate call out.

12.01 On-Call Pay

On-call positions shall receive a flat rate of one hundred dollars ($100.00) per day. The detective sergeant will rotate the on-call duty with the detectives and juvenile officer.

13.00 ADDITIONAL COMPENSATION

13.01 Temporary Assignment to Higher Level

An employee specifically assigned on a temporary basis to a higher level position shall be compensated at the pay rate for the higher level position if the service in such position exceeds a total of twenty (20) days in any twelve (12) month period. Payment shall be retroactive to the first day of such service. Temporary assignments may not exceed the limits set forth in the Public Employment Retirement Law. In accordance with the Public Employees' Pension Reform Act (PEPRA), temporary assignment pay is not pensionable compensation for employees who are "New Members" of CalPERS, as defined by California Government Code Section 7522.04(f). If the temporary assignment lasts longer than six (6) months, then the employee will be able to use and accrue forty-eight (48) hours of CTO per fiscal year.

13.02 Designation of Bilingual Position

Upon the recommendation of the Chief of Police or the Chief's designated representative and with the approval of the City Manager, an employee occupying a position designated as requiring fluency in a language other than English shall receive Two Hundred Dollars ($200) per month.

13.03 Daylight Savings Time

All employees working at the time daylight savings time starts or ends shall be paid for actual time worked in accordance with Section 4.00 and its provisions.

13.04 Mileage Allowance

When an employee is required to use the employee's personal vehicle on City business, the City shall pay the mileage allowance provided by the rules and regulations of the International Revenue Service.

13.05 Assignment Differential

A. A five percent (5%) additional salary differential over base pay shall be paid to all employees assigned to the following job assignments:

(1) Motorcycle Officer

(2) Field Training Officer (FTO) and Communications Training Officer (CTO) shall receive a five percent (5%) differential for the hours actually worked in the capacity as FTO or CTO when assigned a trainee at the discretion of the Police Chief. No more than two (2) FTOs and/or (2) CTOs will receive this benefit at any one time, unless more are authorized by the Police Chief.

B. A twenty percent (20%) salary differential over base pay shall be paid to all employees assigned to detective position inclusive of juvenile officer. An assignment differential of twenty percent (20%) is for the purpose of taking on increased responsibilities. The Chief of Police and/or his designee will develop an on-call schedule for all individuals assigned to the investigations unit on a rotational basis. When a detective has been placed on-call, he is expected to be able to respond to the department within one hour and carry a pager during the on-call assignment period (maximum one detective on-call at a time).

All assignment differentials shall be approved in advance by the Chief of Police. The assignment as stated above shall be noted on the employee time card.

13.06 Canine Officer Differential

All employees assigned as Canine Officers will receive additional compensation at the rate of five percent (5%) of base pay for the care and maintenance of their dog, whether the actual time is more or less than that. The parties mutually agree that this is adequate for care and maintenance.

The California Police Officers Standards of Training currently require canine units to receive a minimum of 16 hours of training a month. These hours will be offset by allowing the Canine Officer to train on duty or during a scheduled training time and then adjust the start time of their work day by four hours.

13.07 Stacking of Incentives

As a general rule, employees are not permitted to receive more than one Differential pay at a time. However, except for when assigned to detectives, an employee is eligible to be paid the Canine Officer Differential, FTO Pay and Temporary Assignment to a Higher Classification pay when performing any or all of these assignments.

14.00 LEAVE OF ABSENCE

14.01 Other Leave Without Pay

The appointing authority may grant an employee a leave of absence without pay for a definite period not to exceed three (3) months. The City Council may grant an employee a leave of absence without pay for a definite period not to exceed one year. The request for leave, and the reasons therefore, shall be submitted in writing by the employee and must be approved by both the Chief of Police and City Manager and, when necessary, the Council.

Upon expiration of the approved leave, the employee shall be reinstated to his/her former position or to a comparable one if the former position is abolished during the period of leave and the employee would otherwise not have been laid off.

Failure on the part of an employee to return to work on the date scheduled shall be cause for termination.

14.02 Outside Employment

A leave of absence without pay may not be granted to an employee for purposes of accepting either private or other public employment outside the service of the City, except as hereinafter provided in this Article 14.00.

An employee may not work outside employment without the prior written approval of the Chief of Police.

14.03 Military Leave

Every employee shall be entitled to military leaves of absence as specified in Chapter 7, Part 1, Division 2, of the California Military and Veterans Code. If such employee shall have been in the service of the City for at least one (1) year prior to the date such absence begins, he shall be entitled to receive pay for up to one (1) month of military leave during any fiscal year at the rate he would have received for service to the City. Time spent on military leave shall be included in determining eligibility to occupy a classification based upon length of service.

14.04 Leave for Jury Duty

Leave of absence with pay shall be granted to an employee while going to and from court and serving on jury duty. Any jury fee awarded to such person shall be deposited with the City Treasurer. Any employee who serves jury duty on any calendar day in which he would have commenced a regularly scheduled shift shall receive that shift off as leave of absence with pay.

14.05 Maternity Leave

Refer to City Personnel Rules and Regulations (Section 17.08 adopted 11/11/86).

14.06 Paternity Leave

All male employees whose spouse or significant other is pregnant may take up to a four (4) month leave of absence. Said leave shall be called a "Paternity Leave" and must be applied for, in writing, to the Chief of Police. Included with said application shall be a doctor's certificate, certifying the pregnancy, and estimating the delivery date. Application will also state the beginning and ending dates of requested leave.

A longer leave may be granted where extenuating circumstances exist. All paternity leaves shall be without pay and without a loss in seniority. Employees shall use accumulated sick leave, vacation, or compensatory time during this period, immediately preceding this period, or immediately following this period; subject to the City approval of any leave totaling more than four months.

Vacation and sick leave benefits do not accrue during paternity leave. All other benefits accrue in accordance with the provisions of the City Personnel Rules and Regulations.

14.07 Bereavement Leave

Employees shall be granted a leave with full pay in the event of the death of any member of the employee's immediate family. The leave shall be for a period of twenty-four (24) hours or forty (40) hours if travel in excess of five hundred (500) miles is required. The immediate family is defined as mother, step-mother, father, step-father, husband, wife, domestic partner, son, step-son, daughter, step-daughter, foster parent, foster child or any person sharing the relationship of loco parentis, and which living in the household of the employee, a brother, sister, brother-in-law, sister-in-law, mother-in-law, father-in-law, or grandparent, or any other special circumstance as approved the City Manager.

15.00 VACATION

15.01 Vacation

Employees covered by the provisions of this Agreement shall receive annual vacation leave in accordance with the following schedule:

Years of Service	Vacation Hours

Less than 5 years	80 hours
5-10 years	120 hours
10 years	160 hours
15 or more years	168 hours

Vacation hours are those an employee would be normally scheduled to work. Holidays, hours off, sick leave hours and emergency or personal leave hours shall not be considered or charged as vacation hours.

At the discretion of the Chief of Police and with approval by the City Manager, a new hire with prior experience as a police officer or dispatcher may have all or a portion of their prior years of experience counted as years of service for the purposes of accruing vacation.

15.02 Vacation Accrual

An employee may not carry forward from year to year more than two (2) times his annual vacation rate unless the employee has first received a written extension granted by the City Manager at the recommendation of the Chief of Police. Written extensions shall be granted in cases where, due to service requirements of the department, it was not reasonably possible for the employee to reduce his vacation accumulation below two (2) times. Employees who have refused to take vacation during the calendar year are not guaranteed of receiving written extension.

15.03 Effect of Absence on Continuous Service

Absence or authorized leave with or without pay, time during which an employee is laid off because his services are not needed and time during which an employee is temporarily not employed by the City shall not be considered as an interruption of continuous service if such absence is followed by re-employment within one (1) year. However, such absences shall not be counted in computing the employee's years of continuous service.

15.04 Vacation Scheduling

The Chief of Police or the Chief's designated representative shall determine when vacation leave may be taken. The employee shall be allowed to divide vacation leave in any calendar year into two (2) segments. The Chief of Police may grant an employee additional segments of vacation. Seniority in department service among employees in a classification and working unit consistent with Department operating requirements shall be the basis on which vacation schedule conflicts shall be resolved in favor of the most senior employee who has not, by virtue of employee's senior position, previously had such a conflict resolved in the employee’s favor during the

calendar year. In the event of vacation schedule conflicts among employees who have had such conflicts resolved in their favor before, the senior employee who has had the least number of successful conflict resolutions shall prevail. Vacation may be started on any day of the week.

15.05 Rate of Vacation Pay

Compensation during vacation shall be at the rate that the employee is entitled to receive, including premium pay, as if the employee was on active service during such vacation.

15.06 Vacation Request Notification

All vacation requests will be made no less than ninety (90) days prior to the requested time for leave. Supervisors will not be precluded from granting vacation requests upon shorter notice provided that the needs of the Department will allow for the requested time off.

15.07 Vacation Buy-back

The City will buy back up to one week (40 hours) of vacation annually, after 10 years of service with the City and an additional one week (40 hours) of vacation annually, after 15 years of service with the City, so long as the employee has an accrued vacation balance of at least one week (40 hours) remaining following the buy back. To request a vacation buy back, the employee shall submit a written request to the City Manager. So long as the employee meets the requirement of this subsection, the City Manager shall grant the request.

16.00 SICK LEAVE

16.01 Definition of Sick Leave

As used in this section, "sick leave" means leave of absence of an employee because of any of the following: (1) illness or injury which renders them incapable of performing the employee's work or duties for the City; (2) the employee's exposure to contagious disease as evidenced by a doctor's certification that this exposure necessitates the employee being on sick leave; and (3) routine medical or dental appointments of the employee.

16.02 Exclusion of Self-Inflicted Injury

In no case shall an absence due to purposeful or intentional self-inflicted incapacity or injury be deemed a basis for granting either sick leave or sick leave with pay under the provision of this section.

16.03 Industrial Sick Leave

If an employee is incapacitated by sickness or injury received in the course of his employment with the City, he shall be entitled to pay as provided herein.

16.04 Amount and Duration of Payment

Such employee shall be entitled to receive industrial sick leave with pay equal to the difference between 100% of his normal salary and the amount of any Workers' Compensation temporary disability payments to which he is entitled during such incapacity for a period not to exceed one (1) calendar year from the date of such sickness or injury.

16.05 Denial of Payment

Notwithstanding the foregoing provisions of this section, such payment shall not be made pursuant to this subsection to an employee:

(1) who does not apply for or receive temporary disability benefits under the Worker's Compensation Law;

(2) whose injury or illness has become permanent;

(3) whose injury or illness, although continuing to show improvement, is unlikely to improve sufficiently to permit the employee's return to work in his position;

(4) who is retired on permanent disability or pension;

(5) whose injury or illness is the result of intentional failure to observe City health or safety regulations or the commission of a criminal offense;

(6) whose injury or illness has been aggravated or delayed in healing by reason of the employee's failure to receive medical treatment or follow medical advice, except where such treatment or advice has not been sought or followed by reason of the employee's religious beliefs; and

(7) whose injury or illness is a recurrence or re-injury of an earlier job-related injury or illness or is contributed to by a susceptibility or predisposition to such injury.

16.06 Employees Excluded

The provisions of Article 16.00 do not apply to safety employees who are subject to the provisions of California Labor Code section 4850.

16.07 Cumulative Sick Leave Plan

Each employee will accumulate sick leave at the rate of eight (8) hours per each full calendar month on a paid status. The Chief of Police or the Chief's designated representative shall grant sick leave with pay, not to exceed an employee's accumulated unused sick leave, to an employee incapacitated by injuries or sickness.

16.08 16.08 Medical Report

As a condition of granting sick leave with pay, the Chief of Police may require medical evidence of sickness or injury acceptable to the Department, which may include a statement of diagnosis and treatment from a licensed physician or a medical clearance to return to work.

16.09 Emergency Leave: Sickness in Immediate Family

Leave of absence with pay because of sickness or injury in the immediate family of an employee shall be granted by the Chief of Police or the Chief's designated representative for up to forty-eight (48) hours per fiscal year but not to exceed the amount of time which the person has accrued for sick leave in Section 16.07. Time taken for leave of absence under the provisions of this subsection shall be deducted from the employee's accrued sick leave balance. For the purposes of this subsection, "immediate family" means mother, step-mother, father, step-father, husband, wife, domestic partner, son, step-son, daughter, step-daughter, foster parent, foster child or any person sharing the relationship of loco parentis; and, which living in the household of the employee, a brother, sister, brother-in-law, sister-in-law, mother-in-law, father-in-law or grandparent.

16.10 Sick Leave Compensation on Termination

City shall pay to each terminated, separated employee the value of his accrued and unused sick leave not to exceed a maximum of nine hundred and sixty (960) hours, based on the following sliding scale, representing the percentage of salary to be applied to available accumulated hours of sick leave applicable at the time of separation from City service:

Years of Service	% of Compensation
5 years, 1 day - 10 years	20%
10 years, 1 day - 15 years	25%

15 years, 1 day - 20 years	30%
20 years, 1 day - 25 years	40%
25 years, 1 day - 30 years	50%
Over 30 years or at retirement	60%

This compensation will be paid with the final paycheck.

The City has implemented PERS option Section 20862.8 (Credit for Unused Sick Leave) for sworn personnel.

16.11 Personal Leave

City shall allow each employee twenty-four (24) hours of accrued sick leave annually for personal reasons. Personal Leave shall be taken in minimum of four (4) hour periods, and shall be approved in advance by the Chief of Police or the Chief's designated representative with due consideration for the needs of the employee and the Department.

Personal Leave periods taken will not be charged against the stay well bonus described in Section 28.00, unless the periods are used immediately before or immediately following vacation or holidays (for those employees who receive holidays off), except as otherwise authorized by the Chief of Police.

16.12 State Disability Insurance

Employees receiving State Disability Insurance payments shall file the "notice of calculation" for disability insurance with the City immediately upon receipt from the Employment Development Department. Upon receipt of notice, the City shall adjust the employee's sick leave usage and wages for the effective period so that his net pay, including SDI, is equal to that which he would receive if working.

17.00 WAGES

17.01 Effective the first full pay period in July 1, 2021, the salary range for each classification in the unit will receive a four percent (4.0%) salary increase.

Effective the first full pay period in July 1, 2022, the salary range for each classification in the unit will receive a five percent (5.0%) salary increase.

Effective the first full pay period in July 1, 2023, the salary range for each classification in the unit will receive a two percent (2.0%) salary increase.

17.02 All employees assigned to patrol shall be paid for eighty-four (84) hours at straight time on the first pay date for each 28-day pay period,

notwithstanding hours actually worked, and shall be paid for the balance of hours actually worked (which will normally also be 84 hours) on the second pay date for that pay period. The purpose of this section is to more equitably spread wage payments to employees over the 28-day pay period. However, this provision shall not apply if the combination of hours worked and hours of paid leave by patrol employees in any 28-day pay period is less than 84 hours. For example, if any patrol employee only works fifty (50) hours and receives ten (10) hours of paid vacation during the 28 day pay period, the employee will only be paid for sixty (60) hours.

17.03 All employees will be eligible to receive a one percent (1%) longevity stipend upon completion of five consecutive years of service, an additional two percent (2%) longevity stipend upon completion of ten consecutive years of service and an additional three percent (3%) longevity stipend upon completion of fifteen consecutive years of service.

17.04 Effective the first full pay period in July 1, 2021, Step One of the current salary schedule shall be eliminated. The current Step Two shall become the new Step One. Concurrently, an additional one step (five percent (5%) shall be added to the top end of the salary. The new step shall replace Step Seven. The Salary Scale shall continue to have a total of Seven Steps.

Upon this change, employees which have been at the old Step Seven shall be moved to the new Step Seven on their anniversary date. All other employees shall continue to progress through the steps on their next anniversary date.

Effective the first full pay period in July 1, 2023, Step One of the new salary schedule shall be eliminated. The new Step Two shall become the new Step One. Concurrently, an additional one step (five percent (5%) shall be added to the top end of the salary. The new step shall replace Step Seven. The Salary Scale shall continue to have a total of Seven Steps.

Upon this change, employees which have been at the old Step Seven shall be moved to the new Step Seven on their anniversary date. All other employees shall continue to progress through the steps on their next anniversary date.

18.00 GRIEVANCE PROCEDURES

Refer to Rule 15 of the Personnel Rules and Regulations.

18.01 Effect of Failure of Timely Action

Failure of the employee to file an appeal within the required time limit at any step shall constitute an abandonment of the grievance. Failure of the City to respond within the time limit at any step shall result in an automatic advancement of the grievance to the next step.

18.02 Limitation on Stale Grievances

A grievance shall be void unless presented within thirty (30) calendar days from the date upon which the City has allegedly failed to provide a condition of employment, or within thirty (30) calendar days from the time at which an employee might reasonably have been expected to have learned of such alleged failure to provide. In no event shall any grievance include a claim for monetary relief for more than the thirty (30) day period plus such reasonable discovery period.

18.03 Exclusion of Non-Recognized Organizations

For the purposes of this section, the provisions of Section 1.00 of this Agreement shall be construed to limit the employee's right of selection of a representative to the extent that agents or any other employee organization, which is not party to this Agreement, are specifically excluded from so acting. In those cases where an employee elects to represent themselves or arranges for other representation, the Association shall have the right to participate in the resolution procedure for the purpose of protecting the interest of its employees in negotiated conditions of employment.

19.00 SAVINGS CLAUSE

If any provision of this Agreement shall be held invalid by operation of law, or by any court of competent jurisdiction, or if compliance with enforcement of any provision shall be restrained by any tribunal, the remainder of this Agreement shall not be affected thereby, and the parties shall enter into negotiations for the sole purpose of arriving at a mutually satisfactory replacement for such provision.

20.00 ENACTMENT

It is agreed that the foregoing shall be jointly submitted to the City Council by the City Manager and Association for Council's consideration and approval.

21.00 PEACE OFFICERS BILL OF RIGHTS

The City and the Association acknowledge and reaffirm all rights and privileges granted to the employees by law, including, but without limitation, those provisions of the Peace Officers' Procedural Bill of Rights (Gov. Code §3300 et seq.) and the Meyers-Milias-Brown Act (Gov. Code §3500 et seq.).

22.00 DEPARTMENT VEHICLES AND EQUIPMENT

22.01 Definition of Vehicles

Any motor vehicle as defined by Sections 165 and 414 of the California Vehicle Code.

22.02 Repairs

All necessary repairs and maintenance of vehicles (as defined in Section 23.01) shall be performed to insure the safety of the operator of the vehicle.

22.03 Unsafe Vehicles

Under no circumstances shall a supervisor of the City require an employee to operate an unsafe department vehicle.

22.04 Claims - Unsafe Vehicles

Claims of unsafe vehicles will be made by the representatives of the Association to the shift supervisor. The City shall have the sole authority to remove vehicles from service.

22.05 Vehicle Maintenance

Routine maintenance of departmental vehicles shall be no less than required by the manufacturer. Only high quality parts and tires will be used on the vehicles. Department vehicles with over 80,000 miles will be inspected annually by a certified mechanic to include frame, suspension and mechanical parts for wear and stress fractures. Any vehicle deemed unsafe will be repaired or pulled from service, as determined by the Chief of Police.

22.06 Vehicle Equipment

All equipment, lights, sirens and switches shall be uniform and provided the same on each patrol vehicle.

22.07 Mileage

All departmental vehicles used for patrol or emergency response shall be taken out of service upon exceeding 115,000 miles, or sooner, and a replacement vehicle shall be properly equipped in accordance with Section 23.06. The Association agrees to continue to meet and confer over the need to extend these mileage limits due to economic constraints of the City.

22.08 Vehicle Equipment Determination

Any equipment deemed necessary by the Chief of Police shall be provided for the departmental vehicles for the safety of any operator.

23.00 VOLUNTARY EDUCATIONAL INCENTIVE PROGRAM

23.01 Definition and Purpose

Scotts Valley Police Department's Educational Achievement Program is designed to upgrade and/or improve the law enforcement skills and knowledge of its personnel. The Department encourages additional educational achievement, which can lead to a higher level of performance.

23.02 Objectives

(1) To upgrade the educational level of technical skills of the personnel of Scotts Valley Police Department to insure a high quality of law enforcement.

(2) To provide an additional attraction for qualified individuals at the entry level who have an interest in law enforcement as a career.

(3) To provide an additional inducement to personnel to improve themselves throughout their career.

(4) To promote the most highly qualified officers to supervisory and administrative levels.

23.03 Procedures for Establishing Educational Incentive Pay

Courses used to obtain the educational incentive pay shall represent a logical progression of the employee's goals and/or those classes that shall be applied toward the achievement of a degree within an approved curriculum.

23.04 Eligibility

The employee shall submit the curriculum to the Education Committee for approval with the following exceptions, which do not require pre-approval:

Police Science Majors
Administration of Justice Majors
Criminology Majors
Public Administration Majors (with minor in any of the above)

23.05 Education Committee

The Committee shall be composed of the following:

(1) Chief of Police or the Chief's designated representative; and

(2) Association President or his designated representative.

The Committee shall determine the appropriateness of courses and/or curriculum outside of the above-named majors. In the event the members of the Committee are unable to agree on the appropriateness of the courses and curriculum, the City Manager shall be asked to participate in the decision making process and shall be entitled to vote therein.

23.06 Certification

The Education Committee shall certify to the employee's eligibility in accordance with Section 23.05. Such notification shall then be sent to the City Manager.

23.07 Effective Date

Educational incentive pay shall be effective the first day of the next pay period following receipt by the City Manager of certification in accordance with Section 23.06.

23.08 Educational Incentive Pay

All employees will be eligible for the following educational incentive program (amounts are not cumulative) based upon earning a degree in higher education as follows:

AA or AS degree	$150 per month
BA or BS degree	$250 per month
MA or MS degree	$300 per month

23.09 Course Reimbursement

The City agrees to reimburse employees for the costs associated with college courses and training sessions approved in advance, in writing, by the Chief of Police, up to a maximum of one thousand dollars ($1,000) per employee per fiscal year. Reimbursable costs include only the following:

(a) Tuition; (b) Books; and (c) Course-related fees

The City will not reimburse employees for supplies or mileage used traveling to and from such courses.

To ensure that the City budget has adequate funds to pay for an employee's course reimbursement request, the employee should submit a request for reimbursement no later than February 15 of each year preceding the July 1 through June 30 fiscal year.

24.00 RETIREMENT

A. CLASSIC MISCELLANEOUS EMPLOYEES

The City provides the CalPERS pension formula of 2.5% at age 55 plan for all eligible employees hired on or before December 31, 2012, or hired after such date but already in the CalPERS system as a classic without a six-month break in service.

All classic miscellaneous employees shall contribute 9.0% PERSable salary towards the employee's contribution.

The City shall provide the Government Code 20042 single highest year benefit for all Miscellaneous employees at City expense.

B. PEPRA MISCELLANEOUS EMPLOYEES

For those employees hired on or after January 1, 2013 to the City of Scotts Valley, who are new to the CalPERS system, the City shall provide 2% at 62 for those employees in accordance with State law. The contribution for new PEPRA employees shall be shared in accordance with State law. PEPRA employee contributions shall be 50% of the normal cost as determined by CalPERS and may change on an annual basis.

C. SAFETY EMPLOYEES ONLY

Classic Safety Employees: The City provides the CalPERS pension formula of 3% at age 50 plan based on the highest average annual compensation during any consecutive 36-month (three year) period for all eligible employees hired on or before December 31, 2012 or hired after such date but already in the CalPERS system as a classic employee without a six-month break in service.

Effective the first full pay period after Union ratification and Council approval of the successor MOU, all classic safety employees shall contribute 9.0% of PERSable salary towards the employee's contribution.

D. PEPRA SAFETY EMPLOYEES

For those safety employees hired on or after January 1, 2013 who are new to the City of Scotts Valley, the City shall provide 2.7% at age 57 plan for

those employees in accordance with State law. The contribution for new PEPRA safety employees shall be shared in accordance with State law. PEPRA employee contributions shall be 50% of the normal cost as determined by CalPERS and may change on an annual basis.

25.00 LAYOFF POLICY

25.01 Layoffs

The following procedures will be followed in the event of layoffs and/or reductions of personnel.

25.02 Order

Layoffs and/or reductions shall occur in the following order:

(1) Temporary employees
(2) Probationary employees
(3) Regular part-time employees
(4) Regular employees on "Needs to Improve"
(5) Regular employees

The Police Department's monthly evaluations shall not be considered as the appropriate evaluation. The Chief of Police shall evaluate the employee's last yearly evaluations concern #4 above.

25.03 Seniority

Within each classification of sworn or non-sworn personnel, layoffs and reductions shall be made on the basis of inverse order to seniority in City Service.

25.04 Special Skills

Where the Chief of Police or the Chief's appointing authority deems it in the best interest of the Department, he may waive the order of layoffs or reductions when loss of an employee's skills on a particular assignment or loss of his special skills would negatively affect the Department's work.

25.05 Association President

The President of the Association shall be exempt from layoffs during his/her term of office.

25.06 Notification

The City Manager and the Association agree that the City Manager shall notify the Association immediately (at least thirty (30) days prior) of any

pending layoffs and/or reductions affecting employees covered by the Agreement. The Association shall have the right to meet and confer concerning such layoffs and/or reductions.

26.00 MANAGEMENT RIGHTS

The City reserves all rights with respect to matters of general legislative and managerial policy including, among others, the exclusive right to determine the mission of its constituent departments, divisions, commissions and boards; set standards of service; determine the procedures and standards for recruitment and selection of employees within the law; direct its employees; take disciplinary action; relieve its employees of duties because of lack of work or for other good reasons; maintain the efficiency of governmental operations; determine the methods, means and personnel by which governmental operations will be conducted; require overtime; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work; and to develop positive and productive employer/employee relationships. These rights shall not be limited except as specified in this agreement.

27.00 PEACEFUL PERFORMANCE

The Association agrees that during the term of this Agreement neither it nor the employees it represents will engage in, encourage, sanction, or support: (1) strikes; (2) slowdowns; (3) mass resignations; (4) mass absenteeism; (5) picketing which would involve suspension of or interference with normal work of the department or other City departments; or (6) any other similar actions which would involve suspension of or interference with normal work of the department or other City departments.

28.00 STAY WELL PLAN

The City has implemented the following Stay Well Plan, which includes the following conditions:

(1) Each stay well year will be from December 1 through November 30.

(2) Eligible employees are those who have accumulated two hundred forty (240) hours of unused sick leave.

(3) The stay well bonus will be paid each year in a separate check on the next pay period after November 30.

(4) Eligible employees shall receive a bonus according to the following schedule, or a pro rata share of this bonus, should they achieve their two hundred forty (240) hours at some point during the stay well year.

Sick Leave Used	Straight Time Bonus	Pro Rata Bonus
0 sick hours	48 hours	50.0%
8 sick hours	40 hours	41.6%
12 sick hours	36 hours	37.5%
16 sick hours	32 hours	33.3%
24 sick hours	24 hours	25.0%
32 sick hours	16 hours	16.6%
36 sick hours	12 hours	12.5%
40 sick hours	8 hours	8.3%
48 - 96 sick hours	0 hours	0.0%

For example, if an employee has accumulated two hundred forty (240) hours by August of the stay well year and then accrues an additional twenty-four (24) hours from September 1 to November 30, the employee will have a total of two hundred sixty-four (264) hours. If the employee has taken sixteen (16) sick hours, the employee will receive 33.3% of the twenty-four (24) hours in excess of the required two hundred forty (240) hour minimum.

(5) Personal leave hours are considered sick leave hours for the purpose of the stay well bonus, only if they are used immediately before or immediately following vacation or holidays (for those employees who receive holidays off) except as otherwise authorized by the Chief of Police.

(6) The stay well bonus is payable at straight time.

(7) Employees shall have the option of receiving the bonus or crediting their unused sick hours to their total accumulations. Such a decision must be received by the City Manager prior to December 1 of each year. The City Manager shall forward this notification to the Finance Department immediately.

(8) Sick hours taken off by employees, regardless of the reason, shall be deducted from the potential stay well bonus.

The specific purpose of the Stay Well Plan is to encourage employees to stay physically fit and well and to miss as few work hours as possible due to illness or any other reason.

29.00 TERM OF AGREEMENT

The term of this Agreement shall be July 1, 2021, through June 30, 2024.

30.00 ENTIRE AGREEMENT

This Agreement rescinds and replaces any prior agreements between the parties except side letter agreements that are in effect by their terms.

"City" CITY OF SCOTTS VALLEY	"Association" SCOTTS VALLEY POLICE BARGAINING UNIT
_____ Derek Timm, Mayor	_____ Aaron Roberts, Police Officer
_____ Tina Friend, City Manager	_____ Mark Salvo, Lead Negotiator

Approved as to form:

_____
Kirsten Powell, City Attorney

ADD ON AGENDA ITEM L
DATE: 6-16-2021

Between the CITY OF SCOTTS VALLEY and the SCOTTS VALLEY POLICE SUPERVISORS ASSOCIATION

JULY 1, 2021 – JUNE 30, 2024

TABLE OF CONTENTS

Page

1.00 ASSOCIATION RECOGNITION 1
- 1.01 Recognition of Association 1
- 1.02 Notice of Recognized Association 1
- 1.03 Payroll Deduction and Pay Over 1
- 1.04 Association Dues, Initiation Fees and Credit Union Share Contribution 2
- 1.05 Indemnification 3
- 1.06 Bulletin Boards 3
- 1.07 Use of Employer Facilities 4
- 1.08 Job Contacts 4
- 1.09 Bargaining Committee 4
- 1.10 Alternative Locations 4

2.00 HIRING PROVISIONS 4
- 2.01 Non-Discrimination 4
- 2.02 Employment 5

3.00 PAYMENTS 5
- 3.01 Items Not Covered by Agreement 5
- 3.02 New Job Classifications 5
- 3.03 Lieutenant Position 5

4.00 HOURS OF WORK, SHIFT, SCHEDULES AND REST PERIODS 5
- 4.01 Work Schedule and Departmental Shift Change 5
- 4.02 Hours of Work 6
- 4.03 Voice Mail / Email 7
- 4.04 Rest Periods 7

5.00 OVERTIME 7
- 5.01 Regular Work Schedule Requirement 7
- 5.02 Authorization of Overtime 7
- 5.03 Definition of Overtime 7
- 5.04 Payment of Overtime 8
- 5.05 Definition of Hourly Rate 8
- 5.06 Fractions of Less than Eight (8) Minutes 8
- 5.07 Compensatory Time Off ("CTO") 8
- 5.08 Shift Adjustments 9

6.00 HEALTH AND SAFETY 9
- 6.01 Health and Safety - Equipment 9
- 6.02 Equipment 10

7.00 UNIFORMS 10

TABLE OF CONTENTS
(continued)

Page

8.00 HOLIDAYS 11

9.00 HEALTH AND WELFARE BENEFITS 11
9.01 PERS Medical Plan 12
9.02 Section 125 Plan 13
9.03 Dental and Vision 14
9.04 Deductibles 14
9.05 Long-Term Disability Insurance 14
9.06 Association member employee Retiree Medical Coverage Program 14
9.07 Life Insurance 16
9.08 Joint Committee for Health Care Cost Containment 16

10.00 CALL-BACK PAY 16

11.00 COURT APPEARANCE 17

12.00 STANDBY PAY 17
12.01 On-Call Pay 17

13.00 ADDITIONAL COMPENSATION 17
13.01 Temporary Assignment to Higher Level 17
13.02 Designation of Bilingual Position 18
13.03 Daylight Savings Time 18
13.04 POST Incentive Compensation 18
13.05 Mileage Allowance 18
13.06 Assignment Differential 18
13.07 Canine Officer Differential 19
13.08 FTO Pay 19
13.09 Stacking of Incentives 19

14.00 LEAVE OF ABSENCE 19
14.01 Other Leave Without Pay 19
14.02 Outside Employment 20
14.03 Military Leave 20
14.04 Leave for Jury Duty 20
14.05 Maternity Leave 20
14.06 Paternity Leave 20
14.07 Bereavement Leave 21
14.08 Administrative Leave 21

15.00 VACATION 21
15.01 Vacation 21
15.02 Vacation Accrual 22
15.03 Effect of Absence on Continuous Service 22

TABLE OF CONTENTS
(continued)

Page

15.04 Vacation Scheduling 22
15.05 Rate of Vacation Pay 23
15.06 Vacation Request Notification 23
15.07 Vacation Buy-back 23

16.00 SICK LEAVE 23
16.01 Definition of Sick Leave 23
16.02 Exclusion of Self-Inflicted Injury 23
16.03 Industrial Sick Leave 24
16.04 Amount and Duration of Payment 24
16.05 Denial of Payment 24
16.06 Employees Excluded 25
16.07 Cumulative Sick Leave Plan 25
16.08 Medical Report 25
16.09 Emergency Leave: Sickness in Immediate Family 25
16.10 Sick Leave Compensation on Termination 25
16.11 Personal Leave 26
16.12 State Disability Insurance 26

17.00 WAGES 26

18.00 GRIEVANCE PROCEDURES 27
18.01 Effect of Failure of Timely Action 28
18.02 Limitation on Stale Grievances 28
18.03 Exclusion of Non-Recognized Organizations 28

19.00 SAVINGS CLAUSE 28

20.00 ENACTMENT 28

21.00 PEACE OFFICERS BILL OF RIGHTS 28

22.00 DEPARTMENT VEHICLES AND EQUIPMENT 29
22.01 Definition of Vehicles 29
22.02 Repairs 29
22.03 Unsafe Vehicles 29
22.04 Claims - Unsafe Vehicles 29
22.05 Vehicle Maintenance 29
22.06 Vehicle Equipment 29
22.07 Mileage 29
22.08 Vehicle Equipment Determination 30

23.00 VOLUNTARY EDUCATIONAL INCENTIVE PROGRAM 30
23.01 Definition and Purpose 30

TABLE OF CONTENTS
(continued)

Page

23.02 Objectives 30
23.03 Procedures for Establishing Educational Incentive Pay 30
23.04 Eligibility 30
23.05 Education Committee 30
23.06 Certification 31
23.07 Effective Date 31
23.08 Educational Incentive Pay 31
23.09 Course Reimbursement 31

24.00 RETIREMENT 32

25.00 LAYOFF POLICY 33
25.01 Layoffs 33
25.02 Order 33
25.03 Seniority 33
25.04 Special Skills 33
25.05 Association President 33
25.06 Notification 33

26.00 MANAGEMENT RIGHTS 34

27.00 PEACEFUL PERFORMANCE 34

28.00 STAY WELL PLAN 34

29.00 TERM OF AGREEMENT 35

30.00 ENTIRE AGREEMENT 36

MEMORANDUM OF UNDERSTANDING
between
CITY OF SCOTTS VALLEY
and
SCOTTS VALLEY POLICE SUPERVISORS ASSOCIATION

July 1, 2021 – June 30, 2024

This **Memorandum of Understanding**, (the "Agreement") is made and entered into this 16th day of June, 2021, by and between the Scotts Valley Police Supervisors Association, hereinafter referred to as "Association," and the City of Scotts Valley, hereinafter referred to as "City," for and on behalf of its representative classification hereinafter identified.

1.00 ASSOCIATION RECOGNITION

Rights and Security.

1.01 Recognition of Association

The City hereby recognizes the Association as the exclusive collective bargaining agent for classifications of Police Lieutenant, Police Sergeants and Police Services Supervisor (collectively referred to as "the Association").

1.02 Notice of Recognized Association

The Police Department ("Department") shall give written notice to persons newly employed in the classifications set out in Section 1.01, which shall contain the name and address of the Association as the organization recognized by the City as the exclusive bargaining agent for the Association. The City will direct all inquiries from employees about Association membership or dues deduction to the Association or Association's designated agent.

1.03 Payroll Deduction and Pay Over

The City shall deduct Association dues, initiation fees, PORAC, Credit Union Share Contribution and premiums for approved insurance programs from employees' pay in conformance with State, Federal, and local regulations from the monthly pay of each Association member employee. The Association will provide the City with information regarding the amount of dues deductions and the list of Association member employees who have affirmatively consented to or authorized dues deductions. The City shall remit the deducted dues and any other mutually agreed payroll deductions, to the extent permitted by law, to the Association as soon as possible after the deduction.

The Association is responsible for providing the City with timely information regarding changes to Association member employees' dues and any other lawful Association-related payroll deduction.

The City agrees to direct each Association member employee to the Association with regard to any questions or concerns related to membership dues, or any other mutually agreed payroll deduction, to the extent permitted by law.

1.04 Association Dues, Initiation Fees and Credit Union Share Contribution

1.04.01 Dues and Initiation Fees and Association Certification

The City shall make payroll deductions in reliance on the Association's certification that the Association has, and will, maintain an authorization signed by each Association member employee who affirmatively consents to pay Association membership dues. Similarly, the City shall only cancel or modify any membership dues or any other mutually agreed payroll deduction, to the extent permitted by law, for any Association member employees in reliance on the information provided by the Association. The City shall not request the Association to provide a copy of any Association member employees' authorization unless a dispute arises about the existence or terms of the authorization. The Association shall notify the City immediately in writing of any changes to the list of employees from which deductions shall be taken.

1.04.02 Credit Union Share Contributions

In addition, the City agrees to deduct credit union share contributions and to transmit these deductions to the employee's applicable credit union at the employee's request. Such deduction(s) shall be authorized by signature on a proper assignment form.

1.04.03 PORAC Dues

At the request of the Members, City agrees to deduct and send deducted quarterly dues to the Peace Officers Research Association ("PORAC") headquarters for the general membership and to the PORAC Legal Defense Fund ("LDF"). Payments to PORAC and LDF are voluntary and deductions shall be made only for those Members who have executed a proper deduction authorization form and presented it to the Chief of Police. Once the form is received, deductions will commence. Members should present forms to the Chief as soon as possible. Payments will be made concurrently with and only in the amount of authorized deductions.

1.05 Indemnification

The Association shall indemnify, defend, protect, and hold harmless the City and its elected and appointed officials, officers, employees, officers and agents (collectively hereafter the “Indemnitees”) from and against any and all claims, liabilities, losses, damages, fines, penalties, claims, demands, suits, actions, causes of action, judgments, costs, and expenses (including but not limited to reasonable attorneys’ fees and court costs) arising from the application of provisions under Section 1.03, including but not limited to, any claims made by any Association member employees for the membership dues deductions the City made in reliance on the Association’s certification and any claims made by any Association member employees for any deduction cancellation or modification the City made in reliance on the information provided by the Association, provided that the City promptly notify the Association of any such matter for which it is seeking indemnification after the City has knowledge of the occurrence of such matter.

In the event any such action or proceeding is brought against the City by reason of any such claim, the Association, upon notice from the City, covenants to defend such action or proceeding by counsel reasonably satisfactory to the City. Further, the Association agrees to indemnify and hold harmless the Indemnitees for any loss or damage arising from the Union’s actions or inaction. However, the Union shall have the exclusive right to direct counsel, control the defence of any action or proceeding, and determine whether any such action or proceeding shall or shall not be compromised, resisted, defended, tried or appealed—on the premise and condition that the Union shall fully compensate for any monetary loss to the City based on the Union’s determination, if any.

1.06 Bulletin Boards

Reasonable space shall be allowed on bulletin boards as specified by the Chief of Police for use by the Association to communicate with represented employees. Material shall be posted on the bulletin board space as designated, and not upon the walls, doors, file cabinets or any other place. Posted material shall not be obscene, defamatory or of a partisan political nature, nor shall it pertain to public issues which do not involve the City or its relations with City employees. The City will post employment solicitations for police positions; however, Association shall maintain notices while they remain on the bulletin board and shall be responsible for their removal in a timely fashion. All posted material shall bear the identity of the sponsor, be neatly displayed and be removed when no longer timely.

1.07 Use of Employer Facilities

City facilities may be made available upon timely application for use by Association member employees. Application for such use shall be made to the management person under whose control the facility is placed.

1.08 Job Contacts

Any authorized representative of the Association shall have the right to contact individual Association member employees working within the Association in City facilities during business hours on matters within the scope of representation, providing prior arrangements have been made for each contact with the Chief of Police or the Chief's designated representative who shall grant permission for such contact if, in his judgment, it will not disrupt the business of the work unit involved or the Department.

1.09 Bargaining Committee

Members of the Association's bargaining committee shall be allowed time to absent themselves from duties for a reasonable period without loss of pay, for the purpose of participating in contract negotiations. No more than two (2) Members at a time may absent themselves from work for this purpose. Off-duty personnel participating in negotiations are not authorized compensation for this time. Members of Association's bargaining committee shall be extended the same privilege to participate in any meetings mutually called by the parties during the term of this Agreement for review of grievances and contract compliance questions. Adequate levels of police protection shall be maintained at all times.

1.10 Alternative Locations

When contact and bargaining on the work location is precluded by reason of confidentiality of records, work situations, health and safety of employees, the public, or disturbance to others, the Chief of Police or the Chief's representative shall have the right to make other arrangements for a contact location removed from the work area.

2.00 HIRING PROVISIONS

2.01 Non-Discrimination

There shall be no discrimination because of a person’s political, or Union affiliation or belief, non-affiliation or non-belief, ancestry, age (40 and above), color, disability (physical and mental, including HIV and AIDS), genetic information, gender identity, gender expression, marital status, medical condition (genetic characteristics, cancer or a record or history of cancer), military or veteran status, national origin (includes use and

possession of a driver's license issued to persons unable to provide their presence in the United States is authorized under federal law, race, religion (includes religious dress and grooming practices) sex/gender (includes pregnancy, childbirth, breastfeeding, and/or related medical conditions, or sexual orientation.

2.02 Employment

The City shall not discipline, discharge or otherwise discriminate against any Association member employee for any Association activity which does not interfere with the proper performance of that employee's work.

3.00 PAYMENTS

3.01 Items Not Covered by Agreement

Existing wages, hours and other terms and conditions of employment including fringe benefits not changed, modified or specifically referenced in this Agreement and not inconsistent with the terms and conditions of this Agreement shall remain in full force and effect during the term of this Agreement.

3.02 New Job Classifications

If an Association member employee covered by this Agreement is assigned work of a substantially new or different nature so as to constitute a new job classification, the City and the Association will negotiate the wage rate applicable to the new classification.

3.03 Lieutenant Position

The filling of the Lieutenant position will be at the sole discretion of the City. The position is exempt from all other forms of salary, including longevity, and holiday pay except as otherwise expressly provided in this Agreement. The position will receive City holidays off with pay, but will be exempt from all overtime compensation.

4.00 HOURS OF WORK, SHIFT, SCHEDULES AND REST PERIODS

4.01 Work Schedule and Departmental Shift Change

The Chief of Police has implemented a 3/12 work schedule for the patrol division.

The Chief of Police will designate the schedule that FTO's and their trainees will work.

The Chief of Police or the Chief's designated representative shall prepare a schedule showing the hours each Association member employee is to work. Except under unforeseeable circumstances, the Chief of Police shall make every reasonable effort to assure that no Association member employee shall have more than one shift change in any calendar month. Whenever shift changes are required, it shall not result in a reduction in salary where overtime is actually worked.

The normal working hours for each detective sergeant shall be from 0800 to 1700 with one hour for lunch. In the event a detective sergeant is called to duty during his/her lunch hour, it shall be that employee's option to leave work one hour early unless the employee's supervisor determines that it is necessary for the operations of the department for the employee to continue to work in which event the employee shall receive overtime pay for the lost lunch period. Staggered lunches will not be required.

The Lieutenant position shall be exempt from this provision.

4.02 Hours of Work

Hours of work for patrol sergeants will be twelve (12) hours per shift. For patrol personnel, the normal work period for the purpose of calculating overtime will be twenty-eight (28) days. For all other personnel, the normal work period for calculating overtime will be seven (7) days. The normal work week for employees other than patrol will be forty (40) hours.

For the detective sergeant, hours of work include paid holidays. The work week for all other personnel shall begin on Friday at 2400 hours and end on the following Friday at 2400 hours.

The City may elect to use a 28-day work cycle for patrol division under the 7(k) exemptions contained in the Fair Labor Standards Act (FLSA). All hours worked shall be compensated at the straight hourly rate (Section 5.05) provided that i) hours of work in excess of one hundred seventy-one (171) per each twenty-eight (28) day work period will be considered overtime for patrol personnel, and ii) hours of work in excess of forty (40) hours per each seven (7) day work period will be considered overtime for all other employees. All overtime hours will be compensated pursuant to the provisions of Section 5.04 of this Agreement.

The Services Supervisor works from 8 a.m. to 5 p.m. and has a one hour lunch break. The Services Supervisor is off for holidays.

The Lieutenant position shall be exempt from all overtime compensation.

4.03 Voice Mail / Email

All employees are required to check their voice mail and email at least once daily on scheduled work days. Employees are not required to check voice mail and email during vacation leave. Employees are required to telephonically respond to text messages on non-scheduled work days but will not be entitled to on-call pay.

4.04 Rest Periods

Each Association member employee on the 3/12 plan will have three (3) fifteen (15) minute breaks that will be scheduled throughout the work day. Rest breaks will not be scheduled during the first or last hour of any period of work. Each employee will be granted a forty-five (45) minute lunch break close to the middle of the employee's shift. No wage deduction shall be made nor time off charged against employees taking authorized rest periods, nor shall any rights or overtime be accrued for rest periods voluntarily not taken. There is no obligation upon the City to provide facilities for refreshments during the rest periods, or for procurement thereof.

5.00 OVERTIME

5.01 Regular Work Schedule Requirement

The Department shall prepare a schedule designating the hours each employee shall work. Work for the City by an employee at time other than those so scheduled shall be approved in advance by the Chief of Police or the Chief's designated representative.

5.02 Authorization of Overtime

No employee (excluding Lieutenants) shall receive compensation for overtime in cash, in time off or a combination thereof, unless such overtime work has been approved by the Chief of Police or the Chief's designated representative as set forth above.

The Lieutenant position shall be exempt from all overtime compensation.

5.03 Definition of Overtime

For the purposes of the 3/12 work schedule, all overtime work for patrol will be defined as all work performed in excess of one hundred and seventy-one (171) hours in an established twenty-eight (28) day work period. For employees other than patrol personnel, all overtime work will be defined as all work performed pursuant to Section 4.01 and 4.02 in excess of forty (40) hours for each seven (7) day work period.

For all employees on the 3/12 work schedule, all work performed does not include the eight (8) hours of holidays paid (whether they work on those holidays or not) and does not include the four (4) hours of additional holiday hours paid to employees who work on holidays as provided elsewhere in this Agreement.

5.04 Payment of Overtime

For patrol personnel, all hours in excess of one hundred seventy-one (171) hours in the twenty-eight (28) day work period will be paid in accordance with the FLSA and the settlement agreement between the City and Association dated May 8, 2020. For all other employees, all overtime work will be compensated at the rate of one and one-half (1.5) times the hourly rate after forty (40) hours in any work week. All paid time off will be considered time worked in determining overtime, except that for employee s on the 3/12 work schedule, both the eight (8) or ten (10) hours of holiday paid to employees (whether they work holidays or not) and the four (4) hours or pro-rated hours of additional holiday hours paid to employees who do work holidays other than the floating holiday will not be considered time worked in determining overtime.

5.05 Definition of Hourly Rate

For purposes of this section, hourly rate shall be defined as follows:

- For employees assigned to the patrol division, Base Monthly Pay times (12) months, divided by 2,184 hours (per year) equals hourly rate.

- For all other employees, Base Monthly Pay times (12) months, divided by 2,080 hours (per year) equals hourly rate.

The Lieutenant position shall be exempt from this provision.

5.06 Fractions of Less than Eight (8) Minutes

No overtime payment shall be allowed for any period of less than eight (8) minutes, and fractions of less than eight (8) minutes worked shall not be considered overtime and may not be accumulated in order to total more than eight (8) minutes or more.

5.07 Compensatory Time Off ("CTO")

At the sole option of an Association member employee CTO may be accrued in lieu of monetary compensation for overtime and is earned at a rate of one and one-half (1.5) times the hourly rate up to the maximum CTO accruals established herein.

All employees may accrue CTO in lieu of monetary compensation for overtime to a maximum of eighty-four (84) hours. Such CTO may be replenished during the year up to the eighty-four (84) hour maximum. The timing of taking the CTO shall be determined by the Division Captain considering the employee's preference.

CTO may be granted with a two (2) pay period notice at the discretion of the supervisor. Supervisors are not precluded from granting CTO with a shorter notice if the needs of the Department will allow this time off. CTO will not be approved if it creates undue disruption to cover the absence from the requested CTO.

Any accrued and unused CTO will be cashed out in the last paycheck of the calendar year.

The Lieutenant position shall be exempt from this provision.

5.08 Shift Adjustments

If the department intends to adjust an employee's shift due to overtime worked on a shift, the employee's supervisor must notify him of the intended shift adjustment on the day before the adjustment occurs. Such notice shall be given by the end of the employee's shift.

For patrol personnel, all shift adjustments shall be made within the twenty-eight (28) day work period. For all other employees, all shift adjustments shall be made within a forty (40) hour work week. All shift adjustments will be completed at the time that the change in the shift is made. Except for unforeseeable circumstances, the Chief of Police shall make every effort to assure that no Association member employee shall have more than one shift adjustment occur during a pay period.

6.00 HEALTH AND SAFETY

6.01 Health and Safety - Equipment

City shall comply with all applicable State and Federal Safety Regulations and shall furnish all safety equipment required by law or deemed necessary by the Chief of Police to all employees as appropriate. At the commencement of employment, each Association member employee shall be provided safety equipment by the City as follows:

One (1) belt for slacks
One (1) leather duty belt with: holster, double magazine holder, double handcuff case, O.C. spray holder, baton ring, key ring, four (4) keepers, belt buckle
One (1) semiautomatic handgun with three magazines and duty ammunition sufficient for the capacity of a full loaded pistol and three magazines

One (1) O.C. spray canister
One (1) soft body armor ballistic vest, replaced every five years
Two (2) pair of handcuffs with keys
One (1) baton
One (1) police flashlight

6.02 Equipment

City shall provide all equipment deemed essential by the Chief of Police to complete assigned duties.

7.00 UNIFORMS

At the commencement of employment, each employee shall be provided uniforms by the City as follows:

Lieutenants and Sergeants:

One (1) uniform hat and hat piece
Three (3) uniform shirts, long or short sleeve
Three (3) uniform slacks
One (1) uniform duty jacket
One (1) uniform dress jacket
Patches as required for above uniforms
One (1) name tag for uniform shirt
One (1) name tag for uniform jacket
One (1) complete set of rain gear and rain boots
Two (2) B.D.U. uniforms
One (1) duty badge
One (1) off-duty badge and badge wallet

Services Supervisor:

The City agrees to maintain any required uniform for the Services Supervisor.

During the course of employment, the City shall replace uniforms, at no cost to the employee, at the discretion of the Chief of Police. The City further agrees to establish an account at a local dry cleaners to clean and maintain said uniforms at no cost to the employee. All above uniform costs shall be subject to the applicable public retirement rate as required by the Public Employees Retirement System (PERS) regulations.

For the detective sergeant only, City will pay to clean clothes soiled as a result of a work-related incident, with the approval of the Chief of Police or designee. This cost will be paid through the City's local dry cleaners account.

8.00 HOLIDAYS

All employees on the 3/12 work schedule will receive eight (8) hours of straight time as compensation in lieu of paid holidays for each holiday other than the floating holiday and ten (10) hours of straight time as compensation in lieu of the paid floating holiday. One twelfth (1/12) of the annual aggregate in lieu compensation shall be paid for each calendar month of employment. This compensation shall be received in equal monthly increments. In addition, any Association member employee on the 3/12 work schedule who works a twelve (12) hour shift on a City recognized holiday other than the floating holiday will receive an additional four (4) hours of pay at straight time in addition to regular pay for the day worked. Any Association member employee on the 3/12 work schedule who works less than twelve (12) hours on a City recognized holiday other than the floating holiday will receive pro-rated straight time holiday pay.

Each Association member employee of the bargaining unit who is assigned as a detective shall be entitled to the following holidays and receive wages based on the normal scheduled work for the day. Any holiday that would otherwise be on a Saturday will be taken on the preceding Friday. Any holiday that would otherwise be on a Sunday will be taken on the following Monday.

A. First day of January
B. Third Monday in January - Dr. Martin Luther King Jr. Day
C. Third Monday in February - Presidents Day
D. Last Monday in May - Memorial Day
E. July 4th
F. First Monday in September - Labor Day
G. Second Monday in October - Columbus Day
H. November 11 - Veterans Day
I. Thanksgiving Day
J. The day following Thanksgiving Day
K. The day preceding Christmas
L. Christmas Day
M. The Day preceding New Year's Day
N. One floating holiday per fiscal year. Employees must use the floating holiday for that fiscal year
O. Every day appointed by the President of the United States, or the Governor of the State of California or the City Council for a public fast, thanksgiving or holiday.

Detectives, sergeants, and lieutenants shall take Holidays and shall be paid for those days off.

9.00 HEALTH AND WELFARE BENEFITS

Health and Welfare Benefits

9.01 PERS Medical Plan

9.01.01 Cafeteria Plan

The City will provide medical insurance through the Public Employees' Retirement System (PERS). The City's contribution towards medical coverage will be the minimum amount required by Government Code section 22825 for regular full-time employees. All employees who elect coverage in the PERS medical plan may choose any medical plan available.

The City will also make available a Flexible Benefit Plan (Cafeteria Plan).

9.01.02 City Contribution

a. From July 1, 2021 to December 31, 2021, the City will continue to contribute to the cafeteria plan up to the PERS Choice rate, minus the Government Code Section 22825 contribution. However, for employees choosing the PERS Choice or PORAC plans, the City shall contribute the PERS Choice or PORAC rate plus 50% of the difference between the PERS Choice or PORAC rates and the PERS HMO rate to be used in the cafeteria plan.

b. The City shall also pay administrative fees and contingency reserve fund assessments, if any.

c. Beginning January 1, 2022, the City will contribute the following amounts per month toward the cost of health benefits for each bargaining unit member. The flex dollar allowances shall increase on the December 15th paycheck of each subsequent year up to a maximum of three percent (3%) on an annual basis, based on but not to exceed the Kaiser Bay Area premium rate increase for the upcoming calendar year. Unit members electing coverage with a cost greater than the amount paid by the City in this Section shall have the difference deducted automatically from the unit member's pay. In the event the actual monthly premium is less than the amount shown on the chart below, the difference shall be provided as contribution to the employee's deferred compensation account.

Enrolment Level	**City Contribution**
Employee Only	$1,000.00
Employee + 1	$2,000.00
Employee + 2 Or More	$3,000.00

Employees may also elect the following optional benefits if the employee has surplus cafeteria plan funds remaining after electing medical insurance coverage:

1. Medical reimbursement account
2. Dependent care assistance plan
3. AFLAC supplemental insurance
4. Deferred compensation
5. Taxable cash-out

Employees who wish to participate in the optional benefits in the plan, but do not have any surplus City-contributed cafeteria funds, can elect to make pre-tax deductions in an amount to cover the cost of the optional benefits.

9.01.03 Rebate for Non-Enrolled Dependants

The City shall pay any full-time (40 hours per week) employee who chooses not to enroll in the PERS Health plan the employee's otherwise eligible dependents the following amount provided proof of alternative medical coverage is provided:

1. Employee eligible to enroll as employee plus one, but enrolls as employee only = $100.

2. Employee eligible to enroll as employee plus two, but enrolls as employee plus one = $100.

3. Employee eligible to enroll employee plus two, but enrolls employee only = $150.

9.01.04 Reopener in the Event of Provider Change

In the event that no PERS HMO and/or PERS Choice contract with one of the four major care providers in the area (Sutter, Dominican, Santa Cruz Medical Clinic or Physicians Medical Group) during the term of this MOU, the parties agree to re-open section 10.01 if employees are covered by the affected plans.

9.02 Section 125 Plan

The City also agrees, to the extent allowable by law, to adopt the provisions of Section 125 of the Internal Revenue Code, thereby enabling employees to pay allowable medical costs with pre-tax dollars.

9.03 Dental and Vision

The City shall provide reimbursement for employee's and dependents' documented dental expenses, with the first $200 in expenses – 100%

reimbursed, the next $500 in expenses – 80% reimbursed, and the next $1,000 in expenses – 50% reimbursed up to a maximum of $1,100 in City contribution each calendar year.

Vision coverage benefits shall remain the same as those benefits in effect in the previous MOU in the Vision Service Plan.

9.04 Deductibles

Employees shall be responsible for paying the deductible portion of their medical, dental and vision insurance plans, where applicable.

When two employees are married to each other, the City shall reimburse the married employees for the deductible portion of the medical premiums up to a maximum of Three Hundred Dollars ($300.00) per calendar year per couple.

9.05 Long-Term Disability Insurance

City agrees to maintain a long-term disability plan at City's sole cost, not to exceed one and eight-tenths (1.8%) of annual salary per month.

9.06 Association member employee Retiree Medical Coverage Program

It is the purpose of the employees Retiree Medical Coverage program to provide for medical insurance compensation to retired employees in order to insure that these individuals, who have dedicated a number of years of service to the City of Scotts Valley, do not face an economic hardship at the time of retirement in paying for medical insurance coverage.

To be eligible for this retirement benefit an employee:

1. Must have been employed with the City for ten (10) years or longer.

2. Shall retire from the City of Scotts Valley. Public safety employees shall be eligible for this benefit upon retiring at age 50 or older; all other employees shall be eligible upon retiring at age 55 or older. Retirement shall be defined as "retiring under the provisions of the PERS Retirement Plan."

3. The retired employee shall provide annual proof on annual basis during retirement of current medical insurance coverage including the costs to the retiree. The retiree must notify the City if the medical insurance policy is cancelled. Failure to carry medical insurance or to notify the City of its cancellation will eliminate eligibility for this benefit. The retired employee must secure his/her own medical insurance coverage.

The medical benefit will be provided directly to the retired employee at the following rates:

A. For employees hired on or before June 30, 2018

1. For employees who have served 10 to 15 years with the City: 100% of premiums to a maximum of 33% of the premiums for the PERS-CARE plan (benchmark plan); reduced to 16.5% at Medicare eligibility.

2. For employees who have served 15-20 years with the City: 100% of the premiums to a maximum of 50% of the PERS-CARE plan; reduced to 25% at Medicare eligibility.

3. For employees who have served over 20 years: 100% of premiums to a maximum of 67% of the PERS-CARE plan; reduced to 33.5% at Medicare eligibility.

The medical benefit will be provided to the retired employee and the employee's spouse. However, this benefit shall only be payable while the retiree is living, and shall not be payable to the spouse of the retiree after the retiree's death.

B. For employees hired on or after July 1, 2018

To be eligible for this benefit an employee:

1. Must have been employed with the City for ten (10) years or longer.

2. Shall retire from the City of Scotts Valley. Public safety persons shall be eligible for this benefit upon retiring at age 50 or older; all other employees shall be eligible upon retiring at age 55 or older. Retirement shall be defined as “retiring under the provisions of the PERS Retirement Plan.”

3. The retired employee shall provide annual proof on an annual basis during retirement of current medical insurance coverage including the costs to the retiree. The retiree must notify the City if the medical insurance policy is cancelled. Failure to carry medical insurance or to notify the City of its cancellation will eliminate eligibility for this benefit. The retired must secure his/her own medical insurance coverage. The medical benefit will be provided directly to the retiree at the following rates:

a. For employees who have served 10 to 15 years with the City up to a maximum of monthly contribution which is inclusive of the PEMCHA minimum:

Employee Only: $250.00
Employee plus Spouse: $375.00

b. For employees who have served 15 to 20 years with the City up to a maximum of monthly contribution which is inclusive of the PEMCHA minimum:

Employee Only: $350.00
Employee plus Spouse: $550.00

c. For EMPLOYEES who have served over 20 years with the City up to a maximum of monthly contribution which is inclusive of the PEMCHA minimum:

Employee Only: $500.00
Employee plus Spouse: $750.00

The medical benefit will be provided to the retiree and their spouse. However, this benefit shall only be payable while the retiree is living, and shall not be payable to the spouse of the retiree after the retiree's death.

9.07 Life Insurance

The City shall pay the premium for a $50,000 life insurance plan for all employees.

9.08 Joint Committee for Health Care Cost Containment

City and Association agree to participate in a "Joint Health Care Cost Containment Committee" for the purpose of controlling health care costs. The Committee shall make recommendations consistent with this goal. Recommendations shall be implemented if approved by the City and Association.

10.00 CALL-BACK PAY

Any employee who has departed from the employee's work location and is called back to work by the Chief of Police or the Chief's designated representative (on a regularly scheduled work day for that employee) shall be guaranteed a minimum of two (2) hours compensation at one and one-half (1.5) times the hourly rate in accordance with Section 4.02. Any employee who has departed from the employee's work location and is called back to work by the Chief of Police or the Chief's designated representative on a day for which the employee is not scheduled to work shall be guaranteed a minimum of four (4) hours compensation at one and one-half times (1.5) the hourly rate in accordance with Section 4.02. A

regularly scheduled work day is defined as each day on which the majority of hours worked in each shift falls.

The Lieutenant position shall be exempt from this provision.

11.00 COURT APPEARANCE

Any employee who is required to testify in connection with an employee's usual official duties or in connection with a case in which the City or Police Department is a party shall be guaranteed a minimum of four (4) hours compensation at one and one-half (1.5) times the hourly rate.

The lieutenant position shall be exempt from this provision.

12.00 STANDBY PAY

Employees who are required to perform standby duty by the Chief of Police, or the Chief's designee or the court shall be compensated at the flat rate of one hundred dollars ($100.00) per day. Standby duty is that period of time an employee is required to be available by phone for immediate call out.

The Lieutenant position shall be exempt from this provision.

12.01 On-Call Pay

On-call positions shall receive a flat rate of one hundred dollars ($100.00) per day for on-call status. The detective sergeant will rotate the on-call duty with the detectives

13.00 ADDITIONAL COMPENSATION

13.01 Temporary Assignment to Higher Level

An employee specifically assigned on a temporary basis to a higher level position shall be compensated at the pay rate for the higher level position if the service in such position exceeds a total of twenty (20) days in any twelve (12) month period. Payment shall be retroactive to the first day of such service. Temporary assignments may not exceed the limits set forth in the Public Employment Retirement Law. In accordance with the Public Employees' Pension Reform Act (PEPRA), temporary assignment pay is not pensionable compensation for employees who are "New Members" of CalPERS, as defined by California Government Code Section 7522.04(f).

If the temporary assignment lasts longer than six (6) months, then the employee will be able to use and accrue forty-eight (48) hours of CTO per fiscal year, unless the position is the Lieutenant position.

13.02 Designation of Bilingual Position

Upon the recommendation of the Chief of Police or the Chief's designated representative and with the approval of the City Manager, an employee occupying a position designated as requiring fluency in a language other than English shall receive Two Hundred Dollars ($200) per month.

13.03 Daylight Savings Time

All employee s working at the time daylight savings time starts or ends shall be paid for actual time worked in accordance with Section 4.00 and its provisions.

13.04 POST Incentive Compensation

The Lieutenant position shall be paid a Seventy-five dollar ($75.00) monthly incentive for attaining a POST Management Certificate.

13.05 Mileage Allowance

When an employee is required to use the employee's personal vehicle on City business, the City shall pay the mileage allowance provided by the rules and regulations of the International Revenue Service.

13.06 Assignment Differential

A five percent (5%) additional salary differential over base pay shall be paid to all employees assigned as a motorcycle officer.

A twenty percent (20%) salary differential over base pay shall be paid to all employees assigned to detective position. An assignment differential of twenty percent (20%) is for the purpose of taking on increased responsibilities. The Chief of Police and/or his designee will develop an on-call schedule for all individuals assigned to the investigations unit on a rotational basis. When a detective sergeant has been placed on-call, he is expected to be able to respond to the department within one hour and carry a pager during the on-call assignment period (maximum one detective on-call at a time).

All assignment differentials shall be approved in advance by the Chief of Police. The assignment as stated above shall be noted on the employee time card.

13.07 Canine Officer Differential

All employees assigned as Canine Officers will receive additional compensation at the rate of five percent (5%) of base pay for the care and

maintenance of their dog, whether the actual time is more or less than that. The parties mutually agree that this is adequate for care and maintenance.

The California Police Officers Standards of Training currently require canine units to receive a minimum of 16 hours of training a month. These hours will be offset by allowing the Canine Officer to train on duty or during a scheduled training time and then adjust the start time of their work day by four hours.

13.08 FTO Pay

Field Training Officers (FTO) shall receive a five percent (5%) differential for the hours actually worked in the capacity as FTO when assigned a trainee at the discretion of the Police Chief. No more than two (2) FTOs will receive this benefit at any one time, unless more are authorized by the Police Chief. Such salary differential shall only be paid for the hours worked during the pay period in the capacity as FTO.

13.09 Stacking of Incentives

As a general rule, employees are not permitted to receive more than one differential pay at a time. However, except for when assigned to detectives, an employee is eligible to be paid the Canine Officer Differential, FTO Pay and Temporary Assignment to a Higher Classification pay when performing any or all of those assignments.

14.00 LEAVE OF ABSENCE

14.01 Other Leave Without Pay

The appointing authority may grant an employee a leave of absence without pay for a definite period not to exceed three (3) months. The City Council may grant an employee a leave of absence without pay for a definite period not to exceed one year. The request for leave, and the reasons therefore, shall be submitted in writing by the employee and must be approved by both the Chief of Police and City Manager and, when necessary, the Council.

Upon expiration of the approved leave, the employee shall be reinstated to his/her former position or to a comparable one if the former position is abolished during the period of leave and the employee would otherwise not have been laid off.

Failure on the part of a Member to return to work on the date scheduled shall be cause for termination.

14.02 Outside Employment

A leave of absence without pay may not be granted to an employee for purposes of accepting either private or other public employment outside the service of the City, except as hereinafter provided in this Article 14.00.

An employee may not work outside employment without the prior written approval of the Chief of Police.

14.03 Military Leave

Every employee shall be entitled to military leaves of absence as specified in Chapter 7, Part 1, Division 2, of the California Military and Veterans Code. If such employee shall have been in the service of the City for at least one (1) year prior to the date such absence begins, he shall be entitled to receive pay for up to one (1) month of military leave during any fiscal year at the rate he would have received for service to the City. Time spent on military leave shall be included in determining eligibility to occupy a classification based upon length of service.

14.04 Leave for Jury Duty

Leave of absence with pay shall be granted to an employee while going to and from court and serving on jury duty. Any jury fee awarded to such person shall be deposited with the City Treasurer. Any employee who serves jury duty on any calendar day in which he would have commenced a regularly scheduled shift shall receive that shift off as leave of absence with pay.

14.05 Maternity Leave

Refer to City Personnel Rules and Regulations (Section 17.08 adopted 11/11/86).

14.06 Paternity Leave

All male employees whose spouse or significant other is pregnant may take up to a four (4) month leave of absence. Said leave shall be called a “Paternity Leave” and must be applied for, in writing, to the Chief of Police. Included with said application shall be a doctor’s certificate, certifying the pregnancy, and estimating the delivery date. Application will also state the beginning and ending dates of requested leave.

A longer leave may be granted where extenuating circumstances exist. All paternity leaves shall be without pay and without a loss in seniority. Employees shall use accumulated sick leave, vacation, or compensatory time during this period, immediately preceding this period, or immediately

following this period; subject to the City approval of any leave totaling more than four months.

Vacation and sick leave benefits do not accrue during paternity leave. All other benefits accrue in accordance with the provisions of the City Personnel Rules and Regulations.

14.07 Bereavement Leave

Employees shall be granted a leave with full pay in the event of the death of any member of the employee's immediate family. The leave shall be for a period of twenty-four (24) hours or forty (40) hours if travel in excess of five hundred (500) miles is required. The immediate family is defined as mother, step-mother, father, step-father, husband, wife, domestic partner, son, step-son, daughter, step-daughter, foster parent, foster child or any person sharing the relationship of loco pare, a brother, sister, brother-in-law, sister-in-law, mother-in-law, father-in-law, or grandparent, or any other special circumstance as approved by the City Manager.

14.08 Administrative Leave

The Lieutenant position shall be entitled to take eighty (80) hours of Administrative Leave per fiscal year. Administrative Leave shall not cumulate from year to year, and no compensation shall be made for any unused leave. Administrative Leave shall be prorated if employment is commenced during the fiscal year.

15.00 VACATION

15.01 Vacation

Employees covered by the provisions of this Agreement shall receive annual vacation leave in accordance with the following schedule:

Years of Service	Vacation Hours
Less than 5 years	80 hours
5-10 years	120 hours
10 years	160 hours
15 or more years	168 hours

The Lieutenant position shall accrue an additional forty (40) hours of vacation after fifteen (15) years of service.

Vacation hours are those an employee would be normally scheduled to work. Holidays, hours off, sick leave hours and emergency or personal leave hours shall not be considered or charged as vacation hours.

At the discretion of the Chief of Police and with approval by the City Manager, a new hire with prior experience as a detective, sergeant, or lieutenant may have all or a portion of their prior years of experience counted as years of service for the purposes of accruing vacation.

15.02 Vacation Accrual

An Association member employee may not carry forward from year to year more than two (2) times his annual vacation rate unless he has first received a written extension granted by the City Manager at the recommendation of the Chief of Police. Written extensions shall be granted in cases where, due to service requirements of the department, it was not reasonably possible for the employee to reduce his vacation accumulation below two (2) times. Employees who have refused to take vacation during the calendar year are not guaranteed of receiving written extension.

15.03 Effect of Absence on Continuous Service

Absence or authorized leave with or without pay, time during which an employee is laid off because his services are not needed and time during which an employee is temporarily not employed by the City shall not be considered as an interruption of continuous service if such absence is followed by re-employment within one (1) year. However, such absences shall not be counted in computing the employee's years of continuous service.

15.04 Vacation Scheduling

The Chief of Police or the Chief's designated representative shall determine when vacation leave may be taken. The employee shall be allowed to divide his vacation leave in any calendar year into two (2) segments. The Chief of Police may grant an employee additional segments of vacation. Seniority in department service among employees in a classification and working unit consistent with Department operating requirements shall be the basis on which vacation schedule conflicts shall be resolved in favor of the most senior employee who has not, by virtue of employee's senior position, previously had such a conflict resolved in the employee’s favor during the calendar year. In the event of vacation schedule conflicts among employees who have had such conflicts resolved in their favor before, the senior employee who has had the least number of successful conflict resolutions shall prevail. Vacation may be started on any day of the week.

15.05 Rate of Vacation Pay

Compensation during vacation shall be at the rate that the employee is entitled to receive, including premium pay, as if the employee was on active service during such vacation.

15.06 Vacation Request Notification

All vacation requests will be made no less than ninety (90) days prior to the requested time for leave. Supervisors will not be precluded from granting vacation requests upon shorter notice provided that the needs of the Department will allow for the requested time off.

15.07 Vacation Buy-back

The City will buy back up to one week (40 hours) of vacation annually, after 10 years of service with the City and an additional one week (40 hours) of vacation annually, after 15 years of service with the City, so long as the employee has an accrued vacation balance of at least one week (40 hours) remaining following the buy back. To request a vacation buy back, the employee shall submit a written request to the City Manager. So long as the employee meets the requirement of this subsection, the City Manager shall grant the request.

16.00 SICK LEAVE

16.01 Definition of Sick Leave

As used in this section, "sick leave" means leave of absence of an employee because of any of the following: (1) illness or injury which renders them incapable of performing the employee's work or duties for the City; (2) the employee's exposure to contagious disease as evidenced by a doctor's certification that this exposure necessitates the employee being on sick leave; and (3) routine medical or dental appointments of the employee.

16.02 Exclusion of Self-Inflicted Injury

In no case shall an absence due to purposeful or intentional self-inflicted incapacity or injury be deemed a basis for granting either sick leave or sick leave with pay under the provision of this section.

16.03 Industrial Sick Leave

If an employee is incapacitated by sickness or injury received in the course of his employment with the City, he shall be entitled to pay as provided herein.

16.04 Amount and Duration of Payment

Such Association member employee shall be entitled to receive industrial sick leave with pay equal to the difference between 100% of his normal salary and the amount of any Workers' Compensation temporary disability payments to which he is entitled during such incapacity for a period not to exceed one (1) calendar year from the date of such sickness or injury.

16.05 Denial of Payment

Notwithstanding the foregoing provisions of this section, such payment shall not be made pursuant to this subsection to an employee:

(1) who does not apply for or receive temporary disability benefits under the Worker's Compensation Law;

(2) whose injury or illness has become permanent;

(3) whose injury or illness, although continuing to show improvement, is unlikely to improve sufficiently to permit the employee's return to work in his position;

(4) who is retired on permanent disability or pension;

(5) whose injury or illness is the result of intentional failure to observe City health or safety regulations or the commission of a criminal offence;

(6) whose injury or illness has been aggravated or delayed in healing by reason of the employee's failure to receive medical treatment or follow medical advice, except where such treatment or advice has not been sought or followed by reason of the employee's religious beliefs; and

(7) whose injury or illness is a recurrence or re-injury of an earlier job-related injury or illness or is contributed to by a susceptibility or predisposition to such injury.

16.06 Employees Excluded

The provisions of Article 16.00 do not apply to safety employees who are subject to the provisions of California Labor Code Section 4850.

16.07 Cumulative Sick Leave Plan

Each employee will accumulate sick leave at the rate of eight hours per each full calendar month on a paid status. The Chief of Police or the Chief's

designated representative shall grant sick leave with pay, not to exceed an employee's accumulated unused sick leave, to an employee incapacitated by injuries or sickness.

16.08 Medical Report

As a condition of granting sick leave with pay, the Chief of Police may require medical evidence of sickness or injury acceptable to the Department, which may include a statement of diagnosis and treatment from a licensed physician or a medical clearance to return to work.

16.09 Emergency Leave: Sickness in Immediate Family

Leave of absence with pay because of sickness or injury in the immediate family of an employee shall be granted by the Chief of Police or the Chief's designated representative for up to forty-eight (48) hours per fiscal year, but not to exceed the amount of time which the person has accrued for sick leave in Section 16.07. Time taken for leave of absence under the provisions of this subsection shall be deducted from the employee's accrued sick leave balance. For the purposes of this subsection, "immediate family" means mother, step-mother, father, step-father, husband, wife, domestic partner, son, step-son, daughter, step-daughter, foster parent, foster child or any person sharing the relationship of loco parentis; and, when living in the household of the employee, a brother, sister, brother-in-law, sister-in-law, father-in-law or grandparent.

16.10 Sick Leave Compensation on Termination

City shall pay to each terminated, separated employee the value of his accrued and unused sick leave not to exceed a maximum of nine hundred and sixty (960) hours, based on the following sliding scale, representing the percentage of salary to be applied to available accumulated hours of sick leave applicable at the time of separation from City service:

Years of Service	% of Compensation
5 years, 1 day - 10 years	20%
10 years, 1 day - 15 years	25%
15 years, 1 day - 20 years	30%
20 years, 1 day - 25 years	40%
25 years, 1 day - 30 years	50%
Over 30 years or at retirement	60%

This compensation will be paid with the final paycheck.

The City has implemented PERS option Section 20862.8 (Credit for Unused Sick Leave) for sworn personnel.

16.11 Personal Leave

City shall allow each employee twenty-four (24) hours of accrued sick leave annually for personal reasons. Personal Leave shall be taken in minimum of four (4) hour periods, and shall be approved in advance by the Chief of Police or the Chief's designated representative with due consideration for the needs of the Association member employee and the Department.

Personal Leave periods taken will not be charged against the stay well bonus described in Section 28.00, unless the periods are used immediately before or immediately following vacation or holidays (for those employees who receive holidays off), except as otherwise authorized by the Chief of Police.

16.12 State Disability Insurance

Employees receiving State Disability Insurance payments shall file the "notice of calculation" for disability insurance with the City immediately upon receipt from the Employment Development Department. Upon receipt of notice, the City shall adjust the employee's sick leave usage and wages for the effective period so that his net pay, including SDI, is equal to that which he would receive if working.

17.00 WAGES

17.01 Effective the first full pay period in July 1, 2021, the salary range for each classification in the unit will receive a four percent (4.0%) salary increase.

Effective the first full pay period in July 1, 2022, the salary range for each classification in the unit will receive a five percent (5.0%) salary increase.

Effective the first full pay period in July 1, 2023, the salary range for each classification in the unit will receive a two percent (2.0%) salary increase

17.02 All employees assigned to patrol shall be paid for eighty-four (84) hours at straight time on the first pay date for each 28 day pay period, notwithstanding hours actually worked, and shall be paid for the balance of hours actually worked (which will normally also be 84 hours) on the second pay date for that pay period. The purpose of this section is to more equitably spread wage payments to employees over the 28 day pay period. However, this provision shall not apply if the combination of hours worked and hours of paid leave by patrol employees in any 28 day pay period is less than 84 hours. For example, if any patrol Association member employee only works fifty (50) hours and receives ten (10) hours of paid vacation during the 28 day pay period, the Association member employee will only be paid for sixty (60) hours.

17.03 All employees will be eligible to receive a one percent (1%) longevity stipend upon completion of five consecutive years of City service, an additional two percent (2%) longevity stipend upon completion of ten consecutive years of City service and an additional three percent (3%) longevity stipend upon completion of fifteen consecutive years of service.

17.04 Effective the first full pay period in July 1, 2021 or Association ratification and City Council approval of the successor MOU, whichever is later, Step One of the current salary schedule shall be eliminated. The current Step Two shall become the new Step One. Concurrently, an additional one step (five percent (5%) shall be added to the top end of the salary. The new step shall replace Step Seven. The Salary Scale shall continue to have a total of Seven Steps.

Upon this change, employees which have been at the old Step Seven shall be moved to the new Step Seven on their anniversary date. All other employees shall continue to progress through the steps on their next anniversary date.

Effective the first full pay period in July 1, 2023, Step One of the new salary schedule shall be eliminated. The new Step Two shall become the new Step One. Concurrently, an additional one step (five percent (5%) shall be added to the top end of the salary. The new step shall replace Step Seven. The Salary Scale shall continue to have a total of Seven Steps.

Upon this change, employees which have been at the old Step Seven shall be moved to the new Step Seven on their anniversary date. All other employees shall continue to progress through the steps on their next anniversary date.

18.00 GRIEVANCE PROCEDURES

Refer to Rule 15 of the Personnel Rules and Regulations.

18.01 Effect of Failure of Timely Action

Failure of the Association member employee to file an appeal within the required time limit at any step shall constitute an abandonment of the grievance. Failure of the City to respond within the time limit at any step shall result in an automatic advancement of the grievance to the next step.

18.02 Limitation on Stale Grievances

A grievance shall be void unless presented within thirty (30) calendar days from the date upon which the City has allegedly failed to provide a condition of employment, or within thirty (30) calendar days from the time at which an Association member employee might reasonably have been expected to have learned of such alleged failure to provide. In no event shall any

grievance include a claim for monetary relief for more than the thirty (30) day period plus such reasonable discovery period.

18.03 Exclusion of Non-Recognized Organizations

For the purposes of this section, the provisions of Section 1.00 of this Agreement shall be construed to limit the employee's right of selection of a representative to the extent that agents or any other employee organization, which is not party to this Agreement, are specifically excluded from so acting. In those cases where an employee elects to represent themselves or arranges for other representation, the Association shall have the right to participate in the resolution procedure for the purpose of protecting the interest of its employees in negotiated conditions of employment.

19.00 SAVINGS CLAUSE

If any provision of this Agreement shall be held invalid by operation of law, or by any court of competent jurisdiction, or if compliance with enforcement of any provision shall be restrained by any tribunal, the remainder of this Agreement shall not be affected thereby, and the parties shall enter into negotiations for the sole purpose of arriving at a mutually satisfactory replacement for such provision.

20.00 ENACTMENT

It is agreed that the foregoing shall be jointly submitted to the City Council by the City Manager and Association for Council's consideration and approval.

21.00 PEACE OFFICERS BILL OF RIGHTS

The City and the Association acknowledge and reaffirm all rights and privileges granted to the employees by law, including, but without limitation, those provisions of the Peace Officers' Procedural Bill of Rights (Gov. Code §3300 et seq.) and the Meyers-Milias-Brown Act (Gov. Code §3500 et seq.).

22.00 DEPARTMENT VEHICLES AND EQUIPMENT

22.01 Definition of Vehicles

Any motor vehicle as defined by Sections 165 and 414 of the California Vehicle Code.

22.02 Repairs

All necessary repairs and maintenance of vehicles (as defined in Section 23.01) shall be performed to insure the safety of the operator of the vehicle.

22.03 Unsafe Vehicles

Under no circumstances shall a supervisor of the City require an employee to operate an unsafe department vehicle.

22.04 Claims - Unsafe Vehicles

Claims of unsafe vehicles will be made by the representatives of the Association to the shift supervisor. The City shall have the sole authority to remove vehicles from service.

22.05 Vehicle Maintenance

Routine maintenance of departmental vehicles shall be no less than required by the manufacturer. Only high quality parts and tires will be used on the vehicles. Department vehicles with over 80,000 miles will be inspected annually by a certified mechanic to include frame, suspension and mechanical parts for wear and stress fractures. Any vehicle deemed unsafe will be repaired or pulled from service, as determined by the Chief of Police.

22.06 Vehicle Equipment

All equipment, lights, sirens and switches shall be uniform and provided the same on each patrol vehicle.

22.07 Mileage

All departmental vehicles used for patrol or emergency response shall be taken out of service upon exceeding 115,000 miles, or sooner, and a replacement vehicle shall be properly equipped in accordance with Section 23.06. The Association agrees to continue to meet and confer over the need to extend these mileage limits due to economic constraints of the City.

22.08 Vehicle Equipment Determination

Any equipment deemed necessary by the Chief of Police shall be provided for the departmental vehicles for the safety of any operator.

23.00 VOLUNTARY EDUCATIONAL INCENTIVE PROGRAM

23.01 Definition and Purpose

Scotts Valley Police Department's Educational Achievement Program is designed to upgrade and/or improve the law enforcement skills and knowledge of its personnel. The Department encourages additional educational achievement which can lead to a higher level of performance.

23.02 Objectives

(1) To upgrade the educational level of technical skills of the personnel of Scotts Valley Police Department to insure a high quality of law enforcement.
(2) To provide an additional attraction for qualified individuals at the entry level who have an interest in law enforcement as a career.
(3) To provide an additional inducement to personnel to improve themselves throughout their career.
(4) To promote the most highly qualified officers to supervisory and administrative levels.

23.03 Procedures for Establishing Educational Incentive Pay

Courses used to obtain the educational incentive pay shall represent a logical progression of the employee's goals and/or those classes which shall be applied toward the achievement of a degree within an approved curriculum.

23.04 Eligibility

The Association member employee shall submit the curriculum to the Education Committee for approval with the following exceptions, which do not require pre-approval:

Police Science Majors
Administration of Justice Majors
Criminology Majors
Public Administration Majors (with minor in any of the above)

23.05 Education Committee

The Committee shall be composed of the following:

(1) Chief of Police or the Chief's designated representative; and

(2) Association President or his designated representative.

The Committee shall determine the appropriateness of courses and/or curriculum outside of the above-named majors. In the event the members of the Committee are unable to agree on the appropriateness of the courses and curriculum, the City Manager shall be asked to participate in the decision making process and shall be entitled to vote therein.

23.06 Certification

The Education Committee shall certify to the employee's eligibility in accordance with Section 23.05. Such notification shall then be sent to the City Manager.

23.07 Effective Date

Educational incentive pay shall be effective the first day of the next pay period following receipts by the City Manager of certification in accordance with Section 23.06.

23.08 Educational Incentive Pay

All employees, including the Lieutenant, shall be eligible for the following educational incentive program (amounts are not cumulative) based upon earning a degree in higher education as follows:

AA or AS degree	$175 per month
BA or BS degree	$250 per month
MA or MS degree	$300 per month

23.09 Course Reimbursement

The City agrees to reimburse employees for the costs associated with college courses and training sessions approved in advance, in writing, by the Chief of Police, up to a maximum of One Thousand Dollars ($1,000) per employee per fiscal year. Reimbursable costs include only the following:

(a) Tuition
(b) Books
(c) Course-related fees

The City will not reimburse employees for supplies or mileage used traveling to and from such courses.

To ensure that the City budget has adequate funds to pay for an employee’s course reimbursement request, the Association member employee should submit a request for reimbursement no later than February 15 of each year preceding the July 1 through June 30 fiscal year.

24.00 RETIREMENT

A. CLASSIC SAFETY EMPLOYEES

The City provides the CalPERS pension formula of 3% at age 50 plan based on the highest average annual compensation during any consecutive 36-

month (three-year) period for all eligible employees hired on or before December 31, 2012, or hired after such date but already in the CalPERS system as a classic member without a six-month break in service.

Effective the first full pay period after Union ratification and approval by the City Council of the successor MOU, all classic safety employees shall contribute (9%) of PERSable salary towards the employee's contribution.

B. PEPRA SAFETY EMPLOYEES

For those safety employees hired on or after January 1, 2013 who are new to the City of Scotts Valley, the City shall provide 2.7% at 57 for those employees in accordance with State law. The contribution for new PEPRA safety employees shall be shared in accordance with State law. PEPRA employee contributions shall be 50% of the normal cost as determined by CalPERS and may change on an annual basis.

C. CLASSIC MISCELLANEOUS EMPLOYEES

The City provides the CalPERS pension formula of 2.5% at age 55 plan for all eligible employees hired on or before December 31, 2012, or hired after such date but already in the CalPERS system as a classic without a six-month break in service. All classic miscellaneous employees shall contribute 9.0% PERSable salary towards the employee's contribution.

D. PEPRA MISCELLANEOUS EMPLOYEES

For those employees hired on or after January 1, 2013 to the City of Scotts Valley, who are new to the CalPERS system, the City shall provide 2% at 62 for those employees in accordance with State law. The contribution for new PEPRA employees shall be shared in accordance with State law. PEPRA employee contributions shall be 50% of the normal cost as determined by CalPERS and may change on an annual basis.

25.00 LAYOFF POLICY

25.01 Layoffs

The following procedures will be followed in the event of layoffs and/or reductions of personnel.

25.02 Order

Layoffs and/or reductions shall occur in the following order:

(1) Temporary employees

(2) Probationary employees

(3) Regular part-time employees

(4) Regular employees on "Needs to Improve"

(5) Regular employees

The Police Department's monthly evaluations shall not be considered as the appropriate evaluation. The Chief of Police shall evaluate the employee's last yearly evaluations concern #4 above.

25.03 Seniority

Within each classification of sworn or non-sworn personnel, layoffs and reductions shall be made on the basis of inverse order to seniority in City Service.

25.04 Special Skills

Where the Chief of Police or appointing authority deems it in the best interest of the Department, he may waive the order of layoffs or reductions when loss of an employee's skills on a particular assignment or loss of his special skills would negatively affect the Department's work.

25.05 Association President

The President of the Association shall be exempt from layoffs during his/her term of office.

25.06 Notification

The City Manager and the Association agree that the City Manager shall notify the Association immediately (at least thirty (30) days prior) of any pending layoffs and/or reductions affecting employees covered by the Agreement. The Association shall have the right to meet and confer concerning such layoffs and/or reductions.

26.00 MANAGEMENT RIGHTS

The City reserves all rights with respect to matters of general legislative and managerial policy including, among others, the exclusive right to determine the mission of its constituent departments, divisions, commissions and boards; set standards of service; determine the procedures and standards for recruitment and selection of employees within the law; direct its employees; take disciplinary action; relieve its employees of duties because of lack of work or for other good reasons; maintain the efficiency of governmental operations; determine the methods,

means and personnel by which governmental operations will be conducted; require overtime; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work; and to develop positive and productive employer/employee relationships. These rights shall not be limited except as specified in this agreement.

27.00 PEACEFUL PERFORMANCE

The Association agrees that during the term of this Agreement neither it nor the employees it represents will engage in, encourage, sanction, or support: (1) strikes; (2) slowdowns; (3) mass resignations; (4) mass absenteeism; (5) picketing which would involve suspension of or interference with normal work of the department or other City departments; or (6) any other similar actions which would involve suspension of or interference with normal work of the department or other City departments.

28.00 STAY WELL PLAN

The City has implemented the following Stay Well Plan which includes the following conditions:

(1) Each stay well year will be from December 1 through November 30.

(2) Eligible employees are those who have accumulated two hundred forty (240) hours of unused sick leave.

(3) The stay well bonus will be paid each year in a separate check on the first pay period after November 30.

(4) Eligible employees shall receive a bonus according to the following schedule, or a pro rata share of this bonus, should they achieve their two hundred forty (240) hours at some point during the stay well year.

Sick Leave Used	Straight Time Bonus	Pro Rata Bonus
0 sick hours	48 hours	50.0%
8 sick hours	40 hours	41.6%
12 sick hours	36 hours	37.5%
16 sick hours	32 hours	33.3%
24 sick hours	24 hours	25.0%
32 sick hours	16 hours	16.6%
36 sick hours	12 hours	12.5%
40 sick hours	8 hours	8.3%
48 - 96 sick hours	0 hours	0.0%

For example, if an employee has accumulated two hundred forty (240) hours by August of the stay well year and then accrues an additional twenty-four (24) hours from September 1 to November 30, the Association member employee will have a total of two hundred sixty-four (264) hours. If the Association member employee has taken sixteen (16) sick hours, the Association member employee will receive 33.3% of the twenty-four (24) hours in excess of the required two hundred forty (240) hour minimum.

(5) Personal leave hours are considered sick leave hours for the purpose of the stay well bonus, only if they are used immediately before or immediately following vacation or holidays (for those employees who receive holidays off) except as otherwise authorized by the Chief of Police.

(6) The stay well bonus is payable at straight time.

(7) Employees shall have the option of receiving the bonus or crediting their unused sick hours to their total accumulations. Such a decision must be received by the City Manager prior to December 1 of each year. The City Manager shall forward this notification to the Finance Department immediately.

(8) Sick hours taken off by employees, regardless of the reason, shall be deducted from the potential stay well bonus.

The specific purpose of the Stay Well Plan is to encourage employees to stay physically fit and well and to miss as few work hours as possible due to illness or any other reason.

29.00 TERM OF AGREEMENT

The term of this Agreement shall be July 1, 2021, through June 30, 2024.

30.00 ENTIRE AGREEMENT

This Agreement rescinds and replaces any prior agreements between the parties except side letter agreements that are in effect by their terms.

"City" CITY OF SCOTTS VALLEY	"Association" SCOTTS VALLEY POLICE SUPERVISORS ASSOCIATION
_____ Derek Timm, Mayor	_____ Meredith Roberts, Police Sergeant

_____	_____
Tina Friend, City Manager	Mark Salvo, Lead Negotiator

Approved as to form:

_____
Kirsten Powell, City Attorney

AGENDA ITEM M
DATE: 6-16 -2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Kimarie Jones, Engineering Associate

APPROVED: Tina Friend, City Manager

SUBJECT: **APPROVAL OF FINAL MAP FOR POLO RANCH, TRACT NO. 1575, PD07-006, APN'S 024-281-04 AND 024-281-03, AND ASSOCIATED SUBDIVISION IMPROVEMENT AGREEMENTS**

SUMMARY OF ISSUE

On August 19, 2009, the Tentative Map for a 40-lot subdivision, three open space parcels (Parcels A, B, and C) and a private park (Parcel D) from one existing parcel located at the end of Santa's Village Road, Tract No. 1575, PD07-006, APN 024-281-04 was approved along with other entitlements for the development of the subdivision. On January 15, 2014, the City Council amended certain entitlements for the project to allow the demolition of the historic Polo Ranch Barn and caretaker's quarters and the development of a passive park on Parcel D.

The Tentative Map also includes APN 024-281-03, which is shown as a future trail system located adjacent to the Polo Ranch. The exact location of the trail will be determined and established by recordation of a separate instrument once the trail is constructed.

Staff has reviewed the proposed Final Map and finds it to be technically correct and consistent with the Tentative Map and that all applicable Final Map conditions of approval have been substantially satisfied.

The project requires the City of Scotts Valley to enter into two separate Subdivision Improvement Agreements with Lennar Homes of California, Inc. The first Subdivision Improvement Agreement requires the Developer to complete approximately $3,337,000 in public improvements, street work, storm drain, sanitary sewer and electrical in accordance with the project conditions of approval. The agreement requires the developer to complete the improvements and to obtain bonds to insure the completion and condition of the improvements. The second Subdivision Improvement Agreement

requires the developer to build a park which will be privately maintained but open to the public. This agreement will require the Developer to complete approximately $724,711.41 in private park improvements, site preparation, electrical, restroom, hardscape, fencing and site furnishings, in accordance with the project conditions of approval and the plans approved by the City Council and the City's Parks and Recreation Commission. The agreement requires the developer to complete the improvements and to obtain bonds to insure the completion and condition of the improvements.

FISCAL IMPACT

There is no fiscal impact to the General Fund. A fee of $17,563 was collected from the applicant to cover the intake process and applicable City costs for Surveyor, Planning and Department of Public Works. Impact fees related to this project will be collected prior to issuance of any and all building permits.

STAFF RECOMMENDATION

It is recommended that the City Council approve the following:

1. Resolution No.1830.07, to approve the Final Map, Tract No. 1575, PD07-006 APN'S 024-281-04 and 024-281-03;
2. Resolution No. 960.89, authorizing execution of the Subdivision Improvement Agreement for the Polo Ranch Subdivision, Tract No. 1575, end of Santa's Village Road, APN 024-281-04; and
3. Resolution No. 960.90, authorizing execution of the Subdivision Improvement Agreement for the Polo Ranch Subdivision, Tract No. 1575, end of Santa's Village Road, APN 024-081-04.

TABLE OF CONTENTS PAGE

Resolution No. 1830.07 3
Resolution No. 960.89 18
Resolution No. 960.90 29

RESOLUTION NO. 1830.07

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVE FINAL MAP FOR TRACT NO. 1575, PD07-006 (APN 024-281-04)

WHEREAS, on August 19, 2009, the City Council of the City of Scotts Valley approved the Tentative Map for a 40-lot subdivision, three open space parcels (Parcels A, B, and C) and a private park (Parcel D) from one existing parcel located at the end of Santa's Village Road, Tract No. 1575, PD07-006, APN 024-281-04 was approved along with other entitlements for the development of the subdivision. On January 15, 2014, the City Council amended certain entitlements for the project to allow the demolition of the historic Polo Ranch Barn and caretaker's quarters and the development of a passive park on Parcel D; and

WHEREAS, the Tentative Map also includes APN 024-281-03, which is shown as a future trail system located adjacent to the Polo Ranch. The exact location of the trail will be determined and established by recordation of a separate instrument once the trail is constructed; and

WHEREAS, consistent with the approved Tentative Map, Lennar Homes of California, Inc., submitted to the City a Final Map for the 40 lot Subdivision for approval; and

WHEREAS, staff has reviewed the proposed Final Map and finds it to be technically correct and consistent with the Tentative Map and that all applicable Final Map conditions of approval have been substantially satisfied; and

WHEREAS, the City has determined that the Parcel Map is statutorily exempt from the California Environmental Quality Act (CEQA) Statutory Exemptions, Title 14 of the California Code of Regulations Section 15268(b)(3) Ministerial Projects, approval of final subdivision maps.

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

1. The location and configuration of the lots to be created by the Subdivision substantially comply with the previously approved Tentative Map; and

2. The Final Map is categorically exempt from the California Environmental Quality Act (CEQA), Statutory Exemptions, Title 14 of the California Code of Regulations Section 15268(b)(3) Ministerial Projects, approval of parcel subdivision maps; and

3. The City Council of the City of Scotts Valley, pursuant to Government Code Section 66458, hereby approves the Final Map for the Subdivision, a copy of which is hereby attached as Exhibit A and made part of this Resolution.

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 16th day of June, 2021 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Approved:_____
Derek Timm, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

EXHIBIT A

TRACT NO. 1575
POLO RANCH

CONSISTING OF 13 SHEETS
BEING A SUBDIVISION OF THE LANDS OF LENNAR HOMES OF CALIFORNIA, INC.,
BEING PARCEL ONE OF THE DEED RECORDED JUNE 10, 2014 AS DOC # 2014-0018503
SITUATE IN THE
CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, CALIFORNIA.

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

FEBRUARY 2020

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE SUBDIVIDERS AND OWNERS, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID REAL PROPERTY; AND THAT WE HEREBY CONSENT TO THE MAKING AND RECORDING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES:

1. THE REAL PROPERTY DESIGNATED AS PARCEL J IS DEDICATED TO THE CITY OF SCOTTS VALLEY IN FEE FOR UTILITY PURPOSES.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES:

1. THOSE AREAS DESIGNATED AND DELINEATED AS POLO RANCH ROAD, VILLAGE LANE, VILLAGE LANE WEST, SHADY OAK WAY, AND CREEKSIDE COURT FOR ROAD RIGHT OF WAY AND ABOVE AND BELOW GROUND UTILITY PURPOSES.
2. THOSE AREAS DESIGNATED AND DELINEATED AS "PUBLIC UTILITY EASEMENT" (PUE) FOR PUBLIC UTILITY PURPOSES, FOR SUCH USE AS SANITARY SEWERS, WATER MAINS, STORM DRAINS, GAS MAINS, PUBLIC UTILITIES INCLUDING ELECTRIC, COMMUNICATION, AND CABLE TELEVISION FACILITIES, AND OTHER SIMILAR USES, TOGETHER WITH APPURTENANCES THEREOF AND WITH RIGHTS OF INGRESS AND EGRESS. SAID PUBLIC UTILITY EASEMENT SHALL BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT LAWFUL FENCES, SURFACE PAVEMENT, LAWFUL UNSUPPORTED ROOF OVERHANGS, IRRIGATION SYSTEMS, UTILITY COMPANY STRUCTURES AND APPURTENANCES THEREOF.
3. THOSE AREAS DESIGNATED AND DELINEATED AS "SANITARY SEWER EASEMENT" (SSE) FOR PUBLIC UTILITY PURPOSES, FOR SUCH USE AS INGRESS AND EGRESS, CONSTRUCTION, AND MAINTENANCE OF SANITARY SEWER FACILITIES INCLUDING SEWER LINES AND APPURTENANCES THERETO. SAID SANITARY SEWER EASEMENT SHALL BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT LAWFUL FENCES, SURFACE PAVEMENT, LAWFUL UNSUPPORTED ROOF OVERHANGS, IRRIGATION SYSTEMS, UTILITY COMPANY STRUCTURES AND APPURTENANCES THEREOF. MAINTENANCE OF THE SANITARY SEWER FACILITIES AND APPURTENANCES THERETO WILL BE THE RESPONSIBILITY OF THE CITY OF SCOTTS VALLEY PUBLIC WORKS.
4. THOSE AREAS DESIGNATED AND DELINEATED AS "PUBLIC ACCESS EASEMENT" FOR PUBLIC ACCESS OVER PARCEL K AND THE PRIVATE PARK DESIGNATED AS PARCEL D.
5. THOSE AREAS DESIGNATED AND DELINEATED AS "EMERGENCY VEHICLE ACCESS EASEMENT" (EVAE) ARE NOT OFFERED FOR DEDICATION FOR PUBLIC USE BUT FOR EMERGENCY VEHICLE ACCESS OVER, UPON, AND ACROSS THOSE AREAS OF LAND. SAID EMERGENCY VEHICLE ACCESS EASEMENT SHALL BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT LAWFUL FENCES, SURFACE PAVEMENT, LAWFUL UNSUPPORTED ROOF OVERHANGS, IRRIGATION SYSTEMS, UTILITY COMPANY STRUCTURES AND APPURTENANCES THEREOF.
6. THOSE AREAS DESIGNATED AND DELINEATED AS "PUBLIC PEDESTRIAN ACCESS EASEMENT" (PPAE) FOR PUBLIC PEDESTRIAN AND BICYCLE ACCESS.

THOSE AREAS DESIGNATED AND DELINEATED AS "ROADWAY & PIPELINE EASEMENT" ARE OFFERED FOR DEDICATION TO THE SCOTTS VALLEY WATER DISTRICT FOR PUBLIC UTILITY PURPOSES, FOR SUCH USE AS THE CONSTRUCTION, INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF WATER TRANSMISSION FACILITIES, TOGETHER WITH APPURTENANCES THEREOF AND WITH RIGHTS OF INGRESS AND EGRESS. SAID ROADWAY & PIPELINE EASEMENT SHALL BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT SURFACE PAVEMENT, WATER DISTRICT STRUCTURES AND APPURTENANCES THEREOF. MAINTENANCE OF THE WATER TRANSMISSION FACILITIES AND APPURTENANCES THERETO WILL BE THE RESPONSIBILITY OF THE SCOTTS VALLEY WATER DISTRICT. ACCEPTANCE OF SAID EASEMENT BY THE SCOTTS VALLEY WATER DISTRICT WILL BE BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THOSE AREAS DESIGNATED AND DELINEATED AS "DRIVEWAY & PIPELINE EASEMENT" ARE NOT OFFERED FOR DEDICATION FOR PUBLIC USE BUT FOR PRIVATE INGRESS AND EGRESS FOR AND BY THE OWNERS OF LOTS 25, 26 AND 27, AS WELL AS FOR PUBLIC UTILITY PURPOSES, FOR SUCH USE AS THE CONSTRUCTION, INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF WATER TRANSMISSION FACILITIES, TOGETHER WITH APPURTENANCES THEREOF AND WITH RIGHTS OF INGRESS AND EGRESS. SAID DRIVEWAY & PIPELINE EASEMENT SHALL BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT SURFACE PAVEMENT, WATER DISTRICT STRUCTURES AND APPURTENANCES THEREOF. MAINTENANCE OF THE DRIVEWAY WILL BE THE RESPONSIBILITY OF SAID OWNERS OF LOTS 25, 26 AND 27. MAINTENANCE OF THE PIPELINE(S) WILL BE THE RESPONSIBILITY OF THE RESPECTIVE UTILITY DISTRICT, COMPANY OR MUNICIPALITY.

THOSE AREAS DESIGNATED AND DELINEATED AS "PRIVATE SEWER EASEMENT" (PSE) ARE NOT OFFERED FOR DEDICATION TO THE PUBLIC BUT FOR PRIVATE SANITARY SEWER PROPOSES WITHIN PUBLIC EASEMENT STREETS INCLUDING PUMP STATION, FORCEMAIN AND ALL APPURTENANCES TO BE RECORDED BY SEPARATE INSTRUMENT. MAINTENANCE AND ACCESS RIGHTS IN FAVOR OF THE HOA PER THE CC&R'S AND SEPARATE AGREEMENT WITH THE CITY TO BE RECORDED BY SEPARATE INSTRUMENT.

OWNER'S STATEMENT CONTINUED

THE UNDERSIGNED DOES HEREBY RESERVE THE AREAS DESIGNATED AS PARCELS A, B, C, E, F, G, H, AND K AS RETAINED BY OWNER.

THE UNDERSIGNED DOES HEREBY RESERVE THE AREA DESIGNATED AS PARCEL D AS A PRIVATE PARK WITH A PUBLIC ACCESS EASEMENT.

THE REAL PROPERTY DESIGNATED AS PARCEL I IS DEDIACTED TO THE SCOTTS VALLEY WATER DISTRICT (SVWD) IN FEE FOR UTILITY PURPOSES. ACCEPTENCE OF SAID PARCEL WILL BE BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

AS OWNER: LENNAR HOMES OF CALIFORNIA, INC., A CALIFORNIA CORPORATION

BY _____

NAME _____

TITLE _____

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATION VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT

STATE OF _____} SS.
COUNTY OF _____}

ON _____, 20__ BEFORE ME, _____, A

NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

NOTARY'S SIGNATURE: _____

PRINTED NOTARY'S NAME: _____

NOTARY'S PRINCIPAL PLACE OF BUSINESS: _____

NOTARY'S COMMISSION NUMBER: _____

EXPIRATION OF NOTARY'S COMMISSION: _____

APN 024-281-04

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF LENNAR HOMES OF CALIFORNIA, INC. ON MAY 2016. I HEREBY STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 2020, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

_____ _____
MARK H. WEHBER, P.L.S. DATE
L.S. NO. 7960

LICENSED LAND SURVEYOR · MARK H. WEHBER · 7960 · STATE OF CALIFORNIA

RECORDER'S STATEMENT

SERIAL NUMBER _____

I HEREBY STATE THAT THIS MAP WAS PRESENTED AT ____ M, ON THE _____ DAY OF _____, AT THE REQUEST OF THE CITY ENGINEER OF SCOTTS VALLEY, STATE OF CALIFORNIA, AND THAT AFTER EXAMINATION, I ACCEPT SAID MAP FOR RECORDATION ON THE _____ DAY OF _____, AT ____ M, IN VOLUME _____ OF MAPS, AT PAGE _____, SANTA CRUZ COUNTY RECORDS.

_____
COUNTY RECORDER OF SANTA CRUZ COUNTY

_____
BY DEPUTY

TRACT NO. 1575
POLO RANCH

CONSISTING OF 13 SHEETS
BEING A SUBDIVISION OF THE LANDS OF LENNAR HOMES OF CALIFORNIA, INC.,
BEING PARCEL ONE OF THE DEED RECORDED JUNE 10, 2014 AS DOC # 2014-0018503
SITUATE IN THE
CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, CALIFORNIA.

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

FEBRUARY 2020

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, IF ANY, AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF CHAPTER 2 OF THE SUBDIVISION MAP ACT, SECTION 66442(A), (2), (3), ET SEQ. AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, IF ANY, HAVE BEEN COMPLIED WITH.

_____ _____

KEN D. ANDERSON RCE 46485 DATE
CONSULTANT CITY ENGINEER
CITY OF SCOTTS VALLEY, CALIFORNIA

CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP PURSUANT TO GOVERNMENT CODE SECTION 66442(A)(1), AND 66442(A)(2) AND PURSUANT TO GOVERNMENT CODE SECTION 66442(A)(4). I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

_____ _____

ROBERT CRAIG, PLS 5418 DATE
CONSULTANT TO THE
CITY OF SCOTTS VALLEY

GEOTECHNICAL REPORT

A GEOTECHNICAL REPORT ON THIS PROPERTY ENTITLED SUPPLEMENTAL GEOTECHNICAL EXPLORATION AND DATED JULY 24, 2012, WAS PREPARED BY ENGEO, INC. A COPY OF THIS REPORT IS ON FILE WITH THE PLANNING DEPARTMENT OF THE CITY OF SCOTTS VALLEY.

CITY CLERK'S STATEMENT

IT IS HEREBY ORDERED THAT THE MAP OF TRACT NO. 1575 BE, AND THE SAME IS HEREBY, APPROVED, THAT ALL STREETS OR OTHER PARCELS OF LAND SHOWN ON SAID MAP AND THEREON OFFERED FOR DEDICATION TO THE CITY OF SCOTTS VALLEY BE ACCEPTED AND THAT THE EASEMENT FOR PUBLIC UTILITIES AND ALL OTHER PUBLIC DEDICATIONS TO THE CITY OF SCOTTS VALLEY ARE HEREBY ACCEPTED.

I HEREBY STATE THAT THE FOREGOING ORDER WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AT A MEETING OF SAID COUNCIL HELD _____

_____ _____

TRACY A. FERRARA DATE
CITY CLERK AND EX-OFFICIO CLERK OF
THE CITY COUNCIL OF THE
CITY OF SCOTTS VALLEY, STATE OF CALIFORNIA

CLERK'S OF THE BOARD OF SUPERVISORS CERTIFICATE

THE CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ DOES HEREBY CERTIFY THAT ALL CERTIFICATES AND SECURITIES REQUIRED UNDER THE PROVISIONS OF SECTIONS 66492 AND 66493 OF THE GOVERNMENT CODE HAVE BEEN DULY FILED AND DEPOSITS HAVE BEEN DULY MADE. PURSUANT TO HE AUTHORITY DELEGATED TO ME BY SAID BOARD, I HEREBY APPROVE SAID CERTIFICATES AND SECURITIES ON BEHALF OF THE COUNTY OF SANTA CRUZ.

_____

EX-OFFICIO CLERK OF THE BOARD
OF SUPERVISORS OF SANTA CRUZ COUNTY
STATE OF CALIFORNIA

_____ _____

BY DEPUTY DATE

AUDITOR CONTROLLER'S STATEMENT

I HEREBY STATE THAT THERE ARE NO LIENS FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES AGAINST THE LAND INCLUDED IN THE WITHIN SUBDIVISION OR AGAINST ANY PART THEREOF EXCEPT TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES WHICH ARE NOT YET PAYABLE, AND WHICH IT IS HEREBY ESTIMATED WILL NOT EXCEED THE SUM OF $_____ FOR THE YEAR 20____-20____, AND THAT SAID LAND OR PORTION THEREOF IS SUBJECT TO SPECIAL ASSESSMENTS IN SPECIAL ASSESSMENT DISTRICTS AS FOLLOWS, TO WIT:

NAME, NUMBER ORDESIGNATION OF DISTRICT	TOTAL OUTSTANDING PRINCIPAL AND INTEREST TO MATURITY	FINAL MATURITY DATE

AND THAT THIS CERTIFICATE DOES NOT INCLUDE ANY ASSESSMENTS OF ANY ASSESSMENT DISTRICT THE BONDS OF WHICH HAVE NOT YET BECOME A LIEN AGAINST SAID LAND OR ANY PART THEREOF.

DATED _____

_____

AUDITOR-CONTROLLER OF THE
COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA

BY: _____
DEPUTY

APN 024-281-04

TRACT NO. 1575
POLO RANCH

CONSISTING OF 13 SHEETS
BEING A SUBDIVISION OF THE LANDS OF LENNAR HOMES OF CALIFORNIA, INC., BEING PARCEL ONE OF THE DEED RECORDED JUNE 10, 2014 AS DOC # 2014-0018503
SITUATE IN THE
CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, CALIFORNIA.

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1" = 200' FEBRUARY 2020

200' 0' 100' 200' 400' 800'
GRAPHIC SCALE

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP WAS DETERMINED BY FOUND MONUMENTS ALONG THE SOUTHEAST SIDE OF STATE HIGHWAY 17 AS SHOWN HEREON, THE BEARING BEING N57°12'20"E, PER 88 MAPS 2.

LEGEND

	CITY LIMIT LINE
	SUBDIVISION BOUNDARY
	RIGHT-OF-WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE
	MONUMENT LINE
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
(M-CL)	MONUMENT TO CENTERLINE
◎	SET STANDARD STREET MONUMENT STAMPED LS 7960
●	FOUND MONUMENT, AS NOTED
○	SET 5/8" REBAR & CAP OR NAIL & TAG, LS 7960
AC	ACRES
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PPAE	PUBLIC PEDESTRIAN ACCESS EASEMENT
PSE	PRIVATE SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
SF	SQUARE FEET
SDE	STORM DRAIN EASEMENT

LINE TABLE		
NO.	BEARING	LENGTH
L1	N06°05'45"E	111.69' (1)
L2	N84°45'00"W	225.46' (1)
L3	N80°39'00"E	215.00' (1),(S80°39'W),(S80°44'04"W)(3)
L4	N19°30'30"E	60.00' (1),(N19°30'E),(N19°35'34"E 59.95')(3)
L5	N37°29'30"W	102.22' (1),(N37°24'26"E)(3)
L6	N80°21'30"W	186.08' (1),(S80°17'02"E)(3),(186.07')(6)
L7	N65°54'33"W	103.40' (1)
L8	N16°38'32"E	103.87' (1)(4)
L9	N23°43'27"W	205.00' (1),(N23°43'30"W)(4)
L10	N09°16'28"E	95.00' (1),(N9°16'30"E)(4)
L11	N70°16'30"E	135.00' (1)(4)
L12	N05°31'26"E	210.55' (1)(4)
L13	N78°40'25"W	59.17' (1)

NOTE:
1. DUE TO ACCESS ISSUES, BOUNDARY CORNERS ALONG THE CARBONERO CREEK WERE NOT SET DURING THIS SURVEY.

ADJOINING OWNERS		
NO.	OWNER	RECORD DOC.
①	MAXIMOFF	1992-5114569
②	ABRAMSON	2013-0051467
③	ROBBINS	2004-0004568
④	GAYNOR	2003-00066665
⑤	TICK	2004-0019362
⑥	QUAINTANCE	2011-0038535
⑦	PULLEN	2008-00030824
⑧	MURRIN	2006-0046261
⑨	MURRIN	2006-0021096
⑩	MURRIN	2006-0021096
⑪	TEN	1998-0009963
⑫	TRENT	2010-0022949
⑬	TRENT	2010-0022949
⑭	MOERER	2009-0035806
⑮	CRIVELLO	2010-0044552
⑯	WALLER	2004-0010793
⑰	LUCKEY	2014-0011358
⑱	KUO	2007-0013601

REFERENCES

(1) RECORD OF SURVEY (88 MAPS 2)
(2) PARCEL MAP (62 PM 12)
(3) RECORD OF SURVEY (86 MAPS 19)
(4) PARCEL MAP (50 PM 19)
(5) TRACT NO. 67 (28 M 80)
(6) DOCUMENT NUMBER 2014-0018503
(7) RECORD OF SURVEY (50 M 08)
(8) PARCEL MAP (017 PM 23)

BOUNDARY MAP

1582-00

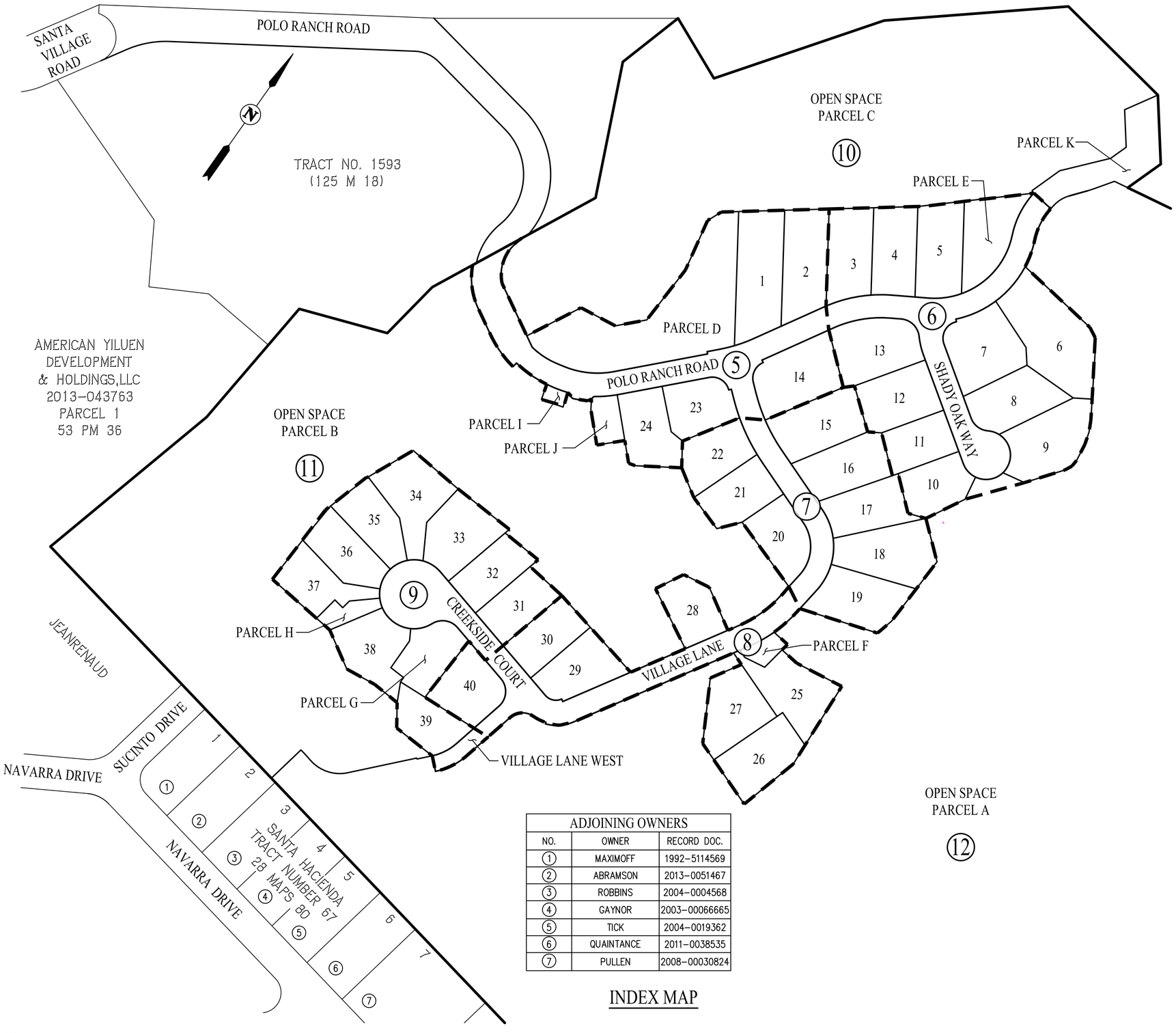
TRACT NO. 1575
POLO RANCH

CONSISTING OF 13 SHEETS
BEING A SUBDIVISION OF THE LANDS OF LENNAR HOMES OF CALIFORNIA, INC., BEING PARCEL ONE OF THE DEED RECORDED JUNE 10, 2014 AS DOC # 2014-0018503
SITUATE IN THE
CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, CALIFORNIA.

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1" = 100' FEBRUARY 2020

100' 0' 50' 100' 200' 400'
GRAPHIC SCALE



ADJOINING OWNERS		
NO.	OWNER	RECORD DOC.
①	MAXIMOFF	1992-5114569
②	ABRAMSON	2013-0051467
③	ROBBINS	2004-0004568
④	GAYNOR	2003-00066665
⑤	TICK	2004-0019362
⑥	QUAINTANCE	2011-0038535
⑦	PULLEN	2008-00030824

INDEX MAP

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP WAS DETERMINED BY FOUND MONUMENTS ALONG THE SOUTHEAST SIDE OF STATE HIGHWAY 17 AS SHOWN HEREON, THE BEARING BEING N57°12'20"E, PER 88 MAPS 2.

LEGEND

	CITY LIMIT LINE
	SUBDIVISION BOUNDARY
	RIGHT-OF-WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE
	MONUMENT LINE
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
(M-CL)	MONUMENT TO CENTERLINE
◎	SET STANDARD STREET MONUMENT STAMPED LS 7960
●	FOUND MONUMENT, AS NOTED
○	SET 5/8" REBAR & CAP OR NAIL & TAG, LS 7960
AC	ACRES
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PPAE	PUBLIC PEDESTRIAN ACCESS EASEMENT
PSE	PRIVATE SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
SF	SQUARE FEET
SDE	STORM DRAIN EASEMENT
	SHEET LIMIT
⑫	SHEET NUMBER

NOTE:

5/8" REBAR & CAP OR NAIL & TAG, LS 7960 TO BE SET AT ALL FRONT AND REAR LOT AND PARCEL CORNERS.

TRACT NO. 1575
POLO RANCH

CONSISTING OF 13 SHEETS
BEING A SUBDIVISION OF THE LANDS OF LENNAR HOMES OF CALIFORNIA, INC., BEING PARCEL ONE OF THE DEED RECORDED JUNE 10, 2014 AS DOC # 2014-0018503
SITUATE IN THE
CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, CALIFORNIA.

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1" = 40' FEBRUARY 2020

40' 0' 20' 40' 80' 160'
GRAPHIC SCALE

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP WAS DETERMINED BY FOUND MONUMENTS ALONG THE SOUTHEAST SIDE OF STATE HIGHWAY 17 AS SHOWN HEREON, THE BEARING BEING N57°12'20"E, PER 88 MAPS 2.

LEGEND

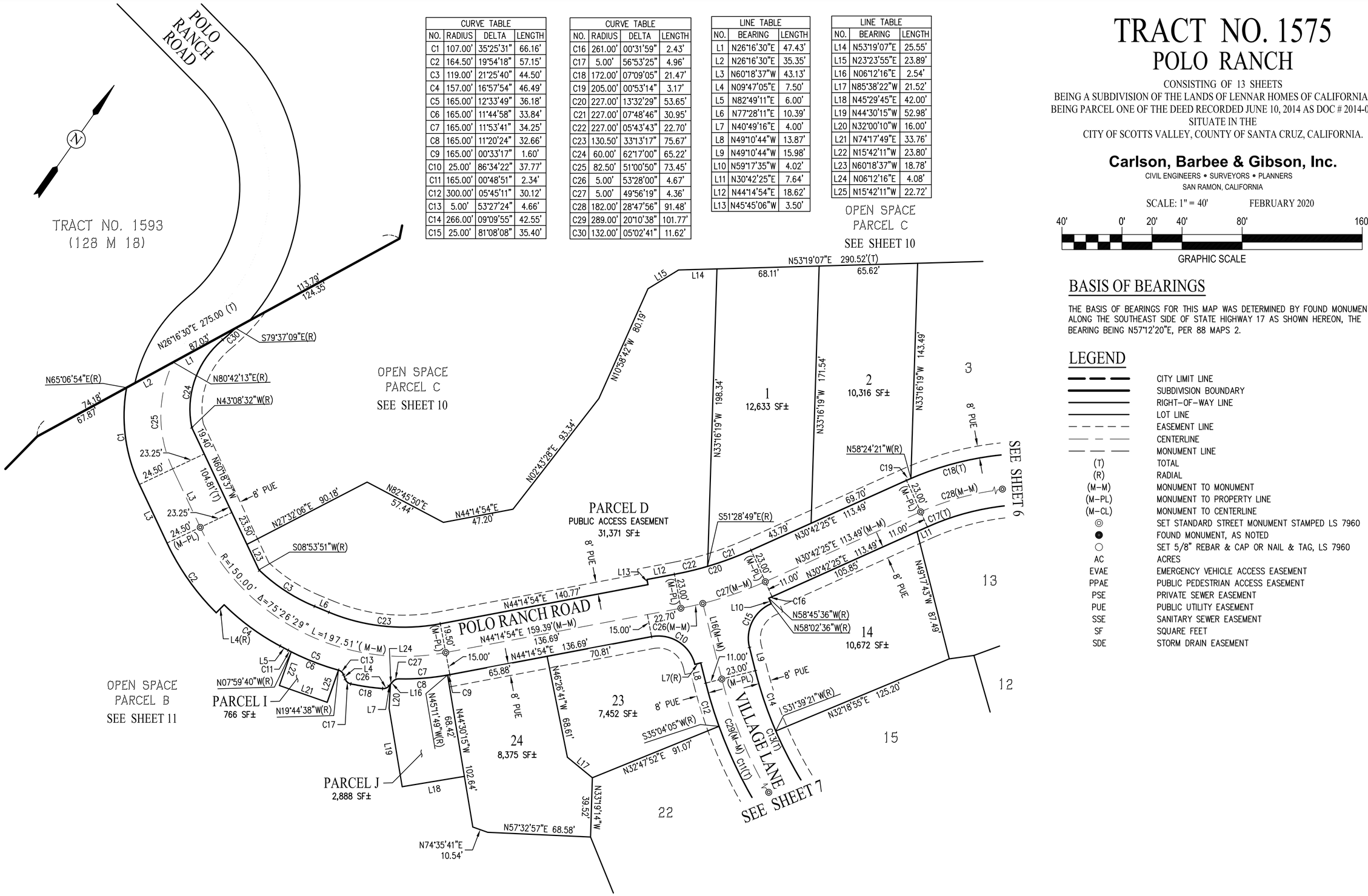
— — —	CITY LIMIT LINE
———	SUBDIVISION BOUNDARY
———	RIGHT–OF–WAY LINE
———	LOT LINE
- - - -	EASEMENT LINE
—— – ——	CENTERLINE
—— — ——	MONUMENT LINE
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
(M–CL)	MONUMENT TO CENTERLINE
◎	SET STANDARD STREET MONUMENT STAMPED LS 7960
●	FOUND MONUMENT, AS NOTED
○	SET 5/8" REBAR & CAP OR NAIL & TAG, LS 7960
AC	ACRES
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PPAE	PUBLIC PEDESTRIAN ACCESS EASEMENT
PSE	PRIVATE SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
SF	SQUARE FEET
SDE	STORM DRAIN EASEMENT

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	107.00'	35°25'31"	66.16'
C2	164.50'	19°54'18"	57.15'
C3	119.00'	21°25'40"	44.50'
C4	157.00'	16°57'54"	46.49'
C5	165.00'	12°33'49"	36.18'
C6	165.00'	11°44'58"	33.84'
C7	165.00'	11°53'41"	34.25'
C8	165.00'	11°20'24"	32.66'
C9	165.00'	00°33'17"	1.60'
C10	25.00'	86°34'22"	37.77'
C11	165.00'	00°48'51"	2.34'
C12	300.00'	05°45'11"	30.12'
C13	5.00'	53°27'24"	4.66'
C14	266.00'	09°09'55"	42.55'
C15	25.00'	81°08'08"	35.40'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C16	261.00'	00°31'59"	2.43'
C17	5.00'	56°53'25"	4.96'
C18	172.00'	07°09'05"	21.47'
C19	205.00'	00°53'14"	3.17'
C20	227.00'	13°32'29"	53.65'
C21	227.00'	07°48'46"	30.95'
C22	227.00'	05°43'43"	22.70'
C23	130.50'	33°13'17"	75.67'
C24	60.00'	62°17'00"	65.22'
C25	82.50'	51°00'50"	73.45'
C26	5.00'	53°28'00"	4.67'
C27	5.00'	49°56'19"	4.36'
C28	182.00'	28°47'56"	91.48'
C29	289.00'	20°10'38"	101.77'
C30	132.00'	05°02'41"	11.62'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N26°16'30"E	47.43'
L2	N26°16'30"E	35.35'
L3	N60°18'37"W	43.13'
L4	N09°47'05"E	7.50'
L5	N82°49'11"E	6.00'
L6	N77°28'11"E	10.39'
L7	N40°49'16"E	4.00'
L8	N49°10'44"W	13.87'
L9	N49°10'44"W	15.98'
L10	N59°17'35"W	4.02'
L11	N30°42'25"E	7.64'
L12	N44°14'54"E	18.62'
L13	N45°45'06"W	3.50'

LINE TABLE		
NO.	BEARING	LENGTH
L14	N53°19'07"E	25.55'
L15	N23°23'55"E	23.89'
L16	N06°12'16"E	2.54'
L17	N85°38'22"W	21.52'
L18	N45°29'45"E	42.00'
L19	N44°30'15"W	52.98'
L20	N32°00'10"W	16.00'
L21	N74°17'49"E	33.76'
L22	N15°42'11"W	23.80'
L23	N60°18'37"W	18.78'
L24	N06°12'16"E	4.08'
L25	N15°42'11"W	22.72'



TRACT NO. 1575
POLO RANCH

CONSISTING OF 13 SHEETS
BEING A SUBDIVISION OF THE LANDS OF LENNAR HOMES OF CALIFORNIA, INC.,
BEING PARCEL ONE OF THE DEED RECORDED JUNE 10, 2014 AS DOC # 2014-0018503
SITUATE IN THE
CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, CALIFORNIA.

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1" = 40' FEBRUARY 2020

40' 0' 20' 40' 80' 160'
GRAPHIC SCALE

BASIS OF BEARINGS

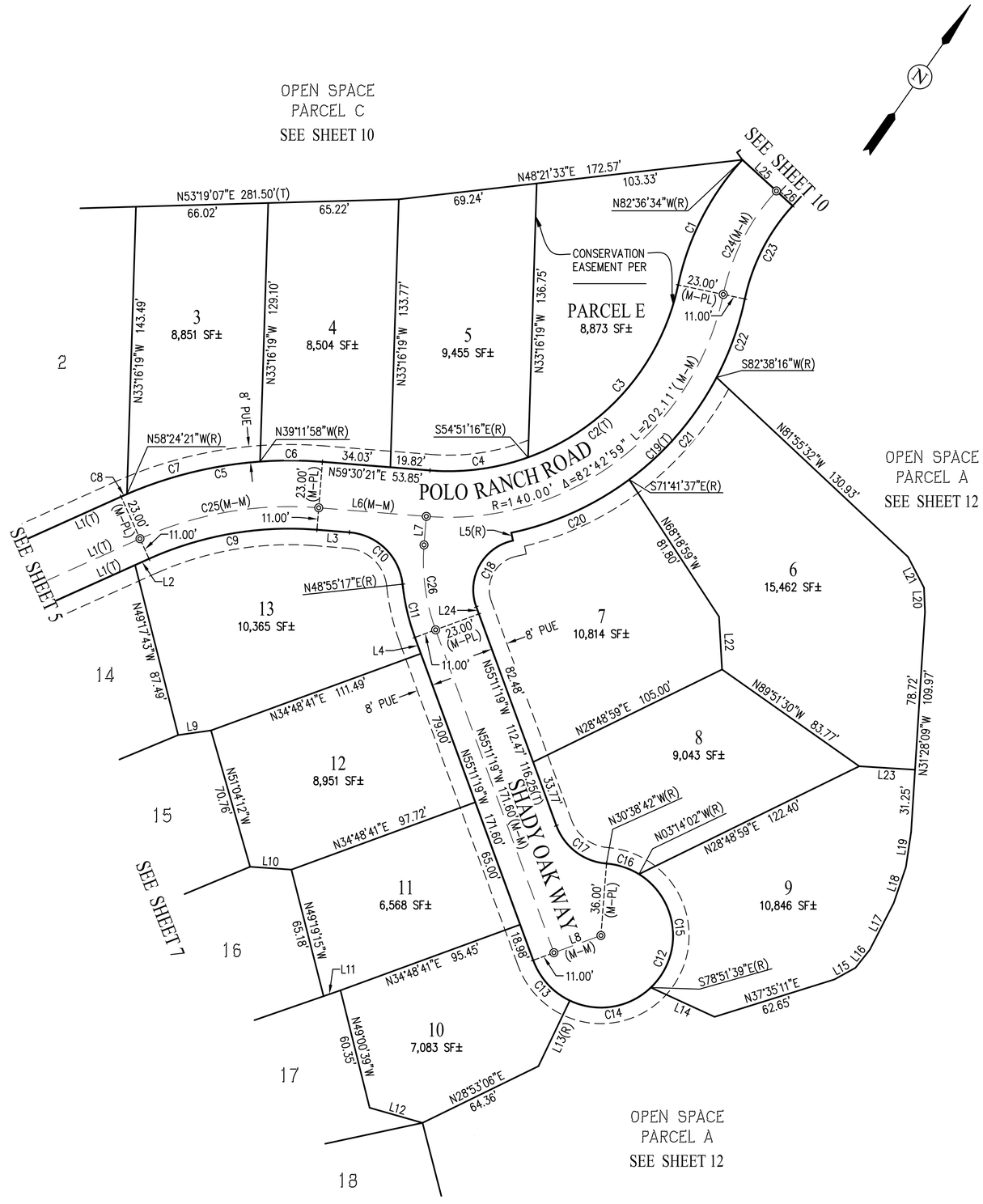
THE BASIS OF BEARINGS FOR THIS MAP WAS DETERMINED BY FOUND MONUMENTS ALONG THE SOUTHEAST SIDE OF STATE HIGHWAY 17 AS SHOWN HEREON, THE BEARING BEING N57°12'20"E, PER 88 MAPS 2.

LEGEND

— — —	CITY LIMIT LINE
———	SUBDIVISION BOUNDARY
———	RIGHT-OF-WAY LINE
———	LOT LINE
- - - -	EASEMENT LINE
—— – ——	CENTERLINE
—— — ——	MONUMENT LINE
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
(M–CL)	MONUMENT TO CENTERLINE
◎	SET STANDARD STREET MONUMENT STAMPED LS 7960
●	FOUND MONUMENT, AS NOTED
○	SET 5/8" REBAR & CAP OR NAIL & TAG, LS 7960
AC	ACRES
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PPAE	PUBLIC PEDESTRIAN ACCESS EASEMENT
PSE	PRIVATE SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
SF	SQUARE FEET
SDE	STORM DRAIN EASEMENT

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	133.00'	30°36'05"	71.03'
C2	117.00'	82°43'01"	168.91'
C3	117.00'	58°21'20"	119.17'
C4	117.00'	24°21'37"	49.74'
C5	205.00'	28°47'56"	103.04'
C6	205.00'	08°42'19"	31.15'
C7	205.00'	19°12'23"	68.72'
C8	205.00'	00°53'14"	3.17'
C9	171.00'	28°47'56"	85.95'
C10	29.00'	79°24'55"	40.20'
C11	111.00'	14°06'36"	27.34'
C12	36.00'	245°27'23"	154.22'
C13	36.00'	44°20'00"	27.85'
C14	36.00'	69°20'20"	43.57'
C15	36.00'	104°22'23"	65.58'
C16	36.00'	27°24'40"	17.22'
C17	29.00'	65°27'23"	33.13'
C18	25.00'	98°10'38"	42.84'
C19	151.00'	66°11'58"	174.47'
C20	151.00'	24°40'55"	65.05'
C21	151.00'	25°40'08"	67.65'
C22	151.00'	15°50'55"	41.77'
C23	99.00'	30°36'05"	52.88'
C24	110.00'	30°36'05"	58.75'
C25	182.00'	28°47'56"	91.48'
C26	100.00'	24°41'40"	43.10'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N30°42'25"E	113.49'
L2	N30°42'25"E	7.64'
L3	N59°30'21"E	16.23'
L4	N55°11'19"W	8.62'
L5	N47°00'42"W	4.00'
L6	N59°30'21"E	53.85'
L7	N30°29'39"W	14.28'
L8	N34°48'41"E	25.00'
L9	N47°01'39"E	16.58'
L10	N58°52'56"E	20.65'
L11	N35°49'16"E	8.94'
L12	N70°51'47"E	27.46'
L13	N09°31'19"W	36.32'
L14	N79°38'01"E	34.99'
L15	N26°03'26"E	11.99'
L16	N03°30'35"E	11.47'
L17	N07°57'22"W	26.25'
L18	N16°23'31"W	18.91'
L19	N26°33'51"W	17.61'
L20	N37°16'29"W	12.34'
L21	N62°30'10"W	17.29'
L22	N38°19'30"W	26.38'
L23	N58°31'51"E	27.90'
L24	N55°11'19"W	3.78'
L25	N82°36'34"W	23.00'
L26	N82°36'34"W	11.00'



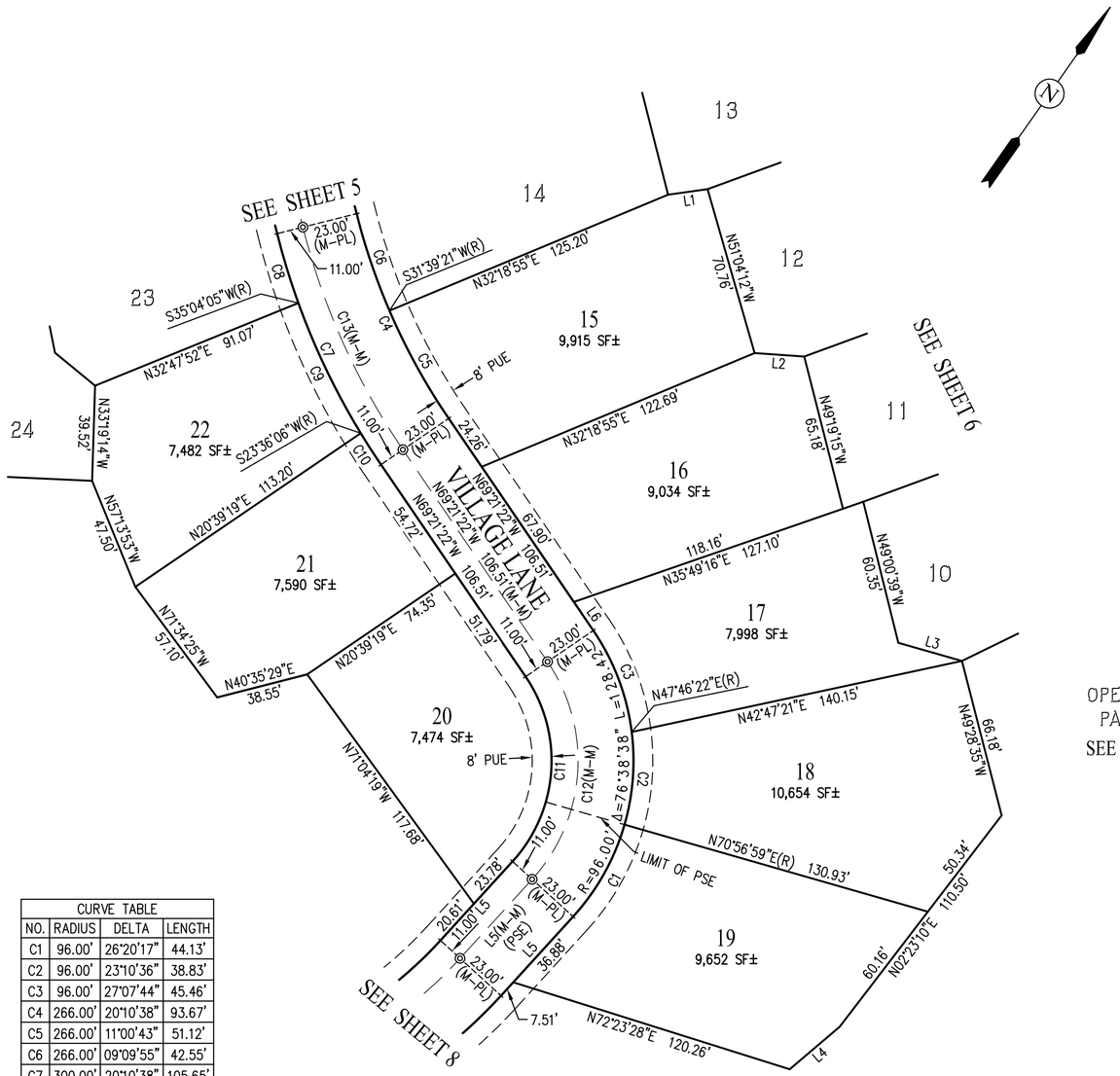
TRACT NO. 1575
POLO RANCH

CONSISTING OF 13 SHEETS
BEING A SUBDIVISION OF THE LANDS OF LENNAR HOMES OF CALIFORNIA, INC.,
BEING PARCEL ONE OF THE DEED RECORDED JUNE 10, 2014 AS DOC # 2014-0018503
SITUATE IN THE
CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, CALIFORNIA.

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1" = 40' FEBRUARY 2020

40' 0' 20' 40' 80' 160'
GRAPHIC SCALE



BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP WAS DETERMINED BY FOUND MONUMENTS ALONG THE SOUTHEAST SIDE OF STATE HIGHWAY 17 AS SHOWN HEREON, THE BEARING BEING N57°12'20"E, PER 88 MAPS 2.

LEGEND

— — —	CITY LIMIT LINE
———	SUBDIVISION BOUNDARY
———	RIGHT–OF–WAY LINE
———	LOT LINE
– – – –	EASEMENT LINE
—— – ——	CENTERLINE
— — —	MONUMENT LINE
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
(M–CL)	MONUMENT TO CENTERLINE
◎	SET STANDARD STREET MONUMENT STAMPED LS 7960
●	FOUND MONUMENT, AS NOTED
○	SET 5/8" REBAR & CAP OR NAIL & TAG, LS 7960
AC	ACRES
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PPAE	PUBLIC PEDESTRIAN ACCESS EASEMENT
PSE	PRIVATE SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
SF	SQUARE FEET
SDE	STORM DRAIN EASEMENT

LINE TABLE		
NO.	BEARING	LENGTH
L1	N47°01'39"E	16.58'
L2	N58°52'56"E	20.65'
L3	N70°51'47"E	27.46'
L4	N14°31'59"E	27.21'
L5	N07°17'16"E	44.39'
L6	N69°21'22"W	14.35'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	96.00'	26°20'17"	44.13'
C2	96.00'	23°10'36"	38.83'
C3	96.00'	27°07'44"	45.46'
C4	266.00'	20°10'38"	93.67'
C5	266.00'	11°00'43"	51.12'
C6	266.00'	09°09'55"	42.55'
C7	300.00'	20°10'38"	105.65'
C8	300.00'	05°45'11"	30.12'
C9	300.00'	11°27'59"	60.04'
C10	300.00'	02°57'28"	15.49'
C11	62.00'	76°38'38"	82.94'
C12	73.00'	76°38'38"	97.65'
C13	289.00'	20°10'38"	101.77'

TRACT NO. 1575
POLO RANCH

CONSISTING OF 13 SHEETS
BEING A SUBDIVISION OF THE LANDS OF LENNAR HOMES OF CALIFORNIA, INC., BEING PARCEL ONE OF THE DEED RECORDED JUNE 10, 2014 AS DOC # 2014-0018503
SITUATE IN THE
CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, CALIFORNIA.

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1" = 40' FEBRUARY 2020

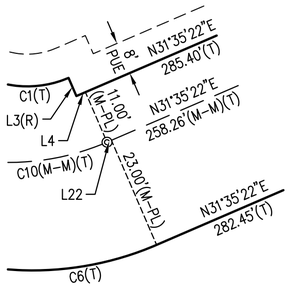
40' 0' 20' 40' 80' 160'
GRAPHIC SCALE

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP WAS DETERMINED BY FOUND MONUMENTS ALONG THE SOUTHEAST SIDE OF STATE HIGHWAY 17 AS SHOWN HEREON, THE BEARING BEING N57°12'20"E, PER 88 MAPS 2.

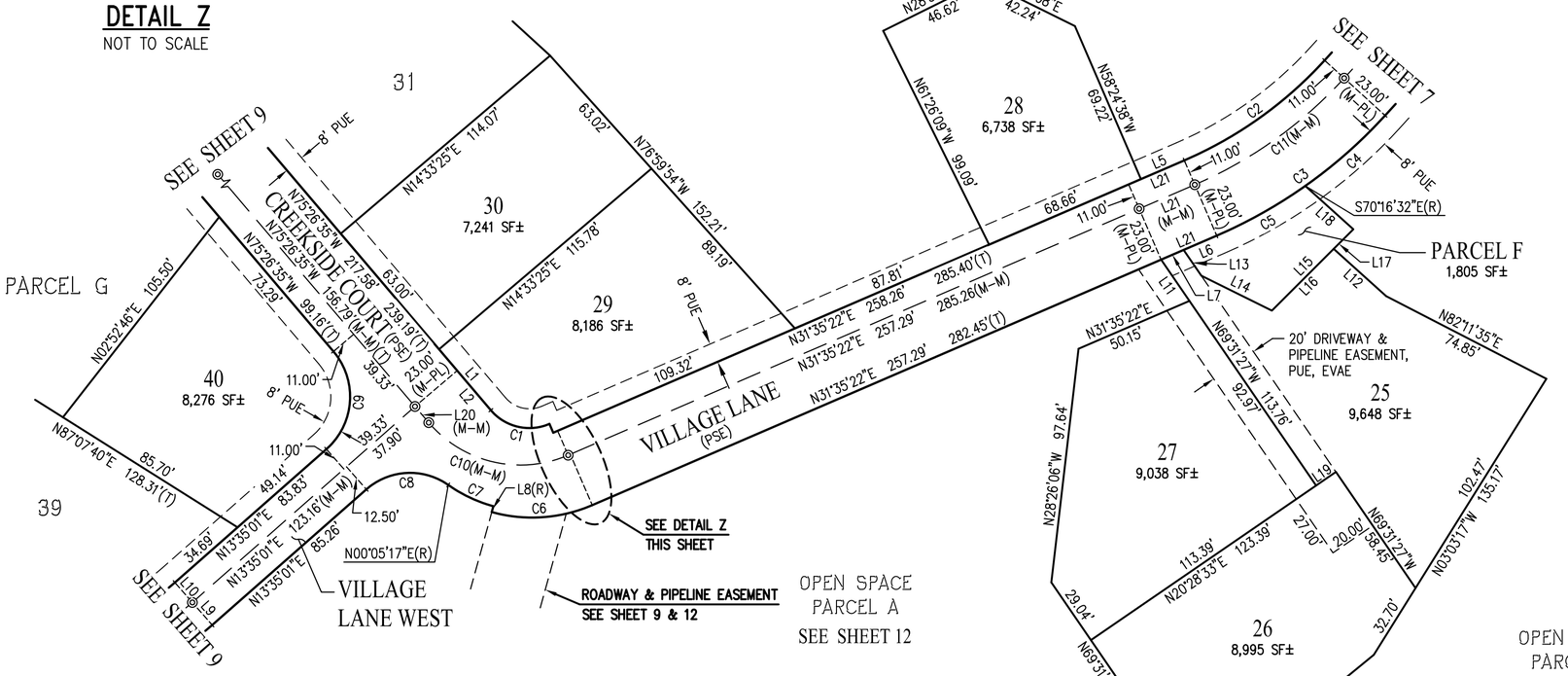
LEGEND

— — —	CITY LIMIT LINE
———	SUBDIVISION BOUNDARY
———	RIGHT–OF–WAY LINE
———	LOT LINE
– – – –	EASEMENT LINE
—— – ——	CENTERLINE
— — —	MONUMENT LINE
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
(M–CL)	MONUMENT TO CENTERLINE
◎	SET STANDARD STREET MONUMENT STAMPED LS 7960
●	FOUND MONUMENT, AS NOTED
○	SET 5/8" REBAR & CAP OR NAIL & TAG, LS 7960
AC	ACRES
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PPAE	PUBLIC PEDESTRIAN ACCESS EASEMENT
PSE	PRIVATE SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
SF	SQUARE FEET
SDE	STORM DRAIN EASEMENT



DETAIL Z
NOT TO SCALE

OPEN SPACE
PARCEL B
SEE SHEET 11



LINE TABLE		
NO.	BEARING	LENGTH
L1	N75°26'35"W	33.23'
L2	N75°26'35"W	21.61'
L3	N58°24'38"W	4.00'
L4	N31°35'22"E	1.99'
L5	N31°35'22"E	19.61'
L6	N31°35'22"E	14.97'
L7	N31°35'22"E	10.19'
L8	N19°38'02"W	2.50'
L9	N76°24'59"W	12.50'
L10	N76°24'59"W	11.00'
L11	N69°31'27"W	20.80'

LINE TABLE		
NO.	BEARING	LENGTH
L12	N83°01'47"W	29.33'
L13	N69°31'27"W	13.00'
L14	N81°15'00"E	32.68'
L15	N09°58'10"E	47.80'
L16	N09°58'10"E	36.28'
L17	N09°58'10"E	11.52'
L18	N83°01'47"W	26.85'
L19	N20°28'33"E	10.00'
L20	N75°26'35"W	8.80'
L21	N31°35'22"E	25.16'
L22	N31°35'22"E	0.97'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	21.00'	72°58'03"	26.74'
C2	170.00'	24°18'06"	72.10'
C3	204.00'	24°18'06"	86.53'
C4	204.00'	12°26'12"	44.28'
C5	204.00'	11°51'54"	42.25'
C6	63.00'	38°46'36"	42.64'
C7	60.50'	19°43'19"	20.82'
C8	27.50'	76°30'16"	36.72'
C9	29.00'	89°01'36"	45.06'
C10	50.00'	72°58'03"	63.68'
C11	181.00'	24°18'06"	76.77'

TRACT NO. 1575
POLO RANCH

CONSISTING OF 13 SHEETS
BEING A SUBDIVISION OF THE LANDS OF LENNAR HOMES OF CALIFORNIA, INC., BEING PARCEL ONE OF THE DEED RECORDED JUNE 10, 2014 AS DOC # 2014-0018503
SITUATE IN THE
CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, CALIFORNIA.

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1" = 40' FEBRUARY 2020

40' 0' 20' 40' 80' 160'
GRAPHIC SCALE

BASIS OF BEARINGS

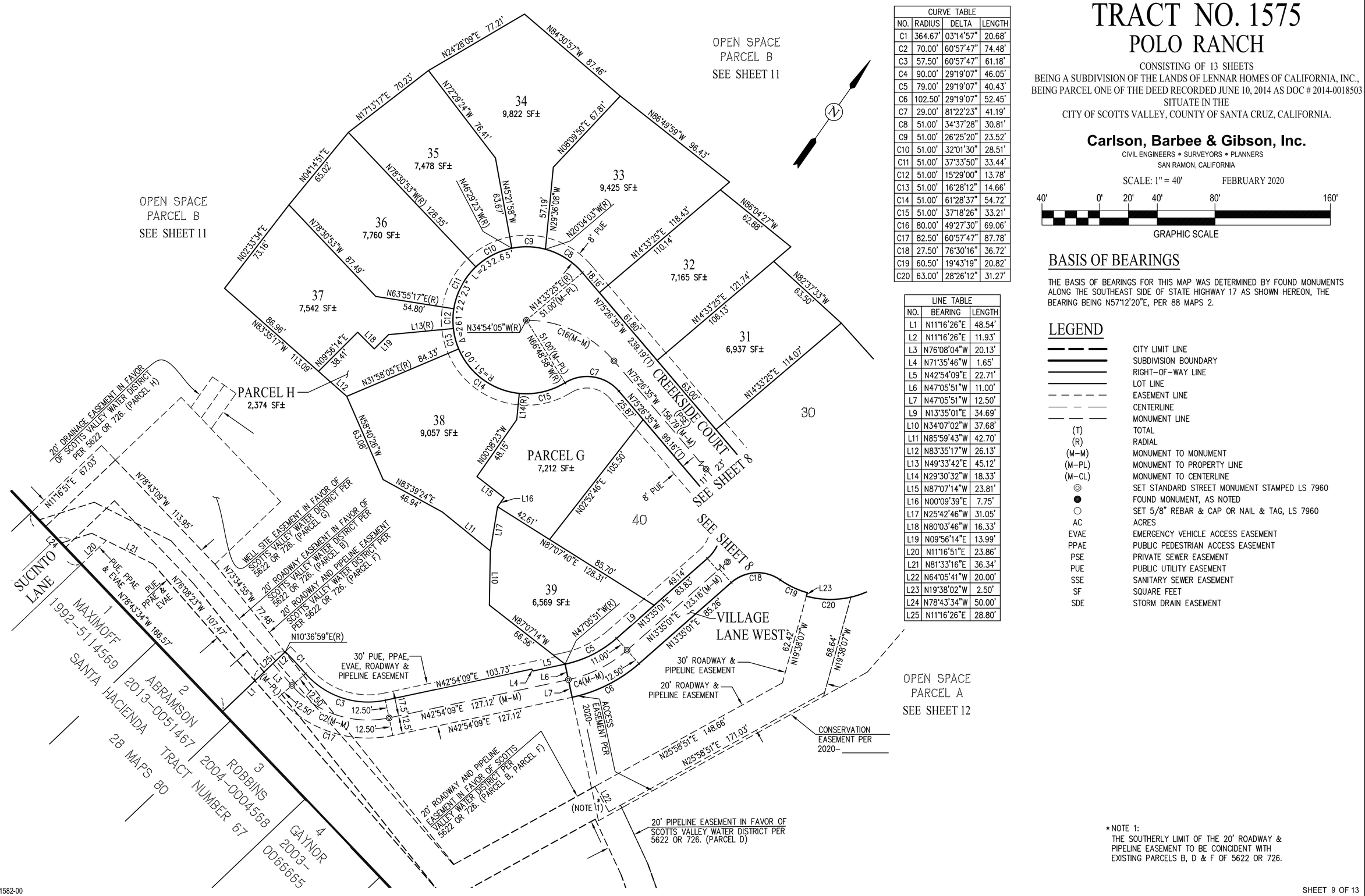
THE BASIS OF BEARINGS FOR THIS MAP WAS DETERMINED BY FOUND MONUMENTS ALONG THE SOUTHEAST SIDE OF STATE HIGHWAY 17 AS SHOWN HEREON, THE BEARING BEING N57°12'20"E, PER 88 MAPS 2.

LEGEND

— — —	CITY LIMIT LINE
———	SUBDIVISION BOUNDARY
———	RIGHT–OF–WAY LINE
———	LOT LINE
– – – –	EASEMENT LINE
—— – ——	CENTERLINE
—— — ——	MONUMENT LINE
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
(M–CL)	MONUMENT TO CENTERLINE
◎	SET STANDARD STREET MONUMENT STAMPED LS 7960
●	FOUND MONUMENT, AS NOTED
○	SET 5/8" REBAR & CAP OR NAIL & TAG, LS 7960
AC	ACRES
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PPAE	PUBLIC PEDESTRIAN ACCESS EASEMENT
PSE	PRIVATE SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
SF	SQUARE FEET
SDE	STORM DRAIN EASEMENT

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	364.67'	03°14'57"	20.68'
C2	70.00'	60°57'47"	74.48'
C3	57.50'	60°57'47"	61.18'
C4	90.00'	29°19'07"	46.05'
C5	79.00'	29°19'07"	40.43'
C6	102.50'	29°19'07"	52.45'
C7	29.00'	81°22'23"	41.19'
C8	51.00'	34°37'28"	30.81'
C9	51.00'	26°25'20"	23.52'
C10	51.00'	32°01'30"	28.51'
C11	51.00'	37°33'50"	33.44'
C12	51.00'	15°29'00"	13.78'
C13	51.00'	16°28'12"	14.66'
C14	51.00'	61°28'37"	54.72'
C15	51.00'	37°18'26"	33.21'
C16	80.00'	49°27'30"	69.06'
C17	82.50'	60°57'47"	87.78'
C18	27.50'	76°30'16"	36.72'
C19	60.50'	19°43'19"	20.82'
C20	63.00'	28°26'12"	31.27'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N11°16'26"E	48.54'
L2	N11°16'26"E	11.93'
L3	N76°08'04"W	20.13'
L4	N71°35'46"W	1.65'
L5	N42°54'09"E	22.71'
L6	N47°05'51"W	11.00'
L7	N47°05'51"W	12.50'
L9	N13°35'01"E	34.69'
L10	N34°07'02"W	37.68'
L11	N85°59'43"W	42.70'
L12	N83°35'17"W	26.13'
L13	N49°33'42"E	45.12'
L14	N29°30'32"W	18.33'
L15	N87°07'14"W	23.81'
L16	N00°09'39"E	7.75'
L17	N25°42'46"W	31.05'
L18	N80°03'46"W	16.33'
L19	N09°56'14"E	13.99'
L20	N11°16'51"E	23.86'
L21	N81°33'16"E	36.34'
L22	N64°05'41"W	20.00'
L23	N19°38'02"W	2.50'
L24	N78°43'34"W	50.00'
L25	N11°16'26"E	28.80'



*NOTE 1:
THE SOUTHERLY LIMIT OF THE 20' ROADWAY & PIPELINE EASEMENT TO BE COINCIDENT WITH EXISTING PARCELS B, D & F OF 5622 OR 726.

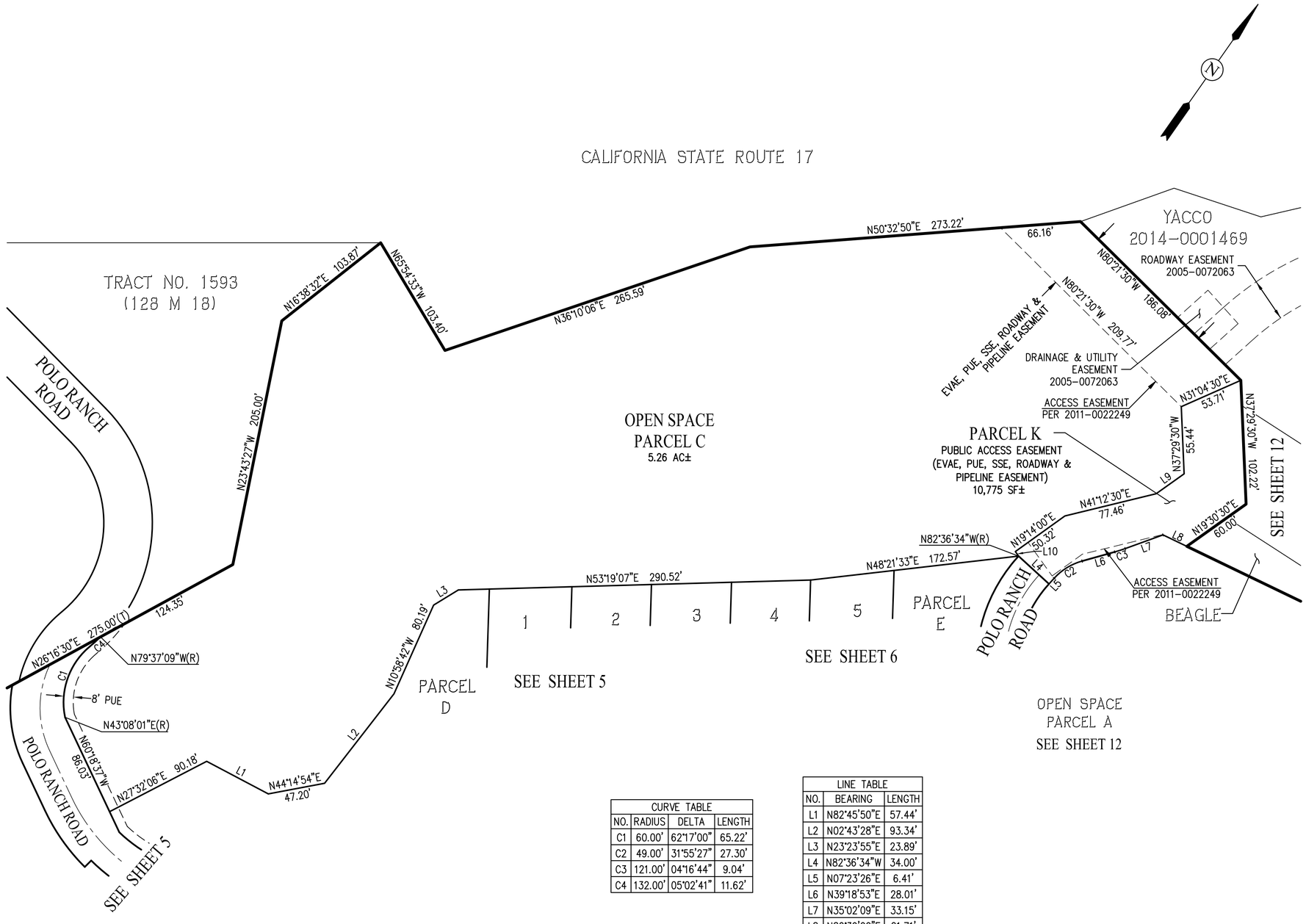
TRACT NO. 1575
POLO RANCH

CONSISTING OF 13 SHEETS
BEING A SUBDIVISION OF THE LANDS OF LENNAR HOMES OF CALIFORNIA, INC.,
BEING PARCEL ONE OF THE DEED RECORDED JUNE 10, 2014 AS DOC # 2014-0018503
SITUATE IN THE
CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, CALIFORNIA.

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1" = 60' FEBRUARY 2020

60' 0' 30' 60' 120' 240'
GRAPHIC SCALE



BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP WAS DETERMINED BY FOUND MONUMENTS ALONG THE SOUTHEAST SIDE OF STATE HIGHWAY 17 AS SHOWN HEREON, THE BEARING BEING N57°12'20"E, PER 88 MAPS 2.

LEGEND

	CITY LIMIT LINE
	SUBDIVISION BOUNDARY
	RIGHT-OF-WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE
	MONUMENT LINE
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
(M-CL)	MONUMENT TO CENTERLINE
◎	SET STANDARD STREET MONUMENT STAMPED LS 7960
●	FOUND MONUMENT, AS NOTED
○	SET 5/8" REBAR & CAP OR NAIL & TAG, LS 7960
AC	ACRES
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PPAE	PUBLIC PEDESTRIAN ACCESS EASEMENT
PSE	PRIVATE SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
SF	SQUARE FEET
SDE	STORM DRAIN EASEMENT

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	60.00'	62°17'00"	65.22'
C2	49.00'	31°55'27"	27.30'
C3	121.00'	04°16'44"	9.04'
C4	132.00'	05°02'41"	11.62'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N82°45'50"E	57.44'
L2	N02°43'28"E	93.34'
L3	N23°23'55"E	23.89'
L4	N82°36'34"W	34.00'
L5	N07°23'26"E	6.41'
L6	N39°18'53"E	28.01'
L7	N35°02'09"E	33.15'
L8	N80°39'00"E	21.71'
L9	N19°30'30"E	28.25'
L10	N70°46'00"W	4.57'

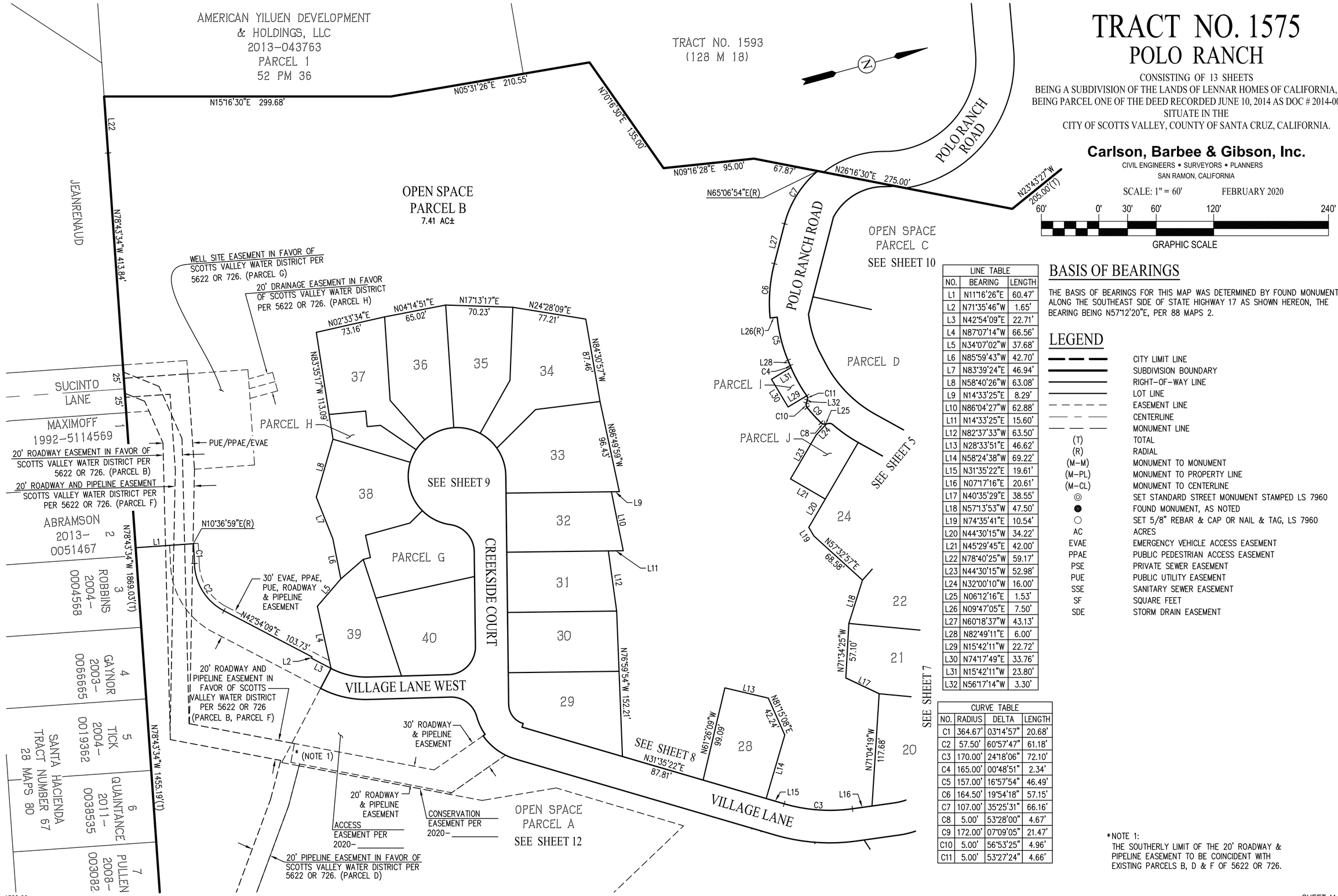
TRACT NO. 1575
POLO RANCH

CONSISTING OF 13 SHEETS
BEING A SUBDIVISION OF THE LANDS OF LENNAR HOMES OF CALIFORNIA, INC., BEING PARCEL ONE OF THE DEED RECORDED JUNE 10, 2014 AS DOC # 2014-0018503
SITUATE IN THE
CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, CALIFORNIA.

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1" = 60' FEBRUARY 2020

60' 0' 30' 60' 120' 240'
GRAPHIC SCALE



LINE TABLE		
NO.	BEARING	LENGTH
L1	N11°16'26"E	60.47'
L2	N71°35'46"W	1.65'
L3	N42°54'09"E	22.71'
L4	N87°07'14"W	66.56'
L5	N34°07'02"W	37.68'
L6	N85°59'43"W	42.70'
L7	N83°39'24"E	46.94'
L8	N58°40'26"W	63.08'
L9	N14°33'25"E	8.29'
L10	N86°04'27"W	62.88'
L11	N14°33'25"E	15.60'
L12	N82°37'33"W	63.50'
L13	N28°33'51"E	46.62'
L14	N58°24'38"W	69.22'
L15	N31°35'22"E	19.61'
L16	N07°17'16"E	20.61'
L17	N40°35'29"E	38.55'
L18	N57°13'53"W	47.50'
L19	N74°35'41"E	10.54'
L20	N44°30'15"W	34.22'
L21	N45°29'45"E	42.00'
L22	N78°40'25"W	59.17'
L23	N44°30'15"W	52.98'
L24	N32°00'10"W	16.00'
L25	N06°12'16"E	1.53'
L26	N09°47'05"E	7.50'
L27	N60°18'37"W	43.13'
L28	N82°49'11"E	6.00'
L29	N15°42'11"W	22.72'
L30	N74°17'49"E	33.76'
L31	N15°42'11"W	23.80'
L32	N56°17'14"W	3.30'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	364.67'	03°14'57"	20.68'
C2	57.50'	60°57'47"	61.18'
C3	170.00'	24°18'06"	72.10'
C4	165.00'	00°48'51"	2.34'
C5	157.00'	16°57'54"	46.49'
C6	164.50'	19°54'18"	57.15'
C7	107.00'	35°25'31"	66.16'
C8	5.00'	53°28'00"	4.67'
C9	172.00'	07°09'05"	21.47'
C10	5.00'	56°53'25"	4.96'
C11	5.00'	53°27'24"	4.66'

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP WAS DETERMINED BY FOUND MONUMENTS ALONG THE SOUTHEAST SIDE OF STATE HIGHWAY 17 AS SHOWN HEREON, THE BEARING BEING N57°12'20"E, PER 88 MAPS 2.

LEGEND

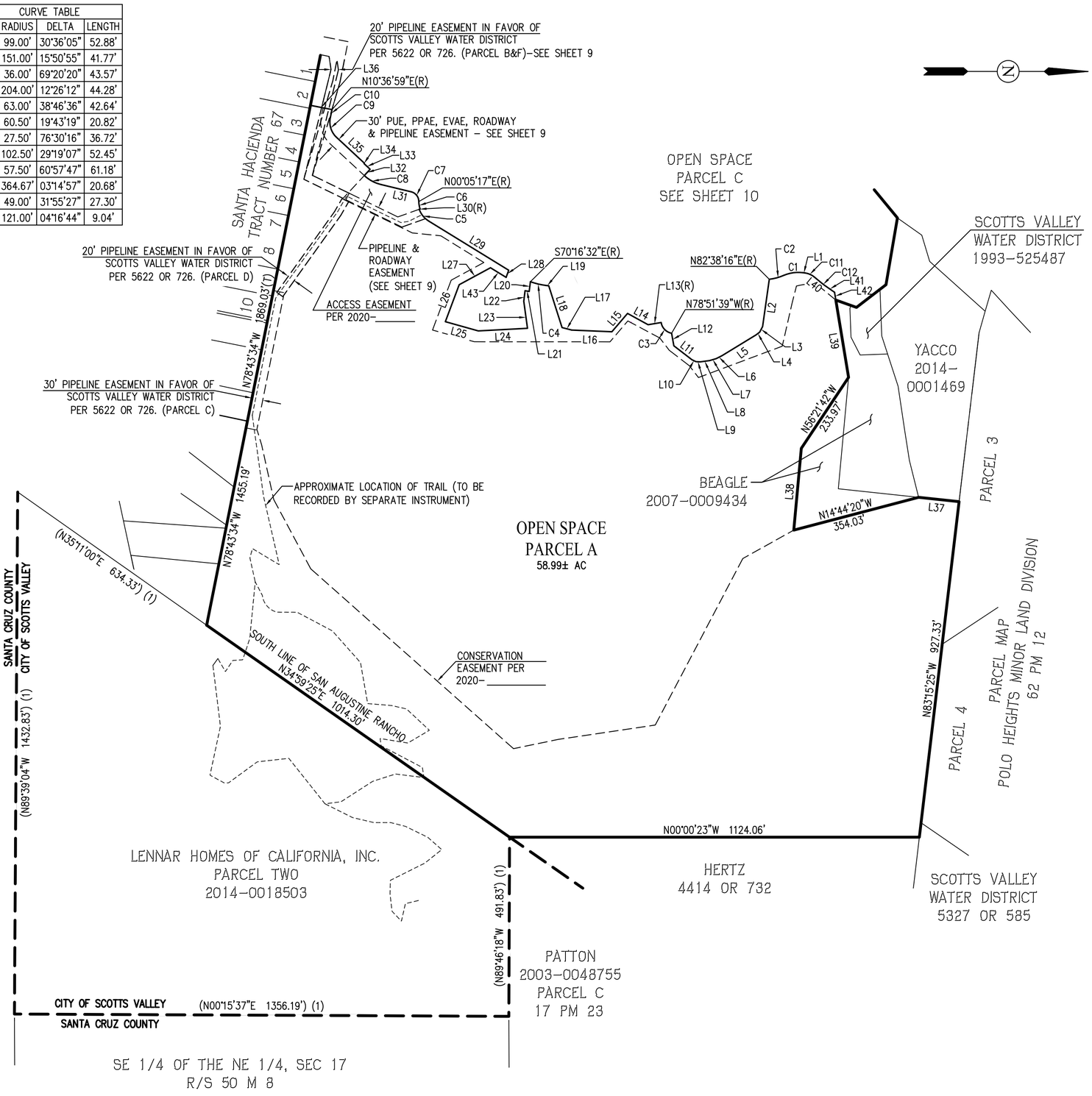
	CITY LIMIT LINE
	SUBDIVISION BOUNDARY
	RIGHT-OF-WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE
	MONUMENT LINE
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
(M-CL)	MONUMENT TO CENTERLINE
◎	SET STANDARD STREET MONUMENT STAMPED LS 7960
●	FOUND MONUMENT, AS NOTED
○	SET 5/8" REBAR & CAP OR NAIL & TAG, LS 7960
AC	ACRES
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PPAE	PUBLIC PEDESTRIAN ACCESS EASEMENT
PSE	PRIVATE SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
SF	SQUARE FEET
SDE	STORM DRAIN EASEMENT

*NOTE 1:
THE SOUTHERLY LIMIT OF THE 20' ROADWAY & PIPELINE EASEMENT TO BE COINCIDENT WITH EXISTING PARCELS B, D & F OF 5622 OR 726.

1582-00

LINE TABLE		
NO.	BEARING	LENGTH
L1	N07°23'26"E	6.41'
L2	N81°55'32"W	130.93'
L3	N62°30'10"W	17.29'
L4	N37°16'29"W	12.34'
L5	N31°28'09"W	109.97'
L6	N26°33'51"W	17.61'
L7	N16°23'31"W	18.91'
L8	N07°57'22"W	26.25'
L9	N03°30'35"E	11.47'
L10	N26°03'26"E	11.99'
L11	N37°35'11"E	62.65'
L12	N79°38'01"E	34.99'
L13	N09°31'19"W	36.32'
L14	N28°53'06"E	64.36'
L15	N49°28'35"W	66.18'
L16	N02°23'10"E	110.50'
L17	N14°31'59"E	27.21'
L18	N72°23'28"E	120.26'
L19	N07°17'16"E	7.51'
L20	N83°01'47"W	26.85'
L21	N09°58'10"E	11.52'
L22	N83°01'47"W	29.33'
L23	N82°11'35"E	74.85'
L24	N03°03'17"W	135.17'
L25	N15°39'27"E	93.74'
L26	N69°31'27"W	108.42'
L27	N28°26'06"W	97.64'
L28	N69°31'27"W	20.80'
L29	N31°35'22"E	257.29'
L30	N19°38'02"W	2.50'
L31	N13°35'01"E	85.26'
L32	N47°05'51"W	23.50'
L33	N42°54'09"E	22.71'
L34	N71°35'46"W	1.65'
L35	N42°54'09"E	103.73'
L36	N11°16'26"E	60.47'
L37	N06°05'45"E	111.69'
L38	N84°45'00"W	225.46'
L39	N80°39'00"E	215.00'
L40	N39°18'53"E	28.01'
L41	N35°02'09"E	33.15'
L42	N80°39'00"E	21.71'
L43	N31°35'22"E	50.15'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	99.00'	30°36'05"	52.88'
C2	151.00'	15°50'55"	41.77'
C3	36.00'	69°20'20"	43.57'
C4	204.00'	12°26'12"	44.28'
C5	63.00'	38°46'36"	42.64'
C6	60.50'	19°43'19"	20.82'
C7	27.50'	76°30'16"	36.72'
C8	102.50'	29°19'07"	52.45'
C9	57.50'	60°57'47"	61.18'
C10	364.67'	03°14'57"	20.68'
C11	49.00'	31°55'27"	27.30'
C12	121.00'	04°16'44"	9.04'



TRACT NO. 1575
POLO RANCH

CONSISTING OF 13 SHEETS
BEING A SUBDIVISION OF THE LANDS OF LENNAR HOMES OF CALIFORNIA, INC., BEING PARCEL ONE OF THE DEED RECORDED JUNE 10, 2014 AS DOC # 2014-0018503
SITUATE IN THE
CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, CALIFORNIA.

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1" = 200' FEBRUARY 2020

200' 0' 100' 200' 400' 800'
GRAPHIC SCALE

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP WAS DETERMINED BY FOUND MONUMENTS ALONG THE SOUTHEAST SIDE OF STATE HIGHWAY 17 AS SHOWN HEREON, THE BEARING BEING N57°12'20"E, PER 88 MAPS 2.

LEGEND

— — —	CITY LIMIT LINE
———	SUBDIVISION BOUNDARY
———	RIGHT–OF–WAY LINE
———	LOT LINE
– – – –	EASEMENT LINE
—— – ——	CENTERLINE
— — —	MONUMENT LINE
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
(M–CL)	MONUMENT TO CENTERLINE
◎	SET STANDARD STREET MONUMENT STAMPED LS 7960
●	FOUND MONUMENT, AS NOTED
○	SET 5/8" REBAR & CAP OR NAIL & TAG, LS 7960
AC	ACRES
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PPAE	PUBLIC PEDESTRIAN ACCESS EASEMENT
PSE	PRIVATE SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
SF	SQUARE FEET
SDE	STORM DRAIN EASEMENT
----------	TRAIL

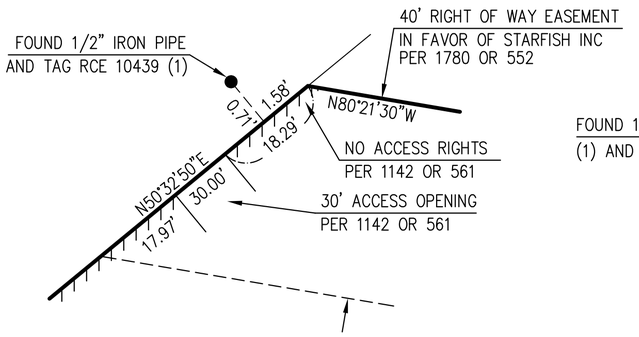
TRACT NO. 1575
POLO RANCH

CONSISTING OF 13 SHEETS
BEING A SUBDIVISION OF THE LANDS OF LENNAR HOMES OF CALIFORNIA, INC.,
BEING PARCEL ONE OF THE DEED RECORDED JUNE 10, 2014 AS DOC # 2014-0018503
SITUATE IN THE
CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, CALIFORNIA.

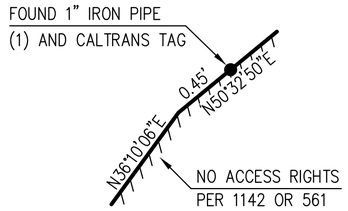
Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1" = 200' FEBRUARY 2020

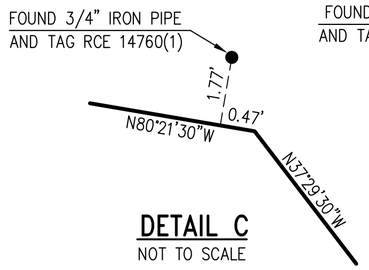
200' 0' 100' 200' 400' 800'
GRAPHIC SCALE



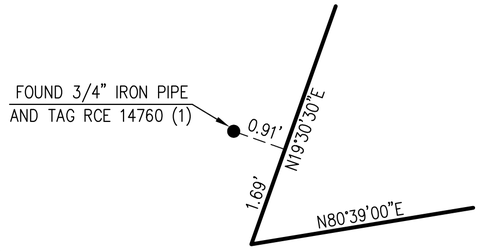
DETAIL A
NOT TO SCALE



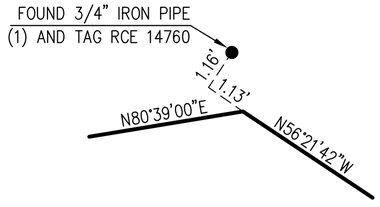
DETAIL B
NOT TO SCALE



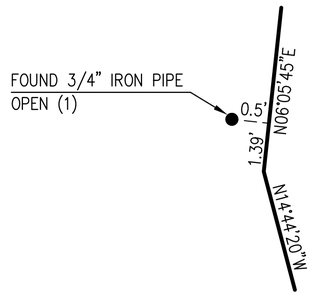
DETAIL C
NOT TO SCALE



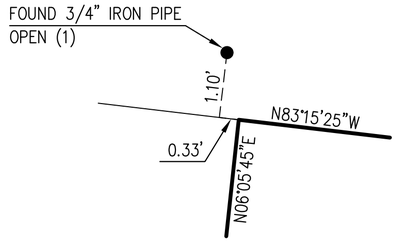
DETAIL D
NOT TO SCALE



DETAIL E
NOT TO SCALE



DETAIL F
NOT TO SCALE



DETAIL G
NOT TO SCALE

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP WAS DETERMINED BY FOUND MONUMENTS ALONG THE SOUTHEAST SIDE OF STATE HIGHWAY 17 AS SHOWN HEREON, THE BEARING BEING N57°12'20"E, PER 88 MAPS 2.

LEGEND

	CITY LIMIT LINE
	SUBDIVISION BOUNDARY
	RIGHT-OF-WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE
	MONUMENT LINE
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
(M-CL)	MONUMENT TO CENTERLINE
◎	SET STANDARD STREET MONUMENT STAMPED LS 7960
●	FOUND MONUMENT, AS NOTED
○	SET 5/8" REBAR & CAP OR NAIL & TAG, LS 7960
AC	ACRES
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PPAE	PUBLIC PEDESTRIAN ACCESS EASEMENT
PSE	PRIVATE SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
SF	SQUARE FEET
SDE	STORM DRAIN EASEMENT

REFERENCES

(1) RECORD OF SURVEY (88 MAPS 2)
(2) PARCEL MAP (62 PM 12)
(3) RECORD OF SURVEY (86 MAPS 19)
(4) PARCEL MAP (50 PM 19)
(5) TRACT NO. 67 (28 M 80)
(6) DOCUMENT NUMBER 2014-0018503
(7) RECORD OF SURVEY (50 M 08)
(8) PARCEL MAP (017 PM 23)

RESOLUTION NO. 960.89

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AUTHORIZING EXECUTION OF THE SUBDIVISION IMPROVEMENT AGREEMENT FOR THE POLO RANCH SUBDIVISION, TRACT NO. 1575 END OF SANTA'S VILLAGE ROAD (APN 024-281-04)

WHEREAS, the City Council of the City of Scotts Valley desires to enter into a Subdivision Improvement Agreement with Lennar Homes of California, Inc. (Developer) for the development of a 40-lot subdivision known as Polo Ranch PD07-006; and

WHEREAS, this agreement will require the Developer to complete approximately $3,337,000.00 in public improvements, street work, storm drain, sanitary sewer and electrical, in accordance with the project conditions of approval and City standard construction design as shown on those certain improvement plans dated August, 2016; and

WHEREAS, Developer has submitted sureties in the amount of $3,337,000.00 for Faithful Performance and $1,668,500.00 for Labor and Materials. Such sureties have been reviewed and approved by the City Engineer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley that the Subdivision Improvement Agreement with Lennar Homes of California, Inc. is hereby approved and the City Manager is hereby authorized to execute the Subdivision Improvement Agreement for the development of the Polo Ranch Subdivision in the form attached hereto as Exhibit A and is made part of this resolution.

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 16th day of June, 2021 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Approved: _____
Derek Timm, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

Recorded at Request of
and When Recorded, Return to:

City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066
Attn: City Clerk

NO RECORDING FEE PER GOV. CODE SEC. 27383

SUBDIVISION IMPROVEMENT AGREEMENT

AGREEMENT BY OWNER OR SUCCESSORS IN INTEREST TO CONSTRUCT LAND DEVELOPMENT IMPROVEMENTS

PROJECT IDENTIFICATION: Polo Ranch, Tract # 1575

This Subdivision Improvement Agreement (the "Agreement") is made and entered into the 16th day of June, 2021, by and between the City of Scotts Valley, a California municipal corporation, hereinafter referred to as "City", and Lennar Homes of California, Inc., a California municipal corporation, hereinafter referred to as "Owners" on Polo Ranch.

RECITALS

A. Owners desire to subdivide and develop the real property described and shown in Exhibit "A" (the "Property") and wish to defer construction of permanent improvements as set forth in Exhibit "B" (the "Improvements") and as shown on those certain plans entitled “Polo Ranch Improvement Plans”, dated August 2016.

B. In exchange for the deferment of Owners' obligation as provided herein, Owners agree to complete the Improvements as provided herein.

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

AGREEMENT

1. Agreement Binding On Successors In Interest. This Agreement is an instrument affecting the title and possession of the Property. All of the terms, covenants and conditions herein imposed shall be binding upon and inure to the heirs, successors or assigns of Owners. Upon any sale, division or transfer of the Property, the terms of this Agreement shall apply separately to each parcel and the new owner of each parcel and Owners shall be jointly liable to complete the obligations imposed on Owners by this Agreement.

2. Improvements.

2.1 Owners agree to construct the Improvements as indicated on the attached Exhibit "B". The Improvements required by City generally consist of street work, storm drain, sanitary sewer and electrical work.

2.2 The Owners shall, within twelve (12) months of the date of this Agreement, complete to the satisfaction of the City Engineer, all Improvements in accordance with City's plans and specifications.

In the event Owners fail and/or neglect to complete all Improvements within twelve (12) months of the date of this Agreement, City shall have the right at any time thereafter to complete the Improvements at Owners' expense; provided, however, the City Council may in its sole discretion, extend the completion period for an additional period of time upon written request by Owners.

3. Performance Of Work. Owners agree to perform the work, construct and install the Improvements and make the payments required by City within the time period of completion established herein and in a good workmanlike manner, in accordance with accepted construction practices and the plans and specifications for the improvements and to the satisfaction of the City Engineer. Owners agree to commence and complete the Improvements within a period of twelve (12) months from the date of this Agreement and to notify City at least forty-eight (48) hours prior to commencement of work. If it becomes necessary for City to construct the Improvements, permission is granted to City by Owners to enter upon to the property of Owners as may be necessary for City to construct the Improvements.

4. Improvement Plan Warranty. Owners warrant the improvement plans for the work are adequate to accomplish the work as promised in Section 2 and as required by the Conditions of Approval for the Subdivision. If, at any time before the City Council accepts the work as complete or during the one year guarantee period, said improvement plans prove to be inadequate in any respect, Owners shall make whatever changes are necessary to accomplish the work as promised.

5. Maintenance Of Improvements And Guarantee Of Work. City agrees to accept for maintenance, only those Improvements which are constructed and completed in accordance with City's standards and requirements and are installed within public rights-of-way or easements dedicated and accepted as complete by City resolution, after the expiration of one (1) year from and after the date of satisfactory completion and acceptance by the City, with the exception of the bridge to be constructed by Owners. The City agrees to accept the bridge for maintenance after the expiration of 5 years from and after the date of satisfactory completion and acceptance of the bridge by City. Owners shall maintain all the Improvements at Owners' sole cost and at all times prior to acceptance of the Improvements by City. After acceptance of the dedicated portion of the Improvements by City, Owners shall continue to maintain at their sole cost and expense the private portion of the Improvements. Owners guarantee that all completed Improvements shall be free from defects in material or workmanship and shall perform

satisfactorily for a period of one (1) year from and after the date the City Council accepts the work as complete, with the exception of the bridge. Owners guarantee that the bridge shall be free from defects in material or workmanship and shall perform satisfactorily for a period of 5 years from and after the date the City Council accepts the work as complete Owners agree to correct, repair, or replace, at Owners' sole cost and expense, any defects in said work.

Owners agree to provide necessary temporary drainage facilities, access road(s) or other improvements required by City Engineer, to assume responsibility for the proper functioning thereof, to submit plans to City for review, if required, and to maintain said improvements and facilities in a manner which will preclude any hazard to life or health or damage to adjoining property.

6. Bond, Cash Deposit Or Instrument Of Credit. Concurrent with the execution hereof, Owners shall furnish:

a. A bond, cash deposit or instrument of credit in a form acceptable to City, in its sole discretion, in an amount equal to at least one hundred percent (100%) of the engineer's estimated cost of Improvements (as approved by the City Engineer) as security for the faithful performance of this Agreement; and

b. A bond, cash deposit or instrument of credit in a form acceptable to City, in its sole discretion, in an amount equal to at least fifty percent (50%) of the engineer's estimated cost of Improvements (as approved by the City Engineer) as security for the payment of all persons, furnishing materials, equipment or labor in connection with this work.

The surety on any bond or instrument of credit shall be satisfactory to the City Engineer. Pursuant to Government Code Section 66499(a) all bonds shall be from an authorized corporate surety in the State of California. An instrument of credit shall be from an institution subject to regulation by the State of California or the Federal government, and shall pledge that the funds necessary to carry out the forms of the Agreement are on deposit and guaranteed for payment. The cash deposit may take the form of a Certificate of Deposit which shall name the City of Scotts Valley as the holder of the certificate. The certificate shall be held by City until satisfactory completion of all Improvements and upon certification of the City Engineer of satisfactory completion, shall be released by the City and endorsed over to Owners, along with any interest earned thereon. Should City be required to use any funds deposited to satisfy the requirements of this Agreement, City may use all principal and accrued interest to complete the Improvements. Principal and interest, if any, remaining after the satisfactory completion of the Improvements shall be returned to the Owners by City.

7. Insurance. Owners shall maintain, or shall require any contractor engaged by Owners to perform work, to maintain, at their sole cost and expense, at all times during the performance of the work called for herein, a comprehensive public liability and property damage insurance policy with City as additional named primary insured, for bodily injury (including death) with limits of not less than One Million Dollars ($1,000,000)

per person and Two Million Dollars ($2,000,000) per occurrence and property damage limits of not less than Five Hundred Thousand Dollars ($500,000). Owners shall provide City with a certificate evidencing such policy with a clause requiring the insurance carrier to give thirty (30) day written notice to the City's City Manager, in advance of the policy being canceled for any reason whatsoever.

8. Indemnity. Owners shall assume the defense with counsel selected by City and shall hold harmless, defend and indemnify City, its agents, servants or employees, from every expense, liability or payment, including attorney's fees, against any and all actions including claims or demands for injury, death, loss or damages, regardless of fault or cause, by anyone whomsoever (except where such injury, death, loss or damage was solely due to the negligent acts or omissions of City, its agents, servants or employees) arising out of performance of any of the duties, promises, covenants or conditions arising out of this agreement, including but not limited to injury, death, loss or damage is a consequence of, or arises out of, or is incidental to, the deferment of permanent drainage facilities or the adequacy, safety, use, or non-use of temporary drainage facilities, the performance or non-performance of the work, by Owners or any other persons or parties pursuant to authorization by Owners.

9. Time Is Of The Essence. Time is of the essence in this Agreement.

10. Waiver. No waiver of any term, provision or condition of this Agreement, whether by conduct or otherwise, in any one or more instances, shall be deemed to be, or be construed as, a further or continuing waiver of any such term, provision or condition or as a waiver of any other term, provision or condition of this Agreement.

11. Attorney's Fees. If either party hereto incurs any expense, including reasonable attorneys' fees, in connection with any action or proceeding instituted by reason of any default or alleged default of the other party hereunder, the party prevailing in such action or proceeding shall be entitled to recover from the other party reasonable expenses and attorneys' fees in the amount determined by the Court, whether or not such action or proceeding goes to final judgement. In the event of a settlement or final judgement in which neither party is awarded all of the relief prayed for, the prevailing party as determined by the Court shall be entitled to recover from the other party reasonable expenses and attorneys' fees and inspections.

12. Notices. All required notices shall be in writing and delivered in person or by Registered U.S. Mail, postage pre-paid. Notices required to be given to City shall be addressed as follows:

Public Works Director
City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

Notices required to be given to Owners shall be addressed as follows:

Brent Reed
Lennar Homes
2603 Camino Ramon, Ste. 525
San Ramon, CA 94583

Either party may change such address by notice in writing to the other party. Thereafter, notices shall be addressed and transmitted to the new address.

13. Costs. Owner shall pay when due, all cost of the Improvements, including city fees and inspections.

14. Entire Agreement. This Agreement contains the entire agreement between the parties. No promise, representation, warranty or covenant not included or referred to in this Agreement has been or is relied on by either party. Each party has relied on his own examination of this Agreement, the counsel of his own advisors, and the warranties, representation, and covenants in the Agreement itself and those referred to in the Agreement. The language in all parts of this Agreement shall be in all cases construed simply, according to its fair meaning and not for or against City or Owners, regardless of which party drafted the particular language which is being construed, all parties having been represented by adequate counsel.

IN WITNESS WHEREOF, the City and the Owners have executed this Improvement Agreement as of the date first set forth above.

"CITY"
CITY OF SCOTTS VALLEY

BY:_____
Tina Friend, City Manager

ATTEST:

_____
Tracy A. Ferrara

APPROVED AS TO FORM:

_____
Kirsten Powell, City Attorney

"OWNERS"
LENNAR HOMES OF CALIFORNIA, INC.

BY:_____
Brian Olin, Vice President

(ATTACH ACKNOWLEDGMENTS)

EXHIBIT A

Real property in the City of Scotts Valley, County of Santa Cruz, State of California, described as follows:

PARCEL ONE:

BEGINNING AT A CONCRETE MONUMENT AT THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN THE DEED TO CHARLES CRANDELL, RECORDED FEBRUARY 21, 1929, IN VOLUME 148 OF OFFICIAL RECORDS, AT PAGE 11, SANTA CRUZ COUNTY RECORDS, AND RUNNING THENCE FROM THE SAID PLACE OF BEGINNING TO AND ALONG THE NORTHERN BOUNDARY LINE OF THE LANDS DESCRIBED IN THE DEED TO ROBERT B. LAW, ET AL., RECORDED APRIL 23, 1964, IN VOLUME 1536, OF OFFICIAL RECORDS, AT PAGE 418, SANTA CRUZ COUNTY RECORDS; SOUTH 73 DEGREES 29' EAST 121.23 FEET AND THENCE SOUTH 83 DEGREES 14' EAST 466.97 FEET TO THE TRUE PLACE OF BEGINNING; THENCE FROM SAID TRUE PLACE OF BEGINNING, LEAVING THE NORTHERN BOUNDARY LINE OF SAID LANDS OF LAW, ET AL., SOUTH 6 DEGREES 05' 45" WEST 332.99 FEET, NORTH 84 DEGREES 45' WEST 307.00 FEET, SOUTH 80 DEGREES 39' WEST 215.00 FEET TO THE SOUTHEASTERN LINE OF A RIGHT OF WAY 50.00 FEET IN WIDTH; THENCE ALONG THE BOUNDARY LINE OF SAID RIGHT OF WAY NORTH 19 DEGREES 30' EAST 60.00 FEET, NORTH 37 DEGREES 29' 30" WEST 102.22 FEET AND NORTH 80 DEGREES 21' 30" WEST 186.07 FEET TO THE SOUTHEASTERN BOUNDARY LINE OF THE LANDS DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED AUGUST 6, 1957, IN VOLUME 1142, OF OFFICIAL RECORDS, AT PAGE 561, SANTA CRUZ COUNTY RECORDS; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING ALONG THE SOUTHEASTERN BOUNDARY LINE OF SAID LANDS CONVEYED TO THE STATE OF CALIFORNIA, SOUTH 50 DEGREES 32' 50" WEST 269.23 FEET, SOUTH 36 DEGREES 10' 06" WEST 265.59 FEET, NORTH 65 DEGREES 54' 33" WEST 103.40 FEET, SOUTH 54 DEGREES 55' 42" WEST 354.49 FEET, SOUTH 57 DEGREES 12' 20" WEST 501.51 FEET, SOUTH 31 DEGREES 39' 38" WEST 133.43 FEET, SOUTH 60 DEGREES 19' 29" WEST 30.00 FEET AND NORTH 88 DEGREES 30' 32" WEST 12.91 FEET TO THE NORTHERN CORNER OF A RIGHT OF WAY OF VARIABLE WIDTH, THENCE LEAVING SAID ABOVE MENTIONED LANDS OF THE STATE OF CALIFORNIA AND RUNNING ALONG THE SOUTHWESTERN BOUNDARY LINE OF A RIGHT OF WAY 50.00 FEET IN WIDTH, SOUTH 29 DEGREES 33' EAST AT 32.85 FEET THE NORTHERN CORNER OF THE LANDS DESCRIBED IN THE LEASE TO STANDARD OIL OF CALIFORNIA, WESTERN OPERATIONS, INC., RECORDED JANUARY 30, 1958, IN VOLUME 1169 OF OFFICIAL RECORDS, AT PAGE 101, SANTA CRUZ COUNTY RECORDS, AT 182.85 FEET TO THE MOST EASTERN CORNER OF SAID LANDS, AT TOTAL DISTANCE OF 602.50 FEET TO THE SOUTHERN BOUNDARY LINE OF THE ABOVE MENTIONED LANDS OF LAW, ET AL., AT A POINT FROM WHICH THE MOST NORTHERN CORNER OF THE LANDS AS SHOWN ON THE MAP ENTITLED, "SANTA HACIENDA TRACT NUMBER 67", FILED FOR RECORD IN THE MAP ENTITLED, SANTA HACIENDA TRACT NUMBER 67", FILED FOR RECORD IN VOLUME 28 OF MAPS, AT PAGE 80, SANTA CRUZ COUNTY RECORDS, BEARS ALONG SAID SOUTHERN BOUNDARY LINE OF SAID LANDS OF LAW, ET AL., SOUTH 78 DEGREES 43' 30" EAST 182.32 FEET DISTANT; THENCE ALONG SAID SOUTHERN BOUNDARY LINE OF LANDS OF LAW, ET AL., SOUTH 78 DEGREES 43' 30" EAST, 182.32 FEET TO THE MOST NORTHERN CORNER OF SAID SUBDIVISION, AT 276.63 FEET TO A 2 INCH IRON PIPE, 889.26 FEET TO THE SOUTHWESTERN CORNER OF A RIGHT OF WAY 50.00 FEET IN WIDTH, THENCE CONTINUING ALONG SAID BOUNDARY LINE OF LANDS OF LAW, ET AL., SOUTH 78 DEGREES 45' EAST 1,259.64 FEET TO THE SOUTHEASTERN BOUNDARY LINE OF THE SAN AUGUSTINE RANCHO; THENCE ALONG SAID BOUNDARY LINE SOUTH 34 DEGREES 56' WEST 634.33 FEET TO THE ¼ SECTION LINE RUNNING EAST AND WEST THROUGH THE MIDDLE OF SECTION 17, TOWNSHIP 10 SOUTH, RANGE 1 WEST, MOUNT DIABLO BASE AND MERIDIAN, THENCE ALONG THE SAID 1/4 SECTION LINE SOUTH 89 DEGREES 52' EAST 1,432.40 FEET TO THE CENTER OF SAID SECTION 17; THENCE ALONG THE 1/4 SECTION LINE RUNNING NORTH AND SOUTH THROUGH THE MIDDLE OF SAID SECTION 17, NORTH 0 DEGREES 03' EAST 1,356.60 FEET TO THE 1/16TH SECTION LINE RUNNING EAST AND WEST THROUGH THE NORTHEAST 1/4 OF SAID SECTION; THENCE RUNNING ALONG THE 1/16TH SECTION LINE, RUNNING EAST AND WEST THROUGH SAID NORTHEAST 1/4 SOUTH 89 DEGREES 35' WEST 510.06 FEET TO THE SOUTHEAST BOUNDARY LINE OF SAID SAN AUGUSTINE RANCHO; THENCE LEAVING SAID BOUNDARY LINE NORTH 0 DEGREES 15' WEST 1,124.05 FEET TO THE NORTHERN BOUNDARY OF THE AFOREMENTIONED LANDS OF LAW, ET AL; THENCE ALONG SAID LAST MENTIONED BOUNDARY LINE NORTH 83 DEGREES 14' WEST 958.94 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM "AN ADEQUATE SUPPLY OF WATER FOR REASONABLE DOMESTIC PURPOSES", AS CONVEYED TO STARFISH, INC., A CALIFORNIA CORPORATION, BY DEED RECORDED AUGUST 19, 1966, IN BOOK 1780, PAGE 552, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THE LAND LAYING EAST OF THE EASTERLY BOUNDARY OF THE SAN AUGUSTINE RANCHO.

EXCEPTING THEREFROM PARCEL ONE, AS SHOWN AND DESIGNATED ON THAT CERTAIN PARCEL MAP, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CRUZ COUNTY ON JULY 13, 1989, IN VOLUME 50 OF PARCEL MAPS, AT PAGE 19, SANTA CRUZ COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO DANIEL BEAGLE, ET UX., BY DEED RECORDED JULY 25, 2000, INSTRUMENT NO. 2000-0035828, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

PARCEL TWO:

BEGINNING AT A CONCRETE MONUMENT AT THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN THE DEED TO CHARLES CRANDELL, RECORDED FEBRUARY 21, 1929, IN VOLUME 148 OF OFFICIAL RECORDS, AT PAGE 11, SANTA CRUZ COUNTY RECORDS, AND RUNNING THENCE FROM THE SAID PLACE OF BEGINNING TO AND ALONG THE NORTHERN BOUNDARY LINE OF THE LANDS DESCRIBED IN THE DEED TO ROBERT B. LAW, ET AL., RECORDED APRIL 23, 1964, IN VOLUME 1536 OF OFFICIAL RECORDS, AT PAGE 418, SANTA CRUZ COUNTY RECORDS; SOUTH 73 DEGREES 29' EAST 121.23 FEET AND THENCE SOUTH 83 DEGREES 14' EAST 466.97 FEET TO THE TRUE PLACE OF BEGINNING; THENCE FROM SAID TRUE PLACE OF BEGINNING, THENCE LEAVING THE NORTHERN BOUNDARY LINE OF SAID LANDS OF LAW, ET AL., SOUTH 6 DEGREES 05' 45" WEST 332.99 FEET, NORTH 84 DEGREES 45' WEST 307.00 FEET, SOUTH 80 DEGREES 39' WEST 215.00 FEET TO THE SOUTHEASTERN LINE OF A RIGHT OF WAY 50.00 FEET IN WIDTH; THENCE ALONG THE BOUNDARY LINE OF SAID RIGHT OF WAY NORTH 19 DEGREES 30' EAST 60.00 FEET, NORTH 37 DEGREES 29' 30" WEST 102.22 FEET AND NORTH 80 DEGREES 21' 30" WEST 186.07 FEET TO THE SOUTHEASTERN BOUNDARY LINE OF THE LANDS DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED AUGUST 6, 1957, IN VOLUME 1142, OF OFFICIAL RECORDS, AT PAGE 561, SANTA CRUZ COUNTY RECORDS; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING ALONG THE SOUTHEASTERN BOUNDARY LINE OF SAID LANDS CONVEYED TO THE STATE OF CALIFORNIA, SOUTH 50 DEGREES 32' 50" WEST 269.23 FEET, SOUTH 36 DEGREES 10' 06" WEST 265.59 FEET, NORTH 65 DEGREES 54' 33" WEST 103.40 FEET, SOUTH 54 DEGREES 55' 42" WEST 354.49 FEET, SOUTH 57 DEGREES 12' 20" WEST 501.51 FEET, SOUTH 31 DEGREES 39' 38" WEST 133.43 FEET SOUTH 60 DEGREES 19' 29" WEST 30.00 FEET AND NORTH 88 DEGREES 30' 32" WEST 12.91 FEET TO THE NORTHERN CORNER OF A RIGHT OF WAY OF VARIABLE WIDTH, THENCE LEAVING SAID ABOVE MENTIONED LANDS OF THE STATE OF CALIFORNIA AND RUNNING ALONG THE SOUTHWESTERN BOUNDARY LINE OF A RIGHT OF WAY 50.00 FEET IN WIDTH, SOUTH 29 DEGREES 33' EAST AT 32.85 FEET THE NORTHERN CORNER OF THE LANDS DESCRIBED IN THE LEASE TO STANDARD OIL OF CALIFORNIA, WESTERN OPERATIONS, INC., RECORDED JANUARY 30, 1958, IN VOLUME 1169, OF OFFICIAL RECORDS, AT PAGE 101, SANTA CRUZ COUNTY RECORDS, AT 182.85 FEET TO THE MOST EASTERN CORNER OF SAID LANDS, A TOTAL DISTANCE OF 602.50 FEET TO THE SOUTHERN BOUNDARY LINE OF THE ABOVE MENTIONED LANDS OF LAW, ET AL., AT A POINT FROM WHICH THE MOST NORTHERN CORNER OF THE LANDS AS SHOWN ON THE MAP ENTITLED, "SANTA HACIENDA TRACT NUMBER 67", FILED FOR RECORD IN THE MAP ENTITLED, "SANTA HACIENDA TRACT NUMBER 67", FILED FOR RECORD IN VOLUME 28 OF MAPS, AT PAGE 80, SANTA CRUZ COUNTY RECORDS, BEARS ALONG SAID SOUTHERN BOUNDARY LINE OF SAID LANDS OF LAW, ET AL., SOUTH 78 DEGREES 43' 30" EAST 182.32 FEET DISTANT; THENCE ALONG SAID SOUTHERN BOUNDARY LINE OF LANDS OF LAW, ET AL., SOUTH 78 DEGREES 43' 30" EAST, 182.32 FEET TO THE MOST NORTHERN CORNER OF SAID SUBDIVISION, AT 276.63 FEET TO A 2 INCH IRON PIPE, 889.26 FEET TO THE SOUTHWESTERN CORNER OF A RIGHT OF WAY 50.00 FEET IN WIDTH, THENCE CONTINUING ALONG SAID BOUNDARY LINE OF LANDS OF LAW, ET AL., SOUTH 78 DEGREES 45' EAST 1,259.64 FEET TO THE SOUTHEASTERN BOUNDARY LINE OF THE SAN AUGUSTINE RANCHO; THENCE ALONG SAID BOUNDARY LINE SOUTH 34 DEGREES 56' WEST 634.33 FEET TO THE 1/4 SECTION LINE RUNNING EAST AND WEST THROUGH THE MIDDLE OF SECTION 17, TOWNSHIP 10 SOUTH, RANGE 1 WEST, MOUNT DIABLO BASE AND MERIDIAN, THENCE ALONG THE SAID 1/4 SECTION LINE SOUTH 89 DEGREES 52' EAST 1,432.40 FEET TO THE CENTER OF SAID SECTION 17; THENCE ALONG THE ¼ SECTION LINE RUNNING NORTH AND SOUTH THROUGH THE MIDDLE OF SAID SECTION 17, NORTH 0 DEGREES 03' EAST 1,356.60 FEET TO THE 1/16TH SECTION LINE RUNNING EAST AND WEST THROUGH THE NORTHEAST ¼ OF SAID SECTION; THENCE RUNNING ALONG THE 1/16TH SECTION LINE, RUNNING EAST AND WEST THROUGH SAID NORTHEAST 1/4 SOUTH 89 DEGREES 36' WEST 510.06 FEET TO THE SOUTHEAST BOUNDARY LINE OF SAID SAN AUGUSTINE RANCHO; THENCE LEAVING SAID BOUNDARY LINE NORTH 0 DEGREES 15' WEST 1,124.05 FEET TO THE NORTHERN BOUNDARY OF THE AFOREMENTIONED LANDS OF LAW, ET AL; THENCE ALONG SAID LAST MENTIONED BOUNDARY LINE NORTH 83 DEGREES 14' WEST 958.94 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM ALL THE LAND LYING WESTERLY OF THE EASTERLY BOUNDARY OF THE SAN AUGUSTINE RANCHO.

APN: 024-281-03 and 024-281-04

EXHIBIT B

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS

ENGINEER'S PRELIMINARY BOND ESTIMATE
PUBLIC IMPROVEMENTS - ONSITE
POLO RANCH
SCOTTS VALLEY, CALIFORNIA

May 10, 2016
Job No.: 1582-000

Item	Description	Quantity	Unit		Unit Price		Amount
	STREET WORK *(ONSITE)*						
1	Fine Grading *(Right-of-Way to Right-of-Way)*	132,300	SF	$	0.50	$	66,150.00
2	3.5" AC Pavement	70,700	SF	$	2.10	$	148,470.00
3	12" Aggregate Base	70,700	SF	$	2.40	$	169,680.00
4	3" AC Pavement	20,800	SF	$	1.80	$	37,440.00
5	9" Aggregate Base	20,800	SF	$	1.80	$	37,440.00
6	12" Aggregate Base Debris Bench	13,100	SF	$	2.40	$	31,440.00
7	Entry Road Bridge Structure	1	LS	$	550,000.00	$	550,000.00
8	Entry Road Bridge Staging	1,750	SF	$	50.00	$	87,500.00
9	Sidewalk Underdrain *(Assume 2 per lot)*	80	EA	$	50.00	$	4,000.00
10	6" Vertical Curb and Gutter *(Includes AB cushion)*	5,680	LF	$	22.00	$	124,960.00
11	6" Median/Vertical Curb *(Includes AB cushion)*	500	LF	$	17.00	$	8,500.00
12	5' Concrete Sidewalk *(Includes AB cushion)*	12,400	SF	$	6.00	$	74,400.00
13	Alley Driveway Cuts *(Includes AB cushion)*	3	EA	$	2,000.00	$	6,000.00
14	Lot Driveway Cuts *(Includes AB cushion)*	37	EA	$	1,000.00	$	37,000.00
15	Miscellaneous Driveway Cuts *(Includes AB cushion)*	3	EA	$	1,500.00	$	4,500.00
16	Caltrans Case 'C' Curb Ramps *(Includes AB cushion)*	8	EA	$	2,500.00	$	20,000.00
17	Electronic Gate *(E.V.A.)*	2	EA	$	10,000.00	$	20,000.00
18	Street Monuments	31	EA	$	600.00	$	18,600.00
19	Street Signs	4	EA	$	500.00	$	2,000.00
20	Traffic Signs	21	EA	$	500.00	$	10,500.00
21	Traffic Striping	1	LS	$	8,000.00	$	8,000.00
22	Traffic Control	1	LS	$	5,000.00	$	5,000.00
	Subtotal Street Work					$	1,471,580.00
	STORM DRAIN *(ONSITE)*						
23	Field Inlet	14	EA	$	1,750.00	$	24,500.00
24	Catch Basins	32	EA	$	3,000.00	$	96,000.00
25	Manholes	9	EA	$	3,500.00	$	31,500.00
26	15" RCP Storm Drain Pipe	975	LF	$	60.00	$	58,500.00
27	18" RCP Storm Drain Pipe	650	LF	$	65.00	$	42,250.00
28	24" RCP Storm Drain Pipe	420	LF	$	70.00	$	29,400.00
29	36" RCP Storm Drain Pipe	200	LF	$	90.00	$	18,000.00
30	Storm Drain Outfall Structure	5	EA	$	10,000.00	$	50,000.00
31	Detention Basin Outlet Structure	2	EA	$	2,000.00	$	4,000.00
32	Tie Into Existing Culvert	2	EA	$	10,000.00	$	20,000.00
33	Concrete V-Ditch	1,500	LF	$	25.00	$	37,500.00
34	BMP Facility *(Budget)*	11,000.00	SF	$	20.00	$	220,000.00
	Subtotal Storm Drain					$	631,650.00

Item	Description	Quantity	Unit		Unit Price		Amount
	SANITARY SEWER *(ONSITE)*						
35	Manholes	26	EA	$	3,500.00	$	91,000.00
36	Drop Manholes *(City of Scotts Valley Standard Detail SS-6)*	2	EA	$	5,000.00	$	10,000.00
37	Cleanout	41	EA	$	500.00	$	20,500.00
38	4" Laterals *(40 lots and Parcel D)*	41	EA	$	1,000.00	$	41,000.00
39	6" Laterals *(Water Treatment Facility)*	1	EA	$	2,500.00	$	2,500.00
40	8" VCP Sanitary Sewer Pipe	2,795	LF	$	55.00	$	153,725.00
41	4" Class 150 PVC Sanitary Sewer Force Main Pipe	325	LF	$	60.00	$	19,500.00
42	8" Bore & Jack under Creek	200	LF	$	385.00	$	77,000.00
43	24" Diameter Steel Casing	325	LF	$	200.00	$	65,000.00
44	4" Bridge Crossing	105	LF	$	90.00	$	9,450.00
45	Sanitary Sewer Pump Station						N.I.C.
	Subtotal Sanitary Sewer					$	489,675.00
	ELECTRICAL (ONSITE)						
46	Electroliers *(Single arm)*	12	EA	$	4,500.00	$	54,000.00
	Subtotal Electrical					$	54,000.00
	SUBTOTAL ONSITE POLO RANCH CONSTRUCTION COST					$	**2,646,905.00**
	15% CONTINGENCY					$	**397,035.75**
	TOTAL ONSITE POLO RANCH CONSTRUCTION COST					$	**3,043,940.75**
	PG&E DEPOSIT SUBJECT TO REFUND *($2,000 X 40 LOTS)*					$	**(80,000.00)**
	ADJUSTED TOTAL ONSITE CONSTRUCTION COST *(to nearest $1,000)*					$	**2,964,000.00**
	TOTAL OFFSITE POLO RANCH CONSTRUCTION COST					$	**373,000.00**
	ADJUSTED TOTAL CONSTRUCTION COST *(to nearest $1,000)*					$	**3,337,000.00**
	TOTAL COST PER LOT *(to nearest $100)*					$	**83,500.00**



RESOLUTION NO. 960.90

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AUTHORIZING EXECUTION OF THE SUBDIVISION IMPROVEMENT AGREEMENT FOR THE POLO RANCH SUBDIVISION PARK, TRACT NO. 1575 END OF SANTA'S VILLAGE ROAD (APN 024-281-04)

WHEREAS, the City Council of the City of Scotts Valley desires to enter into a Subdivision Improvement Agreement with Lennar Homes of California, Inc. (Developer) for the development a park in the new subdivision known as Polo Ranch, Tract #1575, PD07-006; and

WHEREAS, this agreement will require the Developer to complete approximately $724,711.41 in improvements, site preparation, electrical, restroom, hardscape, fencing and site furnishings, in accordance with the project conditions of approval and City standard construction design as shown on those certain improvement plans dated March 6, 2018; and

WHEREAS, Developer has submitted sureties in the amount of $724,711.41 for Faithful Performance and $362,355.71 for Labor and Materials. Such sureties have been reviewed and approved by the City Engineer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley that the Subdivision Improvement Agreement with Lennar Homes of California, Inc. is hereby approved and the City Manager is hereby authorized to execute the Subdivision Improvement Agreement for the development of the Polo Ranch Subdivision in the form attached hereto as Exhibit A and is made part of this resolution.

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 16th day of June, 2021 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Approved: _____
Derek Timm, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

Recorded at Request of
and When Recorded, Return to:

City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066
Attn: City Clerk

NO RECORDING FEE PER GOV. CODE SEC. 27383

SUBDIVISION IMPROVEMENT AGREEMENT

AGREEMENT BY OWNER OR SUCCESSORS IN INTEREST TO CONSTRUCT LAND DEVELOPMENT IMPROVEMENTS

PROJECT IDENTIFICATION: Polo Ranch Tract #1575, Park

This Subdivision Improvement Agreement (the "Agreement") is made and entered into the 16th day of June, 2021, by and between the City of Scotts Valley, a California municipal corporation, hereinafter referred to as "City", and Lennar Homes of California, Inc., a California municipal corporation, hereinafter referred to as "Owners" on Polo Ranch.

RECITALS

A. Owners desire to subdivide and develop the real property described and shown in Exhibit "A" (the "Property") and wish to defer construction of permanent improvements as set forth in Exhibit "B" (the "Improvements") and as shown on those certain plans entitled “Polo Ranch Park”, dated March 6, 2018.

B. In exchange for the deferment of Owners' obligation as provided herein, Owners agree to complete the Improvements as provided herein.

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

AGREEMENT

1. Agreement Binding On Successors In Interest. This Agreement is an instrument affecting the title and possession of the Property. All of the terms, covenants and conditions herein imposed shall be binding upon and inure to the heirs, successors or assigns of Owners. Upon any sale, division or transfer of the Property, the terms of this Agreement shall apply separately to each parcel and the new owner of each parcel and Owners shall be jointly liable to complete the obligations imposed on Owners by this Agreement.

2. Improvements.

2.1 Owners agree to construct the Improvements as indicated on the attached Exhibit “B”. The Improvements required by City, are the construction of a park which includes, but is not limited to, site preparation, installation of electrical improvements, construction of a public restroom, installation of hardscape, fencing, playground equipment, irrigation and landscaping.

2.2 The Owners shall, within twelve (12) months of the date of this Agreement, complete, to the satisfaction of the City Engineer, all Improvements in accordance with City's plans and specifications.

In the event Owners fail and/or neglect to complete all Improvements within twelve (12) months of the date of this Agreement, City shall have the right at any time thereafter to complete the Improvements at Owners' expense; provided, however, the City Council may in its sole discretion, extend the completion period for an additional period of time upon written request by Owners.

3. Performance Of Work. Owners agree to perform the work, construct and install the Improvements and make the payments required by City within the time period of completion established herein and in a good workmanlike manner, in accordance with accepted construction practices and the plans and specifications for the improvements and to the satisfaction of the City Engineer. Owners agree to commence and complete the Improvements within a period of twelve (12) months from the date of this Agreement and to notify City at least forty-eight (48) hours prior to commencement of work. If it becomes necessary for City to construct the Improvements, permission is granted to City by Owners to enter upon to the property of Owners as may be necessary for City to construct the Improvements.

4. Improvement Plan Warranty. Owners warrant the improvement plans for the work are adequate to accomplish the work as promised in Section 2 and as required by the Conditions of Approval for the Subdivision. If, at any time before the City Council accepts the work as complete or during the one year guarantee period, said improvement plans prove to be inadequate in any respect, Owners shall make whatever changes are necessary to accomplish the work as promised.

5. Maintenance Of Improvements And Guarantee Of Work. Upon completion of the Improvements, Owners or its successors shall be responsible for all maintenance, repair and replacement of the Improvements at its sole cost Owners guarantee that all completed Improvements shall be free from defects in material or workmanship and shall perform satisfactorily. Owners agree to correct, repair, or replace, at Owners' sole cost and expense, any defects in said work.

Owners agree to provide necessary temporary drainage facilities, access road(s) or other improvements required by City Engineer, to assume responsibility for the proper functioning thereof, to submit plans to City for review, if required, and to maintain said

improvements and facilities in a manner which will preclude any hazard to life or health or damage to adjoining property.

6. Bond, Cash Deposit Or Instrument Of Credit. Concurrent with the execution hereof, Owners shall furnish:

a. A bond, cash deposit or instrument of credit in a form acceptable to City, in its sole discretion, in an amount equal to at least one hundred percent (100%) of the engineer's estimated cost of improvements (as approved by the City Engineer) as security for the faithful performance of this Agreement; and

b. A bond, cash deposit or instrument of credit in a form acceptable to City, in its sole discretion, in an amount equal to at least fifty percent (50%) of the engineer's estimated cost of improvements (as approved by the City Engineer) as security for the payment of all persons, furnishing materials, equipment or labor in connection with this work.

The surety on any bond or instrument of credit shall be satisfactory to the City Engineer. Pursuant to Government Code Section 66499(a) all bonds shall be from an authorized corporate surety in the State of California. An instrument of credit shall be from an institution subject to regulation by the State of California or the Federal government, and shall pledge that the funds necessary to carry out the forms of the Agreement are on deposit and guaranteed for payment. The cash deposit may take the form of a Certificate of Deposit which shall name the City of Scotts Valley as the holder of the certificate. The certificate shall be held by City until satisfactory completion of all Improvements and upon certification of the City Engineer of satisfactory completion, shall be released by the City and endorsed over to Owners, along with any interest earned thereon. Should City be required to use any funds deposited to satisfy the requirements of this Agreement, City may use all principal and accrued interest to complete the Improvements. Principal and interest, if any, remaining after the satisfactory completion of the Improvements shall be returned to the Owners by City.

7. Insurance. Owners shall maintain, or shall require any contractor engaged by Owners to perform work, to maintain, at their sole cost and expense, at all times during the performance of the work called for herein, a comprehensive public liability and property damage insurance policy with City as additional named primary insured, for bodily injury (including death) with limits of not less than One Million Dollars ($1,000,000) per person and Two Million Dollars ($2,000,000) per occurrence and property damage limits of not less than Five Hundred Thousand Dollars ($500,000). Owners shall provide City with a certificate evidencing such policy with a clause requiring the insurance carrier to give thirty (30) day written notice to the City's City Manager, in advance of the policy being canceled for any reason whatsoever.

8. Indemnity. Owners shall assume the defense with counsel selected by City and shall hold harmless, defend and indemnify City, its agents, servants or employees, from every expense, liability or payment, including attorney's fees, against any and all actions including claims or demands for injury, death, loss or damages, regardless of fault

or cause, by anyone whomsoever (except where such injury, death, loss or damage was solely due to the negligent acts or omissions of City, its agents, servants or employees) arising out of performance of any of the duties, promises, covenants or conditions arising out of this agreement, including but not limited to injury, death, loss or damage is a consequence of, or arises out of, or is incidental to, the deferment of permanent drainage facilities or the adequacy, safety, use, or non-use of temporary drainage facilities, the performance or non-performance of the work, by Owners or any other persons or parties pursuant to authorization by Owners.

9. Time Is Of The Essence. Time is of the essence in this Agreement.

10. Waiver. No waiver of any term, provision or condition of this Agreement, whether by conduct or otherwise, in any one or more instances, shall be deemed to be, or be construed as, a further or continuing waiver of any such term, provision or condition or as a waiver of any other term, provision or condition of this Agreement.

11. Attorney's Fees. If either party hereto incurs any expense, including reasonable attorneys' fees, in connection with any action or proceeding instituted by reason of any default or alleged default of the other party hereunder, the party prevailing in such action or proceeding shall be entitled to recover from the other party reasonable expenses and attorneys' fees in the amount determined by the Court, whether or not such action or proceeding goes to final judgement. In the event of a settlement or final judgement in which neither party is awarded all of the relief prayed for, the prevailing party as determined by the Court shall be entitled to recover from the other party reasonable expenses and attorneys' fees and inspections.

12. Notices. All required notices shall be in writing and delivered in person or by Registered U.S. Mail, postage pre-paid. Notices required to be given to City shall be addressed as follows:

Public Works Director
City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

Notices required to be given to Owners shall be addressed as follows:

Brent Reed
Lennar Homes
2603 Camino Ramon, Ste. 525
San Ramon, CA 94583

Either party may change such address by notice in writing to the other party. Thereafter, notices shall be addressed and transmitted to the new address.

13. Costs. Owner shall pay when due, all cost of the Improvements, including city fees and inspections.

14. Entire Agreement. This Agreement contains the entire agreement between the parties. No promise, representation, warranty or covenant not included or referred to in this Agreement has been or is relied on by either party. Each party has relied on his own examination of this Agreement, the counsel of his own advisors, and the warranties, representation, and covenants in the Agreement itself and those referred to in the Agreement. The language in all parts of this Agreement shall be in all cases construed simply, according to its fair meaning and not for or against City or Owners, regardless of which party drafted the particular language which is being construed, all parties having been represented by adequate counsel.

IN WITNESS WHEREOF, the City and the Owners have executed this Subdivision Improvement Agreement as of the date first set forth above.

"CITY"
CITY OF SCOTTS VALLEY

BY:_____
Tina Friend, City Manager

ATTEST:

_____
Tracy A. Ferrara, City Clerk

APPROVED AS TO FORM:

_____
Kirsten Powell, City Attorney

"OWNERS"
LENNAR HOMES OF CALIFORNIA, INC.

BY:_____
Brian Olin, Vice President

(ATTACH ACKNOWLEDGMENTS)

EXHIBIT A

Real property in the City of Scotts Valley, County of Santa Cruz, State of California, described as follows:

PARCEL ONE:

BEGINNING AT A CONCRETE MONUMENT AT THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN THE DEED TO CHARLES CRANDELL, RECORDED FEBRUARY 21, 1929, IN VOLUME 148 OF OFFICIAL RECORDS, AT PAGE 11, SANTA CRUZ COUNTY RECORDS, AND RUNNING THENCE FROM THE SAID PLACE OF BEGINNING TO AND ALONG THE NORTHERN BOUNDARY LINE OF THE LANDS DESCRIBED IN THE DEED TO ROBERT B. LAW, ET AL., RECORDED APRIL 23, 1964, IN VOLUME 1536, OF OFFICIAL RECORDS, AT PAGE 418, SANTA CRUZ COUNTY RECORDS; SOUTH 73 DEGREES 29' EAST 121.23 FEET AND THENCE SOUTH 83 DEGREES 14' EAST 466.97 FEET TO THE TRUE PLACE OF BEGINNING; THENCE FROM SAID TRUE PLACE OF BEGINNING, LEAVING THE NORTHERN BOUNDARY LINE OF SAID LANDS OF LAW, ET AL., SOUTH 6 DEGREES 05' 45" WEST 332.99 FEET, NORTH 84 DEGREES 45' WEST 307.00 FEET, SOUTH 80 DEGREES 39' WEST 215.00 FEET TO THE SOUTHEASTERN LINE OF A RIGHT OF WAY 50.00 FEET IN WIDTH; THENCE ALONG THE BOUNDARY LINE OF SAID RIGHT OF WAY NORTH 19 DEGREES 30' EAST 60.00 FEET, NORTH 37 DEGREES 29' 30" WEST 102.22 FEET AND NORTH 80 DEGREES 21' 30" WEST 186.07 FEET TO THE SOUTHEASTERN BOUNDARY LINE OF THE LANDS DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED AUGUST 6, 1957, IN VOLUME 1142, OF OFFICIAL RECORDS, AT PAGE 561, SANTA CRUZ COUNTY RECORDS; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING ALONG THE SOUTHEASTERN BOUNDARY LINE OF SAID LANDS CONVEYED TO THE STATE OF CALIFORNIA, SOUTH 50 DEGREES 32' 50" WEST 269.23 FEET, SOUTH 36 DEGREES 10' 06" WEST 265.59 FEET, NORTH 65 DEGREES 54' 33" WEST 103.40 FEET, SOUTH 54 DEGREES 55' 42" WEST 354.49 FEET, SOUTH 57 DEGREES 12' 20" WEST 501.51 FEET, SOUTH 31 DEGREES 39' 38" WEST 133.43 FEET, SOUTH 60 DEGREES 19' 29" WEST 30.00 FEET AND NORTH 88 DEGREES 30' 32" WEST 12.91 FEET TO THE NORTHERN CORNER OF A RIGHT OF WAY OF VARIABLE WIDTH, THENCE LEAVING SAID ABOVE MENTIONED LANDS OF THE STATE OF CALIFORNIA AND RUNNING ALONG THE SOUTHWESTERN BOUNDARY LINE OF A RIGHT OF WAY 50.00 FEET IN WIDTH, SOUTH 29 DEGREES 33' EAST AT 32.85 FEET THE NORTHERN CORNER OF THE LANDS DESCRIBED IN THE LEASE TO STANDARD OIL OF CALIFORNIA, WESTERN OPERATIONS, INC., RECORDED JANUARY 30, 1958, IN VOLUME 1169 OF OFFICIAL RECORDS, AT PAGE 101, SANTA CRUZ COUNTY RECORDS, AT 182.85 FEET TO THE MOST EASTERN CORNER OF SAID LANDS, AT TOTAL DISTANCE OF 602.50 FEET TO THE SOUTHERN BOUNDARY LINE OF THE ABOVE MENTIONED LANDS OF LAW, ET AL., AT A POINT FROM WHICH THE MOST NORTHERN CORNER OF THE LANDS AS SHOWN ON THE MAP ENTITLED, "SANTA HACIENDA TRACT NUMBER 67", FILED FOR RECORD IN THE MAP ENTITLED, SANTA HACIENDA TRACT NUMBER 67", FILED FOR RECORD IN VOLUME 28 OF MAPS, AT PAGE 80, SANTA CRUZ COUNTY RECORDS, BEARS ALONG SAID SOUTHERN BOUNDARY LINE OF SAID LANDS OF LAW, ET AL., SOUTH 78 DEGREES 43' 30" EAST 182.32 FEET DISTANT; THENCE ALONG SAID SOUTHERN BOUNDARY LINE OF LANDS OF LAW, ET AL., SOUTH 78 DEGREES 43' 30" EAST, 182.32 FEET TO THE MOST NORTHERN CORNER OF SAID SUBDIVISION, AT 276.63 FEET TO A 2 INCH IRON PIPE, 889.26 FEET TO THE SOUTHWESTERN CORNER OF A RIGHT OF WAY 50.00 FEET IN WIDTH, THENCE CONTINUING ALONG SAID BOUNDARY LINE OF LANDS OF LAW, ET AL., SOUTH 78 DEGREES 45' EAST 1,259.64 FEET TO THE SOUTHEASTERN BOUNDARY LINE OF THE SAN AUGUSTINE RANCHO; THENCE ALONG SAID BOUNDARY LINE SOUTH 34 DEGREES 56' WEST 634.33 FEET TO THE ¼ SECTION LINE RUNNING EAST AND WEST THROUGH THE MIDDLE OF SECTION 17, TOWNSHIP 10 SOUTH, RANGE 1 WEST, MOUNT DIABLO BASE AND MERIDIAN, THENCE ALONG THE SAID 1/4 SECTION LINE SOUTH 89 DEGREES 52' EAST 1,432.40 FEET TO THE CENTER OF SAID SECTION 17; THENCE ALONG THE 1/4 SECTION LINE RUNNING NORTH AND SOUTH THROUGH THE MIDDLE OF SAID SECTION 17, NORTH 0 DEGREES 03' EAST 1,356.60 FEET TO THE 1/16TH SECTION LINE RUNNING EAST AND WEST THROUGH THE NORTHEAST 1/4 OF SAID SECTION; THENCE RUNNING ALONG THE 1/16TH SECTION LINE, RUNNING EAST AND WEST THROUGH SAID NORTHEAST 1/4 SOUTH 89 DEGREES 35' WEST 510.06 FEET TO THE SOUTHEAST BOUNDARY LINE OF SAID SAN AUGUSTINE RANCHO; THENCE LEAVING SAID BOUNDARY LINE NORTH 0 DEGREES 15' WEST 1,124.05 FEET TO THE NORTHERN BOUNDARY OF THE AFOREMENTIONED LANDS OF LAW, ET AL; THENCE ALONG SAID LAST MENTIONED BOUNDARY LINE NORTH 83 DEGREES 14' WEST 958.94 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM "AN ADEQUATE SUPPLY OF WATER FOR REASONABLE DOMESTIC PURPOSES", AS CONVEYED TO STARFISH, INC., A CALIFORNIA CORPORATION, BY DEED RECORDED AUGUST 19, 1966, IN BOOK 1780, PAGE 552, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THE LAND LAYING EAST OF THE EASTERLY BOUNDARY OF THE SAN AUGUSTINE RANCHO.

EXCEPTING THEREFROM PARCEL ONE, AS SHOWN AND DESIGNATED ON THAT CERTAIN PARCEL MAP, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CRUZ COUNTY ON JULY 13, 1989, IN VOLUME 50 OF PARCEL MAPS, AT PAGE 19, SANTA CRUZ COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO DANIEL BEAGLE, ET UX., BY DEED RECORDED JULY 25, 2000, INSTRUMENT NO. 2000-0035828, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

PARCEL TWO:

BEGINNING AT A CONCRETE MONUMENT AT THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN THE DEED TO CHARLES CRANDELL, RECORDED FEBRUARY 21, 1929, IN VOLUME 148 OF OFFICIAL RECORDS, AT PAGE 11, SANTA CRUZ COUNTY RECORDS, AND RUNNING THENCE FROM THE SAID PLACE OF BEGINNING TO AND ALONG THE NORTHERN BOUNDARY LINE OF THE LANDS DESCRIBED IN THE DEED TO ROBERT B. LAW, ET AL., RECORDED APRIL 23, 1964, IN VOLUME 1536 OF OFFICIAL RECORDS, AT PAGE 418, SANTA CRUZ COUNTY RECORDS; SOUTH 73 DEGREES 29' EAST 121.23 FEET AND THENCE SOUTH 83 DEGREES 14' EAST 466.97 FEET TO THE TRUE PLACE OF BEGINNING; THENCE FROM SAID TRUE PLACE OF BEGINNING, THENCE LEAVING THE NORTHERN BOUNDARY LINE OF SAID LANDS OF LAW, ET AL., SOUTH 6 DEGREES 05' 45" WEST 332.99 FEET, NORTH 84 DEGREES 45' WEST 307.00 FEET, SOUTH 80 DEGREES 39' WEST 215.00 FEET TO THE SOUTHEASTERN LINE OF A RIGHT OF WAY 50.00 FEET IN WIDTH; THENCE ALONG THE BOUNDARY LINE OF SAID RIGHT OF WAY NORTH 19 DEGREES 30' EAST 60.00 FEET, NORTH 37 DEGREES 29' 30" WEST 102.22 FEET AND NORTH 80 DEGREES 21' 30" WEST 186.07 FEET TO THE SOUTHEASTERN BOUNDARY LINE OF THE LANDS DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED AUGUST 6, 1957, IN VOLUME 1142, OF OFFICIAL RECORDS, AT PAGE 561, SANTA CRUZ COUNTY RECORDS; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING ALONG THE SOUTHEASTERN BOUNDARY LINE OF SAID LANDS CONVEYED TO THE STATE OF CALIFORNIA, SOUTH 50 DEGREES 32' 50" WEST 269.23 FEET, SOUTH 36 DEGREES 10' 06" WEST 265.59 FEET, NORTH 65 DEGREES 54' 33" WEST 103.40 FEET, SOUTH 54 DEGREES 55' 42" WEST 354.49 FEET, SOUTH 57 DEGREES 12' 20" WEST 501.51 FEET, SOUTH 31 DEGREES 39' 38" WEST 133.43 FEET SOUTH 60 DEGREES 19' 29" WEST 30.00 FEET AND NORTH 88 DEGREES 30' 32" WEST 12.91 FEET TO THE NORTHERN CORNER OF A RIGHT OF WAY OF VARIABLE WIDTH, THENCE LEAVING SAID ABOVE MENTIONED LANDS OF THE STATE OF CALIFORNIA AND RUNNING ALONG THE SOUTHWESTERN BOUNDARY LINE OF A RIGHT OF WAY 50.00 FEET IN WIDTH, SOUTH 29 DEGREES 33' EAST AT 32.85 FEET THE NORTHERN CORNER OF THE LANDS DESCRIBED IN THE LEASE TO STANDARD OIL OF CALIFORNIA, WESTERN OPERATIONS, INC., RECORDED JANUARY 30, 1958, IN VOLUME 1169, OF OFFICIAL RECORDS, AT PAGE 101, SANTA CRUZ COUNTY RECORDS, AT 182.85 FEET TO THE MOST EASTERN CORNER OF SAID LANDS, A TOTAL DISTANCE OF 602.50 FEET TO THE SOUTHERN BOUNDARY LINE OF THE ABOVE MENTIONED LANDS OF LAW, ET AL., AT A POINT FROM WHICH THE MOST NORTHERN CORNER OF THE LANDS AS SHOWN ON THE MAP ENTITLED, "SANTA HACIENDA TRACT NUMBER 67", FILED FOR RECORD IN THE MAP ENTITLED, "SANTA HACIENDA TRACT NUMBER 67", FILED FOR RECORD IN VOLUME 28 OF MAPS, AT PAGE 80, SANTA CRUZ COUNTY RECORDS, BEARS ALONG SAID SOUTHERN BOUNDARY LINE OF SAID LANDS OF LAW, ET AL., SOUTH 78 DEGREES 43' 30" EAST 182.32 FEET DISTANT; THENCE ALONG SAID SOUTHERN BOUNDARY LINE OF LANDS OF LAW, ET AL., SOUTH 78 DEGREES 43' 30" EAST, 182.32 FEET TO THE MOST NORTHERN CORNER OF SAID SUBDIVISION, AT 276.63 FEET TO A 2 INCH IRON PIPE, 889.26 FEET TO THE SOUTHWESTERN CORNER OF A RIGHT OF WAY 50.00 FEET IN WIDTH, THENCE CONTINUING ALONG SAID BOUNDARY LINE OF LANDS OF LAW, ET AL., SOUTH 78 DEGREES 45' EAST 1,259.64 FEET TO THE SOUTHEASTERN BOUNDARY LINE OF THE SAN AUGUSTINE RANCHO; THENCE ALONG SAID BOUNDARY LINE SOUTH 34 DEGREES 56' WEST 634.33 FEET TO THE 1/4 SECTION LINE RUNNING EAST AND WEST THROUGH THE MIDDLE OF SECTION 17, TOWNSHIP 10 SOUTH, RANGE 1 WEST, MOUNT DIABLO BASE AND MERIDIAN, THENCE ALONG THE SAID 1/4 SECTION LINE SOUTH 89 DEGREES 52' EAST 1,432.40 FEET TO THE CENTER OF SAID SECTION 17; THENCE ALONG THE ¼ SECTION LINE RUNNING NORTH AND SOUTH THROUGH THE MIDDLE OF SAID SECTION 17, NORTH 0 DEGREES 03' EAST 1,356.60 FEET TO THE 1/16TH SECTION LINE RUNNING EAST AND WEST THROUGH THE NORTHEAST ¼ OF SAID SECTION; THENCE RUNNING ALONG THE 1/16TH SECTION LINE, RUNNING EAST AND WEST THROUGH SAID NORTHEAST 1/4 SOUTH 89 DEGREES 36' WEST 510.06 FEET TO THE SOUTHEAST BOUNDARY LINE OF SAID SAN AUGUSTINE RANCHO; THENCE LEAVING SAID BOUNDARY LINE NORTH 0 DEGREES 15' WEST 1,124.05 FEET TO THE NORTHERN BOUNDARY OF THE AFOREMENTIONED LANDS OF LAW, ET AL; THENCE ALONG SAID LAST MENTIONED BOUNDARY LINE NORTH 83 DEGREES 14' WEST 958.94 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM ALL THE LAND LYING WESTERLY OF THE EASTERLY BOUNDARY OF THE SAN AUGUSTINE RANCHO.

APN: 024-281-03 and 024-281-04

EXHIBIT A



ENVIRONMENTAL
FORESIGHT, INC.
Landscape Architecture

Polo Ranch Park - Scotts Valley, California

PRELIMINARY - ESTIMATE OF PROBABLE COSTS - 11/09/17
Based on the Preliminary Landscape Plan dated 10/31/17

DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL
Site Preparation				
Project Mobilization	LS	1	$ 20,000.00	$ 20,000.00
Finish Grading	SF	32,016	$ 0.25	$ 8,004.00
Staking & Layout	LS	1	$ 8,000.00	$ 8,000.00
Erosion Control	LS	1	$ 15,000.00	$ 15,000.00
Construction Fencing	LF	960	$ 1.50	$ 1,440.00
Demolition	LS	1	$ 5,000.00	$ 5,000.00
			Sub-total	$ 57,444.00
Electrical				
New electrical service pedestal	EA	1	$ 6,000.00	$ 6,000.00
Lighting controls/lump sum cost	EA	1	$ 5,000.00	$ 5,000.00
Duplex receptacles/circuit/conduit & wire	EA	2	$ 1,000.00	$ 2,000.00
Misc. - trenching, backfill, etc.	EA	1	$ 5,000.00	$ 5,000.00
Bollard Lighting	EA	15	$ 1,500.00	$ 22,500.00
			Sub-total	$ 40,500.00
Restroom				
Public Restroom Company w/ High & Low Drinking Fountain	LS	1	$ 125,000.00	$ 125,000.00
			Sub-total	$ 125,000.00
Hardscape				
Standard Concrete Paving	SF	4,133	$ 10.00	$ 41,330.00
Decomposed Granite Paving	SF	416	$ 6.00	$ 2,496.00
Play surface (Rubber Mat Surfacing)	SF	2,141	$ 15.00	$ 32,115.00
Concrete curb at Parking Lot Walk	LF	93	$ 15.00	$ 1,395.00
Concrete Seat Wall w/ Skate Stops	LF	102	$ 150.00	$ 15,300.00
			Sub-total	$ 92,636.00
Fencing				
42" HT. 3-Rail Precast Concrete Fence	LF	362	$ 50.00	$ 18,100.00
			Sub-total	$ 18,100.00
Site Furnishings				
Picnic table	EA	5	$ 4,200.00	$ 21,000.00
Bench	EA	4	$ 3,000.00	$ 12,000.00
Charcoal Grills	EA	2	$ 500.00	$ 1,000.00
Bike Racks (2 bikes each)	EA	2	$ 500.00	$ 1,000.00
Trash & Recycling Receptacles	EA	6	$ 1,400.00	$ 8,400.00
Tree Grates	EA	3	$ 1,400.00	$ 4,200.00
			Sub-total	$ 47,600.00

AGENDA ITEM N
DATE: 6-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Scott Hamby, Interim Public Works Director

APPROVED: Tina Friend, City Manager

SUBJECT: **REQUEST FOR NON-COLLECTION OF FEES FOR MUSIC IN THE PARK SPONSORED BY KIWANIS CLUB OF THE VALLEYS**

SUMMARY OF ISSUE

Music in the Park summer concert series is sponsored by the Kiwanis Club of the Valleys every year to benefit the music programs at Scotts Valley Middle School and Scotts Valley High School. It has been a major funding source for the music programs for the past eleven years. Since COVID necessitated its cancellation in 2020, and the fields at Skypark are under repair, the Kiwanis are organizing a one-day-only show rather than the three monthly concerts normally held in July, August and September. They are requesting that the concert be held at Siltanen Park on Sunday, September 26th.

The Kiwanis of the Valleys requests that the City Council consider not collecting the $1800 facilities use permit fee for the use of Siltanen Park. The fee is based on the attendance of 250 participants.

FISCAL IMPACT

The fiscal impact associated with this action will result in a loss of General Fund revenue in the amount of $1800. Facility rental and/or event permit revenue not collected from non-profit organizations for community events is estimated to be approximately $11,000.

STAFF RECOMMENDATION

It is recommended that Council approve the non-collection of fees for Music In The Park concert at Siltanen Park on September 26, 2021.

TABLE OF CONTENTS PAGE

Kiwanis of the Valleys letter requesting non-collection of fees 2

Kiwanis Club of Scotts Valley
Jim Melehan
831-419-1922
jimbofx@msn.com

City of Scotts Valley
Recreation Division Office
361 Kings Village Rd
Scotts Valley, Ca 95066

After Covid necessitated its cancellation in 2020, the Kiwanis Club of Scotts Valley once again plans on organizing, promoting and sponsoring our Music at Skypark event in 2021. For this revival year, we plan on a longer one-day-only show rather than the three monthly concerts we normally hold in July, August and September. The proposed date for this year is Sunday, September 26th.

Music at Skypark is a major source of funding for the music programs at Scotts Valley Middle School and Scotts Valley High School. All the monies raised above our very minimal expenses are donated to music program support. Over the 11 seasons of Music at Skypark, our Club foundation, in partnership at this event with so many community-minded local businesses, has donated over $160,000 to the music programs. Music at Skypark has become an established part of summer in our city!

We understand that Skypark may not be available to us this year. If that is the case, we are proposing Siltanen Park as an alternative site. For use of either park, we are asking that the City once again generously donate use of the park to us for this event. This donation will directly benefit our local music students.

Thank you in advance for answering the call to help keep music alive in Scotts Valley's schools!

Sincerely,

Jim Melehan
Member, Kiwanis Club of Scotts Valley
4/29/21

AGENDA ITEM O
DATE: 6-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Scott Hamby, Interim Public Works Director

APPROVED: Tina Friend, City Manager

SUBJECT: **REQUEST FOR NON-COLLECTION OF FEES FOR LIBRARY SUMMER READING PERFORMANCE**

SUMMARY OF ISSUE

The manager of the Youth Programs and Services Department of the Santa Cruz Public Library system has reserved the BBQ area at Siltanen Park on July 24th from 1:00 to 4:00 pm for a summer reading event. They are expecting to entertain approximately 100 people with music, magic and juggling and provide a positive experience for all involved. As a non-profit community-based agency, they are requesting a non-collection of the rental fee ($105 for up to 100 people).

FISCAL IMPACT

The fiscal impact associated with this action will result in a loss of General Fund revenue in the amount of $105. Facility rental and/or event permit revenue not collected from non-profit organizations for community events is estimated to be approximately $11,000 per year.

STAFF RECOMMENDATION

It is recommended that the City Council approve the non-collection of fees for the Library Summer Reading Performance to be held at Siltanen Park on July 24, 2021 from 1:00 to 4:00 pm.

TABLE OF CONTENTS PAGE

Letter from Heather Norquist, Manager of Youth Programs and Services
Santa Cruz Public Libraries 2

SANTA CRUZ
PUBLIC LIBRARIES

May 18, 2021

Dear Char,

I am applying for a permit on behalf of Santa Cruz Libraries to reserve Siltanen Park for a Summer Reading event on Saturday July 24 from 1-4. I would like to request that the reservation fee be waived. We are a City/County Library System and our programs are open to all community members. We have found that partnering with City and County Parks on events such as this one result in positive experiences for all involved. Thank you for considering this request.

Warm regards,

Heather Norquist

Heather Norquist

Manager, Youth Programs and Services,
Santa Cruz Public Libraries

AGENDA ITEM 1
DATE: 6-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Scott Hamby, Interim Public Works Director

APPROVED: Tina Friend, City Manager

SUBJECT: **PUBLIC HEARING: PINEWOOD ESTATES LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; RESOLUTION 1213.35; ANNUAL ENGINEER'S REPORT**

SUMMARY OF ISSUE

On July 15, 1987, Resolution 1213 was adopted by City Council to form the referenced assessment district pursuant to the Landscape and Lighting Act of 1972. The District improvements, which generally consist of ornamental landscaping, irrigation equipment, signs, fences, and storm detention ponds, were dedicated to the City by the developer of Pinewood Estates subdivision. These improvements were planted/constructed in the right-of-way of Lockewood Lane and in landscaping easements from the subdivision. The district participants are the twenty-five Pinewood Estates homeowners, who are being assessed for the cost of maintaining the improvements.

The District special fund is annually depleted and the owners reassessed each year. Attached is the Engineer's Report establishing the assessments this year at $240 per unit, the same as last year's, for total revenue of $6,000.

As required, all 25 owners were notified of the June 2, 2021 public meeting and the June 16, 2021 public hearing via mail. The assessor's role is used to obtain the current name and address of each property owner to be notified of the proceedings. The purpose of the public meeting was to receive public testimony from the affected property owners regarding the assessment. No other action was necessary.

This public hearing is being held to receive additional testimony from property owners, approve the FY 2021-22 Annual Engineer's Report, and adopt Resolution No. 1213.35.

FISCAL IMPACT

Costs associated with the maintenance and repair of the assessed area are funded through an assessment district. The established assessment amount is $240 per unit/parcel, generating approximately $6,000 annually.

STAFF RECOMMENDATION

It is recommended that the City Council hold a public hearing, approve the FY 2021-22 Annual Engineer's Report, and approve Resolution No. 1213.35 ordering and authorizing the levy and collection of assessments therein pursuant to the Landscaping and Lighting Act of 1972 for the Pinewood Estates Landscaping Maintenance District.

TABLE OF CONTENTS PAGE

Resolution 1213.35 3
Annual Engineer's Report 6

RESOLUTION NO. 1213.35

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY ORDERING AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS THEREIN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972

PINEWOOD ESTATES LANDSCAPE MAINTENANCE DISTRICT

RESOLVED, by the City Council of the City of Scotts Valley, California, that:

WHEREAS, pursuant to Resolution No. 1192, a Resolution of Public Interest and Convenience to Form a Landscaping Maintenance District and Ordering Preparation of an Engineer's Report adopted on the 4th day of February, 1987, by the City Council pursuant to the Landscaping and Lighting Act of 1972, as amended, the Engineer of Work of said City has filed with the City Clerk the written report called for under said Act and by said Resolution No. 1192, which report has been presented by said Engineer of Work to this Council and this Council has preliminarily approved and confirmed said report by its Resolution No. 1213, adopted July 15, 1987, and ordered that the same stand as the report for the purpose of all subsequent proceedings pursuant to said Resolution No. 1213.

WHEREAS, June 2, 2021 at the hour of 6:00 o'clock p.m. and June 16, 2021 at the hour of 6:00 o'clock p.m., in the regular meeting place of said Council, Council Chambers, One Civic Center Drive, Scotts Valley, California, was appointed and fixed as the time and place of public hearings to act upon the Engineer's Report and Resolution No. 1213.35.

WHEREAS, the City Clerk gave notice of said hearings by publication once a week for two weeks in the local newspaper published and circulated in said City, and by mailing or causing to be mailed notice of the adoption of said Resolution and of the filing of said report, postage prepaid, at least ten days before the date set for hearings of said protests, to all persons owning real property to be assessed, whose names and addresses appear on the last equalized assessment roll for County taxes prior thereto or as known to the City Clerk, which notice contained a statement of the time, place and purpose of the hearings and a statement of the total estimated cost of said proposed maintenance and improvements, the amount as shown by said report to be assessed against the particular parcel covered by the notice, together with a statement that any person interested may file a protest in writing as provided in said Act.

WHEREAS, all written protests and other written communications were read by the Council and are on file with the Clerk and all persons desiring to be heard were fully heard.

NOW, THEREFORE, IT IS ORDERED, as follows:

1. That protests against said maintenance of improvements and levy of assessments were not signed by the owners of a majority or more of the area of the lands within the assessment district assessed for the costs and expenses of said work.

2. That said protests be, and each of them are, hereby overruled.

3. That the owners of one-half (1/2) or more of the area to be assessed for the cost of the project did not, at or prior to the time fixed for said hearings, file written protests against the said proposed maintenance and improvements as a whole, or against said district or the extent thereof to be assessed for the costs and expenses of said maintenance and improvements as a whole, or as to the Engineer's estimate of said costs and expenses, or against the maps and descriptions, or against the diagram or assessment to pay for the costs and expenses thereof.

4. That the district benefitted by said maintenance and improvements are to be assessed to pay the costs and expenses thereof, and the exterior boundaries thereof are more particularly described in said Resolution Nos. 1192 and 1213 and made a part hereof by reference thereto. That all public streets and highways within said assessment district in use in the performance of a public function as such shall be omitted from said district and from the levy and collection of the special taxes to be hereafter levied and collected to cover the costs and expenses of said maintenance and improvements.

5. That the Engineer's estimate of the itemized and total costs and expenses in connection therewith, contained in said Report, be, and it is hereby, finally adopted and approved as the Engineer's total and detailed estimate of the costs and expenses of said maintenance of improvements.

6. That the public interest and convenience require and said Council does hereby order the maintenance of improvements to be made as described in and in accordance with said Resolution Nos. 1192 and 1213 on file in the office of the Clerk, reference to which is hereby made for a more particular description of said maintenance of improvements, and also for further particular pursuant to the provisions of said Landscaping and Lighting Act of 1972.

7. That the diagram showing the assessment district referred to and described in said Resolution No. 1192 and 1213, and also the boundaries and dimensions of the respective subdivisions having been given a separate number upon said diagram, as contained in said report, be, and it is hereby, finally approved and confirmed as the diagram of the properties to be assessed to pay the costs and expenses of said maintenance of improvements.

8. That the assessment of the total amount of the costs and expenses of the proposed maintenance of improvements upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by said subdivisions,

respectively from said maintenance of improvements, and of the expenses incidental thereto, contained in said report, be, and the same is hereby, finally approved and confirmed as the assessment to pay the costs and expenses of said maintenance of improvements.

9. That said Engineer's Report be, and the same is hereby, finally adopted and approved as a whole.

10. That the Clerk shall forthwith deliver to the Superintendent of Streets said assessment as confirmed by this Council with his/her certificate of such confirmation thereto attached and of the date thereof; and that said Superintendent of Streets shall record said diagram and assessment in his/her office in a suitable book to be kept for that purpose, and append thereto his/her certificate for the date of such recording, and such recordation shall be and constitute the assessment roll herein.

11. Proceedings shall be taken by this Council pursuant to said Act for any fiscal year during which an assessment is to be levied and collected within said district.

12. The Clerk of this City be, and is hereby, authorized and directed to file a certified copy of this resolution with the County Auditor of Santa Cruz County.

I hereby certify that the foregoing resolution was duly and regularly adopted and passed by the City Council of the City of Scotts Valley, California, at a regular meeting thereof held on the 16th day of June 2021, by the following vote of the members thereof:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Derek Timm, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

ANNUAL ENGINEER'S REPORT
Fiscal Year 2021-2022

PINEWOOD ESTATES
LANDSCAPING MAINTENANCE DISTRICT
Tract No. 1121

City of Scotts Valley
Santa Cruz County, California

Derek Timm
Mayor

Jim Reed
Vice Mayor

Donna Lind
Council Member

Randy Johnson
Council Member

Jack Dilles
Council Member

Tina Friend
City Manager

Scott Hamby
Interim Public Works Director

Joel F. Ricca, RCE 53588
Assessment District Engineer of Work

ASSESSMENT

Fiscal Year 2021-2022

WHEREAS, on February 4, 1987, the City Council of the City of Scotts Valley, California, pursuant to the provisions of the Landscaping and Lighting Act of 1972, adopted its Resolution No. 1192, determining to undertake proceedings for the establishment of an assessment district to be known as the "Pinewood Estates Landscaping Maintenance District", more particularly therein described; and

WHEREAS, on July 15, 1987, the City Council of the City of Scotts Valley, California adopted Resolution No. 1213 primarily approving and confirming the written report by the Engineers of Work called for under said Act, and ordered that the same stand as the report for the purpose of all subsequent proceedings had pursuant to said Resolution No. 1213; and

WHEREAS, on August 17, 1988, the City Council of said City of Scotts Valley adopted Resolution No. 1213.1 setting a time and place of hearing protest on levy of assessments pursuant to said Act; and

WHEREAS, on September 7, 1988, the City Council of said City of Scotts Valley adopted Resolution No. 1213.2 ordering and authorizing the levy and collection of assessments therein pursuant to the said Act; and

WHEREAS, the proceedings under said Act require an annual engineers report to be prepared and filed in the same way as the report for the formation of the district for each year in which an assessment is to be levied.

NOW, THEREFORE, I, Joel F. Ricca, RCE 53588, City Engineer of said City of Scotts Valley, acting in the capacity of Engineer of Work under order of the City Council of said City of Scotts Valley, hereby make the following assessment to cover the portion of the estimated cost of the maintenance and servicing of the proposed improvements, including the costs and expenses incidental thereto, to be paid by the assessment district.

The amount to be paid for said maintenance and servicing of the proposed improvements, including the costs and expenses incidental thereto, to be paid by the assessment district for the fiscal year 2021-2022 is as follows:

Engineer's Estimate: $6,000

And I do hereby assess and apportion said portion of said total amount of the costs and expenses of said maintenance and servicing of the proposed improvements, including the costs and expenses incidental thereto, upon the several lots, pieces, or parcels or portions of lots of land liable therefore and benefitted thereby, and hereinafter numbered to correspond with the numbers upon the diagram, upon each, severally and respectively,

in proportion to the benefits to be received by such lands respectively, from the maintenance hereto attached and by reference made a part hereof.

As required by said Act, a diagram is recorded in official records of the County of Santa Cruz showing the assessment district and also the boundaries and dimensions of the respective lots or parcels of land within said assessment district as the same existed at the passage of said Resolution No. 1192.

Said assessment is made upon the several lots or parcels of land within said assessment district in proportion to the estimated benefits to be received by said lots or parcels respectively, from the maintenance and servicing of the improvements. The diagram and assessment numbers appearing herein are the diagram numbers appearing on said diagram, to which reference is hereby made for a more particular description of said property.

I hereby place opposite the number of each lot or parcel of land assessed, the amount assessed thereon and the number of the assessment. Each lot or parcel of land is described in the assessment list by reference to its parcel number as shown on the Assessor's Maps of the County of Santa Cruz for the fiscal year 2021-2022 to the right of the parcel numbers and includes all of such parcels.

Dated: _____

_____
Joel F. Ricca, RCE 53588
City Engineer

DESCRIPTION OF WORK

1. Maintaining and servicing of landscaping and ornamental vegetation, including the cost of repair, removal or replacement of all or any part thereof, providing for the life, growth, health and beauty thereof, including cultivation, trimming, spraying, fertilizing or treating for disease or injury, the removal of trimmings, rubbish, debris and other solid waste, and water for the irrigation thereof.

2. Maintaining and servicing of decorative fencing, signage and other ornamental structures and facilities, including the cost of repair, reconstruction, removal, or replacement of all or any part thereof.

3. Repair or replacement, including the installation and construction thereof, of hardscaping, including damaged curbs, gutters, walls, sidewalks, paving, water, irrigation systems, drainage, lighting, or electric facilities within the landscape maintenance easement.

4. The maintenance, repair or replacement of such other facilities as may be appurtenant to the foregoing or which are necessary or convenient for the maintenance or servicing thereof.

ESTIMATE OF COSTS

ANNUAL MAINTENANCE COSTS

Fiscal Year 2021-2022

Engineer's Estimate (City Engineer)

Maintenance Expenses		
Maintenance and servicing		$ 4,000
Irrigation and power		1,600
	Subtotal	$ 5,600
Incidental Expenses		
City administration		$ 200
Landscape management		200
	Subtotal	$ 400
	Total Estimated Cost	$ 6,000
	Net Amount to be Assessed	$ 6,000

RULES OF SPREADING ASSESSMENTS

1. District is to be assessed for all costs associated with the maintenance and servicing of the landscaping, hardscaping and appurtenant improvements within the boundaries of the district.

2. Total costs shall be apportioned to all parcels within the district boundaries in accordance with the benefit derived from the landscaping improvements.

3. Because the landscaping enhances an area serving as a drainage detention system for all parcels within the boundaries of the district, the benefit derived has been determined to be equal for all parcels.

Certificates

I, Tracy Ferrara, City Clerk of the City of Scotts Valley, hereby certify that the foregoing assessment, in the amount set forth, was filed with me on _____.

_____
Tracy A. Ferrara, City Clerk

I, Daryl Jordan, City Engineer for the City of Scotts Valley, do hereby certify that the amounts set forth have been re-computed in accordance with the order of the City Council of said City of Scotts Valley, as expressed by Resolution No. 1213.35, duly adopted by said City Council on June 16, 2021.

_____
Joel F. Ricca, RCE 53588
City Engineer

I, Tracy Ferrara, City Clerk of the City of Scotts Valley, hereby certify that the foregoing assessment, in the amount set forth was approved and confirmed by the City Council of the City of Scotts Valley on _____.

_____
Tracy A. Ferrara, City Clerk

The Assessment was filed in the office of the County Auditor of the County of Santa Cruz, California, on _____.

_____
Tracy A. Ferrara, City Clerk

I HEREBY CERTIFY that the enclosed Engineer's Report and Assessment was recorded in my office on _____.

Superintendent of Streets
Scotts Valley, Santa Cruz County, California

By:_____
Scott Hamby

City of Scotts Valley

PINEWOOD ESTATES LANDSCAPING MAINTENANCE DISTRICT

ASSESSMENT ROLL

2021-2022

Assessment Number	Assessor's Parcel No.	Property Owner	Assessment Amount
1.	021-172-01	Samuel Kurita	$ 240
2.	021-172-02	Russell J. Marino Trustee	240
3.	021-172-03	Geoffrey & Susan Martin	240
4.	021-172-04	Terry A. & Julie Keller Trustees	240
5.	021-172-05	Andrea Edwards	240
6.	021-172-06	Marshall E. Wolf & Kristia Burgess Trustees	240
7.	021-172-07	Eugene J. & Jennifer M. Hall	240
8.	021-172-08	Michael C. O'Connor & Sarah Wright	240
9.	021-172-09	Carlos E. Robinson et al	240
10.	021-172-10	Tracy Lee Roberts	240
11.	021-172-11	John & Janine Dunn	240
12.	021-172-12	Qi Gong et al	240
13.	021-172-13	Melvin M. & Miriam C. McConnell	240
14.	021-172-14	Amy D. & Robert W. McMullen	240
15.	021-301-01	Joel M. & Karina Linn	240
16.	021-301-02	Vinicio & Kristy Sion Co-Trustees	240
17.	021-301-03	Mark S. & Eve M. Davidson	240
18.	021-301-04	Seth K. Keith	240
19.	021-301-05	Cynthia M. Lemmon Trustee	240
20.	021-301-07	John B. & Linda L. Suggs Trustees	240
21.	021-301-08	Mark John Nordstrom Trustee et al	240
22.	021-301-09	James D. Spiegel Trustees et al	240
23.	021-301-10	Simon J.S. & Kirstin L. McElrea	240
24.	021-301-11	Clint R. Cox	240
25.	021-301-12	Brandon J & Kathy C Ross	240
		TOTAL ASSESSMENTS:	**$ 6,000**

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Scott Hamby, Interim Public Works Director

APPROVED: Tina Friend, City Manager

SUBJECT: **PUBLIC HEARING: SKYPARK OPEN SPACE MAINTENANCE ASSESSMENT DISTRICT NO. 1; RESOLUTION NO. 1555-SP-33, ANNUAL ENGINEER'S REPORT**

SUMMARY OF ISSUE

In 1995, the City Council formed the Skypark Open Space Maintenance Assessment District No. 1 and subsequently authorized the levy and collection of an assessment to maintain the open space district. The revenue collected to maintain the district includes the Linear Park, two greenbelt areas, and a self-insurance fund in the event of a slope failure. The assessment district is formed pursuant to the Landscaping and Lighting Act of 1972 and must be renewed annually.

Each year, an Annual Engineer's Report is filed, which includes an estimate of expenses to be paid by the district, a description of the work to be performed or improvements to be made, and benefit assessment, outlining the proposed budget for the cost of maintaining, repairing, and operating any public improvements. The FY 2021/22 assessment is $219.74 per unit, which is the same as the FY 2020/21 assessment. The total assessment revenue is estimated to be $41,750.60. At the time the assessment was established, an annual inflator was not included; therefore, the per unit assessment has remained the same since 1995.

Revenue generated by the assessment covers expenses related to landscape services such as cultivation, trimming, spraying, fertilizing or treating of disease, and removal of trimmings, debris, and other solid waste; repair, reconstruction, removal, and/or replacement of items related to the maintenance of vegetation and open space, including but not limited to: irrigation systems, lighting, infrastructure (curbs, gutters, sidewalks); and utilities (water and electricity). The assessment also requires that funds be set aside in the event of a slope failure within the assessment area. A slope evaluation was completed in October 2017. The study showed the drainage culvert outfall on the south side is showing signs of being compromised causing inadequately controlled erosion at the toe of slope. This will require continued annual inspection, and repair. The remainder and majority of the slope shows no active erosion.

Staff has received a number of citizen concerns including green belt issues, fire mitigation, drainage, perimeter fencing deterioration, sprinklers, wood chips, graffiti, neighbors planting their own plants and trimming in the greenbelt, installing benches and features, etc. The City is now beginning to work with a local temporary labor agency, local landscapers and tree service contractors to try and keep up with Linear Park maintenance.

Earlier this year, the City replaced approximately 600 feet of the Linear Park fence. In fiscal year 2021/2022 the City plans to replace additional fencing. In addition to the fence replacement, actual costs spent on the park and greenbelt maintenance is as follows:

- Fence replacement $41,400
- Misc. materials $ 1,903
- Staff time $ 5,282
- Utilities $15,970

Total $64,555

The table below reflects the proposed FY 2021/22 assessment budget, estimated year-end for FY 2020/21 and FY 2019/20 actuals:

	Proposed FY 21/22	**Estimated FY 20/21**	**Actual FY19/20**
Assessments	$41,751	$41,751	**$41,751**
Transfer from Insurance Fund	$12,000	$12,000	**$12,000**
Total Revenue	**$53,751**	**$53,751**	**$53,751**
Expenses			
Utilities	$15,000	$15,970	$15,777
Landscape Maintenance/Repairs*	$38,751	$48,585	$42,800
Expense Subtotal	*$53,751*	*$64,555*	*$58,577*
Self Insurance Fund – Slope Stability	$0	$0	$0
Total Expenses	**$53,751**	**$64,585**	**$58,577**

*also includes estimated city staff time

Staff is requesting an additional $12,000 allocation from the Insurance Fund as per last year's report to continue these maintenance issues that the standard assessment revenue cannot support. The current balance in the Insurance Fund is $530,844.

As required, all 190 owners were notified of the June 2, 2021 public meeting and the June 16, 2021 public hearing via mail. The purpose of the public meeting is to receive public testimony regarding the assessment. No other action was required.

This public hearing is being held to receive additional testimony from property owners, approve the FY 2021-2022 Annual Engineer's Report, and adopt Resolution No. 1555-SP-33.

FISCAL IMPACT

Costs associated with maintaining, repairing, and operating the assessment district are funded through an annual assessment levy, which generates an estimated $41,751. Additionally, if approved, $12,000 will be transferred in from the Skypark Landscape Maintenance District Insurance fund for improvements at the Linear Park.

STAFF RECOMMENDATION

It is recommended that the City Council hold a public hearing, approve the FY 2021/2022 Annual Engineer's Report, and approve Resolution No. 1555-SP-33 ordering and authorizing the levy and collection of assessments therein pursuant to the Landscaping and Lighting Act of 1972 for the Skypark Open Space Maintenance Assessment District.

TABLE OF CONTENTS PAGE

Resolution 1555-SP-33 4
Annual Engineer's Report 7

RESOLUTION NO. 1555-SP-033

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY ORDERING AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS THEREIN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972

SKYPARK OPEN SPACE MAINTENANCE DISTRICT

RESOLVED, by the City Council of the City of Scotts Valley, California, that,

WHEREAS, pursuant to Resolution No. 1555-SP-07, ordering formation of territory into an Open Space Maintenance Assessment District and authorizing the levy and collection of assessments, adopted on the 6th day of December 1995 by the City Council pursuant to the Landscaping and Lighting Act of 1972, as amended, the Engineer of Work of said City has filed with the City Clerk the written report called for under said Act and by said Resolution No. 1555-SP-07, which report has been presented by said Engineer of Work to this Council and this Council has preliminarily approved and confirmed said report by its Resolution No. 1555-SP-03, adopted October 18, 1995, and ordered that the same stand as the report for the purpose of all subsequent proceedings pursuant to said Resolution No. 1555-SP-03; and

WHEREAS, June 2, 2021 at the hour of 6:00 o'clock p.m. and June 16, 2021 at the hour of 6:00 o'clock p.m., in the regular meeting place of said Council, Council Chambers, One Civic Center Drive, Scotts Valley, California, was appointed and fixed as the time and place of public hearings to act upon the Engineer's Report and Resolution No. 1555-SP-033; and

WHEREAS, the City Clerk gave notice of said hearings by publication once a week for two weeks in the local newspaper published and circulated in said City, and by mailing or causing to be mailed notice of the adoption of said Resolution and of the filing of said report, postage prepaid, at least ten days before the date set for hearings of said protests, to all persons owning real property to be assessed, whose names and addresses appear on the last equalized assessment roll for County taxes prior thereto or as known to the City Clerk, which notice contained a statement of the time, place and purpose of the hearings and a statement of the total estimated cost of said proposed maintenance and improvements, the amount as shown by said report to be assessed against the particular parcel covered by the notice, together with a statement that any person interested may file a protest in writing as provided in said Act; and

WHEREAS, all written protests and other written communications were read by the Council and are on file with the Clerk and all persons desiring to be heard were fully heard.

NOW, THEREFORE, IT IS ORDERED, as follows:

1. That protests against said maintenance of improvements and levy of assessments were not signed by the owners of a majority or more of the area of the lands within the assessment district assessed for the costs and expenses of said work.

2. That said protests be, and each of them are, hereby overruled.

3. That the owners of one-half (1/2) or more of the area to be assessed for the cost of the project did not, at or prior to the time fixed for said hearings, file written protests against the said proposed maintenance and improvements as a whole, or against said district or the extent thereof to be assessed for the costs and expenses of said maintenance and improvements as a whole, or as to the Engineer's estimate of said costs and expenses, or against the maps and descriptions, or against the diagram or assessment to pay for the costs and expenses thereof.

4. That the district benefitted by said maintenance and improvements are to be assessed to pay the costs and expenses thereof, and the exterior boundaries thereof are more particularly described in said Resolution No. 1555-SP-07 and made a part hereof by reference thereto. That all public streets and highways within said assessment district in use in the performance of a public function as such shall be omitted from said district and from the levy and collection of the special taxes to be hereafter levied and collected to cover the costs and expenses of said maintenance and improvements.

5. That the Engineer's estimate of the itemized and total costs and expenses in connection therewith, contained in said Report, be, and it is hereby, finally adopted and approved as the Engineer's total and detailed estimate of the costs and expenses of said maintenance of improvements.

6. That the public interest and convenience require and said Council does hereby order the maintenance of improvements to be made as described in and in accordance with said Resolution No. 1555-SP-07 on file in the office of the Clerk, reference to which is hereby made for a more particular description of said maintenance of improvements, and also for further particular pursuant to the provisions of said Landscaping and Lighting Act of 1972.

7. That the diagram showing the assessment district referred to and described in said Resolution No. 1555-SP-07, and also the boundaries and dimensions of the respective subdivisions having been given a separate number upon said diagram, as contained in said report, be, and it is hereby, finally approved and confirmed as the diagram of the properties to be assessed to pay the costs and expenses of said maintenance of improvements.

8. That the assessment of the total amount of the costs and expenses of the proposed maintenance of improvements upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by said subdivisions, respectively from said maintenance of improvements, and of the expenses incidental thereto, contained in said report, be, and the same is hereby, finally approved and confirmed as the assessment to pay the costs and expenses of said maintenance of improvements.

9. That said Engineer's Report be, and the same is hereby, finally adopted and approved as a whole.

10. That the Clerk shall forthwith deliver to the Superintendent of Streets said assessment as confirmed by this Council with his/her certificate of such confirmation thereto attached and of the date thereof; and that said Superintendent of Streets shall record said diagram and assessment in his/her office in a suitable book to be kept for that purpose, and append thereto his/her certificate for the date of such recording, and such recordation shall be and constitute the assessment roll herein.

11. Proceedings shall be taken by this Council pursuant to said Act for any fiscal year during which an assessment is to be levied and collected within said district.

12. The Clerk of this City be, and is hereby, authorized and directed to file a certified copy of this resolution with the County Auditor of Santa Cruz County.

I hereby certify that the foregoing resolution was duly and regularly adopted and passed by the City Council of the City of Scotts Valley, California, at a regular meeting thereof held on the 16th day of June, 2021, by the following vote of the members thereof:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Derek Timm, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

ENGINEER'S REPORT
Fiscal Year 2021-2022

SKYPARK OPEN SPACE
MAINTENANCE ASSESSMENT DISTRICT NO. 1
Tract No. 1380

CITY OF SCOTTS VALLEY
Santa Cruz County, California

Derek Timm
Mayor

Jim Reed
Vice Mayor

Donna Lind
Council Member

Randy Johnson
Council Member

Jack Dilles
Council Member

Tina Friend
City Manager

Scott Hamby
Interim Public Works Director

Joel F. Ricca, RCE 53588
Assessment District Engineer of Work

Skypark Open Space Maintenance Assessment District No. 1

ASSESSMENT

Fiscal Year 2021-2022

WHEREAS, on October 18, 1995, the City Council of the City of Scotts Valley, California, pursuant to the provisions of the Landscaping and Lighting Act of 1972, adopted its Resolution No. 1555-SP-01, determining to initiate proceedings for the establishment of an assessment district to be known as the "Skypark Open Space Maintenance Assessment District No. 1", more particularly therein described; and

WHEREAS, Resolution No. 1555-SP-25 appointed the City Engineer as Engineer of Work and directed the preparation and filing of an Engineer's Report presenting plans of the improvements to be maintained, a diagram for the assessment district, an estimate of cost for maintenance and servicing thereof, and an assessment of the estimated costs upon all assessable lots or parcels within the assessment district, to which resolutions reference is hereby made for further particulars.

NOW, THEREFORE, I, Joel F. Ricca, RCE 53588, City Engineer of said City of Scotts Valley, acting in the capacity of Engineer of Work under order of the City Council of said City of Scotts Valley, hereby make the following assessment to cover the portion of the estimated cost of the maintenance and servicing of the proposed improvements, including the costs and expenses incidental thereto, to be paid by the assessment district.

The amount to be paid for said maintenance and servicing of the proposed improvements, including the costs and expenses incidental thereto; to be paid by the assessment district for the fiscal year 2021-2022 is as follows:

Engineer's Estimate: $41,750.60

And I do hereby assess and apportion said portion of said total amount of the costs and expenses of said maintenance and servicing of the proposed improvements, including the costs and expenses incidental thereto, upon the several lots, pieces, or parcels or portions of lots of land liable therefore and benefitted thereby, and hereinafter numbered to correspond with the numbers upon the diagram, upon each, severally and respectively, in proportion to the benefits to be received by such lands respectively, from the maintenance hereto attached and by reference made a part hereof.

As required by said Act, a diagram is recorded in official records of the County of Santa Cruz showing the assessment district and also boundaries and dimensions of the respective lots or parcels of land within said assessment district generally described as the same existed at passage of said Resolution No. 1555-SP-01.

Said assessment is made upon the several lots or parcels of land within said assessment district in proportion to the estimated benefits to be received by said lots or parcels respectively, from the maintenance and servicing of the improvements. The diagram and assessment numbers appearing herein are the diagram numbers appearing on said diagram, to which reference is hereby made for a more particular description of said property.

I hereby place opposite the number of each lot or parcel of land assessed, the amount assessed thereon and the number of the assessment. Each lot or parcel of land is described in the assessment list by reference to its parcel number as shown on the Assessor's Maps of the County of Santa Cruz for the fiscal year 2021-2022 to the right of the parcel numbers and includes all of such parcels.

_____ _____

Date

Joel F. Ricca, RCE 53588
City Engineer

DESCRIPTION OF WORK

Skypark Open Space Maintenance Assessment District No. 1

1. Maintaining and servicing of landscaping, vegetation and open space, including the cost of repair, removal or replacement of all or any part thereof, providing for the life, growth, health and beauty thereof, including cultivation, trimming, spraying, fertilizing or treating for disease or injury, the removal of trimmings, rubbish, debris and other solid waste, and water for the irrigation thereof.

2. Maintaining and servicing of decorative fencing, exercise par course and signage thereon, electronically controlled gates, and other ornamental structures and facilities, including the cost of repair, reconstruction, removal, or replacement of all or any part thereof.

3. Repair or replacement, including the installation and construction thereof, of hardscaping, including damaged curbs, gutters, walls, sidewalks, paving, water, irrigation systems, drainage, lighting, or electric facilities appurtenant to any of the improvements referenced in paragraphs 1 and 2 above, or which are necessary or convenient for the maintenance or servicing of said improvements.

4. The improvements referenced above are all within the boundaries of parcels 14, 15, 16, 17, as shown on Final Map, Tract No. 1355, Skypark, recorded in the official records of Santa Cruz County in the Book of Maps, Volume 89, Page 14, and within the boundaries of parcels A and B as shown on Final Map, Tract No. 1380, California Skypark, recorded in the official records of Santa Cruz County in the Book of Maps, Volume 89, Page 15 (hereinafter referred to as Final Maps).

5. The cost of slope subsidence/stability insurance or a self-insurance fund for any and all slope failures within the boundaries of parcels 14, 15, 16, 17, A and B as shown on the aforesaid Final Maps.

6. The maintenance, repair or replacement of such other facilities as may be appurtenant to the foregoing or which are necessary or convenient for the maintenance or servicing thereof.

SKYPARK OPEN SPACE

MAINTENANCE ASSESSMENT DISTRICT NO. 1

Engineer's Estimate

Fiscal Year 2021-2022

BENEFIT ASSESSMENT

The budget for the costs and expenses of maintaining and operating any and all of said public improvements for fiscal year 2021-2022 is as follows:

MAINTENANCE

1. Initial maintenance contract

a.	Park Maintenance and Materials	$37,951.00
b.	Water Cost	$14,500.00
c.	Utilities (PG&E)	$ 500.00
	Subtotal	$53,751.00

Total maintenance cost (12-month period)
**Includes an additional $12,000 from Insurance Fund*

INSURANCE

1. Self-Insurance Fund for Park Slope/Bluff Area $ 0.00 (deferred)

INCIDENTALS

1. Printing and advertising (notices) $ 800.00

BALANCE TO ASSESSMENT **$53,751.00**

RULES OF SPREADING ASSESSMENTS

1. District is to be assessed for all costs associated with the maintenance and servicing of the landscaping, hardscaping and appurtenant improvements within parcels 14, 15, 16, 17, as shown on Final Map, Tract No. 1355, Skypark, recorded in the official records of Santa Cruz County in the Book of Maps, Volume 89, Page 14, and within the boundaries of parcels A and B as shown on Final Map, Tract No., 1380, California Skypark, recorded in the official records of Santa Cruz County in the Book of Maps, Volume 89, Page 15.

2. Total costs shall be apportioned to all parcels within the district boundaries in accordance with the benefit derived from the landscaping improvements.

3. The benefit derived has been determined to be equal for all parcels.

Certificates

I, Tracy A. Ferrara, City Clerk of the City of Scotts Valley, hereby certify that the foregoing assessment roll, in the amount set forth, was filed with me on _____.

_____
Tracy A. Ferrara, City Clerk

I, Daryl Jordan, City Engineer of the City of Scotts Valley, do hereby certify that the amounts set forth under the Engineer's Estimate on Page 1 of the Assessment, and the individual amounts on the foregoing pages of the Assessment have been computed in accordance with the order of the City Council of said City of Scotts Valley, as expressed by Resolution No. 1555-SP-033, duly adopted by said City Council on June 2, 2021.

_____
Joel F. Ricca, RCE 53588
City Engineer

I, Tracy A. Ferrara, City Clerk of the City of Scotts Valley, hereby certify that the foregoing assessment, in the amount set forth in the Engineer's Estimate on Page 1 of the Assessment, was approved and confirmed by the City Council of the City of Scotts Valley on _____.

_____
Tracy A. Ferrara, City Clerk

The Assessment was filed in the office of the County Auditor of the County of Santa Cruz, California, on _____.

_____
Tracy A. Ferrara, City Clerk

I HEREBY CERTIFY that the enclosed Engineer's Report and Assessment was recorded in my office on _____.

Superintendent of Streets
Scotts Valley, Santa Cruz County, California

By _____
Scott Hamby

SKYPARK OPEN SPACE MAINTENANCE ASSESSMENT DISTRICT NO. 1

ASSESSMENT ROLL

Ass. No.	Assessor's Parcel No.	Property Owner	Assessment Amount
1001	22-691-01	Mario Guerrero Magno & Marife Arcinas	$ 219.74
1002	22-691-02	Jyri Virkki	$ 219.74
1003	22-691-03	Christopher & Dianne Wong	$ 219.74
1006	22-691-06	Anna Kesler-Diaz	$ 219.74
1007	22-691-07	Nanette L Carrillo Trustee	$ 219.74
1008	22-691-08	Brian D. & Teresa M. Hallin Trustees	$ 219.74
1009	22-691-09	Soon K. & Young H. Yuh	$ 219.74
1010	22-691-10	Michael Mark Goodwin	$ 219.74
1011	22-691-11	Jaime & Emily Rakow	$ 219.74
1012	22-691-12	Jeremy & Lori Gentile	$ 219.74
1013	22-691-13	Clarence W. Jr. & Maureen A. Mezzell	$ 219.74
1014	22-691-14	Robert L Hambelton	$ 219.74
1015	22-691-15	Gillian McGlaze	$ 219.74
1016	22-691-16	Matthew D & Spring V Babb	$ 219.74
1017	22-691-17	Dan Joe Aspromonte Trustee	$ 219.74
1018	22-691-18	Willie D. & Lisa J. Lu Trustees	$ 219.74
1004	22-691-20	Jose F. & Heather T. Lomba	$ 219.74
1005	22-691-21	Christian Life Center First Assembly of	$ 219.74
1144	22-692-01	Deandre & Karen James	$ 219.74
1145	22-692-02	Jeanette E. Anderson	$ 219.74
1146	22-692-03	Jann L. Smart	$ 219.74
1147	22-692-04	Carl Gyllenhammer	$ 219.74
1148	22-692-05	Andreas & Jennifer Becker	$ 219.74
1149	22-692-06	Hin F. Boen et al	$ 219.74
1150	22-692-07	Peter K. Thompson	$ 219.74
1151	22-692-08	Edward J. & Karen E. McNamara	$ 219.74
1152	22-692-09	Guadalupe & Sarah De Leon	$ 219.74
1153	22-692-10	Jeffrey Allen Ott	$ 219.74
1154	22-692-11	Owen Ward	$ 219.74
1177	22-692-12	Nathan Lee & Jodie Fillhardt	$ 219.74
1178	22-692-13	Johnny Mon et al	$ 219.74
1179	22-692-14	Yuriko Yamasaki	$ 219.74
1180	22-692-15	David R & Melissa Zieper	$ 219.74
1181	22-692-16	John C. & Kassi L. Van Lanen	$ 219.74
1182	22-692-17	Sarah E. Christensen	$ 219.74
1183	22-692-18	Robert Kurt Molholm	$ 219.74
1184	22-692-19	Henry J. Kondrat et al	$ 219.74
1185	22-692-20	Tuo Chen	$ 219.74

1186	22-692-21	David J. Albano	$ 219.74
1187	22-692-22	Anjna & Kamaljit Mann	$ 219.74
1188	22-692-23	Charles D Berg	$ 219.74
1189	22-692-24	Peter Svensson	$ 219.74
1190	22-692-25	Eric P. & Julie A. Miller	$ 219.74
1107	22-693-01	Clay M. Teramo	$ 219.74
1108	22-693-02	Catherine Hope & Gregory L. Horvath	$ 219.74
1109	22-693-03	Mary Patricia & David Dorsey	$ 219.74
1110	22-693-04	Stuart & Lora Glasgow	$ 219.74
1137	22-693-05	Shelley Noh	$ 219.74
1138	22-693-06	Scott & Lisa M. MacGowan	$ 219.74
1139	22-693-07	Ping Fai Ben Li et al	$ 219.74
1140	22-693-08	Hubert Hudson Burroughs	$ 219.74
1141	22-693-09	Sylvia P. Morrison	$ 219.74
1142	22-693-10	Prashanth Jade	$ 219.74
1143	22-693-11	Jeffrey Kennedy & Jennifer Leigh Wade	$ 219.74
1019	22-701-01	Sheryl Ann McEwan	$ 219.74
1020	22-701-02	Clark P. & Sarah N. Winn	$ 219.74
1021	22-701-03	David R. & Cheryl R. Schneider	$ 219.74
1022	22-701-04	Andrew Seppy Bloom et al	$ 219.74
1023	22-701-05	Mary Simpson	$ 219.74
1024	22-701-06	Christopher S. Thomas	$ 219.74
1025	22-701-07	James V. & Lea K. Reed	$ 219.74
1026	22-701-08	George C. Jones et al	$ 219.74
1027	22-701-09	Kevin & Julie L. Burnett	$ 219.74
1028	22-701-10	Linda Lloyd Fisher Trustee et al	$ 219.74
1029	22-701-11	Carolyn A. Nicholson	$ 219.74
1030	22-701-12	Jason & Sandra Malone	$ 219.74
1031	22-701-13	Roderick A. & Cheryle M. Brownfield	$ 219.74
1032	22-701-14	Jessica I. Puccinelli	$ 219.74
1033	22-701-15	Kendall Q. & Marisela Maria Sullivan	$ 219.74
1176	22-702-01	Isaac & Michelle Sparrow	$ 219.74
1175	22-702-02	Francis J. III & Bridget E. Gramkowski	$ 219.74
1174	22-702-03	Karl R. & Marsha J. Landgraf	$ 219.74
1173	22-702-04	James S. Szabo et al	$ 219.74
1172	22-702-05	Roman Efimov	$ 219.74
1171	22-702-06	Terrence A. & Megan A. O'Toole	$ 219.74
1170	22-702-07	William Scholtz	$ 219.74
1169	22-702-08	Janet Elizabeth Barber	$ 219.74
1168	22-702-09	Justin J. & Sara R. Kiesby	$ 219.74
1167	22-702-10	Debbie P. Dizon	$ 219.74
1166	22-702-11	Charles E. Schmuck Trustee	$ 219.74
1165	22-702-12	Steven & Kathleen F. Gullickson	$ 219.74

1164	22-702-13	Dale R. Henry et al	$ 219.74
1163	22-702-14	Brian & Michiyo Johnston	$ 219.74
1162	22-702-15	Eric & Beth Seib	$ 219.74
1161	22-702-16	Kimberly M. Clark	$ 219.74
1160	22-702-17	Amanda Danner	$ 219.74
1159	22-702-18	Brian P. & Stacey G. Costello Trustees	$ 219.74
1158	22-702-19	Gayathri Balaji	$ 219.74
1157	22-702-20	Barry Young	$ 219.74
1156	22-702-21	James Ray Jr. & Heather Lewis Sebring	$ 219.74
1155	22-702-22	Richard D. & Elaine C. Bennett	$ 219.74
1134	22-702-26	Robert D. & Jayne E. Scott	$ 219.74
1133	22-702-27	Mark T. & Helen L. Youmans	$ 219.74
1132	22-702-28	Maria C. Torchio-Gauthier et al	$ 219.74
1131	22-702-29	Sadra Emami	$ 219.74
1115	22-702-30	Stephen R. Morairty	$ 219.74
1114	22-702-31	The Salvation Army	$ 219.74
1113	22-702-32	Stephen P. & Kristina N. Dinwiddie	$ 219.74
1112	22-702-33	Jason P. & Amy M. Ivey	$ 219.74
1111	22-702-34	Gavin J. & Jane F. Melford Trustees	$ 219.74
1135	22-702-36	Cesar & Jacqueline DeSantos	$ 219.74
1136	22-702-37	Douglas G. & Susan Diane Morey	$ 219.74
1105	22-703-01	Araceli Henley	$ 219.74
1106	22-703-02	Fazlul & Rokhsana B. Quader	$ 219.74
1073	22-703-03	John Lau et al	$ 219.74
1072	22-703-04	James E. & Deborah L. Nieters	$ 219.74
1129	22-711-01	Craig W. & Kathleen M Adams Trustees	$ 219.74
1128	22-711-02	Jordan & Jessica Boschen	$ 219.74
1127	22-711-03	Lisa M Newton	$ 219.74
1126	22-711-04	Gregory Allen Rexelle	$ 219.74
1125	22-711-05	Peter C. Lombrozo et al	$ 219.74
1124	22-711-06	William & Joanne Thompson	$ 219.74
1123	22-711-07	Philip W. Crowley	$ 219.74
1122	22-711-08	Tavin B & Kristina M. Lanpheir	$ 219.74
1121	22-711-09	Thomas M. Carli & Margaret Walsh	$ 219.74
1120	22-711-10	Jakko M. Kleijnen et al	$ 219.74
1119	22-711-11	John B. & Susan A. Ledingham	$ 219.74
1118	22-711-12	Brian J. & Valerie E. Kindell	$ 219.74
1117	22-711-13	Kaylon M. & John A. Northington	$ 219.74
1100	22-711-14	Kim & John M. Lariviere	$ 219.74
1099	22-711-15	Henry R. & Stephanie A. Knight	$ 219.74
1098	22-711-16	Donald G. II & Tamera L. Melrose	$ 219.74
1097	22-711-17	Sandra Holland et al	$ 219.74
1096	22-711-18	Deant A. & Marina P. Earl	$ 219.74
1095	22-711-19	Craig Moorhead	$ 219.74

1094	22-711-20	Omeed M. & Traci L. Ghaffarian	$ 219.74
1093	22-711-21	April N. & Stephen A. Clarke	$ 219.74
1092	22-711-22	Steven & Kierstin L. Trefethen	$ 219.74
1091	22-711-23	Gareth & Karen S. Egerton	$ 219.74
1090	22-711-24	Srinivasan & Hemamalini Sathish	$ 219.74
1089	22-711-25	Clark & Debra Patteson Trustees	$ 219.74
1088	22-711-26	Tom Evenson Survivors Trust	$ 219.74
1087	22-711-27	Mark R. & Marna S. Scarr Trustees	$ 219.74
1086	22-711-28	Ursula T. Christiansen	$ 219.74
1085	22-711-29	John D. Gullory & Suzanne Herrera	$ 219.74
1084	22-711-30	Kim & Michael Cushing	$ 219.74
1083	22-711-31	James D. Neef et al	$ 219.74
1082	22-711-32	Alan & Laurie Okamura	$ 219.74
1081	22-711-33	Sudesh Shetty Kodialbail et al	$ 219.74
1080	22-711-34	Gerald E. Beyke	$ 219.74
1079	22-711-35	Matthew & Marina M. Ward	$ 219.74
1078	22-711-36	Keith & Jennifer Chomentowski	$ 219.74
1130	22-711-38	Kevin Tien	$ 219.74
1116	22-711-39	Barry W. Prentiss	$ 219.74
1101	22-711-40	Richard P. Des Jardin Trustee et al	$ 219.74
1102	22-711-41	Daniel Marhenke Peterson	$ 219.74
1103	22-711-42	Kevin J. & Valerie W. Lenahan	$ 219.74
1104	22-711-43	Susan Hanlock Chapman	$ 219.74
1074	22-711-44	Larry D. & Rebecca C. Mosley	$ 219.74
1075	22-711-45	Valerie Polito	$ 219.74
1076	22-711-46	Todd & Michelle Riddle	$ 219.74
1077	22-711-47	Richard & Theresa Riemer	$ 219.74
1034	22-712-01	Matthew A. & Gretchen K. Clark	$ 219.74
1035	22-712-02	Claude H. & Cynthia M. Lopez	$ 219.74
1036	22-712-03	Christopher W. Bensen & Tara Dalton	$ 219.74
1037	22-712-04	Jeffrey L. Gee et al	$ 219.74
1038	22-712-05	Emir & Denise Gurer	$ 219.74
1039	22-712-06	Goran & Susan Domitrovic	$ 219.74
1040	22-712-07	Milind Mohan Hirlekar	$ 219.74
1041	22-712-08	Shaun Shahram & Habibeh Deyhim	$ 219.74
1042	22-712-09	Robert J. Romero et al	$ 219.74
1043	22-712-10	Kimberly A Brosseau	$ 219.74
1044	22-712-11	Rodney W. & Christine E. Stanton	$ 219.74
1045	22-712-12	Clifford & Lily Dong Trustees	$ 219.74
1046	22-712-13	Wellington R & George Ann White Trust	$ 219.74
1047	22-712-14	Donald L. & Paula K. Cardoza Trustees	$ 219.74
1048	22-712-15	Lee & Diane D. Basilotta	$ 219.74
1049	22-712-16	Alan Van Wambeck Trustee et al	$ 219.74
1050	22-712-17	Carlos S & Roberta N Camilo Denilson	$ 219.74
1051	22-712-18	The Salvation Army	$ 219.74

1052	22-712-19	Richard W. Wilkman & Ellen Foster	$ 219.74
1053	22-712-20	Mark Alan Newton et al	$ 219.74
1054	22-712-21	Donald J. Hutchison Trustee	$ 219.74
1071	22-713-01	Gary D. Thomsen	$ 219.74
1070	22-713-02	Sheldon N. Rosell	$ 219.74
1069	22-713-03	Jeffrey S. & Susan Leigh Rosell	$ 219.74
1068	22-713-04	Daryl & Claire Spitzer	$ 219.74
1067	22-713-05	Scott M. & Lailah Mueting	$ 219.74
1066	22-713-06	Elsa Marmolejo	$ 219.74
1065	22-713-07	Manish N. & Alpa M. Patel	$ 219.74
1064	22-713-08	Justin R. Rishoff	$ 219.74
1063	22-713-09	Terrie S. Dusa Trustee	$ 219.74
1062	22-713-10	Andrew Joseph Dick	$ 219.74
1061	22-713-11	Thomas M. & Barbara R. Evenson	$ 219.74
1060	22-713-12	Mark & Vicki C. Teixeira	$ 219.74
1059	22-713-13	William J. Simons	$ 219.74
1058	22-713-14	Casey G. & Betty Nicole Peterson	$ 219.74
1057	22-713-15	Wilma M. Caldwell	$ 219.74
1056	22-713-16	Mallory & Lance Walkup	$ 219.74
1055	22-713-17	Matthew R. Hakimi Trustee	$ 219.74

TOTAL ASSESSMENTS **$41,750.00**

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Paula Bradley, Consulting Planner

APPROVED: Tina Friend, City Manager

SUBJECT: **PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION OF APPROVAL FOR A PLANNED DEVELOPMENT ZONING PERMIT, LAND DIVISION, DESIGN REVIEW APPLICATION AND ENVIRONMENTAL REVIEW IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR A TEN-LOT SUBDIVISION FOR THE CONSTRUCTION OF TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS, ON A 1.04-ACRE SITE LOCATED AT ERBA LANE (NO SITUS), APN'S 022-481-18 AND 022-481-22**

SUMMARY OF ISSUE

The project proposes to create a ten-lot subdivision for the construction of ten residential units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements. The site is zoned R-H High Density Residential General Plan and Zoning District, is 1.04-acres in size, and is currently developed as a surface parking lot, located on Erba Lane. The project requires a Planned District Zoning/Permit Design Review, Land Division and Environmental Review for the proposed residential development.

The site gently slopes to the southeast towards Scotts Valley Drive where a new private access road will be located and where most of the site grading and infrastructure will occur. Existing land uses on adjacent parcels includes single and multi-family housing, office, and a quasi-public use (fire station across the street). The eastern property line is oak riparian woodland with an intermittent creek/drainage channel, and across the creek is MacDorsa Park, owned by the City of Scotts Valley.

Along Erba Lane, the project frontage includes a five-foot sidewalk, ten on-street public parking spaces, and a six-foot landscaped planting strip. The landscaping strip is designed to provide a tree-lined residential street and screening for the new single-family dwellings. The project will construct a new 24-foot wide private road, accessed from Erba Lane, providing access to seven of the units (Lots 4 through 10).

PLANNED DEVELOPMENT / LAND DIVISION

The project is requesting a Planned Development to establish specialized development standards that reflect exceptions from the proposed R-H Residential zoning regulations to accommodate the proposed residential development. Exceptions to the development standards requested through the Planned Development process for: 1) reduced lot sizes; 2) reduced lot width and lot depth; 4) reduced front, side, and rear yard setbacks. In addition, the proposed retaining walls topped with wood fences are higher than three-feet in portions of the front yard setbacks and exceed six-feet in height in portions of the side and rear yards and are subject to Design Review.

PLANNING COMMISSION REVIEW

The project was reviewed by the Planning Commission on May 13, 2021 and recommended for approval. A complete analysis of the project's General Plan and zoning compliance is contained in the Planning Commission staff report for the May 13th hearing (see attachment). The Commission discussed project specific details including the reduced setbacks and lot sizes for some of the lots as allowed by the Planned Development district. To avoid development in the oak riparian woodland along the creek area and MacDorsa Park, as determined by the project biologist, the applicant is requesting exceptions to the development standards for: 1) reduced lot sizes; 2); lot width; and 3) lot depth along with reduced front side and rear setbacks for some of the lots. The ten-lot subdivision, as designed, with ten new two-story single-family homes, with on-site parking, is consistent with other single and multi-family homes in the surrounding area. The project meets or exceeds the single-family parking requirements by providing a two-car garage for each unit and a 20-foot deep driveway for two additional vehicles. No parking would be allowed in the access road and ten off-site public parking spaces will be created on Erba Lane.

Public Art: General Plan Land Use Policy LP-13.2 states that public art is to be incorporated into residential projects. In compliance with this requirement, the applicant is proposing a 4 x 10-foot mural to be located on a retaining wall along Erba Lane adjacent to Lot 10. The proposal is still in the conceptual phase and design concepts will be available for review at the City Council meeting. Currently the project is conditioned to require Community Development Director review and approval of the final design. It is recommended that the City Council review the design concepts and provide direction.

Park Access: Currently MacDorsa Park is accessible from Erba Lane through the project site and from the office building parking lot across the creek/drainage area. There are natural paths and an existing access leading towards the Police Department. Due to security concerns with the additional residents, the Police Department requested that this pathway be relocated. The City discussed the need for public access to the park with the applicant, and that it would be better located via the proposed new private road. A public access easement for pedestrians over the proposed new private road is included as a condition of project approval. There is no plan in place to provide access at this time, the easement will allow for access at a future date and such access will require additional review and approval by the City.

AFFORDABLE HOUSING

Title 14 of the City's Municipal Code governs the affordable housing requirements for new residential projects. Pursuant to Title 14, the project is required to designate at least 15% of the units as affordable. Therefore, of the proposed ten units, the project is required to provide one unit and pay in-lieu fees of 0.5 of a unit.

Affordability is maintained for a period of 45 years for ownership units and 55 years for rental units. The income-levels of the units require review and recommendation by the City Council Affordable Housing Committee.

On June 10, 2021, the Affordable Housing Committee, composed of Mayor Derek Timm and Council Member Jack Dilles, met with the applicant and City staff to discuss the affordable housing requirement. One member of the public was also present.

After discussion between the Committee members and the applicant, the Affordable Housing Committee agreed on the following recommendation to the City Council.

There shall be two options available to the applicant and the City:

Option #1 would require one low-income unit and one moderate-income unit to be provided. These two units would be three bedroom rental units. There would be no in-lieu fee required because the applicant would be providing two units rather than the one required unit.

Option #2 would require the provision of one three-bedroom low-income unit. The in-lieu fee would be used to subsidize the difference between the affordable sales price of a moderate-income unit and the affordable sales price of a low-income unit. The subsidy amount shall be subtracted from the total in-lieu fee required and the remaining balance shall be paid by the applicant as the project's in-lieu fee contribution.

The decision as to which option to pursue shall be scheduled at a later date but, in no case, later than the date of recordation of final or parcel maps for the development.

PUBLIC COMMENT

A public notice was posted on site and mailed to surrounding property owners within 300 feet pursuant to State law. The Planning Commission received written comments prior to the public hearing and during the meeting one neighboring property owner expressed concerns. The concerns included increased traffic, a narrower street, pedestrian safety, the loss of the parking and use of the site by the fire department and construction noise and debris. Public comments letters received after the publication of the Planning Commission staff report are attached. No additional public comments have been received.

FISCAL IMPACT

No significant fiscal impacts to the City as a result of the proposed development have been identified.

STAFF RECOMMENDATION

The Planning Commission recommends approval of the Mitigated Negative Declaration, approval of the Planned Development, Land Division and Design Review as listed below:

1. Adopt Resolution No1997 to approve the Mitigated Negative Declaration and the MMRP with three Mitigation Measures
2. Introduce for first reading Ordinance 16-ZC-230 to approve the Planned Development District;
3. Adopt a Resolution No. 1997.1 to approve the Land Division and,
4. Adopt Resolution No. 1997.2 to approve the Planned Development Permit and the Design Review.

ATTACHMENTS — PAGE NO.

Resolution No. 1997 Approving the Mitigated Negative Declaration 5
Exhibit A MMRP 8
Ordinance 16-ZC-230 Approving the Planned Development District 11
Exhibit A General Plan / Zoning Map 15
Resolution No. 1997.1 Approving the Land Division 16
Exhibit A Conditions of Approval 19
Resolution No. 1997.2 Approving the Planned Development Permit and Design Review36
Exhibit A, Conditions of Approval 40
Planning Commission Minutes (05/13/21) 57
Planning Commission Staff Report (05/13/21) 61
Resolution No. 1760 Approving the Planned Development Permit and Design Review 70
Draft Initial Study (03/22/21) and Attached Reports 114
a. Biological Assessment (05/31/2019) 177
b. Addendum to Biological Assessment (5/31/19) 198
c. Arborist Report, Tree Appraisal and Inventory (11/30/17) 199
d. Summary Arborist's Tree Report Revision to Preliminary Tree Inventory and Appraisal (03/27/20) 230
e. Appendix C – Tree Appraisal & Inventory (4/29/20) 235
f. Extended Phase I Archaeological Assessment (3/04/2020) 246
Public Comments received after the Planning Commission report was published 424

All documents are available at City Hall and electronically at:
http://www.scottsvalley.org/212/Planning-Department

RESOLUTION NO. 1997

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING THE MITIGATED NEGATIVE DECLARATION FOR A TEN-LOT SUBDIVISION IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS ON A 1.04-ACRE SITE LOCATED AT ERBA LANE (NO SITUS) / APNS 22-481-18 AND 22.

WHEREAS, the Planning Department of the City of Scotts Valley has received applications filed by Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, for the "Bay Village Planned Development" consisting of a ten lot subdivision for ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04-acre site located at Erba Lane (no situs); and, (collectively referred to as "Application"); and,

WHEREAS, Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, (referred to as "applicant") has presented substantial evidence which supports the application; and

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

WHEREAS, 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 results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021 to consider the application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

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

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated June 16, 2021:

1. ***An initial study has been prepared by the City of Scotts Valley to evaluate the potential for adverse environmental impacts.*** City consultant conducted an Initial Study for the project and prepared a Mitigated Negative Declaration and determined that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment, plant or wildlife resources with the implementation of identified standard conditions of approval.

2. ***The Mitigated Negative Declaration for the project has been completed in compliance with the California Environmental Quality Act (CEQA).*** The Mitigated Negative Declaration was completed in compliance with CEQA, was published and distributed to the applicable agencies, and was made available for public review for a 30-day period from March 30, 2021 to April 30, 2021.

3. ***The environmental determination represents the independent judgment of the City.*** The Mitigated Negative Declaration was prepared by City consultant. All reports and supporting information have been reviewed and approved by the applicable City Department Heads***.***

4. ***The documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Department of Planning of the City of Scotts Valley in the custody of the Community Development Director.*** Copies of the Mitigated Negative Declaration and the referenced technical and/or environmental studies that were submitted for the project have been made available to the public on the City's website.

5. ***Based on the Initial Study and when considering the record as a whole, there is no evidence before the City of Scotts Valley, including the information in the Mitigated Negative Declaration and comments of appropriate reviewing agencies, to indicate that the proposed project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which it depends.*** A Biological Assessment was prepared for the project site (Biotic Resources Group, May 31, 2019), and an Addendum to the Biological Assessment was prepared based on the revised site plan which represents the proposed project (Biotic Resources Group, May 31, 2020). Similarly, a Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts,11/30/2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared based on the revised site plan (Kurt Fouts, March 27, 2020 and Appendix C dated 4/29/20). With the implementation of the City's standard conditions of approval and the implementation of three

biological mitigation measures (MM BIO-1, MM BIO-2, and MM BIO-3) impacts associated with vegetation, riparian woodland, wildlife, nesting birds, and other biological resources would be reduced to a less than significant level. Therefore, the project will not result in any adverse impacts to fish and wildlife habitat or other resources.

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 the Mitigated Negative Declaration for the for the "Bay Village Planned Development" for a ten-lot subdivision for the construction of ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04-acre site located at Erba Lane (no situs) / APNs 22-481-18 and 22, subject to the Project Plans and the Mitigation Monitoring Reporting Program (Exhibit A) which are attached hereto and incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 16th day of June 2021, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

_____
Derek Timm, Mayor

ATTEST:

_____
Tracy A. Ferrara, City Clerk

Exhibit A - Mitigation Monitoring and Reporting Plan
Bay Village Planned Development ND20-001

Environmental Impact	Mitigation Measures	Responsible Entity	Timing
Biological Resources			
Biological Resources: Oak Riparian Woodland	**Mitigation Measure BIO-1:** ***Oak Riparian Woodland - Project Construction.*** The project applicant shall demonstrate to the satisfaction of the City compliance with the following: 1.1 The outer edge of the riparian setback area should be demarcated by the placement of six-foot high plastic construction fencing (during the construction period) and a permanent six-foot high fence (after construction). The fence should have an opening to allow access to the existing pathway that crosses the intermittent drainage channel. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees. The construction fencing should be maintained in a functional manner throughout the site construction period and should be inspected periodically by the contractor and City of Scotts Valley personnel for damage and proper functioning. No equipment staging, vehicle parking or other activities shall occur within the protected riparian area. 1.2 To minimize sediments entering the intermittent creek, the project should implement best management practices, including: ▪ Conduct construction activities within 20 feet of the riparian woodland during the dry season; ▪ Incorporate measures to filter and entrap pollutants prior to their discharge into the creek or other downstream drainage features that lead to Carbonera Creek. ▪ Stabilize disturbed soils to minimize erosion and sediment input to the creek; ▪ Implement erosion control measures to prevent sediment from entering the creek channel, including the use of silt fencing or fiber rolls to trap sediments; ▪ Conduct erosion control seeding of all disturbed areas as soon as practicable after disturbance following construction; ▪ Monitor the effectiveness of the erosion control measures during the first year's rainy season and implement remedial measures (e.g., reseeding, repair of silt fencing) if sedimentation or erosion is noted.	Project applicant and qualified biologist	Prior to project construction activities on the site

Exhibit A - Mitigation Monitoring and Reporting Plan
Bay Village Planned Development ND20-001

Environmental Impact	Mitigation Measures	Responsible Entity	Timing
Biological Resources			
Biological Resources: Oak Riparian Woodland	**Mitigation Measure BIO-2:** ***Oak Riparian Woodland Post-Construction:*** The project applicant shall demonstrate to the satisfaction of the City compliance with the following: 2.1 All lighting features shall be directed away from the oak riparian woodland, such that the woodland is not illuminated. Homeowners/tenants shall not be allowed to install night lighting that illuminates the riparian woodland. 2.2 Future landowners/tenants should not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the property include all plants recognized as exotic pest plants by Cal-IPC (see Exotic Pest Plants of Greatest Ecological Concern in California, www.cal-ipc.org). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (Vinca sp.), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), all pines, cotoneaster, and pyracantha. If evidence of the fungus responsible for Sudden Oak Death (Phytophthora sp.) is detected on the property, the homeowners should implement measures to prevent/control the spread of this fungus both on and off-site. The homeowners should be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the City, the County and the State of California. Preventative and treatment measures should also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force, University of California Cooperative Extension, Sudden Oak Death website (http://cemarin.ucdavis.edu).	Project applicant and qualified biologist	Prior to project construction activities on the site

Exhibit A - Mitigation Monitoring and Reporting Plan
Bay Village Planned Development ND20-001

Environmental Impact	Mitigation Measures	Responsible Entity	Timing
Biological Resources			
Biological Resources: Impacts to special status wildlife and nesting birds	**Mitigation Measure BIO-3:** ***Special status wildlife and nesting birds:*** The project applicant shall demonstrate to the satisfaction of the City compliance with the following: 3.1 The landowner shall hire a qualified biologist to search for San Francisco dusky-footed woodrat nests. If any are found and impacts to the nests cannot be avoided, the applicant shall seek written approval from CDFW to implement a trapping and relocation program. Wood rat nests shall not be disturbed without prior written approval from CDFW. 3.2 If construction is scheduled to begin between March 1 and August 15 of any given year, the landowner shall hire a qualified biologist to conduct a search for active bird nests in the vicinity of the work site (following CDFW survey protocols). If active bird nests are observed, the work shall be postponed until the biologist determines that all chicks have fledge the nest(s).	Project applicant and qualified biologist	Prior to project construction activities on the site

ORDINANCE NO. 16-ZC-230

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A PLANNED DEVELOPMENT DISTRICT OVERLAY (PD19-001) FOR THE "BAY VILLAGE PLANNED DEVELOPMENT" FOR A TEN-LOT SUBDIVISION IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS ON A 1.04-ACRE SITE AT ERBA LANE (NO SITUS) / APNS 22-481-18 AND 22.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, for Planned Development No. PD19-001 for a ten-lot subdivision for the construction of ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements (collectively referred to as "Application"); and,

WHEREAS, Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, (referred to as "applicant") has presented substantial evidence which supports the Application; and

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

WHEREAS, 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 results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021 to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Mitigated Negative Declaration for the project by adoption of Resolution No. 1997

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 16, 2021:

1. ***That the Planned Development Zoning District Overlay and Permit (PD) further the policies of the General Plan.*** The project meets the requirement of this finding in that the project proposes two new single-family dwellings within lands designated R-H, High Density Residential on the City's General Plan map. The project is consistent within the General Plan density range of 9 to 15 units per acre, and results with a density of 9.6 units per acre. The project includes the construction of ten two-story, single-family dwellings including four duplex/duets, all with attached two-car garages. Common Lot A is for a private road which provides access to seven of the residential units (lots seven to ten) and stormwater infrastructure. The homes are of a conventional design that is consistent with the character of the neighborhood. Further, the project improves and upgrades a previously undeveloped and underutilized site providing housing opportunities for ten families.

2. ***The proposed Planned Development District Overlays (PD) are consistent with the underlying land use designations and zoning districts and that of the City of Scotts Valley General Plan.*** The project meets the requirements of this finding because the PD district overlay will be combined with the base zoning district. The resulting R-H/PD zone allows specific development standards to address to accommodate unique circumstances related to lot size and shape, intensity, coverage, and appearance of structures. After the biologist determined the riparian woodland boundary location, the project was redesigned from a twelve-lot subdivision with 12 new single-family dwellings, as ten lot subdivision to avoid development in the riparian area. This created a physical constraint resulting in very irregularly shaped lots and reduced front, side, and rear yard setbacks and requested exceptions to the development standards as allowed in a PD district.

3. ***That the PD conforms in all respects to the planned development zoning of the property.*** The "PD" will be an overlay zone to the proposed R-H base zoning district. The project design meets the requirement of this finding in that approval of the Planned Development and Design Permit will allow the construction of ten two-story, single-family dwellings including four duplex/duets, all with attached two-car garages and private yards. The Planned Development zoning allows exceptions to the development standards to accommodate the proposed lot configuration with reduced lot sizes, width and depths, reduced front, side, and rear setbacks. Each new home will have private yard space, two covered garage parking space and two uncovered parking spaces.

4. ***That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.*** The project meets the requirements of this finding in that the overall siting and design of the buildings incorporate conventional horizontal siding on one of the stories and board and batt siding on the other. The front elevations include a stone veneer base with a front porch with a gable roof and wood timber details. The roof forms include gables with shingles or lap siding under the gables and wood brackets. The roofs are conventional in design with a 6:12 pitch and medium dark brown color composition shingles. The proposed windows are off-white color vinyl or wood frame, single hung with single or double windows with multiple lights and wood trim. The proposed colors will be unique for each home and include shades of medium and light browns and greens and the trim, trellises, deck railings and wood knee braces are a dark brown color. The stone veneer are two natural stone brown/gray/ buff colors. The garage doors will be metal insulated doors with sections and divided lights at the top with a wood trellis' over the garage doors. The two-story homes are approximately 28 to 30-feet in height feet similar to other nearby homes in the neighborhood. As designed consistent with the General Plan Action OSA-387. The PD allows exceptions from the underlying R-H zoning standards predominantly related to lot size and configuration of the proposed lots, in order for each home to be on a separate parcel of land, which has private yard spaces. The architectural details, materials, mass, and colors of the proposed residential units are high quality and are consistent with newer single-family dwellings, compatible with the surrounding area. The architecture, quality exterior materials/ finishes/colors, and landscaping will create an aesthetically harmonious project.

5. ***The environmental impacts of the project have been reviewed and considered.*** The project meets the requirements of this finding in that the Project's Initial Study and Mitigated Negative Declaration MND20-001 and determined that there would be no potentially significant adverse environmental impacts and the project will not degrade the quality of the environment with the implementation of identified standard conditions of approval and three Mitigation and Monitoring measures.

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 District (PD19-001) for a ten-lot subdivision for the construction of ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04-acre site located at Erba Lane (no situs) / APNs 22-481-18 AND 22, pursuant to the Planned Development Zone Map (Exhibit A) which is incorporated herein by this reference.

This ordinance was introduced on the 16th day of June 2021, and was passed and adopted by the City Council of the City of Scotts Valley on the 4th of August, 2021, by the following votes:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

_____
Derek Timm, Mayor

ATTEST:

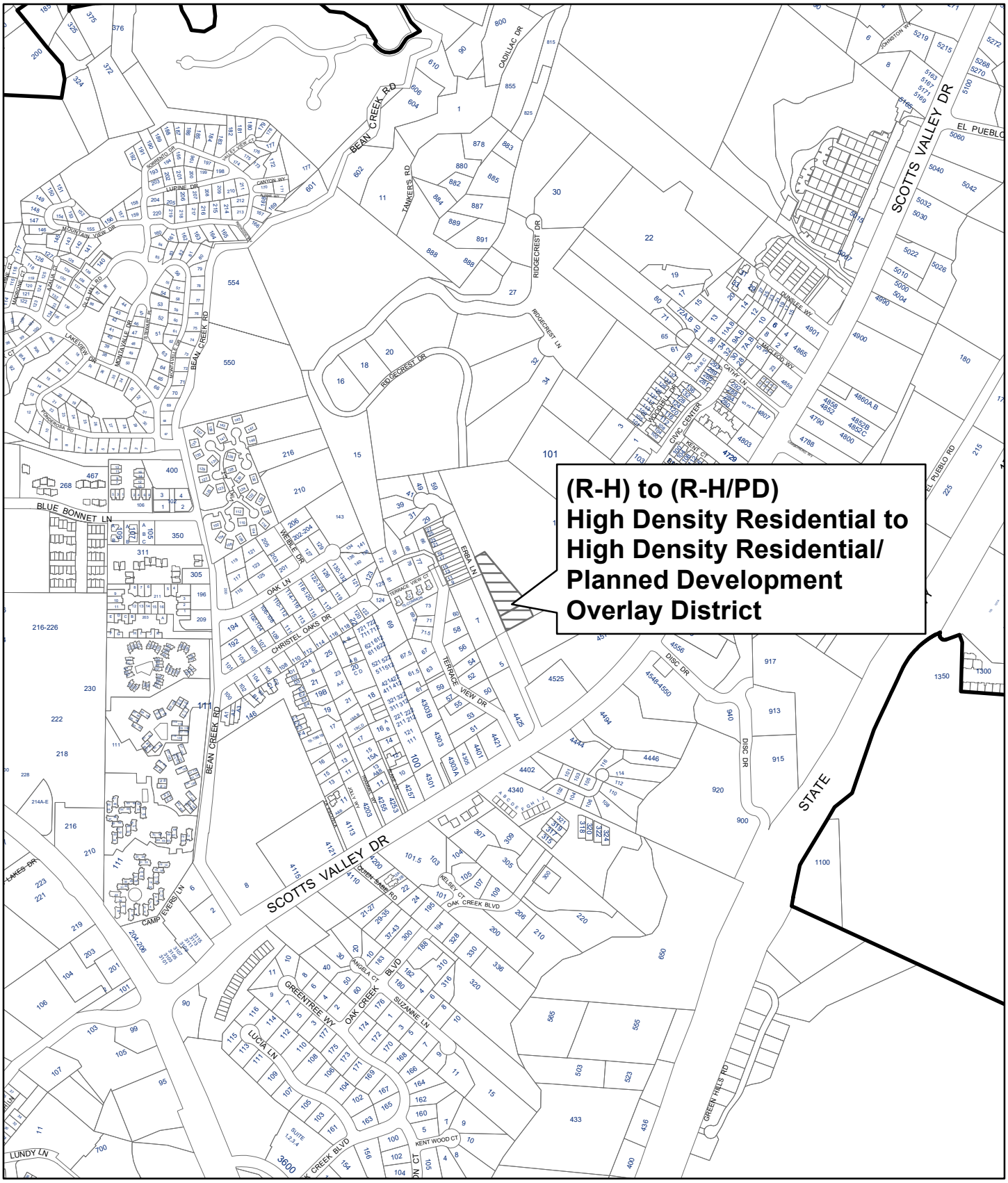
_____
Tracy A. Ferrara, City Clerk

APPROVED AS TO FORM:

_____
Kristen Powell, City Attorney

Erba Lane - Bay Village Planned Development
APN 022-481-18 and 22

Exhibit A



RESOLUTION NO. 1997.1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A LAND DIVISION (LD19-001) FOR THE "BAY VILLAGE PLANNED DEVELOPMENT" IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS ON A 1.04-ACRE SITE LOCATED AT ERBA LANE (NO SITUS) / APNS 22-481-18 AND 22.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, for a Land Division (LD19-001) for a ten-lot subdivision for ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements of a 1.04 acre site located at Erba Lane (no situs) (collectively referred to as "Application"); and,

WHEREAS, Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, (referred to as "applicant") has presented substantial evidence which supports the Application; and

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

WHEREAS, 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 results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Mitigated Negative Declaration for the project by adoption of Resolution No. 1997; and

WHEREAS, the City Council approved the Planned Development Overlay for the project by Adoption of Ordinance No. 16-ZC-230.

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 Land Division findings, as further clarified in the staff report dated June 16, 2021:

1. ***That the location of the uses is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.*** The project meets the requirements of this finding in that the project provides ten new single-family dwellings in the R-H, High Density Residential Zoning District. The homes utilize conventional materials and design details that integrate into the surrounding residential neighborhood.

2. ***That the proposed tentative map/land division, together with the provisions for its design and improvement, is consistent with the General Plan.*** The project meets the requirements of this finding in that the ten-lot residential development on the 1.04-acre site is consistent with the General Plan High Density Residential density range. The subdivision design and the related property improvements create ten new single-family dwellings with attached two-car garages, private yard spaces for each new home and establishes an homeowner's association to share in the maintenance of common driveways landscaping and the oak riparian woodland area, retaining walls and stormwater infrastructure. The project as proposed and conditioned is consistent with goals and objectives of the General Plan.

3. ***That the project site is physically suitable for the density of the land division.*** The project meets the requirement of this finding in that the 1.04-acre site is sufficient in size to accommodate the ten-lot subdivision and related improvements including two-car garages and private yard areas for each unit. The ten-lot subdivision is consistent with both the General Plan and Zoning density ranges. Public services are available, and utilities are of adequate capacity to accommodate the project.

4. ***That the design of the land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*** The project meets the requirements of this finding in that the MND determined that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment or impact fish wildlife or habitat with the implementation of identified standard conditions of approval.

5. ***That the design of the land division or the type of improvements is not likely to cause serious public health problems.*** The project will not generate hazardous emissions nor be a storage facility for hazardous/ combustible materials. During project grading and construction, to reduce dust generation to minimal levels and to prevent sedimentation and discharge of contaminants off- site, standard conditions of approval require the grading and construction contractors to implement best management practices (BMPs). The MND evaluated that the project is not expected to cause serious public health problems***.***

6. ***That the design of the land division will not conflict with easements acquired by the public at large (for access through or use of property within the land division).*** The project meets the requirement of this finding in that there are no conflicts with easements known to affect the project site. A common lot provides a private access road and utilities and maintenance easement benefitting the ten lots. A road easement and maintenance agreement are required for access to seven of the homes the from a new 24" wide private road. A public access easement is required on the new private road to MacDorsa Park from Erba Lane for pedestrians. There is no plan in place to provide access at this time, the easement will allow for access at a future date and such access will require additional review and approval by the City. The Public Works Department has reviewed the project and recommended approval subject to conditions***.***

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 Land Division, LD19-001, for a ten-lot subdivision for ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements of a 1.04 acre site located at Erba Lane (no situs), subject to the Conditions of Approval set forth in Exhibit A, which is incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 16th day of June 2021, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

_____
Derek Timm, Mayor

ATTEST:

_____
Tracy A. Ferrara, City Clerk

Exhibit A

Legal

1. The 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 action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.

3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all required development and impact fees before starting any grading/earth disturbance or construction on the property.

Planning Department

4. The approved planning permits include a Mitigated Negative Declaration, Planned Development Overlay and Permit, Land Division, and Design Review for a ten-lot subdivision, to construct ten single-family dwellings and related site improvements on a 1.04-acre site located at Erba Lane. The two-story, single-family dwellings and site improvements shall be constructed substantially as shown in the plans prepared by David B. Zulim, received 9/10/20 and 12/17/20 and Gregory Lewis, Landscape Designer, dated September 8, 2020, and as described in writing on the project's technical reports, which are on file in the Planning Department.

5. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.

6. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of

environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.

7. Prior to removal of trees or a grading permit issuance submit a mitigation and monitoring compliance fee deposit for ten hours of staff time at the current hourly rate. Any unused deposit fee will be refunded prior to final inspection.

8. To ensure that the Mitigation and Monitoring measures are communicated and complied with a preconstruction meeting shall be conducted prior to the start of any construction and the following shall attend: the developer, grading contractor supervisor, project planner, Building Official, Public Works Director, project biologist and arborist, with exception of installing temporary construction fencing demarcating the disturbance area, siltation and tree protection fencing. Temporary construction protective measures and tree protection fencing shall be installed prior to the meeting and inspected at that time by the biologist and arborist. Provide an attendance list to the project planner.

Cultural Resources

Archaeological Resources

9. The developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities and inspections for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.

    a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities.

    b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis.

c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring.

d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present.

10. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.

11. If human remains are unexpectedly encountered during project grading the actions required as identified in the previous condition shall be implemented to effectively preserve any human remains until the Santa Cruz County Coroner determines the appropriate course of action concerning the treatment and disposition of the human remains pursuant to the California Health and Safety Code Section 7050.5(b).

Paleontological Resources

12. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.

13. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.

14. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).

15. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.

16. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist

during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

17. The applicant and construction contractor shall ensure that paleontological resources are not destroyed during project grading.

18. The developer shall submit a copy of a contract with a qualified/registered paleontologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work.

19. The qualified/registered paleontologist shall monitor all earthwork activity as described in conditions 12-24, below.

20. The applicant/contractor shall provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.

21. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.

22. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).

23. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.

24. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Fences and Walls

25. All fence and retaining wall design details shall be included on plans submitted for building permit and subject to Planning Department review and approval, prior to issuance of a building permits

Trees

Standard

26. All recommendations in the Arborist Report Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts, 11/30/2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared in March 2020 based on the revised site plan (Kurt Fouts, March 27, 2020) are incorporated as conditions of project approval. This report includes an exhibit (grading plan) showing replacement tree locations.

27. Tree removal shall not occur until a grading or building permit has been issued for the project.

28. The final grading plans and improvement plans shall be reviewed and approved by the project Arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.

29. The project arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.

30. During the pre-construction phase of development, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits

31. The project arborist shall routinely inspect the development site through the term of the project.

32. Upon completion of construction activities, the project arborist shall submit written documentation stating that all recommended tree preservation measures have been completed prior to Building Permit final for the project.

33. The cost of the project arborist review and implementation of conditions, site inspection and related work shall be borne by the applicant.

34. The project developer shall place a surety bond in an amount equal to the value

of the preserved trees as shown in the project Arborist Report. The surety bond shall be deposited with the city prior to issuance of a grading/building permit for the project. The monetary value shall be reviewed and approved by the CDD. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the developer upon final inspection of the project.

Project Specific

35. The arborists recommendations for tree preservation shall be printed on the demolition, grading and construction drawings including: “1) After grading stakes are placed, the project arborist, the grading equipment operator and the tree service company shall meet to review the extent of pruning required to achieve clearance from grading operations; 2) Plant 4 15-gallon cost live oak replacement trees as mitigation for the removal of four coast live oak trees, T39 and T40, in the locations recommend on the grading exhibit; 3) If either T35 or T38 requires removal plant two 15-gallon coast live oak for each tree removed, in the location identified on the attached grading exhibit. Once final plan sets are complete, a tree protection plan, containing tree protection specifications will be required. T

36. The arborist shall monitor and observe hand grading and trenching near the protected trees.

37. If any protection is removed, the arborist shall verify that the fencing and other tree protection measures were correctly reinstalled. The arborist report included a sign to show the tree protection zone, this sign(s) should remain posted in a visible location during construction.

38. Provide a copy of a contract for services for the Community Development Department Director review and approval prior to issuance of a demolition or grading permit.

<u>Landscaping</u>

Standard

39. The landscaping improvements shall be permanently maintained and irrigated.

40. The materials and locations of the landscape retaining walls shall be approved by the Community Development Director prior to issuance of grading or building permit.

41. Landscaping shall comply with State of California Government Code Section

65596 Water Conservation in Landscaping and associated Model Water Efficient Landscaping Ordinance for landscaping equal or greater than 2,500 square feet. If not applicable the project is required to be consistent with the City Water Conservation Ordinance.

Project Specific

42. The arborists recommended tree replacement locations shown on the exhibit dated 4/29/20, (grading plan) attached to the arborist report, dated 3/27/20, shall be included in the final landscape drawings to be approved by the Community Development Department Director.

43. A final landscape and irrigation plan shall be submitted and shall include the name, number, size, and location for all planting materials, trees and ground covers and tree replacement locations shall be approved by the Community Development Director prior to issuance of grading or building permits.

44. Landscape plans submitted to the City shall include a minimum of four replacement trees. If additional trees are required to be removed or are damaged due to construction impacts, these trees shall also require replacement at a 2:1 ratio prior to occupancy and as part of the landscaper's warranty. All new tree species shall be selected in consultation with the project arborist, based on the specific tree location, soil type, and water and solar needs.

Lighting

45. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. Where deemed necessary by the Community Development Director light cutoffs/shields shall be installed.

CC&R's

46. CC&R's for the ongoing management and maintenance of the site improvements including perimeter fencing, on-site stormwater facilities, landscaping, driveways, retaining walls, and any other shared facilities, for the project shall be approved by the City and executed by the property owner prior to the approval of the final map. The CC&R's shall be recorded prior to building permit final, or the sale or lease of the first unit or within 30 days of the final map recording, whichever comes first. The property owner shall pay recording costs.

Joint Maintenance Agreement

47. Applicant shall provide a Joint Landscape Maintenance Agreement for review and approval by the Community Development Director and Public Works Director for the maintenance of off-site landscaping prior to approval of the Final Map.

48. The curbs along the private ace road and the emergency vehicle turnaround shall be painted red indicating no parking except for emergency vehicles and no parking signs installed pursuant to Fire Department standards. This condition shall be included in the CCRs.

Affordable Housing

49. Pursuant to Section 14 of the Scotts Valley Municipal Code the project shall comply with all applicable affordable housing requirements including the dedication of units and payment of in-lieu fees.

Public Access Easement

50. To provide for public access to MacDorsa Park from Erba Lane a public access easement is required over Lot A private access road. The City Attorney shall review and approve the public access easement prior to approval of the final map and it shall be recorded concurrently

51. If a future owner would like to make improvements in their rear yard resulting in a greater lot coverage than 55%, this can be allowed with the review and approval of the Director of the Community Development Department.

Public Art

52. The proposed public art will be a custom Bay Photo design mural located on the face of the retaining wall of Lot 10 and Erba Lane. It will be approximately ten feet wide by four feet high and made of metal. The Community Development Director will review and approve the final design.

53. **Mitigation Measure BIO-1:** ***Oak Riparian Woodland - Project Construction.*** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

    1.1 The outer edge of the riparian setback area should be demarcated by the placement of six-foot high plastic construction fencing (during the

construction period) and a permanent six-foot high fence (after construction). The fence should have an opening to allow access to the existing pathway that crosses the intermittent drainage channel. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees. The construction fencing should be maintained in a functional manner throughout the site construction period and should be inspected periodically by the contractor and City of Scotts Valley personnel for damage and proper functioning. No equipment staging, vehicle parking or other activities shall occur within the protected riparian area.

1.2 To minimize sediments entering the intermittent creek, the project should implement best management practices, including:

- Conduct construction activities within 20 feet of the riparian woodland during the dry season;
- Incorporate measures to filter and entrap pollutants prior to their discharge into the creek or other downstream drainage features that lead to Carbonera Creek.
- Stabilize disturbed soils to minimize erosion and sediment input to the creek;
- Implement erosion control measures to prevent sediment from entering the creek channel, including the use of silt fencing or fiber rolls to trap sediments;
- Conduct erosion control seeding of all disturbed areas as soon as practicable after disturbance following construction;
- Monitor the effectiveness of the erosion control measures during the first year's rainy season and implement remedial measures (e.g., reseeding, repair of silt fencing) if sedimentation or erosion is noted.

54. **Mitigation Measure BIO-2: Oak Riparian Woodland Post-Construction**: Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

2.1 All lighting features shall be directed away from the oak riparian woodland, such that the woodland is not illuminated. Homeowners/tenants shall not be allowed to install night lighting that illuminates the riparian woodland.

2.2 Future landowners/tenants should not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the property include all plants recognized as exotic pest plants by Cal-IPC (see Exotic Pest Plants of Greatest Ecological Concern in California, www.cal-ipc.org). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (Vinca sp.), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), all pines, cotoneaster, and pyracantha. If evidence of the fungus responsible for Sudden Oak Death (Phytophthora sp.) is detected on the property, the homeowners should implement measures to prevent/control the spread of this fungus both on and off-site. The homeowners should be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the City, the County and the State of California. Preventative and treatment measures should also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force, University of California Cooperative Extension, Sudden Oak Death website (http://cemarin.ucdavis.edu).

55. **Mitigation Measure BIO-3: Special status wildlife and nesting birds**: Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

3.1 The landowner shall hire a qualified biologist to search for San Francisco dusky-footed woodrat nests. If any are found and impacts to the nests cannot be avoided, the applicant shall seek written approval from CDFW to implement a trapping and relocation program. Wood rat nests shall not be disturbed without prior written approval from CDFW.

3.2 If construction is scheduled to begin between March 1 and August 15 of any given year, the landowner shall hire a qualified biologist to conduct a search for active bird nests in the vicinity of the work site (following CDFW survey protocols). If active bird nests are observed, the work shall be postponed until the biologist determines that all chicks have fledge the nest(s).

Building Department

Standard

The developer shall obtain any required grading and/or building permit(s) and pay applicable fees

56. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.

57. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.

58. All trades of electrical, plumbing, and mechanical will be issued under one building permit for said project (General Contractor permittee). All subcontractors shall provide their contractor's license number and their workers compensation insurance information to the Building Department.

59. All buildings shall be designed to comply with the current California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Energy Code and California Green Building Code, in effect at the time of building permit application.

60. The building permit plans must comply with the current California Plumbing and Green Building Code for water-conserving fixtures and fittings and with the CA Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.

61. All new construction shall comply with the California Green Building Code and the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.

62. Structural calculations shall be submitted and wet-signed by the Engineer of record.

63. A Special Inspection form shall be submitted and the names of Special Inspectors with certifications as required shall be provided.

64. A soils report by a qualified professional) engineer shall be submitted with the application for any building permits. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.

65. The developer shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.

66. Site drainage erosion control and foundation plans must be reviewed and approved by the soils engineer of record.

67. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.

68. Developer shall submit a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval.

69. A completed City of Scotts Valley Construction and Waste Management Plan form shall be submitted with the Building permit application.

Grading

70. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

71. If grading in the rainy season (October 15th to April 15th) is necessary all necessary, approvals from the Building Department shall be obtained.

72. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.

73. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

74. Air Quality
The following BMPs shall be included in the construction contract for the project and be implemented during site grading:

a. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.
b. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.
c. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.
d. The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.
e. Roadway(s) along the project frontage shall be mechanically swept at the end of each workday when any dirt or mud has been tracked on the street.
f. No grading activities shall occur during days of high wind velocity.
g. Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.
h. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.
i. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

<u>Hazardous Materials and Hydrology</u>

75. Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.

76. Construction materials shall not be stockpiled or stored where they could be accidently discharged downslope or into Scotts Valley Drive.

77. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

City Public Works Department- Engineering Division

78. A final subdivision or parcel map in conformance with the California Government A final subdivision or parcel map in conformance with the California Government Code, Section 66410 ET seq, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer.

79. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)

80. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required satisfying tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.

81. Engineered improvement plans for all work, signed, and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.

82. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.

83. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material men's Bond, to the satisfaction of the Public Works Director/City Engineer.

84. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".

85. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.

86. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city's SWMP Ordinance No. 184.1.

87. Stormwater Management Plan:
A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan.

    Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

    See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works.

88. Impervious area must be shown on coversheet.

89. Dedication of land for Park and Recreational Purposes:
Applicant shall comply with be aware of Muni Code Chapter 16.35 – Dedication of land for Park and Recreation Purposes. Applicant can find the Code of Ordinance on the City of Scotts Valley Website, under Municipal Code.

90. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This under grounding of utilities to remove utility poles comes in addition to the state

required under grounding of transmission for the project and any new service connections.

91. The final map shall be submitted to the City's Public Works Department on an AutoCAD drawing version 2018 LT or earlier electronic version prior to recording.

92. Applicant shall submit electric files for all civil plans for review and As-Builts when project is completed in both paper and electronic file.

93. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.

94. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.

95. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

DEPARTMENT OF PUBLIC WORKS -PARKS AND RECREATION DIVISION

96. The developer shall comply with SVMC chapter 16.35, dedication of land for parks and recreational purposes. Any fees shall be paid prior to issuance of a grading and/or building permit.

FIRE DEPARTMENT

54. This project shall comply with the California Fire Code as amended by the Scotts Valley Fire Protection District

55. The emergency vehicle turnaround shall be clearly marked with red curbs and no parking signs pursuant to Fire Department standards.

_____

Name and Signature of Property Owner Date

RESOLUTION NO. 1997.2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING PLANNED DEVELOPMENT PERMIT (PD19-001) AND DESIGN REVIEW (DR19-005) FOR THE "BAY VILLAGE PLANNED DEVELOPMENT" IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR A TEN LOT SUBDIVISION FOR TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS, ON A 1.04-ACRE SITE LOCATED AT ERBA LANE (NO SITUS) / APNs 22-481-18 AND 22.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Charlie Eadie, Eadie Consultants, applicant, for Larry Abitbol, SV Housing LLC, owner, for Planned Development No. PD19-001 and Design Review No. DR19-005 for a ten-lot subdivision for of ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04 acre parcel located at Erba Lane (no situs) (collectively referred to as "Application"); and,

WHEREAS, Charlie Eadie, Eadie Consultants, applicant, for Larry Abitbol, SV Housing LLC, owner, (referred to as "applicant") has presented substantial evidence which supports the Application; and

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

WHEREAS, 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 results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Mitigated Negative Declaration for the project by adoption of Resolution No 1997; and

WHEREAS, the City Council approved the Planned Development Zoning for the project by adoption of Ordinance No. 16-ZC-230; and

WHEREAS, the City Council approved the Land Division for the project by adoption of Resolution No 1997.1.

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 Planned Development Permit findings, as further clarified in the staff report dated June 16, 2021:

1. The planned development permit, as issued, furthers the policies of the general plan. The allowable residential density range in High Density Residential General Plan areas is 9 to 15 units per acre. The proposed four-lot single-family residential development on a 0.42-acre site results in a density of nine units per acre consistent with the High Density Residential density range and the existing R-H, High Density Residential density range. Therefore, the proposed four-lot residential development is consistent with the land use permitted in the General Plan and will provide a residential density compatible with those permitted on adjacent sites.

2. The planned development permit, as issued, conforms in all respects to the planned development zoning of the property. The "PD" will be an overlay zone to the proposed R-H base zoning districts. The project design meets the requirement of this finding in that approval of the Planned Development and Permit will allow four new single-family homes to be developed utilizing a zero lot line subdivision design on a sloped site, such that each new home will have private yard space and covered garage parking.

3. That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious. The project meets the requirements of this finding in that the overall siting and design of the buildings incorporate conventional stucco siding, cedar trim accents walls, composition shingle roofing, and window and door trim. The two-story design are approximately 27-feet in height feet, and steps down with the site's slope reducing site grading, consistent with the General Plan Action OSA-387. The PD will allow exceptions from the underlying R-H zoning standards predominantly related to lot size and configuration of the proposed lots, in order for each home to be on a separate parcel of land, which has private yard spaces. The architecture, quality exterior materials/ finishes/colors, and landscaping will create a visually harmonious project.

4. The environmental impacts of the project have been reviewed and considered. The project meets the requirements of this finding in that the Project's Initial Study and Mitigated Negative Declaration EA18-001 establishes and incorporates mitigation measures that reduce potentially significant impacts to less than significant levels. As proposed and through mitigation measures adopted for the proposed development the long and short-term environmental effects associated with this project will be less than significant.

SECTION 2: The City Council of the City of Scotts Valley does hereby make the following Design Review findings, as further clarified in the staff report dated June 16, 2021:

1. The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood is appropriate. The project meets the requirement of this finding in that the proposed single-family homes will be sited appropriately in relation to the existing neighborhood and location at the terminus of the private street. The building pads are designed to step down with the existing slope of the site. The duet-style homes have been sited such that each pair of homes meets the required building side and rear setbacks from adjacent neighbors and are requesting reduced setbacks along the interior, zero side yards that separate each of the duet homes. As proposed the single-family homes are suited to the property, setting, and zoning context.

2. The materials, colors, proportion, mass and detail of all structures shall be in good proportion, have simplicity of mass and detail and be compatible in appearance with surrounding structures. There shall be an appropriate use of materials. Colors shall be appropriate within the context of use and should blend with surrounding structures. The project meets the requirements of this finding in that the proposed single-family homes, are two-story in height and utilize conventional stucco siding, cedar accent walls, and composition roof shingles, similar to other nearby homes in the neighborhood. The color scheme incorporates natural color tones of light grey and sage green. The variety of quality materials, exterior treatments, finishing details and exterior colors are appropriate and consistent with the City's design review criteria.

3. The landscaping is in keeping with the character and design of the proposed development. Existing trees shall be preserved whenever possible. The project, with tree and landscape revisions as depicted and described in the applicant schematic revisions dated September 17, 2018, would meet the requirements of this finding in that the project will provide new landscaping including perimeter trees and shrubs, ground cover, and planted bioretention swales. Retaining walls including foreground landscaping. Terraced landscape wall contain planting selections that cascade down to soften the appearance of the walls. A condition of approval requires that fully developed landscape plans be developed in consultation with the project arborist be prepared and submitted for staff review prior to the City Council hearing.

4. The size, location, and arrangement of on-site parking and paved areas shall be appropriate. The project meets the requirements of this finding in that each proposed single-family homes has a two-car garage. Each of the four driveways that serve the homes provides a minimum of one additional uncovered parking space consistent with the City's single-family parking standard.

5. For ingress, egress and internal traffic circulation, all of the above factors shall be related to the setting or established character of the neighborhood or surrounding area. The project meets the requirement of this finding in that vehicle access to the site and homes is through a shared, common, parcel. The project's vehicle access and circulation plan, at the end of a private lane, has been designed to accommodate an on-site emergency vehicle "hammer-head" turn-around to accommodate City Fire Department emergency vehicles.

6. For fences and walls over eight feet tall or fences over three feet tall in front yards when across from Hwy 17, consider height and access to sunlight, setbacks, landscaping and use of materials for articulation and visual relief. The project does include retaining walls over three feet in height in front yard areas, and a series of terraced retaining walls at the rear of the site over eight feet in height. The front retaining walls allow the development to step down the slope following the natural grade of the site. Landscape plans have developed including foreground plantings to screen and soften the appearance of the front facing retaining walls. Terraced walls at the rear include cascading plant selections that flow over the edges to add visual interest and soften the appearance of the walls. To ensure that the concrete retaining walls do not appear overly bright, a condition of approval has been added that requires the concrete mix include "lampblack" pigment. As proposed, with landscape treatment, and as conditioned to add lampblack pigment to the concrete mix, the retaining walls will appropriately integrate into the site design.

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 PD Permit No. PD19-001 and Design Review No. DR19-005 for the Bay Village Planned Development for a ten-lot subdivision for ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04 acre site located at Erba Lane (no situs), subject to the Conditions of Approval set forth in Exhibit A, which is incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 16th day of June 2021, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

_____
Derek Timm, Mayor

ATTEST:

_____
Tracy A. Ferrara, City Clerk

Exhibit A

Legal

1. The 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 action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.

3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all required development and impact fees before starting any grading/earth disturbance or construction on the property.

Planning Department

4. The approved planning permits include a Mitigated Negative Declaration, Planned Development Overlay and Permit, Land Division, and Design Review for a ten-lot subdivision, to construct ten single-family dwellings and related site improvements on a 1.04-acre site located at Erba Lane. The two-story, single-family dwellings and site improvements shall be constructed substantially as shown in the plans prepared by David B. Zulim, received 9/10/20 and 12/17/20 and Gregory Lewis, Landscape Designer, dated September 8, 2020, and as described in writing on the project's technical reports, which are on file in the Planning Department.

5. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.

6. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of

environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.

7. Prior to removal of trees or a grading permit issuance submit a mitigation and monitoring compliance fee deposit for ten hours of staff time at the current hourly rate. Any unused deposit fee will be refunded prior to final inspection.

8. To ensure that the Mitigation and Monitoring measures are communicated and complied with a preconstruction meeting shall be conducted prior to the start of any construction and the following shall attend: the developer, grading contractor supervisor, project planner, Building Official, Public Works Director, project biologist and arborist, with exception of installing temporary construction fencing demarcating the disturbance area, siltation and tree protection fencing. Temporary construction protective measures and tree protection fencing shall be installed prior to the meeting and inspected at that time by the biologist and arborist. Provide an attendance list to the project planner.

Cultural Resources

Archaeological Resources

9. The developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities and inspections for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.

    a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities.

    b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis.

c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring.

d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present.

10. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.

11. If human remains are unexpectedly encountered during project grading the actions required as identified in the previous condition shall be implemented to effectively preserve any human remains until the Santa Cruz County Coroner determines the appropriate course of action concerning the treatment and disposition of the human remains pursuant to the California Health and Safety Code Section 7050.5(b).

Paleontological Resources

12. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.

13. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.

14. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).

15. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.

16. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist

during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

17. The applicant and construction contractor shall ensure that paleontological resources are not destroyed during project grading.

18. The developer shall submit a copy of a contract with a qualified/registered paleontologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work.

19. The qualified/registered paleontologist shall monitor all earthwork activity as described in conditions 12-24, below.

20. The applicant/contractor shall provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.

21. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.

22. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).

23. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.

24. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Fences and Walls

25. All fence and retaining wall design details shall be included on plans submitted for building permit and subject to Planning Department review and approval, prior to issuance of a building permits

Trees

Standard

26. All recommendations in the Arborist Report Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts, 11/30/2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared in March 2020 based on the revised site plan (Kurt Fouts, March 27, 2020) are incorporated as conditions of project approval. This report includes an exhibit (grading plan) showing replacement tree locations.

27. Tree removal shall not occur until a grading or building permit has been issued for the project.

28. The final grading plans and improvement plans shall be reviewed and approved by the project Arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.

29. The project arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.

30. During the pre-construction phase of development, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits

31. The project arborist shall routinely inspect the development site through the term of the project.

32. Upon completion of construction activities, the project arborist shall submit written documentation stating that all recommended tree preservation measures have been completed prior to Building Permit final for the project.

33. The cost of the project arborist review and implementation of conditions, site inspection and related work shall be borne by the applicant.

34. The project developer shall place a surety bond in an amount equal to the value

of the preserved trees as shown in the project Arborist Report. The surety bond shall be deposited with the city prior to issuance of a grading/building permit for the project. The monetary value shall be reviewed and approved by the CDD. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the developer upon final inspection of the project.

Project Specific

35. The arborists recommendations for tree preservation shall be printed on the demolition, grading and construction drawings including: “1) After grading stakes are placed, the project arborist, the grading equipment operator and the tree service company shall meet to review the extent of pruning required to achieve clearance from grading operations; 2) Plant 4 15-gallon cost live oak replacement trees as mitigation for the removal of four coast live oak trees, T39 and T40, in the locations recommend on the grading exhibit; 3) If either T35 or T38 requires removal plant two 15-gallon coast live oak for each tree removed, in the location identified on the attached grading exhibit. Once final plan sets are complete, a tree protection plan, containing tree protection specifications will be required. T

36. The arborist shall monitor and observe hand grading and trenching near the protected trees.

37. If any protection is removed, the arborist shall verify that the fencing and other tree protection measures were correctly reinstalled. The arborist report included a sign to show the tree protection zone, this sign(s) should remain posted in a visible location during construction.

38. Provide a copy of a contract for services for the Community Development Department Director review and approval prior to issuance of a demolition or grading permit.

<u>Landscaping</u>

Standard

39. The landscaping improvements shall be permanently maintained and irrigated.

40. The materials and locations of the landscape retaining walls shall be approved by the Community Development Director prior to issuance of grading or building permit.

41. Landscaping shall comply with State of California Government Code Section

65596 Water Conservation in Landscaping and associated Model Water Efficient Landscaping Ordinance for landscaping equal or greater than 2,500 square feet. If not applicable the project is required to be consistent with the City Water Conservation Ordinance.

Project Specific

42. The arborists recommended tree replacement locations shown on the exhibit dated 4/29/20, (grading plan) attached to the arborist report, dated 3/27/20, shall be included in the final landscape drawings to be approved by the Community Development Department Director.

43. A final landscape and irrigation plan shall be submitted and shall include the name, number, size, and location for all planting materials, trees and ground covers and tree replacement locations shall be approved by the Community Development Director prior to issuance of grading or building permits.

44. Landscape plans submitted to the City shall include a minimum of four replacement trees. If additional trees are required to be removed or are damaged due to construction impacts, these trees shall also require replacement at a 2:1 ratio prior to occupancy and as part of the landscaper's warranty. All new tree species shall be selected in consultation with the project arborist, based on the specific tree location, soil type, and water and solar needs.

Lighting

45. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. Where deemed necessary by the Community Development Director light cutoffs/shields shall be installed.

CC&R's

46. CC&R's for the ongoing management and maintenance of the site improvements including perimeter fencing, on-site stormwater facilities, landscaping, driveways, retaining walls, and any other shared facilities, for the project shall be approved by the City and executed by the property owner prior to the approval of the final map. The CC&R's shall be recorded prior to building permit final, or the sale or lease of the first unit or within 30 days of the final map recording, whichever comes first. The property owner shall pay recording costs.

Joint Maintenance Agreement

47. Applicant shall provide a Joint Landscape Maintenance Agreement for review and approval by the Community Development Director and Public Works Director for the maintenance of off-site landscaping prior to approval of the Final Map.

48. The curbs along the private ace road and the emergency vehicle turnaround shall be painted red indicating no parking except for emergency vehicles and no parking signs installed pursuant to Fire Department standards. This condition shall be included in the CCRs.

Affordable Housing

49. Pursuant to Section 14 of the Scotts Valley Municipal Code the project shall comply with all applicable affordable housing requirements including the dedication of units and payment of in-lieu fees.

Public Access Easement

50. To provide for public access to MacDorsa Park from Erba Lane a public access easement is required over Lot A private access road. The City Attorney shall review and approve the public access easement prior to approval of the final map and it shall be recorded concurrently

51. If a future owner would like to make improvements in their rear yard resulting in a greater lot coverage than 55%, this can be allowed with the review and approval of the Director of the Community Development Department.

Public Art

52. The proposed public art will be a custom Bay Photo designed mural located on the face of the retaining wall of Lot 10 and Erba Lane. It will be approximately ten feet wide by four feet high and made of metal. The Community Development Director will review and approve the final design.

53. **Mitigation Measure BIO-1:** ***Oak Riparian Woodland - Project Construction.*** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

    1.1 The outer edge of the riparian setback area should be demarcated by the placement of six-foot high plastic construction fencing (during the

construction period) and a permanent six-foot high fence (after construction). The fence should have an opening to allow access to the existing pathway that crosses the intermittent drainage channel. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees. The construction fencing should be maintained in a functional manner throughout the site construction period and should be inspected periodically by the contractor and City of Scotts Valley personnel for damage and proper functioning. No equipment staging, vehicle parking or other activities shall occur within the protected riparian area.

1.2 To minimize sediments entering the intermittent creek, the project should implement best management practices, including:

- Conduct construction activities within 20 feet of the riparian woodland during the dry season;
- Incorporate measures to filter and entrap pollutants prior to their discharge into the creek or other downstream drainage features that lead to Carbonera Creek.
- Stabilize disturbed soils to minimize erosion and sediment input to the creek;
- Implement erosion control measures to prevent sediment from entering the creek channel, including the use of silt fencing or fiber rolls to trap sediments;
- Conduct erosion control seeding of all disturbed areas as soon as practicable after disturbance following construction;
- Monitor the effectiveness of the erosion control measures during the first year's rainy season and implement remedial measures (e.g., reseeding, repair of silt fencing) if sedimentation or erosion is noted.

54. **Mitigation Measure BIO-2: Oak Riparian Woodland Post-Construction**: Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

2.1 All lighting features shall be directed away from the oak riparian woodland, such that the woodland is not illuminated. Homeowners/tenants shall not be allowed to install night lighting that illuminates the riparian woodland.

2.2 Future landowners/tenants should not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the property include all plants recognized as exotic pest plants by Cal-IPC (see Exotic Pest Plants of Greatest Ecological Concern in California, www.cal-ipc.org). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (Vinca sp.), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), all pines, cotoneaster, and pyracantha. If evidence of the fungus responsible for Sudden Oak Death (Phytophthora sp.) is detected on the property, the homeowners should implement measures to prevent/control the spread of this fungus both on and off-site. The homeowners should be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the City, the County and the State of California. Preventative and treatment measures should also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force, University of California Cooperative Extension, Sudden Oak Death website (http://cemarin.ucdavis.edu).

55. **Mitigation Measure BIO-3: Special status wildlife and nesting birds**: Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

3.1 The landowner shall hire a qualified biologist to search for San Francisco dusky-footed woodrat nests. If any are found and impacts to the nests cannot be avoided, the applicant shall seek written approval from CDFW to implement a trapping and relocation program. Wood rat nests shall not be disturbed without prior written approval from CDFW.

3.2 If construction is scheduled to begin between March 1 and August 15 of any given year, the landowner shall hire a qualified biologist to conduct a search for active bird nests in the vicinity of the work site (following CDFW survey protocols). If active bird nests are observed, the work shall be postponed until the biologist determines that all chicks have fledge the nest(s).

Building Department

Standard

The developer shall obtain any required grading and/or building permit(s) and pay applicable fees

56. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.

57. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.

58. All trades of electrical, plumbing, and mechanical will be issued under one building permit for said project (General Contractor permittee). All subcontractors shall provide their contractor's license number and their workers compensation insurance information to the Building Department.

59. All buildings shall be designed to comply with the current California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Energy Code and California Green Building Code, in effect at the time of building permit application.

60. The building permit plans must comply with the current California Plumbing and Green Building Code for water-conserving fixtures and fittings and with the CA Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.

61. All new construction shall comply with the California Green Building Code and the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.

62. Structural calculations shall be submitted and wet-signed by the Engineer of record.

63. A Special Inspection form shall be submitted and the names of Special Inspectors with certifications as required shall be provided.

64. A soils report by a qualified professional) engineer shall be submitted with the application for any building permits. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.

65. The developer shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.

66. Site drainage erosion control and foundation plans must be reviewed and approved by the soils engineer of record.

67. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.

68. Developer shall submit a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval.

69. A completed City of Scotts Valley Construction and Waste Management Plan form shall be submitted with the Building permit application.

Grading

70. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

71. If grading in the rainy season (October 15th to April 15th) is necessary all necessary, approvals from the Building Department shall be obtained.

72. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.

73. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

74. Air Quality
The following BMPs shall be included in the construction contract for the project and be implemented during site grading:

a. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.
b. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.
c. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.
d. The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.
e. Roadway(s) along the project frontage shall be mechanically swept at the end of each workday when any dirt or mud has been tracked on the street.
f. No grading activities shall occur during days of high wind velocity.
g. Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.
h. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.
i. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

<u>Hazardous Materials and Hydrology</u>

75. Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.

76. Construction materials shall not be stockpiled or stored where they could be accidently discharged downslope or into Scotts Valley Drive.

77. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

City Public Works Department- Engineering Division

78. A final subdivision or parcel map in conformance with the California Government A final subdivision or parcel map in conformance with the California Government Code, Section 66410 ET seq, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer.

79. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)

80. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required satisfying tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.

81. Engineered improvement plans for all work, signed, and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.

82. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.

83. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material men's Bond, to the satisfaction of the Public Works Director/City Engineer.

84. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".

85. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.

86. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city's SWMP Ordinance No. 184.1.

87. Stormwater Management Plan:
A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan.

    Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

    See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works.

88. Impervious area must be shown on coversheet.

89. Dedication of land for Park and Recreational Purposes:
Applicant shall comply with be aware of Muni Code Chapter 16.35 – Dedication of land for Park and Recreation Purposes. Applicant can find the Code of Ordinance on the City of Scotts Valley Website, under Municipal Code.

90. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This under grounding of utilities to remove utility poles comes in addition to the state

required under grounding of transmission for the project and any new service connections.

91. The final map shall be submitted to the City's Public Works Department on an AutoCAD drawing version 2018 LT or earlier electronic version prior to recording.

92. Applicant shall submit electric files for all civil plans for review and As-Builts when project is completed in both paper and electronic file.

93. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.

94. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.

95. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

DEPARTMENT OF PUBLIC WORKS -PARKS AND RECREATION DIVISION

96. The developer shall comply with SVMC chapter 16.35, dedication of land for parks and recreational purposes. Any fees shall be paid prior to issuance of a grading and/or building permit.

FIRE DEPARTMENT

54. This project shall comply with the California Fire Code as amended by the Scotts Valley Fire Protection District

55. The emergency vehicle turnaround shall be clearly marked with red curbs and no parking signs pursuant to Fire Department standards.

_____

Name and Signature of Property Owner Date

Minutes

Scotts Valley Planning Commission
Meeting was Remote Access Only
Date: May 13, 2021
Time: 6:00 PM

CITY OF SCOTTS VALLEY	MEETING LOCATION	POSTING: The agenda was posted on May 7, 2021, at City Hall and on the Internet at www.scottsvalley.org.
1 Civic Center Drive Scotts Valley, CA 95066 831-440-5630	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066	

Appointed Officials	City Staff Members
Rosanna Herrera, Chair Lori Gentile, Vice Chair David Hodgin, Commissioner Steven Horlock, Commissioner Chuck Maffia, Commissioner Eric Taylor, Cultural Resource Commissioner	Taylor Bateman, Community Development Director Brenda Stevens, Associate Planner Jonathan Kwan, Contract Planner Paula Bradley, Contract Planner Steve Tolar, Consultant

CALL TO ORDER: 6:06 pm

ROLL CALL: Present: Gentile, Herrera, Hodgin, Horlock and Maffia

PUBLIC COMMENT: John Swift addressed the Planning Commission regarding storage facilities in the Commercial Service Zoning District.

ALTERATIONS TO CONSENT AGENDA: None

CONSENT AGENDA:

A. Action Meeting Minutes from the February 18, 2021 meeting.

M/S: Hodgin / Gentile
To approve the minutes from the February 18, 2021 meeting.
Carried: 5-0-0
Ayes: Gentile, Herrera, Hodgin, Horlock and Maffia.
Noes: None

ALTERATIONS TO PUBLIC HEARING AGENDA: None.

PUBLIC HEARING AGENDA:

1. **Title**: Capital Improvement Program for FY2021/2026 Consistency Report with the City's General Plan
   Address: City-wide
   Applicant: City of Scotts Valley
   Property Owner: City of Scotts Valley
   Project Description: State law requires cities to adopt a Capital Improvement Program (CIP) to implement the cities' General Plan. The CIP is a list of the proposed public works projects. The City's Public Works Department develops the CIP as a 5-year program and updates the program each year. By law, the Planning Commission must review the CIP for consistency with the General Plan.
   Staff: Steve Tolar, Consultant, stolar@managementpartners.com
   M/S: Horlock / Maffia
   To approve Resolution No. 1757 for FY2021/2026 Consistency Report with the City's General Plan.
   Carried: 5-0-0
   Ayes: Gentile, Herrera, Hodgin, Horlock and Maffia.
   Noes: None

2. **Title**: Bay Village Planned Development
   Address: Erba Lane (no situs) / APNs 022-481-18 and 22
   Planning Permit Application: CR20-001
   Applicant: Charlie Eadie, Eadie Consultants
   Property Owner: Larry Abitbol
   Project Description: Consideration of a Cultural Resource Alteration Application for the proposed construction of 10 single-family dwellings, including two duplex/duets.
   Staff: Paula Bradley, Contract Planner, pbradley@mbakerintl.com
   M/S: Taylor / Maffia
   To approve Resolution No. 1758 for CR20-001 for the Bay Village Planned Development.
   Carried: 6-0-0
   Ayes: Gentile, Herrera, Hodgin, Horlock, Maffia and Taylor
   Noes: None

3. **Title**: Target Remodel
   Address: 270 Mount Hermon Road / APN 022-231-17
   Planning Permit Application: PD21-022, DR21-002
   Applicant: Brian Leung, Kimley-Horn and Associates
   Property Owner: Kevin Pratt, Scotts Valley Phase II, LP
   Project Description: Consideration of a Planned Development and Design Review for a proposed Target store located at the existing 57,780 square foot building at the Scotts Valley Square Shopping Center. The project includes exterior modifications to the building design, parking lot modifications for ADA compliance and the Target Drive Up program and new signage.

Staff: Jonathan Kwan, Contract Planner, jonathank@csgengr.com
M/S: Horlock / Maffia
To approve Resolution No. 1759 for PD21-022 and DR21-022 for the Target Remodel.
Carried: 5-0-0
Ayes: Gentile, Herrera, Hodgin, Horlock and Maffia.
Noes: None

4. **Title**: Bay Village Planned Development
Address: Erba Lane (no situs) / APNs 022-481-18 and 22
Planning Permit Applications: PD19-001, LD19-001, DR19-005, EA19-003,
Applicant: Charlie Eadie, Eadie Consultants
Property Owner: Larry Abitbol
Project Description: Consideration of a Planned Development, Land Division, Design Review and Environmental Assessment for the Bay Village Planned Development to subdivide a 1.04-acre site into 10 lots for the construction of 10 units (six detached single-family dwellings and two attached duet/duplexes) and related site improvements, in the High Density Residential General Plan and Zoning District located at Erba Lane (not situs).
Staff: Paula Bradley, Contract Planner, pbradley@mbakerintl.com
M/S: Hodgin / Horlock
To approve Resolution No. PD19-001, LD19-001, DR19-005 and EA19-003 for the Bay Village Planned Development.
Carried: 5-0-0
Ayes: Gentile, Herrera, Hodgin, Horlock and Maffia.
Noes: None

5. **Title**: 4303-B Scotts Valley Drive Planned Development
Address: 4303-B Scotts Valley Drive
Planning Permit Applications: PD-19-004, MLD19-002, DR19-014, EA-19-010
Applicant / Property Owner: Rick Hochler, Hochler and Ross Family Trust
Project Description: Consideration of a Planned Development, Minor Land Division, Design Review and Environmental Assessment, for a three-lot subdivision and a common parcel on a 0.43-acre site in the High Density Residential General Plan and Zoning District. Two new single-family dwellings and a new attached two-car garage for an existing single family dwelling is proposed.
Staff: Paula Bradley, Contract Planner, pbradley@mbakerintl.com
M/S: Gentile / Horlock
To approve Resolution No. PD19-004, MLD19-002, DR19-014 and EA19-010 for the 4303-B Scotts Valley Drive Planned Development.
Carried: 5-0-0
Ayes: Gentile, Herrera, Hodgin, Horlock and Maffia.
Noes: None

ALTERATIONS TO REGULAR AGENDA
(Commission 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 Chair.)

None.

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS: None.

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY: None.

DIRECTOR UPDATES: None.

ADJOURNMENT: 9:34 pm

City of Scotts Valley
PLANNING COMMISSION
STAFF REPORT

Date:	May 13, 2021
Applicant / Property Owner:	Charlie Eadie, Eadie Consultants / Larry Abitbol, SV Housing LLC
Applications:	Planned Development Permit PD19-001, Land Division LD19-001, Design Review DR19-005, Environmental Assessment EA19-003, Environmental Review ND20-001
Location:	Erba Lane (no situs) / APNs 22-481-18 and 22
General Plan / Zoning:	High Density Residential / R-H, Residential High Density
Environmental Status:	Mitigated Negative Declaration
Request:	Consideration of a Planned Development, Land Division, Design Review, Environmental Review for the Bay Village planned development to subdivide a 1.04-acre site into ten lots for the construction ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements, in the High Density Residential General Plan and Zoning District located at Erba Lane (no situs)
Staff Planner:	Paula Bradley, Contract Planner, (831) 345-5482 pbradley@mbakerintl.com

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve the proposed project based on findings and conditions contained in the attached Resolution and Exhibit A.

SITE AND PROJECT DESCRIPTION

The project site consists of two existing lots that will be subdivided into ten lots and two common lots. The subject parcels are currently vacant and used as a partially paved parking lot. The proposed new lots would range in size from 2,750 to 3,691 square feet (sf), with an undeveloped common area for the riparian woodland area (Lot B – 10,681 sf) and an access road for seven of the units (Lot A – 3,557 sf). The project includes the construction of ten two-story, single-family homes including four duplex/duets, all with attached two-car garages. The project includes nine 3-bedroom, 2.5 to three-bathroom homes, which range in size (including garages) from 2,252 sf to 2,637 sf, and one 2,770 sf 4-bedroom unit with three bathrooms. The site gently slopes to the southeast towards Scotts Valley Drive where new private access road will be located and where most of the site grading and infrastructure will occur.

Existing land uses on adjacent parcels includes single and multi-family housing, office, and quasi-public use (fire station across the street). The eastern property line is described as an oak riparian woodland by the project biologist with an intermittent creek/drainage channel, and across the creek is MacDorsa Park, owned by the City of Scotts Valley. The creek is dry most of the year and ends where it is undergrounded by a storm drainpipe at the south eastern edge of the park. All public utilities necessary to serve the proposed development are available to the site.

Retaining walls will be constructed along the property lines in the southeast, south, northwest corners and between most of the lots to create level building pads on the sloped site. To delineate the existing oak riparian woodland habitat that extends along the eastern boundary of the project site, a split rail fence will be constructed along the boundary.

Fronting Erba Lane, the project includes a five-foot sidewalk and six-foot landscaped planting strip. The landscaping strip is designed to provide a green buffer as a tree-lined residential street and since the homes have a reduced front setback limiting the landscaping area. The project will construct a new 24-foot wide private road, accessed from Erba Lane, providing access to seven of the residential units (Lots 4 through 10). Ten on-street public parking spaces will be constructed along with the new sidewalk along Erba Lane.

PROPOSED ENTITLEMENTS

The project requires the following planning permits:

1. Planned Development Zoning – The proposed project is requesting to establish specialized planned development zoning standards that are exceptions from lot size, shape, and lot coverage standards of the R-H zoning regulations.

2. Subdivision – The project proposes to subdivide an existing 1.04-acre site into ten-lots and two common lots, one that provides shared vehicle access to seven of the residential units and one to preserve the riparian woodland area, and includes utilities and the required on-site stormwater retention facilities that serve the subdivision.

3. Design Review – Architectural and site plan review is required for all structures, alterations to structures and signage in the R-H zoning district pursuant to Municipal Code (R-H) Section 17.10.050. Design review is also required for the retaining walls and fences over three-foot height in the front yard setback and over six-foot height on the sides or rear yard setbacks.

Each of these requested entitlements and the proposed development's compliance with General Plan and Zoning standards are discussed below.

DISCUSSION AND ANALYSIS

The project is requesting approval of a Planned Development Zoning, Subdivision, Design Review, and Environmental Review. The following section provides an analysis of the relevant general plan and zoning standards, requested development entitlements and environmental conditions associated with the proposed project.

BACKGROUND

In 2006 and 2015 General Plan Amendments and Zone Changes from Public/Quasi Public (PQ/P) to High Density Residential (HD-R) were approved for the two City-owned parcels. The purpose of the General Plan Amendments and Zone Changes was, consistent with the land use policies, to encourage the redesignation of non-residential parcels for residential use to meet housing needs and at higher densities along transportation corridor to encourage residential development. The subject site is adjacent to High Density Residential zoning and use and is next to a public park.

The project is situated in the R-H, High Density Residential Zoning District. The table below describes the projects compliance with the R-H, zoning standards and the requested development exceptions.

Zoning Compliance Table – 22 Blake Lane				
R-H, High-Density Residential				
	Standard	Proposed	Compliance	Comment
Density	3,000 sf/unit max (15 units max); 9-15 units/ ac	10 units; 9.6 units/acre	Yes	
Lot Area	6,000 sf	Lot sizes vary from 2,750 to 3,691 sf	No	PD needed
Lot Width	60'	Lots vary from 35.2' to 94' (Lot 1)	No	PD needed
Lot Depth	60'	Lots vary from 54.67' to 90.95'	Partial	PD needed
Setbacks - Front	20'	Lots vary from 1.5' (Lots 1 and 6) to 20' (excluding front porches)	Partial	PD needed
- Side	10% of lot width, 5' min	Lots vary from 3'4" (Lot 6), all others are 5'	Partial	PD needed
- Rear	20% of lot depth, 15' min	Lot 6 is 3'4", others vary from 4' to 18'	Partial	PD needed
Height	35' maximum	28' to 35'	Yes	
Site Coverage	55% maximum	33.6 % overall, average lot 40%	Yes	PD needed

Parking	2-car garage + 1 uncovered	2-car garage + 2 uncovered	Yes	
Retaining Walls	Design Review for retaining walls/fences in front and rear >3 and 6-ft	Walls topped by wood fence vary from 8' – 11'ft height front, and 6.5' – 11' height side and rear, terraced	No	Subject to Design Review

The applicant is requesting exceptions to the development standards through the Planned Development process for: 1) reduced lot sizes; 2) reduced lot width and lot depth; 4) reduced front, side, and rear yard setbacks. In addition, the proposed retaining walls topped with wood fences are higher than three-feet in portions of the front yard setbacks and exceed six-feet in height in portions of the side and rear yards and are subject to Design Review.

The requested exceptions and analysis are discussed in the sections below:

PLANNED DEVELOPMENT / MINOR LAND DIVISION: The Zoning Code requires every Planned Development District to be combined with an alternative base zoning district. In this case, the alternative base zone requested for this development is the High-Density Residential District (R-H). The project is requesting a Planned Development to establish specialized development standards that reflect exceptions from the proposed R-H Residential zoning regulations to accommodate the proposed residential development.

The table below provides lot sizes and site coverage proposed with the proposed subdivision.

Lot Size and Coverage Table					
	Lot Area	Dwelling Size (including garage)	Lot Width	Lot Depth	Site Coverage (not including impervious area)
Lot 1	3,441	2,768	94'	13.07 and 54.67	40%
Lot 2	3,080	2,637	56'	54.67'	42%
Lot 3	3,116	2,637	56'	54.67'	42%
Lot 4	3,691	2,252	45.83'	90.95'	35%
Lot 5	3,235	2,252	38'	76.63'	40%
Lot 6	2,772	2,303	58.89'	76.63'	35%
Lot 7	3,329	2,438	38.95'	78.36'	36%
Lot 8	2,750	2,438	35.25'	78'	44%
Lot 9	2,750	2,546	35.25'	78'	44%
Lot 10	3,037	2,546	35.2'	78'	42%
Common Lot Parcel A	3,562	0	24' private road	142.71'	0
Common Lot Parcel B	10,483	0	Irregularly shaped	Irregularly shaped	0

According to the General Plan, the purpose of Planned Development Zoning is to provide the means to tailor zoning regulations and to apply specific standards for the development of a particular site. This process enables the City Council to consider the unique characteristics of a site and its surroundings to better implement the citywide objectives, goals, and policies of the General Plan and to provide site-specific development standards. Anytime Planned Development zoning is utilized, the standards established for the zoning district, which

reflects the General Plan designation are tailored as part of a planned development. Tailored zoning regulations include, but are not limited to, lot size and shape, intensity, coverage, and appearance of structures.

The applicant originally proposed a twelve-lot subdivision with 12 new single-family homes, with development in the riparian woodland area. After the biologist determined the riparian woodland boundary, the project was redesigned as ten lots to avoid development in this area. This created a physical constraint resulting in irregularly shaped lots and reduced front, side, and rear yard setbacks.

To avoid development in the oak riparian woodland, the applicant is requesting exceptions to the development standards through the Planned Development process for: 1) reduced lot sizes; 2); lot width; and 3) lot depth; The ten-lot subdivision, as designed, with ten new two-story single-family homes, with on-site parking is consistent with other single and multi-family homes in the surrounding area.

Front, Side and Rear Yard Setbacks: The applicant is requesting exceptions to the development standards through the Planned Development process for reduced front, side and rear yard setbacks. The zoning code standard for the front yard setback is 20-feet from the building to road right-of-way. Front yard setbacks vary from 1.5' to the front porch for Lots 1 and 6, and 6' to 20' excluding the front porches. Required side setbacks are 5' minimum and proposed are 3'4" for Lot 6, all others are 5'. Rear yard setbacks vary from 3'4" (Lot 6) to 18' where a minimum of 15' is required'. Reduced front, side and rear yard setbacks within a planned unit development is a standard practice as a way to achieve appropriate residential densities and can be allowed through the Planned Development process.

Lot Size and Site Coverage: Site coverage is defined as the percentage of site area that may be covered by impervious surfaces, including all structures, open or enclosed or projections of structures. As shown in the tables above, the maximum allowable site coverage in the R-H zoning district is 55-percent. Project plans indicate an overall site coverage of 33.6-percent, which is below the maximum site coverage. The common Lot A, private roadway includes permeable paving which is not included in the site coverage. The proposed new lots range in size from 2,750 to 3,691 square feet (sf), where the R-H zoning standard is 6,000 square feet with an undeveloped common area for the riparian woodland setback (Lot B – 10,681 sf) and a shared access road (Lot A – 3,557 sf).

The new lots lot coverage does not meet the maximum lot coverage requirements, and it is anticipated that future individual owner's yard improvements could result in additional impervious area over 55%. Staff recommends that greater lot coverage in the rear yards be allowed. The 10,483 square foot riparian area could be considered an offset for a greater percentage of impervious area for the individual lots. A condition of approval has been added to allow for additional future lot coverage at the discretion of the Community Development Director.

On-Site Parking and Driveway Design: The project meets or exceeds the single-family parking requirements by providing a two-car garage for each unit and a 20-foot deep driveway for two additional vehicles. No parking would be allowed in the access road and ten off-site public parking spaces will be created on Erba Lane. City standards limit the amount of

paved area in front yards, allowing for landscaping to provide visual relief. However, in this case, common Lot A provides a private shared road for vehicle access serving seven of the proposed homes limiting landscape area. The front half of Lot A common parcel would have pervious pavers and contains subsurface on-site stormwater retention infrastructure.

DESIGN REVIEW: The Design Review process requires architectural and site plan review for all structures by the Planning Commission. The Design Review process is established to carry out the objectives of the City's General Plan and related zoning regulations and to ensure that permits for construction will be carried out in a manner which is not detrimental to the surrounding uses and is consistent with the overall planning goals of the city.

Building architecture and site design: The development proposes ten new, two story homes 28’ 6”’ feet to 34’2" feet in height. The new homes incorporate horizontal siding on one of the stories and board and batt siding on the other. The front elevations include a stone veneer base with a front porch with a gable roof and wood timber details. The roof forms include gables and shingles or lap siding under the gables with wood brackets. Second floor balconies include brown iron railings. The roofs are conventional in design with a 6:12 pitch and medium dark brown color composition shingles, and the roof will accommodate future solar panels. The proposed windows are off-white color vinyl or wood frame, single hung with single or double windows with multiple lights and wood trim. The colors will be unique for each home and proposed colors are shades of medium and light browns and greens and the trim, trellises, deck railings and wood knee braces are a dark brown color. The stone veneer is two natural stone brown/gray/ buff colors. The garage doors will be metal insulated doors with have sections and divided lights at the top with a wood trellis’ over the garage doors. The architectural details, materials, mass, and colors of the proposed residential units are high quality and are consistent with newer single-family homes, compatible with the surrounding area.

Retaining Walls and Fences: The project site slopes towards Scotts Valley Drive to the southeast. To accommodate the site grades and create level building pads the project requires retaining walls be constructed along the property lines in the southeast, south, northwest corner and between most of the lots. The tan color concrete block retaining walls will be topped with solid plank redwood privacy fences. Along Erba Lane on the front left half of Lot 1, a retaining wall would be below grade and topped by a six-foot in height redwood fence. Also, along the Erba Lane side of Lot 10 would be an above grade retaining wall varying in height from up to 5’-8” topped by a 42” to six-foot in height redwood fence. The rear property line of Lots 7 to 10 would have a retaining wall vary from 5’8” to 6’-6” height topped by a six-foot redwood fence.

As previously stated, retaining walls over three-feet in height in front yards and six-feet in the side and rear yards are subject to design review.

Park Access

Currently MacDorsa Park is accessible from Erba Lane through the project site and from the office building parking lot across the creek/drainage area. There are natural paths and an existing access leading towards the Police Department. Due to security concerns with the additional residents, the Police Department requested that this pathway be relocated. The

City discussed the need for public access to the park with the applicant, and that it would be better located via the proposed new private road. A public access easement for pedestrians over the proposed new private road is included as a condition of project approval. There is no plan in place to provide access at this time, the easement will allow for access at a future date and such access will require additional review and approval by the City.

Protected Trees and Riparian Woodland Reosurces: The applicant submitted an arborists report, dated 11/30/2017 and a Summary Arborist's Report, Revisions to Preliminary Tree Inventory & Assessment, dated 3/27/2020, which evaluates 14 oak trees on the project site. Twenty-six oak trees are rooted on the City owned property and creek area and grow somewhat horizontally so the dripline is on the subject property. After the biologist determined the riparian woodland boundary location, the project was redesigned as a ten-lot subdivision to avoid development in the riparian area and to preserve the oak trees. Two trees are proposed to be removed, although a total of six trees (closest to Lot 6) may be impacted by construction. With the implementation of the standard tree protection conditions and the and Mitigation Measures, the trees will be protected and preserved. Replacement trees are required at a 2:1 ratio, 15-gallon or 24-inch box trees. The landscaping includes a total of 22, 15-gallon size trees. The landscape planting strip along Erba Lane will include 11 street trees to create a tree lined street.

To protect the oak riparian woodland habitat that extends along the eastern boundary of the project site, a 3'-6" in height split rail wood fence will be constructed designating the riparian boundary (Lot B). This oak riparian woodland area will remain undeveloped and structures including solid fences, recreational or other equipment, and storage are prohibited. The CC&Rs will include the required prohibitions and HOA landscape maintenance of this area. The retaining walls between lots one to five taper into the riparian boundary. Retaining walls and side yards for Lot 6 and 7 encroach into the riparian woodland area and the 25' creek top of bank, and the biologist determined that this would be a minor encroachment and would not cause an impact to the riparian area. The biologist and arborist reviewed the revised plan and concluded that with the implementation of the mitigation measures and standard tree preservation measures this would not result in an impact to the area. The oak trees in the riparian area grow semi-horizontally and may require pruning and hand grading to avoid construction impacts to the trees. The arborist noted that the eastern side of Lot 7 could accommodate replacement trees. A mitigation measure includes preconstruction surveys for nesting birds and dusky-footed woodrat nests.

Landscaping: The project proposes to incorporate irrigated landscaped front yards. Lots 4, 5 7 to 10 will have artificial turf with trees, shrubs, and ground cover. Twenty-two 15-gallon trees including four replacement trees and eleven street trees in the landscape planter strip are included. A condition of approval and mitigation measures require that future landowners/tenants not use invasive nonnative plant species for landscaping, and this will also be required in the CC&Rs.

Public art: Proposed public art will be a custom Bay Photo design mural located on the face of the retaining wall of Lot 6 and Erba Lane. It will be approximately ten feet wide by four feet high. A condition of approval will require the review and approval of the final design by the Community Development Director.

Lighting: The project proposes two bollard lights at the entry of the private driveway and exterior lighting fixtures are dark sky friendly and shielded. These are proposed for the front porches, the sides of the garage doors, and the rear and side yards. Recessed lighting proposed for the front porch ceiling or under the balconies. A mitigation measure requires that lighting be directed away from the riparian area so that it is not illuminated and no night lighting. A standard condition of approval will require that all exterior lighting be downward shining and shielded.

Cultural Resources: The project site is in a designated moderate and high sensitivity for cultural resources. An Extended Phase I Archaeological Assessment dated 3/04/2020 was completed for the project and concluded that there were no intact prehistoric or historic era archaeological deposits. and that standard conditions of approval for archaeological and paleontological resources will ensure there will be no potential impacts. The report also recommended in addition to archaeological monitoring, Native American monitoring during all ground disturbing activity which is also required as a condition of approval.

ENVIRONMENTAL DETERMINATION

A Mitigated Negative Declaration (MND) was prepared for the proposed development consistent with the requirements of the California Environment Quality Act. Project related environmental impacts were identified and includes mitigation measures that reduce the potential impacts to less than significant. With the implementation of two biological mitigation measures there will be no impacts to vegetation, wildlife or riparian woodland or any other biological resources. The project would not degrade the quality of the environment or contribute to cumulative impacts to environmental resources. The MND was circulated for 30 days as required, from March 30, 2021 through April 30, 2021.

PUBLIC NOTICE & COMMENT

A public notice was posted on site and mailed to surrounding property owners within 300 feet pursuant to State law. As of the date of this staff report two comments emails have been received on the proposed development and are attached. The concerns included increased traffic, a narrower street, pedestrian safety, and the loss of the parking and use of the site by the fire department and construction noise. Two letters were received from neighbors concerning increased traffic and a narrower street, pedestrian safety, loss of parking, loss of the use the vacant lot for the Fire Department and fire department access and circulation, and construction noise and debris.

FINDINGS AND CONCLUSION

Staff finds that the project's architectural and site plans respond appropriately to the site and surrounding area and recommends that the Planning Commission forward an affirmative recommendation to the City Council on the proposed four lot residential subdivision, Planned Development District and Permit, and Design Review subject to findings and conditions contained in the attached Resolution and Conditions of approval.

ATTACHMENTS

Resolution and Conditions of Approval (Action Item) 10
1. Location Map..... 11
2. Project Plans..... 12
3. Draft Initial Study (3/22/2021) and Attached Reports ……29
   a. Biological Assessment, by Biotic Resources Group, 5/31/2019
   b. Addendum to Biological Assessment, by Biotic Resources Group, 5/31/19
   c. Arborists Report Tree Appraisal & Inventory, by Kurt Fouts, 11/30/2017
   d. Summary Arborist's Report Revisions to Preliminary Tree Inventory & Assessment, by Kurt Fouts, 3/27/2020
   e. Appendix C - Tree Appraisal & Inventory, by Kurt Fouts, 4/29/2020
   f. Extended Phase I Archaeological Assessment, by Albion, 3/04/2020
4. Public Comments..... 364

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF A MITIGATED NEGATIVE DECLARATION (ND20-001), LAND DIVISION (LD19-001), PLANNED DEVELOPMENT OVERLAY AND PERMIT (PD19-001), DESIGN REVIEW (DR19-005), FOR THE BAY VILLAGE PLANNED DEVELOPMENT CONSISTING OF A TEN-LOT SUBDIVISION AND TWO COMMON LOTS ON A 1.04-ACRE SITE IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR 10-SINGLE FAMILY DWELLINGS (SIX DETACHED AND FOUR ATTACHED DUETS/DUPLEXES) AND RELATED SITE IMPROVEMENTS, SUBJECT TO CONDITIONS OF APPROVAL, LOCTED AT ERBA LANE // APN 022-481-18 AND 22

WHEREAS, the City of Scotts Valley has received an application and technical reports from Charlie Eadie, Eadie Consultants, applicant, and Larry Abitbol, SV Housing LLC, property owner, to subdivide a 1.04-acre site into ten lots and two common lots to construct ten units (six detached single-family dwellings and four attached duet/ duplexes) and related site improvements, in the high density residential general plan and zoning district, located at Erba Lane (no situs), as shown on project plans on file with the Planning Department / APN 022-481-18 and 22; and

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

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

WHEREAS, the City conducted an Initial Study and prepared a Mitigated Negative Declaration (IS/MND), in accordance with the State CEQA Guidelines and requirements. The IS/MND was duly noticed, published, and distributed for a 30-day public review period from March 30, 2021 through April 30, 2021 (5:00 p.m.), and was made available for public review, on the City’s website; and

WHEREAS, the Planning Commission held duly published and noticed public hearings on May 13, 2021, to review and consider the proposed development and the requested planning permits (entitlements), hear public testimony, and provide comments and recommendations to the City Council; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Scotts Valley (“Commission”), that the Commission hereby recommends to the City Council:

SECTION 1: That the IS/MND has been completed in compliance with the requirements of CEQA and that the Planning Commission has reviewed and considered the information within the IS/MND.

SECTION 2: That the IS/MND represents the independent judgment and analysis of the City.

SECTION 3: That the City Council certify the MND based on the following findings pursuant to CEQA and the CEQA Guidelines Section 15074:

1. ***An initial study has been prepared by the City of Scotts Valley to evaluate the potential for adverse environmental impacts.*** City consultant conducted an Initial Study for the project and prepared a Mitigated Negative Declaration and determined that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment, plant or wildlife resources with the implementation of identified standard conditions of approval.

2. ***The Mitigated Negative Declaration for the project has been completed in compliance with the California Environmental Quality Act (CEQA).*** The Mitigated Negative Declaration was completed in compliance with CEQA, was published and distributed to the applicable agencies, and was made available for public review for a 30-day period from March 30, 2021 to April 30, 2021.

3. ***The environmental determination represents the independent judgment of the City.*** The Mitigated Negative Declaration was prepared by City consultant. All reports and supporting information have been reviewed and approved by the applicable City Department Heads.

4. ***The documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Department of Planning of the City of Scotts Valley in the custody of the Community Development Director.*** Copies of the Mitigated Negative Declaration and the referenced technical and/or environmental studies that were submitted for the project have been made available to the public on the City's website.

5. ***Based on the Initial Study and when considering the record as a whole, there is no evidence before the City of Scotts Valley, including the information in the Mitigated Negative Declaration and comments of appropriate reviewing agencies, to indicate that the proposed project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which it depends.*** A Biological Assessment was prepared for the project site (Biotic Resources Group, May 31, 2019), and an Addendum to the Biological Assessment was prepared based on the revised site plan which represents the proposed project (Biotic Resources Group, May 31, 2020). Similarly, a Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts,11/30/2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared based on the revised site plan (Kurt Fouts, March 27, 2020 and Appendix C dated 4/29/20). With the implementation of the City's standard conditions of approval and the implementation of three biological mitigation measures (MM BIO-1, MM BIO-2, and BIO-3) impacts associated with vegetation, riparian woodland, wildlife, nesting birds, and other biological resources would be reduced to a less than significant level. Therefore, the project will not result in any adverse impacts to fish and

wildlife habitat or other resources.

SECTION 4: Approve the Planned Development District Overlay and Permit based on the following findings, subject to Conditions of Approval (Exhibit A) attached hereto and incorporated herein:

6. ***That the Planned Development Zoning District Overlay and Permit (PD) further the policies of the General Plan.*** The project meets the requirement of this finding in that the project proposes two new single-family dwellings within lands designated R-H, High Density Residential on the City's General Plan map. The project is consistent within the General Plan density range of 9 to 15 units per acre, and results with a density of 9.6 units per acre. The project includes the construction of ten two-story, single-family dwellings including four duplex/duets, all with attached two-car garages. Common Lot A is for a private road which provides access to seven of the residential units (lots seven to ten) and stormwater infrastructure. The homes are of a conventional design that is consistent with the character of the neighborhood. Further, the project improves and upgrades a previously undeveloped and underutilized site providing housing opportunities for ten families.

7. ***The proposed Planned Development District Overlays (PD) are consistent with the underlying land use designations and zoning districts and that of the City of Scotts Valley General Plan.*** The project meets the requirements of this finding because the PD district overlay will be combined with the base zoning district. The resulting R-H/PD zone allows specific development standards to address to accommodate unique circumstances related to lot size and shape, intensity, coverage, and appearance of structures. After the biologist determined the riparian woodland boundary location, the project was redesigned from a twelve-lot subdivision with 12 new single-family dwellings, as ten lot subdivision to avoid development in the riparian area. This created a physical constraint resulting in very irregularly shaped lots and reduced front, side, and rear yard setbacks and requested exceptions to the development standards as allowed in a PD district.

8. ***That the PD conforms in all respects to the planned development zoning of the property.*** The "PD" will be an overlay zone to the proposed R-H base zoning district. The project design meets the requirement of this finding in that approval of the Planned Development and Design Permit will allow the construction of ten two-story, single-family dwellings including four duplex/duets, all with attached two-car garages and private yards. The Planned Development zoning allows exceptions to the development standards to accommodate the proposed lot configuration with reduced lot sizes, width and depths, reduced front, side, and rear setbacks. Each new home will have private yard space, two covered garage parking space and two uncovered parking spaces.

9. ***That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.*** The project meets the requirements of this finding in that the overall siting and design of the buildings incorporate conventional horizontal siding on one of the stories and board and batt siding on the other. The front elevations include a stone veneer base with a front porch with a gable roof and wood timber details. The roof

forms include gables with shingles or lap siding under the gables and wood brackets. The roofs are conventional in design with a 6:12 pitch and medium dark brown color composition shingles. The proposed windows are off-white color vinyl or wood frame, single hung with single or double windows with multiple lights and wood trim. The proposed colors will be unique for each home and include shades of medium and light browns and greens and the trim, trellises, deck railings and wood knee braces are a dark brown color. The stone veneer are two natural stone brown/gray/ buff colors. The garage doors will be metal insulated doors with sections and divided lights at the top with a wood trellis' over the garage doors. The two-story homes are approximately 28 to 30-feet in height feet similar to other nearby homes in the neighborhood. As designed consistent with the General Plan Action OSA-387. The PD allows exceptions from the underlying R-H zoning standards predominantly related to lot size and configuration of the proposed lots, in order for each home to be on a separate parcel of land, which has private yard spaces. The architectural details, materials, mass, and colors of the proposed residential units are high quality and are consistent with newer single-family dwellings, compatible with the surrounding area. The architecture, quality exterior materials/ finishes/colors, and landscaping will create an aesthetically harmonious project.

10. ***The environmental impacts of the project have been reviewed and considered.*** The project meets the requirements of this finding in that the Project's Initial Study and Mitigated Negative Declaration MND20-001 and determined that there would be no potentially significant adverse environmental impacts and the project will not degrade the quality of the environment with the implementation of identified standard conditions of approval and three Mitigation and Monitoring measures.

SECTION 5: Approve the Land Division based on the following findings, and as shown on the plans submitted, subject to Conditions of Approval (Exhibit B) attached hereto and incorporated herein:

11. ***That the location of the uses is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.*** The project meets the requirements of this finding in that the project provides ten new single-family dwellings in the R-H, High Density Residential Zoning District. The homes utilize conventional materials and design details that integrate into the surrounding residential neighborhood.

12. ***That the proposed tentative map/land division, together with the provisions for its design and improvement, is consistent with the General Plan.*** The project meets the requirements of this finding in that the ten-lot residential development on the 1.04-acre site is consistent with the General Plan High Density Residential density range. The subdivision design and the related property improvements create ten new single-family dwellings with attached two-car garages, private yard spaces for each new home and establishes an homeowner's association to share in the maintenance of common driveways landscaping and the oak riparian woodland area, retaining walls and stormwater infrastructure. The project as proposed and conditioned is consistent with goals and objectives of the General Plan.

13. ***That the project site is physically suitable for the density of the land division.*** The project meets the requirement of this finding in that the 1.04-acre site is sufficient in size to accommodate the ten-lot subdivision and related improvements including two-car garages and private yard areas for each unit. The ten-lot subdivision is consistent with both the General Plan and Zoning density ranges. Public services are available, and utilities are of adequate capacity to accommodate the project.

14. ***That the design of the land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*** The project meets the requirements of this finding in that the MND determined that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment or impact fish wildlife or habitat with the implementation of identified standard conditions of approval

15. ***That the design of the land division or the type of improvements is not likely to cause serious public health problems.*** The project will not generate hazardous emissions nor be a storage facility for hazardous/ combustible materials. During project grading and construction, to reduce dust generation to minimal levels and to prevent sedimentation and discharge of contaminants off-site, standard conditions of approval require the grading and construction contractors to implement best management practices (BMPs). The MND evaluated that the project is not expected to cause serious public health problems.

16. ***That the design of the land division will not conflict with easements acquired by the public at large (for access through or use of property within the land division).*** The project meets the requirement of this finding in that there are no conflicts with easements known to affect the project site. A common lot provides a private access road and utilities and maintenance easement benefitting the ten lots. A road easement and maintenance agreement are required for access to seven of the homes the from a new 24” wide private road. A public access easement is required on the new private road to MacDorsa Park from Erba Lane for pedestrians. There is no plan in place to provide access at this time, the easement will allow for access at a future date and such access will require additional review and approval by the City. The Public Works Department has reviewed the project and recommended approval subject to conditions.

SECTION 6: Approve Design Review based on the following findings, subject to Conditions of Approval (Exhibit A) attached hereto and incorporated herein:

17. ***The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood is appropriate.*** The project meets the requirements of this finding in that the proposed single-family dwellings will be sited appropriately in relation to the existing neighborhood and fronting on Erba lane and on a private road. The site gently slopes towards Scotts Valley Drive and retaining walls are required for level building pads. After the biologist determined the riparian woodland boundary, the project was redesigned to avoid development in the riparian area. Avoiding development in the riparian area created a physical constraint resulting in very irregularly shaped lots and reduced front, side, and rear yard setbacks. The physical constraints of the site require exceptions from the

development standards as allowed in a PD district, which are common on infill developments in the area such as the private access road and requirements for on-site stormwater retention. As proposed the single-family dwellings are suited to the property, setting, and zoning context.

18. ***The materials, colors, proportion, mass, and detail of all structures shall be in good proportion, have simplicity of mass and detail and be compatible in appearance with surrounding structures. There shall be an appropriate use of materials. Colors shall be appropriate within the context of use and should blend with surrounding structures.*** The project is consistent with this finding in that the buildings incorporate conventional horizontal siding on one of the stories and board and batt siding on the other. The front elevations include a stone veneer base with natural stone brown/gray/ buff colors, and a front porch with a gable roof and wood timber details. The roof forms include gable, hip, and shed roof forms with shingles or lap siding under the gables and wood bracket details. The roofs are conventional in design with a 6:12 pitch and medium dark brown color composition shingles. The proposed windows are off-white color vinyl or wood frame, single hung with single or double windows with multiple lights and wood trim. The proposed colors will be unique for each home and include shades of medium and light browns and greens and the trim, trellises, deck railings and wood knee braces are a dark brown color. The two-story homes are approximately 28 to 30-feet in height feet similar to other nearby homes in the neighborhood. The variety of quality materials, exterior treatments, finish details and exterior colors are appropriate and consistent with the City's design review criteria.

19. ***Landscaping and irrigation plans shall be required on the site. Landscaping shall be in keeping with the character or design of the building. Existing trees shall be preserved wherever possible.*** The project, with tree and landscape design and plantings as depicted and described in the plans dated September 8, 2020 would meet the requirements of this finding in that the project will provide new landscaping including replacement trees, shrubs, and ground cover. Two protected oak trees are proposed to be removed and four additional trees may be impacted by construction. With the implementation of standard conditions of approval and mitigation measures the remaining trees will be preserved. Replacement trees are required at a 2:1 ratio and 22 trees are proposed including 11 street trees on the landscape plan. Preliminary landscaping and irrigation details have been reviewed. A condition of approval requires that final landscape and irrigation plans be submitted for staff review and approval by the Community Development Director.

20. ***The size, location and arrangement of on-site parking and paved areas shall be appropriate.*** The project meets the requirements of this finding in that each proposed single-family home has an attached two-car garage and exceeds the single-family parking requirements by providing a two-uncovered parking spaces on a 20-foot deep driveway. No parking would be allowed in the private road and ten off-site public parking spaces will be created on Erba Lane. Common Lot A provides a shared road for vehicle access serving seven of the proposed homes. The front half of Lot A common parcel incorporates pervious pavers and contains sub-surface on-site stormwater retention infrastructure.

21. ***For ingress, egress, and internal traffic circulation, all the above factors shall be related to the setting or established character of the neighborhood***

or surrounding area. The project meets the requirement of this finding in that vehicle access to the site from Erba Lane and access to seven of the homes driveways is through a shared, common, private road (Lot A).

22. For fences and walls over eight feet tall or fences over three feet tall in front yards when across from Hwy 17, consider height and access to sunlight, setbacks, landscaping and use of materials for articulation and visual relief. The project site slopes towards Scotts Valley Drive to the southeast. To accommodate the site grades and create level building pads the project requires extensive retaining walls to be constructed along the property lines in the southeast, south, northwest corner and between most of the lots. The tan color concrete block retaining walls will be topped with solid plank redwood privacy fences. Along Erba Lane on the front left half of Lot 1, a retaining wall would be below grade and topped by a six-foot in height redwood fence. Also, along the Erba Lane side of Lot 10 would be an above grade retaining wall varying in height from up to 5'-8" topped by a 42" to six-foot in height redwood fence. The rear property line of Lots 7 to 10 would have a retaining wall vary from 5'8" to 6'-6" in height topped by a six-foot redwood fence.

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 Planning Commission of the City of Scotts Valley recommends City Council certify a Mitigated Negative Declaration MND20-001, approve a Planned Development Overlay and Permit PD10-001, a Land Division LD19-001, Design Review DR19-005, for the Bay Village planned development to subdivide a 1.04-acre site into ten lots and two common lots to construct ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements, located at Erba Lane (no situs) / APN 022-481-18 and 22 subject to Conditions of Approval (Exhibit A), and project development plans which are attached hereto and incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the Planning Commission of the City of Scotts Valley at a meeting held on the 13th day of May 2021, by a vote of as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

Approved: _____

Planning Commission Chair

Attest: _____

Taylor Bateman
Community Development Director

Exhibit A

Legal

1. The 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 action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.

3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all required development and impact fees before starting any grading/earth disturbance or construction on the property.

Planning Department

4. The approved planning permits include a Mitigated Negative Declaration, Planned Development Overlay and Permit, Land Division, and Design Review for a ten-lot subdivision, for ten single-family dwellings and a detached two-car garage for the existing single family dwelling to be consistent with the parking requirements and related site improvements on a 1.04-acre site located at Erba Lane. The two-story, single-family dwellings and site improvements shall be constructed substantially as shown in the plans prepared by David B. Zulim, received 9/10/20 and 12/17/20 and Gregory Lewis, Landscape Designer, dated September 8, 2020, and as described in writing on the project's technical reports, which are on file in the Planning Department.

5. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.

6. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.

7. Prior to removal of trees or a grading permit issuance submit a mitigation and monitoring compliance fee deposit for ten hours of staff time at the current hourly rate. Any unused deposit fee will be refunded prior to final inspection.

8. To ensure that the Mitigation and Monitoring measures are communicated and complied with a preconstruction meeting shall be conducted prior to the start of any construction and the following shall attend: the developer, grading contractor supervisor, project planner, Building Official, Public Works Director, project biologist and arborist, with exception of installing temporary construction fencing demarcating the disturbance area, siltation and tree protection fencing. Temporary construction protective measures and tree protection fencing shall be installed prior to the meeting and inspected at that time by the biologist and arborist. Provide an attendance list to the project planner.

Cultural Resources

Archaeological Resources

9. The developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities and inspections for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.

    a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities.

    b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis.

    c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring.

    d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present.

10. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.

11. If human remains are unexpectedly encountered during project grading the actions required as identified in the previous condition shall be implemented to effectively preserve any human remains until the Santa Cruz County Coroner determines the

appropriate course of action concerning the treatment and disposition of the human remains pursuant to the California Health and Safety Code Section 7050.5(b).

Paleontological Resources

12. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.

13. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.

14. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).

15. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.

16. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

17. The applicant and construction contractor shall ensure that paleontological resources are not destroyed during project grading.

18. The developer shall submit a copy of a contract with a qualified/registered paleontologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work.

19. The qualified/registered paleontologist shall monitor all earthwork activity as described in conditions 19-23, below.

20. The applicant/contractor shall provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.

21. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.

22. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).

23. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.

24. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Fences and Walls

25. All fence and retaining wall design details shall be included on plans submitted for building permit and subject to Planning Department review and approval, prior to issuance of a building permits

Trees

Standard

26. All recommendations in the Arborist Report Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts, 11/30/2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared in March 2020 based on the revised site plan (Kurt Fouts, March 27, 2020) are incorporated as conditions of project approval. This report includes an exhibit (grading plan) showing replacement tree locations.

27. Tree removal shall not occur until a grading or building permit has been issued for the project.

28. The final grading plans and improvement plans shall be reviewed and approved by the project Arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.

29. The project arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.

30. During the pre-construction phase of development, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits

31. The project arborist shall routinely inspect the development site through the term of the project.

32. Upon completion of construction activities, the project arborist shall submit written documentation stating that all recommended tree preservation measures have been completed prior to Building Permit final for the project.

33. The cost of the project arborist review and implementation of conditions, site inspection and related work shall be borne by the applicant.

34. The project developer shall place a surety bond in an amount equal to the value of the preserved trees as shown in the project Arborist Report. The surety bond shall be deposited with the city prior to issuance of a grading/building permit for the project. The monetary value shall be reviewed and approved by the CDD. If damage occurs to the preserved trees during development and/or construction, funds will be

drawn from the deposited amount. Funds remaining in the account will be returned to the developer upon final inspection of the project.

Project Specific

35. The arborists recommendations for tree preservation shall be printed on the demolition, grading and construction drawings including: “1) After grading stakes are placed, the project arborist, the grading equipment operator and the tree service company shall meet to review the extent of pruning required to achieve clearance from grading operations; 2) Plant 4 15-gallon cost live oak replacement trees as mitigation for the removal of four coast live oak trees, T39 and T40, in the locations recommend on the grading exhibit; 3) If either T35 or T38 requires removal plant two 15-gallon coast live oak for each tree removed, in the location identified on the attached grading exhibit. Once final plan sets are complete, a tree protection plan, containing tree protection specifications will be required. T

36. The arborist shall monitor and observe hand grading and trenching near the protected trees.

37. If any protection is removed, the arborist shall verify that the fencing and other tree protection measures were correctly reinstalled. The arborist report included a sign to show the tree protection zone, this sign(s) should remain posted in a visible location during construction.

38. Provide a copy of a contract for services for the Community Development Department Director review and approval prior to issuance of a demolition or grading permit.

Landscaping

Standard

39. The landscaping improvements shall be permanently maintained and irrigated.

40. The materials and locations of the landscape retaining walls shall be approved by the Community Development Director prior to issuance of grading or building permit.

41. Landscaping shall comply with State of California Government Code Section 65596 Water Conservation in Landscaping and associated Model Water Efficient Landscaping Ordinance for landscaping equal or greater than 2,500 square feet. If not applicable the project is required to be consistent with the City Water Conservation Ordinance.

Project Specific

42. The arborists recommended tree replacement locations shown on the exhibit dated 4/29/20, (grading plan) attached to the arborist report, dated 3/27/20, shall be included in the final landscape drawings to be approved by the Community Development Department Director.

43. A final landscape and irrigation plan shall be submitted and shall include the name, number, size, and location for all planting materials, trees and ground covers and tree replacement locations shall be approved by the Community Development Director prior to issuance of grading or building permits.

44. Landscape plans submitted to the City shall include a minimum of four replacement trees. If additional trees are required to be removed or are damaged due to construction impacts, these trees shall also require replacement at a 2:1 ratio prior to occupancy and as part of the landscaper's warranty. All new tree species shall be selected in consultation with the project arborist, based on the specific tree location, soil type, and water and solar needs.

Lighting

45. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. Where deemed necessary by the Community Development Director light cutoffs/shields shall be installed.

CC&R's

46. CC&R's for the ongoing management and maintenance of the site improvements including perimeter fencing, on-site stormwater facilities, landscaping, driveways, retaining walls, and any other shared facilities, for the project shall be approved by the City and executed by the property owner prior to the approval of the final map. The CC&R's shall be recorded prior to building permit final, or the sale or lease of the first unit or within 30 days of the final map recording, whichever comes first. The property owner shall pay recording costs.

Joint Maintenance Agreement

47. Applicant shall provide a Joint Landscape Maintenance Agreement for review and approval by the Community Development Director and Public Works Director for the maintenance of off-site landscaping prior to approval of the Final Map.

48. The curbs along the private ace road and the emergency vehicle turnaround shall be painted red indicating no parking except for emergency vehicles and no parking signs installed pursuant to Fire Department standards. This condition shall be included in the CCRs.

Affordable Housing

49. Pursuant to Section 14 of the Scotts Valley Municipal Code the project shall comply with all applicable affordable housing requirements including the dedication of units and payment of in-lieu fees.

Public Access Easement

50. To provide for public access to MacDorsa Park from Erba Lane a public access easement is required over Lot A private access road. The City Attorney shall review and approve the public access easement prior to approval of the final map and it shall be recorded concurrently

51. If a future owner would like to make improvements in their rear yard resulting in a greater lot coverage than 55%, this can be allowed with the review and approval of the Director of the Community Development Department.

Public Art

52. The proposed public art will be a custom Bay Photo design mural located on the face of the retaining wall of Lot 6 and Erba Lane. It will be approximately ten feet wide by four feet high. The Community Development Director will review and approve the final design.

Building Department

Standard

The developer shall obtain any required grading and/or building permit(s) and pay applicable fees

53. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.

54. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.

55. All trades of electrical, plumbing, and mechanical will be issued under one building permit for said project (General Contractor permittee). All subcontractors shall provide their contractor's license number and their workers compensation insurance information to the Building Department.

56. All buildings shall be designed to comply with the current California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Energy Code and California Green Building Code, in effect at the time of building permit application.

57. The building permit plans must comply with the current California Plumbing and Green Building Code for water-conserving fixtures and fittings and with the CA Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.

58. All new construction shall comply with the California Green Building Code and the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.

59. Structural calculations shall be submitted and wet-signed by the Engineer of record.

60. A Special Inspection form shall be submitted and the names of Special Inspectors with certifications as required shall be provided.

61. A soils report by a qualified professional) engineer shall be submitted with the application for any building permits. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.

62. The developer shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.

63. Site drainage erosion control and foundation plans must be reviewed and approved by the soils engineer of record.

64. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.

65. Developer shall submit a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval.

66. A completed City of Scotts Valley Construction and Waste Management Plan form shall be submitted with the Building permit application.

Grading

67. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

68. If grading in the rainy season (October 15th to April 15th) is necessary all necessary, approvals from the Building Department shall be obtained.

69. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.

70. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

71. Air Quality
The following BMPs shall be included in the construction contract for the project and be implemented during site grading:

    a. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.
    b. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.
    c. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.

d. The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.
e. Roadway(s) along the project frontage shall be mechanically swept at the end of each workday when any dirt or mud has been tracked on the street.
f. No grading activities shall occur during days of high wind velocity.
g. Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.
h. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.
i. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

Hazardous Materials and Hydrology

72. Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.

73. Construction materials shall not be stockpiled or stored where they could be accidently discharged downslope or into Scotts Valley Drive.

74. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

City Public Works Department- Engineering Division

75. A final subdivision or parcel map in conformance with the California Government A final subdivision or parcel map in conformance with the California Government Code, Section 66410 ET seq, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer.

76. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)

77. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading

drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required satisfying tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.

78. Engineered improvement plans for all work, signed, and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.

79. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.

80. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material men's Bond, to the satisfaction of the Public Works Director/City Engineer.

81. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".

82. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.

83. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city's SWMP Ordinance No. 184.1.

84. Stormwater Management Plan:
A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan.

    Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

    See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works.

85. Impervious area must be shown on coversheet.

86. Dedication of land for Park and Recreational Purposes:

Applicant shall comply with be aware of Muni Code Chapter 16.35 – Dedication of land for Park and Recreation Purposes. Applicant can find the Code of Ordinance on the City of Scotts Valley Website, under Municipal Code.

87. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This under grounding of utilities to remove utility poles comes in addition to the state required under grounding of transmission for the project and any new service connections.

88. The final map shall be submitted to the City's Public Works Department on an AutoCAD drawing version 2018 LT or earlier electronic version prior to recording.

89. Applicant shall submit electric files for all civil plans for review and As-Builts when project is completed in both paper and electronic file.

90. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.

91. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.

92. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

DEPARTMENT OF PUBLIC WORKS -PARKS AND RECREATION DIVISION

The developer shall comply with SVMC chapter 16.35, dedication of land for parks and recreational purposes. Any fees shall be paid prior to issuance of a grading and/or building permit.

FIRE DEPARTMENT

54. This project shall comply with the California Fire Code as amended by the Scotts Valley Fire Protection District

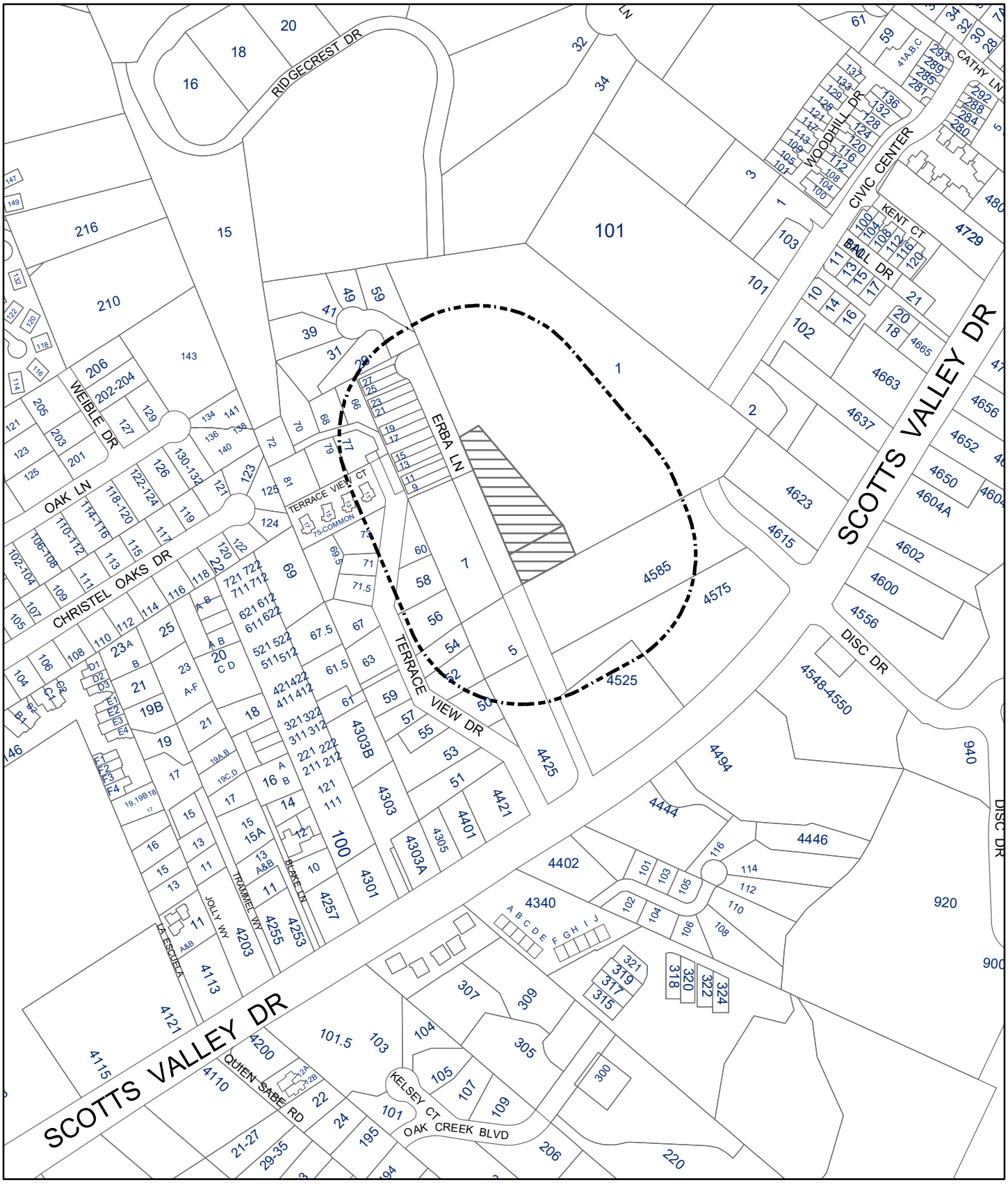
55. The emergency vehicle turnaround shall be clearly marked with red curbs and no parking signs pursuant to Fire Department standards.

_____

Name and Signature of Property Owner Date

Project Location

Erba Lane Bay Village / APN 022-491-18 & 22



088



BAY VILLAGE

BAY VILLAGE

ERBA LANE, SCOTTS VALLEY, CALIFORNIA

A PLANNED DEVELOPMENT CONSISTING OF
6 SINGLE FAMILY HOMES AND
2 DUET HOMES FOR A
TOTAL OF 10 HOMES

PROJECT DATA

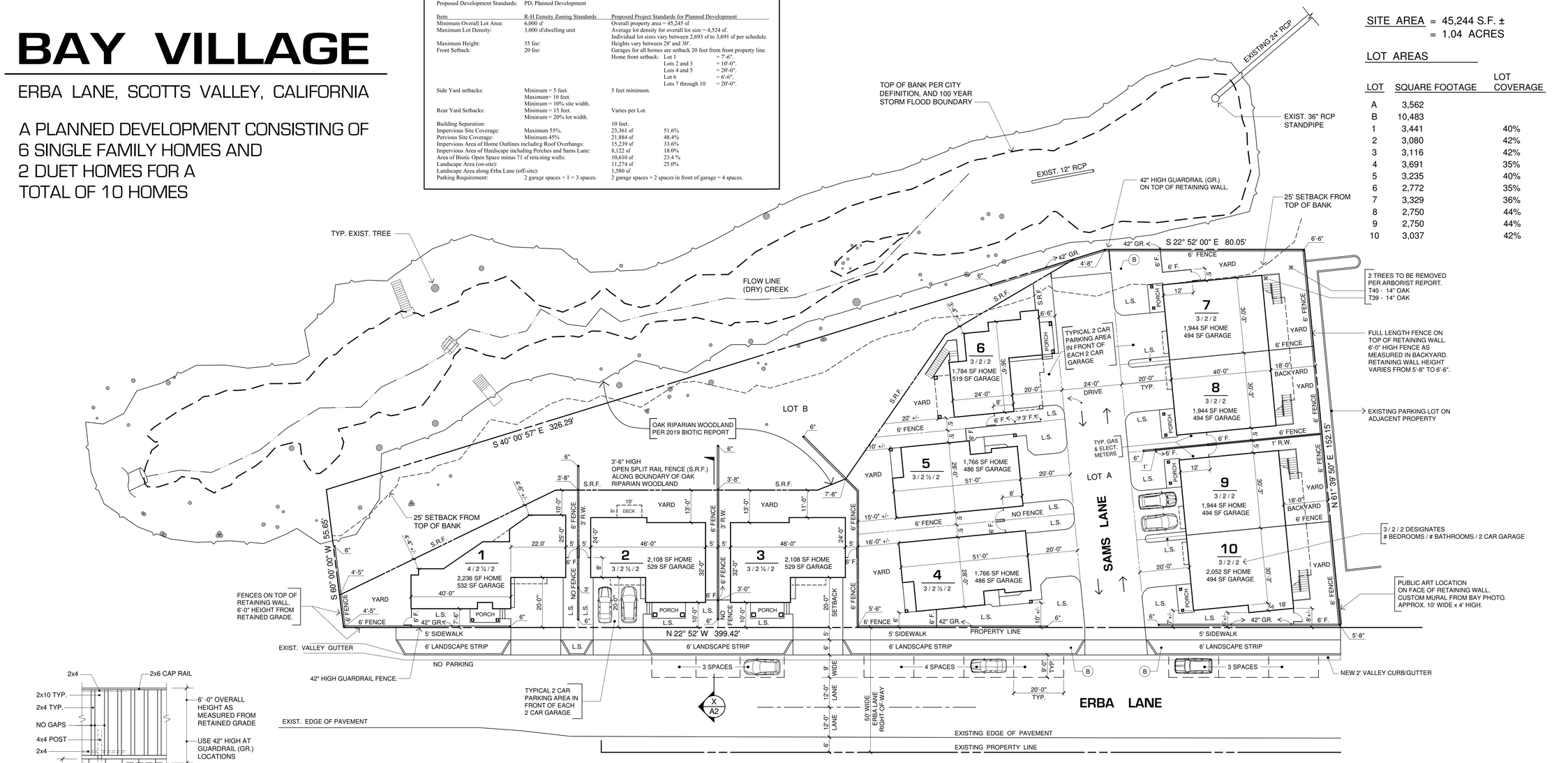
General Plan: Residential Very High (RVH)
Zoning: R-H High Density Residential
Proposed Development Standards: PD, Planned Development

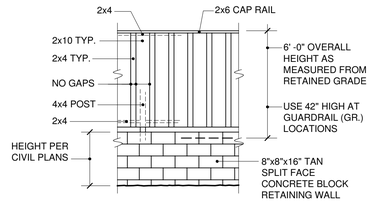
Item	R-H Density Zoning Standards	Proposed Project Standards for Planned Development
Minimum Overall Lot Area:	6,000 sf	Overall property area = 45,245 sf
Maximum Lot Density:	3,000 sf/dwelling unit	Average lot density for overall lot size = 4,524 sf. Individual lot sizes vary between 2,693 sf to 3,691 sf per schedule.
Maximum Height:	35 fee:	Heights vary between 28' and 30'.
Front Setback:	20 fee:	Garages for all homes are setback 20 feet from front property line. Home front setback: Lot 1 = 7'-6", Lots 2 and 3 = 10'-0", Lots 4 and 5 = 20'-0", Lot 6 = 6'-6", Lots 7 through 10 = 20'-0".
Side Yard setbacks:	Minimum = 5 feet. Maximum= 10 feet.	5 feet minimum.
Rear Yard Setbacks:	Minimum = 10% site width. Minimum = 15 feet. Minimum = 20% lot width.	Varies per Lot.
Building Separation:		10 feet.
Impervious Site Coverage:	Maximum 55%.	23,361 sf 51.6%
Pervious Site Coverage:	Minimum 45%	21,884 sf 48.4%
Impervious Area of Home Outlines including Roof Overhangs:		15,239 sf 33.6%
Impervious Area of Hardscape including Porches and Sams Lane:		8,122 sf 18.0%
Area of Biotic Open Space minus 71 sf reta.ning walls:		10,610 sf 23.4 %
Landscape Area (on-site):		11,274 sf 25.0%
Landscape Area along Erba Lane (off-site):		1,580 sf
Parking Requirement:	2 garage spaces + 1 = 3 spaces.	2 garage spaces + 2 spaces in front of garage = 4 spaces.

SITE AREA = 45,244 S.F. ±
= 1.04 ACRES

LOT AREAS

LOT	SQUARE FOOTAGE	LOT COVERAGE
A	3,562	
B	10,483	
1	3,441	40%
2	3,080	42%
3	3,116	42%
4	3,691	35%
5	3,235	40%
6	2,772	35%
7	3,329	36%
8	2,750	44%
9	2,750	44%
10	3,037	42%





FENCE ON TOP OF RETAINING WALL

1/4" = 1' - 0"

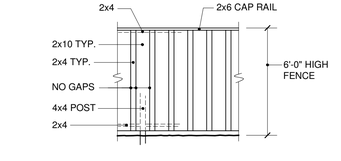
L.S. = LANDSCAPE.

F. = FENCE. HEIGHT AS NOTED.

R.W. = RETAINING WALL. SHOWN AS ▨ HEIGHTS ARE APPROXIMATE. SHOWN AS X'-X" SEE CIVIL PLANS FOR GRADES.

S.R.F. = SPLIT RAIL FENCE.

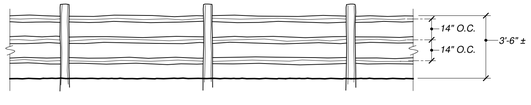
GR. = 42" HIGH GUARDRAIL FENCE ON TOP OF RETAINING WALL.



NEIGHBOR FENCE - 6' HIGH

[3'-0" in portion of front yard between Lots 5 and 6.]

1/4" = 1' - 0"



SPLIT RAIL FENCE (S.R.F.)

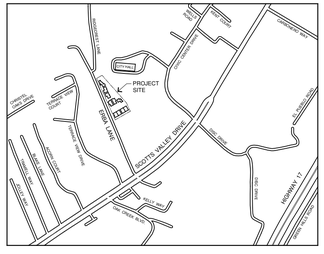
ALONG BOUNDRY OF OAK RIPARIAN WOODLAND

1/4" = 1' - 0"

SITE PLAN

1" = 20'

NOTE: BOUNDARY LINES, 100 YEAR STORM FLOOD BOUNDARY/TOP OF BANK, 25' SETBACK FROM TOP OF BANK, EXISTING TREE LOCATIONS, EXISTING TOP OF BANK WERE OBTAINED FROM BOWMAN & WILLIAMS SURVEY PLAN.



VICINITY MAP

NOT TO SCALE

NORTH

NORTH

EXTERIOR COLOR SCHEDULE

Roofing: Medium Dark Brown Heavy Tab Comp Shingle

Roof Fascias and Gutters, Wood Trellises, Wood Knee Braces, Window and Door Trims, Deck Railings, Beams and Columns: Mission Brown

Window and Door Frames: Off-White

Lot Number	1	2	3	4	5	6
Wall Color:	Curly Willow	Burnt Almond	Incognito	Rugged Tan	Livingston	Curly Willow
Garage Door Color:	Meadowland	Medieval Wine	Gladiator Gray	Nut Brown	Adventurer	Lagoon Moss
Stone Veneer at Base:	Saratoga	Yukon	Sierra	Yukon	Saratoga	Yukon

Lot Number	7	8	9	10
Wall Color:	Frontier Brown	Curly Willow	Livingston	Artisan Crafts
Garage Door Color:	Moose Trail	Sandalwood Tan	Gladiator Gray	Split Rail
Stone Veneer at Base:	Saratoga	Saratoga	Sierra	Sierra

Paint colors are BEHR Paints.

Stone Veneer at Base: Eldorado Stone
Pattern: Mountain Ledge, Colors: Yukon and Sierra
Pattern: Rustic Ledge, Color: Saratoga

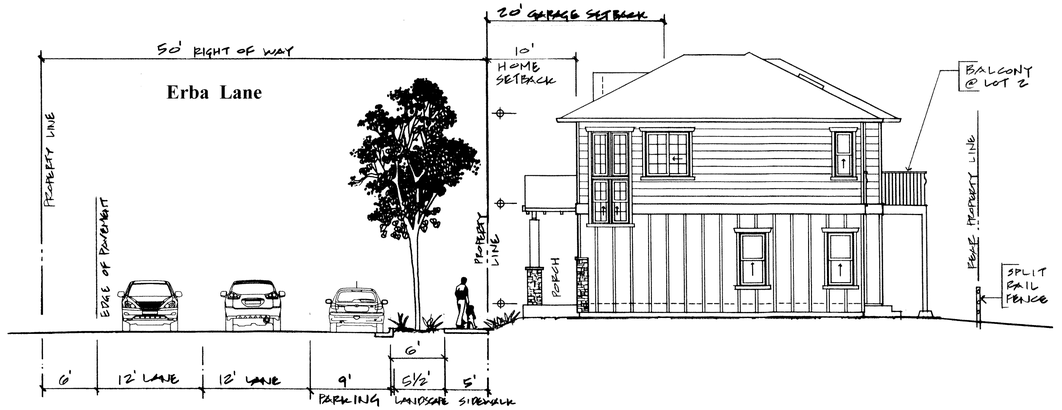
REVISIONS	BY
#1 9/8/20	DZ LC

DAVID B. ZULIM INC.
DESIGN ENGINEERING PLANNING
150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-8769
DAVID ZULIM
P.E. 31047 CALIFORNIA

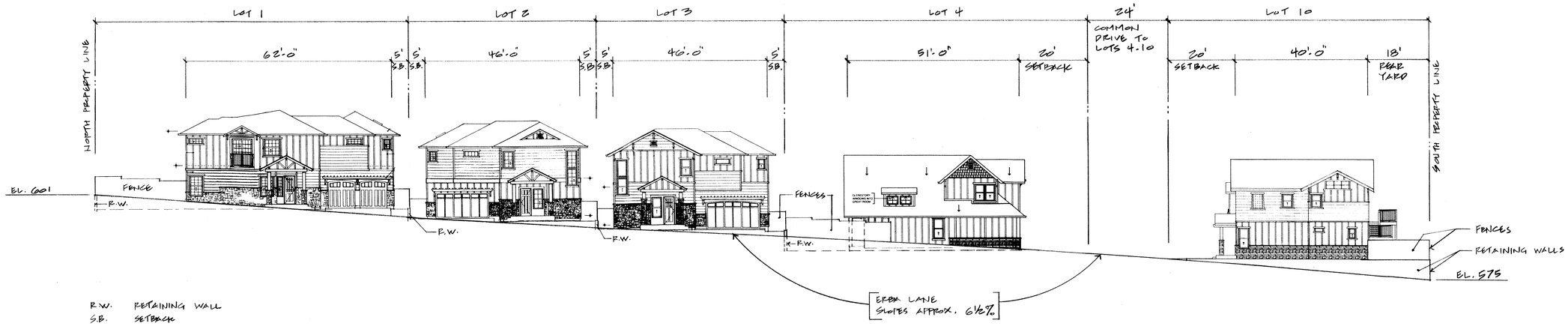
Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

Site Plan
Bay Village
Erba Lane, Scotts Valley, California

Date	5/12/20
Scale	1" = 20'
Drawn	DZ/LC
Job	632-20A
Sheet	A1
Of	Sheets



X **Street Section @ Lot 2**
1/8" = 1'- 0"



R.W. RETAINING WALL
S.B. SETBACK

Street View of Homes from Erba Lane
1/16" = 1' – 0"

THIS DRAWING EMBODIES IDEAS, DESIGNS, ARRANGEMENTS, PLANS AND SPECIFICATIONS WHICH ARE PROPRIETARY TO AND OWNED BY DAVID B. ZULIM, INC. AND WHICH WERE DESIGNED, CREATED, EVOLVED AND DEVELOPED FOR USE SOLELY IN CONNECTION WITH THE SPECIFIED PROJECT. NO TRANSFER OF ANY RIGHTS THERETO IS INTENDED OR EFFECTED BY DELIVERY HEREOF.

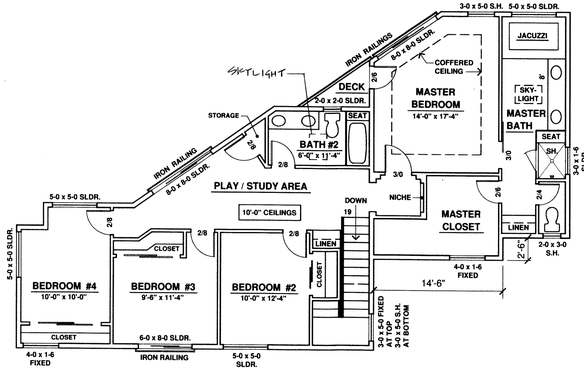
REVISIONS	BY
#1 8/24/20	DZ

DAVID B. ZULIM INC.
150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-8760
DESIGN ENGINEERING PLANNING
DAVID ZULIM
P.E. 31047 CALIFORNIA

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

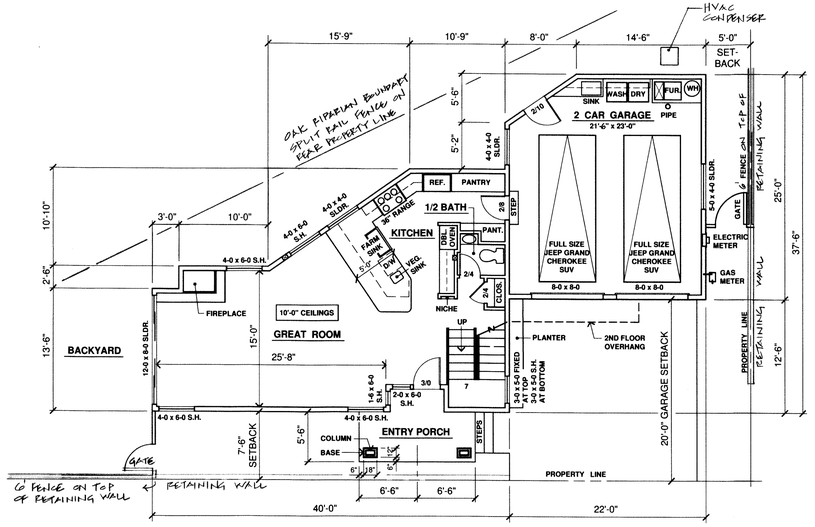
Neighborhood Site Plan, Street View, Street Section
Bay Village
Erba Lane, Scotts Valley, California

Date	3/31/20
Scale	NOTED
Drawn	DZ
Job	632-20A
Sheet	A2
Of	Sheets 091



LOT 1
SECOND FLOOR PLAN

ALL ROOM SIZES APPROXIMATE — 1/8" = 1'-0"



LOT 1
GROUND FLOOR PLAN

ALL ROOM SIZES APPROXIMATE — 1/8" = 1'-0"

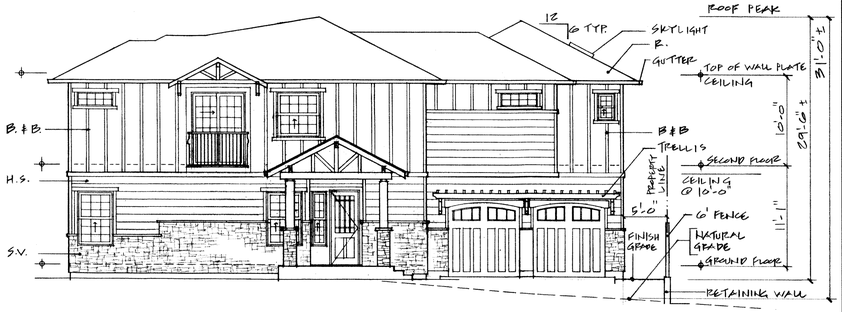
SQUARE FOOTAGE

SECOND FLOOR	=	1,411 S.F.
GROUND FLOOR	=	825 S.F.
HOME S.F.	=	2,236 S.F.
DECK S.F.	=	20 S.F.
GARAGE S.F.	=	532 S.F.

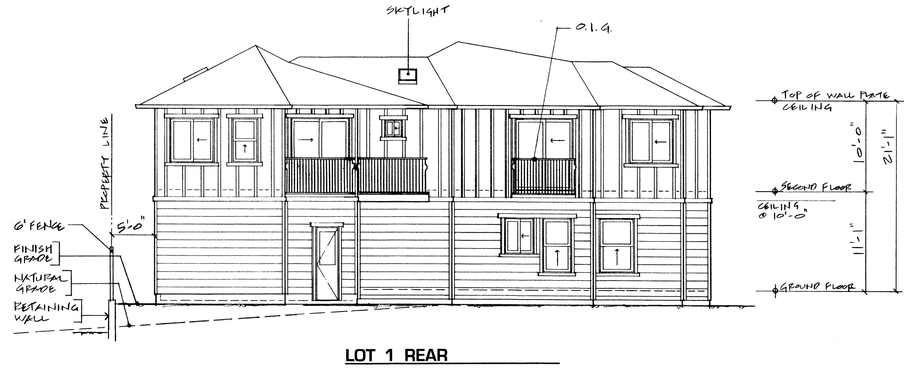
LOT 1 EXTERIOR ELEVATIONS

1/8" = 1'-0"

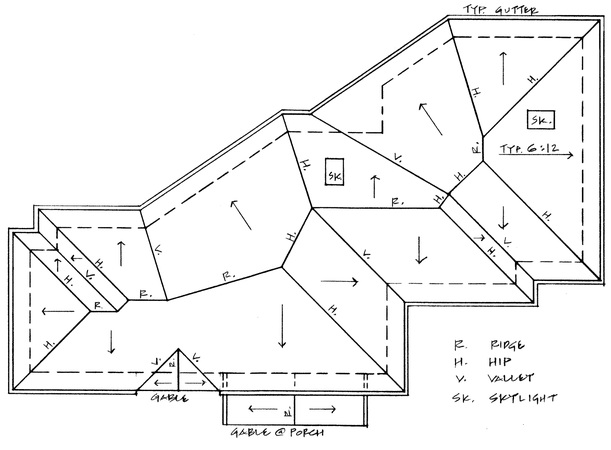
R. Heavy Tab Composition Shingle Roofing
B & B Board & Batt Siding
H.S. Horizontal Siding
S.V. Stone Veneer
O.I.G. Ornamental Iron Guardrail



LOT 1 FRONT



LOT 1 REAR



LOT 1 ROOF PLAN

1/8" = 1'-0"



LOT 1 LEFT SIDE



LOT 1 RIGHT SIDE

THIS DRAWING EMBODIES IDEAS, DESIGNS, ARRANGEMENTS, PLANS AND SPECIFICATIONS WHICH ARE PROPRIETARY TO AND OWNED BY DAVID B. ZULIM, INC. AND WHICH WERE DESIGNED, CREATED, EVOLVED AND DEVELOPED FOR USE SOLELY IN CONNECTION WITH THE SPECIFIED PROJECT. NO TRANSFER OF ANY RIGHTS THERETO IS INTENDED OR EFFECTED BY DELIVERY HEREOF.

REVISIONS	BY
#1 3/24/20	DZ

DAVID B. ZULIM INC.
150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-8769
DESIGN ENGINEERING PLANNING
DAVID ZULIM
CE 31047 CALIFORNIA

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property; that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

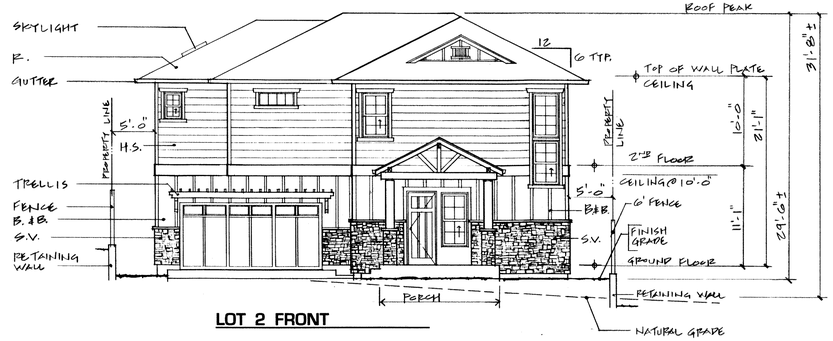
Lot 1
Bay Village
Erba Lane, Scotts Valley, California

Date	3/3/20
Scale	1/8" = 1'-0"
Drawn	DZ
Job	632.20A
Sheet	A3
Of	Sheets 002

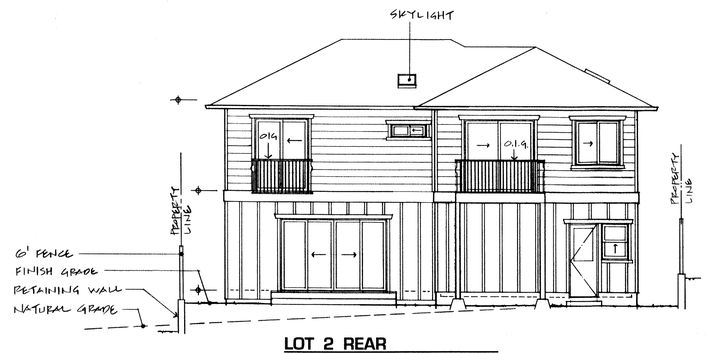
THIS DRAWING EMBODIES IDEAS, DESIGNS, ARRANGEMENTS, PLANS AND SPECIFICATIONS WHICH ARE PROPRIETARY TO AND OWNED BY DAVID B. ZULIM, INC. AND WHICH WERE DESIGNED, CREATED, EVOLVED AND DEVELOPED FOR USE SOLELY IN CONNECTION WITH THE SPECIFIED PROJECT. NO TRANSFER OF ANY RIGHTS THERETO IS INTENDED OR EFFECTED BY DELIVERY HEREOF.

R.	Heavy Tab Composition Shingle Roofing
B & B	Board & Batt Siding
H.S.	Horizontal Siding
S.V.	Stone Veneer
O.I.G.	Ornamental Iron Guardrail

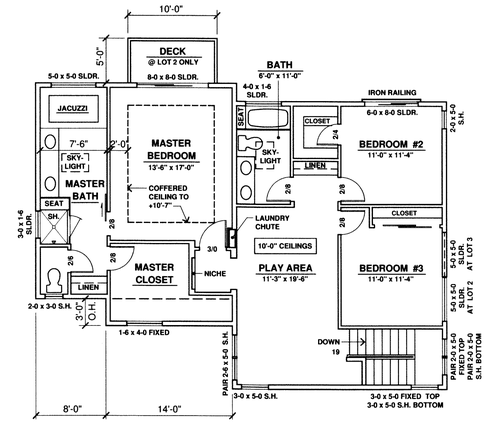
LOT 2 EXTERIOR ELEVATIONS
1/8" = 1' - 0"



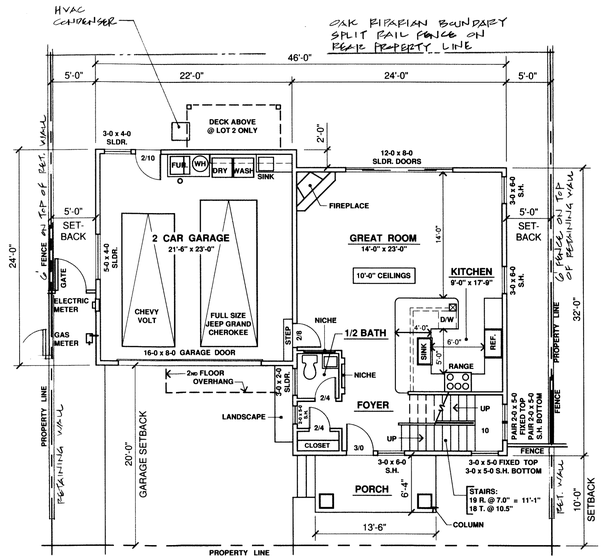
LOT 2 FRONT



LOT 2 REAR



LOT 2
SECOND FLOOR PLAN
ALL ROOM SIZES APPROXIMATE — 1/8" = 1' - 0"

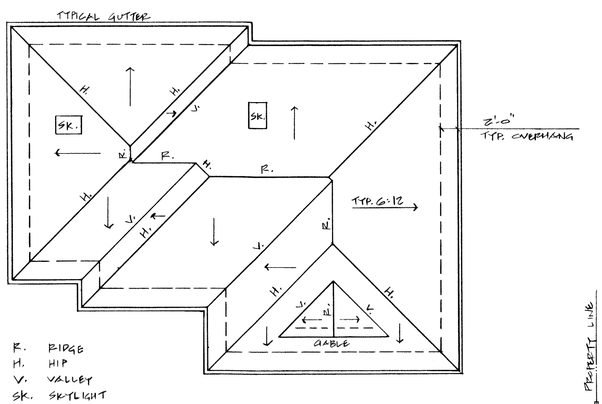


LOT 2
GROUND FLOOR PLAN
ALL ROOM SIZES APPROXIMATE — 1/8" = 1' - 0"

LOT 3 IS MIRROR IMAGE FLOOR PLAN

SQUARE FOOTAGE

SECOND FLOOR	=	1,340 S.F.
GROUND FLOOR	=	768 S.F.
HOME S.F.	=	2,108 S.F.
DECK @ LOT 2 S.F.	=	50 S.F.
GARAGE S.F.	=	529 S.F.



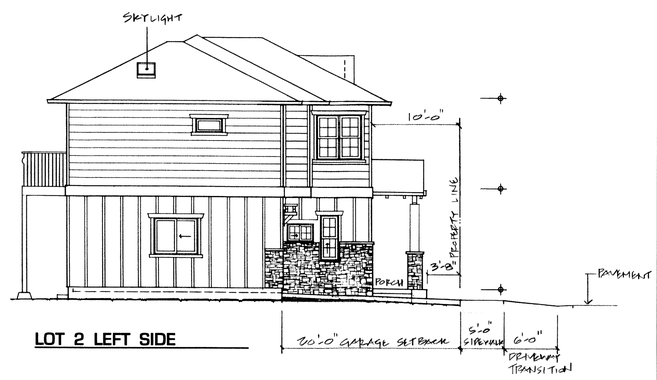
LOT 2 ROOF PLAN
1/8" = 1' - 0"



LOT 3 FRONT ELEVATION
Lot 3 is mirror image of Lot 2 with siding changes. — 1/8" = 1' - 0"



LOT 2 RIGHT SIDE



LOT 2 LEFT SIDE

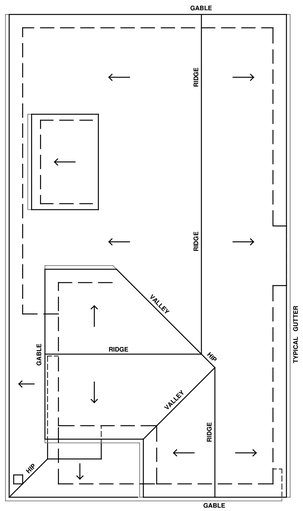
REVISIONS	BY
#1 8/24/20	DZ

DAVID B. ZULIM INC.
150 RELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-9769
DESIGN ENGINEERING PLANNING
DAVID ZULIM
C.E. 31047 CALIFORNIA

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not be limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

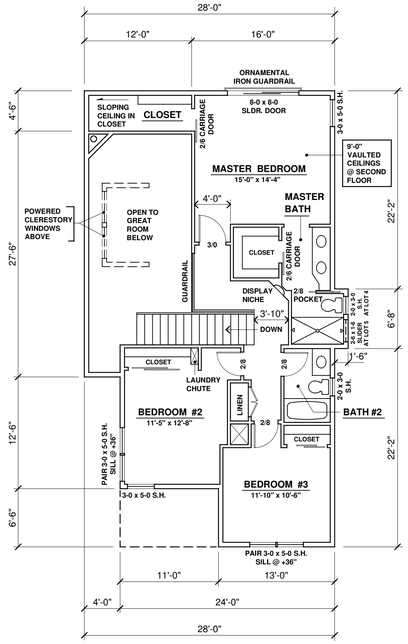
Lots 2 & 3
Bay Village
Erba Lane, Scotts Valley, California

Date	3/31/20
Scale	1/8" = 1'-0"
Drawn	DZ
Job	632.20A
Sheet	A4
Of	Sheets 093



LOT 4
ROOF PLAN

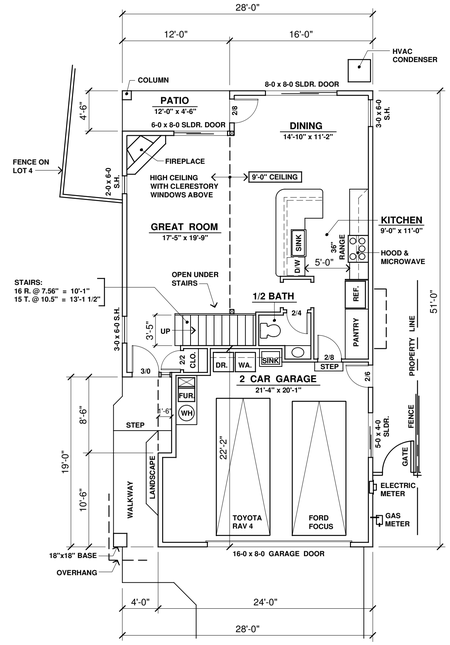
1/8" = 1' - 0"



LOT 4
SECOND FLOOR PLAN

ALL ROOM SIZES APPROXIMATE 1/8" = 1' - 0"

LOT 5 IS MIRROR IMAGE FLOOR PLAN



LOT 4
GROUND FLOOR PLAN

ALL ROOM SIZES APPROXIMATE 1/8" = 1' - 0"

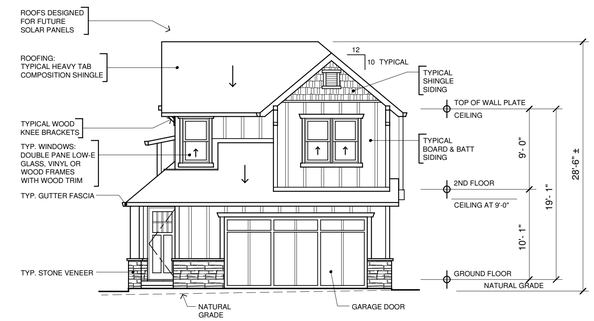
LOT 5 IS MIRROR IMAGE FLOOR PLAN

SQUARE FOOTAGE

SECOND FLOOR	=	967 S.F.
GROUND FLOOR	=	799 S.F.
LIVING S.F.	=	1,766 S.F.
GARAGE S.F.	=	486 S.F.
PATIO S.F.	=	54 S.F.

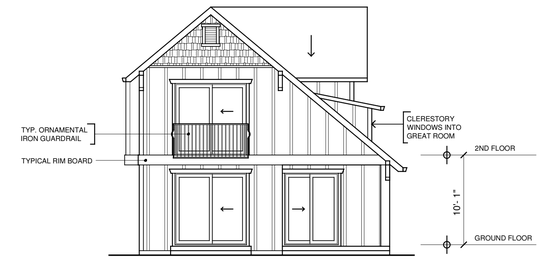
LOT 4 EXTERIOR ELEVATIONS

1/8" = 1' - 0"



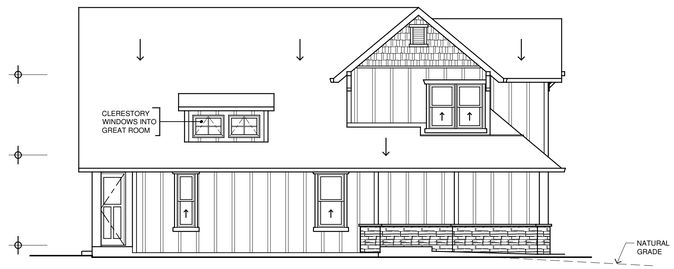
LOT 4
FRONT ELEVATION

1/8" = 1' - 0"



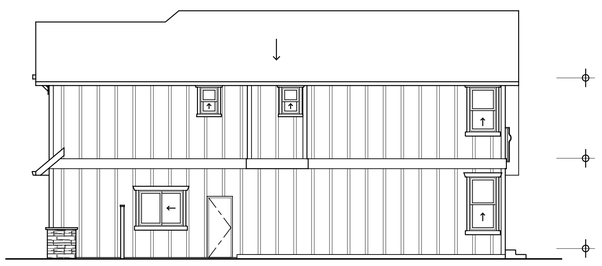
LOT 4
REAR ELEVATION

1/8" = 1' - 0"



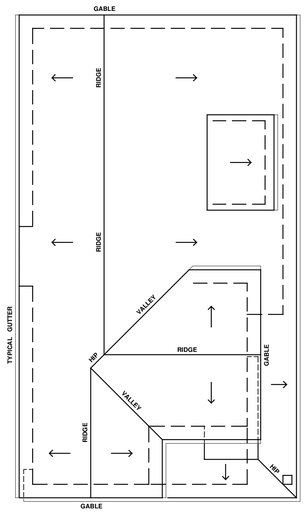
LOT 4
LEFT SIDE ELEVATION FACING ERBA LANE

1/8" = 1' - 0"



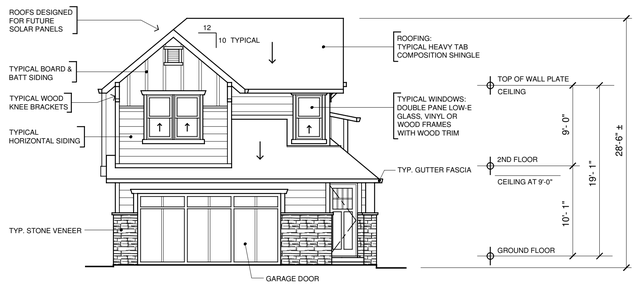
LOT 4
RIGHT ELEVATION

1/8" = 1' - 0"



LOT 5
ROOF PLAN

1/8" = 1' - 0"



LOT 5
FRONT ELEVATION

LOT 5 IS MIRROR IMAGE OF LOT 4 WITH SIDING CHANGES. 1/8" = 1' - 0"

THIS DRAWING EMBODIES IDEAS, DESIGNS, ARRANGEMENTS, PLANS AND SPECIFICATIONS WHICH ARE PROPRIETARY TO AND OWNED BY DAVID B. ZULIM, INC. AND WHICH WERE DESIGNED, CREATED, EVOLVED AND DEVELOPED FOR USE SOLELY IN CONNECTION WITH THE SPECIFIED PROJECT. NO TRANSFER OF ANY RIGHTS THERETO IS INTENDED OR EFFECTED BY DELIVERY HEREOF.

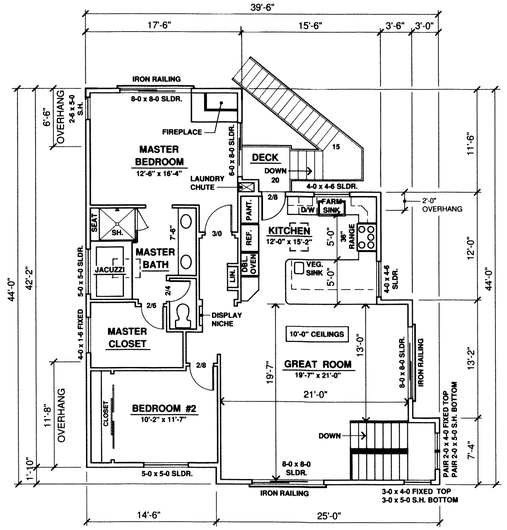
REVISIONS	BY
#1 8/15/20	DZ LC

DAVID B. ZULIM INC.
150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-8769
DESIGN ENGINEERING PLANNING
DAVID ZULIM
P.E. 31047 CALIFORNIA

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

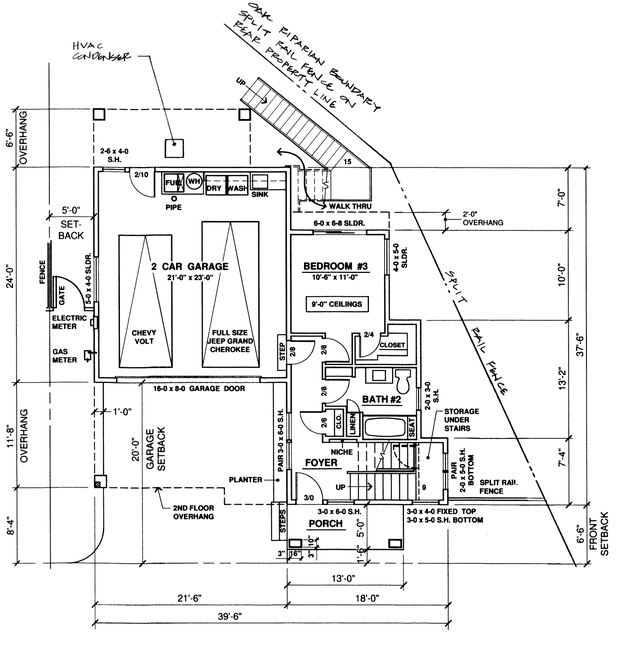
Lots 4 & 5
Bay Village
Erba Lane, Scotts Valley, California

Date	3/31/20
Scale	1/8" = 1'-0"
Drawn	DZ/LC
Job	632-20A
Sheet	A5
Of	Sheets



LOT 6
SECOND FLOOR PLAN

ALL ROOM SIZES APPROXIMATE 1/8" = 1'-0"

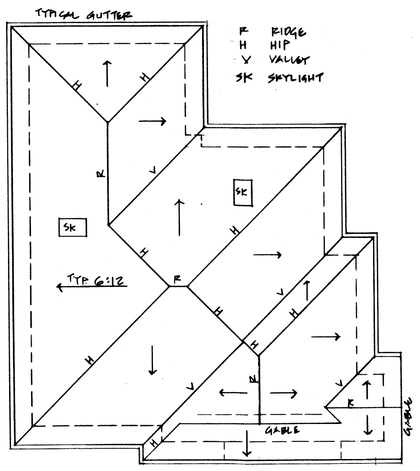


LOT 6
GROUND FLOOR PLAN

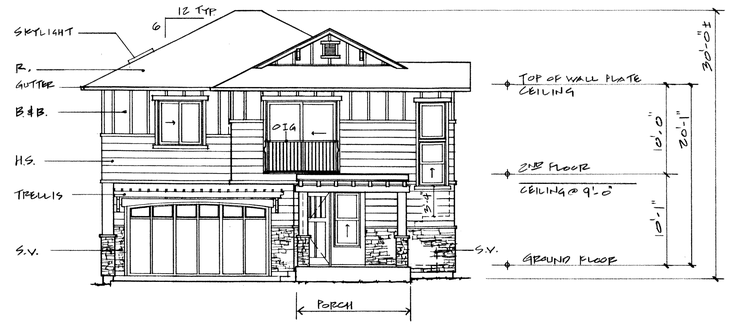
ALL ROOM SIZES APPROXIMATE 1/8" = 1'-0"

SQUARE FOOTAGE

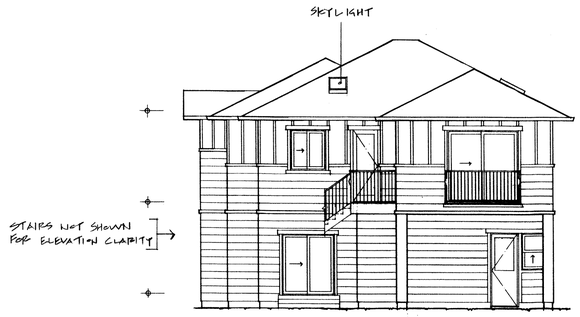
SECOND FLOOR	=	1,340 S.F.
GROUND FLOOR	=	444 S.F.
HOME S.F.	=	1,784 S.F.
GARAGE S.F.	=	519 S.F.



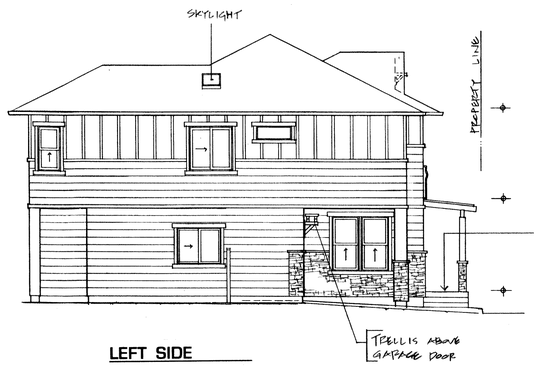
ROOF PLAN
1/8" = 1'-0"



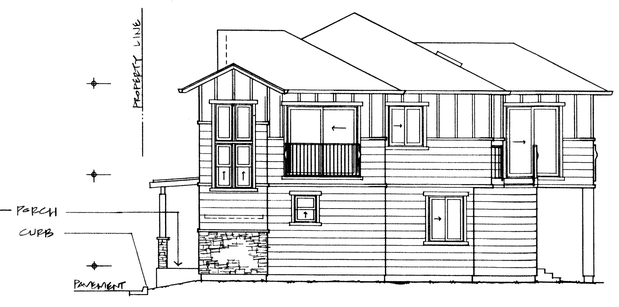
FRONT



REAR



LEFT SIDE



RIGHT SIDE

THIS DRAWING EMBODIES IDEAS, DESIGNS, ARRANGEMENTS, PLANS AND SPECIFICATIONS WHICH ARE PROPRIETARY TO AND OWNED BY DAVID B. ZULIM, INC. AND WHICH WERE DESIGNED, CREATED, EVOLVED AND DEVELOPED FOR USE SOLELY IN CONNECTION WITH THE SPECIFIED PROJECT. NO TRANSFER OF ANY RIGHTS THERETO IS INTENDED OR EFFECTED BY DELIVERY HEREOF.

R. Heavy Tab Composition Shingle Roofing
B & B Board & Batt Siding
H.S. Horizontal Siding
S.V. Stone Veneer
O.I.G. Ornamental Iron Guardrail

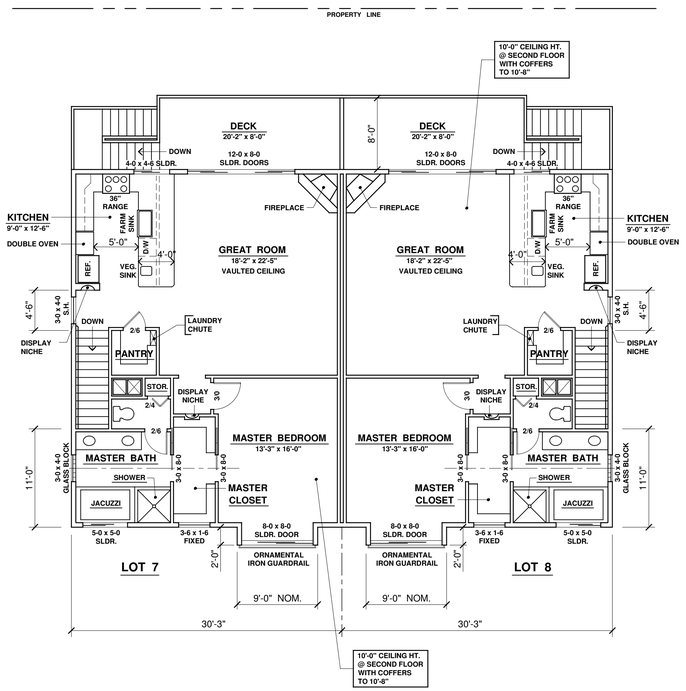
REVISIONS	BY
#1 8/24/20	DZ

DAVID B. ZULIM INC.
150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-5769
DESIGN ENGINEERING PLANNING
DAVID ZULIM
C.E. 31547 CALIFORNIA

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

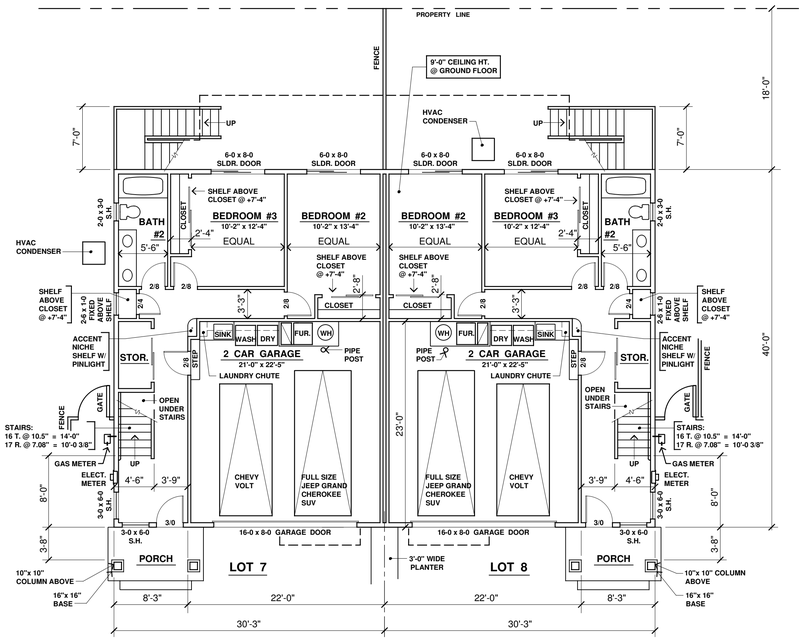
Lot 6
Bay Village
Erba Lane, Scotts Valley, California

Date 3/31/20
Scale 1/8" = 1'-0"
Drawn DZ
Job 632-20A
Sheet A6
Of Sheets
095



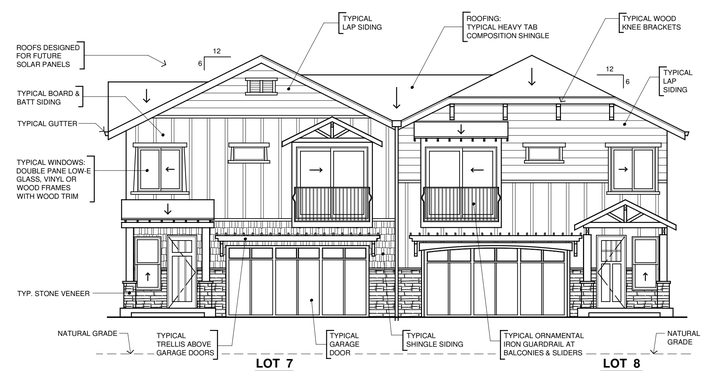
LOTS 7 AND 8
SECOND FLOOR PLAN

ALL ROOM SIZES APPROXIMATE 1/8" = 1'-0"



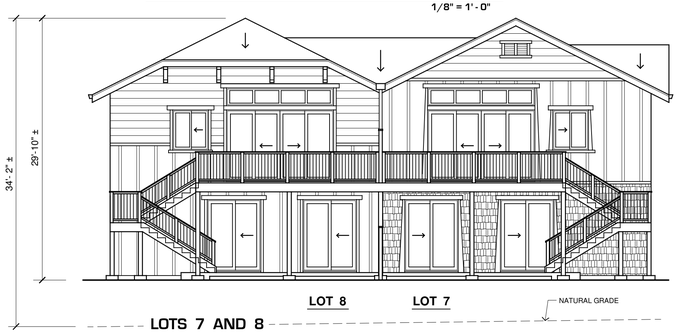
LOTS 7 AND 8
GROUND FLOOR PLAN

ALL ROOM SIZES APPROXIMATE 1/8" = 1'-0"



LOTS 7 AND 8
FRONT ELEVATION

1/8" = 1'-0"



LOTS 7 AND 8
REAR ELEVATION

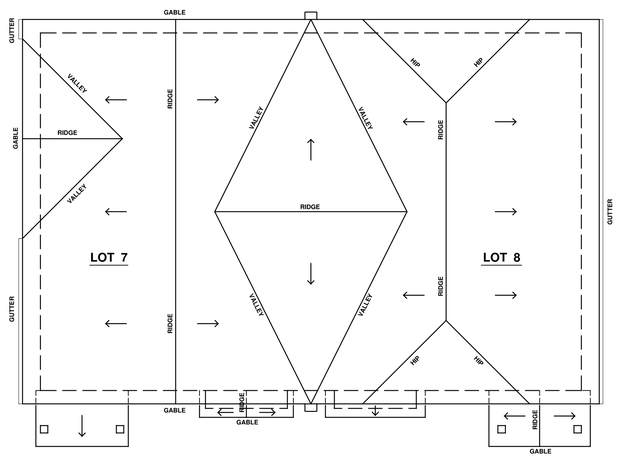
1/8" = 1'-0"

SQUARE FOOTAGE - LOT 7

SECOND FLOOR	=	1,228 S.F.
GROUND FLOOR	=	716 S.F.
LIVING S.F.	=	1,944 S.F.
GARAGE S.F.	=	494 S.F.
DECK S.F.	=	161 S.F.

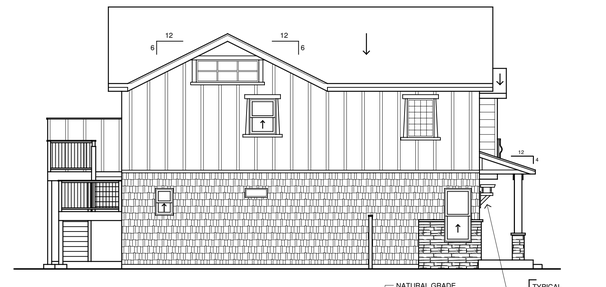
SQUARE FOOTAGE - LOT 8

SECOND FLOOR	=	1,228 S.F.
GROUND FLOOR	=	716 S.F.
LIVING S.F.	=	1,944 S.F.
GARAGE S.F.	=	494 S.F.
DECK S.F.	=	161 S.F.



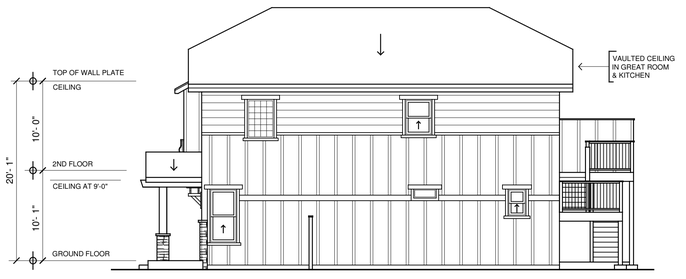
LOTS 7 AND 8
ROOF PLAN

1/8" = 1'-0"



LOT 7
LEFT SIDE ELEVATION

1/8" = 1'-0"



LOT 8
RIGHT SIDE ELEVATION

1/8" = 1'-0"

THIS DRAWING EMBODIES IDEAS, DESIGNS, ARRANGEMENTS, PLANS AND SPECIFICATIONS WHICH ARE PROPRIETARY TO AND OWNED BY DAVID B. ZULIM, INC. AND WHICH WERE DESIGNED, CREATED, EVOLVED AND DEVELOPED FOR USE SOLELY IN CONNECTION WITH THE SPECIFIED PROJECT. NO TRANSFER OF ANY RIGHTS THERETO IS INTENDED OR EFFECTED BY DELIVERY HEREOF.

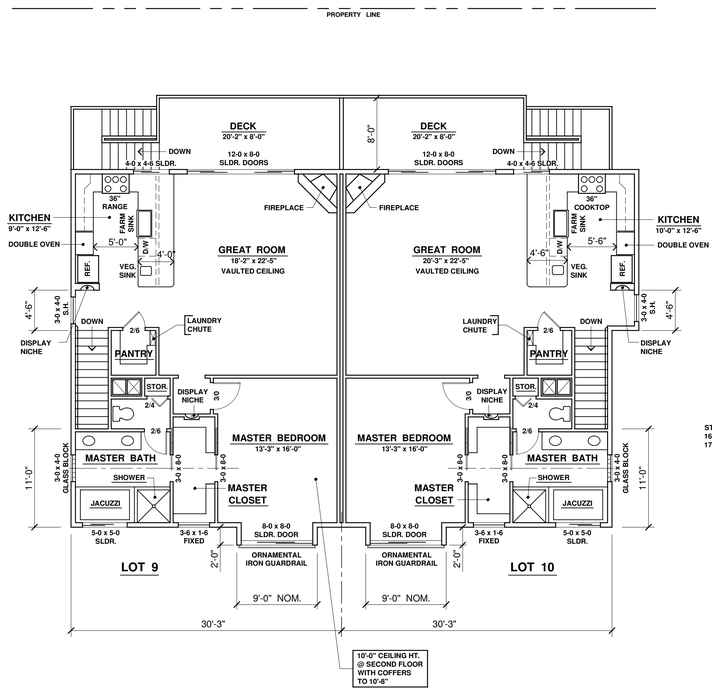
REVISIONS	BY
#1 8/22/20	DZ LC

DAVID B. ZULIM INC.
150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-8769
DESIGN ENGINEERING PLANNING
DAVID ZULIM
P.E. 31047 CALIFORNIA

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

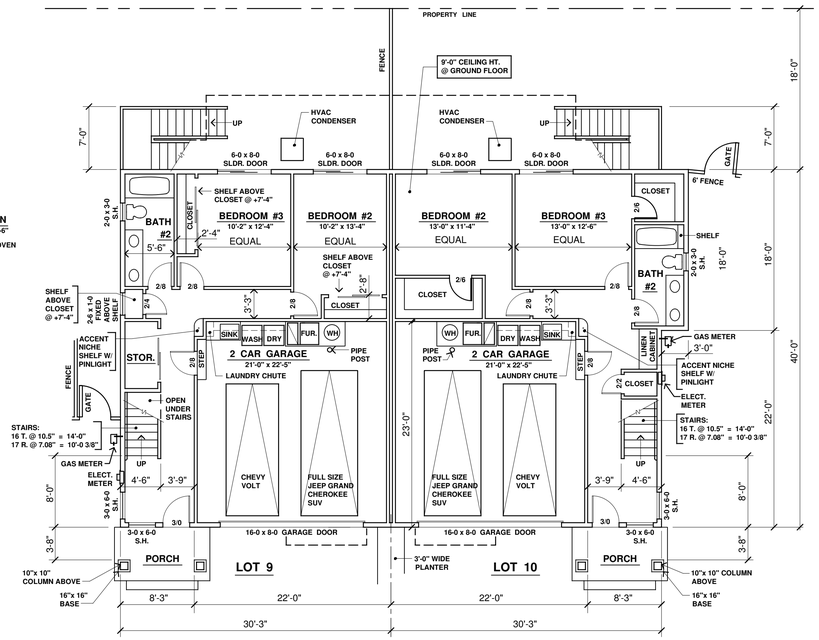
Lots 7 & 8
Bay Village
Erba Lane, Scotts Valley, California

Date	3/31/20
Scale	1/8" = 1'-0"
Drawn	DZ/LC
Job	632-20A
Sheet	A7
Of	Sheets



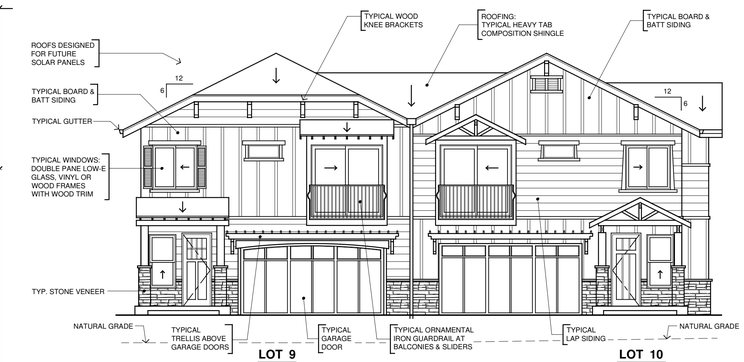
LOTS 9 AND 10
SECOND FLOOR PLAN

ALL ROOM SIZES APPROXIMATE 1/8" = 1'-0"



LOTS 9 AND 10
GROUND FLOOR PLAN

ALL ROOM SIZES APPROXIMATE 1/8" = 1'-0"



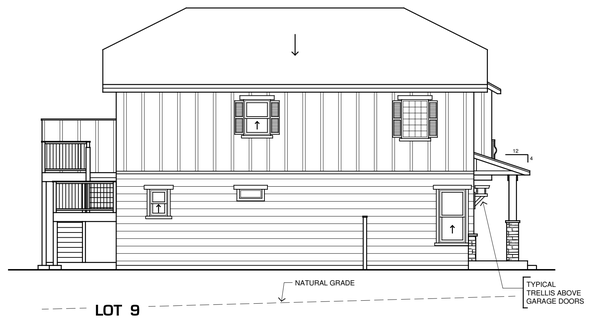
LOTS 9 AND 10
FRONT ELEVATION

1/8" = 1'-0"



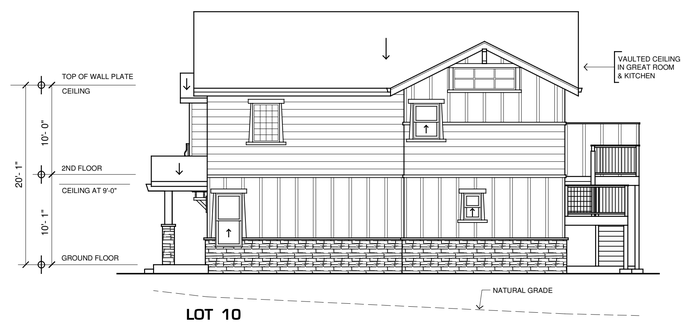
LOTS 9 AND 10
REAR ELEVATION

1/8" = 1'-0"



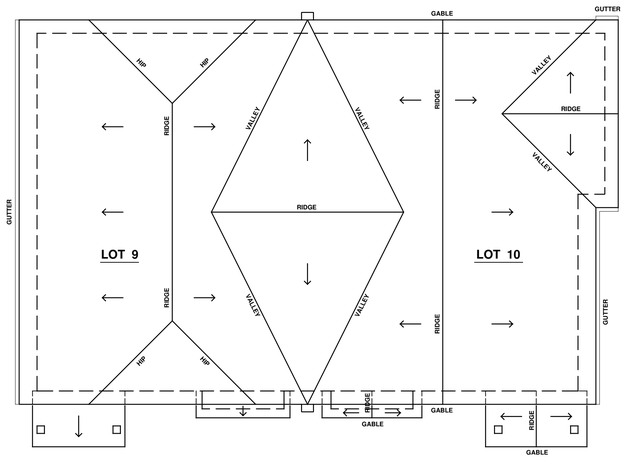
LOT 9
LEFT SIDE ELEVATION

1/8" = 1'-0"



LOT 10
RIGHT SIDE ELEVATION FACING ERBA LANE

1/8" = 1'-0"



LOTS 9 AND 10
ROOF PLAN

1/8" = 1'-0"

SQUARE FOOTAGE - LOT 9

SECOND FLOOR	=	1,228 S.F.
GROUND FLOOR	=	716 S.F.
LIVING S.F.	=	1,944 S.F.
GARAGE S.F.	=	494 S.F.
DECK S.F.	=	161 S.F.

SQUARE FOOTAGE - LOT 10

SECOND FLOOR	=	1,282 S.F.
GROUND FLOOR	=	770 S.F.
LIVING S.F.	=	2,052 S.F.
GARAGE S.F.	=	494 S.F.
DECK S.F.	=	161 S.F.

THIS DRAWING EMBODIES IDEAS, DESIGNS, ARRANGEMENTS, PLANS AND SPECIFICATIONS WHICH ARE PROPRIETARY TO AND OWNED BY DAVID B. ZULIM, INC. AND WHICH WERE DESIGNED, CREATED, EVOLVED AND DEVELOPED FOR USE SOLELY IN CONNECTION WITH THE SPECIFIED PROJECT. NO TRANSFER OF ANY RIGHTS THERETO IS INTENDED OR EFFECTED BY DELIVERY HEREOF.

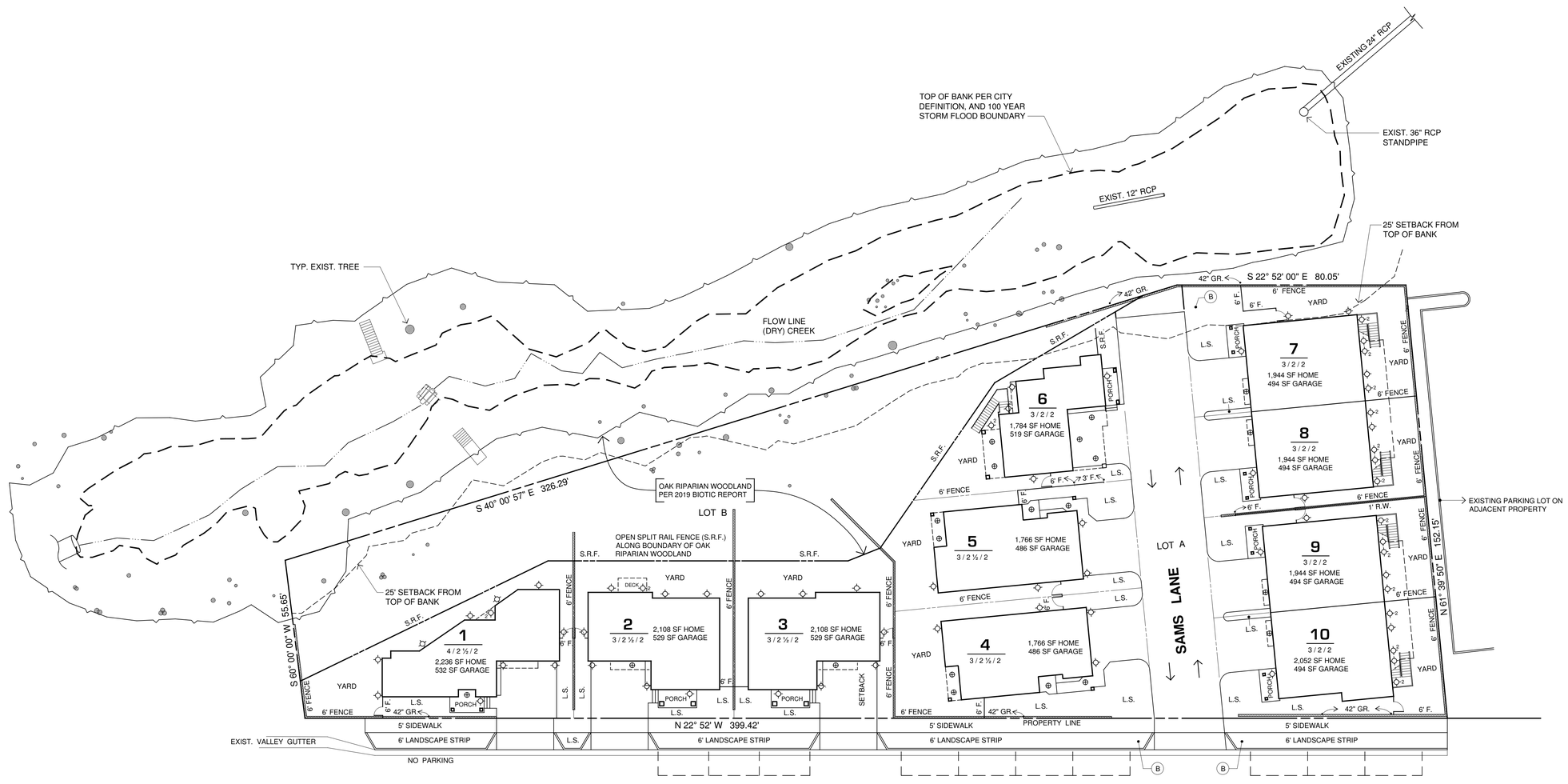
REVISIONS	BY
#1 8/22/20	DZ LC

DAVID B. ZULIM INC.
150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-8769
DESIGN ENGINEERING PLANNING
DAVID ZULIM
P.E. 31047 CALIFORNIA

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

Lots 9 & 10
Bay Village
Erba Lane, Scotts Valley, California

Date	3/31/20
Scale	1/8" = 1'-0"
Drawn	DZ/LC
Job	632-20A
Sheet	A8
Of	Sheets



L.S. = LANDSCAPE.

F. = FENCE. HEIGHT AS NOTED.

R.W. = RETAINING WALL. SHOWN AS

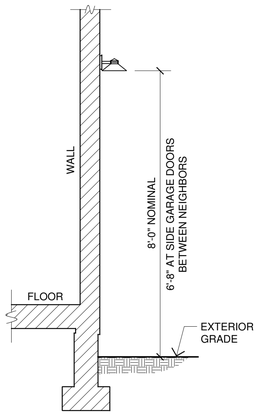
S.R.F. = SPLIT RAIL FENCE.

GR. = 42" HIGH GUARDRAIL FENCE ON TOP OF RETAINING WALL.

EXTERIOR LIGHTING PLAN

1" = 20'

NORTH



SECTION - WALL MOUNTED LED LIGHT

WITH GLARE CUTOFF & DARK SKY FRIENDLY RATED

1/2" = 1'-0"

EXTERIOR LIGHTING SCHEDULE

(B) LITHONIA LED LIGHTING BOLLARD
FULLY CUTOFF ILLUMINATION
8" DIAMETER x 42" HIGH
MODEL KBABLED - 16C SYM - 30K - DARK BRONZE

WALL MOUNTED LED LIGHT
WITH GLARE CUTOFF, AND DARK SKY FRIENDLY CERTIFIED BY INTERNATIONAL DARK-SKY ASSOCIATION.
WAC 'SODOR' OUTDOOR WALL SCONCE, 3000K
MODEL # WS-W15708, 8", BRONZE FINISH,
9 WATTS, 315 DELIVERED LUMENS, DIMMABLE.
RATED LIFE = 56,000 HOURS.
HEIGHT - SEE SECTION.

(2) LIGHT ON SECOND FLOOR,
FOR SECOND FLOOR DECKS AND EXTERIOR STAIRS.

RECESSED 6" LED DOWNLIGHT IN CEILING SOFFIT.
HALO #HLBSL 6 INCH, WHITE FINISH,
900 LUMENS, DIMMABLE, 12 WATTS.
3 SELECTABLE COLORS. 3000K, 4000K OR 5000K.
RATED LIFE = 35,000 HOURS.

REVISIONS	BY

DAVID B. ZULIM INC.
150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-8769
DESIGN ENGINEERING PLANNING
DAVID ZULIM
P.E. 31047 CALIFORNIA

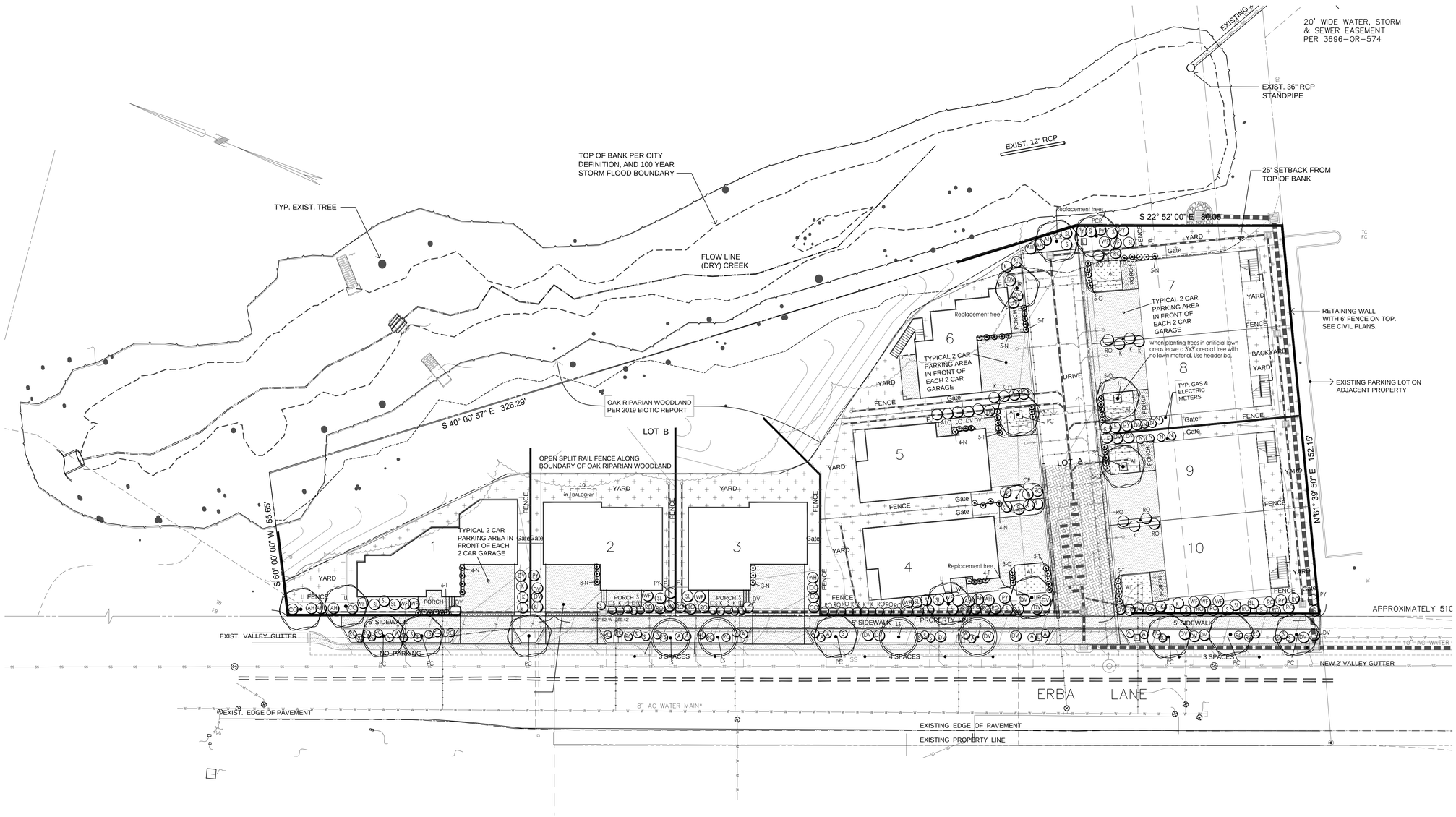
Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

Exterior Lighting Plan

Bay Village

Erba Lane, Scotts Valley, California

Date	8/29/20
Scale	1" = 20'
Drawn	DZ/LC
Job	632-20A
Sheet	A9
Of	Sheets



Plant Legend

KEY	QTY	SIZE	BOTANICAL NAME	COMMON NAME
TREES				
LI	4	15 gal	Lagerstroemia i. Tuscarora	Crape Myrtle
LIR	2	15 gal	Lagerstroemia i. Tuscarora Replacement Tree	Crape Myrtle
LS	4	15 gal	Laurus Saratoga	Hybrid Laurel
PC	9	15 gal	Pistacia chinensis	Chinese Pistache
PCR	2	15 gal	Pistacia chinensis Replacement Tree	Chinese Pistache
CE	1	15 gal	Cercis occidentalis	Western Redbud
SHRUBS				
N		5	Nandina Gulf Stream	Heavenly Bamboo
RO		5	Rosmarinus Collingwood Ingram	Medium Rosemary
DV		5	Dietes vegeta	Fortnight Lily
LC		5	Loropetalum Razzleberry	
WF		5	Westringia Morning Light or compacta	Compact Westringia
PY		5	Phormium Yellow Wave	Flax
AH		5	Arctostaphylos Howard McMinn	Howard McMinn Manzanita
GROUND COVERS				
K		1	Kniphofia hybrid Bee's Sunset	Red Hot Poker
SL		1	Salvia leucantha	Mexican Sage
R		1	Rosmarinus Huntington Carpet	Prostrate Rosemary
T		1	Teucrium chamaedrys	
S		1	Santolina virens	Green Lavender Cotton
CO		1	Correa Carmine Bells or Ivory Bells	Australian Fucshia
O		1	Osteospermum fruticosum	African Daisy
A		1	Arctostaphylos Point Reyes	Low Manzanita
AL			Artificial Lawn	

Landscape Notes

1) Final building permit drawings to include a detailed irrigation plan that meets the requirements of the Scotts Valley Water Department
2) Exact location of plants on site to be adjusted so as to best coordinate with sprinkler head locations, lights, drainage features, and swales
3) Don't put plants in bottom of swales
4) Don't mulch flow lines of swales such that mulch blocks flow of water
5) Use 3 inch deep mulch in all planting areas. Provide owner with different mulch samples and prices including Mahogony colored Wonder Mulch from Vision Recycling, Golden Nugget Bark from Central Home Supply, Premium Redwood Chips from Vision Recycling and nitrolized redwood sawdust.
6) Install plants for all plant circles shown on the plan even if they aren't labeled. Call for clarification. For bidding purposes, if no one is available to answer questions, assume that any plant circle scaled less than 8' wide is 5 gal. size and any circle scaled larger is 24" box size
7) The plan is schematic. Don't install plants too close to edges of paving or buildings. Be sure plants are not blocking sprinkler spray excessively. Keep valves and quick couplers away from trees.
8) The plants will do much better if efforts are made to dig up any compacted soils with slow percolation at least 12" deep. Grade planter areas as necessary for removal of any excess water that puddles in the planters and does not percolate in a reasonable period of time.
9) See specs. concerning soil amendments and fertilizer. For bidding purposes until the soil fertility test is done, bid 6 cubic yards of nitrolized redwood sawdust and 16 pounds of 12-12-12 fertilizer tilled into the top 6" to 8" of soil after ripping soil to 12" deep, except under existing tree or on steep slopes.
10) When there is an option concerning materials get a written choice or signed red line decision on a plan from the owner for the final decision.
11) See Tree Location and Protection Plan by project arborist Kurt Fouts (831) 359-3607
12) A total of 4-15 gal replacement trees are being installed to replace trees #39 and #40 in the arborist report that are being removed. If additional trees have to be removed each one is to be replaced with 2-15 gal. replacement trees as per the arborist report.

Planting Plan

1"=20'-0"

0' 20' 40'

REVISIONS	BY

LICENSED LANDSCAPE ARCHITECT GREGORY LEWIS No. 2176 — 9/8/2020 — STATE OF CALIFORNIA

GREGORY LEWIS LANDSCAPE ARCHITECT #2176
736 Park Way Santa Cruz, CA 95065 (831) 359-0960
lewislandscape@sbcglobal.net

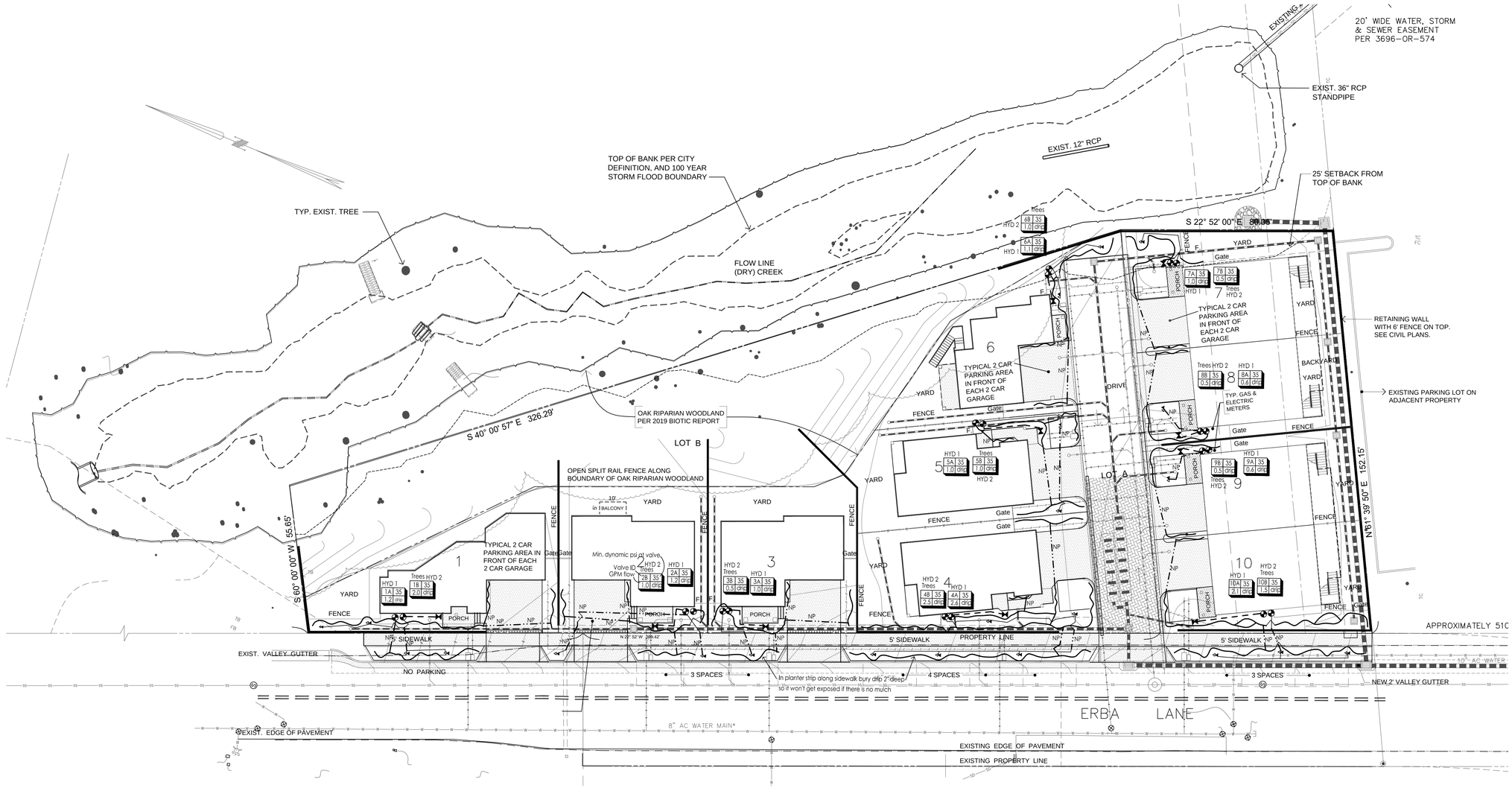
GL

Site Plan

Bay Village

Erba Lane, Scotts Valley, California

Date	9/8/20
Scale	1" = 20'
Drawn	GL
Job	632 – 20A
Sheet	L1
Of	Sheets



Irrigation Notes

1) See sheet L4 and L5 for details and specifications in final construction drawings
2) This system is designed to operate with minimum 5 GPM at minimum 60 p.s.i. at each point of connection. If this condition is not met contact the Landscape Architect for possible redesign. If pressure exceeds 75 psi at point of connection install a Wilkins 600 1" pressure regulator . The static psi at the street is supposed to be
3) Detector tape should be installed with any pressure lines not buried in the same trench with control wires and with any lines of any kind under paving not in a trench with control wires.
4) At valve groupings provide a threaded capped pressure line stubout so it is easy to add additional valves later. Run a few extra wires to these locations from the controller.
5) Electric controllers should be set to water between 6:00 PM and 10:00 a.m. to avoid watering during times of higher wind or temperature and programmed with repeat cycles to avoid runoff. This is not as important for drip that is not affected by the wind. Set irrigation schedule according to plants' water needs.
6) Run 2 extra control wires from the controller to the far end of each leg and to the furthest hose bib, coming up at each valve with some extra wire along the way so valves could be added if necessary in the future.
7) The routing of sprinkler lines is schematic on the plan. Do not put valves too close to trees. Stay 8' to 10' away if possible. Do not put pressure lines under trees. Install line in planting areas instead of under paving whenever possible. Do not trench under drip line of existing tree canopies without written approval of the project certified arborist.
8) Install the wireless Solar Sync weather sensor where it will receive full sun and rain for each controller.
9) Install sufficient check valves to keep excess water from draining out of the system when it is shutoff that would result in wasted water.
10) Screen anti siphon valves with shrubs and ground covers. Install anti siphon valves in locations not as visual from entries but don't put them behind fences to keep them available by commercial landscape maintenance company.

Drip Irrigation Notes

1) Secure larger 3/4" drip tubing 1" below grade with 7" or 11" U-shaped stakes 3 feet on center or closer so that the tubing can be found easily but does not show if the mulch gets brushed away. Cover tubing with soil and mulch and install manual flush valves at ends of tubing and mark them so they can be found easily.
2) Run large tubing over top of or right next to edge of plant rootballs to minimize length of smaller 1/4" tubing. Secure emitters on 3/4" tubing at plant root balls. When necessary run short lengths of 1/4" tubing from emitters to plant root balls. Install stakes on 1/4" tubing at 12" on center and cover tubing with 1" of soil plus mulch.
3) As the plant and plant rootball increase in size, the locations of the emitters may need to be adjusted so they are evenly spaced over the rootball.
4) Install pressure compensating emitters (with minimal difference in flow between 10 PSI and 40 PSI) at each plant on root ball (not right at stem). Use Agriflm PC Plus (pressure compensating emitters). Use the ones that 1/4 tubing can be connected to. Other emitters may have a higher discharge rate at startup requiring larger pipe sizes.

Emitter schedule:
Two 2 GPH emitters at small ground covers and shrubs (eventual size) A,T,O,S
Three 2 GPH emitters at medium shrubs K,SL,CO,AH,PY,WF,LC,DV,N,RO
Four 2 GPH emitters at large shrubs - NONE
With shrubs that have multiple emitters, put some at edge of root ball (not right on stem) and some out under future canopy. Space emitters evenly in future root zone area.
Trees to have five 1 GPH emitters at root ball and 25 additional 1 GPH emitters under future canopy of tree at 2'x2' grid spacing
For trees planted in artificial turf area just install five 1 GPH emitters with no additional emitters
For lots such as Lot 5 with one tree in artificial turf and one not in art. turf install 5 emitters at each tree

Irrigation Legend

KEY	MANUF.	MANUF. #	DESCRIPTION
D L4	Hunter	Pro C	Controller with enough modules for 4 stations (expandable) wall mount exterior with Wireless Solar Sync On-Site Weather Station. Controller will change it's program based on current weather conditions. Install weather sensor where it will get full sun and rain.
E L4			Manual shutoff gate valve in valve box same size as pressure line
A L4	Hunter	PGV 075 ASV	3/4" antisiphon valve with 3/4" drip filter and 30 psi pressure regulator 12 inches above highest down stream drip emitter or outlet
F L4	Rainbird	B-1401	.25 GPM bubbler on surface inside water basin with 4 foot long Rainbird SPX FLEX 100 48" long riser - one per new tree
F L4	Rainbird	RWS-M-B-1401	18" Mini Root Watering System with .25 GPM bubbler and sand sock Install one of each at each new tree for irrigation
C L4	3/4"		Nonpressure line - Sch 40 PVC 3/4" unless noted for larger
	1"		size - 12" cover - pipes less than 2" to be Sch 40 PVC
			3/4" Pressure line - Sch 40 PVC - 18" of cover (24" of cover under A.C. paving)
			Lines under paving Sch 40 PVC - 24" of cover
	PL		Pressure line - 3/4" Sch 40 PVC
	NP		Non Pressure line - 3/4" Sch 40 PVC
	W		1" gray elec. conduit for control wires.
			Also install an extra capped 1" water line for future use under paving
B L4			3/4" PE drip tubing with compression fittings - see drip notes
			All lines under pavement to be sleeved using a Sch 40 PVC sleeve 2 sizes larger than the pipe inside

Irrigation Concept

1"=20'-0"

0' 20' 40'

REVISIONS	BY

LICENSED LANDSCAPE ARCHITECT GREGORY LEWIS No. 2176 — 4/30/2022 — 9/8/20 — STATE OF CALIFORNIA

GREGORY LEWIS LANDSCAPE ARCHITECT #2176
736 Park Way Santa Cruz, CA 95065 (831) 359-0960
lewislandscape@sbcglobal.net

Site Plan
Bay Village
Erba Lane, Scotts Valley, California

Date 9/8/20
Scale 1" = 20'
Drawn GL
Job 632 - 20A
Sheet L2
Of Sheets

Hydrozone Summary - Lot 1

HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
1 Low water shrub		Drip	548	85%
2 Low water trees		Drip	100	15%
TOTAL			648	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	648	100%
TOTAL	648	100%

Irrigated landscape area totals do not include some bark path area at side of garage

Hydrozone Summary - Lot 2

HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
1 Low water shrub		Drip	415	86%
2 Low water trees		Drip	69	14%
TOTAL			484	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	484	100%
TOTAL	484	100%

Irrigated landscape area totals does not some bark path area at side of garage

Hydrozone Summary - Lot 3

HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
1 Low water shrub		Drip	420	94%
2 Low water trees		Drip	25	6%
TOTAL			445	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	445	100%
TOTAL	445	100%

Irrigated landscape area totals do not include some bark path area at side of garage

Hydrozone Summary - Lot 4

HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
1 Low water shrub		Drip	751	86%
2 Low water trees		Drip	125	14%
TOTAL			876	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	616	100%
TOTAL	876	100%

Irrigated Landscape area totals do not include artificial turf area of 144 sf or some bark path area at side of garage

Hydrozone Summary - Lot 5

HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
1 Low water shrub		Drip	226	82%
2 Low water trees		Drip	50	18%
TOTAL			276	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	276	100%
TOTAL	276	100%

Irrigated Landscape area totals do not include artificial turf area of 119 sf of some bark path area at side of garage

Hydrozone Summary - Lot 6

HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
1 Low water shrub		Drip	317	93%
2 Low water trees		Drip	25	8%
TOTAL			342	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	342	100%
TOTAL	342	100%

Irrigated Landscape area totals do not include some bark path area at side of garage

Hydrozone Summary - Lot 7

HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
1 Low water shrub		Drip	287	93%
2 Low water trees		Drip	50	7%
TOTAL			310	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	310	100%
TOTAL	310	100%

Irrigated Landscape area totals do not include artificial turf area of 144 sf or some bark path area at side of garage

Hydrozone Summary - Lot 8

HYDROZONE AREA	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE
1 Low water shrub		Drip	172	87%
2 Low water trees		Drip	25	13%
TOTAL			197	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	197	100%
TOTAL	197	100%

Irrigated Landscape area totals do not include artificial turf area of 119 sf and some bark path area at side of garage

Hydrozone Summary - Lot 9

HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
1 Low water shrub		Drip	165	87%
2 Low water trees		Drip	25	13%
TOTAL			190	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	190	100%
TOTAL	190	100%

Irrigated Landscape area totals do not include artificial turf area of 119 sf or some bark path area at side of garage

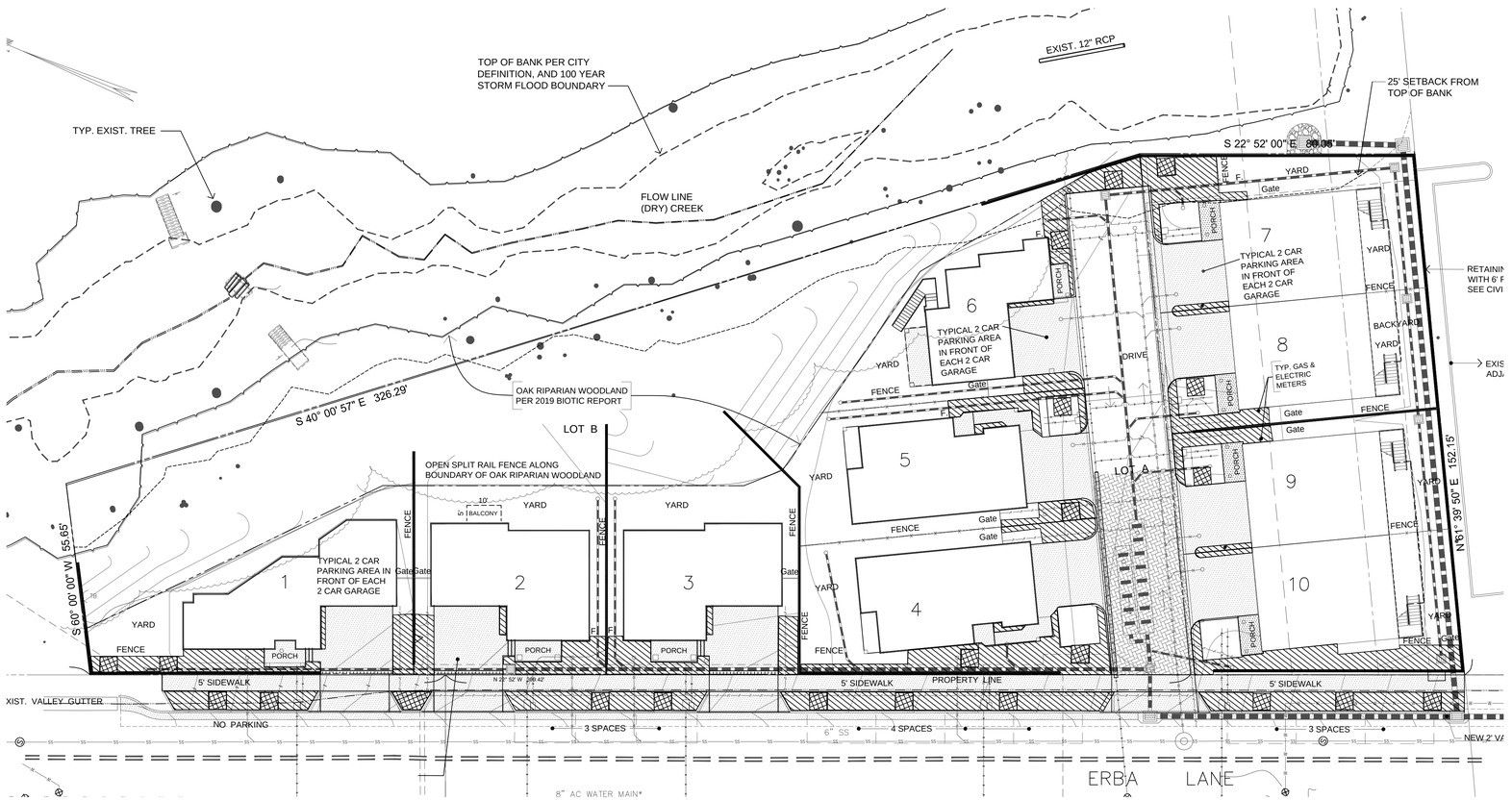
Hydrozone Summary - Lot 10

HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
1 Low water shrub		Drip	819	92%
2 Low water trees		Drip	75	8%
TOTAL			894	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	894	100%
TOTAL	894	100%

Irrigated Landscape area totals do not include artificial turf area of 144 sf

All landscape areas are irrigated by individual houses using their potable water meter water
Areas noted are planted and don't include artificial lawn, rear yards or bark paths. See civil drawings for total landscape area sq.ft.



Hydrozone Plan

1"=20'-0"

0' 20' 40'

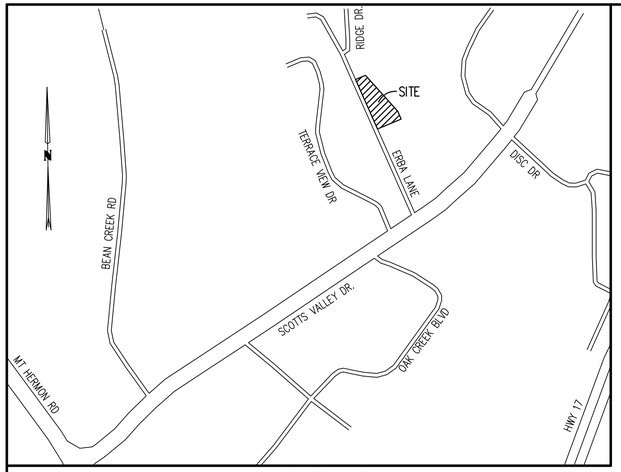
REVISIONS	BY

LICENSED LANDSCAPE ARCHITECT GREGORY LEWIS No. 2176 Greg Lewis 4/30/2022 STATE OF CALIFORNIA

GREGORY LEWIS LANDSCAPE ARCHITECT #2176
736 Park Way Santa Cruz, CA 95065 (831) 359-0960
lewislandscape@sbcglobal.net

Site Plan
Bay Village
Erba Lane, Scotts Valley, California

Date	9/8/20
Scale	1" = 20'
Drawn	GL
Job	632 – 20A
Sheet	L3
Of	Sheets



VICINITY MAP
SCALE 1"=400'

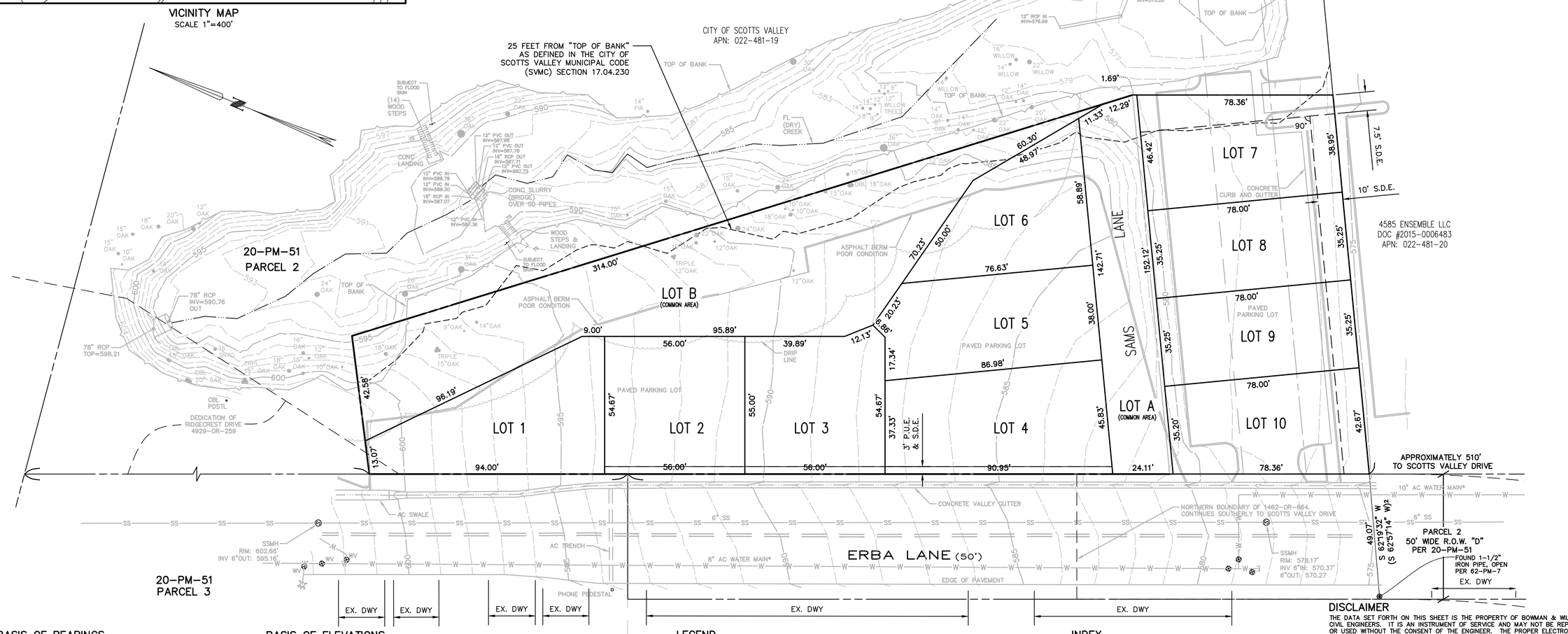
TECHNICAL INFORMATION

SITE ADDRESS / LOCATION	ERBA LANE EASTERLY PARKING LOT SOUTH OF RIDGECREST LANE
ASSESSOR'S PARCEL NUMBER	022-481-18
TAX CODE AREA	4-050
ZONING	HIGH DENSITY RESIDENTIAL
GENERAL PLAN	N/A
APPLICANT NAME	LARRY ABITBOL, SV HOUSING LLC
ADDRESS	1500 IRONWOOD DRIVE SOQUEL, CALIFORNIA 95073
PHONE	(831) 425-8769
PROPERTY OWNER NAME	LARRY ABITBOL, SV HOUSING LLC
ADDRESS	1500 IRONWOOD DRIVE SOQUEL, CALIFORNIA 95073
PHONE	(831) 425-8769
TRACT NAME	BAY VILLAGE
TRACT AREA	1.0386 ACRES (45,243 +/- SQ. FT.)
NUMBER OF LOTS IN TRACT	12
MINIMUM LOT SIZE IN TRACT	2,750 SQUARE FEET
MAXIMUM LOT SIZE IN TRACT	10,524 SQUARE FEET
SUBDIVIDER'S ENGINEER / LICENSED LAND SURVEYOR:	BOWMAN AND WILLIAMS CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS 3949 RESEARCH PARK COURT, SUITE 100 SOQUEL, CA 95073 PHONE 831-426-3560
PROPOSED NEW STREET NAMES:	SAMS LANE

FIRE DISTRICT	SCOTTS VALLEY FIRE DEPARTMENT
ELEMENTARY SCHOOL DISTRICT	SCOTTS VALLEY UNIFIED
HIGH SCHOOL DISTRICT	SCOTTS VALLEY UNIFIED
SANITATION DISTRICT	SCOTTS VALLEY WATER RECLAMATION FACILITY
WATER DISTRICT	SCOTTS VALLEY WATER DISTRICT

IS SUBDIVISION LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA (FEMA) NO

LOT DESIGNATION	GROSS AREA SQUARE FEET +/-	NET AREA SQUARE FEET +/-
A	3,562	3,562
B	10,483	10,483
1	3,441	3,441
2	3,080	2,912
3	3,116	2,948
4	3,691	3,418
5	3,235	3,235
6	2,772	2,772
7	3,329	2,139
8	2,750	2,397
9	2,750	2,397
10	3,037	2,615



BASIS OF BEARINGS

BEARINGS FOR THIS MAP ARE BASED ON THE NORTHERN BOUNDARY OF LOT 1 AS SHOWN ON THAT MAP ENTITLED "PARCEL MAP OF THE RE-SUBDIVISION OF PART OF PARCEL A AS SHOWN ON VOLUME 13 OF PARCEL MAPS AT PAGE 32" FILED IN VOLUME 20 OF PARCEL MAPS AT PAGE 51, SANTA CRUZ COUNTY RECORDS.

NORTH 61°39'50" EAST

NOTE

BOUNDARY LINES DELINEATED ON THIS MAP ARE BASED ON THE SURVEYOR'S OPINION UTILIZING FOUND PHYSICAL EVIDENCE, RECORDED MAPS AND OTHER APPURTENANT RECORDS AS SHOWN IN THE REFERENCE DOCUMENTS.

THIS TOPOGRAPHIC MAP REPRESENTS THE CONDITIONS OF THE SITE AT THE TIME THE SURVEY FIELD WORK WAS COMPLETED AND SHOWS SURFACE OBJECTS ONLY. SUBSURFACE STRUCTURES, IF ANY, INCLUDING BUT NOT LIMITED TO FOUNDATIONS, PILINGS, UNDERGROUND TANKS AND UNDERGROUND UTILITY LINES MAY NOT BE SHOWN.

LOT 'A' WILL BE DEFINED AS COMMON AREA AND A BLANKET EASEMENT FOR INGRESS, EGRESS AND MAINTENANCE FOR ALL PUBLIC UTILITIES.

BASIS OF ELEVATIONS

ELEVATIONS FOR THIS MAP ARE BASED ON THE CITY OF SCOTTS VALLEY BENCHMARK NO.16, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SCOTTS VALLEY DRIVE AND QUIEN SABE ROAD.

ELEVATION = 560.40 (NO DATUM PROVIDED)

ABBREVIATIONS

AC	ASPHALT CONCRETE	±	PLUS OR MINUS
APN	ASSESSOR'S PARCEL NUMBER	P.U.E.	PUBLIC UTILITY EASEMENT
CBL	CABLE	PDSTL	PEDESTAL
CONC	CONCRETE	PVC	POLYVINYL CHLORIDE
DBL	DOUBLE	R+M	RECORD AND MEASURED
DOC	DOCUMENT	RCP	REINFORCED CONCRETE PIPE
DWY	DRIVEWAY	RIM	RIM ELEVATION
EX.	EXISTING	R.O.W.	RIGHT OF WAY
FD	FOUND	SD	STORM DRAIN
FL	FLOWLINE	S.D.E	STORM DRAINAGE EASEMENT
INV	INVERT	SF	SQUARE FEET
IP	IRON PIPE	SPK	SPIKE
MAG	MAGNETIC	SSMH	SANITARY SEWER MANHOLE
NT	NO TAG	TRPL	TRIPLE
		WV	WATER VALVE

LEGEND

- CONTOUR (MAJOR)
- CONTOUR (MINOR)
- DRIP LINE
- EASEMENT LINE
- FENCE LINE
- FIRE HYDRANT
- PROPERTY LINE
- SANITARY SEWER LINE
- SANITARY SEWER MANHOLE
- SIGN
- SPOT ELEVATION
- TREE AS NOTED
- TOP OF BANK
- VALVE AS NOTED

CONTOUR INTERVAL = 1 FOOT

DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF

INDEX

TENTATIVE MAP	1
SLOPE MAP	2
PRELIMINARY GRADING PLAN	3
PRELIMINARY DRAINAGE PLAN	4
PRELIMINARY UTILITY PLAN	5

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

LICENSED LAND SURVEYOR BRYAN F. HAPPEE 8229 STATE OF CALIFORNIA

DISCLAIMER

THE DATA SET FORTH ON THIS SHEET IS THE PROPERTY OF BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS. IT IS AN INSTRUMENT OF SERVICE AND MAY NOT BE REPRODUCED, ALTERED, OR USED WITHOUT THE CONSENT OF THE ENGINEER. THE PROPER ELECTRONIC TRANSFER OF DATA SHALL BE THE USER'S RESPONSIBILITY WITHOUT LIABILITY TO THE ENGINEER. UNAUTHORIZED USE IS PROHIBITED.

APN 022-481-18

BAY VILLAGE

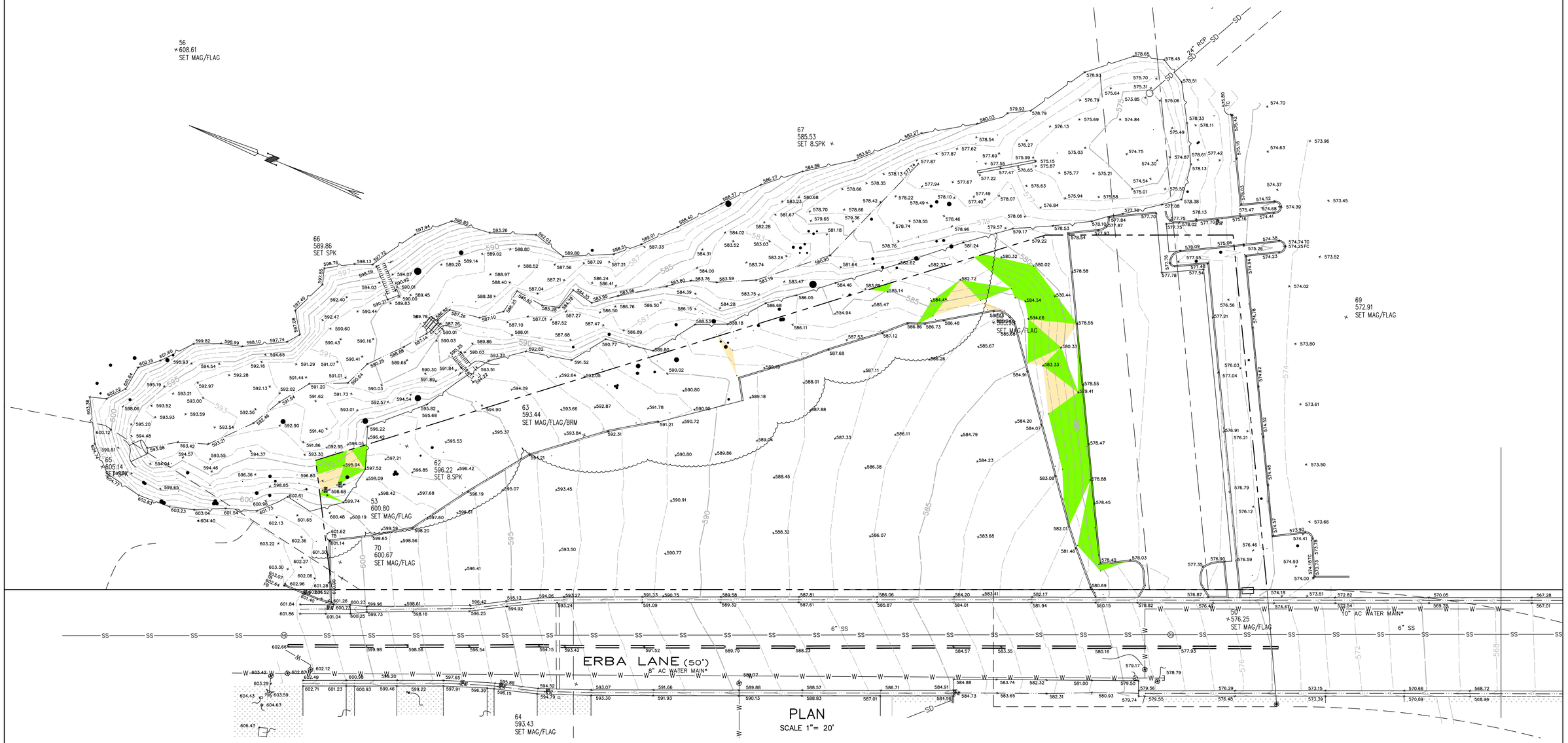
REVISED

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS
3949 RESEARCH PARK COURT, SUITE 100
SOQUEL, CA 95073-2094
(831) 426-3560

BAY VILLAGE TENTATIVE MAP

SCOTTS VALLEY HOUSING, LLC
RECORDERS SERIAL NO. 2015-0034997
ERBA LANE, SCOTTS VALLEY
SANTA CRUZ COUNTY, CALIFORNIA

SCALE 1" = 20'	DRAWN CMM	JOB NO. 26390	SHEET 1
DATE AUGUST 2020	CHECKED JRN	INDEX SAN AUG 5	
DESIGN CMM	DWG NAME 26390 TM	FILE NO. 26390	OF 6



AVERAGE SLOPE CALCULATION

S	INDICATES AVERAGE SLOPE IN PERCENT
A	INDICATES SITE AREA IN ACRES
I	INDICATES CONTOUR INTERVAL
L	INDICATES TOTAL LENGTH OF CONTOURS IN FEET

$$S = \frac{0.00229 \times I \times L}{A}$$

$$S = \frac{0.00229 \times 1 \times 3600}{1.038659} = 8 \text{ PERCENT (AVERAGE SLOPE)}$$

SLOPE LEGEND

APPROXIMATELY 94.4 PERCENT OF THE LOT IS LESS THAN OR EQUAL TO 25 PERCENT SLOPE

APPROXIMATELY 1.2 PERCENT OF THE LOT IS GREATER THAN OR EQUAL TO 25 PERCENT SLOPE BUT LESS THAN 30 PERCENT SLOPE.

APPROXIMATELY 4.4 PERCENT OF THE LOT IS GREATER THAN 30 PERCENT SLOPE.

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

DISCLAIMER

THE DATA SET FORTH ON THIS SHEET IS THE PROPERTY OF BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS. IT IS AN INSTRUMENT OF SERVICE AND MAY NOT BE REPRODUCED, ALTERED, OR USED WITHOUT THE CONSENT OF THE ENGINEER. THE PROPER ELECTRONIC TRANSFER OF DATA SHALL BE THE USER'S RESPONSIBILITY WITHOUT LIABILITY TO THE ENGINEER. UNAUTHORIZED USE IS PROHIBITED.

APN 022-481-18

BAY VILLAGE

REVISED

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
AND LAND SURVEYORS
3949 RESEARCH PARK COURT, SUITE 100
SOQUEL, CA 95073-2094
(831) 426-3560

BAY VILLAGE SLOPE MAP

SCOTTS VALLEY HOUSING, LLC
RECORDERS SERIAL NO. 2015-0034997
ERBA LANE, SCOTTS VALLEY
SANTA CRUZ COUNTY, CALIFORNIA

SCALE 1" = 20'	DRAWN CMM	JOB NO. 26390	SHEET 2
DATE AUGUST 2020	CHECKED JRN	INDEX SAN AUG 5	
DESIGN CMM	DWG NAME SLOPE MAP	FILE NO. 26390	OF 6

NOTE: HAND GRADING MAY BE REQUIRED IN THIS AREA DUE TO LIMITED ACCESS BELOW TREE CANOPIES (SEE ARBORIST REPORT)

NOTE: SOME TRESS WITHIN THE GRADING AREAS MAY REQUIRE CANOPY PRUNING TO OBTAIN THE NECESSARY CLEARANCE FOR GRADING EQUIPMENT (SEE ARBORIST REPORT).

EXISTING TREES TO BE REMOVED

TW 583.7
HT 4.7'

TW 581.7
HT 6.5'

TW 581.7
HT 6.7'

TW 596.7
HT 3.7'

TW 592.7
HT 3.7'

TW 590.7
HT 7.7'

TW 601.4
HT 4.4'

TW 601.4
BW/EG 600.9
FW 597.0

TW 580.7
HT 5.7'

LOT A

LOT B

LOT 1
FF 597.8
GS 596.5

LOT 2
FF 594.3
GS 593.8

LOT 3
FF 591.3
GS 590.3

LOT 4
FF 585.3
GS 584.0

LOT 5
FF 585.3
GS 584.0

LOT 6
FF 585.3
GS 584.0

LOT 7
FF 583.4
GS 582.9

LOT 8
FF 583.4
GS 582.9

LOT 9
FF 582.4
GS 581.9

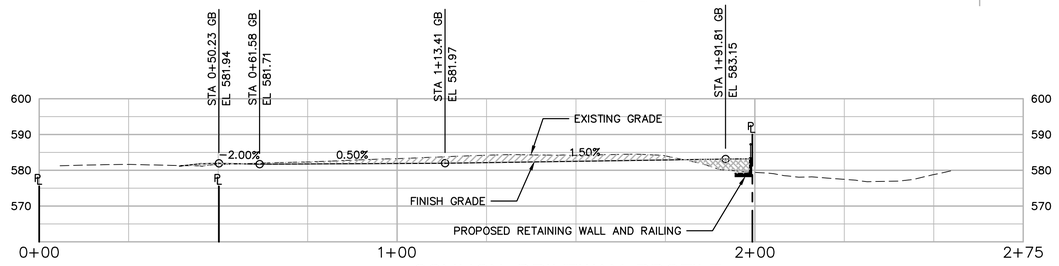
LOT 10
FF 582.4
GS 581.9

APPROXIMATELY 510' TO SCOTTS VALLEY DRIVE

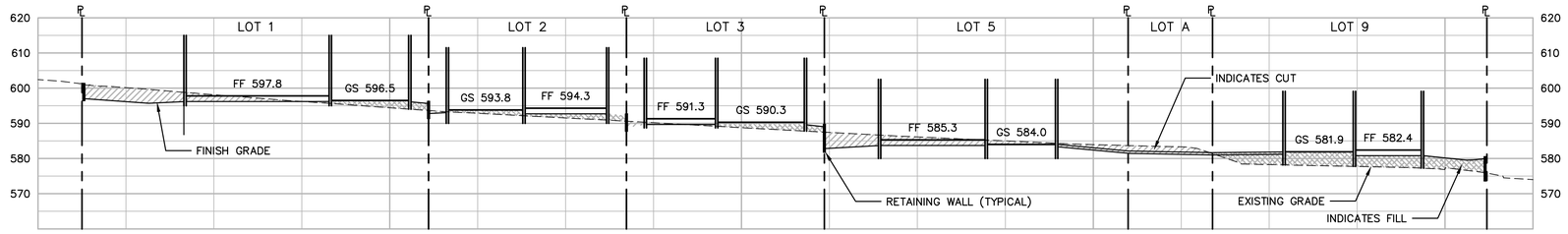
VERTICAL CURBS SHALL BE PAINTED RED WITHIN THE PRIVATE ROADWAY AS PART OF FIRE DEPARTMENT CONDITION OF APPROVAL. "NO PARKING," SHALL BE STENCILED ON THE CURBING AT INTERVAL SPECIFIED BY SCOTTS VALLEY FIRE PROTECTION DISTRICT. (TYPICAL)

PARCEL 2
50' WIDE R.O.W. "D"
PER 20-PM-51

PLAN
SCALE 1"= 20'



COMMON DRIVEWAY PROFILE
SCALE 1"= 20' H & V



SECTION 1–1
SCALE 1"= 20' H & V

LEGEND

- INDICATES PERMEABLE PAVER ROAD SURFACE
- INDICATES CONCRETE DRIVEWAYS, SIDEWALKS AND WALKWAYS
- INDICATES ASPHALT CONCRETE ROAD SURFACE
- INDICATES RETAINING WALL
- INDICATES PROPERTY LINE
- 580 INDICATES PROPOSED CONTOUR
- 580 INDICATES EXISTING CONTOUR
- × INDICATES EXISTING TREE TO BE REMOVED

ABBREVIATIONS

BW	INDICATES BACK OF WALL ELEVATION
EG	INDICATES EXISTING GRADE ELEVATION
EL	INDICATES ELEVATION
FF	INDICATES FINISH FLOOR ELEVATION
FW	INDICATES FACE OF WALL ELEVATION
GS	INDICATES GARAGE SLAB ELEVATION
HT	INDICATES HEIGHT OF WALL
TW	INDICATES TOP OF WALL ELEVATION

EARTHWORK QUANTITIES

	CUT (CUBIC YARDS)	FILL (CUBIC YARDS)
SITE	1,155	1,870
IMPORT		715*

*NOTE IMPORTED FILL QUANTITY DOES NOT ACCOUNT FOR MATERIAL SHRINKAGE DUE TO RE-COMPACTION. QUANTITIES SHOWN ARE BASED ON COMPARISON OF MODELED EXISTING GRADES AND FINISH GRADES ONLY.

MODELED MAXIMUM CUT	4.9 FEET
MODELED MAXIMUM FILL	5.2 FEET

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

DISCLAIMER

THE DATA SET FORTH ON THIS SHEET IS THE PROPERTY OF BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS. IT IS AN INSTRUMENT OF SERVICE AND MAY NOT BE REPRODUCED, ALTERED, OR USED WITHOUT THE CONSENT OF THE ENGINEER. THE PROPER ELECTRONIC TRANSFER OF DATA SHALL BE THE USER'S RESPONSIBILITY WITHOUT LIABILITY TO THE ENGINEER. UNAUTHORIZED USE IS PROHIBITED.

APN 022-481-18

BAY VILLAGE

REVISED

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
AND LAND SURVEYORS
3949 RESEARCH PARK COURT, SUITE 100
SOQUEL, CA 95073-2094
(831) 426-3560

BAY VILLAGE
PRELIMINARY GRADING PLAN

SCOTTS VALLEY HOUSING, LLC
RECORDERS SERIAL NO. 2015-0034997
ERBA LANE, SCOTTS VALLEY
SANTA CRUZ COUNTY, CALIFORNIA

SCALE 1" = 20'	DRAWN CMM	JOB NO. 26390	SHEET 3
DATE AUGUST 2020	CHECKED JRN	INDEX SAN AUG 5	
DESIGN CMM	DWG NAME 26390 GRADING	FILE NO. 26390	OF 6

1 INDIVIDUAL LOT CONNECTION POINT FOR ROOF AND ADJACENT HARDSCAPE RUNOFF. RUNOFF TO BE CONVEYED TO HOMEOWNERS ASSOCIATION DRAINAGE SYSTEM

PROPOSED CHANNEL EMERGENCY OVERFLOW SYSTEM, DEPRESSED CATCH BASIN WITH RIPRAP APRON.

JUNCTION BOX

COLLECTOR PIPE FOR HOMEOWNERS ASSOCIATION DRAINAGE SYSTEM

PROPOSED 18"ø STORMDRAIN FOR CHANNEL OVERFLOW

COLLECTOR PIPE FOR HOMEOWNERS ASSOCIATION DRAINAGE SYSTEM (TYPICAL)

STORMTECH CHAMBERS FOR STORM WATER RETENTION SYSTEM

CONTROL BOX FOR STORM DRAINAGE RETENTION SYSTEM

LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

LOT 6

LOT 7

LOT 8

LOT 9

LOT 10

APPROXIMATELY 510' TO SCOTTS VALLEY DRIVE

MATCH LINE

PARCEL 2
50' WIDE R.O.W. "D"
PER 20-PM-51

6" CONCRETE CURB TO DIRECT RUNOFF TO TRENCH DRAIN (LOTS 1, 2 & 3)

TRENCH DRAIN AT BACK OF SIDEWALK (TYPICAL FOR LOTS 1, 2 & 3)

PROPOSED TYPE G1 INLET

PROPOSED TYPE GO INLET

COLLECTOR PIPE FOR HOMEOWNERS ASSOCIATION DRAINAGE SYSTEM

PLAN
SCALE 1"= 20'

REPLACE PORTION OF EXISTING 15"ø STORM DRAIN WITH NEW 18"ø STORM DRAIN PIPE

MODIFY EXISTING INLET FOR NEW 18"ø STORM DRAIN PIPE IN

PROPOSED STORMDRAIN MANHOLE

PROPOSED 282 L.F. OF NEW 18" STORM DRAIN PIPE TO CONNECT TO CITY OF SCOTTS VALLEY STORM DRAINAGE SYSTEM

ERBA LANE

PLAN
SCALE 1"= 20'

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

DISCLAIMER

THE DATA SET FORTH ON THIS SHEET IS THE PROPERTY OF BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS. IT IS AN INSTRUMENT OF SERVICE AND MAY NOT BE REPRODUCED, ALTERED, OR USED WITHOUT THE CONSENT OF THE ENGINEER. THE PROPER ELECTRONIC TRANSFER OF DATA SHALL BE THE USER'S RESPONSIBILITY WITHOUT LIABILITY TO THE ENGINEER. UNAUTHORIZED USE IS PROHIBITED.

APN 022-481-18

BAY VILLAGE

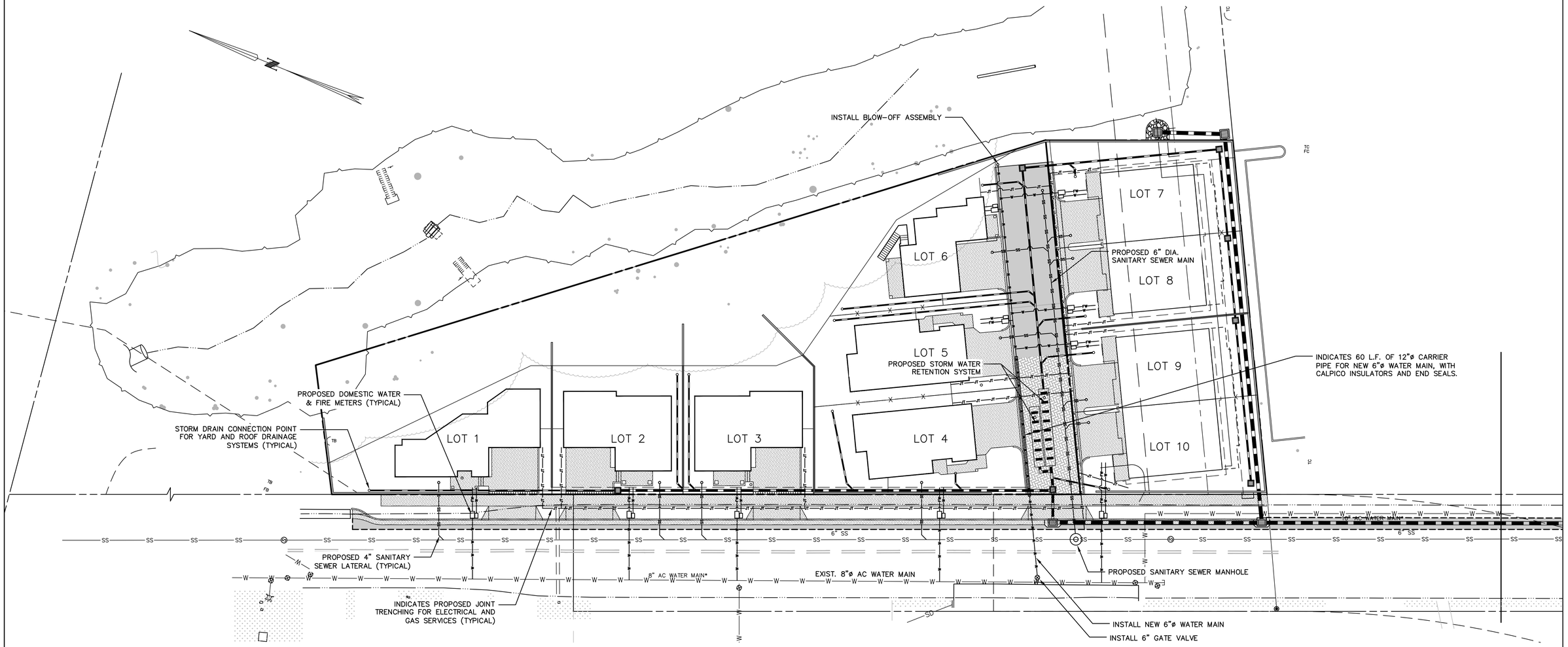
REVISED

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
AND LAND SURVEYORS
3949 RESEARCH PARK COURT, SUITE 100
SOQUEL, CA 95073-2094
(831) 426-3560

BAY VILLAGE
PRELIMINARY DRAINAGE PLAN

SCOTTS VALLEY HOUSING, LLC
RECORDERS SERIAL NO. 2015-0034997
ERBA LANE, SCOTTS VALLEY
SANTA CRUZ COUNTY, CALIFORNIA

SCALE 1" = 20'	DRAWN CMM	JOB NO. 26390	SHEET 4
DATE AUGUST 2020	CHECKED JRN	INDEX SAN AUG 5	
DESIGN CMM	DWG NAME DRAINAGE	FILE NO. 26390	OF 6



PLAN

SCALE 1"= 20'

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

DISCLAIMER

THE DATA SET FORTH ON THIS SHEET IS THE PROPERTY OF BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS. IT IS AN INSTRUMENT OF SERVICE AND MAY NOT BE REPRODUCED, ALTERED, OR USED WITHOUT THE CONSENT OF THE ENGINEER. THE PROPER ELECTRONIC TRANSFER OF DATA SHALL BE THE USER'S RESPONSIBILITY WITHOUT LIABILITY TO THE ENGINEER. UNAUTHORIZED USE IS PROHIBITED.

APN 022-481-18

BAY VILLAGE

REVISED

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
AND LAND SURVEYORS
3949 RESEARCH PARK COURT, SUITE 100
SOQUEL, CA 95073-2094
(831) 426-3560

BAY VILLAGE
PRELIMINARY UTILITY PLAN

SCOTTS VALLEY HOUSING, LLC
RECORDERS SERIAL NO. 2015-0034997
ERBA LANE, SCOTTS VALLEY
SANTA CRUZ COUNTY, CALIFORNIA

SCALE 1" = 20'	DRAWN CMM	JOB NO. 26390	SHEET
DATE AUGUST 2020	CHECKED JRN	INDEX SAN AUG 5	5
DESIGN CMM	DWG NAME UTILITIES	FILE NO. 26390	OF 6



C-S: SERVICE 45% MAX. BLDG. COVERAGE, 35' HT. LIMIT

C-P: PROFESSIONAL, 50% MAX. BLDG COVERAGE, 35' HT. LIMIT

R-H: HIGH DENSITY 3,000 SQ. FT/DU

R-1-10: MEDIUM DENSITY 10,000 SQ. FT. MIN. LOT SIZE

P: PUBLIC/QUASI PUBLIC

PROJECT SITE, R-H HIGH DENSITY 3,000 SQ. FT./DU

EXISTING STRUCTURES AND LAND USES WITHIN 300' OF PROJECT

SCALE: 1" = 50'-0"

GRAPHIC SCALE

-50 0 25 50 100 200

(IN FEET)

1 inch = 50 ft.

DISCLAIMER

THE DATA SET FORTH ON THIS SHEET IS THE PROPERTY OF BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS. IT IS AN INSTRUMENT OF SERVICE AND MAY NOT BE REPRODUCED, ALTERED, OR USED WITHOUT THE CONSENT OF THE ENGINEER. THE PROPER ELECTRONIC TRANSFER OF DATA SHALL BE THE USER'S RESPONSIBILITY WITHOUT LIABILITY TO THE ENGINEER. UNAUTHORIZED USE IS PROHIBITED.

APN 022-481-18

BAY VILLAGE

REVISED

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
AND LAND SURVEYORS
3949 RESEARCH PARK COURT, SUITE 100
SOQUEL, CA 95073-2094
(831) 426-3560

LAND USE EXHIBIT

SCOTTS VALLEY HOUSING, LLC
RECORDERS SERIAL NO. 2015-0034997
ERBA LANE, SCOTTS VALLEY
SANTA CRUZ COUNTY, CALIFORNIA

SCALE 1" = 50'	DRAWN CMM	JOB NO. 26390	SHEET 6
DATE AUGUST 2020	CHECKED JRN	INDEX SAN AUG 5	OF 6
DESIGN CMM	DWG NAME 26390 TM	FILE NO. 26390	

BASIS OF BEARINGS

BEARINGS FOR THIS MAP ARE BASED ON THE NORTHERN BOUNDARY OF LOT 1 AS SHOWN ON THAT MAP ENTITLED "PARCEL MAP OF THE RE-SUBDIVISION OF PART OF PARCEL A AS SHOWN ON VOLUME 13 OF PARCEL MAPS AT PAGE 32" FILED IN VOLUME 20 OF PARCEL MAPS AT PAGE 51, SANTA CRUZ COUNTY RECORDS.

NORTH 61°39'50" EAST

BASIS OF ELEVATIONS

ELEVATIONS FOR THIS MAP ARE BASED ON THE CITY OF SCOTTS VALLEY BENCHMARK NO.16, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SCOTTS VALLEY DRIVE AND QUIEN SABE ROAD.

ELEVATION = 560.40 (NO DATUM PROVIDED)

NOTE

BOUNDARY LINES DELINEATED ON THIS MAP ARE BASED ON THE SURVEYOR'S OPINION UTILIZING FOUND PHYSICAL EVIDENCE, RECORDED MAPS AND OTHER APPURTENANT RECORDS AS SHOWN IN THE REFERENCE DOCUMENTS.

THIS TOPOGRAPHIC MAP REPRESENTS THE CONDITIONS OF THE SITE AT THE TIME THE SURVEY FIELD WORK WAS COMPLETED AND SHOWS SURFACE OBJECTS ONLY. SUBSURFACE STRUCTURES, IF ANY, INCLUDING BUT NOT LIMITED TO FOUNDATIONS, PILINGS, UNDERGROUND TANKS AND UNDERGROUND UTILITY LINES MAY NOT BE SHOWN.

REFERENCE DATA

100	MEASURED DISTANCE
$(100)^1$	DATA PER 2015-0034997
$(100)^2$	DATA PER 20-PM-51
$(100)^3$	DATA PER 62-PM-7

LEGEND

- CONTOUR (MAJOR)
- CONTOUR (MINOR)
- DRIP LINE
- EASEMENT LINE
- X — FENCE LINE
- FIRE HYDRANT
- PLANTING AREA
- PROPERTY LINE
- SS — SANITARY SEWER LINE
- Ⓢ SANITARY SEWER MANHOLE
- SIGN
- + 46.21 SPOT ELEVATION
- SD — STORM DRAIN LINE
- TREE AS NOTED
- TOP OF BANK
- ⊗ VALVE AS NOTED
- W — WATER LINE

CONTOUR INTERVAL = 1 FOOT

DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF

WATER LINES SHOWN WITH AN ASTERISK (*) FROM THE CITY OF SCOTTS VALLEY WATER DEPARTMENT

ABBREVIATIONS

AC	ASPHALT CONCRETE
A/C	ASBESTOS CEMENT
APN	ASSESSOR'S PARCEL NUMBER
CBL	CABLE
CONC	CONCRETE
DBL	DOUBLE
DOC	DOCUMENT
DWY	DRIVEWAY
FD	FOUND
FL	FLOWLINE
GR	GRATE ELEVATION
INV	INVERT
IP	IRON PIPE
MAG	MAGNETIC
NT	NO TAG
±	PLUS OR MINUS
PDSTL	PEDESTAL
PG&E	PACIFIC GAS & ELECTRIC
PVC	POLYVINYL CHLORIDE
R+M	RECORD AND MEASURED
RCP	REINFORCED CONCRETE PIPE
RIM	RIM ELEVATION
R.O.W.	RIGHT OF WAY
SD	STORM DRAIN
SDCB	STORM DRAIN CATCH BASIN
SF	SQUARE FEET
SPK	SPIKE
SSCO	SANITARY SEWER CLEANOUT
SSMH	SANITARY SEWER MANHOLE
THRU	THROUGH
TRPL	TRIPLE
WV	WATER VALVE

DRIVE

S 22°51'08" E 285.76'

ERBA LANE

FL CONC ROLL CURB

SDCB GR: 560.61± INV 12"IN: 556.21± (E) INV 15"IN: 555.5± (W) 21"OUT: 555.41± (S)

SDCB GR: 560.58± INV 15"THRU: 555.88±

AC DWY

S 2°44'45" E 235.90'

MATCH-LINE SEE BOTTOM RIGHT

FOUND 1/2" IRON PIPE, OPEN PER 62-PM-7

26.51 (26.46')3

FOUND BRASS DISC STREET MONUMENT PER 62-PM-7 CENTERLINE CIVIC CENTER DRIVE

50' R.O.W. "C" PER 20-PM-51

20' WIDE WATER, STORM & SEWER EASEMENT PER 3696-OR-574

62-PM-7 PARCEL A

36" RCP STANDPIPE RIM: 575.85'

TOP OF BANK

FL CONC CURB

CITY OF SCOTTS VALLEY APN: 022-481-23

TOP OF BANK

FL (DRY) CREEK

TOP OF BANK

S 22°52'00" E 80.05'

(S 40°00'57" E 326.29')1 R+M

CONC SLURRY (BRIDGE) OVER SD PIPES

WOOD STEPS & LANDING

ASPHALT BERM POOR CONDITION

CONCRETE CURB AND GUTTER

FL CONC CURB

N 61°39'50" E (N 62°17'32" E 532.09')1 532.14'

4585 ENSEMBLE LLC DOC #2015-0006483 APN: 022-481-20

20-PM-51 PARCEL 2

TOP OF BANK

78" RCP INV=590.76 OUT

78" RCP TOP=598.21

(S 60°00'00" W 55.65')1 R+M

DEDICATION OF RIDGECREST DRIVE 4929-OR-259

CBL PDSTL

AREA= ±50SF

ASPHALT BERM POOR CONDITION

DRIP LINE

CITY OF SCOTTS VALLEY DOC #2015-0034997

PAVED PARKING LOT

CITY OF SCOTTS VALLEY CERTIFICATE OF COMPLIANCE DOC #2015-0042537

PAVED PARKING LOT

PAVED PARKING LOT

(N 61°32'00" E 152.16')1 R+M

152.12'

PAVED PARKING LOT

(469.92')1 R+M (N 22°52'00" W 573.13')2

(N 22°52'00" W 319.72')1 R+M 216.51'

CONCRETE VALLEY GUTTER

S 22°52'00" E 79.70'

APPROXIMATELY 510' TO SCOTTS VALLEY DRIVE

FL CONC CURB CONTINUES

AC SWALE

AC TRENCH

ERBA LANE (50')

8" AC WATER MAIN*

10" AC WATER MAIN*

SSMH RIM: 602.66' INV 6"OUT: 595.16'

SSMH RIM: 578.17' INV 6"IN: 570.37' 6"OUT: 570.27

49.07' S 62°19'32" W (S 62°57'14" W)2

PARCEL 2 50' WIDE R.O.W. "D" PER 20-PM-51

20-PM-51 PARCEL 3

AC DWY

PHONE PEDESTAL

PG&E PDSTL PAD

FL CONC ROLL CURB

NORTHERN BOUNDARY OF 1462-OR-664. CONTINUES SOUTHERLY TO SCOTTS VALLEY DRIVE

CONC DWY

FL CONC DWY APRON

FOUND 1-1/2" IRON PIPE, OPEN PER 62-PM-7

MATCH-LINE - SEE TOP LEFT

DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF

CONTOUR INTERVALS = 1 FOOT

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)

1 inch = 20 ft.

LICENSED LAND SURVEYOR BRYAN F. HAPPEE 8229 STATE OF CALIFORNIA

9-23-16

REVISED

- APRIL 6, 2020 ADD TOPOGRAPHIC SURVEY OF DRAINAGE CHANNEL/ROLLCURB & DRIVEWAYS
- SEPT. 23, 2016 ADD TOPOGRAPHIC SURVEY OF DRAINAGE CHANNEL
- AUG. 3, 2016 AFFECTS OF PRELIM. DATED 6-21-16 STEWART TITLE ORDER NO. 01180-202943

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
1011 CEDAR STREET
SANTA CRUZ, CA 95060
(831) 426-3560

TOPOGRAPHIC MAP AND BOUNDARY SURVEY

SCOTTS VALLEY HOUSING, LLC
RECORDERS SERIAL NO. 2015-0034997
ERBA LANE, SCOTTS VALLEY
SANTA CRUZ COUNTY, CALIFORNIA

SCALE 1" = 20'	DRAWN ABF/DLN	JOB NO. 26390	SHEET 1
DATE APRIL 11, 2016	CHECKED BFH	INDEX SAN AUG 5	OF 1
FIELDWORK HB, ZH	DWG NAME 26390TPO	FILE NO. 26390	

COLOR BOARD FOR:

BAY VILLAGE

ERBA LANE, SCOTTS VALLEY, CALIFORNIA

ROOFING: MEDIUM DARK BROWN HEAVY TAB COMP SHINGLE		
ROOF FASCIAS AND GUTTERS, WOOD TRELLISES, WOOD KNEE BRACES, WINDOW AND DOOR TRIMS, DECK RAILINGS, BEAMS AND COLUMNS:	MISSION BROWN	
WINDOW AND DOOR FRAMES:	OFF-WHITE	

LOT NUMBER	WALL COLOR	GARAGE DOOR COLOR	STONE VENEER AT BASE
1	CURLY WILLOW	MEADOWLAND	SARATOGA
2	BURNT ALMOND	MEDIEVAL WINE	YUKON
3	INCOGNITO	GLADIATOR GRAY	SIERRA
4	RUGGED TAN	NUT BROWN	YUKON
5	LIVINGSTON	ADVENTURER	SARATOGA
6	CURLY WILLOW	LAGOON MOSS	YUKON
7	FRONTIER BROWN	MOOSE TRAIL	SARATOGA
8	CURLY WILLOW	SANDALWOOD TAN	SARATOGA
9	LIVINGSTON	GLADIATOR GRAY	SIERRA
10	ARTISAN CRAFTS	SPLIT RAIL	SIERRA



KBA8 LED
LED Specification Bollard

Catalog Number

Notes

Type

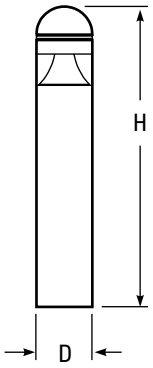
Hit the Tab key or mouse over the page to see all interactive elements.

Specifications

8" Round *(20.3 cm)*

Height: 42" *(106.7 cm)*

Weight (max): 27 lbs *(12.25 kg)*



Introduction

The KBA8 Bollard is a stylish, fully integrated LED solution for walkways. It features a sleek, modern design and is carefully engineered to provide long-lasting, energy-efficient lighting with a variety of optical and control options for customized performance.

With an expected service life of over 20 years of nighttime use and up to 70% in energy savings over comparable 100W metal halide luminaires, the KBA8 Bollard is a reliable, low-maintenance lighting solution that produces sites that are exceptionally illuminated.

Ordering Information

EXAMPLE: KBA8 LED 16C 700 40K SYM MVOLT DDBXD

KBA8 LED								
Series	**LEDs**	**Drive current**	**Color temperature**	**Distribution**	**Voltage**	**Control options**	**Other options**	**Finish** *(required)*
KBA8 LED	**Asymmetric** 12C 12 LEDs [1] **Symmetric** 16C 16 LEDs [2]	350 350 mA 450 450 mA [3,4] 530 530 mA 700 700 mA	30K 3000 K 40K 4000 K 50K 5000 K AMBPC Amber phosphor converted AMBLW Amber limited wavelength [3,4]	ASY Asymmetric [1] SYM Symmetric [2]	MVOLT [5] 120 [5] 208 [5] 240 [5] 277 [5] 347 [4]	**Shipped installed** PE Photoelectric cell, button type DMG 0-10v dimming wires pulled outside fixture (for use with an external control, ordered separately) ELCW Emergency battery backup [6]	**Shipped installed** SF Single fuse (120, 277, 347V) [4,7] DF Double fuse (208, 240V) [4,7] H24 24" overall height H30 30" overall height H36 36" overall height FG Ground-fault festoon outlet L/AB Without anchor bolts (3 bolt base) L/AB4 4 bolt retrofit base without anchor bolts [8]	DWHXD White DNAXD Natural aluminum DDBXD Dark bronze DBLXD Black DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white **Striping [9]** SDDB Dark bronze SDWH White SDBL Black SDNA Natural aluminum SDTG Tennis green SDBR Bright red SDBUA Dark blue SDYLB Yellow

Accessories

Ordered and shipped separately.

MRAB U Anchor bolts for KBA8 LED [8]

NOTES

1. Only available in the 12C, ASY version.
2. Only available in the 16C, SYM version.
3. Only available with 450 AMBLW version.
4. Not available with ELCW.
5. MVOLT driver operates on any line voltage from 120-277V (50/60 Hz). Specify 120, 208, 240 or 277 options only when ordering with fusing (SF, DF options), or photocontrol (PE option).
6. Not available with 347V. Not available with fusing. Not available with 450 AMBLW.
7. Single fuse (SF) requires 120, 277, or 347 voltage option. Double fuse (DF) requires 208 or 240 voltage option.
8. MRAB U not available with L/AB4 option.
9. Striping is available only in the colors listed.

© 2012-2018 Acuity Brands Lighting, Inc. All rights reserved.

Performance Data

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts.

LEDs	Drive Current (mA)	System Watts	Dist. Type	30K					40K					50K					50K				
				Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
12C	350mA	16	ASY	1,126	1	1	1	70	1,210	1	1	1	76	1,217	1	1	1	76					
	530 mA	22	ASY	1,622	1	1	1	74	1,741	1	1	1	79	1,752	1	1	1	80					
	700mA	30	ASY	2,050	1	1	1	68	2,201	1	1	1	73	2,215	1	1	1	74					
	Amber 450	16	ASY																324	0	1	0	20
16C	350mA	20	SYM	1,527	1	0	0	76	1,640	1	0	0	82	1,650	1	0	0	83					
	530 mA	28	SYM	2,186	1	0	0	78	2,348	1	0	1	84	2,362	1	0	1	84					
	700mA	39	SYM	2,744	1	0	1	70	2,947	1	0	1	76	2,965	2	0	1	76					
	Amber 450	20	SYM																374	0	0	0	19

Note: Available with phosphor-converted amber LED's (nomenclature AMBPC). These LED's produce light with 97+% >530 nm. Output can be calculated by applying a 0.7 factor to 4000 K lumen values and photometric files.

Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the platforms noted in a **25°C ambient**, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	0	25,000	50,000	100,000
Lumen Maintenance Factor	1.00	0.98	0.97	0.95

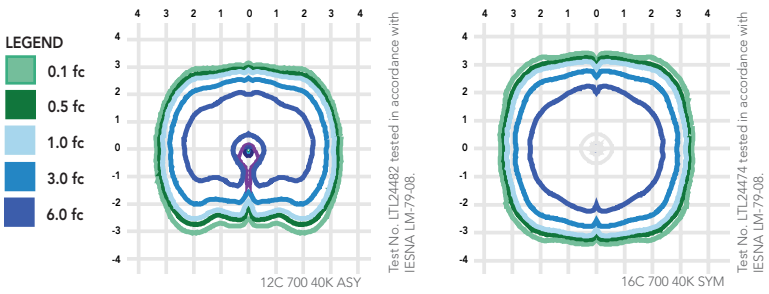
Electrical Load

Light Engines	Drive Current (mA)	System Watts	Current (A)				
			120	208	240	277	347
12C	350	16W	0.158	0.118	0.114	0.109	0.105
	530	22W	0.217	0.146	0.136	0.128	0.118
	700	31W	0.296	0.185	0.168	0.153	0.139
	Amber 450	16W	0.161	0.120	0.115	0.110	0.106
16C	350	20W	0.197	0.137	0.128	0.121	0.114
	530	28W	0.282	0.178	0.162	0.148	0.135
	700	39W	0.385	0.231	0.207	0.185	0.163
	Amber 450	20W	0.199	0.139	0.130	0.123	0.116

Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's KBA8 Bollard homepage.

Isofootcandle plots for the KB LED Bollards. Distances are in units of mounting height (3').



FEATURES & SPECIFICATIONS

INTENDED USE
The rugged construction and clean lines of the KBA bollard is ideal for illuminating building entryways, walking paths, and pedestrian plazas, as well as any other location requiring a low mounting height light source with fully cutoff illumination.

CONSTRUCTION
One-piece 8-inch round extruded aluminum shaft with thick side walls for extreme durability, a high-impact clear acrylic lens and welded top cap. Die-cast aluminum mounting ring allows for easy leveling even in sloped locations and a full 360-degree rotation for precise alignment during installation. Three ½" x 11" anchor bolts with double nuts and washers and 3 ¾" bolt circle template ensure stability. Overall height is 42" standard.

FINISH
Exterior parts are protected by a zinc-infused super durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering for maximum retention of gloss and luster. A tightly controlled multi-stage process ensures a minimum 3-mil thickness for a finish that can withstand the elements without cracking or peeling. Available in both textured and non-textured finishes.

OPTICS
Two fully cutoff optical distributions are available: symmetrical and asymmetrical. IP66 sealed LED light engine provides smoothly graduated illumination without any uplight. Light engines are available in standard 4000 K (>70 CRI) or optional 3000 K (>80 CRI) or 5000 K (67 CRI). Limited-wavelength amber LEDs are also available.

ELECTRICAL
Light engines consist of high-efficacy LEDs mounted to metal-core circuit boards to maximize heat dissipation and promote long life (L95/100,000 hours at 700mA at 25°C). Class 2 electronic drivers are designed for an expected life of 100,000 hours with < 1% failure rate. Electrical components are mounted on a removable power tray.

LISTINGS
CSA certified to U.S. and Canadian standards. Light engines are IP66 rated. Rated for -40°C minimum ambient. Cold-weather emergency battery backup rated for -20°C minimum ambient.

WARRANTY
5-year limited warranty. Complete warranty terms located at: www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx.

Note: Actual performance may differ as a result of end-user environment and application.
All values are design or typical values, measured under laboratory conditions at 25 °C.
Specifications subject to change without notice.

© 2012-2018 Acuity Brands Lighting, Inc. All rights reserved.

Mitigated Negative Declaration

Name of Project

Bay Village Planned Development Project

Lead Agency

City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

Contact

Paula Bradley, MCP, AICP
Contract Planner
831 345-5482
pbradley@mbakerintl.com

Project Applicant

Charlie Eadie
Eadie Consultants
P O Box 1647
Santa Cruz, CA 95061-1647
831 431-3396
charlie@eadieconsultants.com

Project Location

The project site is on two parcels (APN 22-481-18 and 22) on Erba Lane (no situs – vacant) in the City of Scotts Valley.

Project Description

The proposed Bay Village Planned Development Project (the project) would construct 10 residential units comprised of six single-family homes and two duplex/duets on a 1.04 acre (45,245 square feet (sf)) parcel. The project site consists of two existing lots that would be subdivided into ten lots and two common lots. The residential lots would range in size from 2,750 sf to 3,691 sf, with a common lot area where the riparian woodland area is located (Lot B – 10,681 sf) and a common lot for a new roadway for access to seven of the new residences (Lot A – 3,557 sf).

The project includes nine 3-bedroom homes, which range in size from 1,766 sf to 2,108 sf, and one 2,236 sf 4-bedroom unit. Each unit would include a 2-car garage and a 20-foot deep driveway.

To protect an existing oak riparian woodland habitat that extends along the eastern boundary of the project site, a split rail fence would be constructed outside of the riparian boundary. Retaining walls would be constructed along the property lines in the southeast, south, northwest corner and between most of the lots to create level building pads on the sloped lot. The retaining walls would be topped with wood.

Fronting Erba Lane, the project includes a five-foot sidewalk and six-foot landscaped planting strip. The project would construct a new 24 foot-wide private roadway, extending from Erba Lane, providing access to seven of the residential units (Lots 4 through 10).

Public Review and Comment Period

March 30, 2021 through April 30, 2021

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to the City of Scotts Valley at the address listed above or by email to the project planner listed above. All comments received by 5:00 PM on April 30, 2021 will be considered by the City of Scotts Valley.

Findings and Reasons

Apart from biological resources, and the implementation of identified Standard Conditions of Approval, the Initial Study did not identify any potentially significant impacts on the environment. The project would not have the potential to significantly degrade the environment; would have no significant impact on long-term environmental goals; would have no significant cumulative effect upon the environment; and would not cause substantial adverse effects on human beings, either directly or indirectly.

With respect to biological resources, the Initial Study identified potentially significant impacts to sensitive natural communities. Implementation of *MM BIO-1: Oak Riparian Woodland - Project Construction and MM BIO-2: Oak Riparian Woodland Post-Construction* would reduce these impacts to less than significant.

The following reasons support these findings:

1. The project is consistent with the adopted goals and policies of the City of Scotts Valley General Plan, and the City of Scotts Valley Municipal Code.
2. City staff independently reviewed the Initial Study, and this mitigated negative declaration reflects the independent judgment of the City of Scotts Valley.

City of Scotts Valley

Bay Village Planned Development Initial Study



Table of Contents

Background & Project Description 1
Environmental Setting 3
Environmental Checklist 3
Aesthetics 3
Agriculture and Forestry Resources 5
Air Quality 7
Biological Resources 11
Cultural Resources 20
Energy 22
Geology and Soils 23
Greenhouse Gas Emissions 26
Hazards and Hazardous Materials 27
Hydrology and Water Quality 30
Land Use and Planning 34
Mineral Resources 34
Noise 35
Population and Housing 38
Public Services 39
Recreation 40
Transportation 41
Tribal Cultural Resources 43
Utilities and Service Systems 45
Wildfire 47
Mandatory Findings of Significance 48
Determination 50

List of Figures

Figure 1: Regional Location

Figure 2: Project Vicinity

Figure 3: Site Plan

Figure 4: Project Rendering

Figure 5: Street View from Erba Lane

Figure 6: Grading Plan

Figure 7: Exterior Lighting Plan

Figure 8: Vegetation Types

Figure 9: Oak Riparian Woodland Habitat

Note: All figures are inserted at the end of the document.

List of Tables

None.

Initial Study

Background & Project Description

Project Title

Bay Village Planned Development

Lead Agency Name and Address

City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

Contact Person and Phone Number

Paula Bradley, MCP, AICP
Contract Planner
831 345-5482
pbradley@mbakerintl.com

Project Location

As shown in Figure 1: Regional Location, and Figure 2: Project Vicinity, the project site is on two parcels (APN 22-481-18 and 22) on Erba Lane in the City of Scotts Valley.

Project Applicant/Sponsor

Charlie Eadie
Eadie Consultants

General Plan Designation

Residential High Density (R-H)

Zoning

Residential High Density (R-H)

Project Description

The proposed Bay Village Panned Development project (the project) would construct 10 residential units comprised of six single-family homes on a 45,245 sf parcel. As shown in Figure 3: Site Plan, the project site's two existing lots that would be subdivided into ten lots and two common lots. The lots would range in size from 2,750 to 3,691 square feet (sf), with a common area for the riparian setback (Lot B – 10,681 sf) and a new lane (Lot A – 3,557 sf).

The project includes nine 3-bedroom homes, which range in size from 1,766 sf to 2,108 sf, and one 2,236 sf 4-bedroom unit. Each unit would include a two-car garage and a 20-foot deep driveway. A rendering of the subdivision is shown in Figure 4: Project Rendering.

To protect an existing oak riparian woodland habitat that extends along the eastern boundary of the project site, a split rail fence would be constructed outside of the riparian boundary. Retaining walls would be constructed along the property lines in the southeast, south, northwest corner and between most of the lots to create level building pads on the sloped lot. The retaining walls would be topped with wood.

Fronting Erba Lane, the project includes a five-foot sidewalk and six-foot landscaped planting strip. The project would construct a new 24 foot-wide private roadway, extending from Erba Lane, providing access to seven of the residential units (Lots 4 through 10). A street view from Erba Lane is shown in Figure 5: Street View from Erba Lane.

As shown in Figure 6: Grading Plan, grading for the project would require a cut of 1,155 cubic yards of soil (maximum cut of 4.9 feet), and fill of 1,870 cubic yards (maximum fill of 5.2 feet), for a net import of 715 cubic yards. Consistent with current conditions, stormwater would flow generally north to south across the project site.

Storm drainage from constructed impervious surfaces (e.g. roofs, driveways) would be conveyed via a series of collector storm drain pipes to underground (Stormtech) chambers located on Sam Lane where it would be retained and treated. Stormwater from Erba Lane fronting the project site would be collected via drainage inlets and directed to a newly constructed 18-inch storm drain for channel overflow along the southern boundary of the project site. A channel emergency overflow catch basin with riprap apron would be constructed on the southeast corner of the project site to control storm drain flows that would ultimately flow into the adjacent dry creek located in the existing oak riparian woodland corridor.

Water and sewer services would connect to an existing six-inch sanitary sewer and eight-inch water main located on Erba Lane.

Project-Related Approvals, Agreements and Permits

- Planned Development Permit PD19-004
- Minor Land Division MLD19-002
- Design Review DR19-014
- Environmental Assessment EA19-010
- Environmental Review ND20-001
- Cultural Resources Report Permit CR20-001

Other public agencies whose approval is required

None.

Environmental Setting

Background and Intent

The purpose of the project is to allow for the subdivision of the project site (Lots A and B and Lots 1 through 10) and the construction of 10 residential units as part of a Planned Development.

Project Site and Existing Facilities

The project site is currently vacant with partially paved surface parking. The General Plan designation is Residential High Density (R-H) and the zoning designation is Residential High Density (R-H).

Surrounding the project site is the Scotts Valley Fire Department and single-family residential to the west, Scotts Valley City Hall, and MacDorsa Park to the north and east, and office buildings to the east between the project site and Scotts Valley Drive. The corner of Erba Lane and Scotts Valley Drive is a landscape supply company.

Environmental Checklist

The discussion below analyzes the potential environmental impacts of the project per the criteria as described in Public Resources Code Section 21166 and CEQA Guidelines Section 15162. For convenience, this analysis uses the Appendix G of the CEQA Guidelines as a framework. Different from the standard CEQA checklist included in Appendix G of the CEQA Guidelines are the impact options included in this analysis.

Aesthetics

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
a) Substantially damage scenic resources, including but not limited to trees, rock				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
outcroppings, and historic buildings within a state scenic highway?				
b) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X
c) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion

Scenic Vista

The project site is currently used as a partially paved parking lot and is surrounded by a combination of commercial, industrial, office, and residential uses. The project site is relatively flat and would not block any scenic vista nor substantially change an important view from a scenic vantage point, and therefore there would be no impact.

Scenic Resources and Visual Character

The project site is not located along a state scenic highway or designated scenic corridor. Although the project would represent a visual change from the existing conditions, it would be consistent with the type of development planned for this area in the General Plan. Additionally, the project is subject to design review, which would provide an opportunity for further evaluation that the project would not adversely impact the visual character of the area. Because there are no scenic resources and the visual character would not be substantially altered, there would be no impact.

Light and Glare

Existing ambient sources of nighttime lighting include neon and fluorescent signs, lighting of building exteriors and architectural accents, illumination through windows, landscape lighting,

street lighting, parking lot lighting, and vehicle headlights. The project would include outdoor lighting on the site typical to a residential development. As shown in Figure 7: Exterior Lighting Plan, project plans provide details for exterior lighting for the proposed homes that include: 42-inch tall lighting bollards, wall mounted lights, and recessed 6-inch LED downlights. All fixtures would utilize light-emitting diode (LED) lighting with glare cutoffs and be dark sky-friendly certified by the International Dark-Sky Association.

Site and architectural lighting is subject to the City design review process which would provide an opportunity for further evaluation so that levels of luminance do not adversely affect the adjacent properties. To further minimize lighting effects on the surrounding area, a project-specific conditions would require the project applicant to use no pole lights, and utilize down-directed fixtures on building exteriors with concealed light sources, consistent with City policies and design guidelines for lighting to be at the lowest level and carefully controlled for security, aesthetics, safety, and identification without interfering with nearby land uses. Implementation of these standard conditions of approval would reduce potential off-site light intrusion impacts to a less than significant level.

Findings

The project would not generate affect a scenic vista or scenic resource, would not change the visual character of the project area, and therefore there would be no impact. The project would not result in a substantial change to light and glare and therefore impacts would be less than significant and no mitigation is required.

Agriculture and Forestry Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Discussion

The property is not located on land that is classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the Farmland Mapping and Monitoring Program of the California Resource Agency, and therefore no agricultural impacts would occur as a result of the project.

Findings

As described above, there would be no impact on agricultural resources. Therefore, no mitigation is required.

Air Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?				X

Discussion

Air Quality Plan and Air Quality Standards

The project site is located within the North Central Coast Air Basin (NCCAB), which includes Monterey County, San Benito County, and Santa Cruz County, comprising an area of approximately 5,159 square miles along the central California coast. The Monterey Bay Air Resources District (MBARD) is responsible for local control and monitoring of criteria air pollutants throughout the NCCAB.

MBARD has developed the *2012 Air Quality Management Plan for the Monterey Bay Region* (2012 AQMP) The 2012 AQMP is a transitional plan shifting focus of MBARD's efforts from achieving the 1-hour component of the State ozone AAQS to achieving the 8-hour ozone requirement. The Plan includes an updated air quality trends analysis, which reflects both the 1- and 8-hour standards, as well as an updated emission inventory, which includes the latest information on stationary, area and mobile emission sources.

In March 2017, MBARD adopted the *2012-2015 Triennial Plan Revision*, which assesses and updates elements of the 2012 AQMP, including the air quality trends analysis, emission inventory, and mobile source programs. The 2017 AQMP Revision only addresses attainment of the State ozone standard. In 2012, EPA designated the NCCAB as in attainment of the current national 8-hour ozone standard of 0.075 ppm[1].

The following MBARD rules would limit emissions of air pollutants from construction and operation of residential development pursuant to the project:

- *Rule 400 (Visible Emissions)* – Discharge of visible air pollutant emissions into the atmosphere from any emission source for a period or periods aggregating more than 3minutes in any 1 hour, as observed using an appropriate test method, is prohibited.
- *Rule 402 (Nuisances)* - No person shall discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or which endanger the comfort, repose, health, or safety of any such persons or the public; or which cause, or have a natural tendency to cause, injury or damage to business or property.
- *Rule 425 (Use of Cutback Asphalt)* – The use of cutback asphalt (asphalt cement that has been blended with petroleum solvents) is restricted.
- *Rule 426 (Architectural Coatings)* – This rule limits the emissions of ROGs from the use of architectural coatings.

The MBARD's 2008 CEQA Air Quality Guidelines provides criteria for determining cumulative impacts and consistency. The CEQA Air Quality Guidelines note that a project which is inconsistent with an Air Quality Plan would have a significant cumulative impact on regional air quality. Any emissions sources that would be generated as part of the project would be subject to the MBARD rules and regulations. The proposed development (the point source) does not include any processes or activities that would emit air pollutants. Therefore, the proposed use does not have the potential for significant impacts that would conflict with the AQMP. Therefore, the project would be consistent with the AQMP for the Monterey Bay Region. Thus, the project would not make a considerable contribution to this existing, cumulatively significant impact. Impacts would be less than significant.

Construction

MBARD CEQA Guidelines state that construction activities (e.g., excavation, grading, on-site vehicles) that emit 82 pounds per day or more of PM_{10} would have a significant impact on local

[1] On October 1, 2015, U.S. EPA adopted a new 8-hour ozone standard of 0.070 ppm. However, U.S. EPA has not yet reviewed recent NCCAB emissions to determine attainment with the current 0.070 ppm standard. Therefore, this attainment status is based upon U.S. EPA's prior 0.075 ppm standard.

air quality when they are located nearby and upwind of sensitive receptors. Based on this emissions threshold, construction activity occurring on more than 2.2 acres per day may result in significant PM_{10} emissions (MBARD, 2015). Because development of the project would not result construction activity occurring on more than 2.2 acres per day, impacts would be less than significant.

However, grading activities during construction could cause dust accumulation in the project area. Implementation of the following standard conditions of approval would be required to ensure potential impacts are reduced to a less-than-significant level for all construction activities on the project site.

Furthermore, standard conditions of approval require that development projects reduce dust generation from project grading and construction to minimal levels, the project proponent shall require the grading contractor to implement best management practices (BMPs) for dust control, including watering down exposed earth surfaces each non-rainfall day at intervals that attenuate dust problems. Any dirt tracked on to adjacent roadways shall be removed daily in a manner that does not create substantial airborne dust. The following BMPs shall be included in the construction contract for the project and be implemented during site grading:

- Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.
- A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.
- In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.
- The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.
- Roadway(s) along the project frontage shall be mechanically swept at the end of each work day when any dirt or mud has been tracked on the street.
- No grading activities shall occur during days of high wind velocity.
- Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.
- Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.

Operational

The project would result in new long-term operational emissions from mobile sources (burning of fossil fuels in cars); energy sources (cooling, heating, and cooking); and area sources (landscape equipment and household products). Mobile source emissions constitute most operational emissions from this type of land use development project. However, emissions associated with buildout of this type of project is not expected to exceed any applicable MBARD thresholds. No stationary sources would be constructed that would be long-term permanent sources of emissions. Therefore, the project would not generate a significant level of operational emissions and impacts would be less than significant.

Sensitive Receptors

Sensitive receptors in the vicinity include residents and patrons of nearby commercial/office establishments, located approximately 30 feet from the property boundaries of the proposed development.

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust which is a known toxic air containment (TAC). The California Air Resources Board (CARB) has identified diesel exhaust particulate matter as a toxic air contaminant, and assessment of toxic air contaminant cancer risks is typically based upon a 70-year exposure period. Project grading and construction activities that would utilize diesel-powered equipment would expose receptors to possible diesel exhaust for a very limited number of days (approximately 10 days). Because exposure to diesel exhaust would be well below the 70-year exposure period, and given the limited and short-term duration of activities that would use diesel equipment, construction-related diesel emissions are not considered significant. Furthermore, the State is implementing emission standards for different classes of on- and off-road diesel vehicles and equipment that applies to off-road diesel fleets and includes measures such as retrofits. Additionally, Title 13 of the California Code of Regulations (section 2485(c)(1)) prohibits idling of a diesel engine for more than five minutes in any location.

Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations. Potential exposure of sensitive receptors to diesel emissions and associated risks is considered a less-than-significant impact, and no mitigation measures are required. However, standard conditions of approval require that prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

Odors

During construction activities, temporary odors from vehicles exhaust and construction equipment engine would occur. However, construction-related odors would be short-term and would cease upon completion. Therefore, no objectionable odors are anticipated from construction activities associated with the project and there would be no impact.

Land uses typically producing objectionable odors include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The project does not include any uses that would be associated with objectionable odors. Odor emissions from the project would be limited to odors associated with vehicle and engine exhaust and idling cars. The project does not include any known sources of objectionable odors associated with the long-term operational use and therefore there would be no impact.

Findings

A significant air quality impact is defined as any violation of an ambient air quality standard, any substantial contribution to an existing or projected air quality violation, or any exposure of sensitive receptors to substantial pollutant concentrations. As discussed above, the MBARD thresholds of significance have not been exceeded. Therefore, there would be no significant air quality impacts and no mitigation is required in addition to the City's standard conditions of approval for construction dust control at the time of development.

Biological Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?		X		

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Discussion

A Biological Assessment was prepared for the project site in May of 2019 (Biotic Resources Group, May 2019), which was based on a previous site plan consisting of six single-family homes and three duplex homes (total of 12 units) (Erba Lane Housing, Site Plan, David Zulim, Inc. dated 8-3-18). An Addendum to the Biological Assessment was prepared in May 2020 based on a revised site plan which represents the proposed project (Biotic Resources Group, May 2020).

Similarly, a Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts, November 2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared in March 2020 based on the revised site plan (Kurt Fouts, March 2020).

The analysis below is based on the findings of these assessments, as revised.

Environmental Setting

The project area is located along an unnamed creek. The USGS map (Felton quadrangle) does not identify a stream at this location; however, the field inspection documented a defined bed and bank and evidence of seasonal water flow at the site.





As shown in Figure 8: Vegetation Types (which shows the previous site plan), two plant communities occur on the project site. Coast live oak riparian woodland grows along the eastern property line and this woodland extends further eastward along the creek corridor on the City of Scotts Valley property. The woodland is closely associated with the creek, with many trees rooted on the slope and along the top-of-bank. Mature trees of coast live oak (Quercus agrifolia) dominant the woodland, with their canopies extending outward from top-of-bank. Figure 9: Oak Riparian Woodland Habitat illustrates the extent of the oak riparian woodland in relation to the revised site plan (May 12, 2020).

According to the arborists report (Kurt Fouts, November 2017), 14 oak trees grow on the project site; 26 oak trees are rooted on the adjacent City-owned property. Within the woodland, native and non-native plant species are present, including California blackberry (*Rubus ursinus*), poison oak (*Toxicodendron diversilobum*), curly dock (*Rumex crispus*), velvet grass (*Holcus lanatus*), French broom (*Genista monspessulana*), sword fern (*Polystichum munitum*), and young willows. The riparian woodland on the City property also supports willows (*Salix sp*.), which grow along the wetted channel.

In general, oak woodlands provide a high value habitat type for wildlife because acorns are important forage, the natural cavities in the oaks provide nesting opportunities for some birds and mammals, and downed decaying logs and limbs add to structural complexity of a moist microclimate and invertebrate food supply. The value of the oak riparian woodland to wildlife at this site is enhanced by the presence of water in the creek, which provides seasonal water sources for wildlife. Common wildlife expected to occur in this small patch of oak woodland include scrub jay (*Aphelocoma coerulescens*), acorn woodpecker (*Melanerpes formicivorus*), oak titmouse (*Baeolophus inornatus*), chestnut-backed chickadee (*Poecile rufescens*), bushtit

(*Psaltriparus minimus*), spotted towhee (Pipilo maculatus), and western gray squirrel (Sciurus griseus).

The second plant community is non-native grasses and forbs dominate the southeast portion of the Erba Lane property, abutting the existing paved area. Evidence of previous fill/base rock materials was observed, suggesting previous disturbances to this area. Plant species are typical of such areas, with wild radish (*Raphanus sativa*), wild oat, Bermuda grass (*Cynodon dactylon*), velvet grass, black mustard (*Brassica nigra.*), English plantain (*Plantago lanceolata*), soft chess (*Bromus hordeaceus*), filaree (*Erodium botrys*), and rose clover (*Trifolium repens*) being common. Native plant species in this area are limited to California poppy (*Eshscholzia californica*) and telegraph weed (*Heterotheca grandiflora*).

The use by wildlife of the grassland area is expected to include common species, such as mourning dove (*Zenaida macroura*), California towhee (*Pipilo crissalis*), white-crowned sparrow (Zonotrichia leucophrys), and house finch (Carpodacus mexicanus). Western fence lizard (*Sceloporus occidentalis*), gopher snake (*Pituophis melanoleucus*), and Botta's pocket gopher (*Thomomys bottae*) are also likely to occur in the grass habitat.

Applicable Regulations

California Department of Fish and Wildlife

CDFW classifies and ranks the State's natural communities to assist in the determining the level of rarity and imperilment. Vegetation types are ranked between S1 and S5. For vegetation types with ranks of S1-S3, all associations within the type are considered to be highly imperiled. If a vegetation alliance is ranked as S4 or S5, these alliances are generally considered common enough to not be of concern; however, it does not mean that certain associations contained within them are not rare (CDFW, 2007 and 2010). The oak-willow riparian woodland (CaCode 71.060.47) is ranked S4, yet some associations are of high priority (CDFW, 2010).

City of Scotts Valley Zoning Code

Streams and Drainage Courses

The City of Scotts Valley Zoning Code contains several references to streams and drainage courses. Section 17 requires structures to be located outside a 25-foot creek setback (measured outward from the top-of-bank). This review found the top of bank to be the break in slope from the flat terrace to the creek. Most of the oak trees are rooted at or just below this top-of-bank location, with the tree canopies extending into, and in some cases beyond, this 25-foot setback.

City Zoning Code 15.06 also addresses drainage facilities, requiring disturbances to natural drainageways be kept to a minimum and existing drainage courses shall not be obstructed or obliterated without mitigating measures installed that have been approved by the building official. Grading equipment is not to disturb or cross flowing streams unless absolutely necessary and only with prior approval from the building official. The code also states no construction materials or construction byproducts shall be discarded in any drainageway or

riparian zone. All streams, floodplains, channels, bodies of standing water, or other riparian areas shall be identified and delineated on the development plans and vegetative removal, land disturbances, or other development activities shall be conducted at a time, and in a manner that will provide and maintain an undisturbed vegetative filter strip. The code also states if it is determined that certain development activities in or near the riparian zones would be detrimental, those activities may be prohibited.

Tree Protection

The City of Scotts Valley Zoning Ordinance Section 17.44.080 regulates the removal of protected trees. Section 17.44.080 includes tree protection regulations. Protected trees are defined as:

- Any tree having a main stem or trunk at least 8 inches or greater diameter at breast height (DBH) (25 inches in circumference), located in a hillside residential zone where the slope within 20 feet of where the tree is located exceeds 20 percent;
- Any single-trunk oak tree with a main stem or trunk at least 8 inches DBH (25-inch circumference), or any multi-trunk oak tree with an individual trunk over 4 inches DBH (12 inch circumference);
- Any street tree (defined as any tree within five feet of a public or private street or right of way), regardless of size;
- Any single-trunk tree with a 13-inch or greater DBH (40-inch circumference);
- Any multi-trunk tree with any trunk greater than or equal to 8-inch DBH (25-inch circumference);
- Any tree, regardless of size, required to be planted or preserved as part of a permit approved by the Planning Department, Planning Commission or City Council, or required as a replacement tree for a removed tree; or
- Any Heritage Tree, defined as a tree identified, because of unique quality and/or size, as among the most significant and noteworthy in the city and formally designated by the City Council.

Per SVMC Section 17.44.080(E)(4), tree removal request shall be included as part of the development application, including an arborist's report, and shall be approved by the planning commission or city council. The development review process shall seek to preserve healthy trees, trees that contribute to the overall aesthetic quality of an area, and to preserve significantly sized trees that are important to the overall landscape of an area.

Sensitive Natural Communities

A biological survey of the project site was conducted in May 2019 to determine the presence of special status plant and animal species. No special status plant species were observed and none are expected. The only special status wildlife species that may occur within or immediately adjacent to the project work area is the San Francisco dusky-footed woodrat.

The project was evaluated as to potential direct and indirect impacts to sensitive biological resources. Examples of direct impacts are the removal of oak trees for construction of housing and associated lot development, and pathway construction in the riparian corridor. Examples of indirect impacts include potential disturbance to the oak riparian woodland and wildlife utilization of these areas from increased human uses on the property (e.g., residential uses, landscaping, lighting, pathway uses).

Based on the revised site plan dated May 12, 2020, the revised grading plan preserves most of the oak riparian woodland on the project site. The footprint of the residential buildings are located outside of the dripline of the oak riparian woodland and 25 feet from the "top of bank" of the 100-year storm flood boundary. Two Coast live oaks (T39 and T40), which are located outside of the oak riparian woodland on the southeast corner of Lot 7, would be removed, as discussed below. Additionally, some limited grading would occur within the dripline of oak trees that are to be retained. Some trees would require targeted clearance pruning for grading equipment and hand grading may be required near them to minimize impacts. Two additional protected oaks near lot 6 (T35 and T38) may not be retained.

To reduce construction and post-construction-period impacts to the riparian woodland, the Biological Assessment, as revised, the following mitigation measures would reduce impacts to the oak riparian woodland to a less than significant level.

MM BIO-1: Oak Riparian Woodland -Project Construction

Prior to issuance of the grading permit, the project applicant shall demonstrate to the satisfaction of the City compliance with the following:

1.1 The outer edge of the riparian setback area should be demarcated by the placement of six-foot high plastic construction fencing (during the construction period) and a permanent six-foot high fence (after construction). The fence should have an opening to allow access to the existing pathway that crosses the intermittent drainage channel. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees. The construction fencing should be maintained in a functional manner throughout the site construction period and should be inspected periodically by the contractor and City of Scotts Valley personnel for damage and proper functioning. No equipment staging, vehicle parking or other activities shall occur within the protected riparian area.

1.2 To minimize sediments entering the intermittent creek, the project should implement best management practices, including:

- Conduct construction activities within 20 feet of the riparian woodland during the dry season;
- Incorporate measures to filter and entrap pollutants prior to their discharge into the creek or other downstream drainage features that lead to Carbonera Creek.
- Stabilize disturbed soils to minimize erosion and sediment input to the creek;

- Implement erosion control measures to prevent sediment from entering the creek channel, including the use of silt fencing or fiber rolls to trap sediments;
- Conduct erosion control seeding of all disturbed areas as soon as practicable after disturbance following construction;
- Monitor the effectiveness of the erosion control measures during the first year's rainy season and implement remedial measures (e.g., reseeding, repair of silt fencing) if sedimentation or erosion is noted.

1.3 Occurrences of invasive, non-native plant species (i.e., French broom, bull thistle) should be removed from the riparian woodland prior to project completion.

MM BIO-2: Oak Riparian Woodland Post-Construction

Prior to issuance of the building permit, the project applicant shall demonstrate to the satisfaction of the City compliance with the following:

2.1 All lighting features shall be directed away from the oak riparian woodland, such that the woodland is not illuminated. Homeowners/tenants shall not be allowed to install night lighting that illuminates the riparian woodland.

2.2 Future landowners/tenants should not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the property include all plants recognized as exotic pest plants by Cal-IPC (see Exotic Pest Plants of Greatest Ecological Concern in California, www.cal-ipc.org). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (*Vinca sp.*), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), all pines, cotoneaster, and pyracantha. If evidence of the fungus responsible for Sudden Oak Death (*Phytophthora sp.*) is detected on the property, the homeowners should implement measures to prevent/control the spread of this fungus both on and off-site. The homeowners should be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the City, the County and the State of California. Preventative and treatment measures should also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force, University of California Cooperative Extension, Sudden Oak Death website (http://cemarin.ucdavis.edu).

State and Federal Regulated Waterways and Federal Wetlands

Development of the project would occur adjacent to regulated waterway. The project is located near California Department of Fish and Wildlife's (CDFW) and Regional Water Quality Control Board's (RWQCD) regulatory jurisdiction, however, proposed residential development is located outside of the oak riparian woodland dripline. As shown in Figure 9: Oak Riparian Woodland Habitat, construction would not require the removal of vegetation in the streambank, nor on

the top of the bank of the dry creek, within regulated areas by the CDFW and RWQCD. Therefore, there would be no impact associated with regulated waterways.

Special Status Species, Wildlife Corridors, and Nursery Sites

The only special status wildlife species that may occur within or immediately adjacent to the project site is the San Francisco dusky-footed woodrat. The woodrats may be present in above-ground stick nests. Additionally, nesting birds may occur in or adjacent to the project work area. No other special status wildlife species occur within the project area.

Because most nesting birds are protected by the Migratory Bird Treaty Act, the project would implement the mitigation measure listed below to avoid potential impacts if any active bird nests are present during vegetation removal. The mitigation measure below would also reduce potential impacts to the woodrats and nesting birds. While none were identified during the May 2019 survey, the project site is suitable habitat for the San Francisco dusky-footed woodrat. Therefore, implementation of the following mitigation measure would reduce impacts associated with special status species and nursery sites to a less than significant level.

MM BIO-4: Protection of Sensitive Animal Species

Prior to issuance of the grading permit, the project applicant shall demonstrate to the satisfaction of the City the following:

1. The landowner shall hire a qualified biologist to search for San Francisco dusky-footed woodrat nests. If any are found and impacts to the nests cannot be avoided, the applicant shall seek written approval from CDFW to implement a trapping and relocation program. Wood rat nests shall not be disturbed without prior written approval from CDFW.
2. If construction is scheduled to begin between March 1 and August 15 of any given year, the landowner shall hire a qualified biologist to conduct a search for active bird nests in the vicinity of the work site (following CDFW survey protocols). If active bird nests are observed, the work shall be postponed until the biologist determines that all chicks have fledge the nest(s).

Conflict with Local Polices, HCP or NCCP, or Other Conservation Plan

As shown in Figure 6: Grading Plan, which reflects the revised site plan dated 5/12/2020, the revised Grading Plan preserves most of the oak riparian woodland on the property. The footprint of the buildings are located outside of the dripline of the oak riparian woodland and all but two oak trees (T39 and T40, located on the southeast corner of Lot 7) would be retained.

Some grading would occur within the dripline of oak trees that are to be retained. The Revised Arborists Report analyzed the revised grading plan relative to trees and found that up to six trees may be affected by the project. Some trees would still require targeted clearance pruning for grading equipment (T29 and T30) and hand grading may be required near them. Impacts to

two trees (T35 and T38), adjacent to Lot 6 may be greater, and would likely need to be removed. The Revised Arborists Report also indicated that the future growing conditions for most of the oaks would slightly improve, as more soil would be retained allowing for a larger rooting area.

The Revised Arborists Report recommended tree replacement to compensate for the removal and limbing of the identified trees at a 2:1 tree replacement using 15-gallon or 24-inch box size trees and identifies an open area east of Lot 7 be used for the tree replacement plantings. This recommendation is consistent with City regulations, as described above.

Standard conditions of project approval require the project applicant to implement all measures contained within the Revised Arborists Report for the protection of existing trees to remain, including but not limited to the required procedures and sequence, required tree replacement, tree preservation and protection, and appraised value of preserved trees in the report.

A habitat survey report for the endangered Mount Hermon June Beetle and Zayante Band Wing grasshopper was prepared by Entomological Consulting Services, Ltd., dated July 14, 2005. Due to the absence of indigenous sand parkland vegetation and sunlight, barren Zayante sandy soils, and habitat conditions, the report concluded that the project site was not suitable for the Zayante Band Wing grasshopper. Similarly, due to the absence of Ponderosa pines and Zayante sands, habitat conditions are not suitable for the Mount Hermon June Beetle.

Therefore, the proposed project would not conflict with any local policies or applicable HCP's and there would be no impact.

Findings

The project would comply with the City's standard conditions of approval wherein protected tree removals are compensated at a minimum of 2:1 ratio. Additionally, through implementation of MM BIO-1 and MM BIO-2**,** impacts associated with vegetation, wildlife, riparian woodland, and other biological resources would be reduced to a less than significant level.

Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			X	

Discussion

Cultural Resources

The Scotts Valley 1994 General Plan, Figure OS-2 ("Archeological Sensitivity Zones"), indicates that the project site is located within areas of moderate and high archaeological sensitivity.

An Extended Phase I Archeological Assessment (Albion Environmental, Inc., March 2020) was prepared for the project site in 2020 (Albion Environmental, Inc., March 2020). After reviewing the record search results, Albion conducted an intensive pedestrian survey and limited trenching and auguring of the project area. Visual inspection surface and small-scale subsurface excavations revealed no evidence of intact prehistoric or historic-era archaeological deposits. However, due to the proximity of archeological site SCR-177/H, it was recommended that archeological and Native American monitoring occur during all ground-disturbing activities.

Standard conditions of approval for development require that the project applicant and construction contractor ensure that any cultural resource, including archaeological, paleontological, or human remains are not destroyed if discovered during project grading or other subsurface work.

As part of the standard conditions of approval, the project applicant shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading

permit issuance. The project applicant shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below:

1. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities;
2. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis;
3. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring;
4. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present; and,
5. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The project applicant shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.

Standard conditions of approval require that the project applicant and construction contractor ensure that paleontological resources are not destroyed during project grading by implementing following measures:

1) Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading;
2) Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas;
3) Allow for the recovery of any discovered paleontological resources according to a recovery plan/methods specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.);
4) If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken; and,
5) Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Human Remains

No known human remains are located on the project site. Pursuant to section 7050.5 of the Health and Safety Code, if human remains are discovered, there shall be no further excavation or disturbance of the discovery site or any nearby area reasonably suspected to overlie adjacent human remains until the project applicant has complied with the provisions of State CEQA Guidelines Section 15064.5(e).

Findings

As discussed above, due to the proximity of archeological site SCR-177/H, archeological and Native American monitoring during all ground-disturbing activities would be required as a standard condition of approval, which would reduce any potential impacts associated with cultural resources to a less than significant level.

Energy

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				x
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				x

Discussion

Energy consumption associated with construction of the project would be temporary and short-term. Project design and operation would comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards. Additionally, the project includes other design features including efficient low-energy lighting, and natural ventilation systems.

The project would also be required to be built according to City and State energy efficiency standards. The project would be required to comply with existing regulations, including

applicable measures from the City's General Plan. Vehicle trips and energy consumption would be less carbon intensive as compared to historic levels due to statewide compliance with future low carbon fuel standard amendments and increasingly stringent Renewable Portfolio Standards).

Findings

The project would comply with existing State energy standards and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. There would be no impact to energy.

Geology and Soils

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Discussion

Earthquake Faults, Landslides, and Seismic Ground Shaking

Project construction would subject the buildings and their inhabitants to periodic seismic shaking associated with the San Andreas Fault and other active faults within the Monterey Bay area. As part of any future Planned Development application submitted to the City of Scotts Valley, the project applicant would be required to submit plans that are in compliance with the latest California Building Code (CBC) standards consistent with Title 15 – Buildings and Construction of the Scotts Valley Municipal Code.

Prior to approval of any entitlements, City staff is required to review project plans and verify that the CBC Seismic requirements are printed on the plans. Building Division staff shall verify

that CBC standards are met prior to issuance of Building Permits. Building inspectors shall conduct site inspections to assure that construction occurs consistent with approved plans.

The Scotts Valley 1994 General Plan, Figure S-3 ("Liquefaction Potential") indicates that the project site is not in an area for liquefaction. Figure S-4 ("Landslide Deposits") indicates that the site is in an area containing landslide deposits. Figure S-5 ("Slopes"), indicate that the project site is not located within any mapped geological hazard areas. Per the earthquake hazard zones defined by the Alquist-Priolo map, the risk of earthquake-induced ground rupture occurring across the project site is moderately low.

A geotechnical investigation was prepared by Haro, Kasunich and Associates, Inc. (Haro, Kasunich & Associates, November 2005) determined that given the project site is generally level, the potential for seismically induced landslides are low. As a standard condition of approval, an updated geotechnical report would be required for review and approval by the City prior to issuance of a building permit.

Because compliance with Title 15 – Buildings and Construction of the Scotts Valley Municipal Code is required for all future project, potential impacts associated with earthquake-related ground rupture would be less than significant and no mitigation is required.

Soil Erosion

The project would involve the removal of landscape vegetation and grading activities associated with the construction of buildings, infrastructure, and roads. Grading would largely be limited to the project site, which would limit the amount of exposed soil area that would be subject to erosion. Measures to control erosion would be incorporated into the construction specifications pursuant to the National Pollution Discharge Elimination System (NPDES) requirements for construction. In addition, to comply with the NPDES requirements for construction, projects involving construction on sites that are one acre or more are required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) that specifies how the discharger would protect water quality during construction activities. Compliance with the erosion control ordinances and acquisition of the NPDES General Permit for construction activities would ensure that soil erosion impacts associated with development pursuant to the project would be less than significant.

Sewage Disposal

The project would involve disposal of wastewater through the City's existing sanitary sewer system, and there would be no septic systems constructed as part of the project. Therefore, no impacts would occur.

Unique Geological Features and Paleontological Resources

There are no known paleontological resources on the project site. However, development of the project could result in the discovery and disturbance of previously unknown or undiscovered paleontological resources. Should evidence of paleontological resources be

encountered during grading and construction, adherence to City, State, and Federal historic preservation laws, regulations, and codes related to archaeological and paleontological resources would ensure the adequate protection of historic and pre-historic resources. With implementation of existing regulations, the impact would be less than significant.

Findings

Compliance with Title 15 – Buildings and Construction of the Scotts Valley Municipal Code and NPDES requirements would reduce any potential impacts associated with geological and soil resources to a less than significant impact. Therefore, no mitigation is required.

Greenhouse Gas Emissions

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion

Construction

Construction of the project would result in direct emissions of CO_2, N_2O, and CH_4 from the operation of construction equipment and the transport of materials. MBARD does not have a threshold for construction GHG emissions, which would be one-time, short-term emissions and therefore would not significantly contribute to long-term cumulative GHG emissions impacts of the project. In the absence of quantitative significance thresholds in CEQA guidance, this analysis turns to other programs. For example, the CARB Mandatory Reporting program requirements are triggered for sources of GHG emissions exceeding 2,500 $MTCO_2e$) per year. AB 32 requires California agencies to take actions that reduce GHG emissions by 2020 to the levels of 1990, and then substantially further reduce emissions by 2050. Most individual projects do not generate sufficient GHGs to create a project-specific impact to significantly influence climate change; therefore this impact typically involves an analysis to determine if a

project's GHG emissions are cumulatively considerable (significant cumulative impact). Once construction is complete, the generation of construction-related GHG emissions would cease. The project is not expected to exceed the CARB Mandatory Reporting applicability level of 2,500 $MTCO_2e$ per year. As a result, the short-term emission of GHG during construction would be less than significant

Operational

Operational or long-term emissions would occur over the project's life. GHG emissions would result from direct emissions such as project generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power over the life of the project, the energy required to convey water to, and wastewater from the project site, the emissions associated with solid waste generated from the project site, and any fugitive refrigerants from air conditioning or refrigerators. The project would meet CalGreen and CBC standards for energy efficiency standards including passive solar design and natural ventilation and natural lighting.

Additionally, the project includes water-efficient landscape, water-reducing features, and low-impact development practices to reduce water use. The project is an example of "smart growth" strategies based on infill, density, and unit types. Energy use of the completed residential units would be less than similar units constructed in previous years because their construction is required to comply with the energy efficiency standards of the California Building Code. All these factors result in a project that would not significantly contribute to a cumulative GHG impact. Thus, impacts would be considered less than significant.

Findings

While some GHGs would be generated as a result of development of the project, its contribution to GHGs would not be cumulatively considerable and there would not be any significant impacts associated with GHGs. Therefore, the project would result in a less than significant impact, and no mitigation is required.

Hazards and Hazardous Materials

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
transport, use, or disposal of hazardous materials?				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

Discussion

Hazardous Substances

Regarding on-site hazards, the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No records of the project site were found pertaining to open cases of LUSTs, toxic releases, or site cleanup requirements. The project site is located adjacent to a known hazardous materials site at 7 Erba Lane (southwest of the project site) due to diesel contamination[2]. Given the distance from the project site and the propensity for diesel to migrate downward and not laterally in sandy soils, impacts from the known hazardous site to the subject parcel and the proposed use are unlikely.

It is likely that oils, lubricants, and similar materials may be used to maintain and/or fuel construction vehicles and machinery during the construction phase of the project. Standard conditions of approval require the project applicant to have the construction contractor implement a best management practice/hazardous materials containment plan during the entire time construction activities are occurring. The hazardous materials containment plan shall contain the following elements:

- Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.
- Construction materials shall not be stockpiled or stored where they could be accidently discharged downslope or in to Scotts Valley Drive.
- Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

[2] County of Santa Cruz, Environmental Health Department. Santa Cruz County Environmental Health Service files: Search by Address. Accessed at https://sccdocs.santacruzcounty.us/ENV/CustomSearch.aspx?SearchName=AllPrograms&repo=EnvironmentalHealth. Accessed on February 9, 2021.

The project's residential uses may involve use and storage of some materials that are considered hazardous, although these materials are typically limited to everyday use solvents, paints, chemicals used for cleaning and building maintenance, and landscaping supplies. These materials would not be substantially different from household chemicals and solvents already in use throughout the City. Therefore, impacts associated with hazardous substances would be considered less than significant, and no mitigation is required.

Release of Substances Near Schools

The project is located within one-quarter mile of the Scotts Valley Unified School, approximately 700 feet south of the project site. However, project construction and operation would not involve the emission of hazardous materials, therefore impacts would be considered less than significant and no mitigation is required.

Emergency Response

General Plan Safety Element Figure S-6 "Evacuation Routes" shows Scotts Valley Drive as a primary evacuation route in the City's Emergency Response Plan. Construction of the project would not change the function of Scotts Valley Drive as a primary evacuation route. Therefore, the proposed project would have no impact on emergency response.

Public Airport or Private Airstrip

The project site is not located within two miles of a public airport or public use airport, or within the vicinity of a private airstrip. Therefore, there would be no impact.

Wildland Fire

Refer to the Wildfire Section below for further discussion.

Findings

The project site is not on a list of hazardous materials sites, nor would the residential use involve the use of hazardous materials that would require permitting by the Santa County Health Department and therefor impacts would be less than significant. The project would not impact the City's primary evacuation routes, nor is it located within two miles of an airport, and therefore there would be no impacts. No mitigation is required.

Hydrology and Water Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				X
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X	
i. Result in substantial erosion or siltation on- or off-site?			X	
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
iv. Impede or redirect flood flows?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

Discussion

Groundwater Demand

According to the project plans, the project would use approximately 1,485 gallons per day (or two acre-feet of water per year) of water. The Scotts Valley Water District has reviewed the application and has determined that existing water resources would support the proposed development (SVWD Will Serve Letter, dated March 5, 2020). Therefore, there would be no impact.

Groundwater Recharge

The project is located in an area designated on the Scotts Valley General Plan Hydrological Resources Map, Figure OS-5, as a Potential Groundwater Recharge Area. Per the Open Space and Conservation Policy OSA-343 of the Scotts Valley General Plan, all proposed construction in a Potential Groundwater Recharge Area requires a detailed hydrological evaluation to mitigate the loss of recharge.

According to the Preliminary Stormwater Control Plan (Bowman & Williams, September 2018), the existing paved project site contains 32,280 sq. ft. of impervious surface area. Redevelopment would reduce the amount of impervious surface area to 25.924 sq. ft. resulting in a net addition of impervious surface area by 4,345 sq. ft., resulting in an improvement to groundwater recharge as compared to existing conditions. Additionally, the project would incorporate various low impact development design strategies such as the use of permeable pavements, dispersal of runoff of pervious areas, and stormwater control measures that would assist in improving groundwater conditions. Therefore, there would be no impact and no mitigation is required.

Stormwater Runoff

The project applicant prepared a Preliminary Stormwater Control Plan (PSCP) (Bowman & Williams, 9/10/2018) to address potential impacts from stormwater runoff. The PSCP described

project site-specific best management practices (BMPs) to control erosion and sedimentation and maintain water quality in accordance with the current edition of the City of Scotts Valley Stormwater Technical Guide. The BMPs address the construction and maintenance of storm drain inlets, irrigation and use of pesticides, maintenance of hardscapes, and maintenance of underground stormwater facilities.

Furthermore, standard conditions of approval require the developer and construction contractor to implement best management practices to prevent sedimentation and discharge of contaminants off-site during project construction, including hazardous materials containment plan during the entire time construction activities are occurring. The hazardous materials containment plan shall contain the following elements:

- Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.
- Construction materials shall not be stockpiled or stored where they could be accidently discharged downslope or in to Scotts Valley Drive.
- Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

Implementation of recommendations as described in the PSCP and preparation of a SWPPP for review and approval prior to construction activities would ensure that impacts from stormwater runoff would be less than significant.

Floodplains, Seiche, Tsunami and Mudflow Related Hazards

The property is not located within a floodplain. There is no possibility of a seiche or tsunami occurring that could affect the project. The project is not located on or near a lake or ocean coastline. Therefore, the project would have no impacts.

Findings

Implementation of recommendations as described in the PSCP and preparation of a SWPPP would reduce impacts on hydrology and water resources to a level of less than significant. Therefore, no mitigation is required.

Land Use and Planning

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

Discussion

Surrounding the project site is the Scotts Valley Fire Department and single-family residential to the west, Scotts Valley City Hall, and MacDorsa Park to the north and east, and office buildings to the east between the project site and Scotts Valley Drive. The corner of Erba Lane and Scotts Valley Drive is a landscape supply company.

The project site is currently zoned Residential High Density (R-H). Additionally, the project site is designated under the City of Scotts Valley General Plan as Residential High Density (R-H), which allows for 9 to 15 residential units. Therefore, the project would be consistent with the existing zoning and General Plan land use designations.

Findings

The proposed future residential use of the site would be in keeping with surrounding land uses and the development pattern of the neighborhood. The project would have no impact and therefore no mitigation is required.

Mineral Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Discussion

The Scotts Valley 1994 General Plan, Figure OS 4, indicates that there are no significant mineral deposits on the project site. The project is not located in an area known to contain regionally significant mineral resources and would not result in the loss of the availability of a known mineral resource of regional value. Additionally, the project site is not located in an area that has been identified by the City of Scotts Valley as a locally important mineral resource recovery site.

Findings

The project would have no impact and therefore no mitigation is required.

Noise

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
local general plan or noise ordinance, or applicable standards of other agencies?				
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion

Short Term Noise Levels

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g. land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect the residential neighborhoods surrounding the construction site. Project construction would occur adjacent to existing single-family residences on Erba Lane. However, construction activities would occur throughout the project site and would not be concentrated at a single point near sensitive receptors.

Project construction would comply with the City's Municipal Code Section 17.46.160, which states that all construction activity shall be limited to the hours between 8 a.m. and 6 p.m., Monday through Friday, and 9 a.m. through 5 p.m. on Saturday. No construction activity is allowed on Sunday. These permitted hours of construction are included in the code in recognition that construction activities undertaken during daytime hours are a typical part of living in an urban environment and do not cause a significant disruption. Construction would occur throughout the project site and would not be concentrated or confined in the area directly adjacent to sensory receptors. Therefore, construction noise would be acoustically dispersed throughout the project site and impacts would be less than significant.

Long Term Noise Levels

The Noise Contour Map for the City indicates that the project site is in an area of less than 60dBA. The Noise Element of the Scotts Valley General Plan specifies that "exterior noise levels measured at the property line of proposed new residential developments shall be limited to or below an average annual day-night level of 60 dBA" (NA-454).

Implementation of the project would create new sources of noise in the project vicinity from residential sources, mechanical equipment, and landscape maintenance. These noise sources would similar to those generated in other residential neighborhoods throughout the City. Such noise would primarily occur during the “daytime” activity hours of 7:00 a.m. to 7:00 p.m. Furthermore, the residences would be required to comply with the noise standards set forth in the City’s General Plan and Municipal Code. Per General Plan Policies LP-38, NA-457, NO-441, and NA-444 land uses which include residential uses should not be allowed in areas with excessive noise. Therefore, there would be no impact from long-term noise levels.

Exposure to Groundborne Vibrations

Because the project would not require the use of heavy construction equipment, the residences located approximately 30 feet from the project’s construction area would not be exposed to vibrations levels exceeding the FTA’s 0.20 in/sec PPV significance threshold vibrations. Therefore, there would be no vibration impacts.

Future project residents may experience occasional groundborne vibrations from nearby traffic on Scotts Valley Drive when large trucks use the roadway. But this vibration is not expected to be frequent nor at high levels. This impact is less than significant.

Airport or Private Airstrip Noise

The project site is not located within any airport noise impact contours and not located within the vicinity of any private air strip, and therefore there would be no impact.

Findings

The project would not expose future residential uses to short-term construction nor long-term operational noise levels in excess of City standards. Noise generated during the construction phase is temporary and would be limited to Monday-Saturday daytime hours per compliance with the City’s Municipal Code Section 17.46.160. Therefore, no mitigation is required.

Population and Housing

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

Discussion

The project would result in a relatively small increase in population (27 persons [3]) that is well within the land use buildout capacity projections identified within the City of Scotts Valley General Plan (1994) as well as the Association of Monterey Bay Area Government's 2018 Regional Growth Forecast for the City of Scotts Valley population of 12,418 by 2040. Therefore, there would be no impact.

Findings

There is no potential for a significant impact due to substantial growth either directly or indirectly. Therefore, the project would have a no impact and no mitigation is required.

[3] . The average household size for Scotts Valley is 2.67 persons which estimates 27 persons for a project with 10 units

Public Services

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?				X
ii) Police protection?				X
iii) Schools?				X
iv) Parks?				X
v) Other public facilities?				X

Discussion

Fire Services

The project is located in an existing urban area that is currently served by the Scotts Valley Fire Protection District. The closest fire station is located across the street from the project site. Therefore, there would be no impact.

Police Services

The project would add new residents to the City who would occasionally need police services. This type of additional service would not generate a demand beyond what the police department can accommodate. The Scotts Valley Police department is located west and adjacent to the project site at City Hall. Therefore, there would be no impact.

Schools

The project would add approximately 27 new residents to the City, some of whom would be students attending schools within the Scotts Valley Unified School District. These additional students would not generate a significant demand on the area school system and therefore there would be no impact.

Parks

The project would add approximately 27 new residents to the City who would occasionally utilize City parks and recreational programs; however, this additional use would not generate a demand beyond what the City Parks Department can accommodate and no new additional park facilities would be required. Additionally, as a standard condition of the approval, the project would be required to pay a parks and recreation in-lieu fee as part of their building permit. Therefore, there would be no impact.

Other Public Facilities

The project does not have the potential to affect other public facilities, in excess of that previously considered by the General Plan. Therefore, there would be no impact

Findings

The project would have no impact on public services and therefore no mitigation is required.

Recreation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion

Scotts Valley has a total of seven parks, ranging in size from a half-acre to 7.5 acres. Recreational facilities are also available at local schools, the Scotts Valley Senior Center, and Scotts Valley Community Center. The proposed project would not require the construction of new or expanded recreational facilities and therefore there would be no impact. Additionally, standard conditions require the developer pay an in-lieu park fee.

Finding

No significant impacts to recreation and open space resources are expected. Thus, the thresholds of significance have not been exceeded. Payment of Park Impact fees would mitigate the incremental increase created by the project.

Transportation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?				X
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d) Result in inadequate emergency access?				X

Discussion

Conflict with City Policies or Programs, Increase Hazards, Impair Emergency Access

The project would involve the construction of a new 24 foot-wide private roadway that would provide access to six of the residential units. The design of the roadway would be consistent with City standards and subject to design review to ensure there is adequate emergency vehicle access. The frontage along Erba Lane would be improved with a sidewalk, curb and gutter landscaped buffer, and on-street parking; consistent with City standards. Therefore, there would be no impact

Increase Vehicle Miles Travelled

Vehicle Miles Traveled (VMT) is a measure of total vehicular travel that accounts for the number of vehicle trips and the length of those trips. Because the City of Scotts Valley has not formally adopted VMT significance criteria, this CEQA analysis uses guidance per the City of Scotts Valley's VMT Implementation Guidelines (Kimley-Horn and Associates, July 2020).

The VMT Implementation include screening criteria to avoid unnecessary analysis and findings for non-significant transportation impacts. Small projects that generate less than 110 trips per day are exempt from VMT analysis.

Project trip generation was estimated by applying the proposed type of development to the appropriate trip generation rates published in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition (2012)*. The ITE estimated rate for single-family housing is 10.67 average daily trips per household (ITE Code 210). This would result in 106.7 trips per day for the project, which is less than the City's VMT Implementation Guidelines and as such, the project is exempt from further VMT analysis.

Furthermore, because the project would not generate more than 50 peak hour trips, it is exempt from preparing a traffic impact analysis per the City's Guide for the Preparation of Traffic Impact Studies (2003).

Findings

The project would not conflict with City policies or programs regarding the circulation system, including transit, roadway, bicycle and pedestrian facilities. The project would not cause a hazard nor impair emergency access. The project is considered a "small project" per the City VMT Implementation Guidelines and is exempt to further analysis. Therefore there would be no impacts to transportation and no mitigation is required.

Tribal Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				X
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?				X
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?				X
b) Cause a substantial adverse change in the significance of a tribal cultural				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) Listed or eligible for listing in the California				

Discussion

Section 21080.3.1(b) of the California Public Resources Code (AB 52) requires a lead agency formally notify a California Native American tribe that is traditionally and culturally affiliated within the geographic area of the discretionary project when formally requested.

As of this writing, no California Native American tribes traditionally and culturally affiliated with the Santa Cruz County region have formally requested a consultation with the City of Scotts Valley (as Lead Agency under CEQA) regarding Tribal Cultural Resources. As a result, no Tribal Cultural Resources are known to occur in or near the project area.

Findings

No California Native American tribes traditionally and culturally affiliated with the Santa Cruz County region have formally requested a consultation with the City of Scotts Valley. Therefore, no impact to the significance of a Tribal Cultural Resource is anticipated and no mitigation is required.

Utilities and Service Systems

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X

Discussion

Water Treatment Facilities

The 10 proposed residential units would result in a daily water demand of 1,485 gallons per day or approximately two-acre feet per year (AFY).[4] Therefore, the proposed residential use would cause only a minimal increase on the demand for water and wastewater service. The Scotts Valley Water District has reviewed the application and has determined that existing water resources would support the proposed development. Thus, impacts are be considered less than significant and no mitigation is required.

Wastewater Treatment Facilities

The Wastewater Department has reviewed the proposed development and has determined that the existing wastewater treatment facilities would support the proposed development. The project would not generate solid waste in excess of that typically generated by 10 residential units. Thus, impacts would be considered less than significant, and no mitigation is required.

Electric Power, Natural Gas, or Telecommunications

The project would require new connections to PG&E for electricity and natural gas. In addition, the project would require new telecommunication connections with the respective service providers. The project site is surrounded by commercial development to the south, and east and single-family residential to the west, which are serviced by various dry utility providers. Because these utilities would be readily extended from existing infrastructure adjacent to the project site, impacts from the project would be less than significant, and no mitigation is required.

Solid Waste

The project would generate approximately 122 pounds of daily solid waste.[5] The 122 pounds of daily solid waste generated by the project would represent less than one percent of the daily permit capacities of Buena Vista and Monterey Peninsula landfills[6], respectively. Therefore, both landfills have adequate capacity. Thus, impacts would be considered less than significant, and no mitigation is required.

---

4 Daily Water Use Factor for High Density Residential is 55 (gallons per capita/day). (27 residents x 55 gallons/day) = 1,485 (gallons/day)
5 Daily Solid Waste Generation Rate for Residential Use is 12.23 pounds per day/unit (CalRecycle, 2019). (10 residential units x 12.23 pounds/day) = 122.3 pounds/day
6 The Buena Vista Sanitary Landfill is permitted to receive 838 tons of solid waste per day (CalRecycle, 2019). The Monterey Peninsula Landfill is permitted to receive 3,500 tons of solid waste per day.

Findings

Existing utilities and service systems are available to serve the project and no new facilities would be required to be constructed. Therefore, the project would have less than significant or no impacts associated to utilities and service systems, and no mitigation is required.

Wildfire

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

Discussion

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped the relative wildfire risk in areas of large population by intersecting residential housing density with proximate fire threat according to three risk levels, namely Moderate, High, and Very High. Wildfires are large-scale brush and grass fires in undeveloped areas. The project is within an urbanized area and not within a Very-High Fire Hazard Severity Zone as mapped by CALFIRE. Additionally, the project would incorporate all applicable fire safety code requirements, including fire protection devices in all residential units and appropriate fire-resistant landscaping on the project site, as required by the Scotts Valley Fire District, and therefore there would be no impact.

Findings

The project would not affect emergency response/evacuation plans, would not expose residents or structures to a wildfire risk, and would not exacerbate fire risk. Therefore, the project would have no impact to wildfires, and no mitigation is required.

Mandatory Findings of Significance

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Does the project:				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion

As discussed in the individual sections, the project would not degrade the quality of the environment with the implementation of identified Standard Conditions of Approval and mitigation measures. As discussed in Biological Resources, mitigation measures MM BIO-1: Oak Riparian Woodland -Project Construction and MM BIO-2: Oak Riparian Woodland -Post Construction would reduce impacts to less than significant.

As described in the environmental resource sections of this Initial Study, the project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

The project would result in temporary air quality and noise impacts during construction. With the implementation of the identified Standard Conditions of Approval, and consistency with adopted City policies, construction impacts would be mitigated to a less than significant level. As described above, these impacts would be temporary and the project would not have cumulatively considerable impacts on air quality and noise impacts in the project area.

The project would have a less than significant impact or no impact on the remaining environmental resources and would not contribute to cumulative impacts to these resources. Therefore, the project would not cause a cumulatively considerable impact and no mitigation is required.

Determination

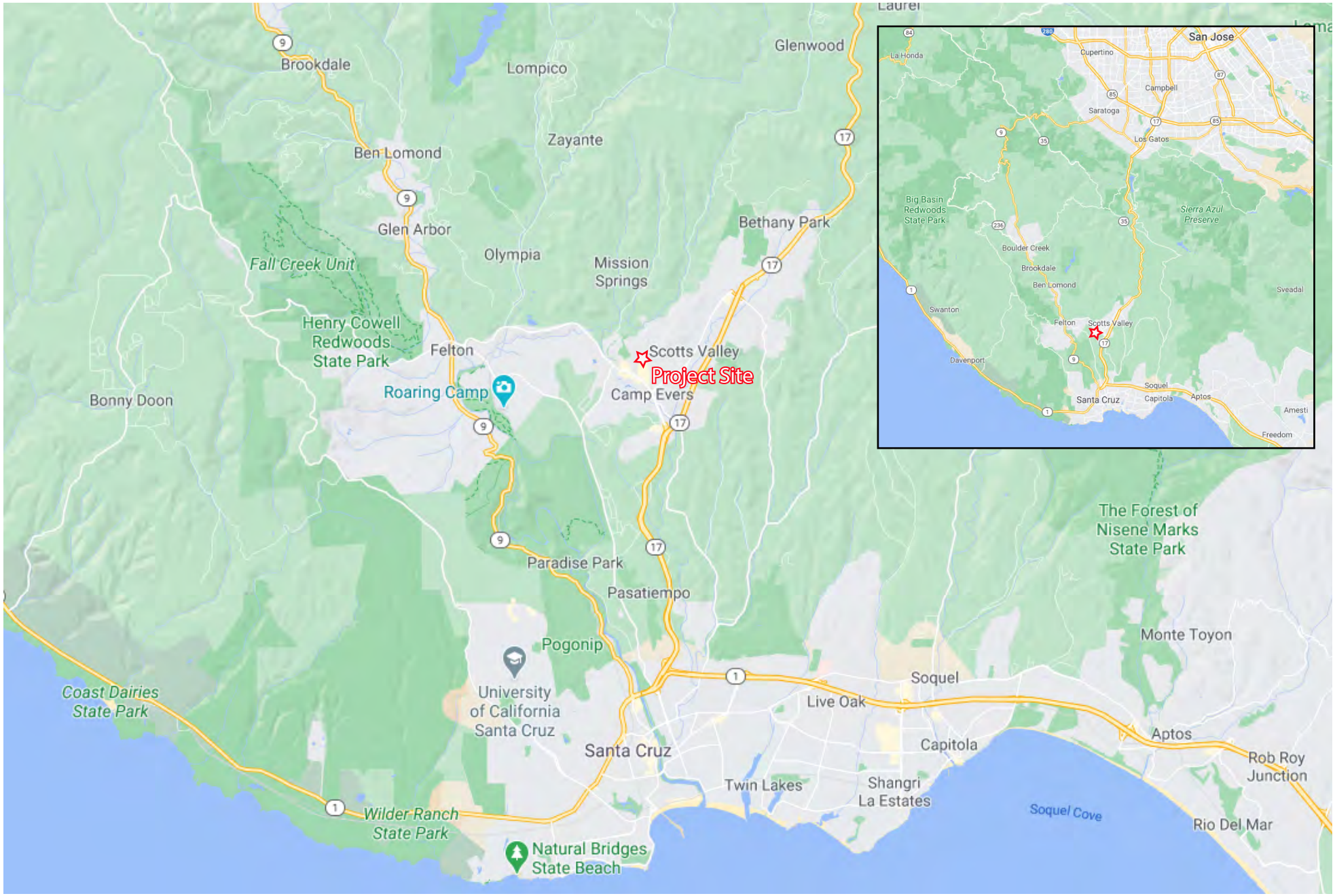
On the basis of this initial evaluation:

I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	X
I find that the project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the project MAY have a potentially significant or a potentially significant unless mitigated impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.	

_____ _____

Paula Bradley, MCP, AICP
Contract Planner

Date



Source: Google Earth, 2021

Figure 1: Regional Location

Bay Village Planned Development Project

Not to scale

Kimley»Horn
Expect More. Experience Better.

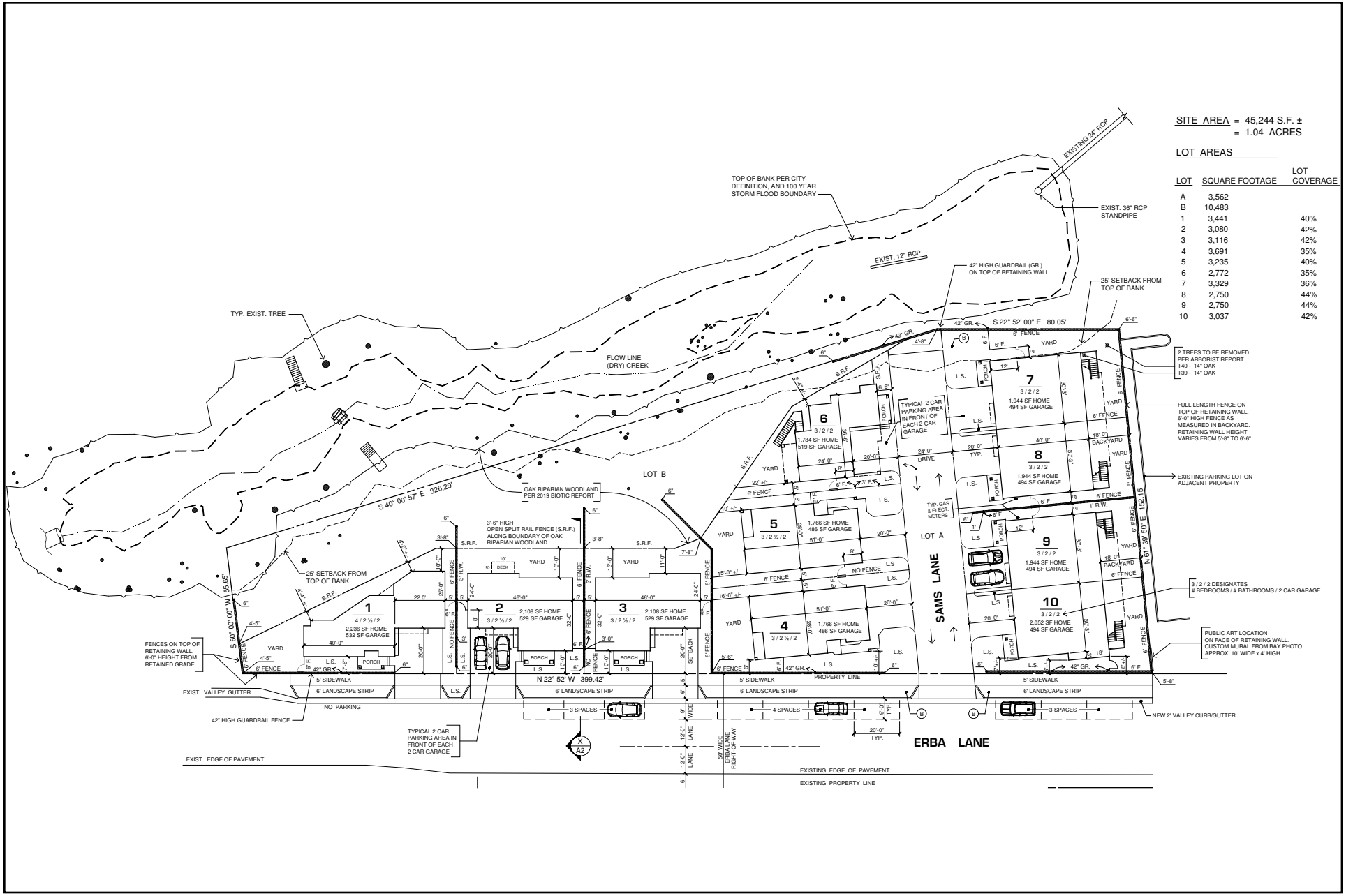


Source: Nearmaps, 2021

Figure 2: Project Vicinity
Bay Village Planned Development Project

Not to scale

Kimley»Horn
Expect More. Experience Better.



Source: Bowman & Williams, 2020

Figure 3: Site Plan

Bay Village Planned Development Project

Not to scale

Kimley»Horn
Expect More. Experience Better.

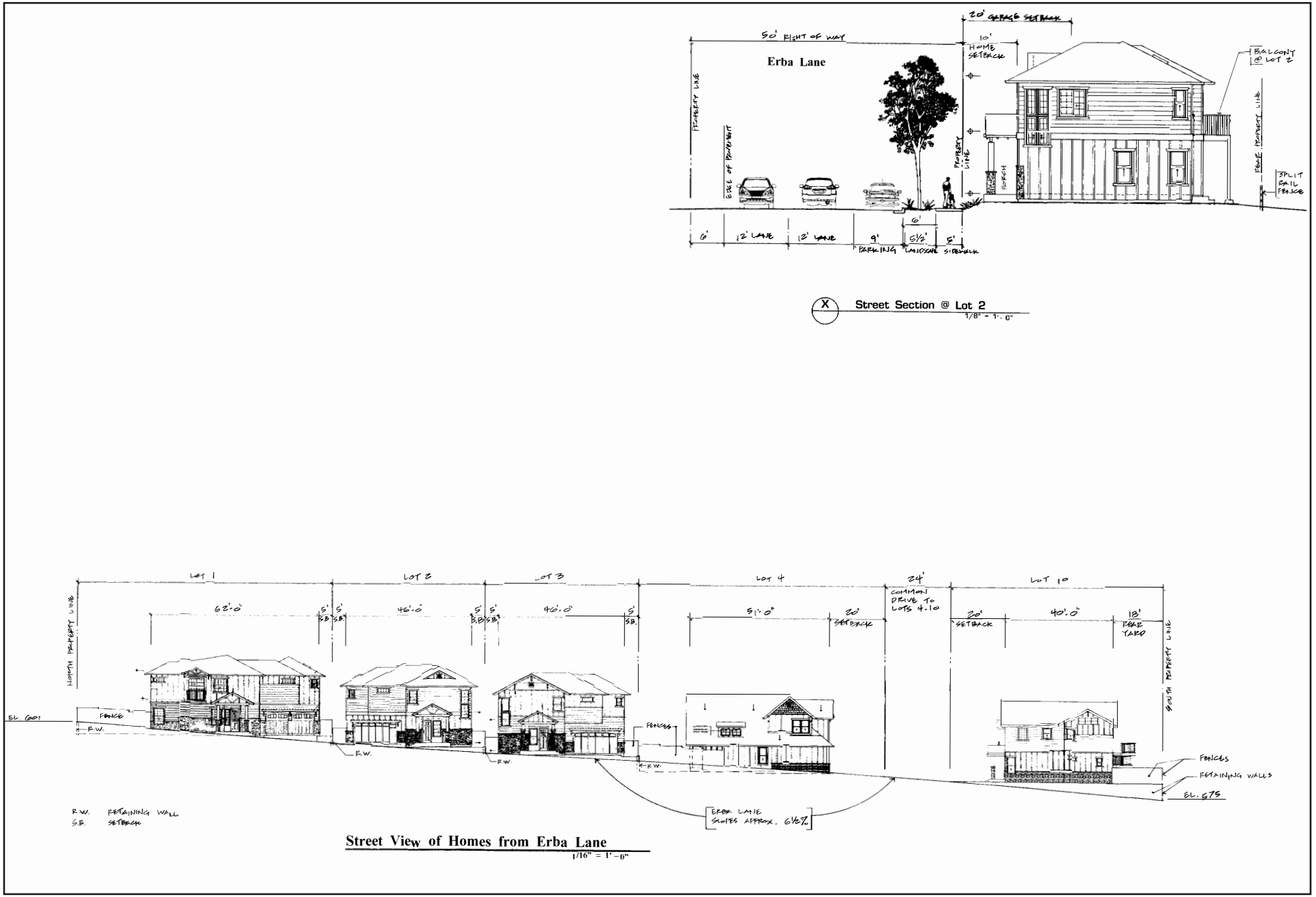


Source: Bowman & Williams, 2020

Figure 4: Proposed Project Rendering
Bay Village Planned Development Project

Not to scale

Kimley»Horn
Expect More. Experience Better.



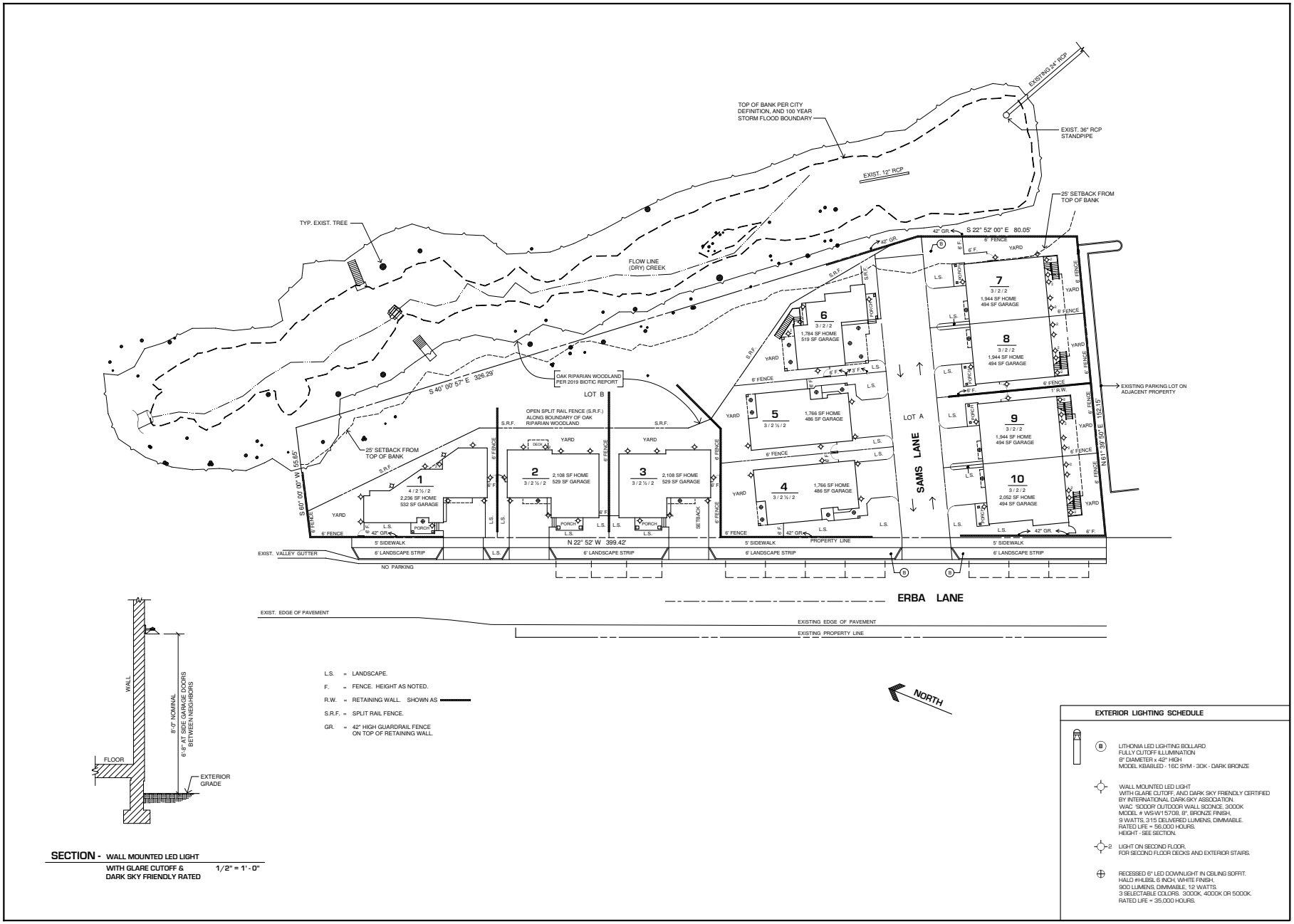
Source: Bowman & Williams, 2020

Figure 5: Proposed Street View

Bay Village Planned Development Project

Not to scale

Kimley»Horn
Expect More. Experience Better.

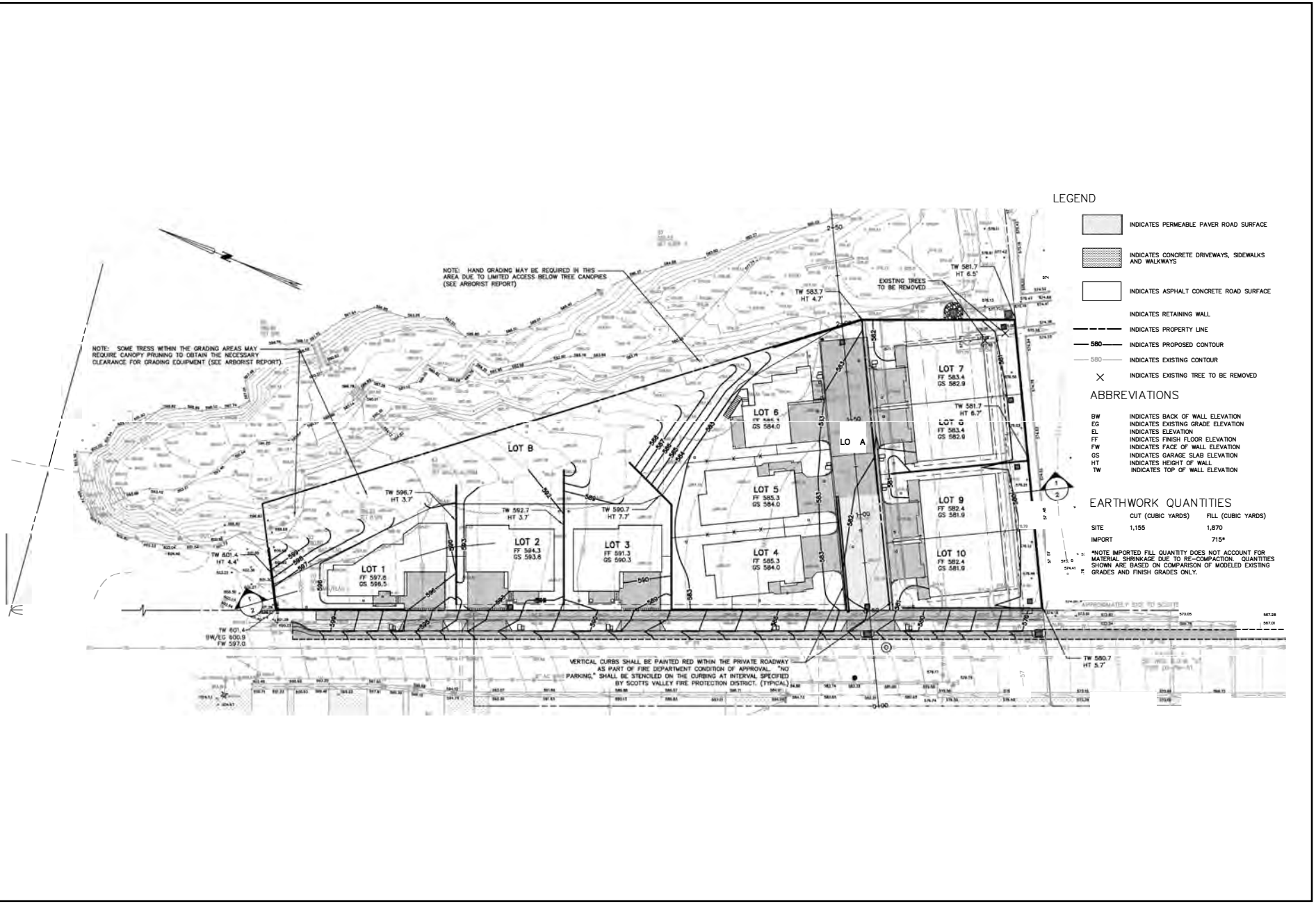


Source: Bowman & Williams, 2020

Figure 6: Exterior Lighting Plan
Bay Village Planned Development Project

Not to scale

Kimley»Horn
Expect More. Experience Better.



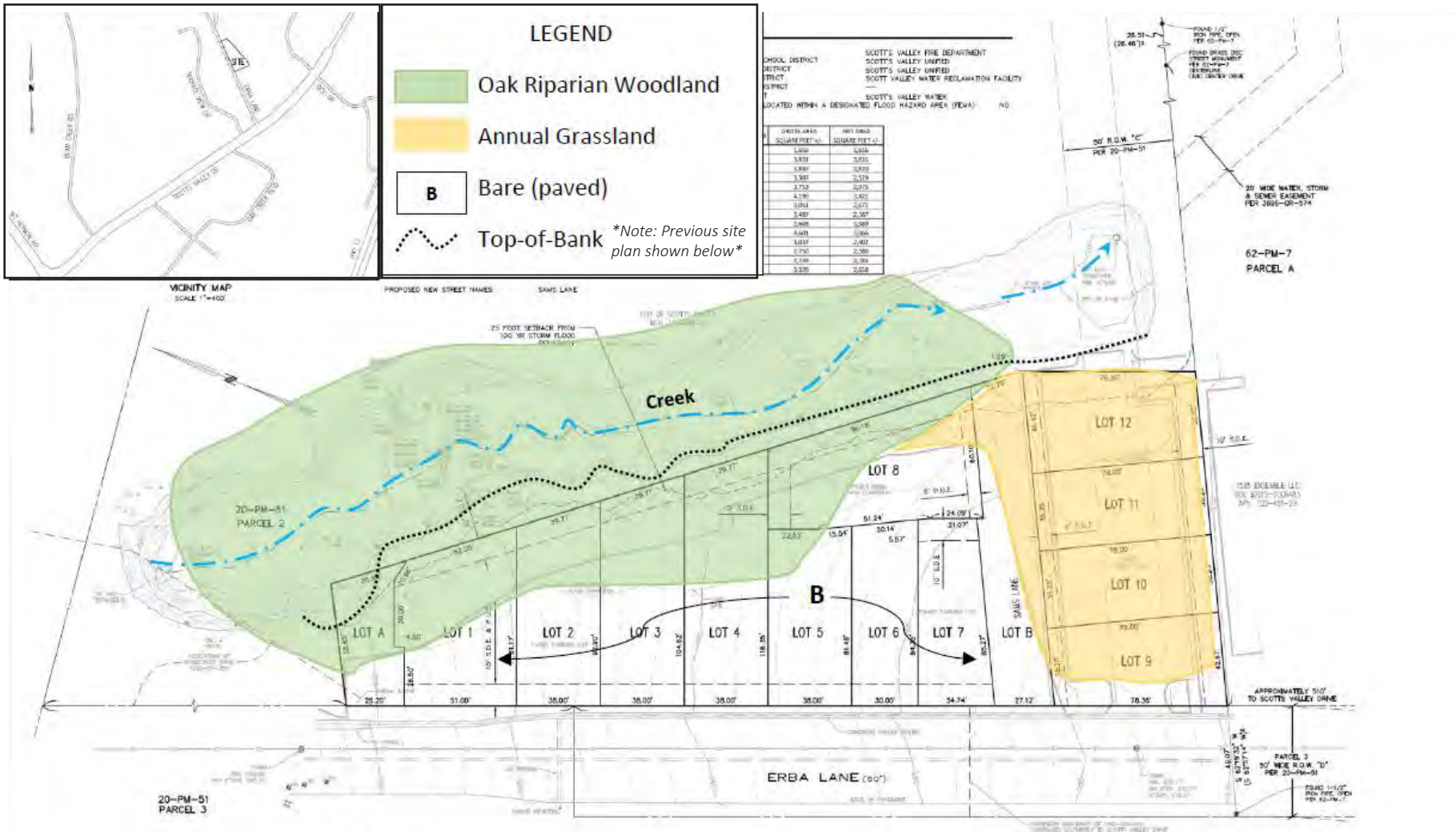
Source: Bowman & Williams, 2020

Figure 7: Grading Plan

Bay Village Planned Development Project

Not to scale

Kimley»Horn
Expect More. Experience Better.

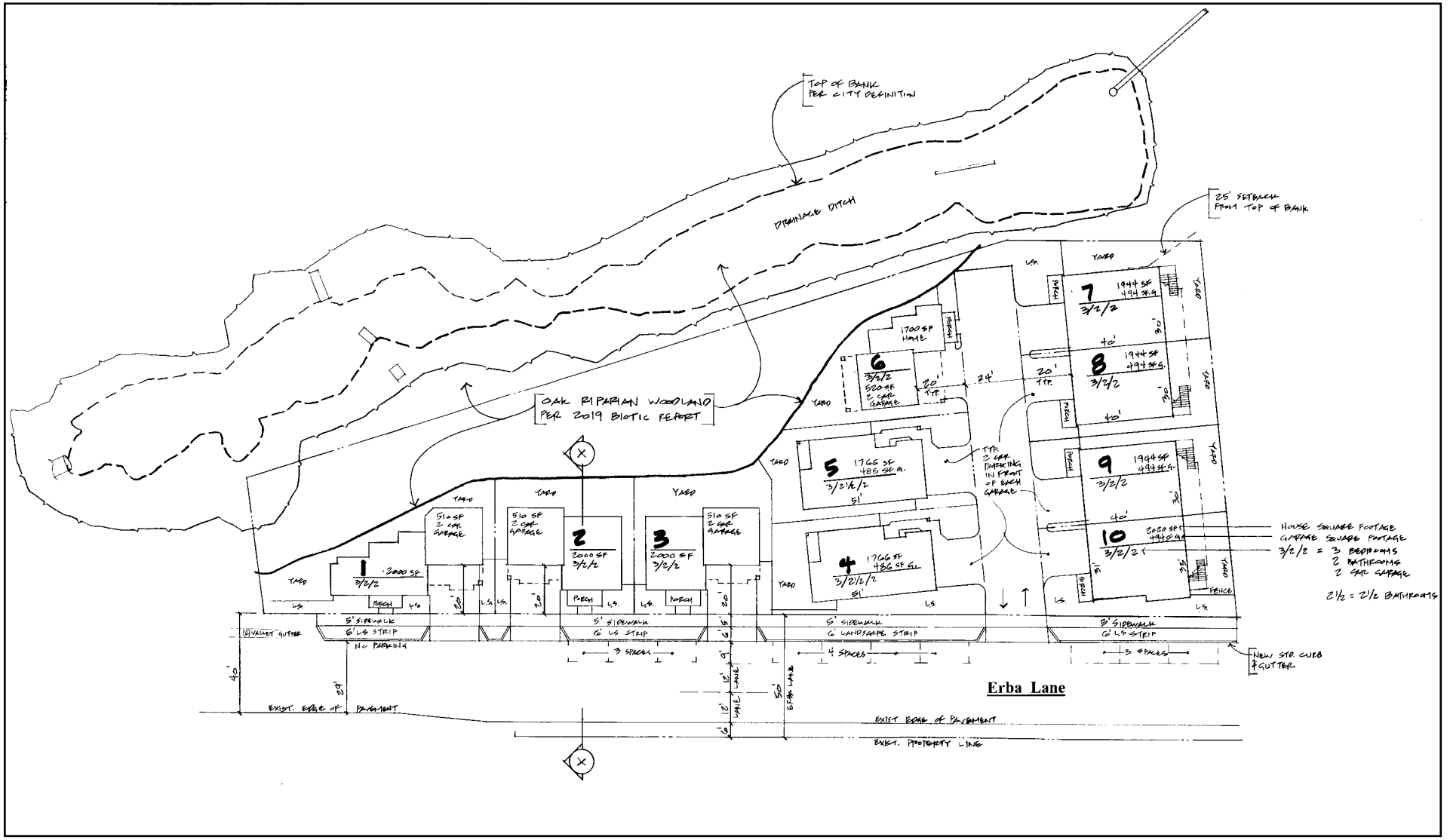


Source: Biotic Resources Group, 2019

Figure 8: Vegetation Types
Bay Village Planned Development Project

Not to scale

Kimley»Horn
Expect More. Experience Better.



Source: David B. Zulim Inc., 2019

Figure 9: Oak Riparian Woodland Habitat

Bay Village Planned Development Project

Not to scale

Kimley»Horn

Expect More. Experience Better.

Bay Village Planned Development Initial Study Reports

1. Biological Assessment, by Biotic Resources Group, dated 5/31/2019
2. Addendum to Biological Assessment, by Biotic Resources Group, dated 5/31/19
3. Arborists Report Tree Appraisal & Inventory, by Kurt Fouts, dated 11/30/2017
4. Summary Arborist's Report Revisions to Preliminary Tree Inventory & Assessment, by Kurt Fouts, dated 3/27/2020
5. Appendix C - Tree Appraisal & Inventory, dated 4/29/20)
6. Entomological Report, by Entomological Conservation Resources, dated 7/14/2005, and letter, dated 2/06/2006
7. Extended Phase I Archaeological Assessment, by Albion, dated 3/04/2020
8. Geotechnical Report, by Haro Kasunich, dated 11/2005
9. Preliminary Stormwater Management Report, by Bowman & Williams, dated 9/10/2018

ERBA LANE HOUSING PROJECT

Biological Assessment



Biotic Resources Group

Biotic Assessments • Resource Management • Permitting

ERBA LANE HOUSING PROJECT

Biological Assessment

Prepared for:

SV Housing LLC

Prepared by:

Biotic Resources Group
Kathleen Lyons

May 31, 2019

2551 S. Rodeo Gulch Road, #12 Soquel California • (831) 476-4803 • brg@cruzio.com

1.0 INTRODUCTION

This property is located on Erba Lane in the City of Scotts Valley. The site is located on the east side of Erba Lane, north of Scotts Valley Drive (Figure 1). The property encompasses approximately 0.76-acre and abuts an unnamed intermittent creek/drainage channel. The creek is located on an adjacent parcel owned by the City of Scotts valley; however, some riparian trees and riparian tree canopy extends onto the Erba Lane property. The property is currently undeveloped and the property owner has proposed a planned residential development consisting of 6 single-family homes and 3 duplex homes (total of 12 units) (*Erba Lane Housing*, Site Plan, David Zulim, Inc. dated 8-3-18).

The Biotic Resources Group assessed the biotic resources on the Erba Lane property and the creek area on the adjacent City-owned property in May 2019. This work supplements a previous biotic assessment conducted for the area in August 2005 (*Erba Lane Project*, Biological Assessment, Biotic Resources Group, dated October 2005). The focus of the 2019 assessment was to review and document sensitive biological resources and evaluate the potential impacts of the proposed residential project on such resources.

Specific tasks conducted for this study include:

- Characterize and map the major plant communities on the property;
- Identify sensitive biotic resources, including species of concern, and
- Evaluate the potential effects of the proposed land uses on sensitive botanical resources and recommend measures to avoid or reduce such impacts.

1.1 Intended Use of this Report

The findings presented in this report are intended for the sole use of the SV Housing LLC and the City of Scotts Valley in evaluating proposed residential land uses on the subject parcel. The findings presented by the Biotic Resources Group in this report are for information purposes only; they are not intended to represent the interpretation of any State, Federal or City laws or ordinances pertaining to permitting actions within sensitive habitat or endangered species. The interpretation of such laws and/or ordinances is the responsibility of the applicable governing body.

2.0 ENVIRONMENTAL SETTING

2.1 Methodology

The biological resources of the Erba Lane property and the creek area on the adjacent City-owned property were assessed through literature review and field observations. The site was surveyed on May 27, 2019. The major plant communities within the project area, based on the classification system developed by *California Terrestrial Natural Communities (*California Department of Fish and Game, 2003 and 2007) and *A Manual of California Vegetation* (Sawyer and Keeler-Wolf 1995) and as amended to reflect site conditions, were identified during the field surveys. Modifications to the classification system's nomenclature were made, as necessary, to accurately describe the site's resources. The plant communities were mapped onto the engineer's base map (Figure 2). All plant species observed were recorded and identified to a level sufficient to determine their rarity; all species observed at listed in the narrative section of this report. Plant nomenclature follows The *Jepson Manual* (2012); the *Annotated Checklist of the Vascular Plants of Santa Cruz County, California* (CNPS, 2013) was also reviewed.

The vegetation types were documented and recorded in a field notebook. To assess the potential occurrence of special status biological resources, two electronic databases were accessed to determine recorded occurrences of sensitive plant communities and sensitive species. Information was obtained from the California Native Plant Society's (CNPS) Electronic Inventory (2019), and California Department of Fish & Wildlife (CDFW) RareFind database (CDFW, 2019) for the Felton U.S.G.S. quadrangle and surrounding quadrangles.

This report summarizes the findings of the biological assessment. The potential impacts of the proposed development (i.e., establishment of residential land use on the Erba Lane property) on sensitive resources are discussed below. Measures to reduce significant impacts to biological resources to a level of less-than-significant are recommended, as applicable.

2.2 ENVIRONMENTAL SETTING

2.2.1 Geographic Setting

The Erba Lane property is located on Erba Lane, a public street reached from Scotts Valley Drive. The site is located approximately 0.5 mile east of the intersection of Scotts Valley Drive and Mt. Hermon Road within the City of Scotts Valley (see Figure 1). The property is located near an unnamed creek; the creek centerline is located between 15 and 40 feet from the Erba Lane property line. The creek flows in a northwest to southeast direction, travels under Scotts Valley Drive, then flows into Carbonera Creek. The creek had surface flow at the time of the May 2019 site visit. Carbonera Creek is a perennial waterway which empties into Branciforte Creek and then into the San Lorenzo River before entering Monterey Bay in the City of Santa Cruz. Urban residences, commercial business and public facilities (e.g., fire station, City Hall, police station) are located adjacent to the subject property.

2.2.2 Vegetation and Wildlife Habitats

Two plant communities occur on the Erba Lane property. Coast live oak riparian woodland grows along the eastern property line and this woodland extends further eastward along the creek corridor on the City of Scotts Valley property. Small areas of annual grassland occur outward of the riparian woodland. The western portion of the property is a paved (asphalt) parking area. The distribution of the plant communities on the property is depicted on Figure 2. The distribution of vegetation types in 2019 is similar to conditions documented in 2005.

The majority of property is mapped as Soquel loam, 2 to 9 percent slope (171) (Soil Survey of Santa Cruz County, USDA NRCS Web Soil Survey, 2019). This soil type corresponds to areas shown as grassland and wooded areas in the 1974 soil survey aerial photo. A small area of Zayante coarse sand, 5-30 percent slopes (182) is mapped along the western property line in an area that is currently paved.

Coast Live Oak Riparian Woodland

Coast live oak riparian woodland occurs along the eastern property line. The woodland is closely associated with the creek, with many trees rooted on the slope and along the top-of-bank.

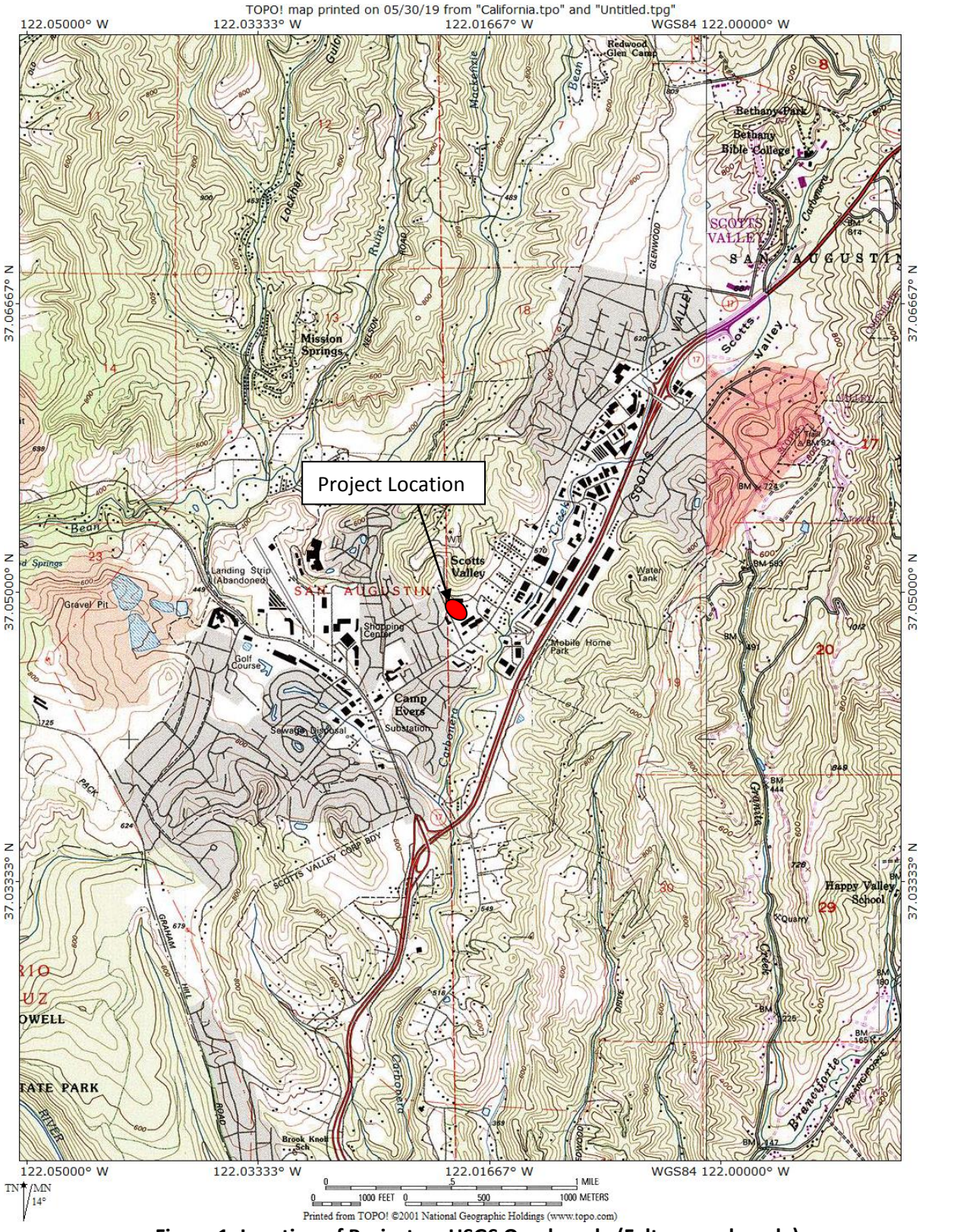


Figure 1: Location of Project on USGS Quadrangle (Felton quadrangle)

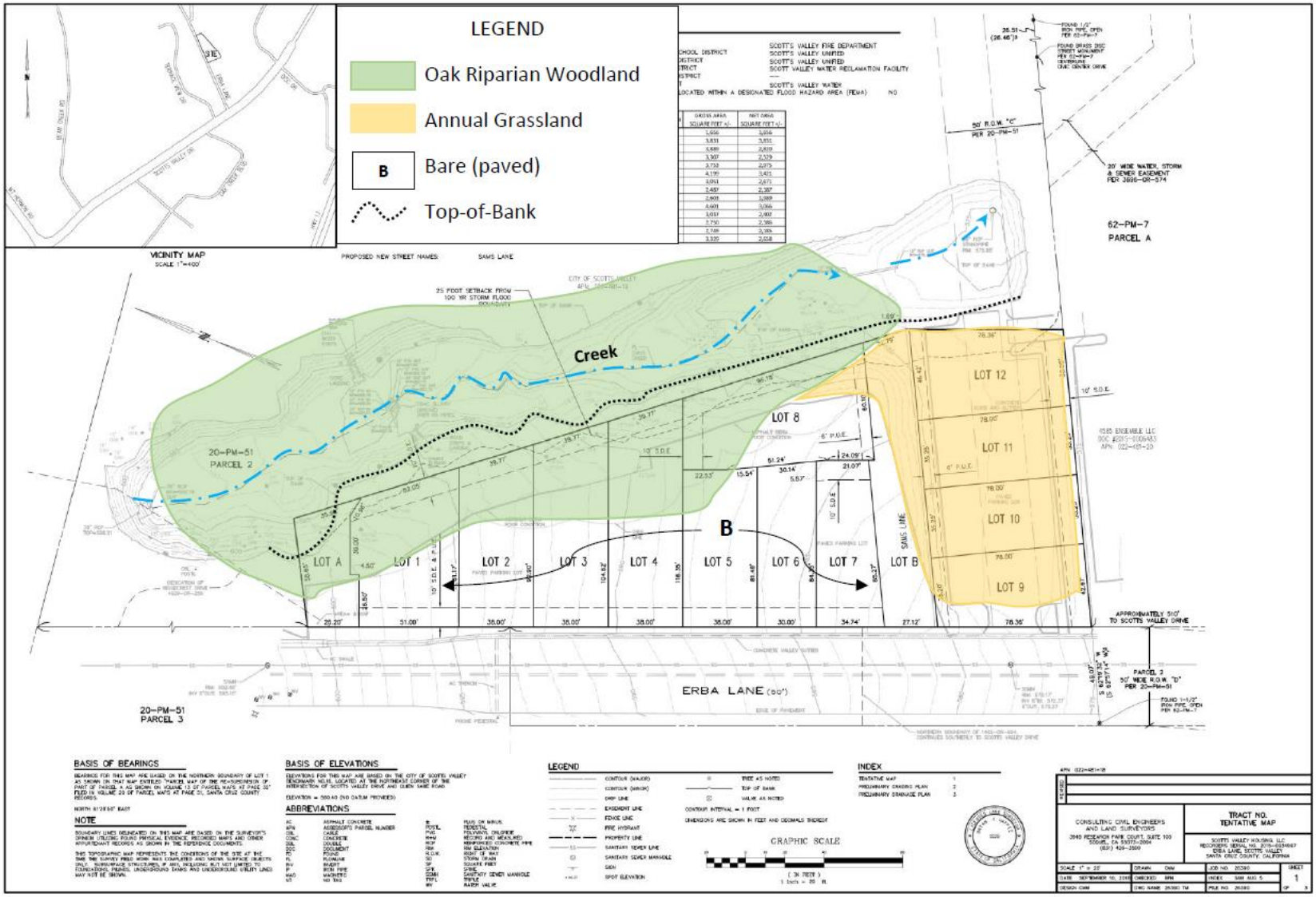


Figure 2: Distribution of Vegetation Types on Proposed Site Plan

Mature trees of coast live oak (*Quercus agrifolia*) dominant the woodland, with their canopies extending outward from top-of-bank. According to the arborists report (Kurt Fouts, November 2017), 14 oak trees grow on the Erba Lane property; 26 oak trees are rooted on the adjacent City-owned property. Figure 3 shows the character of the woodland on the Erba Lane property.

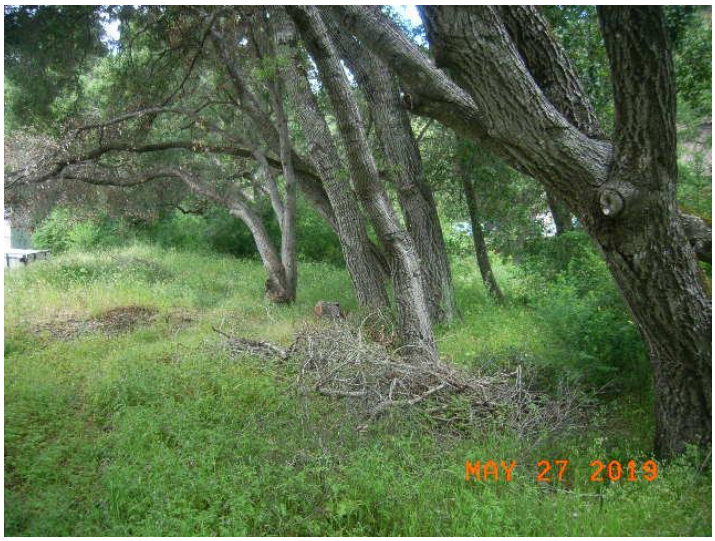


Figure 3: Character of Oak Riparian Woodland on Erba Lane Property

The riparian woodland on the City property also supports willows (*Salix sp.)*, which grow along the wetted channel. Within the woodland, native and non-native plant species are present, including California blackberry (*Rubus ursinus)*, poison oak (*Toxicodendron diversilobum)*, curly dock (*Rumex crispus)*, velvet grass (*Holcus lanatus)*, French broom (*Genista monspessulana)*, sword fern (*Polystichum munitum)*, and young willows. Figure 4 shows the character of the woodland on the Erba Lane property.

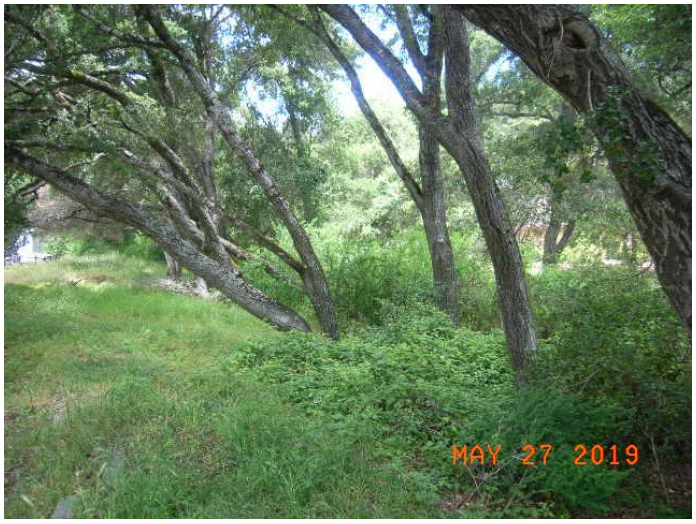


Figure 4: Character of Oak Riparian Woodland on City-owned Property

Beneath the oak canopy on the Erba Lane property, the understory is comprised of non-native annual grasses and forbs, such as rattlesnake grass (*Briza maxima)*, wild oat (*Avena sp.)*, dogtail grass (*Cynosurus*

echinatus), wild lettuce (*Sonchus asper)*, Mediterranean clover (*Trifolium angustifolium)*, and foxtail (*Hordeum leporinum)*. Native California blackberry is also present.

In general, oak woodlands provide a high value habitat type for wildlife because acorns are important forage, the natural cavities in the oaks provide nesting opportunities for some birds and mammals, and downed decaying logs and limbs add to structural complexity of a moist microclimate and invertebrate food supply. The value of the oak riparian woodland to wildlife at this site is enhanced by the presence of water in the creek, which provides seasonal water sources for wildlife. Common wildlife expected to occur in this small patch of oak woodland include scrub jay (*Aphelocoma coerulescens*), acorn woodpecker (*Melanerpes formicivorus*), oak titmouse (*Baeolophus inornatus*), chestnut-backed chickadee (*Poecile rufescens*), bushtit (*Psaltriparus minimus*), spotted towhee *(Pipilo maculatus*), and western gray squirrel (*Sciurus griseus*).

Non-Native Grassland

Non-native grasses and forbs dominate the southeast portion of the Erba Lane property, abutting the existing paved area. Evidence of previous fill/base rock materials was observed, suggesting previous disturbances to this area. Plant species are typical of such areas, with wild radish (*Raphanus sativa)*, wild oat, Bermuda grass (*Cynodon dactylon)*, velvet grass, black mustard (*Brassica nigra*.), English plantain (*Plantago lanceolata)*, soft chess (*Bromus hordeaceus)*, filaree (*Erodium botrys)*, and rose clover (*Trifolium repens*) being common. Native plant species in this area are limited to California poppy (*Eshscholzia californica)* and telegraph weed (*Heterotheca grandiflora)*.

The use by wildlife of the grassland area is expected to include common species, such as mourning dove (*Zenaida macroura*), California towhee (*Pipilo crissalis*), white-crowned sparrow (*Zonotrichia leucophrys*), and house finch (*Carpodacus mexicanus*). Western fence lizard (*Sceloporus occidentalis*), gopher snake (*Pituophis melanoleucus*), and Botta's pocket gopher (*Thomomys bottae*) are also likely to occur in the grass habitat at this site.

2.3 SENSITIVE BIOTIC RESOURCES

2.3.1 Regulated Habitats

The project area is located along an unnamed creek. The USGS map (Felton quadrangle) does not identify a stream at this location; however, the field inspection documented a defined bed and bank and evidence of seasonal water flow at the site.

California Department of Fish and Wildlife (CDFW) is a trustee agency that has jurisdiction under Section 1600 et seq. of the CDFW Code. Under Sections 1600-1603 of the California Fish and Game Code, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel or bank of any river, stream or lake which supports fish or wildlife. CDFW also regulates alterations to ponds and impoundments. CDFW jurisdictional limits typically extend to the top of bank or to the edge of riparian habitat if such habitat extends beyond top of bank (outer drip line), whichever is greater. The proposed project is located within CDFW's regulatory jurisdiction, as a portion of the proposed residential development is located within the dripline of the oak riparian woodland and on the creek bank. Alteration of riparian vegetation on the Erba Lane property and the adjacent City property to accommodate the residential development as well as construction of a new pathway to the creek will occur within CDFW's jurisdiction and may be subject to a Streambed Alteration Agreement with this agency (pending confirmation by this agency).

Water quality in California is governed by the Porter-Cologne Water Quality Control Act and certification authority under Section 401 of the Clean Water Act, as administered by the Regional Water Quality Control Board (RWQCB). The Section 401 water quality certification program allows the State to ensure that activities requiring a Federal permit or license comply with State water quality standards. Water quality certification must be based on a finding that the proposed discharge will comply with water quality standards which are in the regional board's basin plans. The Porter-Cologne Act requires any person discharging waste or proposing to discharge waste in any region that could affect the quality of the waters of the state to file a report of waste discharge. The RWQCB issues a permit or waiver that includes implementing water quality control plans that take into account the beneficial uses to be protected. Waters of the State subject to RWQCB regulation extend to the top of bank (and riparian vegetation if it extends outward from the top-of-bank), as well as isolated water/wetland features and saline waters. Should there be no Section 404 nexus (i.e., isolated feature not subject to USACE jurisdiction), a report of waste discharge (ROWD) is filed with the RWQCB. The RWQCB interprets waste to include fill placed into water bodies. The proposed project is located within RWQCB's regulatory jurisdiction, as a portion of the proposed residential development is located within the dripline of the oak riparian woodland and on the creek bank. Alteration of riparian vegetation on the Erba Lane property and the adjacent City property to accommodate the residential development as well as construction of a new pathway (a portion on City property) to the creek will occur within RWQCB's jurisdiction and may be subject to a water quality certification with this agency (pending confirmation by this agency). The RWQCB also has guidelines for habitat compensation for permanent and temporary impacts to creek and riparian zones and has established tree replacement ratios based on the species and diameter of the tree removed.

The US Army Corps of Engineers (USACE) regulates activities within waters of the United States pursuant to congressional acts: Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (1977, as amended). Section 10 of the Rivers and Harbors Act requires a permit for any work in, over, or under navigable waters of the United States. Navigable waters are defined as those waters subject to the ebb and flow of the tide to the Mean High Water mark (tidal areas) or below the Ordinary High Water mark (OHWM) (freshwater areas). The proposed pathway to the creek may enter the USACE's jurisdiction if pathway/bridge construction occurs below the OHWM of the creek. In May 2019, the OHWM was estimated to be 6 inches above the thalweg. The channel bed averages 2 feet wide.

2.3.2 Sensitive Habitats

Sensitive habitats are defined by local, State, or Federal agencies as habitats that support special status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types, and/or provide high biological diversity.

CDFW classifies and ranks the State's natural communities to assist in the determining the level of rarity and imperilment. Vegetation types are ranked between S1 and S5. For vegetation types with ranks of S1-S3, all associations within the type are considered to be highly imperiled. If a vegetation alliance is ranked as S4 or S5, these alliances are generally considered common enough to not be of concern; however, it does not mean that certain associations contained within them are not rare (CDFW, 2007 and 2010). The oak-willow riparian woodland (CaCode 71.060.47) is ranked S4, yet some associations are of high priority (CDFW, 2010).

The City of Scotts Valley Zoning Code contains several references to streams and drainage courses. Section 17 requires structures to be located outside a 25-foot creek setback (measured outward from the top-of-bank). This review found the top of bank to be the break in slope from the flat terrace to the creek. Most of

the oak trees are rooted at or just below this top-of-bank location, with the tree canopies extending into, and in some cases beyond, this 25-foot setback.

City Zoning Code 15.06 also addresses drainage facilities, requiring disturbances to natural drainageways be kept to a minimum and existing drainage courses shall not be obstructed or obliterated without mitigating measures installed that have been approved by the building official. Grading equipment is not to disturb or cross flowing streams unless absolutely necessary and only with prior approval from the building official. The code also states no construction materials or construction byproducts shall be discarded in any drainageway or riparian zone. All streams, floodplains, channels, bodies of standing water, or other riparian areas shall be identified and delineated on the development plans and vegetative removal, land disturbances, or other development activities shall be conducted at a time, and in a manner that will provide and maintain an undisturbed vegetative filter strip. The code also states if it is determined that certain development activities in or near the riparian zones would be detrimental, those activities may be prohibited.

In addition, the City typically requires tree replacement plantings if tree removal is unavoidable. Please refer to the arborist's report on the existing trees and the City's requirements for tree replacement.

In 2001, the California Oak Woodland Conservation Act was passed. This act formally recognizes the role of oak woodlands as wildlife habitat, erosion control, and sustaining water quality. The Act encourages voluntary, long-term private stewardship and conservation of oak woodland by landowners and provides financial incentives, through the Wildlife Conservation Board (WCB), to protect and promote biologically functional oak woodlands (Sierra Foothill Research & Extension Center, 2004). The WCB is authorized to award cost-share incentives to private landowners who enter into long term agreement to implement management practices that benefit oak woodlands. Funds can be used for the purchase of easements, restoration activities or enhancement projects. In a related action, effective January 2005, the State amended CEQA with the addition of Public Resources Code 21083.4. This code requires that counties consider the significance of oak woodland conversions under CEQA and adopt an oak woodland management plan pursuant to the Oak Woodlands Conservation Act that contains measures to minimize impacts to oak woodlands along riparian zones, near wetlands and those that contain snags or other features used by wildlife. If significant impacts are determined under CEQA, mitigation alternatives may include conserving oaks through the use of conservation easements (2:1 ratio, conserved to impacted), restoration of former oak woodland area (2:1 ratio), contribution to the Oak Conservation Fund established under CDFW, or other mitigation measures developed by the county. If a planting program is implemented, replanting shall be at a 3:1 ratio (tree replacement) with requirements for planting maintenance and monitoring for seven years.

2.3.3 Special Status Plant Species

Plant species of concern include those listed by either the Federal or State resource agencies as well as those identified as rare by CNPS (List 1B). The search of the CNPS and CNDDB inventories identified the special status plant species with potential to occur in the project area. No special status plant species have been recorded in the CNDDB as occurring within the immediate project area. All species evaluated for potential occurrence within the proposed project area as per CNDDB and CNPS records (Felton quadrangle and surrounding quadrangles) are listed on Table 1.

The May 2019 survey was conducted during the blooming/identification period for many plant species, including the identification period for spineflower species (*Chorizanthe* ssp.), Santa Cruz tarplant (*Holocarpha macradenia),* and Scotts Valley polygonum (*Polygonum hickmanii)*. Due to the habitat conditions on the site the potential for the occurrence of other special status plant species is considered very

low. This is due to the lack of ponderosa pine forest (on site or in the immediate vicinity), manzanita chaparral, native grassland and/or rocky outcrops. No special status plant species were observed in the project area and none are expected.

Table 1. Special Status Plant Species and Their Predicted Occurrence Within the Erba Lane Housing Project Area, May 2019

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present/ Absent	Rationale
Bent-flowered fiddleneck	*Amsinckia lunaris*	CNPS List 1B.2	Grassland, scrub	A	Area lacks suitable habitat; not observed.
Santa Cruz manzanita	*Arctostaphylos andersonii*	CNPS List 1B.2	Broadleaf upland forest, chaparral, coniferous forests; open sites	A	Area lacks suitable habitat; not observed.
Hooker's manzanita	*Arctostaphylos hookeri ssp. hoookeri*	CNPS List 1B.2	Broadleaf upland forest, chaparral, coniferous forests; open sites	A	Area lacks suitable habitat; not observed.
Pajaro manzanita	*Arctostaphylos pajaroensis*	CNPS List 1B.1	Broadleaf upland forest, chaparral, open sites	A	Area lacks suitable habitat; not observed.
Bonny Doon manzanita	*Arctostaphylos silvicola*	CNPS List 1B.2	Chaparral, closed cone coniferous forests; restricted to Zayante sands	A	Area lacks suitable habitat; not observed.
Marsh sandwort	*Arenaria paludicola*	CE FE CNPS List 1B.1	Marshes and swamps	A	Site lacks suitable habitat.
Santa Cruz Mtns. pussypaws	*Calyptridium parryi var. hesseae*	CNPS List 1B.1	Zayante Sandhills chaparral and pine forest	A	Area lacks suitable habitat; not observed.
Swamp harebell	*Campanula californica*	CNPS List 1B.2	Bogs and marshes	A	Creek lacks suitable habitat.
Deceiving sedge	*Carex saliniformis*	CNPS List 1B.2	Mesic sites in coastal prairie	A	Site lacks suitable habitat.
Congdon's tarplant	Centromadia parryi ssp. congdonii	CNPS List 1B.1	Grassland, moist areas	A	Area lacks suitable habitat; not observed.
Ben Lomond spineflower	*Chorizanthe pungens var. hartwegiana*	FE CNPS List 1B.1	Ponderosa pine and maritime chaparral within Zayante sands	A	Area lacks suitable habitat; not observed.
Monterey spineflower	*Chorizanthe pungens var. pungens*	FT CNPS List 1B.2	Oak woodland, chaparral, scrub; sandy substrate	A	Area lacks suitable habitat; not observed.
Scotts Valley spineflower	*Chorizanthe robusta var. hartwegii*	FE CNPS List 1B.1	Grasslands with mudstone and sandstone outcrops	A	Area lacks suitable habitat; not observed.

Table 1. Special Status Plant Species and Their Predicted Occurrence Within the Erba Lane Housing Project Area, May 2019

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present/ Absent	Rationale
Robust spineflower	*Chorizanthe robusta var. robusta*	FE CNPS List 1B.1	Coastal dunes, grassland, and scrub with loose sandy soils	A	Area lacks suitable habitat; not observed.
Mt. Hamilton thistle	*Cirsium fontinale var. campylon*	CNPS List 1B.1	Serpentine seeps, moist grassland	A	Area lacks suitable habitat; not observed.
San Francisco collinsia	*Collinsia multicolor*	CNPS List 1B.2	Moist shady woodland	A	Site lacks suitable microhabitat.
Tear drop moss	*Dacryophyllum falcifolium*	CNPS List 1B.3	Redwood forest on limestone outcrops	A	Site lacks suitable microhabitat; no suitable outcrop conditions in area
Santa Clara dudleya	*Dudley abramsii ssp. setchellii*	FE CNPS List 1B.1	Serpentine outcrops	A	Area lacks suitable habitat; not observed.
Ben Lomond buckwheat	*Eriogonum nudum var. decurrens*	CNPS List 1B.1	Ponderosa pine woodland, sandhills	A	Area lacks suitable habitat; not observed.
Sand loving wallflower	*Erysimum ammophilum*	CNPS List 1B.2	Openings in chaparral, sand dunes; sand substrate	A	Area lacks suitable habitat; not observed.
Santa Cruz wallflower	*Erysimum teretifolium*	FE CE CNPS List 1B.1	Openings in chaparral, ponderosa pine forest; Zayante sands	A	Area lacks suitable habitat; not observed.
Minute pocket moss	*Fissidens pauperculus*	CNPS List 1B.2	Redwood forest on limestone outcrops	A	Site lacks suitable microhabitat; no suitable outcrops.
Fragrant fritillary	*Fritillaria liliacea*	CNPS List 1B.2	Ultramafic talus in chaparral and foothill woodland	A	Area lacks suitable habitat; not observed.
Monterey gilia	*Gilia tenuiflora ssp. arenaria*	FE CT CNPS List 1B.2	Openings in chaparral, sand dunes; sand substrate	A	Area lacks suitable habitat; not observed.
Santa Cruz cypress	*Hesperocyparis abramsiana var. abramsiana*	FE CE CNPS List 1B.2	Coniferous forest and chaparral on sandstone and granitic derived soils	A	Area lacks suitable habitat; not observed.
Loma Prieta hoita	*Hoita strobilina*	CNPS List 1B.1	Chaparral, cismontane woodland, riparian woodland with serpentine soils and mesic	A	Area lacks suitable habitat; not observed.

Table 1. Special Status Plant Species and Their Predicted Occurrence Within the Erba Lane Housing Project Area, May 2019

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present/ Absent	Rationale
			conditions		
Santa Cruz tarplant	*Holocarpha macradenia*	FT CE CNPS List 1B.1	Coastal prairie and grasslands with sandy soil types	A	Area lacks suitable habitat; not observed.
Kellogg's horkelia	*Horkelia cuneata ssp. sericea*	CNPS List 1B.1	Openings on old dunes and coastal sandhills	A	Area lacks suitable habitat; not observed.
Point Reyes horkelia	*Horkelia marinensis*	CNPS List 1B.2	Coastal dunes, prairies, scrub	A	Area lacks suitable habitat; not observed.
Smooth lessingia	*Lessingia micradenia var. glabrata*	CNPS List 1B.2	Serpentine soils in chaparral and grasslands	A	Area lacks suitable habitat; not observed.
Indian Valley bush-mallow	*Malacothamnus aboriginum*	CNPS List 1B.2	Riparian scrub, chaparral, woodland	A	Area lacks suitable habitat; not observed.
Arcuate bush-mallow	*Malacothamnus arcuatus*	CNPS List 1B.2	Serpentine chaparral	A	Area lacks suitable habitat; not observed.
Halls bush-mallow	*Malacothamnus hallii*	CNPS List 1B.2	Riparian scrub, chaparral, woodland	A	Area lacks suitable habitat; not observed.
Marsh microseris	*Microseris paludosa*	CNPS List 1B.2	Coastal grassy habitats (mesic)	A	No suitable habitat on site.
Northern curly-leaved monardella	*Monardella sinuate ssp. nigrescens*	CNPS List 1B.2	Openings in chaparral, ponderosa pine forest; Zayante sands	A	Area lacks suitable habitat; not observed.
Woodland woolythreads	*Monolopia gracilens*	CNPS List 1B.2	Openings in redwood and mixed evergreen forests	A	Area lacks suitable habitat; not observed.
Dudley's lousewort	*Pedicularis dudleyi*	CR CNPS List 1B.2	Redwood forest, moist areas near streams	A	Area lacks suitable habitat; not observed.
Santa Cruz Mountains beardtongue	*Penstemon rattanii var. kleei*	CNPS List 1B.2	Sandy shale slopes in chaparral, coniferous forests	A	Area lacks suitable habitat; not observed.
White-rayed pentachaeta	*Pentachaeta bellidiflora*	FE CE CNPS List 1B.1	Valley and foothill grassland, open dry rocky slopes, often on serpentine bedrock	A	Area lacks suitable habitat; not observed.
White-flowered rein	*Piperia candida*	CNPS List 1B.2	North coast coniferous forest,	A	Area lacks suitable habitat; not observed.

Table 1. Special Status Plant Species and Their Predicted Occurrence Within the Erba Lane Housing Project Area, May 2019

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present/ Absent	Rationale
orchid			lower montane coniferous forest, broadleaved upland forest, on serpentine, mossy banks, rock outcrops		
Choris' popcorn-flower	*Plagiobothrys chorisianus var. chorisianus*	CNPS List 1B.2	Chaparral, coastal scrub, coastal prairie (mesic areas)	A	Area lacks suitable habitat; not observed.
San Francisco popcorn-flower	*Plagiobothrys diffusus*	CE CNPS List 1B.1	Grassland, coastal prairie (mesic areas)	A	Area lacks suitable habitat; not observed.
Hairless popcorn-flower	*Plagiobothrys glaber*	CNPS List 1A	Grassland, coastal prairie (mesic areas)	A	Area lacks suitable habitat; not observed.
Scotts Valley polygonum	*Polygonum hickmanii*	FE CE CNPS List 1B.1	Grassland with sandstone or mudstone outcrops	A	Area lacks suitable habitat; not observed.
Pine rose	*Rosa pinetorum*	CNPS List 1B.2	Closed cone (pine) coniferous forest	A	Area lacks suitable habitat; not observed.
San Francisco campion	*Silene verecunda ssp. verecunda*	CNPS List 1B.2	Sand hills and rocky soils in coastal prairie and scrub	A	Area lacks suitable habitat; not observed.
Metcalf Canyon jewelflower	*Streptanthus albidus ssp. albidus*	FE CNPS List 1B.2	Serpentine soils in chaparral and grasslands	A	Area lacks suitable habitat; not observed.
Most beautiful jewelflower	*Streptanthus albidus ssp. peramerous*	CNPS List 1B.2	Serpentine soils in chaparral and grasslands	A	Area lacks suitable habitat; not observed.
Santa Cruz clover	*Trifolium buckwestiorum*	CNPS List 1B.1	Moist grasslands	A	Area lacks suitable habitat; not observed.

Absent [A] - No habitat present and no further work needed.
Habitat Present [HP] - Habitat is, or may be present. The species may be present.
Present [P] - Species is present
Critical Habitat [CH] - Project footprint is located within a designated critical habitat unit, but does not necessarily mean that appropriate habitat is present.
Status: -Federal Endangered (FE); Federal Threatened (FT); Federal Proposed (FP, FPE, FPT); Federal Candidate (FC), Federal Species of Concern (FSC); California State Endangered (CE); California State Threatened (CT); California Native Plant Society (CNPS)

2.3.3 Special Status Wildlife Species

Special status wildlife species include those listed by either the Federal or State resource agencies as well

as those identified as State species of special concern. In addition, all raptor nests are protected by Fish and Game Code, and migratory birds are protected by the Migratory Bird Treaty Act. One special status wildlife species may occur on site: San Francisco dusky-footed woodrat. Table 2 below lists special status wildlife species that are known from the general vicinity of Scotts Valley, and a brief explanation of why they are not expected to occur on site. In 2005 the property was evaluated by Dr. Richard Arnold for Mt. Hermon June beetle and Zayante band-winged grasshopper, and that study found that suitable habitat for these insects was absent on the property. Site conditions remain the same in 2019.

Table 2. Special Status Wildlife Species and Their Predicted Occurrence Within the Erba Lane Housing Project Area, May 2019.

SPECIES	STATUS[1]	HABITAT	POTENTIAL OCCURRENCE ON SITE
Invertebrates			
Ohlone tiger beetle *Cicindela ohlone*	FE	Coastal terrace prairie with sparse vegetation and openings, Watsonville loam soils	None, no suitable habitat on site.
Mt. Hermon June beetle *Polyphylla barbata*	FE	Chaparral and ponderosa pine with Zayante sandy soils	None, no suitable habitat on site.
Zayante band-winged grasshopper *Trimerotropis infantilis*	FE	Openings in sand hills parkland habitat with Zayante sandy soils	None, no suitable habitat on site.
Smith's blue butterfly *Euphilotes enoptes smithi*	FE	Coastal dunes and coastal sage scrub with buckwheat plants	None, no suitable habitat on site.
Fish			
Coho salmon *Oncorhynchus kisutch*	FE, SE	Perennial creeks and rivers with gravels for spawning	No suitable habitat in project area.
Steelhead *Oncorhynchus mykiss*	FT	Perennial creeks and rivers with gravels for spawning	No suitable habitat in project area.
Amphibians			
Santa Cruz black salamander *Aenides flavipunctatus niger*	CSC	Mesic forests of fog belt; terrestrial, lives under logs, rocks, etc.	None, no suitable habitat on site.
California giant salamander *Dicamptodon ensatus*	CSC	Wet coastal forests near streams and seeps; breed in streams	None, small creek not suitable habitat.
California red-legged frog *Rana draytonii*	FT, CSC	Riparian, marshes, estuaries and ponds with still water at least into June.	None, small creek not suitable habitat.
Foothill yellow-legged frog *Rana boylii*	CSC	Creeks and rivers with cobble substrate	None, small creek not suitable habitat.
Reptiles			
Western pond turtle *Emys marmorata*	CSC	Creeks and ponds with water of sufficient depth for escape cover, and structure for basking; grasslands or bare areas for nesting.	None, no suitable habitat on site.
Birds			
Osprey *Pandion haliaetus*	None	Nests in tall trees adjacent to reservoirs and rivers	None, no suitable habitat on site.
White-tailed kite *Elanus leucurus*	FP	Nests in tall riparian trees adjacent to open lands for foraging	None, no suitable habitat on site.
Mammals			
Pallid bat *Antrozous pallidus*	CSC	Roosts in caves, hollow trees, mines, buildings, bridges, rock	No suitable tree hollows in oaks on site were observed

Table 2. Special Status Wildlife Species and Their Predicted Occurrence Within the Erba Lane Housing Project Area, May 2019.

SPECIES	STATUS[1]	HABITAT	POTENTIAL OCCURRENCE ON SITE
		outcroppings	
Santa Cruz kangaroo rat *Dipodomys venustus*	None	Manzanita chaparral with sandy soils	None. No suitable habitat on site.
San Francisco dusky-footed woodrat *Neotoma fuscipes annectens*	CSC	Woodlands including oaks, willow riparian, Eucalyptus	None observed within project area; yet possible in riparian woodland
American badger *Taxidea taxus*	CSC	Grasslands with friable soils	None, no suitable habitat on site.

[1] Key to status: FE=Federally listed as endangered species; FT=Federally listed as threatened species; SE=State listed endangered; FP=Fully protected species by State; CSC=California species of special concern

3.0 IMPACT AND MITIGATION DISCUSSION

3.1 IMPACT CRITERIA

The thresholds of significance presented in the CEQA Guidelines, updated December 2018, were used to evaluate project impacts and to determine if implementation of the proposed Project would pose significant impacts to botanical resources. For this analysis, significant impacts are those that substantially affect, either directly or through habitat modifications:

a) A species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS;
b) Riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or USFWS;
c) State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;
f) Conflict with the provisions of an adopted Habitat Conservation plan, Natural Community Conservation plan, or other approved local, regional, or state habitat conservation plan.

3.2 ENVIRONMENTAL IMPACTS OF THE PROJECT

The proposed residential development was evaluated as to potential direct and indirect impacts to sensitive biological resources. Examples of direct impacts are the removal of oak trees for construction of housing and associated lot development, and pathway construction in the riparian corridor. Examples of indirect impacts include potential disturbance to the oak riparian woodland and wildlife utilization of these areas from increased human uses on the property (e.g., residential uses, landscaping, lighting, pathway uses).

Measures are recommended to reduce impacts to biological resources from the proposed residential development, including measures to compensate for impacts to sensitive habitats (i.e., oak riparian woodland) and to reduce the potential spread of invasive, non-native plant species into sensitive habitat.

The proposed project identifies construction of 12 homes, with vehicular access from Erba Lane. A new pathway is proposed from Erba Lane to the creek and to the City property on the east side of the creek. An open split rail fence is proposed at the rear of the homes, abutting the creek. These proposed construction activities will occur within the dripline of the riparian woodland, requiring removal of 22 oak trees within the riparian woodland. Pathway construction will also require vegetation removal within the riparian woodland. If a creek crossing is needed, the crossing may be placed will occur within the limits of the OHWM of the creek. The Site Plan does not depict any new stormwater features (drainage outlets) into the creek.

The Arborist Report identifies the removal of all 14 oak trees on the Era Lane property and the removal of 8 oak trees on the City property. Removal of these trees will remove approximately 13,000 square feet of riparian woodland tree canopy.

3.2.1 Special Status Species (federal and non-federal)

The only special status wildlife species that may occur within or immediately adjacent to the project work area is the San Francisco dusky-footed woodrat. The woodrats may be present in above-ground stick nests. Nesting birds may also be present. Measures are given below to avoid impacts to woodrats and nesting birds. No other special status wildlife species occur within the project area.

3.2.2 Sensitive Natural Communities

The project is located along an unnamed creek, which supports oak riparian woodland, a sensitive habitat. On the Erba Lane property, the proposed project would remove all of the oak trees (14 oaks) from the woodland. Mature oaks are also present on the City property, wherein 8 oak trees are proposed for removal. Woody understory vegetation is also present on the City property; some of this vegetation would be disturbed during tree removal. Pathway construction will also affect riparian woodland. Table 3 outlines the temporary and permanent impacts from project actions, including impacts to sensitive habitats (riparian corridor).

3.2.3 State and Federal Regulated Waterways and Federal Wetlands

Residential development will occur in regulated waterways, as work will require the removal of vegetation on the streambank and along the top of bank of the creek, within regulated areas by CDFW and RWQCB, pending confirmation by regulating agencies. Pathway work may occur within the flow line (below OHWM) of the intermittent creek within regulated areas by USACE, CDFW and RWQCB. Table 3 outlines the components of the project and where permanent and temporary impacts will occur in the streambed (below OHWM) and within the riparian zone (above OHWM). Pathway work may affect federally designated wetlands, depending upon site design.

3.2.4 Wildlife Corridors and Nursery Sites

The proposed residential project will remove 22 mature (greater than 4-inch diameter) oak trees, that encompass approximately 13,000 square feet of woodland canopy. Nesting birds may occur in or adjacent to the project work area. Because most nesting birds are protected by the Migratory Bird Treaty Act, measures are listed below to avoid potential impacts if any active bird nests are present during vegetation removal.

3.2.5 Conflict with Local Policies

The project will be located within the riparian corridor of a creek, an area regulated by the City of Scotts Valley Zoning Codes. Work within the corridor and the City's creek setback areas will require

approval from the City. The proposed project may conflict with City Zoning code in that development will be allowed within a riparian woodland, pending confirmation by the City.

3.2.6 Conflict with HCP or NCCP, or Other Conservation Plan

The project has a small area of Zayante sands soil, as per the soil survey; however, the area is covered in pavement. The property is not located in an area subject to the Interim Programmatic HCP for the Zayante sandhills (Mt. Hermon June Beetle and Ben Lomond Spineflower) The property is located east of the Scotts Valley West Parcels, as outlined in the IPHCP.

3.2 RECOMMENDED MEASURES

The following measures are recommended to avoid or mitigate potentially significant impacts to vegetation and wildlife, to a less-than significant level:

Recommendation BIO-1. The following measures are recommended to reduce impacts to the riparian woodland to a less-than significant level.

1.1 To preserve the value of the oak riparian woodland habitat for biological resources, the project design should be revised such that development activities on the Erba Lane property are located outside the dripline of the riparian trees. There should be a minimum setback of 25-feet from the retained riparian woodland dripline and residential development. The setback area should be landscaped with plant materials that are native to the local riparian woodland. Structures, including grading and rear/backyard spaces and fences should be located outside of the riparian woodland dripline and 25-foot setback area.

1.2 If the project cannot be redesigned to avoid direct impacts to the riparian woodland and riparian trees are proposed to be removed for the project, the applicant shall confer with State regulatory agencies regarding permit requirements. In addition, the applicant should confer with the City on the establishment of a setback areas between the retained woodland and the proposed development. There should be a minimum setback of 25-feet from the retained riparian woodland dripline and residential development. The setback area should be landscaped with plant materials that are native to the local riparian woodland. To compensate for direct impacts to the woodland, a riparian woodland mitigation program should be developed and implemented, wherein permanent impacts are compensated at a minimum 2:1 ratio (i.e., two square feet replanted for each square foot removed) and temporary impacts are replaced at a 1:1 ratio. Based on the current site plan, approximately 13,000 square feet (0.31 acre) of riparian woodland vegetation will be permanently impacted to accommodate the proposed project. To meet the 2:1 compensation ration, an area of 0.62 acre would be needed for mitigation. Within the mitigation area revegetation of riparian woodland would be implemented, including tree replacement. Tree replacement ratios shall follow guidelines developed by the City or by the RWQCB, whichever is greater.

Recommendation BIO-2. The following measures are recommended to reduce construction-period impacts to the riparian woodland to a less-than significant level.

2.1 The outer edge of the riparian setback area should be demarcated by the placement of 6-foot high plastic construction fencing (during the construction period) and a permanent 6-foot high fence (after construction). The fence could have an opening to allow access to the existing pathway that crosses the intermittent drainage channel. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees. The construction fencing shall be maintained in a functional

manner throughout the site construction period and should be inspected periodically by the contractor and City of Scotts Valley personnel for damage and proper functioning. No equipment staging, vehicle parking or other activities should occur within the protected riparian area.

2.2 To minimize sediments entering the intermittent creek, the project should implement best management practices, including

- Conduct construction activities within 20 feet of the riparian woodland during the dry season;
- Incorporate measures to filter and entrap pollutants prior to their discharge into the creek or other downstream drainage features that lead to Carbonera Creek.
- Stabilize disturbed soils to minimize erosion and sediment input to the creek;
- Implement erosion control measures to prevent sediment from entering the creek channel, including the use of silt fencing or fiber rolls to trap sediments;
- Conduct erosion control seeding of all disturbed areas as soon as practicable after disturbance following construction;
- Monitor the effectiveness of the erosion control measures during the first year's rainy season and implement remedial measures (e.g., reseeding, repair of silt fencing) if sedimentation or erosion is noted.

2.3 Occurrences of invasive, non-native plant species (i.e., French broom, bull thistle) should be removed from the riparian woodland prior to project completion.

Recommendation BIO-3. The following measures are recommended to reduce post-construction-period impacts to the riparian woodland to a less-than significant level.

3.1 All lighting features shall be directed away from the oak riparian woodland, such that the woodland is not illuminated. Homeowners/tenants shall not be allowed to install night lighting that illuminates the riparian woodland.

3.2 Future landowners/tenants shall not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the property include all plants recognized as exotic pest plants by Cal-IPC (see *Exotic Pest Plants of Greatest Ecological Concern in California*, www.cal-ipc.org). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (*Vinca* sp.), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), all pines, cotoneaster, and pyracantha. If evidence of the fungus responsible for Sudden Oak Death (*Phytophthora* sp.) is detected on the property, the homeowners shall implement measures to prevent/control the spread of this fungus both on and off-site. The homeowners shall be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the City, the County and the State of California. Preventative and treatment measures should also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force, University of California Cooperative Extension, Sudden Oak Death website (http://cemarin.ucdavis.edu).

Recommendation BIO-4. The following measures are recommended to reduce impacts to special status wildlife and nesting birds to a less-than significant level.

4.1 The landowner shall hire a qualified biologist to search for woodrat nests. If any are found and impacts to the nests cannot be avoided, the applicant shall seek written approval from CDFW to implement a trapping and relocation program. Wood rat nests shall not be disturbed without prior written approval from CDFW.

4.2 If construction is scheduled to begin between March 1 and August 15 of any given year, the landowner shall hire a qualified biologist to conduct a search for active bird nests in the vicinity of the work site (following CDFW survey protocols). If active bird nests are observed, the work shall be postponed until the biologist determines that all chicks have fledge the nest(s).

Table 3. Summary of Permanent and Temporary Impacts of Erba Lane Housing Project

Resource Type	Impact	Permanent Impact (approx.)	Temporary Impact
Intermittent Stream Channel (below OHWM)	Pathway Improvements in stream channel (City Property)	Possible, yet no specific design plan reviewed	Possible, yet no specific design plan reviewed
Total Impacts to Stream Channel		Possible, yet no specific design plan reviewed	Possible, yet no specific design plan reviewed
Riparian Zone (above OHWM)	Pathway Improvements on creek bank (City Property)	500 square feet 50 linear feet	Possible, yet no specific design plan reviewed
	Removal of Riparian Woodland (22 oak trees) (Erba Lane Property and City Property)	13,000 square feet	Possible, yet no specific design plan reviewed
Total Impacts to Riparian Zone		**13,500 square ft. (0.31 acre)** **260 linear feet**	Possible, yet no specific design plan reviewed

4.0 LITERATURE CITED AND REFERENCES

Baldwin, B., D. Goldman, D. Keil, R Patterson, T Rosatti and D. Wilken, editors. 2012. The Jepson Manual: Vascular Plants of California. 2nd edition. University of California Press. Berkeley

Barbour & Major, 1988. Terrestrial Vegetation of California. California Native Plant Society, Sacramento, CA

California Native Plant Society. 2019. Electronic Inventory of Rare and Endangered Vascular Plants of California. CNPS, Sacramento CA.

California, State of, Department of Fish & Wildlife. 2010. The Vegetation Classification and Mapping Program, List of California Terrestrial Natural Communities Recognized by the CNDDB. December 2010.

California, State of, Department of Fish & Wildlife. 2019. Natural Diversity DataBase, Natural Communities. Rarefind 5 Program

Holland, R.F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. CDFW Unpublished report, October 1986.

Sawyer & Keller-Wolf, 1995. A Manual of California Vegetation. California Native Plant Society, Sacramento, CA

USDA, 1974. Soil Survey of Santa Cruz County, California. United States Department of Agriculture, Soil Conservation Service in cooperation with University of California Agricultural Experiment Station.

Biotic Resources Group
Biotic Assessments ◆ Resource Management ◆ Permitting

RECEIVED
JUN 03 2020
CITY OF SCOTTS VALLEY

April 17, 2020

Charles Eadie
Eadie Consultants
P.O. Box 1647
Santa Cruz, CA 95061

RE: Erba Lane Housing Project, SV Housing LLC
Addendum to Biological Assessment, dated May 31, 2019

Dear Charlie,

The Biotic Resources Group has prepared this letter addendum to a Biological Assessment, dated May 31, 2019 for the Erba Lane Housing Project. The addendum addresses a revised Grading Plan, as prepared by Bowman & Williams, dated March 13, 2020, and a Summary Arborists Report, Revisions to Preliminary Tree Inventory and Assessment, as prepared by Kurt Fouts, Arborist Consultant, dated March 27, 2020.

REVIEW OF REVISED GRADING PLAN AND ARBORIST REPORT

The May 2019 Biological Assessment recommended that the oak riparian woodland habitat be preserved and the site plan be revised such that development be located outside the riparian woodland canopy. In addition, if impacts were to be incurred to the riparian woodland, compensatory mitigation be implemented to replace the lost tree canopy.

The revised Grading Plan preserves most of the oak riparian woodland on the property. The footprint of the buildings is now located outside of the dripline of the oak riparian woodland and most trees previously slated for removal will now be retained. However; some grading will occur within the dripline of oak trees that are to be retained. Kurt Fouts analyzed the revised grading plan relative to trees and found that up to 6 trees may be affected by the project. Some trees will still require targeted clearance pruning for grading equipment (T29 and T30) and hand grading may be required near them. Impacts to two trees (T35 and T38), adjacent to proposed Lot 6 will be increased. Based on field staking prior to construction, these trees may or may not be retained. One oak (T40), previously recommended to be retained, will be removed to accommodate the revised grading. Mr. Fouts indicated that the future growing conditions for most of the oaks will slightly improve, as more soil will be retained allowing for a larger rooting area. The Summary Arborists Report, Revisions to Preliminary Tree Inventory and Assessment recommends tree replacement to compensate for the removal and limbing of the identified trees. He recommends installation of a 2:1 tree replacement using 15-gallon or 24-inch box size trees and identifies an open area east of Lot 7 be used for the tree replacement plantings.

FINDINGS

The revised Grading Plan and Summary Arborists Report, Revisions to Preliminary Tree Inventory and Assessment, conform to Recommendation 1, relative to the oak riparian woodland, from the May 31,2019 Biological Assessment.

Please give me a call if you have any questions on these findings.

Sincerely,

Kathleen Lyons

Kathleen Lyons, Plant Ecologist

2551 South Rodeo Gulch Road, #12 ◆ Soquel, California 95073 ◆ (831) 476-4803 ◆ brg@cruzio.com

ARBORIST REPORT-
Preliminary Tree Inventory & Assessment for:

Erba Lane Housing – Scotts Valley
ERBA LANE -– APN 022-081-34 &35

November 30th,2017



Prepared for:
Larry Abitol
Scotts Valley Housing LLC
505 Ironwood Drive
Soquel, CA 95

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

Table of Contents

Introduction and Overview……2

Assignment/Scope of Services……..3

Summary of Findings & Resources……..4

Subject Tree Removals & Species List……5

Protected Trees in the City of Scotts Valley……6

Tree Evaluations & Recording Methods……..7

Summary Tree & Site Description……8 - 9

Tree Protection Zones ……9

Tree Protection Guidelines & Restrictions……..10 - 11

Project Arborist Duties & Inspection Schedule……11

Tree Work Standards & Qualifications……12

Tree Replacement Recommendations……12

Development Site Tree Health Care Measures……13

Appendix A – Tree Assessment Chart
Appendix B – Criteria for Tree Assessment Chart
Attachments:

- Tree Protection Plan – Sheet T1
- Subject Tree Images
- Tree Inventory Aerial Image
- Tree Protection Fencing Example
- Tree Protection Signage Example
- Assumptions and Limiting Conditions

INTRODUCTION and OVERVIEW

Scotts Valley Properties LLC is proposing to develop a property currently utilized as a parking lot. The property is located along Erba Lane in Scotts Valley. As an element of the development, the developers requested certified arborist services for a preliminary tree inventory and assessment. The purpose of this report is to inventory and evaluate the health and structural condition of the trees and access their suitability for preservation.

A "**tree resource evaluation"**, sometimes called a "tree inventory", or "tree survey report" is the first step in documenting the existing trees on a proposed development or building project site. This survey is used to aid in planning and project review, for the identification and location of existing trees on the site during the design of the project, placement of structures, driveways, utilities, and landscape components.

It also is used to identify trees of designated size and species that are protected under the municipal or county code that is applicable for the site location.

Suitability for preservation of individual trees is included in this evaluation, with the criteria for retention based on an evaluation of the heath, structural condition and the specific development features impacting each tree.

Preliminary development parameters such as grading, paving, retaining walls, building construction footprint, and the proposed distance each of these elements are to be located from individual trees is evaluated.

Tree protection zones based on tree species, size and condition are prescribed for those trees recommended for retention.

When final plan sets have been completed, protective fencing and tree protection treatments will be prescribed by the arborist consultant. Tree replacement numbers will be calculated when a final tree removal count is established.

ASSIGNMENT/SCOPE OF SERVICES

Kurt Fouts an independent certified arborist, has been contracted by Mr. Larry Abitol, to inventory and evaluate the condition of the existing trees on the proposed development site, including trees located on adjacent parcels with canopies that overhang the project site. Additionally, to make recommendations to retain or remove each tree, based on tree condition and anticipated construction impacts. The inventory is oriented to trees that are protected under the City of Scotts Valley Municipal Code – Section 17.44.080 *Tree Protection Regulations* & Section 17.44.080(7) *"Protected Tree".*

To complete this assignment, the following services were performed:

- **Plan Review:** Reviewed provided plans including: Preliminary Design for Erba Lane Housing by: David Zulim Inc., dated 7/11/17 & 100 Year Flood Boundary Exhibit by: Boman & Williams, dated,11/18/17
- **Ordinance Review:** Reviewed the City of Scotts Valley Municipal Code – Section 17.44.080 *Tree Protection Regulations* & Section 17.44.080(7) *"Protected Tree" (applicable sections).*
- **Tree Preservation Evaluation:** Site visit by the arborist for orientation and tree inspection. Visually examining each tree and measuring as necessary to confirm City of Scotts Valley, 'protected' tree status. Measuring and evaluating each tree for health and structural condition. Assessing each tree for suitability for preservation.
- **Mapping:** Trees were numbered and tagged with embossed metal tags in the field. Each numbered tree was plotted, and specific preservation or removal information was included on the attached Tree Location and Protection Plan sheet. Base map for Protection Plan sheet is: Preliminary Design for Erba Lane Housing by: David Zulim Inc., dated 7/11/17. Accuracy of trees plotted is limited to plans provided.

Unless expressed otherwise, the information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection. The inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the trees in questions may not arise in the future.

SUMMARY OF FINDINGS

- Twelve new single family, two-story homes are proposed for the site where a parking lot currently exists.
- The subject trees consist of existing trees within the vicinity of the proposed development and included within the Site Plan.
- The subject trees total forty (40) individuals consisting of one species.
- All the subject trees are “protected” size trees according to the City of Scotts Valley Municipal Code.
- More than half of the subject trees are located on the adjacent City of Scotts Valley property.
- Three trees have trunks close to the property line and may be located on either, (1) the proposed site parcel, (2) City of Scotts Valley parcel or (3) located on both parcels.
- I have found that 22 (22) protected size trees will require removal due to poor condition or because of anticipated construction impacts from the proposed development.
- I have found that 17 (17) protected size trees will be preserved for the proposed development.
- I have found that 1 (1) protected size tree will require a field evaluation during the construction phase of the project to determine if removal is required or alternatively, if the tree can be retained.
- All protected size trees as designated by the City of Scotts Valley Municipal Code require approval from the Community Development Director, if they are proposed for removal.

RESOURCES

All information within this report is based on preliminary site plans as of the date of this report. Resources are as follows:

- Preliminary Design for Erba Lane Housing by: David Zulim Inc., dated 7/11/17.
- 100 Year Flood Boundary Exhibit by: Boman & Williams, dated,11/18/17
- Site visits to access tree condition on 11/15/17 & 11/18/17.
- Site visit with David Zulim, project designer and Dean Bustichi project builder on 11/28/17. Using the preliminary design plan sheet, distance from individual subject trees to proposed new home locations was measured in the field, to help determine the anticipated construction impacts to each tree.

SUBJECT TREE REMOVALS

TOTAL SUBJECT TREE REMOVALS: 22 Trees

TREE REMOVAL FOR PROPOSED DEVELOPMENT:

'PROTECTED' SIZE TREES: Total = 22
22 Coast Live Oak (*Quercus agrifolia*) Trees T1, T5, T6, T7, T9, T11, T12, T14, T15, T17, T18, T19, T20, T22, T23, T24, T29, T30, T32, T33, T36, & T39.

- Three (3) Protected size trees (Coast Live Oaks, T5, T18 & T39), will require removal due to impacts from the proposed homes according to the proposed site plan, dated 7/11/17.
- Nineteen (19) Protected size trees (Coast Live Oaks, T1, T6, T7, T9, T11, T12, T14, T15, T17, T19, T20, T22, T23, T24, T29, T30, T32, T33, & T36), will require removal due to poor condition.
- One (1) Protected size tree (Coast Live Oak, T27), will require a field decision during the construction phase, to determine if required clearance pruning can be accomplished without significantly impacting the structure of the tree.
- Seventeen (17) Protected size trees (Coast Live Oaks, T2, T3, T4, T8, T10, T13, T16, T21, T25, T26, T28, T31, T34, T35, T37, T38, & T40), can be preserved. Some will require pre-construction treatments to promote long-term health.

SPECIES LIST

TOTAL SUBJECT TREES: 40 Trees

All subject trees are protected.
All subject trees are Coast Live Oak (Quercus agrifolia) #'s T1 – T40.

PROTECTED TREES IN THE CITY OF SCOTTS VALLEY

Protected Tree List*

A	Any size tree located within five (5) feet of a public right-of-way or street.
B	Any single-trunk **oak tree** greater than or equal to eight (8) inch diameter (25-inch circumference). **
C	Any multi-trunk **oak tree** with any trunk greater than or equal to four (4) inches diameter (12-inch circumference). **
D	Any tree greater than or equal to eight (8) inch diameter (25-inch circumference) ** if located within 20 feet of a moderate slope (greater than 20% slope).
E	Any single-trunk tree greater than or equal to 13-inch diameter (40-inch circumference). **
F	Any multi-trunk tree with any trunk greater than or equal to eight (8) inch diameter (25-inch circumference). **
G	Any tree, regardless of size, required as part of a permit approved by the Planning Department, Planning Commission or City Council, or required as a replacement tree for a removed tree.
H	Any **Heritage Tree**, as specified in Municipal Code Section 17.44.080 and Exhibit A. A list and map of Heritage Trees are available at the Planning Department. Fees for removal of Heritage Trees are higher than other protected tree removals and applications must be approved at a public hearing before the Planning Commission.
	* **Note:** No tree removal permit is required to remove: • Monterey Pine trees that are infected with pitch canker; ***proof of infection is required***; • Blue Gum Eucalyptus or Acacia trees; • Bay Laurel trees ***if*** they are growing under the drip-line of an established oak tree; or, • Fruit trees. **** Tree** measurement shall be taken 4½ feet (54 inches) above the ground.

TREE EVALUATION AND RECORDING METHODS

Site evaluations were made on November 15 & 18, 2017.*The assessments included all protected trees, located within the dripline of the project limits.* The trees were tagged with numbered metal tags. The health and structural condition of each tree was assessed and recorded. Based on the trees health and structural condition, each trees suitability for preservation was rated and recorded.

An additional site evaluation was made on 11/28/17. This site evaluation included David Zulim, project designer and Dean Bustichi project builder. Using the preliminary design plan sheet, the distance from individual subject trees to proposed new home locations was measured in the field, to help determine the anticipated construction impacts to each tree.

The recorded data is included in the *Tree Assessment Chart, Appendix A,* of this report. Tree numbers were plotted on the attached *Tree Location Map*. **To correlate the data in the Tree Assessment Chart to the tree's location on the site, refer to the Tree Location Map & Protection Plan, Sheet T-1.**

Descriptions for tree assessment methodology used in the Tree Assessment Chart are included in the Appendix B, of this report.

Forty trees were evaluated, representing one species, Coast Live Oak (*Quercus agrifolia*). All trees evaluated are "protected" under City of Scotts Valley ordinance.

SUMMARY TREE AND SITE DESCRIPTION

The proposed development site of approximately ¾ of an acre, is currently utilized as a parking lot. The gently sloped property, follows the grade of the adjacent Erba Lane and is predominately paved. On the northeast edge of the parcel, the soil is unpaved and contains an oak grove abutting a dry creek. The oak grove location parallels the dry creek as it runs west to east. This oak grove contains 38 of the 40 trees evaluated in this report.



Proposed development site looking east, with coast live oaks at edge of property.

Slightly more than half of the oak trees assessed, are located on the adjacent parcel, owned by the City of Scotts Valley. Since the canopies of these trees overhang the project site, they were also evaluated.

Three trees appear to straddle the property line between the subject property and City of Scotts Valley. If any are in fact, located on the property line, then these trees are owned by both parties.

Crowded growing conditions has created uneven canopy growth in many of the trees. The thirty- eight trees located in the grove appear to be naturally occurring natives. Two nursery grown oak trees, are planted in a landscape parking island at the southeast end of the property.

Most of the trees have trunks with lean, and the structural growth habit and canopy are oriented to the southwest, as they have grown to maximize light intake. These trees have unbalanced canopies, contributing to a south or west weight bias. (Images #1,2, & 3).

Alternatively, several of the trees on the eastern end of the grove lean or grow to the *southeast*, to maximize light.

To remain stable, trees with lean and unbalanced canopies form reaction wood (stronger wood), which helps to support the additional mechanical stress.

Some trees in the grove have a more upright growth pattern creating good structure (Image #4).

The strong southwest growth habit (towards the new homes), of most trees, and the siting of the homes necessitates that clearance pruning will be required for many of the trees.

Slightly more than half of the trees are recommended for removal. Removal recommendations are based on the relative risk and /or suitability to continue to thrive for the long term in the development planned.

Of the 22 trees recommended for removal, many have severely compromised structures with limited canopy formation. These trees have a nearly horizontal trunk growth pattern, little to no secondary branching and a small canopy at the end of the trunk (Image #5). Trees T11,17,19,22,23,29,30,32 & 33 have poor structure meeting the above description and are recommended for removal.

A significant site development decision is for no machine grading to occur in the back yards of the homes, between the homes and trees. This will greatly reduce the impact to existing tree roots.

TREE PROTECTION ZONES

Data has been entered in the *Tree Assessment Chart – Appendix A,* which indicates the Tree Protection Zone for each tree.

To prevent inadvertent encroachment by heavy machinery, fencing should be installed either at the edge of the Tree Protection Zone (TPZ), the crown drip line (whichever is further from the trunk), or at the edge of the construction zone, if the construction zone protrudes into the TPZ. The Project Arborist, should approve the location of the fencing. All fencing should be in place prior to any site grading.

Once the TPZ is delineated and fenced (prior to site work and equipment/materials move in), any construction activities or landscape construction, are only to be permitted within the TPZ if allowed for and specified by the project arborist. **The fenced TPZ areas are considered "non-intrusion zones" and should not be altered or breached.**

Tree Protection Zone fencing locations are documented on the attached map: (Tree Location Map & Protection Plan).

TREE PROTECTION GUIDELINES AND RESTRICTIONS

The following restrictions and guidelines apply to the designated tree protection zones:

(1) Before the start of site work, equipment or materials move in, clearing, excavation, construction, or other work on the site, every tree to be retained shall be securely fenced- off as delineated in approved plans. Such fences shall remain continuously in place for the duration of the work undertaken in connection with the development.

2) If the proposed development, including any site work, will encroach upon the tree protection zone, special measures shall be utilized, as approved by the project arborist, to allow the roots to obtain necessary oxygen, water, and nutrients.

(3) Underground trenching shall avoid the major support and absorbing tree roots of protected trees. If avoidance is impractical, hand excavation undertaken under the supervision of the project arborist may be required. Trenches shall be consolidated to service as many units as possible. Boring/tunneling under roots should be considered as an alternative to trenching.

(4) Concrete or asphalt paving shall not be placed over the root zones of protected trees, unless otherwise permitted by the project arborist.

(5) Artificial irrigation shall not occur within the root zone of native oaks, unless deemed appropriate on a temporary basis by the project arborist to improve tree vigor or mitigate root loss.

(6) Compaction of the soil within the tree protection zone shall be avoided.

(7) Any excavation, cutting, or filling of the existing ground surface within the tree protection zone shall be minimized and subject to such conditions as the project arborist may impose. Retaining walls shall likewise be designed, sited, and constructed to minimize their impact on protected trees.

(8) Burning or use of equipment with an open flame near or within the tree protection zone shall be avoided. All brush, earth, and other debris shall be removed in a manner that prevents injury to the tree.

(9) Oil, gas, chemicals, paints, cement, stucco or other substances that may be harmful to trees shall not be stored or dumped within the tree protection zone of any protected tree, or at any other location on the site from which such substances might enter the tree protection zone of a protected tree.

(10) Construction materials shall not be stored within the tree protection zone of a protected tree.

PROJECT ARBORIST DUTIES & INSPECTION SCHEDULE

Supervision of site: Prior to equipment and materials move in, site work, demolition and landscape construction:
(1) The project arborist shall meet with the tree removal company to verify trees to be removed.
(2) The project arborist shall meet with the tree pruning company and supervise the clearance pruning performed on each tree so designated.

Inspection of site: Prior to equipment and materials move in, site work, demolition, landscape construction and tree removal: The project arborist will meet with the general contractor, architect / engineer, and owner or their representative to review tree preservation measures, designate tree removals, delineate the location of tree protection fencing, specify equipment access routes and materials storage areas, review the existing condition of trees and provide any necessary recommendations.

Inspection of site: After installation of TPZ fencing: Inspect site for the adequate installation of tree preservation measures. Review any requests by contractor for access, soil disturbance or excavation areas within root zones of protected trees. Assess any changes in the health of trees since last inspection.

Inspection of site: During excavation or any activities that could affect trees: Inspect site during any activity within the Tree Protection Zones of preserved trees and any recommendations implemented. Assess any changes in the health of trees since last inspection.

Final Inspection of Site: Inspection of site following completion of construction. Inspect for tree health and make any necessary recommendations.

TREE WORK STANDARDS AND QUALIFICATIONS

All tree work, removal, pruning, planting, shall be performed using industry standards of workmanship as established in the Best Management Practices of the International Society of Arboriculture (ISA) and the American National Standards Institute (ANSI A 300 series), and safety (ANSI Z133.1).

Contractor licensing and insurance coverage shall be verified.

During tree removal and clearance, sections of the Tree Protection Fencing may need to be temporarily dismantled to complete removal and pruning specifications. After each section is completed, the fencing is to be re-installed.

Trees requiring removal are listed in the attached *Tree Assessment Chart – Appendix A*

Trees to be removed shall be cut into smaller manageable pieces consistent with safe arboricultural practices, and carefully removed so as not to damage any surrounding trees or structures. The trees shall be cut down as close to grade as possible. Tree removal is to be performed by a qualified contractor with valid City Business/State Licenses and General Liability and Workman's compensation insurance.

TREE REPLACEMENT RECOMMENDATIONS

The removal of trees can be offset by replacement planting.
The number and species of replacement trees or shrubs shall be determined by the City of Scotts Valley Community Development Director. Typical replacement ratios are one 15-gallon tree planted for every tree removed. They should be placed in areas where ample light for establishment can be found and where they do not present safety concerns.

Below is a summary of total trees removed, retained and proposed for replanting.

Total Protected Trees Removed:	22
Total Protected Trees Retained:	17
Total Protected Trees Removal or Retain T.B.D.	1
Total Trees To be Replanted:	22

The proposed replanting ratio is one tree replanted for every tree removed. There is ample space to plant 22 new, small to medium sized trees on the proposed 12 residential lots.

DEVELOPMENT SITE TREE HEALTH CARE MEASURES

RECOMMENDED TO PROVIDE OPTIMUM GROWING CONDITIONS, PHYSIOLOGICAL INVIGORATION AND STAMINA, FOR PROTECTION AND RECOVERY FROM CONSTRUCTION IMPACT.

Establish and maintain TPZ fencing, trunk and scaffold limb barriers for protection from mechanical damage, and other tree protection requirements as specified in the arborist report.

Project arborist to specify site-specific soil surface coverings (wood chip mulch or other) for prevention of soil compaction and loss of root aeration capacity.

Soil, water and drainage management is to follow the ISA BMP for "Managing Trees During Construction" and the ANSI Standard A300(Part 2)- 2011 Soil Management (a. Modification, b. 'Fertilization, c. Drainage.)

Fertilizer / soil amendment product(s), amounts and method of application to be specified by certified arborist.

ADDITIONAL TREE PROTECTION SPECIFICATIONS REQUIRED

This is a preliminary tree resource evaluation only.

When final architectural and civil plans are completed, and decisions are made by the Scotts Valley planning department and the developer about which trees are to be retained and protected, then further tree protection measures can be specified.

Respectfully submitted,

Kurt Fouts

Kurt Fouts ISA Certified Arborist WE-0681A

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
scharborgrounds@yahoo.com

Erba Lane Housing Project - Scotts Valley

Tree Assessment Chart - Appendix A

Suitability for Preservation Ratings:

Good: Trees in good health and structural condition with potential for longevity on the site

Fair: Trees in fair health and/or with structural defects that may be reduced with treatment procedures

Poor: Trees in poor health and/or with poor structure that cannot be effectively abated with treatment

Retention or Removal Code:

R.T.: Retain Tree
R..I: Remove Due to Construction Impacts

I.M. Impacts Can Be Mitigated With Pre-Construction Treatments

R.C. Remove Due to Condition

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T1	coast live oak (Quercus agrifolia)	28"	Yes	40'X30'	Fair	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. Fallen tree. Root plate partially uprooted (See image #1). Tree still vital and producing green foliar canopy. Co-dominant trunks at 9' above grade. Lower trunk is horizontal and straddles intermittent stream. Recommend removal. Or retain for habitat. Tree is a low hazard. *Tagged and marked with blue flagging tape.*
T2	coast live oak	10",7"	Yes	18'X22'	Fair	Fair	Fair	13'	Low (Canopy loss - ground clearance pruning)	R.T.	On City of Scotts Valley property. Co-dominant trunks at 1' above grade. Suppressed canopy growth by taller adjacent trees. Strong horizontal growth to southwest creates an unbalanced canopy. Low canopy clearance (5' above grade), will require clearance pruning, if tree is retained. Minor trunk decay at 1' above grade from previous limb failure.
T3	coast live oak	22"	Yes	45'X20'	Fair	Fair	Fair	22'	Low (Canopy loss- bldg. clearance pruning & root pruning - pathway installation.	R.T. I.M.	Trunk has 10 degree lean. Unbalanced canopy. Growth towards southwest. Moderate beetle infestation in trunk to 10' above grade. Exit holes in bark and large amount of frass around base of trunk indicates moderate borer activity. If tree is retained, consultation with Plant Health Care specialist recommend as pest treatments may be indicated.
T4	coast live oak	34"	Yes	55'X40'	Good	Good	Good	26'	Low (Canopy loss - minimal bldg. clearance pruning)	R.T.	On City of Scotts Valley property. Mature, well structured tree, with minimal decay. Some epicormic growth on lateral limbs. Very good specimen.

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
scharborgrounds@yahoo.com

11/16/2017

Erba Lane Housing Project - Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T5	coast live oak (*Quercus agrifolia*)	17",17",14"	Yes	35'X22'	Fair	Fair	Fair	20'	High (Canopy loss - bldg. clearance pruning & root loss-foundation installation).	R.I.	Co-dominant trunks (3), at 1' above grade. Strong horizontal growth to southwest creates an unbalanced canopy. Canopy growth moderately thin. Low canopy clearance (4' above grade), on southwest side. Cannot be effectively clearance pruned without significant tree structure damage.
T6	coast live oak	10"	Yes	20'X15'	Poor	Poor	Poor	N/A	N/A	R.C.	Missing bark and significant amounts of decay at lower trunk area. Minor borer infestation.
T7	coast live oak	15"	Yes	20'X20'	Fair	Poor	Poor	N/A	N/A	R.C.	Co-dominant trunks at 17' above grade. Trunk has 15 degree lean to southwest. Suppressed canopy growth, from larger adjacent trees. Upper trunk has extreme bend with growth to southwest, creating an unbalanced canopy. Lack of secondary branching structure.
T8	coast live oak	44"	Yes	48'X40'	Fair	Fair	Fair	28'	Low (Canopy loss - minimal bldg. clearance pruning)	R.T.	On City of Scotts Valley property. Co-dominant trunks at 8' above grade. Trunk has 30 degree lean to south. Strong scaffold (main branches), growth to southwest, creating an unbalanced canopy. Tree has good vigor but some deadwood and decay from poor pruning cuts. If tree is retained, cabling of two main trunks is recommended as risk reduction treatment.
T9	coast live oak	12"	Yes	21'X25'	Fair	Poor	Poor	12'	N/A	R.C.	On City of Scotts Valley property. Trunk has 5 degree lean to west. 16" cavity at 18" above grade. Suppressed canopy growth from adjacent trees. Thin canopy with small branch and twig dieback over 50 percent of canopy. Remove or retain for habitat.
T10	coast live oak	27"	Yes	42'X40'	Fair	Fair	Fair	20'	Low (Canopy loss - bldg. clearance pruning)	R.T. I.M.	On City of Scotts Valley property. Trunk has 40 degree lean to west. Structural limbs show strong weight bias to southwest, creating an unbalanced canopy. Moderate Western Sycamore Borer (*Synanthedon resplendens)* , activity in lower trunk area.
T11	coast live oak	10"	Yes	15'X35'	Fair	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. Tree consists of one horizontal trunk, varying between 40-90 degrees (no secondary branching), with an 8'X8' canopy at end. Trunk rests on and is partially supported by tree #T10.

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
scharborgrounds@yahoo.com

11/16/2017

Erba Lane Housing Project - Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T12	coast live oak (*Quercus agrifolia*)	15",13",12"	Yes	50'X18'	Fair/ Poor	Poor	Poor	21'	N/A	R.C.	Co-dominant trunks (three) at 2 & 3' above grade, with included bark. All trunks with strong growth habit and weight bias to southwest, creating an unbalanced canopy. Minor deadwood and decay present at previous limb failures. Dieback and decay of some branches up to 2" in diameter.
T13	coast live oak	16"	Yes	20'X30'	Fair	Fair	Fair	12'	None	R.T.	On City of Scotts Valley property. Narrow canopy. Very upright growth, but stable structure.
T14	coast live oak	8"	Yes	20'X10'	Poor	Fair	Poor	8'	N/A	R.C.	On City of Scotts Valley property. Co-dominant trunks at 6' above grade, with included bark. Dieback and decay on several branches up to 2" in diameter. Twig dieback over 35 percent of canopy
T15	coast live oak	17"	Yes	33'X30'	Fair	Poor	Poor	N/A	N/A	R.C.	Trunk has 10 degree lean to southwest. Co-dominant trunks at 12' above grade. Dieback of lower canopy limbs , up to 2" in diameter, with epicormic growth.
T16	coast live oak	28"	Yes	50'X40'	Fair	Fair	Fair	21'	Low (Canopy loss - minimal bldg. clearance pruning)	R.T.	Trunk has 10 degree lean to southwest. Co-dominant trunks at 12' above grade. Dieback of lower canopy limbs , up to 2" in diameter, with epicormic growth.
T17	coast live oak	15"	Yes	15'X30'	Fair	Poor	Poor	N/A	N/A	R.C.	Tree consists of one horizontal trunk, varying between 40-90 degrees (no secondary branching), with an 8'X8' canopy at end.
T18	coast live oak	27"	Yes	38'X38'	Fair	Fair-poor	Fair	21'	High (Canopy loss - bldg. clearance pruning)	R.I.	Co-dominant trunks (three) at 2' above grade, with included bark. & 3' above grade, with included bark. All trunks with strong growth habit and weight bias to south, creating an unbalanced canopy. 5"X5" cavity in one trunk at 10' above grade. One 6" diameter limb is fractured at 12' above grade. End of branch hits ground. Cannot be effectively clearance pruned without significant tree structure damage.

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
scharborgrounds@yahoo.com

Erba Lane Housing Project - Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T19	coast live oak (*Quercus agrifolia*)	14"	Yes	15'X35'	Fair	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. Extreme horizontal trunk growth to southwest. Cavity and decay at trunk base. Trunk is partially supported by tree T18.
T20	coast live oak	13"	Yes	17'X18'	Fair	Poor	Poor	N/A	N/A	R.C.	Co-dominant trunks, with included bark, at 5' above grade. Strong growth and weight bias to southwest, creating an unbalanced canopy. Moderate failure risk.
T21	coast live oak	22"	Yes	60'X30'	Good	Fair	Fair	17'	Low (Canopy loss - minimal bldg. clearance pruning)	R.T.	On City of Scotts Valley property. Trunk leans 10 degrees to south. Mature specimen with good branching structure.
T22	coast live oak	8"	Yes	10'X30'	Poor	Poor	Poor	N/A	N/A	R.C.	Tree consists of one horizontal trunk (no secondary branching), with an 5'X5' canopy at end.
T23	coast live oak	19"	Yes	33'X35'	Fair	Poor	Poor	N/A	N/A	R.C.	Trunk grows at a 45 degree angle. No secondary branching structure. Canopy growth limited to a very end of trunk
T24	coast live oak	10"	Yes	25'x30'	Poor	Poor	Poor	N/A	N/A	R.C.	Lower trunk has a 20 degree lean. Upper trunk has strong horizontal growth and weight bias to south, creating an unbalanced canopy. Limited secondary branching and canopy development. Dieback of small branches and twigs up to 2" in diameter over 35 percent of canopy.
T25	coast live oak	14"	Yes	45'X35'	Fair	Fair	Fair	11'	Low (Canopy loss - minimal bldg. clearance pruning)	R.T.	May be located (partially) on City of Scotts Valley property. Trunk has 15 degree lean to southwest. Co-dominant trunks with included bark, at 13' above grade. Cabling of two main trunks for risk reduction recommended.

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
scharborgrounds@yahoo.com

Erba Lane Housing Project - Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T26	coast live oak (*Quercus agrifolia*)	21"	Yes	35'X30'	Fair	Fair-Poor	Fair	21'	Low (Canopy loss - minimal bldg. clearance pruning)	R.T.	On City of Scotts Valley property. Strong horizontal growth and weight bias to southwest.
T27	coast live oak	22"	Yes	20'X30'	Fair	Fair	Fair	17'	Moderate-High (Canopy loss - bldg. clearance pruning).	R.T. or R.I.	May be located (partially) on City of Scotts Valley property. Strong horizontal growth and weight bias to southwest. Requires field decision during construction phase, to determine if amount of canopy/branch structure loss due to bldg. clearance pruning will significantly damage tree structure.
T28	coast live oak	32"	Yes	48'X42'	Fair	Fair	Fair	24'	Moderate (Canopy loss - bldg. clearance pruning, Root loss - foundation excavation).	R.T. I.M.	On City of Scotts Valley property. Large, mature and broad canopied specimen. Co-dominant trunks with included bark, at 8' above grade. Weight bias to southwest. Normal amounts of new growth indicates good vigor, but epicormic growth (stress indicator), present over 8o percent of main scaffolds. Needs maintenance pruning. Cabling of main scaffolds recommended for risk reduction. Requires removal of two 12" diameter limbs.
T29	coast live oak	14"	Yes	12'X8'	Fair	Poor	Poor	N/A	N/A	R.C.	May be located (partially) on City of Scotts Valley property. Tree consists of one horizontal trunk (no secondary branching), with an 8'X 8' canopy at end.
T30	coast live oak	13"	Yes	15'X12'	Fair	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. Tree consists of one horizontal trunk (no secondary branching), with an 12' X 12' canopy at end.
T31	coast live oak	9"	Yes	16'X10'	Fair	Fair	Fair	10'	None	R.T.	On City of Scotts Valley property. Suppressed growth habit from larger adjacent trees. Poor wound wood formation, with deadwood and decay on pruning cut at 4' above grade. Indicates lack of energy reserves or poor pruning cut.
T32	coast live oak	10"	Yes	25'X10'	Poor	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. No secondary branching. Live foliage limited to 10' X 10' canopy at end of trunk.

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
scharborgrounds@yahoo.com

Erba Lane Housing Project - Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T33	coast live oak (*Quercus agrifolia*)	13"	Yes	10'X7'	Fair	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. Trunk leans 45 degrees to south. No secondary branching structure. Canopy growth limited to end of trunk.
T34	coast live oak	11"	Yes	40'X20'	Fair	Fair	Fair	10'	None	R.T.	On City of Scotts Valley property. Limited secondary branching on bottom two-thirds of trunk.
T35	coast live oak	30"	Yes	48'X30'	Good	Fair	Fair	23'	Low (Canopy loss - bldg. clearance pruning)	R.T. I.M.	On City of Scotts Valley property. Trunk leans 45 degrees to southwest. Co-dominant trunks with included bark at 14' above grade. Strong growth and weight bias to southwest, creating an unbalanced canopy. Further examination and assessment by climbing, of attachment point of two main trunks is recommended. Cabling of two main trunks for risk reduction is recommended. Removal of several 3-5" diameter limbs for building clearance is required.
T36	coast live oak	8",7"	Yes	20'X18'	Poor	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. Co-dominant trunks at 2' above grade. Suppressed growth from larger adjacent trees. 15" X10" cavity at trunk base with deadwood and decay. Remove or retain for habitat, low risk.
T37	coast live oak	12"	Yes	20'X20'	Good	Fair	Fair	10'	None	R.T.	On City of Scotts Valley property. Trunk leans 15 degrees to south. Strong growth and weight bias to southeast.
T38	coast live oak	20"	Yes	30'X30'	Fair	Fair	Fair	15'	Low (Canopy loss - bldg. clearance pruning)	R.T. I.M.	On City of Scotts Valley property. Trunk leans 45 degrees to southwest. Co-dominant trunks with included bark at 15' above grade. Strong growth and weight bias to southwest crating an unbalanced canopy. Flagging (dieback and retention of dead leaves at branch ends), over 15 percent of canopy, caused by various fungal species, not significant. Co-dominant trunks with included bark at 14' above grade. Strong growth and weight bias to southwest, creating an unbalanced canopy. Further examination and assessment by climbing, of attachment point of two main trunks is recommended. Removal of one 9" diameter limb for building clearance is required.

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
scharborgrounds@yahoo.com

Erba Lane Housing Project - Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T39	coast live oak	14"	Yes	18'X18'	Good	Good	Good	11'	High (Canopy loss - bldg. clearance pruning & root loss- foundation installation.	R.I.	Planted in parking landscape island at northeast corner of property.
T40	coast live oak (*Quercus agrifolia*)	14"	Yes	18'x18'	Good	Good	Good	11'	Low (Root loss - deck piers installation, canopy loss - deck clearance pruning).	R.T. I.M.	Planted in parking landscape island at northeast corner of property.
Kurt Fouts Arborist Consultant 826 Monterey Avenue Capitola, CA 95010 831-359-3607 scharborgrounds@yahoo.com							Page 7 of 7				11/16/2017

APPENDIX B – CRITERIA FOR TREE ASSESSMENT CHART

Following is an explanation of the data used in the tree evaluations. The data is incorporated in the *Tree Assessment Chart, Appendix A.*

Trunk Diameter and Number of Trunks:

Trunk diameter as measured at 4.5 feet above grade. The number of trunks refers to a single or multiple trunked tree. Multiple trunks are measured at 4.5 feet above grade.

Health Ratings:

Good: A healthy, vigorous tree, reasonably free of signs and symptoms of disease

Fair: Moderate vigor, moderate twig and small branch dieback, crown may be thinning and leaf color may be poor

Poor: Tree in severe decline, dieback of scaffold branches and/or trunk, most of foliage from epicormics

Structure Ratings:

Good: No significant structural defects. Growth habit and form typical of the species

Fair: Moderate structural defects that might be mitigated with regular care

Poor: Extensive structural defects that cannot be abated.

Suitability for Preservation Ratings:

Rating factors:

Tree Health: Healthy vigorous trees are more tolerant of construction impacts such as root loss, grading and soil compaction, then are less vigorous specimens.

Structural integrity: Preserved trees should be structurally sound and absent of defects or have defects that can be effectively reduced, especially near structures or high use areas.

Tree Age: Over mature trees have a reduced ability to tolerate construction impacts, generate new tissue and adjust to an altered environment. Young to maturing specimens are better able to respond to change.

Species response: There is a wide variation in the tolerance of individual tree species to construction impacts.

Rating Scale:

Good: Trees in good health and structural condition with potential for longevity on the site

Fair: Trees in fair health and/or with structural defects that may be reduced with treatment procedures.

Poor: Trees in poor health and/or with poor structure that cannot be effectively abated with treatment. Trees can be expected to decline or fail regardless of construction impacts or management

Construction Impacts:

Rating Scale:

High: Development elements proposed that are located within the Tree Protection Zone that would severely impact the health and/or stability of the tree. These elements cannot be mitigated without design changes.

Moderate: Development elements proposed that are located within the Tree Protection Zone that will impact the health and/or stability of the tree and can be mitigated with tree protection treatments.

Low: Development elements proposed that are located within or near the Tree Protection Zone that will impact the health of the tree and can be mitigated with tree protection treatments

None: Development elements will have no impact on the health and stability of the Tree.

Tree Protection Zone (TPZ):

Defined area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees, particularly during construction or development.

Tree Location & Protection Plan

Sheet T1

11/30/2017

Legend

Tree Location & Number	⊙ T1
Remove Tree	X
Tree Protection Fencing	- - - - -
Canopy Extents	

100 YR STORM FLOOD BOUNDARY

BASKETBALL AREA @ END OF DRIVE

CITY OF SCOTTS VALLEY APN: 022-481-19

TOP OF BANK

SUBJECT TO FLOOD

(14) WOOD STEPS

NEW PATHWAY TO EXIST. BRIDGE TO PARK

CONC LANDING

CONC SLURRY (BRIDGE) OVER 36" PIPES

FL (DRY) CREEK

WOOD STEPS & LANDING

SUBJECT TO FLOOD

20-PM-51 PARCEL 2

TOP OF BANK

78" RCP TOP=598.21

76" RCP INV=590.76 OUT

CBL PDSTL

DEDICATION OF RIDGECREST DRIVE 4929-OR-259

(469.92')1 R+M

(N 22°52'00" W 573.13')2

(S 62°37'14" W 573.14')2

20-PM-51 PARCEL 3

2 COMMON PARKING SPACES

SSMH RIM: 602.66' INV 6"OUT: 595.16'

AC SWALE

AC TRENCH

PHONE PEDESTAL

ERBA LANE (50')

EDGE OF PAVEMENT

CONCRETE VALLEY GUTTER

NORTHERN BOUNDARY OF 1462-OR-664. CONTINUES SOUTHERLY TO SCOTTS VALLEY DRIVE

APPROXIMATELY 510' TO SCOTTS VALLEY DRIVE

PARCEL 2 50' WIDE R.O.W. "D" PER 20-PM-51

FOUND 1-1/2" IRON PIPE, OPEN PER 62-PM-7

SSMH RIM: 578.17' INV 6"IN: 570.37' 6"OUT: 570.27

26.51 (26.46')3

FOUND 1/2" IRON PIPE, OPEN PER 62-PM-7

FOUND BRASS DISC STREET MONUMENT PER 62-PM-7 CENTERLINE CIVIC CENTER DRIVE

50' R.O.W. "C" PER 20-PM-51

20' WIDE WATER, STORM & SEWER EASEMENT PER 3696-OR-574

62-PM-7 PARCEL A

36" RCP STANDPIPE RIM: 575.85' INV: 568.43' (24" RCP)

25' SETBACK FROM 100 YEAR FLOOD LINE

4585 ENSEMBLE LLC DOC #2015-0006483 APN: 022-481-20

T1-28"
T2-10",7"
T3 -30"
T4 34"
T5-17",17",14"
T6-10"
T7-15"
T8 -44"
T9 -12"
T10-27"
T11-10"
T12-15",13",12"
T13-16"
T14-15"
T15-17"
T16 -28"
T17-15"
T18-21"
T19-14"
T20 - 13"
T21-22"
T22-
T23-19"
T24-14"
T25-14"
T26-21"
T27-22"
T28-32"
T29-14"
T30 -13"
T31 -9"
T32-40"
T33-13"
T34-11"
T35-30"
T36-9",7"
T37-12"
T38-20"
T39 -14"
T40 14"

S 22°52'00" E 90.05'

N 61°39'50" E (N 62°37'14" E) 532.09')1 532.14'

S 10°00'57" E 325.29'

1650 SF Home 480 SF GARAGE

1830 SF Home 480 SF GARAGE

2115 SF Home 480 SF GARAGE

1860 SF Home 435 SF GARAGE

DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF

CONTOUR INTERVALS = 1 FOOT

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)

1 inch = 20 ft.

Preliminary Design for Erba Lane Housing by:

DAVID B. ZULIM INC.

DESIGN ENGINEERING PLANNING 150 FELKER ST. SUITE "F" · SANTA CRUZ, CA 95060 · Telephone 831-425-8769 ·

Job #: 632-17A Date: 7-11-17

Base Map Provided by Boman & Williams : Consulting Civil Engineers

Kurt Fouts Arborist Consultant

826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

REVISED

SEPT. 23, 2016 ADD TOPOGRAPHIC SURVEY OF DRAINAGE CHANNEL

AUG. 3, 2016 AFFECTS OF PRELIM. DATED 6-21-16 STEWART TITLE ORDER NO. 01180-202943

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
1011 CEDAR STREET
SANTA CRUZ, CA 95060
(831) 426-3560

100 YEAR FLOOD BOUNDARY EXHIBIT

SCOTTS VALLEY HOUSING, LLC
RECORDERS SERIAL NO. 2015-0034997
ERBA LANE, SCOTTS VALLEY
SANTA CRUZ COUNTY, CALIFORNIA

SCALE 1" = 20'	DRAWN ML	JOB NO. 26390	SHEET 1
DATE NOVEMBER 18, 2016	CHECKED JRN	INDEX SAN AUG 5	OF 1
FIELDWORK ML	DWG NAME 26390	FILE NO. 26390	

J:\B&W\26300\26390 - SV Housing, LLC Erba Lane\dwg\FLOOD BOUNDARY EXHIBIT.dwg, 12/16/2016 2:25:40 PM, DMG to PDF.pc3



Image #1 – Many of the trees have a strong trunk lean.



Image #2 – Strong trunk leans and un-balanced canopies (circled), typical of grove.



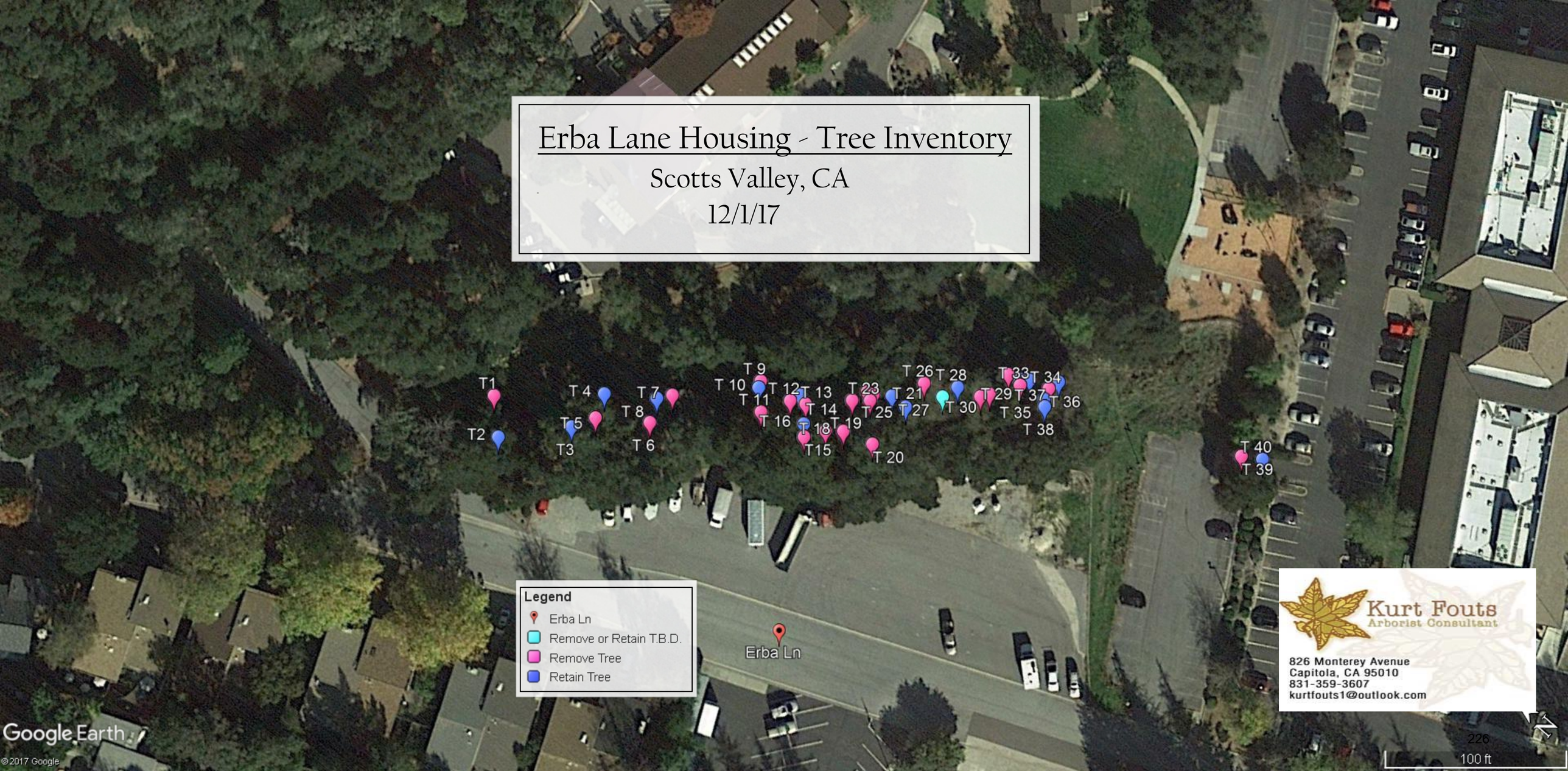
Image #3 – Tree T5, trunk lean and unbalanced canopy. Tree T5 is recommended for removal.



Image #4 – Tree T4 – Upright and stable structure.

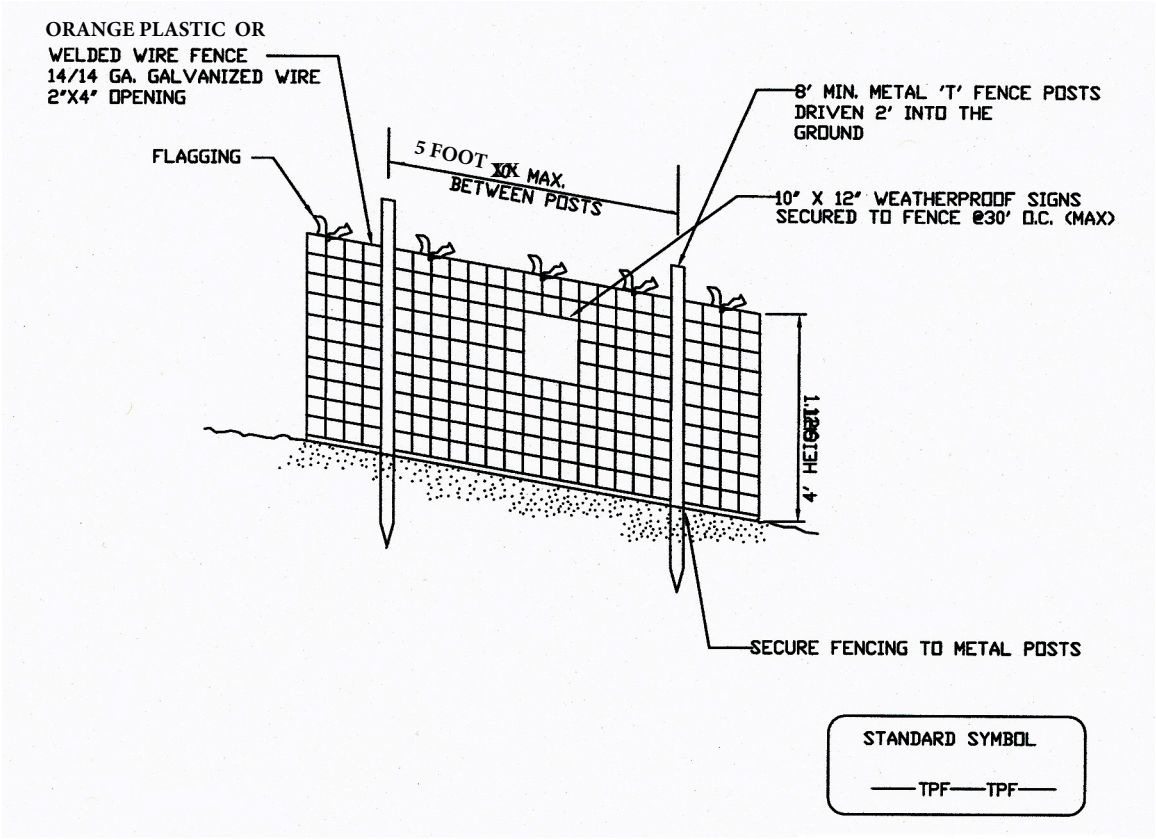


Image #5 – Tree T29. Many trees in the grove have horizontal trunk growth and minimal canopy formation similar to T29. Tree T29 is recommended for removal.


Erba Lane Housing - Tree Inventory
Scotts Valley, CA
12/1/17
T1
T2
T3
T4
T5
T6
T7
T8
T9
T10
T11
T12
T13
T14
T15
T16
T18
T19
T20
T23
T25
T26
T27
T28
T29
T30
T33
T34
T35
T36
T37
T38
T40
T39
Legend
Erba Ln
Remove or Retain T.B.D.
Remove Tree
Retain Tree
Erba Ln
Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com
Google Earth
©2017 Google
226
100 ft

Tree Protection Fence Detail

Not to scale



NOTES

1. Practice may be combined with sediment control fencing.
2. Location and limits of fencing should be coordinated in field with arborist.
3. Boundaries of protection area should be staked prior to installing protective device.
4. Root damage should be avoided.
5. Protection signage is required.
6. Fencing shall be maintained throughout construction.

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
scharborgrounds@yahoo.com

Warning

Tree Protection Zone

Keep Out

NOTICE: PROTECTIVE FENCING IS REQUIRED ON THIS JOB SITE.
REMOVAL OR DAMAGE OF THIS FENCING MAY RESULT IN A FINE

This sign must be prominently displayed. Fencing may not be moved or removed without permission of the Project Arborist.
During demolition and construction, all reasonable steps necessary to prevent damage, or the destruction of protected trees is required. Failure to comply with all precautions may result in a STOP WORK order being issue by the regulating agency.

No Entry without Project Arborist Authorization
Kurt Fouts –Arborist Consultant- 831 – 359 -3607

ASSUMPTIONS AND LIMITING CONDITIONS

1. Any legal description provided by the appraiser/consultant is assumed to be correct. No responsibility is assumed for matters legal in character nor is any opinion rendered as the quality of any title.
2. The appraiser/consultant can neither guarantee nor be responsible for accuracy of information provided by others.
3. The appraiser/consultant shall not be required to give testimony or to attend court by reason of this appraisal unless subsequent written arrangements are made, including payment of an additional fee for services.
4. Loss or removal of any part of this report invalidates the entire appraisal/evaluation.
5. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person(s) to whom it is addressed without written consent of this appraiser/consultant.
6. This report and the values expressed herein represent the opinion of the appraiser/consultant, and the appraiser/consultant's fee is in no way contingent upon the reporting of a specified value nor upon any finding to be reported.
7. Sketches. Diagrams. Graphs. Photos. Etc., in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys.
8. This report has been made in conformity with acceptable appraisal/evaluation/diagnostic reporting techniques and procedures, as recommended by the International Society of Arboriculture.
9. When applying any pesticide, fungicide, or herbicide, always follow label instructions.
10. No tree described in this report was climbed, unless otherwise stated. We cannot take responsibility for any defects which could only have been discovered by climbing. A full root collar inspection, consisting of excavating around the tree to uncover the root collar and major buttress roots, was not performed, unless otherwise stated. We cannot take responsibility for any root defects which could only have been discovered by such an inspection.

CONSULTING ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education. Knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce risk of living near trees, Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like medicine, cannot be guaranteed.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

MEMBER INTERNATIONAL SOCIETY OF ARBORICULTURE ISA ™

SUMMARY ARBORIST REPORT-
Revisions to Preliminary Tree Inventory & Assessment for:

Erba Lane Housing – Scotts Valley

ERBA LANE -– APN 022-081-34 &35

3/27/2020

Prepared for:

Larry Abitol
Scotts Valley Housing LLC
505 Ironwood Drive
Soquel, CA 95

Prepared by:

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

ISA Certified Arborist WE0681A

Revisions

A revised grading exhibit (see attached Grading Exhibit by Bowman & Williams, dated 3/13/2020), has been completed for the housing project at Erba Lane. The impacts to the existing trees have been reevaluated based on the revised exhibit and site plan.

A biotic assessment has been completed and the recommendation is to retain all coast live oaks within the riparian area.

All coast live oaks are to be retained regardless of condition, unless impacts will significantly affect the trees condition. Note that trees recommended for removal due to condition in the Tree Assessment Chart, arborist report dated 11/30/2020, will be retained.

As noted in the arborist report, some trees will require targeted clearance pruning. The degree of pruning required will be reduced based on the new grading exhibit and will primarily involve attaining clearance for grading equipment. Two trees T29 and T30 with horizontal trunks and limited canopies may require hand grading instead of mechanical grading near them, as clearance pruning may not be feasible.

Except for two trees adjacent to the new Lot 6, the revised construction impacts to the trees in the riparian area, will be slightly reduced. Most of the homes will be built further from the trees than in the initial site plan, and therefore less of the trees rooting area will be lost. Canopy losses will also be reduced as less clearance pruning from the new homes will be necessary, which allows the trees to retain more stored energy.

Two coast live oak trees, T5 and T18 that were recommended for removal, are now recommended for retention, due to reduced impacts, including reduced root loss and canopy loss.

One tree T27, coast live oak, who's status (remove or retain), was to be determined after field staking for grading, is now recommend for retention, as it is further from the grading limits.

Two coast live oak trees, T35 and T38, that were recommended for *retention*, will have increased impacts. However, if mitigation measures are implemented and depending on field staking locations, it may be possible to retain one or both trees.

One coast live oak tree T40, previously recommend for retention will require removal due to revised construction impacts. The tree is located in a parking lot island, outside of the riparian area.

Future growing conditions for most of the coast live oaks will also slightly improve, as more soil area will be retained allowing for a larger rooting area. An increased soil area also means more water will be available to the trees.

The anticipated impacts to the above trees T5,T18,T27,T35, T38 & T40 have been updated in the Tree Assessment Chart, Appendix A, and are included in the revised report.

Tree Replacement

Two protected trees T39 and T40, located in a parking island and outside the riparian area will require removal. If after field staking, it is determined that either tree T35 and/or tree T38 require removal, replacement trees as mitigation will be required. The City of Scotts Valley recommends a minimum ratio of two trees are to be replanted (15 gallon or 24-inch box size), for every "protected" tree removed. Therefore, between four and eight replacement trees will be required. Recommended replacement locations are included on the attached grading exhibit.

Recommendations

1. After grading stakes are placed, the project arborist, the grading equipment operator and the tree service company should meet to review the extent of pruning required to achieve clearance from grading equipment operations.

2. Plant four 15-gallon, coast live oak replacement trees as mitigation for the removal of coast live oak trees, T39 and T40, in the locations recommend on the attached grading exhibit.

3. If either tree T35 or T38 requires removal, plant two 15-gallon coast live oak, for each tree removed, in the locations identified on the attached grading exhibit.

Once final plan sets are completed, a tree protection plan, containing tree protection specifications, will be required.

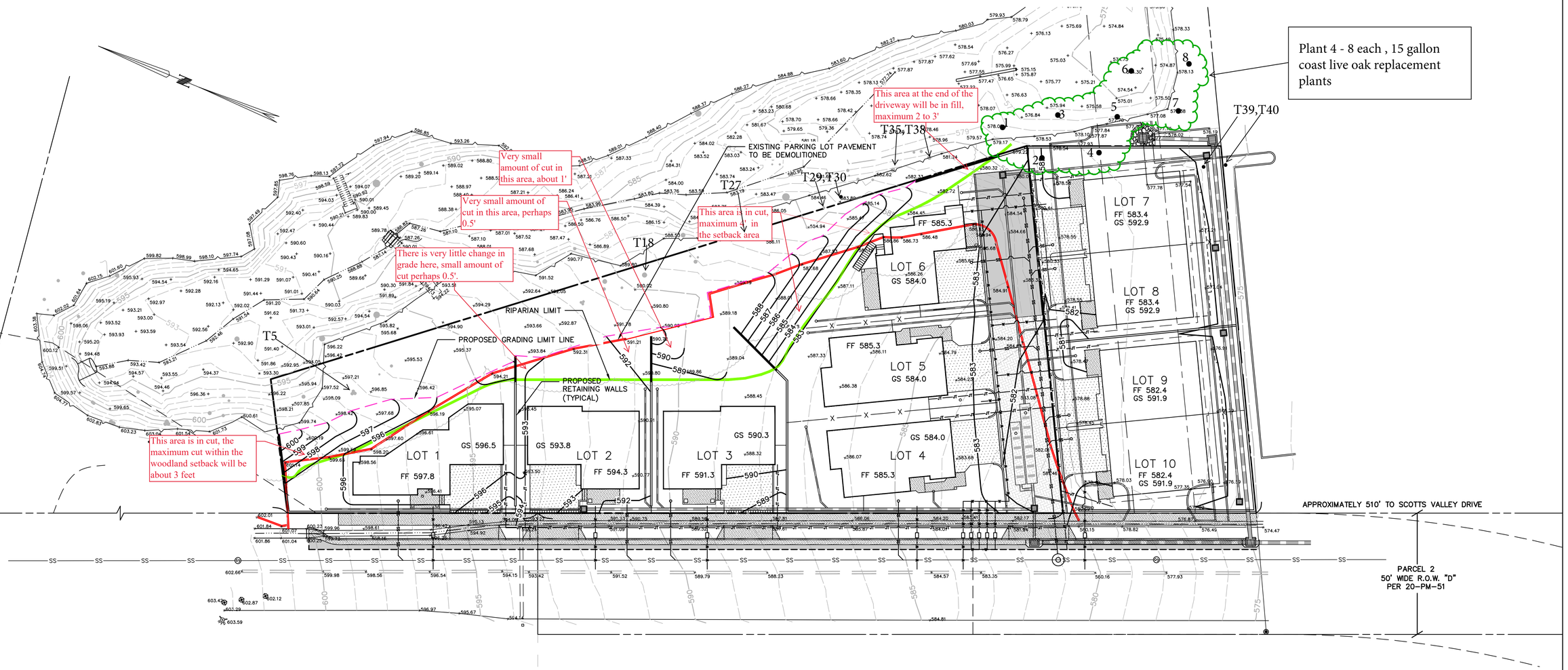
Any questions regarding these revisions can be directed to my office.

Respectfully submitted,

Kurt Fouts

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

Kurt Fouts ISA Certified Arborist WE-0681A



GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

DISCLAIMER

THE DATA SET FORTH ON THIS SHEET IS THE PROPERTY OF BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS. IT IS AN INSTRUMENT OF SERVICE AND MAY NOT BE REPRODUCED, ALTERED, OR USED WITHOUT THE CONSENT OF THE ENGINEER. THE PROPER ELECTRONIC TRANSFER OF DATA SHALL BE THE USER'S RESPONSIBILITY WITHOUT LIABILITY TO THE ENGINEER. UNAUTHORIZED USE IS PROHIBITED.

APN 022-481-18

REVISED

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
AND LAND SURVEYORS
3949 RESEARCH PARK COURT, SUITE 100
SOQUEL, CA 95073-2094
(831) 426-3560

GRADING EXHIBIT

SCOTTS VALLEY HOUSING, LLC
RECORDERS SERIAL NO. 2015-0034997
ERBA LANE, SCOTTS VALLEY
SANTA CRUZ COUNTY, CALIFORNIA

SCALE 1" = 20'	DRAWN CMM	JOB NO. 26390	SHEET
DATE MARCH 13, 2020	CHECKED JRN	INDEX SAN AUG 5	1
DESIGN CMM	DWG NAME GRADING EX	FILE NO. 26390	OF 1

Appendix C 4/29/2020

Erba Lane Housing Project – Scotts Valley

Tree Appraisal and Valuation

The City of Scotts Valley requires valuation of all protected trees on or adjacent to a construction project. The value of twenty-four, (24) trees located within 20 feet of the project grading limits has been appraised. References included, 1) *Guide for Plant Appraisal 9th Edition, 2) Species Classification and Group Assignment,* (Wester Chapter Edition).

The total appraised value is $152,427 The criteria and results for appraisal are included in the attached spreadsheet, *Appendix C, Appraised Value of "Protected" Trees – Trunk Formula Method.*

Appendix C

Erba Lane Housing Project - Scotts Valley

Appraised Value of "Protected" Trees - Trunk Formula Method

Tree #	Species	Trunk Diameter @ 4.5'	Basic Tree Cost	Species	Condition	Site	Contribution	Placement	Appraised Value
T2	coast live oak (*Quercus agrifolia*)	10",7"	$8,114	90%	66%	75%	85%	75%	**$3,760**
T3	coast live oak	22"	$19,343	90%	63%	75%	85%	75%	**$8,600**
T5	coast live oak	17",17"	$24,389	90%	66%	75%	85%	75%	**$11,300**
T6	coast live oak	10"	$5,600	90%	50%	75%	85%	75%	**$1,990**
T7	coast live oak	15"	$10,115	90%	63%	75%	85%	75%	**$4,470**

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

Sheet 1 of 5

4/29/2020

Erba Lane Housing Project - Scotts Valley

Appraised Value of "Protected" Trees - Trunk Formula Method

Tree #	Species	Trunk Diameter @ 4.5'	Basic Tree Cost	Species	Condition	Site	Contribution	Placement	Appraised Value
T12	coast live oak	15",13"	$17,797	90%	56%	75%	85%	75%	**$7,000**
T15	coast live oak	17"	$12,388	90%	63%	75%	85%	75%	**$5,500**
T16	coast live oak	28"	$30,026	90%	75%	75%	85%	75%	**$15,800**
T17	coast live oak	15"	$10,115	90%	31%	75%	85%	75%	**$2,200**
T18	coast live oak	27"	$28,071	90%	66%	75%	85%	75%	**$13,000**
T22	coast live oak	8"	$4,341	90%	31%	75%	85%	75%	**$940**

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

Sheet 2 of 5

4/29/2020

Erba Lane Housing Project - Scotts Valley

Appraised Value of "Protected" Trees - Trunk Formula Method

Tree #	Species	Trunk Diameter @ 4.5'	Basic Tree Cost	Species	Condition	Site	Contribution	Placement	Appraised Value
T23	coast live oak	19"	$14,933	90%	38%	75%	85%	75%	**$3,980**
T24	coast live oak	10"	$5,660	90%	56%	75%	85%	75%	**$2,225**
T25	coast live oak	14"	$9,069	90%	75%	75%	85%	75%	**$4,780**
T26	coast live oak	21"	$17,797	90%	69%	75%	85%	75%	**$8,600**
T28	coast live oak	32"	$38,618	90%	75%	75%	85%	75%	**$20,332**
T29	coast live oak	14"	$9,069	90%	31%	75%	85%	75%	**$1,970**

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

Sheet 3 of 5

4/29/2020

Erba Lane Housing Project - Scotts Valley

Appraised Value of "Protected" Trees - Trunk Formula Method

Tree #	Species	Trunk Diameter @ 4.5'	Basic Tree Cost	Species	Condition	Site	Contribution	Placement	Appraised Value
T30	coast live oak	13"	$8,114	90%	31%	75%	85%	75%	**$1,770**
T31	coast live oak	9"	$4,978	90%	75%	75%	85%	75%	**$2,620**
T32	coast live oak	10"	$5,660	90%	31%	75%	85%	75%	**$1,230**
T33	coast live oak	13"	$8,114	90%	44%	75%	85%	75%	**$2,500**
T34	coast live oak	11"	$6,387	90%	75%	75%	85%	75%	**$3,360**

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

Sheet 4 of 5

4/29/2020

Erba Lane Housing Project - Scotts Valley

Appraised Value of "Protected" Trees - Trunk Formula Method

Tree #	Species	Trunk Diameter @ 4.5'	Basic Tree Cost	Species	Condition	Site	Contribution	Placement	Appraised Value
T35	coast live oak	30"	$34,208	90%	78%	75%	85%	50%	**$16,800**
T38	coast live oak	20"	$16,343	90%	75%	75%	85%	50%	**$7,700**
				Total Value of Appraised Trees					**$152,427**
Kurt Fouts Arborist Consultant 826 Monterey Avenue Capitola, CA 95010 831-359-3607 kurtfouts1@outlook.com				Sheet 5 of 5			4/29/2020		

Richard A. Arnold, Ph.D.
President

Entomological Consulting Services, Ltd.

104 Mountain View Court, Pleasant Hill, CA 94523-2188 • (925) 825-3784 • FAX (925) 827-1809
bugdctr@comcast.net • www.ecsltd.com

26 February 2006

RECEIVED
MAR 02 2006
CITY OF SCOTTS VALLEY

Taylor Bateman
Community Development
City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

RE: Surplus Parcel on Erba Lane in Scotts Valley, CA
Correction to 14 July 2005 Entomological Report

Dear Taylor:

It has come to my attention that the acreage figure that I used in the aforementioned report, 0.25 acres, for the surplus parcel, should have been 0.75 acres. Please attach this letter to the original report to reflect this correction to my original report.

Thank you.

Sincerely,

Richard A. Arnold

Richard A. Arnold, Ph.D.
President

Richard A. Arnold, Ph.D.
President

Entomological Consulting Services, Ltd.

104 Mountain View Court, Pleasant Hill, CA 94523-2188 • (925) 825-3784 • FAX (925) 827-1809
bugdctr@comcast.net • www.ecsltd.com

14 July 2005

Laura Kuhn, Community Development Director
City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

RE: Surplus Parcel on Erba Lane in Scotts Valley, CA
Habitat Assessment Report for the Endangered
Mount Hermon June Beetle & Zayante Band Winged Grasshopper

Dear Laura:

This letter reports on the findings of my habitat assessment survey for the endangered Mount Hermon June beetle (MHJB) and Zayante Band Wing grasshopper (ZBWG) at the above-noted parcel. I can briefly summarize the findings of my habitat assessment by stating that the neither the MHJB nor the ZBWG is likely to occur at this property because habitat conditions there are unsuitable to support either insect. The remainder of this letter provides pertinent background information on the MHJB and ZBWG, describes my survey methods and findings in greater detail, and offers recommendations for project planning.

Background Information.

The MHJB is known scientifically as *Polyphylla barbata* (Coleoptera: Scarabaeidae) and was described in 1938 from specimens collected on Mount Hermon in Santa Cruz County. Of the 28 species of *Polyphylla* that occur in North America, the MHJB has one of the most restricted geographic ranges. It is found in association with Zayante sandy soils in the Felton-Scotts Valley-Mt. Hermon-Ben Lomond area of Santa Cruz County, CA, and is known only from these Zayante sandhills. Due to the beetle's limited geographic range, plus the historical and anticipated loss of habitat within its limited range, the U.S. Fish & Wildlife Service (USFWS) recognized the MHJB as an endangered species in 1997, pursuant to provisions of the federal Endangered Species Act of 1973 (FESA).

The Zayante sandhills support several indigenous plants communities that are preferred by the MHJB, including Silverleaf Manzanita Chaparral with Ponderosa pine, Sand Chaparral, mixed Silverleaf Manzanita Chaparral, Ponderosa Pine Forest, dense sand parkland, and open sand parkland. These plant communities often intergrade to become a mosaic mixture of Ponderosa pine, chaparral, and sparsely-vegetated areas of grasses, forbs and subshrubs.

Within the Zayante sandhills MHJB has been found at about 70 locations. A common feature of all known MHJB locations is the presence of Ponderosa pine, and for this reason it is a likely food plant of the MHJB larvae, which are subterranean and feed on roots. Additional information on the MHJB can be found in the final ruling to recognize it as an endangered species (USFWS 1997) and its recovery plan (USFWS 1998).

The ZBWG is known scientifically as *Trimerotropis infantilis* (Orthoptera: Acrididae: Oedopodinae) and was described in 1984 from specimens collected near Mount Hermon in Santa Cruz County. It is found in association with Zayante sandy soils in the Mount Hermon-Felton-Scotts Valley-Ben Lomond area of Santa Cruz County, CA. Historically it has been found at about 20 locations in the Zayante sandhills. Due to the grasshopper's limited geographic range, plus the historical and anticipated loss of habitat within its limited range, the USFWS recognized the ZBWG as an endangered species in 1997, pursuant to provisions of FESA.

Within the sand parkland plant community that is indigenous to the Zayante sand hills, the ZBWG is restricted to areas of barren or sparsely-vegetated loose sands that are sunlit. Adults are usually active from about late-July through late October. There is a single generation per year. Additional information on the ZBWG can be found in the final ruling to recognize it as an endangered species (USFWS 1997) and its recovery plan (USFWS 1998).

Project Site Description.

The city's surplus parcel on Erba Lane measures approximately 0.25 acres in size. It is currently used as a parking lot and where recyclable materials may be dropped off by citizens of Scotts Valley. Figure 1 is a photograph that illustrates existing site conditions. As series of Coast Live Oak trees grow along the rear (eastern) border of the site, with an understory of grasses and herbs. Most of the site is covered by asphalt paving. Topography at the property slopes from northwest to southeast. Bowman and Estrada (1980) indicate that the soils at this property are Soquel loam and Zayante sands.

Survey Methods and Results.

I visited the property on June 21st. I walked throughout the site to view existing conditions. Zayante soils may be present, but if so, must be covered by the asphalt, as I did not find any Zayante soils. No indigenous plant communities of the Zayante sandhills were evident. Similarly, no Ponderosa pine trees were noted growing on-site or on immediately surrounding properties, but a few Ponderosas were observed growing elsewhere in the neighborhood at distances greater than 150 feet from this property. In loose sandy soils, roots of Ponderosa pines are known to extend as far as 150 feet from the trunk (Oliver and Ryker 1990).

Conclusions and Recommendations.

Due to the absence of indigenous sand parkland vegetation and sunlit, barren Zayante sandy soils, habitat conditions at this property are not suitable for the ZBWG and I would not expect this endangered grasshopper to occur there. Since no impacts to the

ZBWG or its habitat are anticipated, the City should not need to mitigate for the ZBWG. I have previously performed several presence-absence surveys for the ZBWG at various properties located in the greater Scotts Valley area. The closest known location for the ZBWG is at the Mount Hermon Cross.

Similarly, due to the absence of Ponderosa pines and Zayante sands, habitat conditions are not suitable for the MHJB and I would not expect this endangered beetle to occur at the City's property. Since no impacts to the MHJB or its habitat are anticipated, the City should not need to mitigate for the MHJB. I have previously performed several presence-absence surveys for the MHJB at various properties located in the greater Scotts Valley area. The closest known locations for the MHJB are from the upper terminus of Blake Lane.

I conclude that the City should not need an incidental take permit for compliance with the Endangered Species Act; however, I suggest that you contact Mr. Roger Root of the USFWS's Ventura office (805-644-1766) to confirm this.

References Cited.

Bowman, R.H. and D.C. Estrada. 1980. Soil survey of Santa Cruz County, California. U.S. Dept. of Agriculture and Soil Conservation Service in cooperation with the University of California, Agricultural Experiment Station Publications. 148 pp. & maps.

Oliver, W.H. and R.A. Ryker. 1990. *Pinus ponderosa* Dougl. *ex* Laws. Ponderosa Pine. Pp. 413-424. IN, Burns, R.M. and B.H. Honkala, Tech. Coords., Silvics of North America: Part 1. Conifers. Agriculture Handbook #654. U.S. Dept. of Agriculture, Forest Service. Washington, D.C. vol. 1, 675 pp.

U.S. Fish & Wildlife Service. 1997. Endangered and threatened wildlife and plants: determination of endangered status for two insects from the Santa Cruz Mountains of California. Federal Register 62:3616-3628.

U.S. Fish & Wildlife Service. 1998. Recovery plant for two insects and four plants from the Santa Cruz Mountains. Portland, OR. 63 pp.

Please feel free to contact me if you have questions about my survey findings or need any further assistance.

Sincerely,

Richard A. Arnold

Richard A. Arnold, Ph.D.
President

Attachment: figure

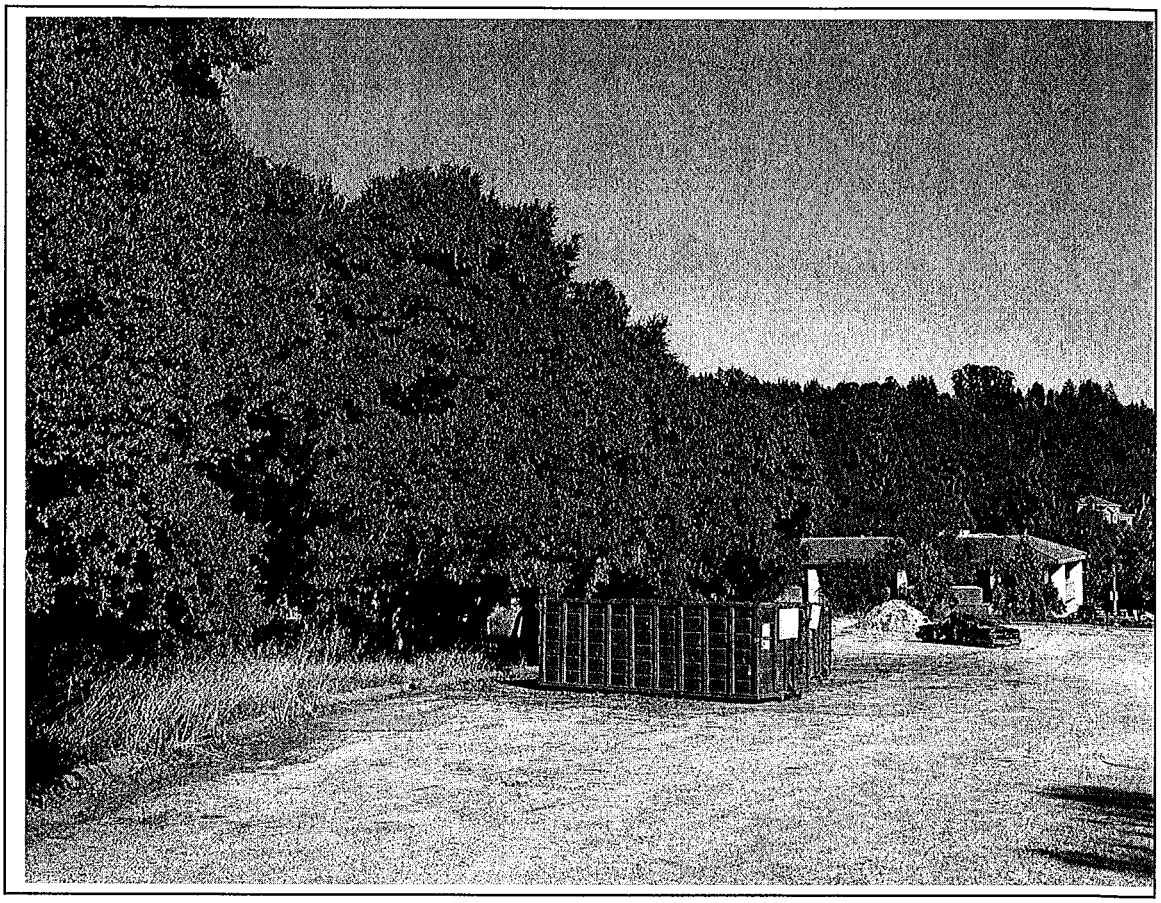


Figure 1. Habitat conditions at the City of Scotts Valley's Erba Lane property.

Richard A. Arnold, Ph.D.
President

Entomological Consulting Services, Ltd.

104 Mountain View Court, Pleasant Hill, CA 94523-2188 • (925) 825-3784 • FAX (925) 827-1809
bugdctr@comcast.net • www.ecsltd.com

14 July 2005

City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

RECEIVED
JUL 18 2005

Attn: Laura Kuhn, Community Development Director

Re: Surplus Parcel on Erba Lane. in Scotts Valley, CA
Habitat Assessment for the Endangered Mount Hermon June Beetle
and Zayante Band Winged Grasshopper

Bill for entomological consulting services regarding the aforementioned endangered insects. Services are for the period of June 21 – July 14, 2005, and included:

a) conducted a habitat assessment survey of the site for the aforementioned insects; and
b) prepared a written report that describes my survey methods, findings, and recommendations.

Labor:	
R.A. Arnold – 2.0 hrs. @ $150/hr.	$300.00
Total Amount Due	***$300.00***

Please make your check payable to Entomological Consulting Services, Ltd., a California corporation whose FEIN is 68-0242981. Thank you.

Sincerely,

Richard A. Arnold

Richard A. Arnold, Ph.D.
President

Extended Phase I Archaeological Assessment

for the Erba Lane Development Project,

Scotts Valley, Santa Cruz County, California

Prepared for SV Housing, LLC



ALBION

MARCH 2020

Extended Phase I Archaeological Assessment for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

MARCH 2020
J2019-056.01
Image Credit: Larry Abitbol

Prepared for

Larry Abitbol
SV Housing, LLC
5005 Ironwood Drive
Soquel, California 95073

Prepared by

Sarah Nicchitta, M.A.
Stella D'Oro, M.A., RPA
John Ellison, B.A.

Albion Environmental, Inc.
1414 Soquel Avenue, Suite 205
Santa Cruz, California 95062

Executive Summary

In October 2019, SV Housing, LLC contracted with Albion Environmental, Inc. (Albion), to conduct a cultural resources assessment of an approximately 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) on Erba Lane in the RH High-Density Residential Zone for residential land use in Scotts Valley, California. The property owner plans to create of twelve lots and two common lots for six single-family homes and three duplex units (Project). Albion's investigation included a background records search at the California Historical Resources Information System Northwest Information Center at Sonoma State University (NWIC), a field investigation entailing pedestrian survey, limited subsurface investigation of the parcel, and Native American outreach. The study was designed to adequately address treatment of cultural resources under current guidelines outlined by Assembly Bill 52 and California Environmental Quality Act (CEQA).

A search of records at NWIC indicated that five archaeological studies have been conducted within the Project Area and 20 studies were conducted within a $^1/_8$-mile radius of the Project Area. One archaeological resource has been previously identified within the Project Area and two resources have been recorded within a $^1/_4$–mile radius of the Project Area.

After reviewing the record search results, Albion conducted an intensive pedestrian survey and limited trenching and augering of the Project Area. Visual inspection of the Project Area surface and small-scale subsurface excavations revealed no evidence of intact prehistoric or historic-era archaeological deposits.

Soils encountered were redeposited fill over five native soil strata with no evidence of culturally produced stratigraphy. Seven mechanically excavated trenches and three hand-excavated augers were used to expose subsurface soils. Thirteen Trench Samples (TS) and three augers recovered 3.7018 m^3 of soil for inspection. The sample included 1.3828 m^3 of fill soils characterized by differing soil types mixed with modern materials such as concrete and pavement. The remaining 2.319 m^3 appeared as intact native soil. The sampled soils produced cultural material, consisting of 9 pieces of flaked stone and two groundstone implements. At least two flaked stone pieces were recovered from the redeposited fill suggesting at least some mechanical disturbance of native soil occurred on the parcel. The two groundstone implements and the additional seven flaked stone debitage pieces recovered from native soils, are likely in-situ. However, the sparse nature of the deposit (3.9 artifact per m^3), paucity of artifact types, and no chronological markers or organic cultural materials for radiocarbon dating limits the ability for any archaeological interpretations. This limited and narrow assemblage, which cannot be placed within the regional dating scheme, does not allow for significant data potential and is therefore not significant under CEQA guidelines.

Albion's investigation at APNs 022-481-18 and 22 on Erba Lane in Scotts Valley indicates that potentially significant cultural materials are not located in the Project Area. Due to the proximity of archaeological site SCR-177/H, we recommend archaeological and Native American monitoring during all future ground-disturbing activity.

Two tribal representatives provided comments about the Project and shared the importance of the cultural resources within the Project area, as well as their concern for any impacts to these resources (Confidential Appendix B).

Contents

Executive Summary ..... **i**

1 **Introduction** **1**

2 **Project Location and Description** **3**

3 **Sources Consulted** **5**

California Inventory of Historic Resources 5
Historic Property Data File for Santa Cruz County 5
Archaeological Studies 5
Archaeological Sites 8
Historic Maps 9

4 **Native American Outreach** **11**

5 **Background** **12**

Natural Environment 12
Cultural environment 12
Ethnographic Background 13
Historical Context 13

6 **Field Methods and Results** **23**

Pedestrian Survey 23
Trenches 23
Trench 1 26
Trench 2 30
Trench 3 30
Trench 4 33
Trench 5 33
Trench 6 37
Trench 7 39
Augers 39

7 **Conclusions and Recommendations** **43**

References Cited **44**

List of Figures

Figure 1. Project location, APNs 022-481-18 and 22, Erba Lane, Scotts Valley, California. 2
Figure 2. Project impacts. 4
Figure 3. Detail of an 1864 GLO map with the Project Area. 16
Figure 4. Diseño del Rancho San Augustine with the approximate location of the Project Area. 17
Figure 5. Detail of an 1881 plat map with the Project Area. 18
Figure 6. Detail of an 1889 plat map with the Project Area. 19
Figure 7. Detail of a 1906 plat map with the Project Area. 20
Figure 8. Detail of a 1929 plat map with the Project Area. 21
Figure 9. Detail of a 1940 aerial photograph with the Project Area. 22
Figure 10. Photographs from the field. 24
Figure 11. Location of trenches on proposed project plans. 25
Figure 12. Trench 1 south wall profile views. 29
Figure 13. Trench 2 north wall profile. 31
Figure 14. Trench 3 north wall profile views. 32
Figure 15. Trench 4 east wall profile views. 34
Figure 16. Trench 5 south wall profile views. 36
Figure 17. Trench 6 south wall profile views. 38
Figure 18. Trench 7 west wall profile views. 40

List of Tables

Table 1. Studies Conducted Within the Project Area..... 6
Table 2. Studies Conducted Within 1/8-Mile Project Area. 6
Table 3. Trench Soils and Artifacts. 26
Table 4. Test Results of Trench Sample 1. 26
Table 5. Test Results of Trench Sample 2. 27
Table 6. Test Results of Trench Sample 3. 27
Table 7. Test Results of Trench Sample 4. 28
Table 8. Test Results of Trench Sample 5. 28
Table 9. Test Results of Trench Sample 7. 30
Table 10. Test Results of Trench Sample 6. 33
Table 11. Test Results of Trench Sample 8. 33
Table 12. Test Results of Trench Sample 9. 35
Table 13. Test Results of Trench Sample 10. 35
Table 14. Test Results of Trench Sample 11..... 37
Table 15. Test Results of Trench Sample 12. 37
Table 16. Test Results of Trench Sample 13. 39
Table 17. Test Results of Auger 1..... 41
Table 18. Test Results of Auger 2..... 41
Table 19. Test Results of Auger 3..... 42

Appendices

A Records Search Results
B Confidential Native American Outreach Documentation

Introduction

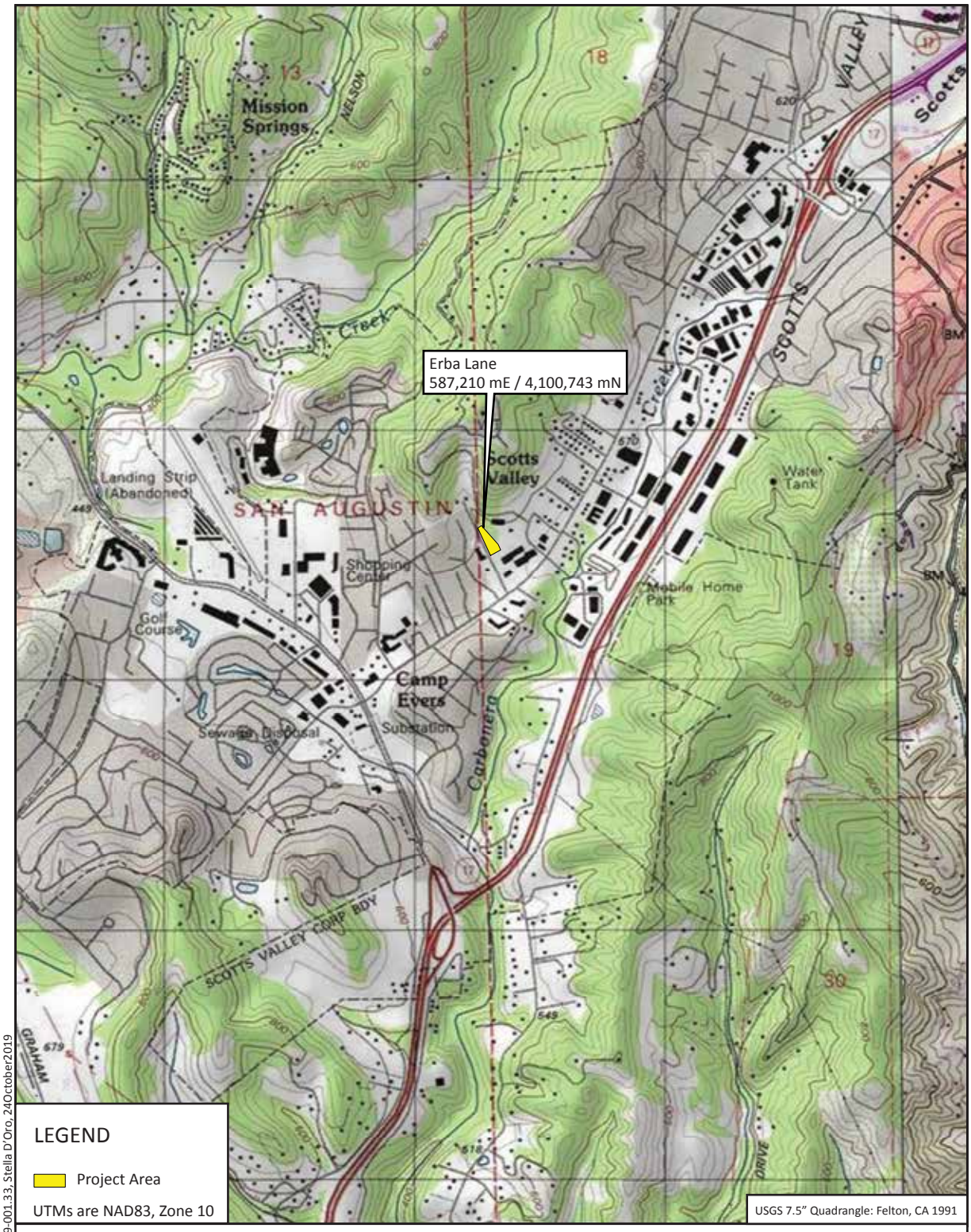
1

This report documents the results of a cultural resource assessment of an approximately 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) on Erba Lane in the RH High-Density Residential Zone for residential land use in Scotts Valley, California. The property owner plans to create of twelve lots and two common lots for six single-family homes and three duplex units (Project).

Since the property is in an area designated as "archaeologically sensitive" the City of Scotts Valley, Albion was contracted to conduct a cultural resource assessment. The investigation comprised four tasks: 1) a review of records from the Northwest Information Center of the Historical Resources Information System at Sonoma State University (NWIC); 2) a surface survey of the parcel; 3) limited subsurface excavation; and 4) Native American outreach.

The study was designed to adequately address treatment of cultural resources under current guidelines outlined by Assembly Bill 52 and California Environmental Quality Act (CEQA). This included: 1) identification of significant resources; 2) determination of significant impacts to resources; and 3) development of any necessary mitigation measures. All work was conducted in accordance with guidelines and regulations set forth in the CEQA.

The records search was requested by Albion Senior Archaeologist Stella D'Oro in October 2019 (NWIC File No.: 19-0713). The subsequent pedestrian survey and subsurface testing was conducted January 13-15, 2020 with a crew led by John Ellison. Mr. Ellison earned an BA in Anthropology and has worked in California archaeology for fourteen years. Kanyon Consulting monitors (Kanyon Sayers-Roods and Scott Territo representing the Indian Canyon Mutsun Band of Costanoan were present during all surveying and subsurface testing. The field work was supervised by Ms. D'Oro who holds an MA in Applied Anthropology and has been working in California archaeology for fifteen years.



File name: Figure_1.ai, J2019-001.33, Stella D'Oro, 24October2019

Figure 1. Project location, Erba Lane, Scotts Valley, California.

Project Location and Description

2

The subject parcels are located on the northeast side of Erba Lane approximately 70 ft (22 m) southeast of the intersection of Erba Lane and Ridgecrest Lane and approximately 495 ft (150 m) northwest of the intersection of Erba Lane and Scotts Valley Drive in Scotts Valley, California (Figure 1). The parcel ranges from approximately 578 feet above sea level (ASL) in the east to 600 ft ASL in the west. An unnamed drainage borders the Project Area on its eastern side; Carbonera Creek is approximately 902 ft (275 m) southeast of the Project Area.

The Project applicant plans to create of twelve lots and two common lots for six single-family homes and three duplex units (Project). Impacts include the following (Figure 2):

- Retaining wall: depth depends on the type of wall. A soldier pile wall with pier would be up to 10–12 ft depth with an 18 in. diameter hole. A cantilever wall with wide footing would be approximately 4 ft deep.
- Collector pipe for drainage system will be approximately 3 ft deep
- Storm drain chambers will be approximately 6.5 ft deep
- Overflow for storm drain retention system will be 3–4 ft deep
- Sewer laterals will be 4 ft deep
- The entire Project Area will be graded to a depth of 4 ft below the existing grade

File name: Figure_2_Impacts.ai, J2019-056.01, Stella D'Oro, 04March2020

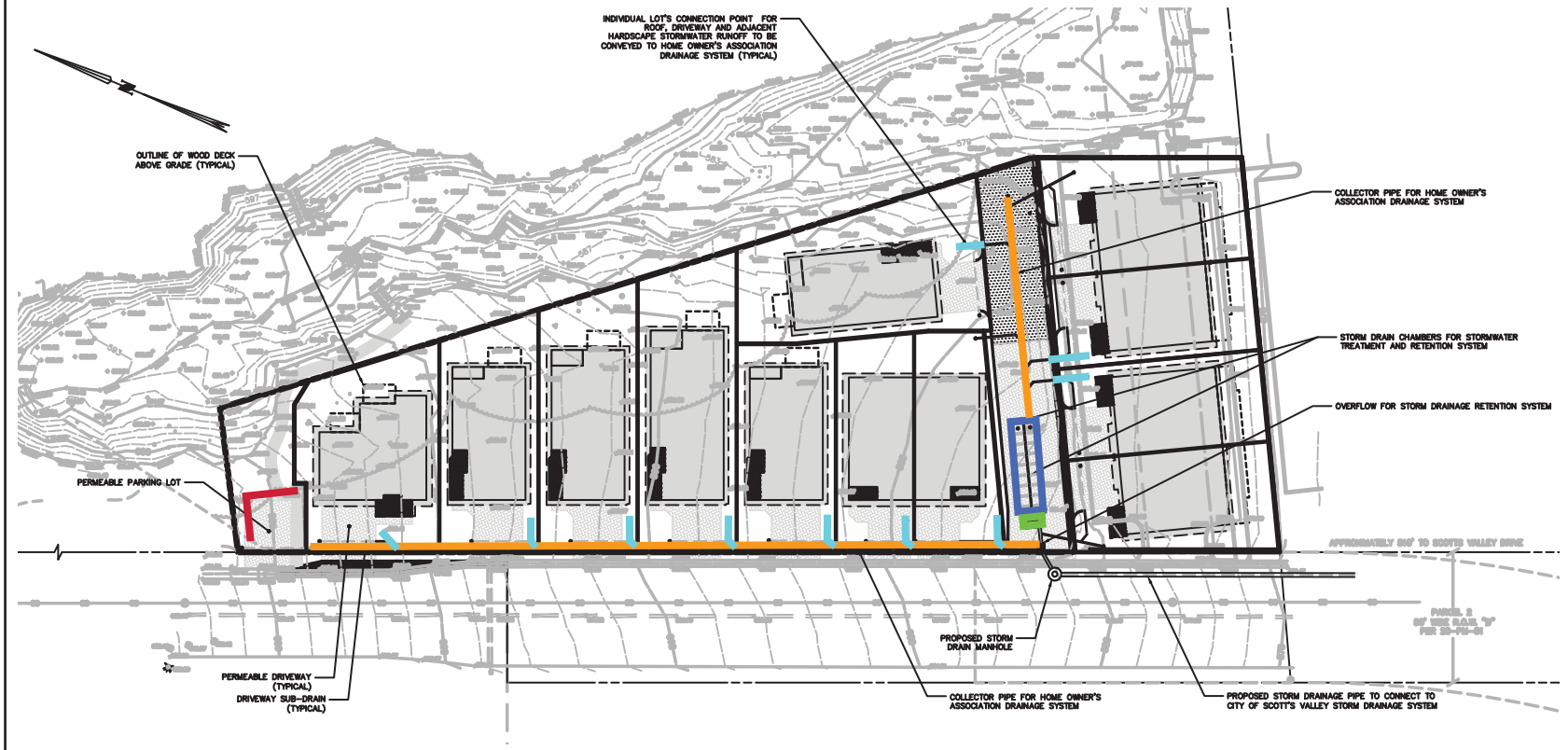


Figure 2. Project impacts.

Sources Consulted

3

In order to determine if cultural resources are recorded within or near the Project Area, Albion consulted the following sources as part of the NWIC records search:

CALIFORNIA INVENTORY OF HISTORIC RESOURCES

The California Inventory of Historic Places is managed by the State of California Department of Parks and Recreation lists no historic resources within a $^1/_4$-mile of the Project Area.

HISTORIC PROPERTY DATA FILE FOR SANTA CRUZ COUNTY

The Historic Property Data File for Santa Cruz County is managed by the State Office of Historic Preservation (including the California Register of Historical Resources (CRHR) and the National Register of Historical Places (NRHP), California Historical Landmarks, and California Points of Historical Interest) indicates two historic properties are located within a $^1/_4$-mile radius of the Project.

One property was determined ineligible for the National Register by consensus through the Section 106 process. It has not been evaluated for CRHR or Local Listing:

- Highway 17

One property is listed in the National Register by the Keeper and is also listed in the California Register:

- 1 Civic Center Drive (The Hiram D. Scott House) built in 1853

ARCHAEOLOGICAL STUDIES

WITHIN THE PROJECT AREA

A search of records at NWIC indicates five archaeological studies have been conducted within the Project Area (Appendix A). They are listed in Table 1 below.

Table 1. Studies Conducted Within the Project Area.

Survey Number	Date	Title	Author
S-3913	Aug-77	Cultural Resource Inventory of the Scotts Valley Wastewater Project Service Area	William Roop, Leo Barker, and Charlene Detlefs
S-4080	Mar-80	Archeological Evaluation of the Scotts Valley City Hall Project	Robert Cartier
S-8313	1980	Cultural Resource Evaluation of the Scotts Valley Redevelopment Area in the City of Scotts Valley, County of Santa Cruz	Robert Cartier, Charlene Detlefs, and Glory Laffey
S-10186	Aug-88	Archaeological Testing at the Cask-Pacific Parcel on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz	Robert Cartier
S-10214	Sep-88	Cultural Resource Evaluation of Landscaping of Scott House Park in the City of Scotts Valley, County of Santa Cruz	Robert Cartier

WITHIN 1/8-MILE OF THE PROJECT AREA

Twenty studies were conducted within a 1/8-mile radius of the Project Area (Appendix A). They are listed in Table 2 below.

Table 2. Studies Conducted Within 1/8-Mile Project Area.

Survey Number	Date	Title	Author
S-005758	Oct-82	Subsurface Testing Evaluation of the Parking Lot at the Scotts Valley City Hall, Scotts Valley, County of Santa Cruz, California	Robert Cartier
S-006016	May-83	Cultural Resource Evaluation of the Lands of Overbow on Scotts Valley Drive in the City of Scotts Valley, Santa Cruz County, California	Robert Cartier
S-006527	Dec-83	Cultural Resource Evaluation of the Civic Center Plaza Project off Scotts Valley Drive in the City of Scotts Valley, County of Santa Cruz	Robert Cartier
S-006819	May-84	Limited Archaeological Testing at CA-SCR-177, Scotts Valley Office Plaza, Scotts Valley, California	James C. Bard, Raymond J. Dezzani, Mary R. Davy, Rebecca L. Anastasio, and Donna M. Garaventa
S-009377	Jul-87	Archeological Testing at the Civic Center Cooperative Parking Lot in the City of Scotts Valley, County of Santa Cruz	Robert Cartier

Survey Number	Date	Title	Author
S-009717	Jan-88	Cultural Resource Evaluation of Scotts Valley Water District Headquarter's Building in the City of Scotts Valley, County of Santa Clara	Robert Cartier
S-010522	Oct-88	ultural Resource Evaluation of the Ridgecrest Project on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz	Robert Cartier
S-010854	May-89	Salvage Mitigation Excavation Report for the Scott House Park in the City of Scotts Valley, County of Santa Cruz	Robert Cartier
S-013326	Aug-91	ultural Resource Evaluation of 4301 Scotts Valley Drive in the City of Scotts Valley, County of Santa Cruz	Robert Cartier
S-015134	No month 1993	The Scotts Valley Site: CA-SCR-177	Robert Cartier, Rob Edwards, Gerrit Fenenga, Terry Jones, Alan Leventhal, Charlotte Simpson-Smith, Vasiliki Vassil, and Glen Wilson
S-016354	Apr-90	Evaluation of Potential Historic Structures in the City of Scotts Valley	Glory Anne Laffey, Marion Pokriots, Charlene Detlefs, Leslie Hurst, and Edith Smith
S-018378	Apr-96	Data Recovery Report for the Tuscany Hills Project in the City of Scotts Valley	Robert Cartier and Lynne Eckert
S-018971	Oct-96	Cultural Resource Evaluation for the Pacific Bell West Bay Project, Located at 4860 Scotts Valley Drive in the City of Scotts Valley, Santa Cruz County	Robert Cartier and Lynne Eckert
S-020176	Feb-98	Cultural Resource Evaluation of the Scotts Valley Drive Reconstruction Project in the City of Scotts Valley, California, n Fulfillment of CEQA Requirements	Robert Cartier
S-020294	Apr-98	Final Report on Archaeological Mitigation at CA-SCR-177 for Construction on APN 022-082-037 at 101 Civic Center Drive, Scotts Valley, Santa Cruz, California	Gary S. Breschini and Mary Doane
S-022624	Nov-99	Archaeological Recovery at SCR-249 for the Scotts Valley Drive Reconstruction Project in the City of Scotts Valley	Robert Cartier, Alex Wesson, Victoria Bobo, and B. Vasiliki Vassil

Survey Number	Date	Title	Author
S-022631	Oct-99	Cultural Resource Evaluation of Approximately 2.5 Acres of Land off Scotts Valley Drive in the City of Scotts Valley	Robert Cartier
S-027837	Oct-03	Archaeological Evaluation Program for the Kelly Court Project in the City of Scotts Valley	Robert Cartier
S-031024	Nov-05	Archaeological Monitoring at 141 Oak Lane, Scotts Valley, California (letter report)	Hannah Hicok

ARCHAEOLOGICAL SITES

WITHIN THE PROJECT AREA

NWIC reports one archaeological resource within the Project Area, CA-SCR-177/H (Appendix A).

CA-SCR-177/H

Archaeological resource CA-SCR-177/H includes both historic and precolonial components. Both components are discussed below.

Historic Component

CA-SCR-177/H includes the location of the Scott House, which was constructed as a residence for Hiram Scott and his family in 1858. The house is significant for its architecture (Greek Revival) and historical importance to the region. Mr. Scott was one of the original settlers in the area and is the person after whom Scotts Valley is named. The house is listed in the National Register of Historic Places. The boundaries of CA-SCR-177/H include the house and its parcel despite the fact that it was moved to its present location in 1936 due to the construction of Highway 17. The original location of the Scott House is not included within the current boundaries of CA-SCR-177/H.

Precolonial Component

The precolonial component of CA-SCR-177/H was originally recorded as a lithic scatter (Cooper 1979). In 1980, Dr. Robert Cartier conducted an archaeological evaluation for the proposed construction of a City Hall for Scotts Valley (Cartier 1980). Radiocarbon assays from the initial study returned dates of 7,000-10,000 years before present (BP), very early for this region and for California as a whole.

Past actions to the site resulted in lawsuits that were settled out of court in October 1982 (Cartier 1993). The settlement required the City of Scotts Valley to fund two large data recovery efforts in 1983 and 1987. The data recovery sampled over 400 cubic meters of cultural soils along the northeast portion of the CA-SCR-177, and over 40 cubic meters from the southcentral area.

Very few sites dating from before 10,000 BP have been investigated; some researchers have suggested that earliest Californians established residences along estuaries and bay shores. The

Scotts Valley site (CA-SCR-177) is one of the few inland sites in the region with such early dates. Cartier's (1993:271-273) report on the data recovery suggests the earliest cultural stratum of CA-SCR-177 dates to at least 10,500 BP. Since the soils are too acidic for bone or shell preservation, dates were extrapolated from radiocarbon dating charcoal in column samples, obsidian hydration, and diagnostic artifacts including an eccentric crescent, small leaf-shaped and medium lanceolate projectile points, knives, and hammer stones.

More recently, Jones et. al (Jones and Klar 2007) suggests that there are numerous issues compromising interpretations of the site's stratigraphic integrity and dating. The excavation unit used for radiocarbon dating during the 1987 data recovery produced dates from every millennium from 13,000 BP to present, although not in stratigraphic order. In 1987, radiocarbon studies required large amounts of charcoal. It was a common practice to use column samples, which included many pieces of charcoal producing an average date likely from many burn events. Additionally, the charcoal may or may not be cultural in origin as natural forest fires are common in the region. Currently, much smaller carbon (bone, shell, charcoal) samples are necessary to return accurate dates. Carbon samples are ideally taken from known cultural phenomena, such as transported shell, cut/cooked faunal bone, or discrete archaeological features such as hearths or human burials. Jones et al (2007:135) acknowledges the radiocarbon dates from two intact hearth features place the earliest well dated occupation of the site into the Millingstone Period at 8,000 BP, still of remarkable antiquity.

WITHIN ¼-MILE OF THE PROJECT AREA

Two resources have been recorded within a $^{1}/_{4}$-mile radius of the Project Area. Both are precolonial archaeological sites and decribed below.

P-44-000039 is a granite outcropping of four bedrock mortars. The property owner has collected many artifacts near the outcropping including pestles, a projectile point, and flakes made of basalt, chert, and quartzite (Buckman and Stafford 1974). The resource is located 1,202 ft (366 m) southeast of the Project Area.

P-44-000251 is a diffuse lithic scatter with a large amount of fire-affected rock, quartzite, Monterey Banded chert, obsidian, basalt, and chalcedony. Prior radiocarbon dating yielded a date of 12,965 BP, making the site one of the earliest in the region (Archaeological Resource Management 2003). The resource is located 541 ft (165 m) southeast of the Project Area.

HISTORIC MAPS

Albion also conducted an online search of historical maps and aerials and found information pertinent to the Project Area from the following:

- 1864 GLO plat map
- 1866 Rancho San Augustin *diseño*
- 1881 plat map
- 1889 plat map
- 1906 plat map

- 1929 plat map
- 1940 aerial photograph

Native American Outreach

4

Albion initiated Native American outreach to solicit information about potential Tribal resources in or near the Project Area and the treatment of those resources. Resources of interest might include archaeological deposits, traditionally important plants, or locales that have been or are currently used for Tribal activities.

As part of this outreach process, Albion contacted the California Native American Heritage Commission in December 2019 for information from the Commission's Sacred Lands File and a list of stakeholders (Appendix B). The Commission found no information in their files and forwarded the names of six tribal representatives. Albion contacted each of these by letter, describing the project and asking for information or comments. Albion followed the letters with emails and phone calls to every tribal stakeholder listed on the NAHC list. Two tribal representatives provided a response and shared the importance of the cultural resources within the Project area, as well as their concern for any impacts to these resources.

No additional comments or concerns have been received as of March 4, 2020. Additional details can be found in confidential Appendix B.

Background

5

NATURAL ENVIRONMENT

The parcel ranges from approximately 578 ft ASL in the east to 600 ft ASL in the west. An unnamed drainage borders the Project Area on its eastern side; Carbonera Creek is approximately 902 ft (275 m) southeast of the Project Area.

The soils in the area are characterized as Soquel loam (USDA 2019). The Soquel loam series consists of deep, moderately well drained soils that formed in alluvium derived from sedimentary rocks. Soquel soils are in narrow valleys and on alluvial fans and plains and have slopes of 0 to 15 percent. The A horizon is very dark gray, very dark grayish brown, dark gray, dark grayish brown, dark brown, or grayish brown. It is heavy sandy loam, loam, silt loam, clay loam, or silty clay loam and extends from the surface to approximately 21 inches deep. Some pedons have a horizon designated as a B horizon with color of light yellowish brown or very pale brown. Texture is heavy sandy loam, loam, silt loam, clay loam, or silty clay loam. The C horizon is dark brown, dark grayish brown, dark yellowish brown, brown or yellowish brown. It is loam, silt loam, or silty clay loam. In some pedons are narrow lenses of sandy loam, loamy sand, or sand with 0 to 25 percent pebbles by volume

CULTURAL ENVIRONMENT

Prehistory of the southern San Francisco Bay area is complex due to the dramatic increase in human populations from middle to late Holocene times (Milliken et al. 2007). Cultural chronology is quite variable spatially but is generally framed within a tripartite sequence that is commonly used in central California– Early, Middle, and Late (Hylkema 2002; Milliken et al. 2007). These temporal periods are preceded by early to middle Holocene occupation, often characterized as the Millingstone era (Hylkema 2002; Milliken et al. 2007).

The Millingstone Period (9000–5500 years Before Present (Ingram et al.)) is characterized by small groups who travelled widely and practiced broad spectrum foraging of easily acquired plant and animal resources. Artifacts common to this time period are handstones and millingstones. Flaked stone implements, such as projectile points, are much less common than grinding and battering tools (Fitzgerald 2000). Common foods are thought to have included a variety of small seeds, shellfish, and small mammals.

The Early Period ranges from approximately 5500 to 2500 B.P. and encompasses an era where people are thought to still have practiced wide ranging residential mobility but placed a greater emphasis on hunting larger game. Large pinnipeds, such as northern fur seal, are common to coastal archaeological sites during this time. Several styles of large projectile points correspond to this general time frame, which also marks the initial use of mortar and pestle technology.

The Middle Period dates from 2500–1000 B.P. and appears to represent a time when people were somewhat more residentially stable and practiced more logistical (short term) mobility (Milliken et al. 2007:106). By this time, people apparently went on extended resource acquisition forays for the purpose of bringing subsistence or trade items back to residential base camps. Large, terrestrial mammals were hunted more often during this time and grinding implements become more common (Milliken et al. 2007:107).

The Late Period begins at 1000 B.P. and extends to ca. 1550 B.P. (Hylkema 2002:33), or perhaps more recently. The Late Period is characterized by increased sociopolitical complexity and settlement centralization. Large village sites in the northern Santa Clara Valley are often found in the valley center along perennial streams (Bergthold 1982; Milliken et al. 2007). There is continued prevalence of mortar and pestle technology, thought to signify a greater reliance on acorn than in earlier times. Other labor-intensive foods were also used with greater frequency during this latest time period (Hylkema 2002). For example, sea otter and harbor seal were exploited more heavily. These animals are thought to be more labor-intensive to capture compared to other pinnipeds and large mammals, which were more commonly hunted in earlier time. Bow and arrow technology is also believed to have been adopted by aboriginal hunters during this latest prehistoric interval (Milliken et al. 2007:117).

ETHNOGRAPHIC BACKGROUND

The Project Area was inhabited by Ohlone, or Costanoan populations (Levy 1978; Milliken et al. 2007). When first encountered by Spanish explorers, aboriginal inhabitants of the Bay Area and vicinity were referred to as *Costaños* (Levy 1978). The people came to be known as Costanoans (cf. Levy 1978), although now, the descendants of those earlier inhabitants prefer to be referred to as Ohlone (Bean 1994). Both terms refer to the language group spoken by the people, rather than any sort of political group. The Ohlone inhabited the San Francisco Peninsula, the East Bay to the Delta, and south past Santa Clara Valley to the coast of the Monterey Bay.

At Spanish contact, aboriginal groups residing in the southern Bay Area were organized under a tribelet system where villages, thought to number around 50, were autonomous political units (Levy 1978). The Ohlone exploited all of the regional habitats including bay marshes, valley grasslands, mountainous uplands and open coastal environs. Resources exploited included elk, pronghorn, deer, sea mammals, salmon, trout, shellfish, ducks, geese, acorns, seeds, grasses, and roots (Baumhoff 1963).

HISTORICAL CONTEXT

MISSION PERIOD

The Santa Cruz Mission

In Santa Cruz, the Mission period (1776-1834) saw the disruption of traditional Ohlone culture and lifeways. *La Misión de la Exaltación de la Santa Cruz* was founded in 1791. As the Ohlone were gradually brought into the mission system and placed under the protection and tutelage of the Mission fathers, they lost much of their erstwhile autonomous existence and traditional lifeways. Compounding the difficulties and disruption to traditional life, the Mission fathers inducted

members of distant and distinct tribes into the Mission neophyte population. In Santa Cruz, Costanoan peoples were joined by Northern Valley Yokuts, conscripted from the San Joaquin Valley, as the local Indian workforce succumbed to diseases and hardships ubiquitous to the Spanish and Mexican missions.

A second early European community established during the Mission era in the vicinity of present-day Santa Cruz was *Villa de Branciforte.* The Villa was established in 1797 and was one of the three original Spanish communities established in *Alta California*. The community comprised both active and retired Spanish soldiers, as well as civilians, with the intention of occupying the land and hence deterring incursions from other nationalities such as Russians and the British. The main thoroughfare for the community was Branciforte Avenue.

MEXICAN PERIOD

In 1834, under the new Mexican government, secularization of the mission lands began in earnest. Most of the former mission land was divided among loyal Mexican subjects, though some indigenous individuals were given land as well. Most of the indigenous population, however, scattered away from the mission centers. The few individuals that were given rancherias were ill-equipped to maintain or work their land, and many Ohlone who chose to remain in their ancestral territory were obliged to become squatters. Some were given jobs as manual laborers or domestic servants on Mexican, or later American, cattle ranches.

The Ohlone underwent a period of near cultural anonymity from the mid-19th century to the relatively recent past. During this time Ohlone often presented themselves as other than Indian to the outside world, in large part to the discrimination suffered during and after the mission period. Present day Ohlone descendants often remark that they were unaware of their heritage, or that their elders and relatives had not encouraged an interest in Ohlone heritage.

AMERICAN PERIOD

In the 1840s, Santa Cruz County's population increased substantially. The Spanish and Mexican governments contributed to this growth by granting large tracts of former mission lands to private citizens. In 1833, the Mexican governor, Jose Figueroa, granted Jose Antonio Bolcoff, a Russian immigrant who had assumed Mexican citizenship, a portion of land that encompassed Scotts Valley. Bolcoff raised cattle, horses, sheep and developed crops such as wheat and barley on his property, which was known as Rancho San Augustin. The Rancho changed ownership three times over the next 30 years. Bolcoff's American brother-in-law, Joseph Ladd Majors purchased the Rancho in 1841. During his ownership, Majors established a gristmill that provided wheat to residents from Monterey to the Santa Clara Valley. During the Mexican War (1846-1848), Majors sided with the Americans and used his rancho as a stockade/fortress for American and British residents seeking refuge from local Mexican authorities. Following Majors residency, Hiram Scott, a young Maine seaman, purchased the estate for the sum of $20,000, in 1850. Homesteading the area, Mr. Scott soon sent for additional family members to join him. Before long the Scott family became the predominate inhabitants in the area, thus the town was named Scotts Valley (Detleffs 1980; Laffey and Pokriots 1991).

HISTORY OF THE PROJECT AREA

A Bureau of Land Management General Land Office (GLO) map from 1864 shows the project parcel lies in the southwest $^1/_4$ of the northwest $^1/_4$ of Section 18 in Township 11 south, Range 1 west (Figure 3). Public records indicate the entire section was patented to John A. Bachelder on February 5, 1875. As of 1985, there were still members of the Bachelder family living on Granite Creek Road (Clark 1986).

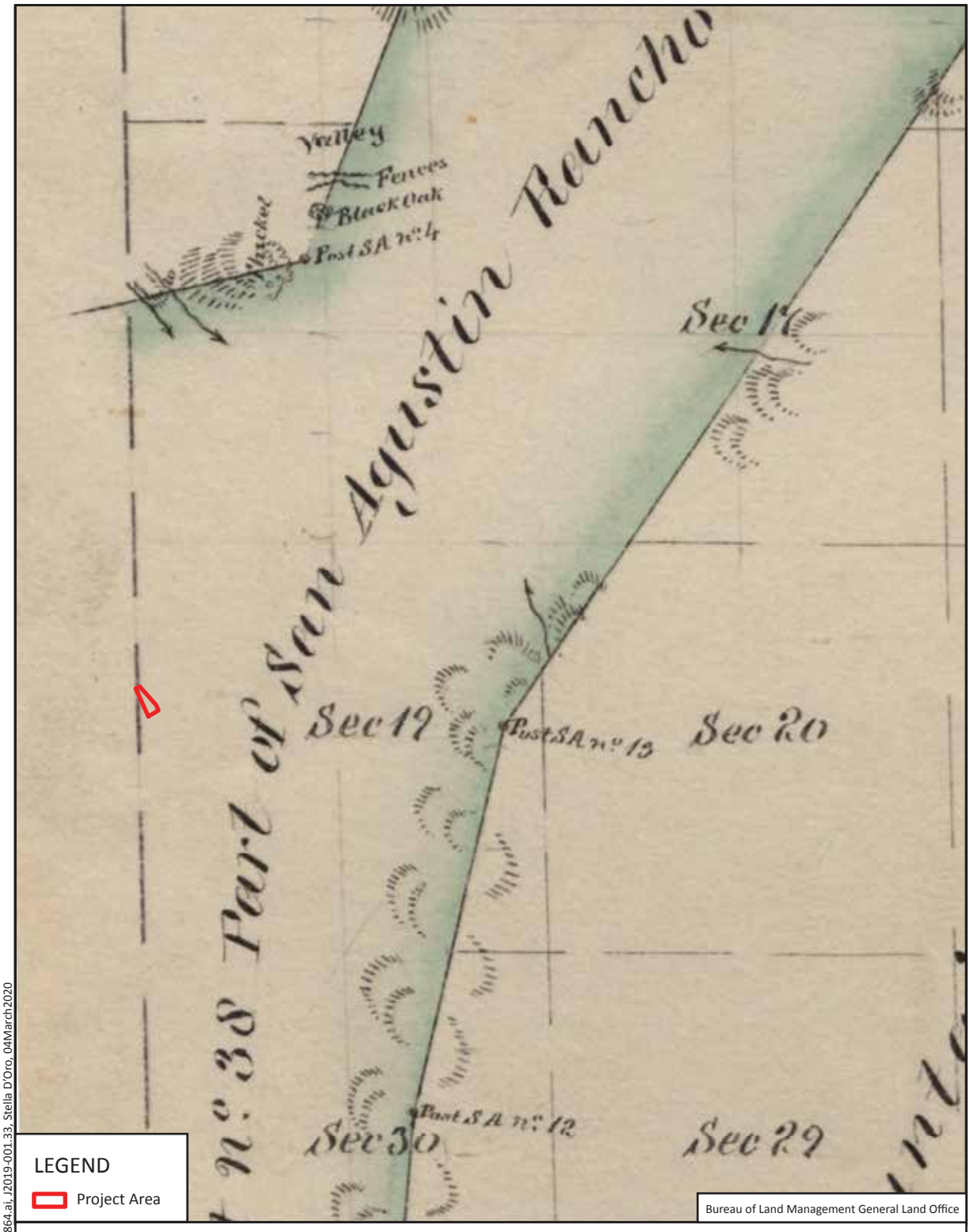
A plat map from 1881 indicates that the project parcel was on an 85.258-acre parcel of land owned by Eireich Lassen. The County (Figure 4). By 1906, a plat map shows Russell still owned the property and the street configuration Road represented on the map may refer to the present-day Scotts Valley Drive.

According to a plat map from 1889 Lassen continued to own the property on which the project parcel is located (Figure 5).

A 1906 plat map shows the Lassen parcel had been reduced to 79 acres and was owned by A & O Smith (Figure 6).

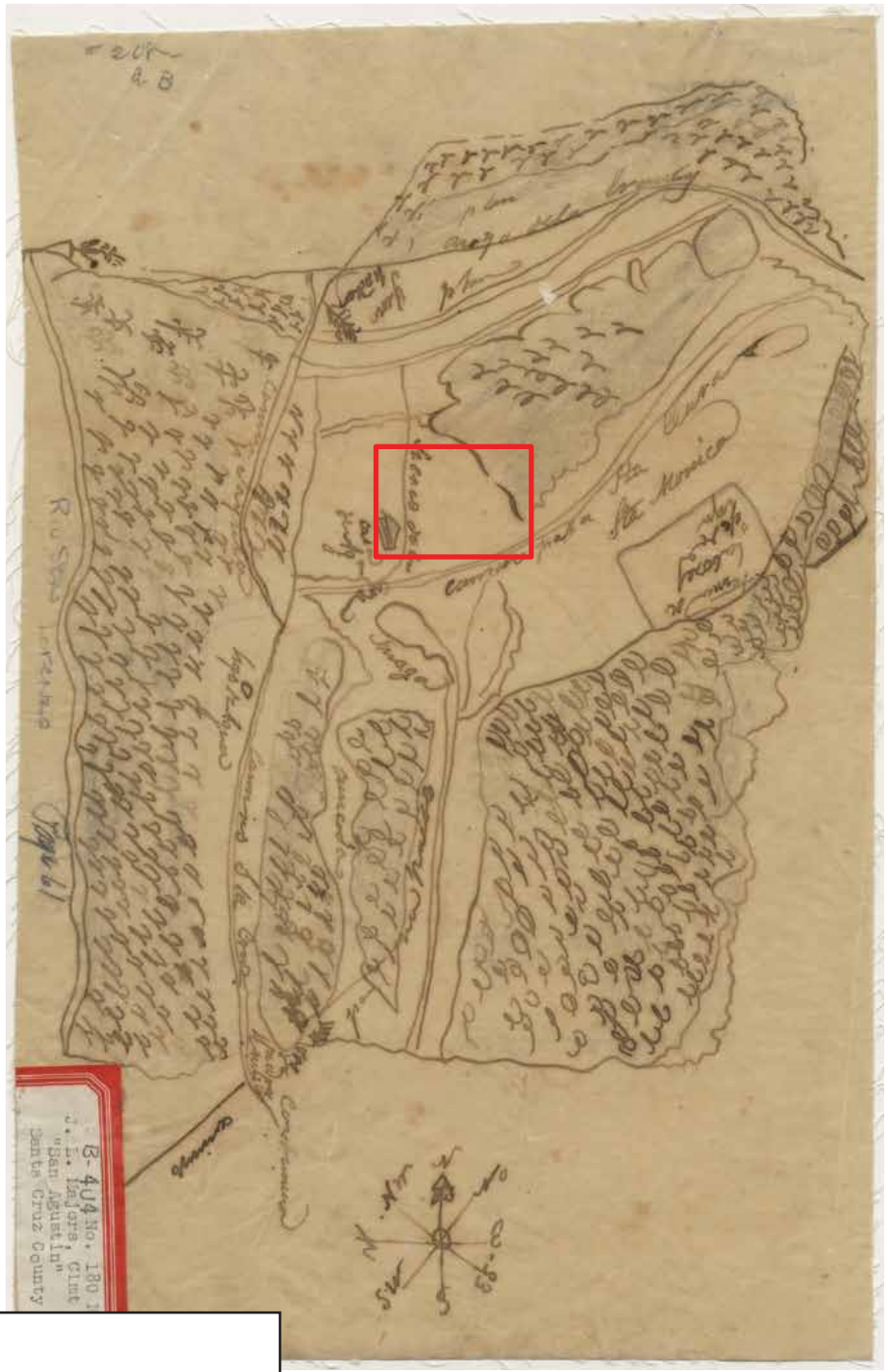
A plat map from 1929 shows the A & O Smith parcel had been reduced to 35.558 acres and was owned by Sophie C. Frank (Figure 7).

An aerial photograph from 1940 shows that the project parcel was undeveloped (Figure 8).



File name: Figure_3_GLO_1864.ai, J2019-001.33, Stella D'Oro, 04March2020

Figure 3. Detail of an 1864 GLO map with the Project Area.



LEGEND

Approximate location of Project Area

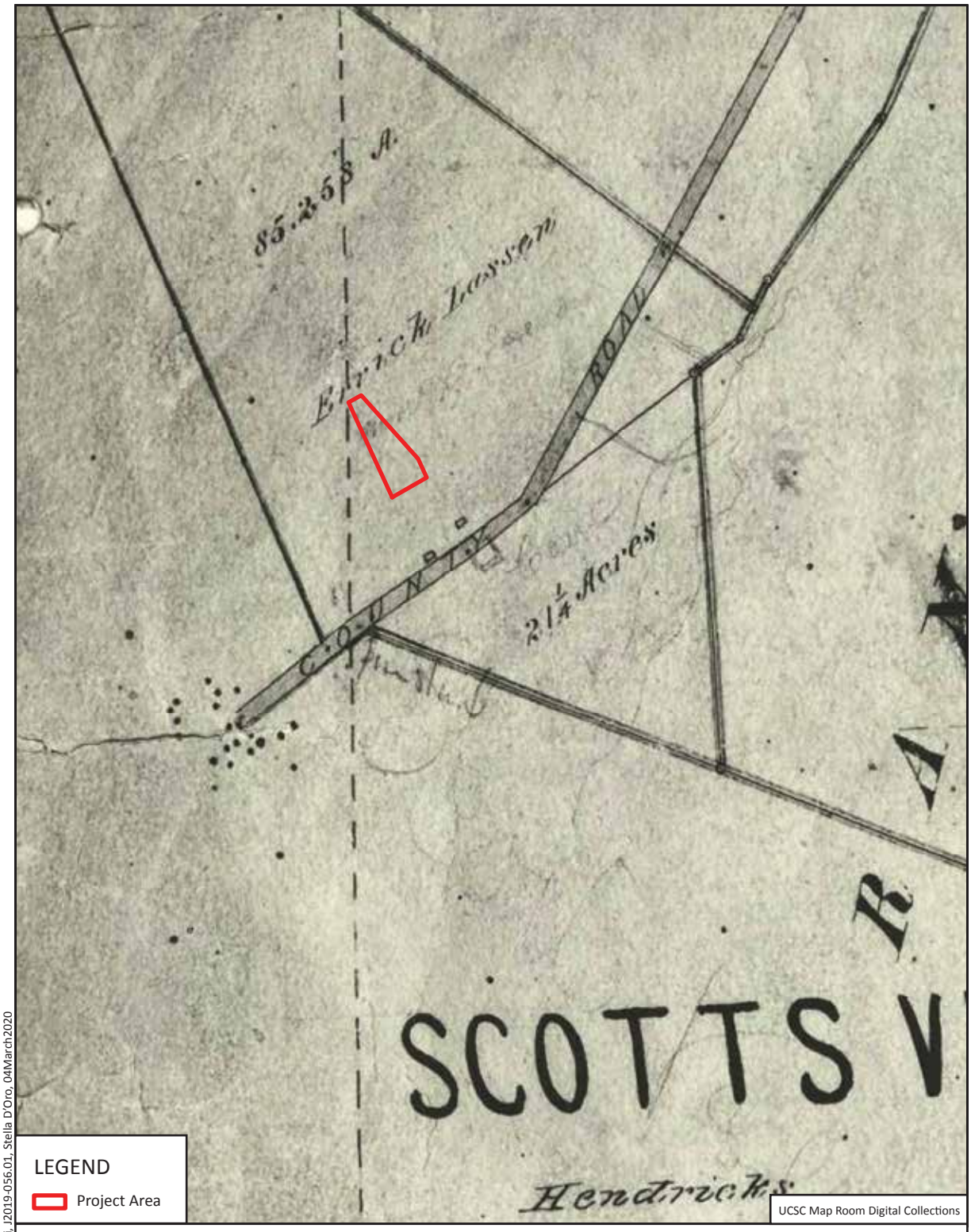
UC Berkeley, Bancroft Library

Figure 4. Diseño del Rancho San Augustin from 1866 with the approximate location of the Project Area.

NOT TO SCALE

N

File name: Figure_4_Rancho.ai, J2019-056.01, Stella D'Oro, 04March2020



File name: Figure_5_1881.ai; J2019-056.01; Stella D'Oro; 04March2020

Figure 5. Detail of an 1881 plat map with the Project Area.



Figure 6. Detail of an 1889 plat map with the Project Area.

File name: Figure_6_1889.ai; J2019-056.01; Stella D'Oro; 04March2020

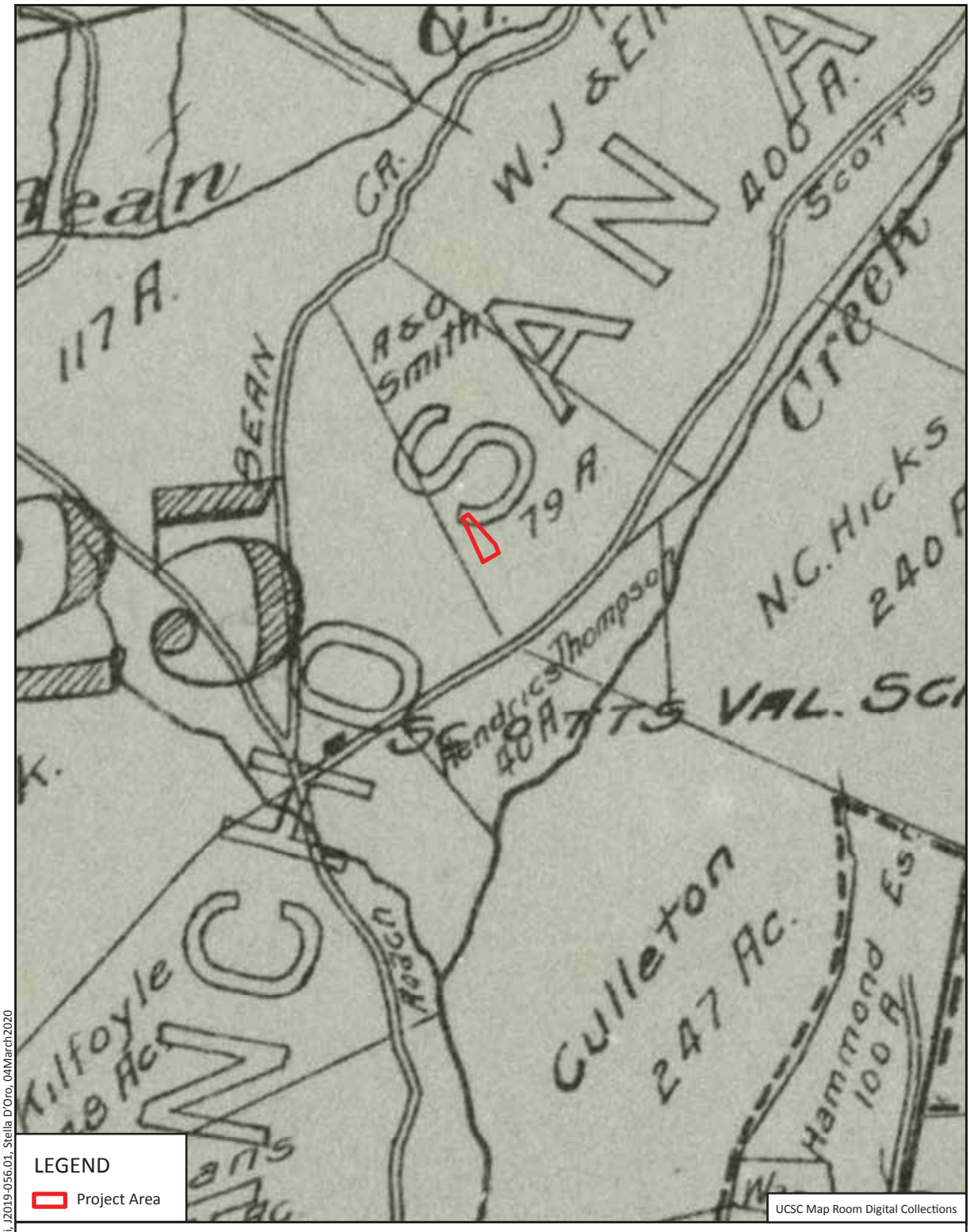
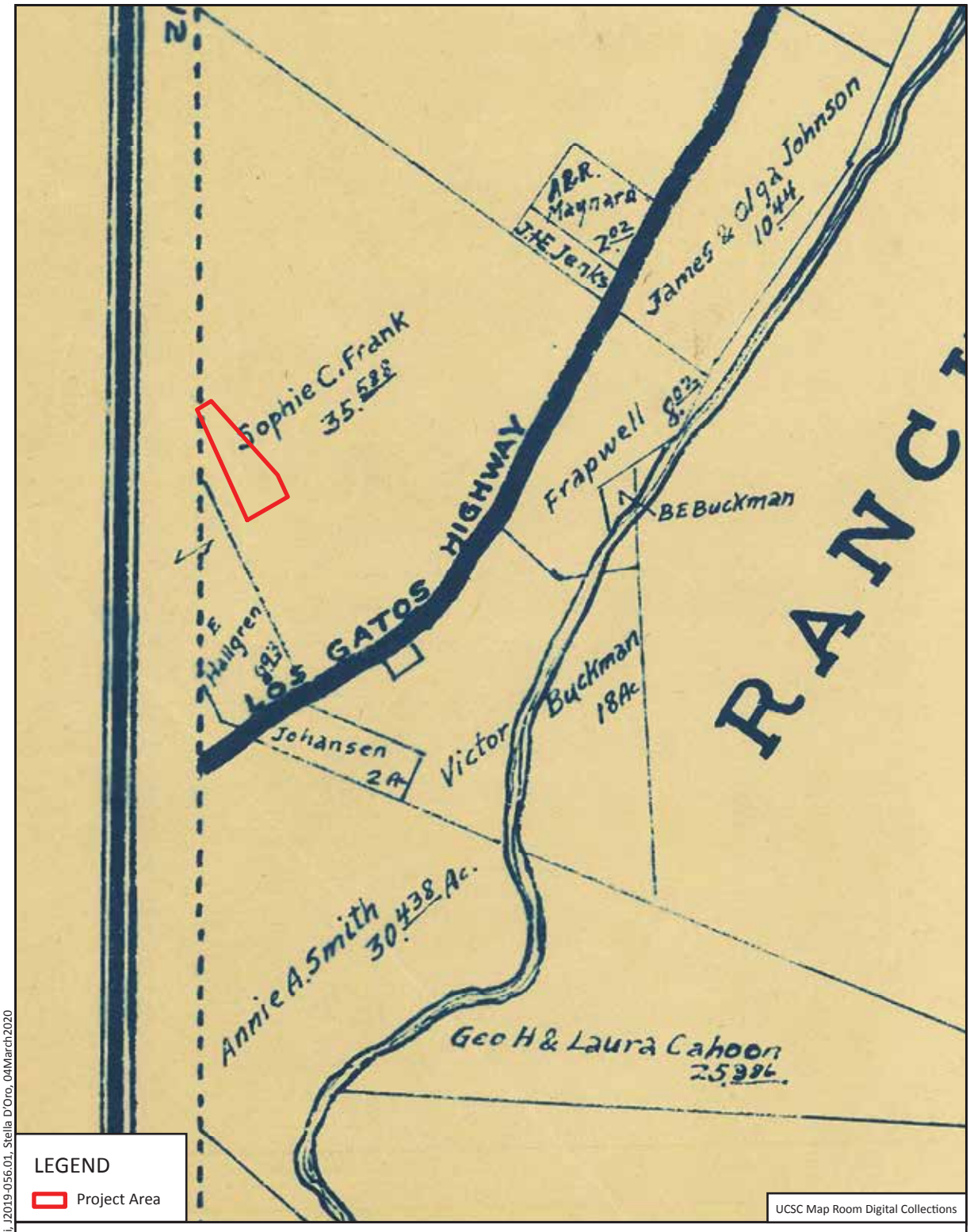


Figure 7. Detail of a 1906 plat map with the Project Area.



File name: Figure_8_1929.ai; J2019-056.01, Stella D'Oro, 04March2020

Figure 8. Detail of a 1929 plat map with the Project Area.



Figure 9. Detail of a 1940 aerial photograph with the Project Area.

File name: Figure_9_1940.ai; J2019-056.01, Stella D'Oro, 04March2020

Field Methods and Results

6

January 13–15, 2020, Albion archaeologists John Ellison, Brittney Biasi, Christina Spellman, and Alyssa Gelinas conducted surface and subsurface archaeological investigations at APNs 022-481-18 and 22 on Erba Lane in Scotts Valley, California. John Ellison, Amanda Hill, Brittney Biasi, Christina Spellman, and Matthew Manigault returned for further subsurface sampling on February 20, 2020.

PEDESTRIAN SURVEY

Staff Archaeologist John Ellison closely inspected the exposed natural surface for any artifacts, cultural materials, ecofacts, anthrosols, or any other indication of archaeological resources. Visibility of ground surface throughout the lot was poor due to pavement covering 80–90% of the parcel. The western edge of property allowed for visual inspection of the surface, though high grasses complicated surface visibility (Figure 10). Archaeologists identified no cultural materials during the pedestrian survey.

TRENCHES

The crew oversaw mechanical excavation of seven trenches and screened soils from thirteen Trench Samples (TS) for subsurface soils testing. Trenches were excavated in areas where planned Project elements will impact native soils (Figure 11). The archaeologists directed the Project-provided operator for the excavation of the exploratory trenches. The mechanical trench excavations involved the use of a backhoe equipped with a standard 2-ft (61 cm) wide, flat-bladed bucket in order to determine the presence or absence of buried archaeological deposits. Most trenches (Trench 2, 3, 4, and 7) measured 2 x 10 ft, excavated in approximately 1-ft increments to varying depths (4–9 ft) reflecting each area's project element. Trench 1 measured 2 x 50 ft, ranging in depths 5–6.5 ft. Trench 5 measured 2 x 20 ft, to 6.5 ft and Trench 6 was 2 x 20 ft, to 4 ft.

Staff archaeologists Christina Spellman, Brittney Biasi, and John Ellison inspected each trench to identify strata and to record the soil profile and descriptions. Albion staff recorded soil profiles from inside the trenches to a depth of 5 ft. After initial profile recordation, three areas were excavated to greater depths. The archaeologists could no longer enter the trenches due to OSHA safety guidelines. For every vertical foot excavated, archaeologist screened a minimum of .053 m^3 (14 gallons) of matrix through 6 mm ($^1/_4$ inch) or 3mm ($^1/_8$ inch) mesh to identify cultural materials. Appropriate field forms documented excavation results including strata, description of soils, identified artifacts, disturbances, and any other pertinent information. The trenches were backfilled upon completion. Archaeologists identified five natural strata (Strata I-V) and several modern fill events. Soil descriptions for each stratum are presented in Table 3.



Photograph 1. Overview of the Project Area (facing south southeast).



Photograph 2. Trench 4 backfilled (facing southeast).



Photograph 3. Overview augered areas (facing south).



Photograph 4. Overview of augered areas (facing north).



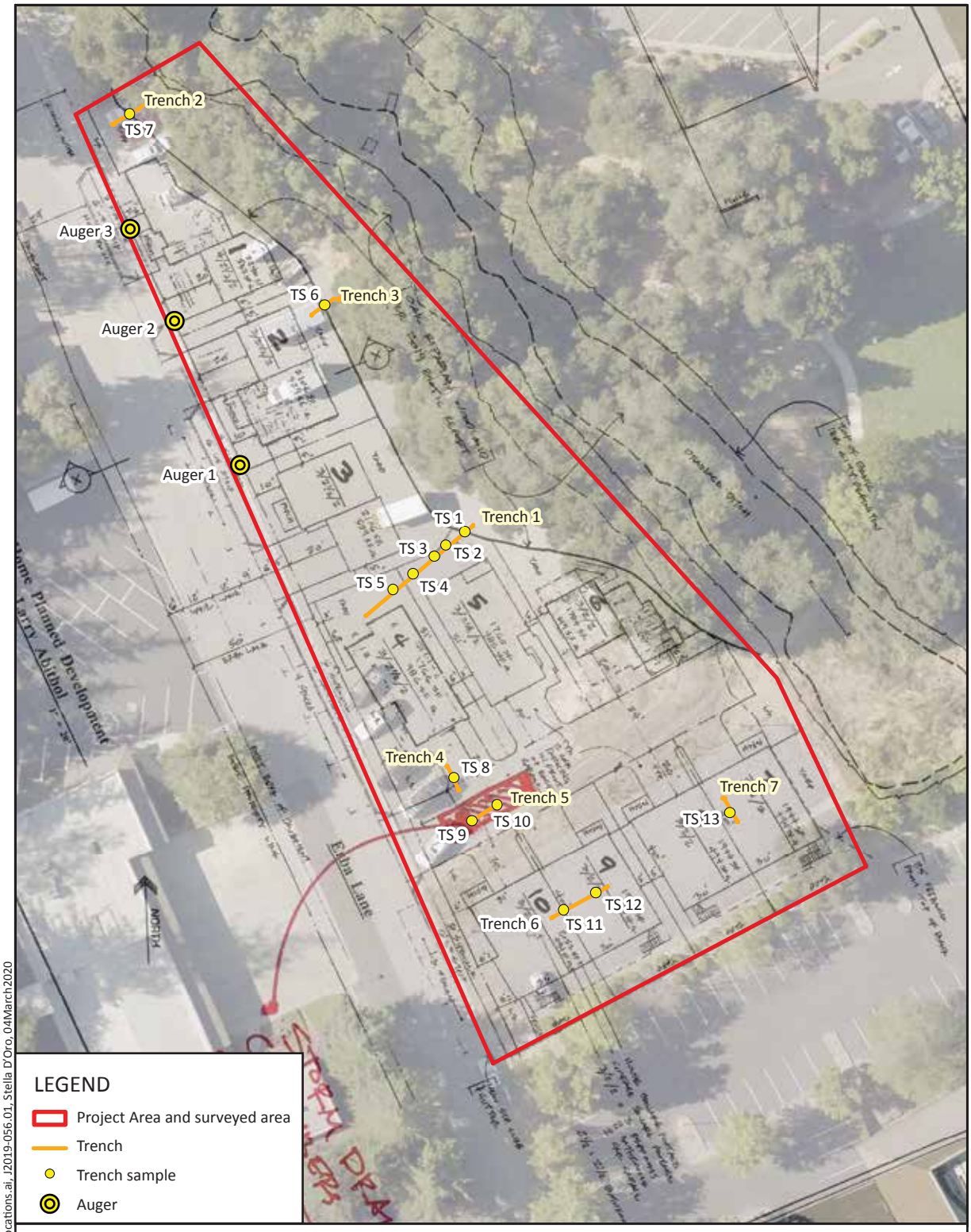
Photograph 5. Crew dry screening soils (facing east).



Photograph 6. Trench 2 backfilled after collapse (facing north).

File name: Figure_10_Photos.ai, J2019-001.33, Stella D'Oro, 04March2020

Figure 10. Photos from the field.



File name: Figure_11_TestLocations.ai, J2019-056.01, Stella D'Oro, 04March2020

Figure 11. Test locations.

Table 3. Trench Soils and Artifacts.

Stratum	Soil Type	Munsell Color	Artifacts	Soil (m^3)	Artifacts (m^3)
Modern Fill	-	-	2- debitage	1.3828	1.4
I	Sandy Loam	10 YR 3/1-3/2	1- groundstone	0.2240	4.5
II	Sandy Clay Loam	10 YR 2/1	3- debitage/ 1- groundstone	0.9082	4.4
III	Clay Loam	10 YR 2/1-3/1	-	0.3758	-
IV	Sand	10 YR 4/3	3- debitage	0.7580	3.9
V	Sandy Clay	10 YR 2/1	1- debitage	0.0530	18.8
Subtotal Fill Soils	-	-	2-debitage	1.3828	-
Subtotal Native Soils	-	-	7-debitage/ 2-groundstone	2.319	3.9
Total	-	-	11	3.7018	3.0

TRENCH 1

Trench 1 was originally placed in an area thought to be impacted to a depth of 6.5 ft by elements of a storm drain line. However, the storm drain is further to the south and Trench 5 explored this project element. This trench measured approximately 2 ft wide, 5–6.5 ft deep, and 50 ft in length. For horizontal control, Trench 1 was divided into 10-ft sections. Sections were labelled Trench Sample (TS) 1-5, from east to west. The TSs were excavated in 1-ft increments with 0.053 M^3 (14 gallons) set aside to screen through 6 mm ($^1/_4$ inch) or 3mm ($^1/_8$ inch) mesh.

TRENCH SAMPLE 1

The eastern most TS within Trench 1 was excavated to a 6.5-ft depth and selected for soils profile recordation. TS 1 held all four natural strata (Strata I-IV) and several modern fill events. All soils from TS 1 were processed through 3mm ($^1/_8$ inch) mesh. A total of 0.344 m^3 soil was sampled from just below surface to 6.5 ft. The results of TS 1 are presented in Table 4. Two flaked stone debitage artifacts were recovered from a modern fill stratum, less than 1-ft below surface. Modern material (safety glass) was identified to a depth of 4 ft below surface.

Table 4. Test Results of Trench Sample 1.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	Modern Fill	-	2	+	+	0.0530	3mm
1–2	Modern Fill	-	-	+	+	0.0530	3mm
2–3	I	-	-	+	+	0.0530	3mm
3–4	II	-	-	-	+	0.0530	3mm
4–5	III	-	-	-	-	0.0530	3mm
5–6.5	IV	-	-	-	-	0.0790	3mm
Total	-	-	2	+	+	0.3440	-

TRENCH SAMPLE 2

The modern fill soils from TS 2 were not screened (0–2 ft below surface). Additionally, the native soils contained more clay than previously recorded; therefore, the sample was divided to accelerate the soils sample processing within the fieldwork timeline. Archaeologists screened 75% of the sample through 6 mm ($^1/_4$ inch) mesh and 25% through 3mm ($^1/_8$ inch) mesh. Three native soil strata, Strata I, II, and III, were identified in TS 2. The results of TS 2 are presented I Table 5. The sample yielded one debitage flake from Strata II, 3–4 ft below surface. Modern materials were recovered as deep as 4 ft below surface.

Table 5. Test Results of Trench Sample 2.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	I	-	-	-	+	0.0530	3mm (25%), 6mm (75%)
3–4	II	-	1	-	+	0.0530	3mm (25%), 6mm (75%)
4–5	III	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	-	1	-	+	0.2650	-

TRENCH SAMPLE 3

TS 3 continued the same process as TS 2. Only two native soil strata, Strata II and III, were identified in TS 3. The results of TS 3 are presented in Table 6. One debitage flake was recorded from Strata II, 2–3 ft below surface. Modern materials were recovered as deep as 4 ft below surface. Archaeologists selected the south wall of TS 3 for soils profile recordation.

Table 6. Test Results of Trench Sample 3.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0-1	Modern Fill	-	-	-	-	0.0530	-
1-2	Modern Fill	-	-	-	-	0.0530	-
2-3	II	-	1	+	+	0.0530	3mm (25%), 6mm (75%)
3-4	II	-	-	-	+	0.0530	3mm (25%), 6mm (75%)
4-5	III	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	-	1	+	+	0.2650	-

TRENCH SAMPLE 4

TS 4 continued the same process as TS 2. Three native soil strata, Strata II, III, and IV, were identified in TS 4. The results of TS 4 are presented in Table 7. No artifacts or modern materials were recovered from TS 4.

Table 7. Test Results of Trench Sample 4.

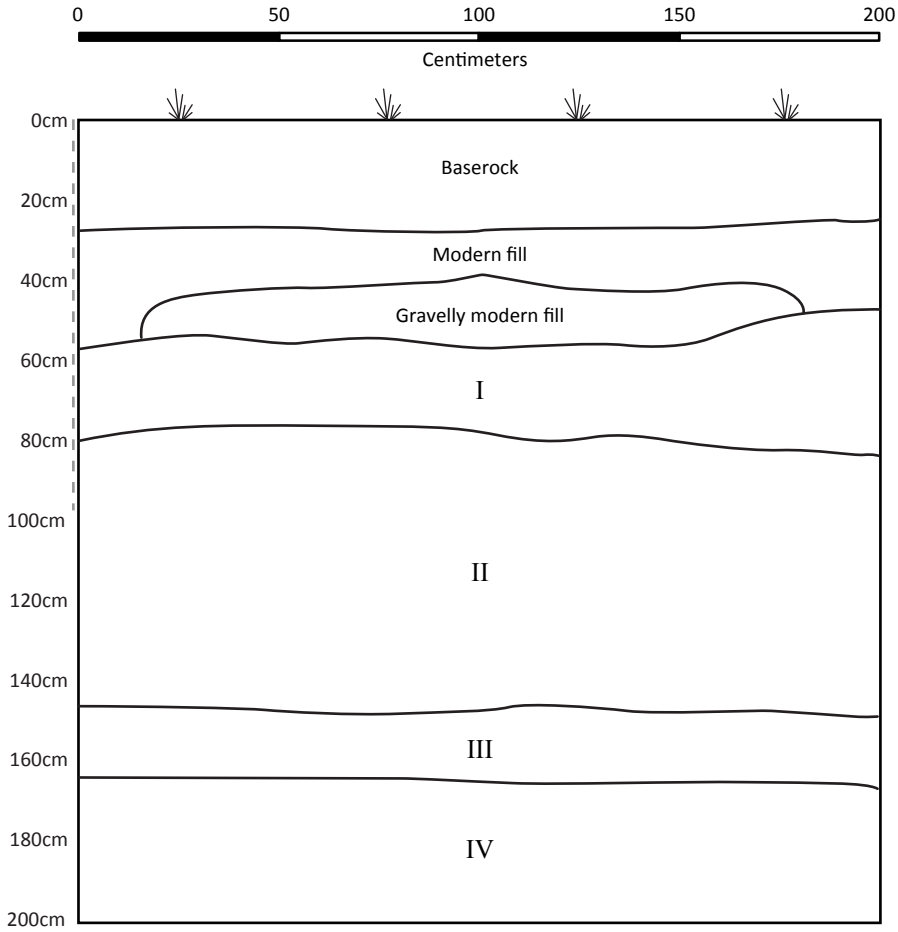
Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	II	-	-	+	-	0.0530	3mm (25%), 6mm (75%)
3–4	III	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
4–5	IV	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	-	-	+	-	0.2650	-

TRENCH SAMPLE 5

The western most TS within Trench 1 was excavated to a 6.5-ft depth and selected for soils profile recordation (Figure 12). TS 5 held all four natural strata (Strata I-IV) and several modern fill events. TS 5 continued the same method as TS 2. The results of TS 5 are presented in Table 8. No artifacts were recovered from TS 5 and modern material (safety glass) was identified in the sample 5-6.5 ft below surface.

Table 8. Test Results of Trench Sample 5.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	I	-	-	+	-	0.0530	3mm (25%), 6mm (75%)
3–4	II	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
4–5	III	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
5–6.5	IV	-	-	-	+	0.0790	3mm (25%), 6mm (75%)
Total	-	-	-	-	-	0.3440	-





LEGEND

Top of grade

File name: Figure_12_Trench_1.ai, J2019-056.01, Stella D'Oro, 04March2020

Figure 12. Trench 1 south wall profile views.

TRENCH 2

Trench 2, TS 7 was placed in an area with a proposed impact to a depth of 10 ft by installation of a retaining wall in the northern area of parcel. This trench measured 2 ft wide, 10 ft in length. Excavation was halted at approximately 9 ft below surface due to a collapse. Trench samples were collected to a depth of 8 ft below surface Figure 13 depicts the stratigraphy of Trench 2.

TRENCH SAMPLE 7

The soils remained consistent, Stratum IV sand from just below modern fill to 9 ft deep. All soils were processed through 3mm ($^1/_8$ inch) mesh. The results of TS 7 are presented in Table 9. Three specimens of flaked stone debitage were recovered from the 1 to 2-ft and 2 to 3-ft levels. Modern glass was present in the 5–6-ft level of TS 7. The north wall profile was recorded to 2 meters in depth. Further profile recordation could not take place due to the collapse of the trench walls.

Table 9. Test Results of Trench Sample 7.

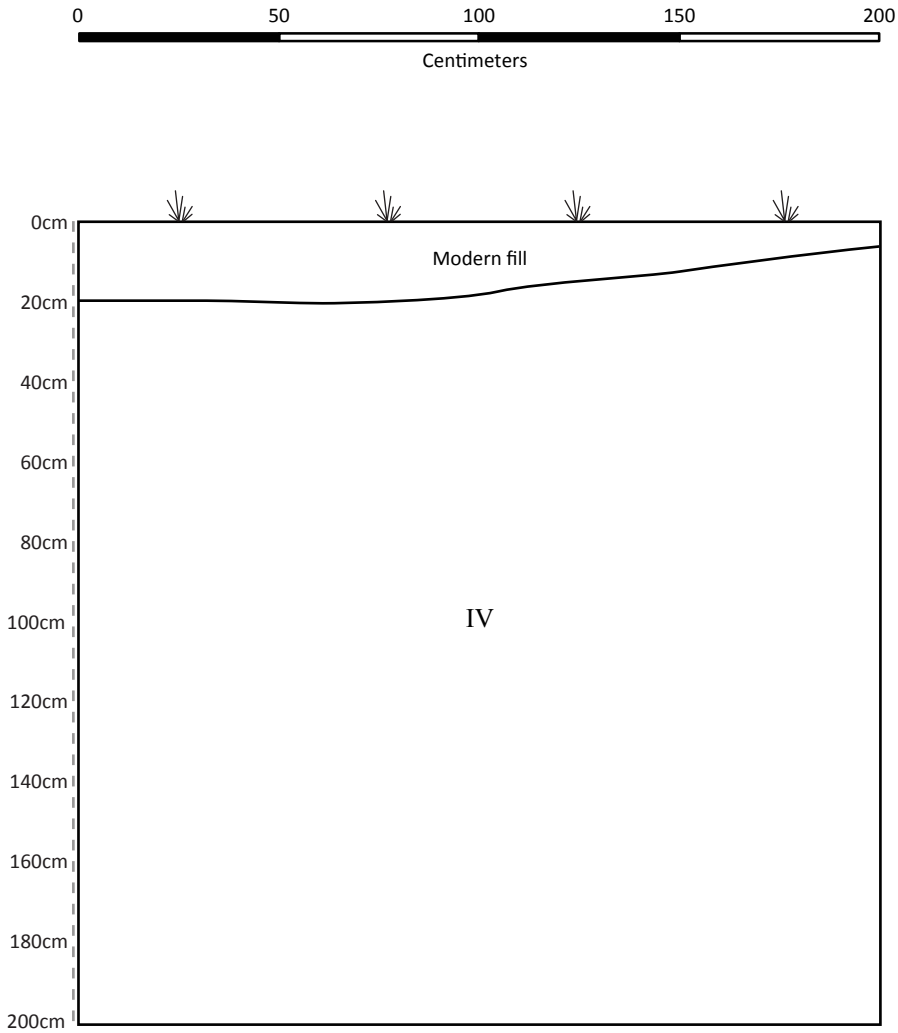
Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	Modern Fill	-	-	-	-	*0.0530*	-
1–2	IV	-	2	-	-	0.0530	3mm
2–3	IV	-	1	-	-	0.0530	3mm
3–4	IV	-	-	-	-	0.0530	3mm
4–5	IV	-	-	-	-	0.0530	3mm
5–6	IV	-	-	-	+	0.0530	3mm
6–7	IV	-	-	-	-	0.0530	3mm
7–8	IV	-	-	-	-	0.0530	3mm
Total	-	-	3	-	+	0.4240	-

TRENCH 3

Trench 3 was placed in an area with a proposed impact of 4 ft deep, by initial grading and re-compaction of the parcel. This trench measured 2 ft wide, 10 ft in length, and 4 ft deep. Figure 14 depicts the stratigraphy of Trench 3.

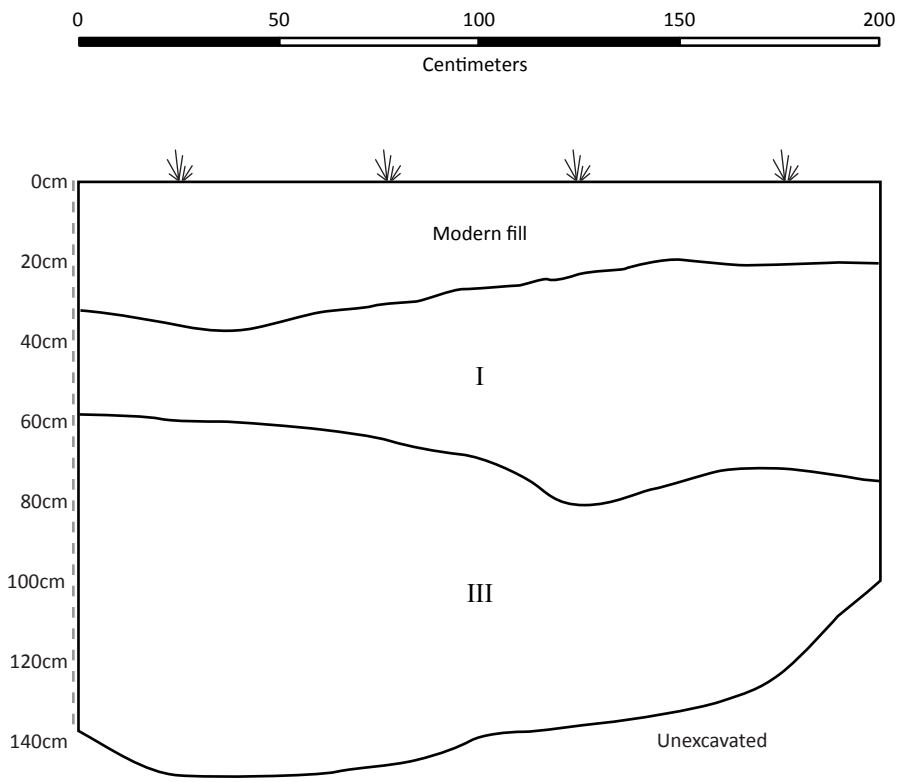
TRENCH SAMPLE 6

A large hand stone was identified at the interface of modern fill and Stratum I, though incorporated into the Stratum I, 1 to 2-ft level sample. TS 6 continued the same process as TS 2. The results of TS 6 are presented in Table 10. Only two native soil strata, Strata I and III, were identified in TS 6. Modern materials were recovered as deep as 2 ft below surface. Archaeologists selected the north wall of TS 6 for soils profile recordation.



File name: Figure_13_Trench_2.ai, J2019-056.01, Stella D'Oro, 04March2020

Figure 13. Trench 2 north wall profile.





LEGEND

Top of grade

File name: Figure_14_Trench_3.ai, J2019-056.01, Stella D'Oro, 04March2020

Figure 14. Trench 3 north wall profile views.

Table 10. Test Results of Trench Sample 6.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	I	1	-	-	+	0.0530	3mm (25%), 6mm (75%)
2–3	III	-	-	+	-	0.0530	3mm (25%), 6mm (75%)
3–4	III	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	1	-	+	+	0.2120	-

TRENCH 4

Trench 4 was placed in an area with a proposed impact of 4 ft deep, by initial grading and re-compaction of the parcel. This trench measured 2 ft wide, 10 ft in length, and 4 ft deep.

TRENCH SAMPLE 8

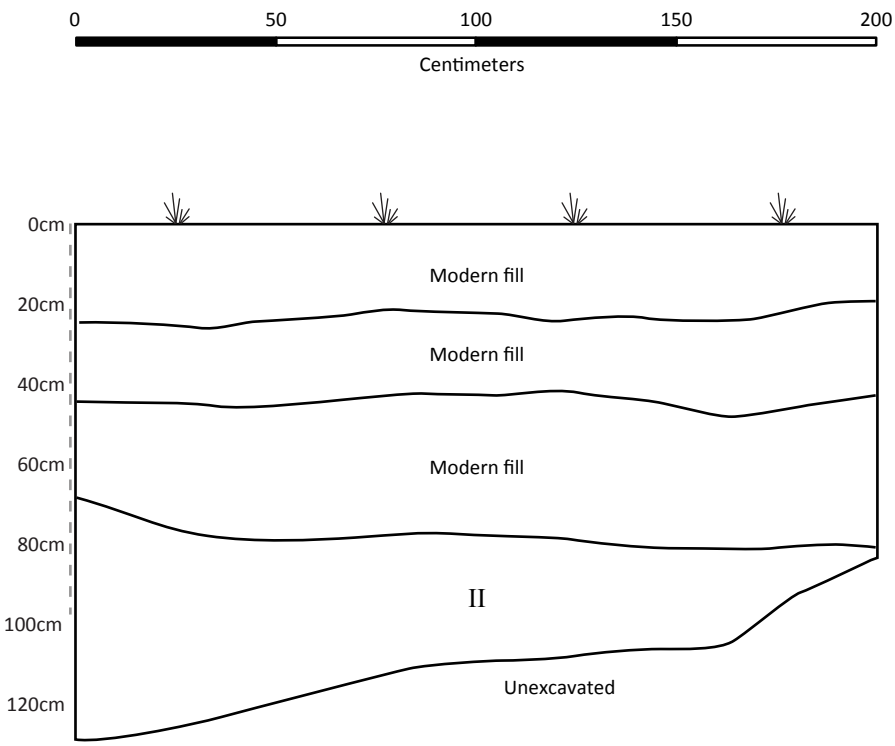
Most levels within the TS 8 trench were modern fill strata (Figure 15). The only level containing native soils was the 3–4 ft level, identified as Stratum II. TS 8 continued the same process as TS 2. The results of TS 8 are presented in Table 11. No artifacts or modern materials were recovered from TS 8.

Table 11. Test Results of Trench Sample 8.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	Modern Fill	-	-	-	-	0.0530	-
3–4	II	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	-	-	-	-	0.2120	-

TRENCH 5

Trench 1 was placed in an area to be impacted to a depth of 6.5 ft by elements of a storm drain line. This trench measured approximately 2 ft wide, 6.5 ft deep, and 20 ft in length. For horizontal control, Trench 5 was divided into two 10-ft sections labelled TS 9 and TS 10. The TSs were excavated in 1-ft increments with 0.053 m^3 (14 gallons) set aside to screen through 6 mm ($^1/_4$ inch) mesh.





LEGEND

Top of grade

File name: Figure_15_Trench_4.ai, J2019-056.01, Stella D'Oro, 04March2020

Figure 15. Trench 4 east wall profile views.

TRENCH SAMPLE 9

Trench Sample 9 was excavated to a 6.5-ft depth and selected for soils profile recordation (Figure 16). TS 1 held two natural strata (Strata II and IV) and several modern fill events. All soils from TS 9 were processed through 6mm ($^1/_4$ inch) mesh. A total of 0.344 m^3 soil was sampled from just below surface to 6.5 ft. The results of TS 9 are presented in Table 12. Modern material was identified to a depth of 4 ft below surface.

Table 12. Test Results of Trench Sample 9.

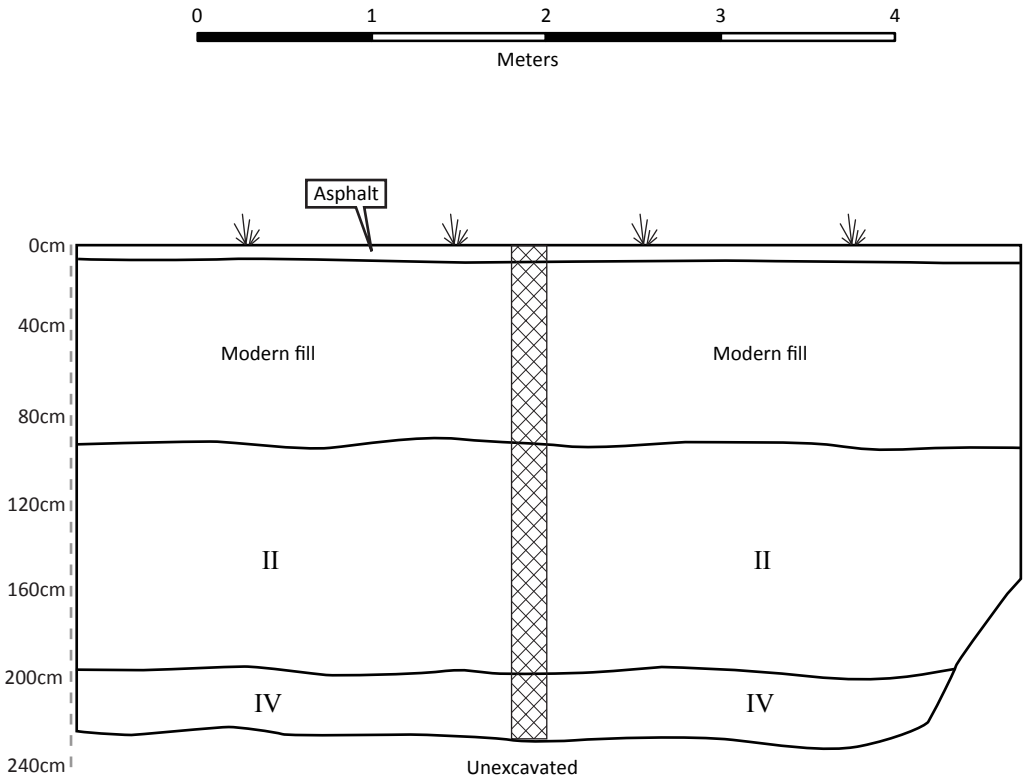
Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	Modern Fill	-	-	-	-	*0.0530*	-
1–2	Modern Fill	-	-	-	-	*0.0530*	-
2–3	II	-	-	-	+	0.0530	6mm
3–4	II	-	-	-	+	0.0530	6mm
4–5	II	-	-	-	-	0.0530	6mm
5–6.5	IV	-	-	-	-	0.0790	6mm
Total	-	-	-	-	+	0.3440	-

TRENCH SAMPLE 10

Similar to TS 9 just to the west, soils recovered from TS 10 included modern above Strata II and IV (Figure 16). All soils from TS 10 were processed through 6mm ($^1/_4$ inch) mesh. A total of 0.344 m^3 soil was sampled from just below surface to 6.5 ft. The results of TS 10 are presented in Table 13. Modern material was identified to a depth of 4 ft below surface.

Table 13. Test Results of Trench Sample 10.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	Modern Fill	-	-	-	-	0.0530	-
3–4	II	-	-	-	+	0.0530	6mm
4–5	II	-	-	-	-	0.0530	6mm
5–6.5	IV	-	-	-	-	0.0790	6mm
Total	-	-	-	-	+	0.3440	-





LEGEND

Top of grade

Geo bore

File name: Figure_16_Trench_4.ai, J2019-056.01, Stella D'Oro, 04March2020

Figure 16. Trench 5 south wall profile views.

TRENCH 6

Trench 6 was placed in an area with a proposed impact of 4 ft deep, by initial grading and re-compaction of the parcel. This trench measured 2 ft wide, 20 ft in length, and 4 ft deep. Trench 6 was divided into two 10-ft sections labelled TS 11 and TS 12. Each TS was excavated in 1-ft increments with 0.053 M3 (14 gallons) set aside to screen. Archaeologists screened 75% of the sample through 6 mm (1/4 inch) mesh and 25% through 3mm (1/8 inch) mesh.

TRENCH SAMPLE 11

Stratum II was the only natural soil identified in TS 11 (Figure 17). The results of TS 11 are presented in Table 14. Artifacts recovered include a handstone alongside clear modern glass in the 2–3 ft below surface level.

Table 14. Test Results of Trench Sample 11.

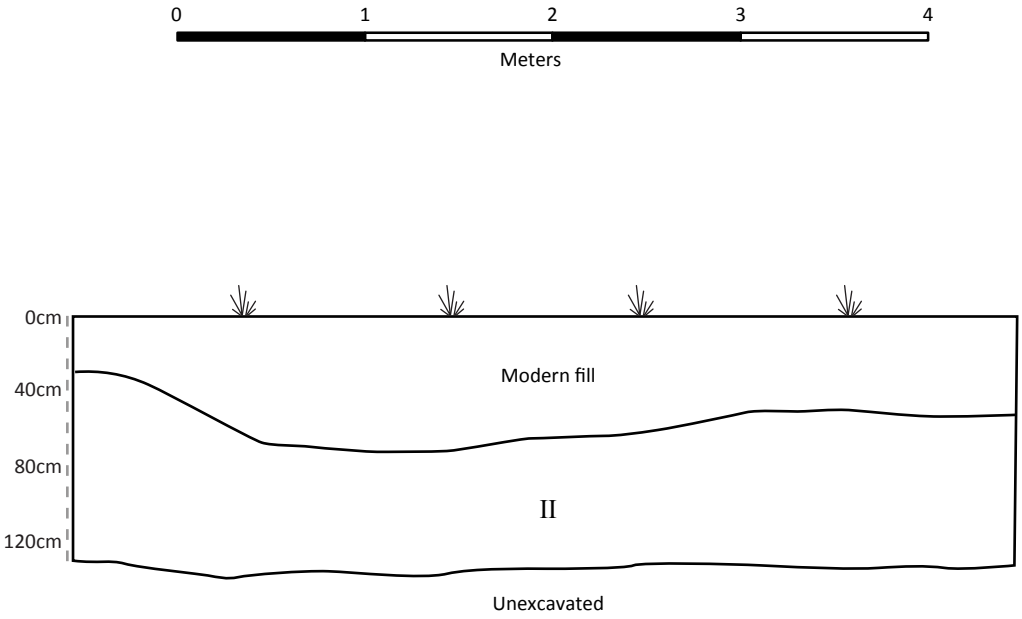
Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	II	1	-	-	+	0.0530	3mm (25%), 6mm (75%)
3–4	II	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	1	-	-	+	0.2120	-

TRENCH SAMPLE 12

The soils remain consistent with adjacent TS (Figure 17), Stratum II was the only natural soil identified in TS 12. The results of TS 12 are presented in Table 15. Artifacts recovered include a one Monterey chert debitage flake and a mix of modern ceramic, glass and metal fragments.

Table 15. Test Results of Trench Sample 12.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	II	-	1	-	+	0.0530	3mm (25%), 6mm (75%)
3–4	II	-	-	-	+	0.0530	3mm (25%), 6mm (75%)
Total	-	-	1	-	+	0.2120	-





LEGEND

Top of grade

File name: Figure_17_Trench_6.ai, J2019-056.01, Stella D'Oro, 04March2020

Figure 17. Trench 6 south wall profile views.

TRENCH 7

Trench 6 was placed in an area with a proposed impact of 4 ft deep, by initial grading and re-compaction of the parcel. This trench measured 2 ft wide, 10 ft in length, and 4 ft deep.

TRENCH SAMPLE 13

The southeastern most TS was excavated to a 4-ft depth and selected for soils profile recordation. The results of TS 13 are presented in Table 16. A new stratum was present (Strata V) in TS 13 from which the only artifact (igneous rock debitage) was recovered (Figure 18). Stratum V is marsh-like with very soft sandy clay, wet with organic materials present.

Table 16. Test Results of Trench Sample 13.

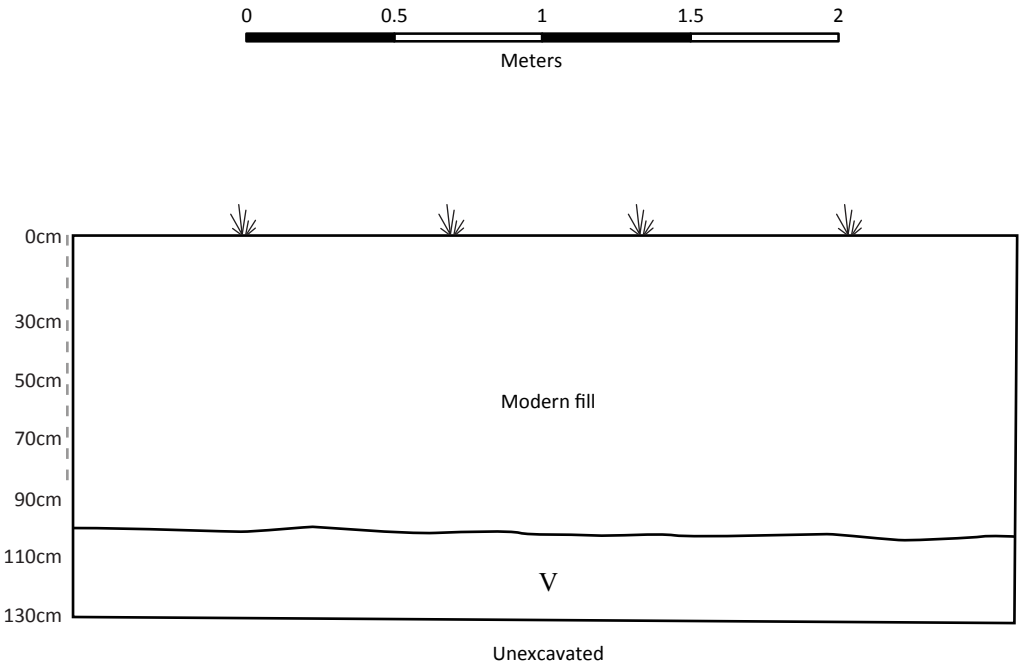
Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	II	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
3–4	V	-	1	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	-	1	-	+	0.2120	-

AUGERS

Three augers explored the soils in the location of the proposed collector drain, along the west boundary of the parcel. The augers measured 10-cm in diameter, reached a depth of 6.5 ft, and all soils collected in 1-ft intervals were screened through 3mm ($^1/_8$ inch) mesh.

AUGER 1

Auger 1 was located just to the northwest of Trench 1 and southwest of Trench 3. The results of Auger 1 are presented in Table 17. Auger 1 produced no artifacts or modern materials.





LEGEND

Top of grade

File name: Figure_18_Trench_7.ai, J2019-056.01, Stella D'Oro, 04March2020

Figure 18. Trench 7 west wall profile views.

Table 17. Test Results of Auger 1.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	I	-	-	-	-	0.0024	3mm
1–2	I	-	-	-	-	0.0024	3mm
2–3	II	-	-	-	-	0.0024	3mm
3–4	II	-	-	-	-	0.0024	3mm
4–5	II	-	-	-	-	0.0024	3mm
5–6.5	IV	-	-	-	-	0.0036	3mm
Total	-	-	-	-	-	0.0156	-

AUGER 2

Auger 2 was located just to the northwest of Trench 3. The soils identified reflect the nearby TS 6 soils, with the addition of Stratum IV soil below. The results of Auger 2 are presented in Table 18. Auger 2 produced no artifacts or modern materials.

Table 18. Test Results of Auger 2.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0-1	Modern Fill	-	-	-	-	*0.0024*	-
1–2	I	-	-	-	-	0.0024	3mm
2–3	III	-	-	-	-	0.0024	3mm
3–4	III	-	-	-	-	0.0024	3mm
4–5	IV	-	-	-	-	0.0024	3mm
5–6.5	IV	-	-	-	-	0.0036	3mm
Total	-	-	-	-	-	0.0156	-

AUGER 3

Auger 3 was located just to the southwest of Trench 2. The results of Auger 2 are presented in Table 19. Auger 3 produced no artifacts or modern materials.

Table 19. Test Results of Auger 3.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m^3)	Screen
0–1	Modern Fill	-	-	-	-	0.0024	-
1–2	I	-	-	-	-	0.0024	3mm
2–3	I	-	-	-	-	0.0024	3mm
3–4	IV	-	-	-	-	0.0024	3mm
4–5	IV	-	-	-	-	0.0024	3mm
5–6.5	IV	-	-	-	-	0.0036	3mm
Total	-	-	-	-	-	0.0156	-

In sum, the field effort identified modern fill present across the entire parcel, a series of intact native soils, and very few artifacts from only two artifact classes. Fill soils range from 1-3 ft, with the thickest layer in the central area of the parcel. Loamy soils (Strata I-III) developed above a sandy stratum (Strata IV) in the parcels central and southern areas. The north area was entirely composed of the Strata IV sand, and in the far southwest loamy soil (Stratum II) developed over a marshy sandy-clay (Stratum V). Artifacts are vertically distributed rather evenly across Strata I, II, and IV ranging from 3.9-4.5 artifact per cubic meter. Stratum V density appears inflated due to a single artifact recovered from the small volume sampled, although remaining a sparse 18.8 artifacts/m^3. No artifacts were recovered from Stratum III. Horizontally, cultural materials were present in eight TSs and distributed evenly with four artifacts in the north, four artifacts in the central area, and three artifacts in the south. However, only two artifacts were identified in the seven TSs and three Augers located greater than 20m west of the riparian corridor. No chronologically sensitive artifacts, organic artifacts, or charcoal attributable to a cultural event were recovered from the screened sample or identified in trench walls.

Conclusions and Recommendations

7

Visual inspection of the Project Area surface and subsurface excavations revealed no evidence of intact prehistoric or historic-era archaeological deposits.

Soils encountered were redeposited fill over five native soil strata with no evidence of culturally produced stratigraphy. Seven mechanically excavated trenches and three hand-excavated augers were used to expose subsurface soils. Thirteen Trench Samples (TS) and three augers recovered 3.7018 m^3 of soil for inspection. The sample included 1.3828 m^3 of fill soils characterized by differing soil types mixed with modern materials such as concrete and pavement. The remaining 2.319 m^3 appeared as intact native soil. The sampled soils produced cultural material, consisting of 9 pieces of flaked stone and two groundstone implements. At least two flaked stone pieces were recovered from the redeposited fill suggesting at least some mechanical disturbance of native soil occurred on the parcel. The two groundstone implements and the additional seven flaked stone debitage pieces recovered from native soils, are likely in-situ. However, the sparse nature of the deposit (3.9 artifact per m^3), paucity of artifact types, and no chronological markers or organic cultural materials for radiocarbon dating limits the ability for any archaeological interpretations. This limited and narrow assemblage, which cannot be placed within the regional dating scheme, does not allow for significant data potential, and is therefore not significant under CEQA guidelines.

Albion's investigation at APNs 022-481-18 and 22 on Erba Lane in Scotts Valley indicates that potentially significant cultural materials are NOT located in the Project Area. Due to the proximity of archaeological site SCR-177/H, we recommend archaeological and Native American monitoring during all ground-disturbing activity.

References Cited

Archaeological Resource Management
2003 Department of Parks and Recreation Updated Site Record for P-44-000251, CA-SCR-249. On file at the Northwest Information Center, Rohnert Park, California.

Baumhoff, M.A.
1963 Ecological Determinants of Aboriginal California Populations. *University of California Publications in American Archaeology and Ethnology* 49(2):155-236.

Bean, L.J.
1994 The Ohlone Past and Present: Native Americans of the San Francisco Bay Region. Ballena Press Anthropological Papers 42, Menlo Park, CA.

Bergthold, J.
1982 Prehistoric Settlement and Trade Models in the Santa Clara Valley, California. Master's thesis, Department of Anthropology, San Francisco State University, San Francisco, California.

Buckman, Tracey, and Jean Stafford
1974 Cabrillo College Archaeological Site Survey Record for P-44-000039, CA-SCR-33. On file at the Northwest Information Center, Rohnert Park, California.

Cartier, R
1980 Archaeological Evaluation of the Scotts Valley City Hall Project. On file at the Northwest Information Center, Rohnert Park, California.

Cartier, R.
1993 The Scotts Valley Site: CA-SCR-177. A monograph published by the Santa Cruz Archaeological Society, Santa Cruz, CA. In conjunction with Archaeological Resource Management, Robert Cartier, Principal.

Clark, D.T.
1986 Santa Cruz County Place Names: A Geographical Dictionary. Santa Cruz Historical Trust, Kestrel Press.

Cooper, J.
1979 Cabrillo College Archaeological Site Survey Record for P-44-000179 (CA-SCR-177/H). On file at the Northwest Information Center, Rohnert Park, California.

Fitzgerald, R.T.
2000 Cross Creek: An Early Holocene/Millingstone Period Site. California State Water Project, Coastal Branch Series Paper Number 12. San Luis Obispo County Archaeological Society, San Luis Obispo.

Hylkema, M.G.
2002 Tidal Marsh, Oak Woodlands, and Cultural Florescence in the Southern San Francisco Bay Region. In Catalysts to Complexity: Late Holecene Societies of the California Coast, edited by J. M. Erlandson and T. L. Jones, pp. 233-262. Perspectives in California Archaeology. Cotsen Instiute of Archaeology, University of California, Los Angeles.

Ingram, B. Lynn, James C. Ingle, and Mark E. Conrad
1996 A 2000 yr record of Sacramento-San Joaquin river inflow to San Francisco Bay estuary, California. Geology 24(4):331-334.

Jones, Terry L., and Kathryn A. Klar (editors)
2007 California Prehistory: Colonization, Culture, and Complexity. AltaMira Press, Plymouth, United Kingdom.

Levy, R.
1978 Costanoan. In Handbook of North American Indians, edited by R. F. Heizer, pp. 485 - 495. Vol. 8. Smithsonian Institution Press, Washington D.C.

Milliken, R., R.T. Fitzgerald, M. Hylkema, R. Groza, T. Origer, D.G. Bieling, A. Leventhal, R. Wiberg, A. Gottsfield, D. Gillette, V. Bellifemine, E. Strother, R. Cartier, and D.A. Fredrickson
2007 Punctuated Culture Change in the San Francisco Bay Area. In California Prehistory: Colonization, Culture, and Complexity, edited by T. L. Jones and K. A. Klar, pp. 99-123. Altamira Press, New York.

Appendix A

Results of Records Search

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM

ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE
HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO
SAN FRANCISCO
SAN MATEO
SANTA CLATA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
150 Professional Center Drive, Suite E
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
http://www.sonoma.edu/nwic

11/8/2019 NWIC File No.: 19-0713

Stella D'Oro
Albion Environmental, Inc.
1414 Soquel Avenue, Suite 205
Santa Cruz, CA 95062

re: Erba Lane

The Northwest Information Center received your record search request for the project area referenced above, located on the Felton USGS 7.5' quad. The following reflects the results of the records search for the project area and a 0.25 mile radius:

Resources within project area:	P-44-000179 (copied supplemental records).
Resources within 0.25 mile radius:	P-44-000251 & 000039 (copied supplemental records).
Reports within project area:	S-4080, 3913, 8313, 10214, & 10186 (copied S-4080, 10214, & 10186).
Reports within 1/8th mile radius:	See enclosed database printout & maps.

Resource Database Printout (list):	☐ enclosed	☒ not requested	☐ nothing listed
Resource Database Printout (details):	☒ enclosed	☐ not requested	☐ nothing listed
Resource Digital Database Records:	☐ enclosed	☒ not requested	☐ nothing listed
Report Database Printout (list):	☐ enclosed	☒ not requested	☐ nothing listed
Report Database Printout (details):	☒ enclosed	☐ not requested	☐ nothing listed
Report Digital Database Records:	☐ enclosed	☒ not requested	☐ nothing listed
Resource Record Copies:	☒ enclosed	☐ not requested	☐ nothing listed
Report Copies:	☒ enclosed	☐ not requested	☐ nothing listed
OHP Historic Properties Directory:	☐ enclosed	☒ not requested	☐ nothing listed
Archaeological Determinations of Eligibility:	☐ enclosed	☒ not requested	☐ nothing listed
CA Inventory of Historic Resources (1976):	☐ enclosed	☒ not requested	☐ nothing listed
Caltrans Bridge Survey:	☐ enclosed	☒ not requested	☐ nothing listed
Ethnographic Information:	☐ enclosed	☒ not requested	☐ nothing listed
Historical Literature:	☐ enclosed	☒ not requested	☐ nothing listed
Historical Maps:	☐ enclosed	☒ not requested	☐ nothing listed
Local Inventories:	☐ enclosed	☒ not requested	☐ nothing listed
GLO and/or Rancho Plat Maps:	☐ enclosed	☒ not requested	☐ nothing listed
Shipwreck Inventory:	☐ enclosed	☒ not requested	☐ nothing listed

*Notes:

** Current versions of these resources are available on-line:

Caltrans Bridge Survey: http://www.dot.ca.gov/hq/structur/strmaint/historic.htm

Soil Survey: http://www.nrcs.usda.gov/wps/portal/nrcs/surveylist/soils/survey/state/?stateId=CA

Shipwreck Inventory: http://www.slc.ca.gov/Info/Shipwrecks.html

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Thank you for using the California Historical Resources Information System (CHRIS).

Sincerely,

Lisa C. Hagel
Researcher

Appendix B

Confidential Native American Outreach Documentation

Communication Log for Native American Consultation: Erba Lane Development, Scotts Valley, CA

Stella sent NAHC Request 12/3/2019
NAHC responded 12/9/2019
Letters sent to Tribes 12/10/2019

Name	Tribe	Date	Action	Response
Valentin Lopez	Amah Mutsun Tribal Band		Mailed certified letter	No response.
		1/6/2020	Emailed letter and attachments.	Responded 1/11/2020, "This request is very different, we'll get back to you soon."
		1/13/2020	Telephoned	The Project Area is within the Amah Mutsun territory and they strongly request their tribe to monitor construction of the development. The tribe works closely with archaeologists at UC Berkeley, including Kent Lightfoot, and they are very interested in the site. When I told him Kanyon Sayers was currently monitoring testing, he insisted that she shouldn't be monitoring since it's not her territory. Mr. Lopez said that if human remains are found, they do not allow radiocarbon or DNA testing. He requested that I call him when testing is complete to tell him what we retrieved. He also recommends referencing their website at www.amahmutsun.org, which gives an overview of the studies they have been involved with.
Irenne Zwierlein	Amah Mutsun Tribal Band of San Juan Bautista	12/10/2019	Mailed certified letter	No response.
		1/6/2020	Emailed letter and attachments.	No response.
		1/13/2020	Telephoned	Irenne recommends the educating the construction crew regarding cultural resources in case anything is found.
Patrick Orozco	Costanoan-Ohlone Rumsen-Mutsun Tribe	12/10/2019	Mailed certified letter	No response.

Name	Tribe	Date	Action	Response
		1/6/2020	Emailed letter and attachments.	No response.
		1/13/2020	Telephoned	Left a message.
Ann Marie Sayers	Indian Canyon Mutsun Band of Costanoan	12/10/2019	Mailed certified letter	The letter was returned 1/21/2020
		1/6/2020	Emailed letter and attachments.	No response.
		1/13/2020	Telephoned.	Left message.
Monica Arellano	Muwekma Ohlone Tribe of the SF Bay Area	12/10/2019	Mailed certified letter	No response.
		1/6/2020	Emailed letter and attachments.	No response.
		1/13/2020	Telephoned.	Tried to leave a message but the mailbox is full.
Charlene Nijmeh	Muwekma Ohlone Tribe of the SF Bay Area	12/10/2019	Mailed certified letter	No response.
		1/6/2020	Emailed letter and attachments.	No response.
		1/13/2020	Telephoned.	Charlene texted me after I left a message. I texted her back asking for comments about the project.

NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone: (916) 373-3710
Email: nahc@nahc.ca.gov
Website: http://www.nahc.ca.gov

December 9, 2019

Stella D'Oro
Albion Environmental, Inc.

VIA Email to: SDoro@albionenvironmental.com; pbradley@mbakerintl.com

RE: Native American Consultation, Pursuant to Senate Bill 18 (SB18), Government Codes §65352.3 and §65352.4, as well as Assembly Bill 52 (AB52), Public Resources Codes §21080.1, §21080.3.1 and §21080.3.2, Erba Road Development, Scotts Valley, Santa Cruz County.

Dear Ms. D'Oro:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced counties or projects.

Government Codes §65352.3 and §65352.4 require local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans and Community Plans.

Public Resources Codes §21080.3.1 and §21080.3.2 requires public agencies to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to tribal cultural resources as defined, for California Environmental Quality Act (CEQA) projects.

The law does not preclude local governments and agencies from initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction. The NAHC believes that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

Best practice for the AB52 process and in accordance with Public Resources Code §21080.3.1(d), is to do the following:

> Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The NAHC also recommends, but does not require that lead agencies include in their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential affect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

   - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE, such as known archaeological sites;

   - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;

   - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the APE; and

   - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

   - Any report that may contain site forms, site significance, and suggested mitigation measures.

     All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.

3. The result of the Sacred Lands File (SFL) check conducted through the Native American Heritage Commission was negative.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS is not exhaustive, and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event, that they do, having the information beforehand well help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Nancy.Gonzalez-Lopez@nahc.ca.gov.

Sincerely,

Nancy Gonzalez-Lopez

Staff Services Analyst

Attachment

Native American Heritage Commission
Tribal Consultation List
Santa Cruz County
12/9/2019

Amah MutsunTribal Band
Valentin Lopez, Chairperson
P.O. Box 5272
Galt, CA, 95632
Phone: (916) 743 - 5833
vlopez@amahmutsun.org

Costanoan
Northern Valley
Yokut

Amah MutsunTribal Band of Mission San Juan Bautista
Irenne Zwierlein, Chairperson
789 Canada Road
Woodside, CA, 94062
Phone: (650) 851 - 7489
Fax: (650) 332-1526
amahmutsuntribal@gmail.com

Costanoan

Costanoan Ohlone Rumsen-Mutsun Tribe
Patrick Orozco, Chairman
644 Peartree Drive
Watsonville, CA, 95076
Phone: (831) 728 - 8471
yanapvoic97@gmail.com

Costanoan

Indian Canyon Mutsun Band of Costanoan
Ann Marie Sayers, Chairperson
P.O. Box 28
Hollister, CA, 95024
Phone: (831) 637 - 4238
ams@indiancanyon.org

Costanoan

Muwekma Ohlone Indian Tribe of the SF Bay Area
Monica Arellano,
20885 Redwood Road, Suite 232
Castro Valley, CA, 94546
Phone: (408) 205 - 9714
marellano@muwekma.org

Costanoan

Muwekma Ohlone Indian Tribe of the SF Bay Area
Charlene Nijmeh, Chairperson
20885 Redwood Road, Suite 232
Castro Valley, CA, 94546
Phone: (408) 464 - 2892
cnijmeh@muwekma.org

Costanoan

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Sections 65352.3, 65352.4 et seq. and Public Resources Code Sections 21080.3.1 for the proposed Erba Road Development, Scotts Valley, Santa Cruz County.

December 10, 2019

Ms. Monica Arellano
20885 Redwood Road, Suite 232
Castro Valley, California 94546

RE: Native American Consultation for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

Dear Ms. Arellano:

Albion Environmental, Inc (Albion), on behalf of the City of Scotts Valley, seeks your consultation for the Erba Lane Development Project (Project). The proposed work is to develop a 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) for residential land-use (Attachment 1). The Project involves the creation of twelve lots and two common lots for six single-family homes and three duplex units.

As the proposed Project requires an amendment to the existing General Plan of Scotts Valley and a California Environmental Quality Act (CEQA) review, Native American outreach must be conducted under Assembly Bill 52 regulations. The regulations state that all tribes have 30 days to comment.

Results of a record search conducted at the Northwest Information Center reveals five studies have been conducted within the Project APE and nineteen studies have been conducted within a $^{1}/_{8}$-mile of the Project APE. One cultural resource has been recorded within the Project APE and two cultural resources have been recorded within a $^{1}/_{4}$-mile radius of the APE. A summary of the studies and cultural resources are included in Attachments 2 and 3.

Archaeological resource CA-SCR-177/H located within the Project Area includes both historic and precolonial components. Both components are discussed below.

HISTORIC COMPONENT

CA-SCR-177/H includes the location of the Scott House, which was constructed as a residence for Hiram Scott and his family in 1858. The house is significant for its architecture (Greek Revival) and historical importance to the region. Mr. Scott was one of the original settlers in the area and is the person after whom Scotts Valley is named. The house is listed in the National Register of Historic Places. The boundaries of CA-SCR-177/H include the house and its parcel despite the fact that it was moved to its present location in 1936 due to the construction of Highway 17. The original location of the Scott House is not included within the current boundaries of CA-SCR-177/H.

1414 Soquel Avenue, Suite 205
Santa Cruz, CA 95062

(831) 469-9128 Santa Cruz
(805) 592-2222 San Luis Obispo

albionenvironmental.com

PRECOLONIAL COMPONENT

The precolonial component of CA-SCR-177/H was originally recorded as a lithic scatter (Cooper 1979). In 1980, Dr. Robert Cartier conducted an archaeological evaluation for the proposed construction of a City Hall for Scotts Valley (Cartier 1980). Radiocarbon assays from the initial study returned dates of 7,000-10,000 years before present (BP), very early for this region and for California as a whole.

Past actions to the site resulted in lawsuits that were settled out of court in October 1982 (Cartier 1993). The settlement required the City of Scotts Valley to fund two large data recovery efforts in 1983 and 1987. The data recovery sampled over 400 cubic meters of cultural soils along the northeast portion of the CA-SCR-177, and over 40 cubic meters from the southcentral area.

Very few sites dating from before 10,000 BP have been investigated; some researchers have suggested that earliest Californians established residences along estuaries and bay shores. The Scotts Valley site (CA-SCR-177) is one of the few inland sites in the region with such early dates. Cartier's (1993:271-273) report on the data recovery suggests the earliest cultural stratum of CA-SCR-177 dates to at least 10,500 BP. Since the soils are too acidic for bone or shell preservation, dates were extrapolated from radiocarbon dating charcoal in column samples, obsidian hydration, and diagnostic artifacts including an eccentric crescent, small leaf-shaped and medium lanceolate projectile points, knives, and hammer stones.

More recently, Jones et. al (Jones and Klar 2007) suggests that there are numerous issues compromising interpretations of the site's stratigraphic integrity and dating. The excavation unit used for radiocarbon dating during the 1987 data recovery produced dates from every millennium from 13,000 BP to present, although not in stratigraphic order. In 1987, radiocarbon studies required large amounts of charcoal. It was a common practice to use column samples, which included many pieces of charcoal producing an average date likely from many burn events. Additionally, the charcoal may or may not be cultural in origin as natural forest fires are common in the region. Currently, much smaller carbon (bone, shell, charcoal) samples are necessary to return accurate dates. Carbon samples are ideally taken from known cultural phenomena, such as transported shell, cut/cooked faunal bone, or discrete archaeological features such as hearths or human burials. Jones et al (2007:135) acknowledges the radiocarbon dates from two intact hearth features place the earliest well dated occupation of the site into the Millingstone Period at 8,000 BP, still of remarkable antiquity.

A host of small archaeological projects have identified archaeological materials as far south as the Bank of America lot at the corner of Erba Lane and Scotts Valley Drive (Table 1). At this point, the archaeological site boundaries are limited to the City of Scotts Valley City Hall lot, the adjacent park, and the lot of the current Project. The actual boundaries of the archaeological site are currently unknown.

Table 1. Archaeological Reports Associated with CA-SCR-177/H.

Year	Title	Author
1980	Archeological Evaluation of the Scotts Valley City Hall Project	Archaeological Resource Management
1980	Central California Obsidian Source Data and C-14 Dates	Archaeological Consulting
1980	Cultural Resource Evaluation of the Scotts Valley Redevelopment Area in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1980	Presentation of Descriptive and Scientific Data or CA-SCR-33 and CA-SCR-177	Archaeological Resource Management
1981	Possible Procedures and Estimated Cost for an Archaeological Data Recovery and Research Program at CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1982	Subsurface Testing Evaluation of the Parking Lot at the Scotts Valley City Hall, Scotts Valley, County of Santa Cruz, California	Archaeological Resource Management
1983	Archaeological Mitigation Plan for Phase 1 Construction at Archaeological Site CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1983	A Cultural Resources Predictability Study for he Land Management Agencies of the City of Scotts Valley, California	none listed
1984	Archaeology of Concern, by Committee and With Consensus, CA-SCR-177	Santa Cruz Archaeological Society
1984	Limited Archaeological Testing at CA-SCR-177, Scotts Valley Office Plaza, Scotts Valley, California	Basin Research Associates, Inc.
1984	The Scotts Valley Site (CA-SCR-177)	Archaeological Resource Management
1986	Cultural Resource Evaluation of a Parcel on Erba Lane in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1987	Archaeological Testing at the Civic Center Cooperative Parking Lot in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Archaeological Testing at the Cask-Pacific Parcel on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Cultural Resource Evaluation of Landscaping of Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1989	Salvage Mitigation Excavation Report for the Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1993	The Scotts Valley Site: CA-SCR-177	Archaeological Resource Management, The Santa Cruz Archaeological Society
1998	Final Report on Archaeological Mitigation at CA-SCR-177 for Construction on APN 022-082-037 at 101 Civic Center Drive, Scotts Valley, Santa Cruz, California	Espey, Huston & Associates, Inc.; Dames & Moore Archaeological Consulting
2003	Archaeological Monitoring Report for the Project Parcel APN 022 121 05 in the City of Scotts Valley, County of Santa Cruz, California	none listed

Thank you for considering this consultation request. Please contact me at your earliest convenience to discuss this Project. I may be reached by email at sdoro@albionenvironmental.com or telephone, 831.345.7504. I will be contacting you again by email and by telephone prior to the end of the 30-day commenting period to be sure you have received notice about the Project.

Sincerely,



Stella D'Oro, MA, RPA
Senior Archaeologist

Attachment 1. Location Map
Attachment 2. Summary of Reports
Attachment 3. Site Records

REFERENCES CITED

Cartier, R
1980 *Archaeological Evaluation of the Scotts Valley City Hall Project.* On file at the Northwest Information Center, Rohnert Park, California.

Cartier, R.
1993 *The Scotts Valley Site: CA-SCR-177*. A monograph published by the Santa Cruz Archaeological Society, Santa Cruz, CA. In conjunction with Archaeological Resource Management, Robert Cartier, Principal.

Cooper, J.
1979 *Cabrillo College Archaeological Site Survey Record for P-44-000179 (CA-SCR-177/H).* On file at the Northwest Information Center, Rohnert Park, California.

Jones, Terry L., and Kathryn A. Klar (editors)
2007 *California Prehistory: Colonization, Culture, and Complexity*. AltaMira Press, Plymouth, United Kingdom.

ALBION

December 10, 2019

Mr. Valentin Lopez
P.O. Box 5272
Galt, California 95632

RE: Native American Consultation for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

Dear Mr. Lopez:

Albion Environmental, Inc (Albion), on behalf of the City of Scotts Valley, seeks your consultation for the Erba Lane Development Project (Project). The proposed work is to develop a 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) for residential land-use (Attachment 1). The Project involves the creation of twelve lots and two common lots for six single-family homes and three duplex units.

As the proposed Project requires an amendment to the existing General Plan of Scotts Valley and a California Environmental Quality Act (CEQA) review, Native American outreach must be conducted under Assembly Bill 52 regulations. The regulations state that all tribes have 30 days to comment.

Results of a record search conducted at the Northwest Information Center reveals five studies have been conducted within the Project APE and nineteen studies have been conducted within a $^{1}/_{8}$-mile of the Project APE. One cultural resource has been recorded within the Project APE and two cultural resources have been recorded within a $^{1}/_{4}$-mile radius of the APE. A summary of the studies and cultural resources are included in Attachments 2 and 3.

Archaeological resource CA-SCR-177/H located within the Project Area includes both historic and precolonial components. Both components are discussed below.

HISTORIC COMPONENT

CA-SCR-177/H includes the location of the Scott House, which was constructed as a residence for Hiram Scott and his family in 1858. The house is significant for its architecture (Greek Revival) and historical importance to the region. Mr. Scott was one of the original settlers in the area and is the person after whom Scotts Valley is named. The house is listed in the National Register of Historic Places. The boundaries of CA-SCR-177/H include the house and its parcel despite the fact that it was moved to its present location in 1936 due to the construction of Highway 17. The original location of the Scott House is not included within the current boundaries of CA-SCR-177/H.

1414 Soquel Avenue, Suite 205
Santa Cruz, CA 95062

(831) 469-9128 Santa Cruz
(805) 592-2222 San Luis Obispo

albionenvironmental.com

PRECOLONIAL COMPONENT

The precolonial component of CA-SCR-177/H was originally recorded as a lithic scatter (Cooper 1979). In 1980, Dr. Robert Cartier conducted an archaeological evaluation for the proposed construction of a City Hall for Scotts Valley (Cartier 1980). Radiocarbon assays from the initial study returned dates of 7,000-10,000 years before present (BP), very early for this region and for California as a whole.

Past actions to the site resulted in lawsuits that were settled out of court in October 1982 (Cartier 1993). The settlement required the City of Scotts Valley to fund two large data recovery efforts in 1983 and 1987. The data recovery sampled over 400 cubic meters of cultural soils along the northeast portion of the CA-SCR-177, and over 40 cubic meters from the southcentral area.

Very few sites dating from before 10,000 BP have been investigated; some researchers have suggested that earliest Californians established residences along estuaries and bay shores. The Scotts Valley site (CA-SCR-177) is one of the few inland sites in the region with such early dates. Cartier's (1993:271-273) report on the data recovery suggests the earliest cultural stratum of CA-SCR-177 dates to at least 10,500 BP. Since the soils are too acidic for bone or shell preservation, dates were extrapolated from radiocarbon dating charcoal in column samples, obsidian hydration, and diagnostic artifacts including an eccentric crescent, small leaf-shaped and medium lanceolate projectile points, knives, and hammer stones.

More recently, Jones et. al (Jones and Klar 2007) suggests that there are numerous issues compromising interpretations of the site's stratigraphic integrity and dating. The excavation unit used for radiocarbon dating during the 1987 data recovery produced dates from every millennium from 13,000 BP to present, although not in stratigraphic order. In 1987, radiocarbon studies required large amounts of charcoal. It was a common practice to use column samples, which included many pieces of charcoal producing an average date likely from many burn events. Additionally, the charcoal may or may not be cultural in origin as natural forest fires are common in the region. Currently, much smaller carbon (bone, shell, charcoal) samples are necessary to return accurate dates. Carbon samples are ideally taken from known cultural phenomena, such as transported shell, cut/cooked faunal bone, or discrete archaeological features such as hearths or human burials. Jones et al (2007:135) acknowledges the radiocarbon dates from two intact hearth features place the earliest well dated occupation of the site into the Millingstone Period at 8,000 BP, still of remarkable antiquity.

A host of small archaeological projects have identified archaeological materials as far south as the Bank of America lot at the corner of Erba Lane and Scotts Valley Drive (Table 1). At this point, the archaeological site boundaries are limited to the City of Scotts Valley City Hall lot, the adjacent park, and the lot of the current Project. The actual boundaries of the archaeological site are currently unknown.

Table 1. Archaeological Reports Associated with CA-SCR-177/H.

Year	Title	Author
1980	Archeological Evaluation of the Scotts Valley City Hall Project	Archaeological Resource Management
1980	Central California Obsidian Source Data and C-14 Dates	Archaeological Consulting
1980	Cultural Resource Evaluation of the Scotts Valley Redevelopment Area in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1980	Presentation of Descriptive and Scientific Data or CA-SCR-33 and CA-SCR-177	Archaeological Resource Management
1981	Possible Procedures and Estimated Cost for an Archaeological Data Recovery and Research Program at CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1982	Subsurface Testing Evaluation of the Parking Lot at the Scotts Valley City Hall, Scotts Valley, County of Santa Cruz, California	Archaeological Resource Management
1983	Archaeological Mitigation Plan for Phase 1 Construction at Archaeological Site CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1983	A Cultural Resources Predictability Study for he Land Management Agencies of the City of Scotts Valley, California	none listed
1984	Archaeology of Concern, by Committee and With Consensus, CA-SCR-177	Santa Cruz Archaeological Society
1984	Limited Archaeological Testing at CA-SCR-177, Scotts Valley Office Plaza, Scotts Valley, California	Basin Research Associates, Inc.
1984	The Scotts Valley Site (CA-SCR-177)	Archaeological Resource Management
1986	Cultural Resource Evaluation of a Parcel on Erba Lane in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1987	Archaeological Testing at the Civic Center Cooperative Parking Lot in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Archaeological Testing at the Cask-Pacific Parcel on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Cultural Resource Evaluation of Landscaping of Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1989	Salvage Mitigation Excavation Report for the Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1993	The Scotts Valley Site: CA-SCR-177	Archaeological Resource Management, The Santa Cruz Archaeological Society
1998	Final Report on Archaeological Mitigation at CA-SCR-177 for Construction on APN 022-082-037 at 101 Civic Center Drive, Scotts Valley, Santa Cruz, California	Espey, Huston & Associates, Inc.; Dames & Moore Archaeological Consulting
2003	Archaeological Monitoring Report for the Project Parcel APN 022 121 05 in the City of Scotts Valley, County of Santa Cruz, California	none listed

Thank you for considering this consultation request. Please contact me at your earliest convenience to discuss this Project. I may be reached by email at sdoro@albionenvironmental.com or telephone, 831.345.7504. I will be contacting you again by email and by telephone prior to the end of the 30-day commenting period to be sure you have received notice about the Project.

Sincerely,



Stella D'Oro, MA, RPA
Senior Archaeologist

Attachment 1. Location Map
Attachment 2. Summary of Reports
Attachment 3. Site Records

REFERENCES CITED

Cartier, R
1980 *Archaeological Evaluation of the Scotts Valley City Hall Project. On file at the Northwest Information Center, Rohnert Park, California.*

Cartier, R.
1993 *The Scotts Valley Site: CA-SCR-177*. A monograph published by the Santa Cruz Archaeological Society, Santa Cruz, CA. In conjunction with Archaeological Resource Management, Robert Cartier, Principal.

Cooper, J.
1979 *Cabrillo College Archaeological Site Survey Record for P-44-000179 (CA-SCR-177/H).* On file at the Northwest Information Center, Rohnert Park, California.

Jones, Terry L., and Kathryn A. Klar (editors)
2007 *California Prehistory: Colonization, Culture, and Complexity*. AltaMira Press, Plymouth, United Kingdom.

December 10, 2019

Charlene Nijmeh
20885 Redwood Road, Suite 232
Castro Valley, California 94546

RE: Native American Consultation for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

Dear Charlene Nijmeh:

Albion Environmental, Inc (Albion), on behalf of the City of Scotts Valley, seeks your consultation for the Erba Lane Development Project (Project). The proposed work is to develop a 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) for residential land-use (Attachment 1). The Project involves the creation of twelve lots and two common lots for six single-family homes and three duplex units.

As the proposed Project requires an amendment to the existing General Plan of Scotts Valley and a California Environmental Quality Act (CEQA) review, Native American outreach must be conducted under Assembly Bill 52 regulations. The regulations state that all tribes have 30 days to comment.

Results of a record search conducted at the Northwest Information Center reveals five studies have been conducted within the Project APE and nineteen studies have been conducted within a $^1/_8$-mile of the Project APE. One cultural resource has been recorded within the Project APE and two cultural resources have been recorded within a $^1/_4$-mile radius of the APE. A summary of the studies and cultural resources are included in Attachments 2 and 3.

Archaeological resource CA-SCR-177/H located within the Project Area includes both historic and precolonial components. Both components are discussed below.

HISTORIC COMPONENT

CA-SCR-177/H includes the location of the Scott House, which was constructed as a residence for Hiram Scott and his family in 1858. The house is significant for its architecture (Greek Revival) and historical importance to the region. Mr. Scott was one of the original settlers in the area and is the person after whom Scotts Valley is named. The house is listed in the National Register of Historic Places. The boundaries of CA-SCR-177/H include the house and its parcel despite the fact that it was moved to its present location in 1936 due to the construction of Highway 17. The original location of the Scott House is not included within the current boundaries of CA-SCR-177/H.

PRECOLONIAL COMPONENT

The precolonial component of CA-SCR-177/H was originally recorded as a lithic scatter (Cooper 1979). In 1980, Dr. Robert Cartier conducted an archaeological evaluation for the proposed construction of a City Hall for Scotts Valley (Cartier 1980). Radiocarbon assays from the initial study returned dates of 7,000-10,000 years before present (BP), very early for this region and for California as a whole.

Past actions to the site resulted in lawsuits that were settled out of court in October 1982 (Cartier 1993). The settlement required the City of Scotts Valley to fund two large data recovery efforts in 1983 and 1987. The data recovery sampled over 400 cubic meters of cultural soils along the northeast portion of the CA-SCR-177, and over 40 cubic meters from the southcentral area.

Very few sites dating from before 10,000 BP have been investigated; some researchers have suggested that earliest Californians established residences along estuaries and bay shores. The Scotts Valley site (CA-SCR-177) is one of the few inland sites in the region with such early dates. Cartier's (1993:271-273) report on the data recovery suggests the earliest cultural stratum of CA-SCR-177 dates to at least 10,500 BP. Since the soils are too acidic for bone or shell preservation, dates were extrapolated from radiocarbon dating charcoal in column samples, obsidian hydration, and diagnostic artifacts including an eccentric crescent, small leaf-shaped and medium lanceolate projectile points, knives, and hammer stones.

More recently, Jones et. al (Jones and Klar 2007) suggests that there are numerous issues compromising interpretations of the site's stratigraphic integrity and dating. The excavation unit used for radiocarbon dating during the 1987 data recovery produced dates from every millennium from 13,000 BP to present, although not in stratigraphic order. In 1987, radiocarbon studies required large amounts of charcoal. It was a common practice to use column samples, which included many pieces of charcoal producing an average date likely from many burn events. Additionally, the charcoal may or may not be cultural in origin as natural forest fires are common in the region. Currently, much smaller carbon (bone, shell, charcoal) samples are necessary to return accurate dates. Carbon samples are ideally taken from known cultural phenomena, such as transported shell, cut/cooked faunal bone, or discrete archaeological features such as hearths or human burials. Jones et al (2007:135) acknowledges the radiocarbon dates from two intact hearth features place the earliest well dated occupation of the site into the Millingstone Period at 8,000 BP, still of remarkable antiquity.

A host of small archaeological projects have identified archaeological materials as far south as the Bank of America lot at the corner of Erba Lane and Scotts Valley Drive (Table 1). At this point, the archaeological site boundaries are limited to the City of Scotts Valley City Hall lot, the adjacent park, and the lot of the current Project. The actual boundaries of the archaeological site are currently unknown.

Table 1. Archaeological Reports Associated with CA-SCR-177/H.

Year	Title	Author
1980	Archeological Evaluation of the Scotts Valley City Hall Project	Archaeological Resource Management
1980	Central California Obsidian Source Data and C-14 Dates	Archaeological Consulting
1980	Cultural Resource Evaluation of the Scotts Valley Redevelopment Area in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1980	Presentation of Descriptive and Scientific Data or CA-SCR-33 and CA-SCR-177	Archaeological Resource Management
1981	Possible Procedures and Estimated Cost for an Archaeological Data Recovery and Research Program at CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1982	Subsurface Testing Evaluation of the Parking Lot at the Scotts Valley City Hall, Scotts Valley, County of Santa Cruz, California	Archaeological Resource Management
1983	Archaeological Mitigation Plan for Phase 1 Construction at Archaeological Site CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1983	A Cultural Resources Predictability Study for he Land Management Agencies of the City of Scotts Valley, California	none listed
1984	Archaeology of Concern, by Committee and With Consensus, CA-SCR-177	Santa Cruz Archaeological Society
1984	Limited Archaeological Testing at CA-SCR-177, Scotts Valley Office Plaza, Scotts Valley, California	Basin Research Associates, Inc.
1984	The Scotts Valley Site (CA-SCR-177)	Archaeological Resource Management
1986	Cultural Resource Evaluation of a Parcel on Erba Lane in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1987	Archaeological Testing at the Civic Center Cooperative Parking Lot in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Archaeological Testing at the Cask-Pacific Parcel on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Cultural Resource Evaluation of Landscaping of Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1989	Salvage Mitigation Excavation Report for the Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1993	The Scotts Valley Site: CA-SCR-177	Archaeological Resource Management, The Santa Cruz Archaeological Society
1998	Final Report on Archaeological Mitigation at CA-SCR-177 for Construction on APN 022-082-037 at 101 Civic Center Drive, Scotts Valley, Santa Cruz, California	Espey, Huston & Associates, Inc.; Dames & Moore Archaeological Consulting
2003	Archaeological Monitoring Report for the Project Parcel APN 022 121 05 in the City of Scotts Valley, County of Santa Cruz, California	none listed

Thank you for considering this consultation request. Please contact me at your earliest convenience to discuss this Project. I may be reached by email at sdoro@albionenvironmental.com or telephone, 831.345.7504. I will be contacting you again by email and by telephone prior to the end of the 30-day commenting period to be sure you have received notice about the Project.

Sincerely,



Stella D'Oro, MA, RPA
Senior Archaeologist

Attachment 1. Location Map
Attachment 2. Summary of Reports
Attachment 3. Site Records

REFERENCES CITED

Cartier, R
1980 *Archaeological Evaluation of the Scotts Valley City Hall Project. On file at the Northwest Information Center, Rohnert Park, California.*

Cartier, R.
1993 *The Scotts Valley Site: CA-SCR-177*. A monograph published by the Santa Cruz Archaeological Society, Santa Cruz, CA. In conjunction with Archaeological Resource Management, Robert Cartier, Principal.

Cooper, J.
1979 *Cabrillo College Archaeological Site Survey Record for P-44-000179 (CA-SCR-177/H). On file at the Northwest Information Center, Rohnert Park, California.*

Jones, Terry L., and Kathryn A. Klar (editors)
2007 *California Prehistory: Colonization, Culture, and Complexity*. AltaMira Press, Plymouth, United Kingdom.

ALBION

December 10, 2019

Mr. Patrick Orozco
644 Peartree Drive
Watsonville, California 95076

RE: Native American Consultation for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

Dear Mr. Orozco:

Albion Environmental, Inc (Albion), on behalf of the City of Scotts Valley, seeks your consultation for the Erba Lane Development Project (Project). The proposed work is to develop a 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) for residential land-use (Attachment 1). The Project involves the creation of twelve lots and two common lots for six single-family homes and three duplex units.

As the proposed Project requires an amendment to the existing General Plan of Scotts Valley and a California Environmental Quality Act (CEQA) review, Native American outreach must be conducted under Assembly Bill 52 regulations. The regulations state that all tribes have 30 days to comment.

Results of a record search conducted at the Northwest Information Center reveals five studies have been conducted within the Project APE and nineteen studies have been conducted within a $^{1}/_{8}$-mile of the Project APE. One cultural resource has been recorded within the Project APE and two cultural resources have been recorded within a $^{1}/_{4}$-mile radius of the APE. A summary of the studies and cultural resources are included in Attachments 2 and 3.

Archaeological resource CA-SCR-177/H located within the Project Area includes both historic and precolonial components. Both components are discussed below.

HISTORIC COMPONENT

CA-SCR-177/H includes the location of the Scott House, which was constructed as a residence for Hiram Scott and his family in 1858. The house is significant for its architecture (Greek Revival) and historical importance to the region. Mr. Scott was one of the original settlers in the area and is the person after whom Scotts Valley is named. The house is listed in the National Register of Historic Places. The boundaries of CA-SCR-177/H include the house and its parcel despite the fact that it was moved to its present location in 1936 due to the construction of Highway 17. The original location of the Scott House is not included within the current boundaries of CA-SCR-177/H.

1414 Soquel Avenue, Suite 205
Santa Cruz, CA 95062

(831) 469-9128 Santa Cruz
(805) 592-2222 San Luis Obispo

albionenvironmental.com

PRECOLONIAL COMPONENT

The precolonial component of CA-SCR-177/H was originally recorded as a lithic scatter (Cooper 1979). In 1980, Dr. Robert Cartier conducted an archaeological evaluation for the proposed construction of a City Hall for Scotts Valley (Cartier 1980). Radiocarbon assays from the initial study returned dates of 7,000-10,000 years before present (BP), very early for this region and for California as a whole.

Past actions to the site resulted in lawsuits that were settled out of court in October 1982 (Cartier 1993). The settlement required the City of Scotts Valley to fund two large data recovery efforts in 1983 and 1987. The data recovery sampled over 400 cubic meters of cultural soils along the northeast portion of the CA-SCR-177, and over 40 cubic meters from the southcentral area.

Very few sites dating from before 10,000 BP have been investigated; some researchers have suggested that earliest Californians established residences along estuaries and bay shores. The Scotts Valley site (CA-SCR-177) is one of the few inland sites in the region with such early dates. Cartier's (1993:271-273) report on the data recovery suggests the earliest cultural stratum of CA-SCR-177 dates to at least 10,500 BP. Since the soils are too acidic for bone or shell preservation, dates were extrapolated from radiocarbon dating charcoal in column samples, obsidian hydration, and diagnostic artifacts including an eccentric crescent, small leaf-shaped and medium lanceolate projectile points, knives, and hammer stones.

More recently, Jones et. al (Jones and Klar 2007) suggests that there are numerous issues compromising interpretations of the site's stratigraphic integrity and dating. The excavation unit used for radiocarbon dating during the 1987 data recovery produced dates from every millennium from 13,000 BP to present, although not in stratigraphic order. In 1987, radiocarbon studies required large amounts of charcoal. It was a common practice to use column samples, which included many pieces of charcoal producing an average date likely from many burn events. Additionally, the charcoal may or may not be cultural in origin as natural forest fires are common in the region. Currently, much smaller carbon (bone, shell, charcoal) samples are necessary to return accurate dates. Carbon samples are ideally taken from known cultural phenomena, such as transported shell, cut/cooked faunal bone, or discrete archaeological features such as hearths or human burials. Jones et al (2007:135) acknowledges the radiocarbon dates from two intact hearth features place the earliest well dated occupation of the site into the Millingstone Period at 8,000 BP, still of remarkable antiquity.

A host of small archaeological projects have identified archaeological materials as far south as the Bank of America lot at the corner of Erba Lane and Scotts Valley Drive (Table 1). At this point, the archaeological site boundaries are limited to the City of Scotts Valley City Hall lot, the adjacent park, and the lot of the current Project. The actual boundaries of the archaeological site are currently unknown.

Table 1. Archaeological Reports Associated with CA-SCR-177/H.

Year	Title	Author
1980	Archeological Evaluation of the Scotts Valley City Hall Project	Archaeological Resource Management
1980	Central California Obsidian Source Data and C-14 Dates	Archaeological Consulting
1980	Cultural Resource Evaluation of the Scotts Valley Redevelopment Area in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1980	Presentation of Descriptive and Scientific Data or CA-SCR-33 and CA-SCR-177	Archaeological Resource Management
1981	Possible Procedures and Estimated Cost for an Archaeological Data Recovery and Research Program at CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1982	Subsurface Testing Evaluation of the Parking Lot at the Scotts Valley City Hall, Scotts Valley, County of Santa Cruz, California	Archaeological Resource Management
1983	Archaeological Mitigation Plan for Phase 1 Construction at Archaeological Site CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1983	A Cultural Resources Predictability Study for he Land Management Agencies of the City of Scotts Valley, California	none listed
1984	Archaeology of Concern, by Committee and With Consensus, CA-SCR-177	Santa Cruz Archaeological Society
1984	Limited Archaeological Testing at CA-SCR-177, Scotts Valley Office Plaza, Scotts Valley, California	Basin Research Associates, Inc.
1984	The Scotts Valley Site (CA-SCR-177)	Archaeological Resource Management
1986	Cultural Resource Evaluation of a Parcel on Erba Lane in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1987	Archaeological Testing at the Civic Center Cooperative Parking Lot in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Archaeological Testing at the Cask-Pacific Parcel on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Cultural Resource Evaluation of Landscaping of Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1989	Salvage Mitigation Excavation Report for the Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1993	The Scotts Valley Site: CA-SCR-177	Archaeological Resource Management, The Santa Cruz Archaeological Society
1998	Final Report on Archaeological Mitigation at CA-SCR-177 for Construction on APN 022-082-037 at 101 Civic Center Drive, Scotts Valley, Santa Cruz, California	Espey, Huston & Associates, Inc.; Dames & Moore Archaeological Consulting
2003	Archaeological Monitoring Report for the Project Parcel APN 022 121 05 in the City of Scotts Valley, County of Santa Cruz, California	none listed

Thank you for considering this consultation request. Please contact me at your earliest convenience to discuss this Project. I may be reached by email at sdoro@albionenvironmental.com or telephone, 831.345.7504. I will be contacting you again by email and by telephone prior to the end of the 30-day commenting period to be sure you have received notice about the Project.

Sincerely,



Stella D'Oro, MA, RPA
Senior Archaeologist

Attachment 1. Location Map
Attachment 2. Summary of Reports
Attachment 3. Site Records

REFERENCES CITED

Cartier, R
1980 *Archaeological Evaluation of the Scotts Valley City Hall Project.* On file at the Northwest Information Center, Rohnert Park, California.

Cartier, R.
1993 *The Scotts Valley Site: CA-SCR-177*. A monograph published by the Santa Cruz Archaeological Society, Santa Cruz, CA. In conjunction with Archaeological Resource Management, Robert Cartier, Principal.

Cooper, J.
1979 *Cabrillo College Archaeological Site Survey Record for P-44-000179 (CA-SCR-177/H). On file at the Northwest Information Center, Rohnert Park, California.*

Jones, Terry L., and Kathryn A. Klar (editors)
2007 *California Prehistory: Colonization, Culture, and Complexity*. AltaMira Press, Plymouth, United Kingdom.

ALBION

December 10, 2019

Ms. Ann Marie Sayers
P.O. Box 28
Hollister, California 95024

RE: Native American Consultation for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

Dear Ms. Sayers:

Albion Environmental, Inc (Albion), on behalf of the City of Scotts Valley, seeks your consultation for the Erba Lane Development Project (Project). The proposed work is to develop a 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) for residential land-use (Attachment 1). The Project involves the creation of twelve lots and two common lots for six single-family homes and three duplex units.

As the proposed Project requires an amendment to the existing General Plan of Scotts Valley and a California Environmental Quality Act (CEQA) review, Native American outreach must be conducted under Assembly Bill 52 regulations. The regulations state that all tribes have 30 days to comment.

Results of a record search conducted at the Northwest Information Center reveals five studies have been conducted within the Project APE and nineteen studies have been conducted within a $^{1}/_{8}$-mile of the Project APE. One cultural resource has been recorded within the Project APE and two cultural resources have been recorded within a $^{1}/_{4}$-mile radius of the APE. A summary of the studies and cultural resources are included in Attachments 2 and 3.

Archaeological resource CA-SCR-177/H located within the Project Area includes both historic and precolonial components. Both components are discussed below.

HISTORIC COMPONENT

CA-SCR-177/H includes the location of the Scott House, which was constructed as a residence for Hiram Scott and his family in 1858. The house is significant for its architecture (Greek Revival) and historical importance to the region. Mr. Scott was one of the original settlers in the area and is the person after whom Scotts Valley is named. The house is listed in the National Register of Historic Places. The boundaries of CA-SCR-177/H include the house and its parcel despite the fact that it was moved to its present location in 1936 due to the construction of Highway 17. The original location of the Scott House is not included within the current boundaries of CA-SCR-177/H.

1414 Soquel Avenue, Suite 205
Santa Cruz, CA 95062

(831) 469-9128 Santa Cruz
(805) 592-2222 San Luis Obispo

albionenvironmental.com

PRECOLONIAL COMPONENT

The precolonial component of CA-SCR-177/H was originally recorded as a lithic scatter (Cooper 1979). In 1980, Dr. Robert Cartier conducted an archaeological evaluation for the proposed construction of a City Hall for Scotts Valley (Cartier 1980). Radiocarbon assays from the initial study returned dates of 7,000-10,000 years before present (BP), very early for this region and for California as a whole.

Past actions to the site resulted in lawsuits that were settled out of court in October 1982 (Cartier 1993). The settlement required the City of Scotts Valley to fund two large data recovery efforts in 1983 and 1987. The data recovery sampled over 400 cubic meters of cultural soils along the northeast portion of the CA-SCR-177, and over 40 cubic meters from the southcentral area.

Very few sites dating from before 10,000 BP have been investigated; some researchers have suggested that earliest Californians established residences along estuaries and bay shores. The Scotts Valley site (CA-SCR-177) is one of the few inland sites in the region with such early dates. Cartier's (1993:271-273) report on the data recovery suggests the earliest cultural stratum of CA-SCR-177 dates to at least 10,500 BP. Since the soils are too acidic for bone or shell preservation, dates were extrapolated from radiocarbon dating charcoal in column samples, obsidian hydration, and diagnostic artifacts including an eccentric crescent, small leaf-shaped and medium lanceolate projectile points, knives, and hammer stones.

More recently, Jones et. al (Jones and Klar 2007) suggests that there are numerous issues compromising interpretations of the site's stratigraphic integrity and dating. The excavation unit used for radiocarbon dating during the 1987 data recovery produced dates from every millennium from 13,000 BP to present, although not in stratigraphic order. In 1987, radiocarbon studies required large amounts of charcoal. It was a common practice to use column samples, which included many pieces of charcoal producing an average date likely from many burn events. Additionally, the charcoal may or may not be cultural in origin as natural forest fires are common in the region. Currently, much smaller carbon (bone, shell, charcoal) samples are necessary to return accurate dates. Carbon samples are ideally taken from known cultural phenomena, such as transported shell, cut/cooked faunal bone, or discrete archaeological features such as hearths or human burials. Jones et al (2007:135) acknowledges the radiocarbon dates from two intact hearth features place the earliest well dated occupation of the site into the Millingstone Period at 8,000 BP, still of remarkable antiquity.

A host of small archaeological projects have identified archaeological materials as far south as the Bank of America lot at the corner of Erba Lane and Scotts Valley Drive (Table 1). At this point, the archaeological site boundaries are limited to the City of Scotts Valley City Hall lot, the adjacent park, and the lot of the current Project. The actual boundaries of the archaeological site are currently unknown.

Table 1. Archaeological Reports Associated with CA-SCR-177/H.

Year	Title	Author
1980	Archeological Evaluation of the Scotts Valley City Hall Project	Archaeological Resource Management
1980	Central California Obsidian Source Data and C-14 Dates	Archaeological Consulting
1980	Cultural Resource Evaluation of the Scotts Valley Redevelopment Area in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1980	Presentation of Descriptive and Scientific Data or CA-SCR-33 and CA-SCR-177	Archaeological Resource Management
1981	Possible Procedures and Estimated Cost for an Archaeological Data Recovery and Research Program at CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1982	Subsurface Testing Evaluation of the Parking Lot at the Scotts Valley City Hall, Scotts Valley, County of Santa Cruz, California	Archaeological Resource Management
1983	Archaeological Mitigation Plan for Phase 1 Construction at Archaeological Site CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1983	A Cultural Resources Predictability Study for he Land Management Agencies of the City of Scotts Valley, California	none listed
1984	Archaeology of Concern, by Committee and With Consensus, CA-SCR-177	Santa Cruz Archaeological Society
1984	Limited Archaeological Testing at CA-SCR-177, Scotts Valley Office Plaza, Scotts Valley, California	Basin Research Associates, Inc.
1984	The Scotts Valley Site (CA-SCR-177)	Archaeological Resource Management
1986	Cultural Resource Evaluation of a Parcel on Erba Lane in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1987	Archaeological Testing at the Civic Center Cooperative Parking Lot in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Archaeological Testing at the Cask-Pacific Parcel on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Cultural Resource Evaluation of Landscaping of Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1989	Salvage Mitigation Excavation Report for the Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1993	The Scotts Valley Site: CA-SCR-177	Archaeological Resource Management, The Santa Cruz Archaeological Society
1998	Final Report on Archaeological Mitigation at CA-SCR-177 for Construction on APN 022-082-037 at 101 Civic Center Drive, Scotts Valley, Santa Cruz, California	Espey, Huston & Associates, Inc.; Dames & Moore Archaeological Consulting
2003	Archaeological Monitoring Report for the Project Parcel APN 022 121 05 in the City of Scotts Valley, County of Santa Cruz, California	none listed

Thank you for considering this consultation request. Please contact me at your earliest convenience to discuss this Project. I may be reached by email at sdoro@albionenvironmental.com or telephone, 831.345.7504. I will be contacting you again by email and by telephone prior to the end of the 30-day commenting period to be sure you have received notice about the Project.

Sincerely,



Stella D'Oro, MA, RPA
Senior Archaeologist

Attachment 1. Location Map
Attachment 2. Summary of Reports
Attachment 3. Site Records

REFERENCES CITED

Cartier, R
1980 *Archaeological Evaluation of the Scotts Valley City Hall Project.* On file at the Northwest Information Center, Rohnert Park, California.

Cartier, R.
1993 *The Scotts Valley Site: CA-SCR-177*. A monograph published by the Santa Cruz Archaeological Society, Santa Cruz, CA. In conjunction with Archaeological Resource Management, Robert Cartier, Principal.

Cooper, J.
1979 *Cabrillo College Archaeological Site Survey Record for P-44-000179 (CA-SCR-177/H).* On file at the Northwest Information Center, Rohnert Park, California.

Jones, Terry L., and Kathryn A. Klar (editors)
2007 *California Prehistory: Colonization, Culture, and Complexity*. AltaMira Press, Plymouth, United Kingdom.

December 10, 2019

Ms. Irenne Zwierlein
789 Canada Road
Woodside, California 94062

RE: Native American Consultation for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

Dear Ms. Zwierlein:

Albion Environmental, Inc (Albion), on behalf of the City of Scotts Valley, seeks your consultation for the Erba Lane Development Project (Project). The proposed work is to develop a 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) for residential land-use (Attachment 1). The Project involves the creation of twelve lots and two common lots for six single-family homes and three duplex units.

As the proposed Project requires an amendment to the existing General Plan of Scotts Valley and a California Environmental Quality Act (CEQA) review, Native American outreach must be conducted under Senate Bill (SB) 18 regulations. The regulations state that all tribes have 45 days to comment.

Results of a record search conducted at the Northwest Information Center reveals five studies have been conducted within the Project APE and nineteen studies have been conducted within a $^1/_8$-mile of the Project APE. One cultural resource has been recorded within the Project APE and two cultural resources have been recorded within a $^1/_4$-mile radius of the APE. A summary of the studies and cultural resources are included in Attachments 2 and 3.

Archaeological resource CA-SCR-177/H located within the Project Area includes both historic and precolonial components. Both components are discussed below.

HISTORIC COMPONENT

CA-SCR-177/H includes the location of the Scott House, which was constructed as a residence for Hiram Scott and his family in 1858. The house is significant for its architecture (Greek Revival) and historical importance to the region. Mr. Scott was one of the original settlers in the area and is the person after whom Scotts Valley is named. The house is listed in the National Register of Historic Places. The boundaries of CA-SCR-177/H include the house and its parcel despite the fact that it was moved to its present location in 1936 due to the construction of Highway 17. The original location of the Scott House is not included within the current boundaries of CA-SCR-177/H.

1414 Soquel Avenue, Suite 205
Santa Cruz, CA 95062

(831) 469-9128 Santa Cruz
(805) 592-2222 San Luis Obispo

albionenvironmental.com

PRECOLONIAL COMPONENT

The precolonial component of CA-SCR-177/H was originally recorded as a lithic scatter (Cooper 1979). In 1980, Dr. Robert Cartier conducted an archaeological evaluation for the proposed construction of a City Hall for Scotts Valley (Cartier 1980). Radiocarbon assays from the initial study returned dates of 7,000-10,000 years before present (BP), very early for this region and for California as a whole.

Past actions to the site resulted in lawsuits that were settled out of court in October 1982 (Cartier 1993). The settlement required the City of Scotts Valley to fund two large data recovery efforts in 1983 and 1987. The data recovery sampled over 400 cubic meters of cultural soils along the northeast portion of the CA-SCR-177, and over 40 cubic meters from the southcentral area.

Very few sites dating from before 10,000 BP have been investigated; some researchers have suggested that earliest Californians established residences along estuaries and bay shores. The Scotts Valley site (CA-SCR-177) is one of the few inland sites in the region with such early dates. Cartier's (1993:271-273) report on the data recovery suggests the earliest cultural stratum of CA-SCR-177 dates to at least 10,500 BP. Since the soils are too acidic for bone or shell preservation, dates were extrapolated from radiocarbon dating charcoal in column samples, obsidian hydration, and diagnostic artifacts including an eccentric crescent, small leaf-shaped and medium lanceolate projectile points, knives, and hammer stones.

More recently, Jones et. al (Jones and Klar 2007) suggests that there are numerous issues compromising interpretations of the site's stratigraphic integrity and dating. The excavation unit used for radiocarbon dating during the 1987 data recovery produced dates from every millennium from 13,000 BP to present, although not in stratigraphic order. In 1987, radiocarbon studies required large amounts of charcoal. It was a common practice to use column samples, which included many pieces of charcoal producing an average date likely from many burn events. Additionally, the charcoal may or may not be cultural in origin as natural forest fires are common in the region. Currently, much smaller carbon (bone, shell, charcoal) samples are necessary to return accurate dates. Carbon samples are ideally taken from known cultural phenomena, such as transported shell, cut/cooked faunal bone, or discrete archaeological features such as hearths or human burials. Jones et al (2007:135) acknowledges the radiocarbon dates from two intact hearth features place the earliest well dated occupation of the site into the Millingstone Period at 8,000 BP, still of remarkable antiquity.

A host of small archaeological projects have identified archaeological materials as far south as the Bank of America lot at the corner of Erba Lane and Scotts Valley Drive (Table 1). At this point, the archaeological site boundaries are limited to the City of Scotts Valley City Hall lot, the adjacent park, and the lot of the current Project. The actual boundaries of the archaeological site are currently unknown.

Table 1. Archaeological Reports Associated with CA-SCR-177/H.

Year	Title	Author
1980	Archeological Evaluation of the Scotts Valley City Hall Project	Archaeological Resource Management
1980	Central California Obsidian Source Data and C-14 Dates	Archaeological Consulting
1980	Cultural Resource Evaluation of the Scotts Valley Redevelopment Area in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1980	Presentation of Descriptive and Scientific Data or CA-SCR-33 and CA-SCR-177	Archaeological Resource Management
1981	Possible Procedures and Estimated Cost for an Archaeological Data Recovery and Research Program at CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1982	Subsurface Testing Evaluation of the Parking Lot at the Scotts Valley City Hall, Scotts Valley, County of Santa Cruz, California	Archaeological Resource Management
1983	Archaeological Mitigation Plan for Phase 1 Construction at Archaeological Site CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1983	A Cultural Resources Predictability Study for he Land Management Agencies of the City of Scotts Valley, California	none listed
1984	Archaeology of Concern, by Committee and With Consensus, CA-SCR-177	Santa Cruz Archaeological Society
1984	Limited Archaeological Testing at CA-SCR-177, Scotts Valley Office Plaza, Scotts Valley, California	Basin Research Associates, Inc.
1984	The Scotts Valley Site (CA-SCR-177)	Archaeological Resource Management
1986	Cultural Resource Evaluation of a Parcel on Erba Lane in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1987	Archaeological Testing at the Civic Center Cooperative Parking Lot in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Archaeological Testing at the Cask-Pacific Parcel on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Cultural Resource Evaluation of Landscaping of Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1989	Salvage Mitigation Excavation Report for the Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1993	The Scotts Valley Site: CA-SCR-177	Archaeological Resource Management, The Santa Cruz Archaeological Society
1998	Final Report on Archaeological Mitigation at CA-SCR-177 for Construction on APN 022-082-037 at 101 Civic Center Drive, Scotts Valley, Santa Cruz, California	Espey, Huston & Associates, Inc.; Dames & Moore Archaeological Consulting
2003	Archaeological Monitoring Report for the Project Parcel APN 022 121 05 in the City of Scotts Valley, County of Santa Cruz, California	none listed

Thank you for considering this consultation request. Please contact me at your earliest convenience to discuss this Project. I may be reached by email at sdoro@albionenvironmental.com or telephone, 831.345.7504. I will be contacting you again by email and by telephone prior to the end of the 30-day commenting period to be sure you have received notice about the Project.

Sincerely,



Stella D'Oro, MA, RPA
Senior Archaeologist

Attachment 1. Location Map
Attachment 2. Summary of Reports
Attachment 3. Site Records

REFERENCES CITED

Cartier, R
1980 *Archaeological Evaluation of the Scotts Valley City Hall Project. On file at the Northwest Information Center, Rohnert Park, California.*

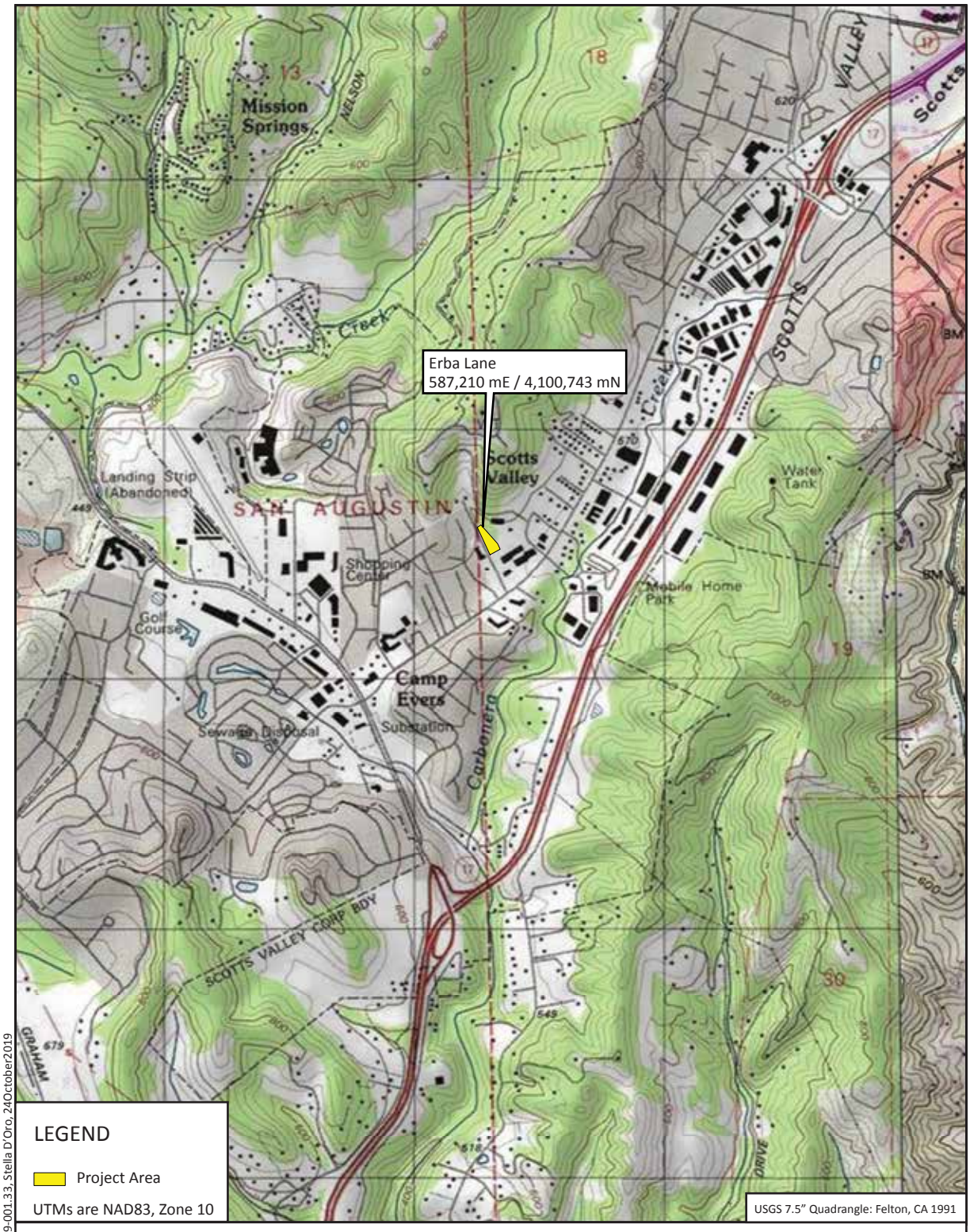
Cartier, R.
1993 *The Scotts Valley Site: CA-SCR-177*. A monograph published by the Santa Cruz Archaeological Society, Santa Cruz, CA. In conjunction with Archaeological Resource Management, Robert Cartier, Principal.

Cooper, J.
1979 *Cabrillo College Archaeological Site Survey Record for P-44-000179 (CA-SCR-177/H).* On file at the Northwest Information Center, Rohnert Park, California.

Jones, Terry L., and Kathryn A. Klar (editors)
2007 *California Prehistory: Colonization, Culture, and Complexity*. AltaMira Press, Plymouth, United Kingdom.

Attachment 1

Location Map



File name: Figure_1.ai, J2019-001.33, Stella D'Oro, 24October2019

Figure A1-1. Project location, Erba Lane, Scotts Valley, California.

Attachment 2

Summary of Reports

Report Detail: S-003913

Identifiers

Report No.: S-003913

Other IDs:

Type	*Name*
Voided	E-167 SCR

Cross-refs:

Citation information

Author(s): William Roop, Leo Barker, and Charlene Detlefs
Year: 1977 (Aug)
Title: Cultural Resource Inventory of the Scotts Valley Wastewater Project Service Area
Affliliation: Archaeological Resource Service
No. pages:
No. maps:
Attributes: Archaeological, Architectural/historical, Field study
Inventory size: c 2000 ac
Disclosure: Not for publication
Collections: No

Sub-desig.: a
Author(s): Leo Barker and Charlene Detlefs
Year: 1977 (Aug)
Title: Historical Synopsis and Site Inventory of Scotts Valley
Affiliation:
Report type(s): Architectural/historical, Field study, Other research
Inventory size:
No. pages: 34
Disclosure: Not for publication
Collections: No
PDF Pages: 22-57

General notes

C-1156 (a historic stage stop), 5 unrecorded prehistoric sites, and 16 unrecorded historic resources are within the project area (see pdf pp. 8 through 11).

Associated resources

Primary No.	*Trinomial*	*Name*
P-44-000039	CA-SCR-000033	P-5
P-44-000083	CA-SCR-000078	Part of old Cowell Estate
P-44-000092	CA-SCR-000088/H	J.J. Graham Peat Bog
P-44-000179	CA-SCR-000177/H	Hiram Scott House
P-44-000237	CA-SCR-000235	SV-1
P-44-000240	CA-SCR-000238	SV-5
P-44-000348		AC-143

No. resources: 7
Has informals: Yes

Location information

County(ies): Santa Cruz
USGS quad(s): Felton, Laurel
Address:
PLSS:

Report Detail: S-003913

Database record metadata

	Date	User	
Entered:	4/7/2005	nwic-main	
Last modified:	3/26/2018	hagell	
IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/3/2014	mikulikc	Inserted report feature and associated informal resource features into the NWIC GIS database.
	8/6/2015	rinerg	the identified additional citation for the 'Historical Synopsis and Site Inventory of Scotts Valley' has no identified date of publication
	1/17/2017	hagell	edited attributes
	1/26/2017	hagell	edited additional citation title
	8/15/2017	raelync	Set month for 'a'; Report verified, awaiting verification of 1 resource.
Record status:	Verified		

Report Detail: S-004080

Identifiers

Report No.: S-004080

Other IDs:

Type	*Name*
Voided	E-334 SCR

Cross-refs:

Citation information

Author(s): Robert Cartier
Year: 1980 (Mar)
Title: Archeological Evaluation of the Scotts Valley City Hall Project
Affliliation: Archeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size:
Disclosure: Not for publication
Collections: No

General notes

Associated resources

Primary No.	*Trinomial*	*Name*
P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address:

Address	*City*	*Assessor's parcel no.*	*Zip code*
McDorsa Drive	Scotts Valley		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/8/2019	hagell

IC actions:

Date	*User*	*Action taken*
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/5/2019	moored	Added collections and location info.

Record status: Verified

Report Detail: S-005758

Identifiers

Report No.: S-005758
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier
Year: 1982 (Oct)
Title: Subsurface Testing Evaluation of the Parking Lot at the Scotts Valley City Hall, Scotts Valley, County of Santa Cruz, California
Affliliation: Archeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Architectural/historical, Evaluation, Excavation, Field study
Inventory size:
Disclosure: Not for publication
Collections: No

General notes

Associated resources

	Primary No.	*Trinomial*	*Name*
	P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton
Address:
PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/8/2019	hagell

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	6/3/2015	watsonr	Added 'excavation' report value.
	11/5/2019	moored	Added collections and month.

Record status: Verified

Report Detail: S-006016

Identifiers

Report No.: S-006016
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier
Year: 1983 (May)
Title: Cultural Resource Evaluation of the Lands of Overbow on Scotts Valley Drive in the City of Scotts Valley, Santa Cruz County, California.
Affliliation: Archeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: c 2.26 ac
Disclosure: Not for publication
Collections: No

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
	Scotts Valley Drive	Scotts Valley		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/8/2019	hagell

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/5/2019	moored	Added collections, month, and location info.

Record status: Verified

Report Detail: S-006527

Identifiers

Report No.: S-006527

Other IDs:	*Type*	*Name*
	Voided	S-6533

Cross-refs: See also S-006533

Citation information

Author(s): Robert Cartier
Year: 1983 (Dec)
Title: Cultural Resource Evaluation of the Civic Center Plaza Project off Scotts Valley Drive in the City of Scotts Valley, County of Santa Cruz
Affliliation: Archeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: c 5.5 ac.
Disclosure: Not for publication
Collections: No

Sub-desig.: a
Author(s): Robert Cartier
Year: 1984 (Jan)
Title: Subsurface Testing Program of the Civic Centre Plaza Project off Scotts Valley Drive in the City of Scotts Valley, County of Santa Cruz
Affiliation: Archeological Resource Management
Report type(s): Archaeological, Excavation, Field study
Inventory size:
No. pages:
Disclosure: Not for publication
Collections: No
PDF Pages: 8-15

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton
Address:
PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/8/2019	hagell

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/6/2019	moored	Added additional citation 'a'

Record status: Verified

Report Detail: S-006819

Identifiers

Report No.: S-006819
Other IDs:
Cross-refs:

Citation information

Author(s): James C. Bard, Raymond J. Dezzani, Mary R. Davy, Rebecca L. Anastasio, and Donna M. Garaventa
Year: 1984 (May)
Title: Limited Archaeological Testing at CA-SCR-177, Scotts Valley Office Plaza, Scotts Valley, California
Affliliation: Basin Research Associates, Inc.
No. pages:
No. maps:
Attributes: Archaeological, Excavation
Inventory size:
Disclosure: Not for publication
Collections: Yes

Sub-desig.: a
Author(s): Charlene Detlefs
Year: 1983 (Jul)
Title: Historical Background of the Scott House Site on Scotts Valley Drive in the City of Scotts Valley, County of Santa Cruz, California
Affiliation: Archaeological Resource Management
Report type(s): Archaeological, Architectural/historical, Other research
Inventory size:
No. pages:
Disclosure: Not for publication
Collections: No
PDF Pages: 106-139

Sub-desig.: b
Author(s): Donald G. Sullivan
Year: 1984
Title: Results of Pollen Analysis on Soil Samples from Unit #1, CA-SCr-177
Affiliation: University of California, Berkeley
Report type(s): Archaeological, Other research
Inventory size:
No. pages:
Disclosure: Not for publication
Collections: No
PDF Pages: 140-142

General notes

Associated resources

Primary No.	*Trinomial*	*Name*
P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton
Address:
PLSS:

Report Detail: S-006819

Database record metadata

	Date	User	
Entered:	4/7/2005	nwic-main	
Last modified:	11/8/2019	hagell	
IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/6/2019	moored	Added additional citation 'a' (Detlefs, 1983) and 'b' (Sullivan, 1984). PDF verified.
	11/7/2019	akmenkalnsj	Added 'archaeological' to addl citation 'a' (Detlefs 1983); collections=yes; verified
Record status:	Verified		

Report Detail: S-008313

Identifiers

Report No.: S-008313

Other IDs:

Type	*Name*
Voided	E-375 SCR

Cross-refs:

Citation information

Author(s): Robert Cartier, Charlene Detlefs, and Glory Laffey

Year: 1980

Title: Cultural Resource Evaluation of the Scotts Valley Redevelopment Area in the City of Scotts Valley, County of Santa Cruz

Affliliation: Archeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Architectural/historical, Field study

Inventory size: 925 ac

Disclosure: Not for publication

Collections: No

General notes

The report contains descriptions and mapped locations of unrecorded historic resources.

Associated resources

Primary No.	*Trinomial*	*Name*
P-44-000039	CA-SCR-000033	P-5
P-44-000179	CA-SCR-000177/H	Hiram Scott House
P-44-000237	CA-SCR-000235	SV-1
P-44-000238	CA-SCR-000236	SV-2
P-44-000239	CA-SCR-000237	SV-3
P-44-000240	CA-SCR-000238	SV-5
P-44-000241	CA-SCR-000239	SV-4

No. resources: 7

Has informals: Yes

Location information

County(ies): Santa Cruz

USGS quad(s): Felton, Laurel

Address:

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/8/2019	hagell

IC actions:

Date	*User*	*Action taken*
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/4/2014	mikulikc	Updated database, populated informal resources and notes fields.
1/26/2017	hagell	edited notes
8/15/2017	raelync	No publication month provided.

Record status: Verified

Report Detail: S-009377

Identifiers

Report No.: S-009377
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier
Year: 1987 (Jul)
Title: Archeological Testing at the Civic Center Cooperative Parking Lot in the City of Scotts Valley, County of Santa Cruz
Affliliation: Archeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Excavation
Inventory size:
Disclosure: Not for publication
Collections: Yes

General notes

Associated resources

Primary No.	*Trinomial*	*Name*
P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton
Address:
PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/8/2019	hagell

IC actions:

Date	*User*	*Action taken*
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/6/2019	moored	Added month, collections, and attributes.
11/7/2019	akmenkalnsj	Collections=yes; verified

Record status: Verified

Report Detail: S-009717

Identifiers

Report No.: S-009717
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier
Year: 1988 (Jan)
Title: Cultural Resource Evaluation of Scotts Valley Water District Headquarter's Building in the City of Scotts Valley, County of Santa Clara
Affliliation: Archeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size:
Disclosure: Not for publication
Collections: No

General notes

The report title mistakenly states that the study area is located in Santa Clara County; the report is actually located in Santa Cruz County (JA 11/7/2019).

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address: Address	City	Assessor's parcel no.	Zip code
Scotts Valley Drive	Scotts Valley	22-081-32	
		22-081-33	
		22-081-92	

PLSS:

Database record metadata

	Date	User
Entered:	4/7/2005	nwic-main
Last modified:	11/8/2019	hagell

IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/6/2019	moored	Added month, collections, and location info.
11/7/2019	akmenkalnsj	Added general note stating mistake in title; verified

Record status: Verified

Report Detail: S-010186

Identifiers

Report No.: S-010186
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier
Year: 1988 (Aug)
Title: Archaeological Testing at the Cask-Pacific Parcel on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz
Affliliation: Archeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Excavation
Inventory size:
Disclosure: Not for publication
Collections: Yes

General notes

Associated resources

	Primary No.	*Trinomial*	*Name*
	P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
		Scotts Valley		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/8/2019	hagell

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/6/2019	moored	Added collections and month.
	11/7/2019	akmenkalnsj	Collections=yes; verified

Record status: Verified

Report Detail: S-010214

Identifiers

Report No.: S-010214
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier
Year: 1988 (Sep)
Title: Cultural Resource Evaluation of Landscaping of Scott House Park in the City of Scotts Valley, County of Santa Cruz
Affliliation: Archeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size:
Disclosure: Not for publication
Collections: No

General notes

Associated resources

	Primary No.	*Trinomial*	*Name*
	P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
		Scotts Valley		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/8/2019	hagell

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/6/2019	moored	Added collections and month.
	11/7/2019	akmenkalnsj	Verified

Record status: Verified

Report Detail: S-010522

Identifiers

Report No.: S-010522
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier
Year: 1988 (Oct)
Title: Cultural Resource Evaluation of the Ridgecrest Project on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz
Affliliation: Archeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size:
Disclosure: Not for publication
Collections: No

General notes

Historic fence line remnants were discovered. (DM, 11/7/19)

Associated resources

No. resources: 0
Has informals: Yes

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
		Scotts Valley		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/8/2019	hagell

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/6/2019	moored	Added collections and month.
	11/7/2019	akmenkalnsj	Verified

Record status: Verified

Report Detail: S-010854

Identifiers

Report No.: S-010854
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier
Year: 1989 (May)
Title: Salvage Mitigation Excavation Report for the Scott House Park in the City of Scotts Valley, County of Santa Cruz
Affliliation: Archaeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Excavation
Inventory size:
Disclosure: Not for publication
Collections: Yes

General notes

Associated resources

	Primary No.	*Trinomial*	*Name*
	P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
		Scotts Valley		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/7/2019	akmenkalnsj

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/6/2019	moored	Added collections, author, and location info.
	11/7/2019	akmenkalnsj	Collections=yes; verified

Record status: Verified

Report Detail: S-013326

Identifiers

Report No.: S-013326
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier
Year: 1991 (Aug)
Title: Cultural Resource Evaluation of 4301 Scotts Valley Drive in the City of Scotts Valley, County of Santa Cruz
Affliliation: Archaeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: c 1 ac
Disclosure: Not for publication
Collections: No

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
	4301 Scotts Valley Drive	Scotts Valley		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	8/6/2015	rinerg

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.

Record status: Verified

Report Detail: S-015134

Identifiers

Report No.: S-015134
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier, Rob Edwards, Gerrit Fenenga, Terry Jones, Alan Leventhal, Charlotte Simpson-Smith, Vasiliki Vassil, and Glen Wilson
Year: 1993
Title: The Scotts Valley Site: CA-SCR-177
Affliliation: Archaeological Resource Management; The Santa Cruz Archaeological Society
No. pages:
No. maps:
Attributes: Archaeological, Excavation
Inventory size:
Disclosure: Not for publication
Collections: Yes

General notes

Associated resources

Primary No.	*Trinomial*	*Name*
P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton
Address:
PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/8/2019	hagell

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/6/2019	moored	No month submitted, added collections.
	11/7/2019	akmenkalnsj	Collections=yes; verified

Record status: Verified

Report Detail: S-016354

Identifiers

Report No.: S-016354
Other IDs:
Cross-refs:

Citation information

Author(s): Glory Anne Laffey, Marion Pokriots, Charlene Detlefs, Leslie Hurst, and Edith Smith
Year: 1990 (Apr)
Title: Evaluation of Potential Historic Structures in the City of Scotts Valley
Affliliation: Archives & Architecture
No. pages:
No. maps:
Attributes: Architectural/historical, Evaluation, Field study, Management/planning
Inventory size:
Disclosure: Not for publication
Collections: No

General notes

This report contains information on numerous historic-era buildings and structures.

Associated resources

No. resources: 0
Has informals: Yes

Location information

County(ies): Santa Cruz
USGS quad(s): Felton
Address:
PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	1/26/2017	hagell

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	1/26/2017	hagell	edited notes

Record status: Verified

Report Detail: S-018378

Identifiers

Report No.: S-018378
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier and Lynne Eckert
Year: 1996 (Apr)
Title: Data Recovery Report for the Tuscany Hills Project in the City of Scotts Valley
Affliliation: Archaeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Excavation
Inventory size:
Disclosure: Not for publication
Collections: Yes

General notes

Associated resources

	Primary No.	*Trinomial*	*Name*
	P-44-000251	CA-SCR-000249	9-2-1

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton
Address:
PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/7/2019	akmenkalnsj

IC actions:

Date	*User*	*Action taken*
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/6/2019	moored	Added missing first 5 pages to the PDF.
11/7/2019	akmenkalnsj	Collections=yes; verified

Record status: Verified

Report Detail: S-018971

Identifiers

Report No.: S-018971
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier and Lynne Eckert
Year: 1996 (Oct)
Title: Cultural Resource Evaluation for the Pacific Bell West Bay Project, Located at 4860 Scotts Valley Drive in the City of Scotts Valley, Santa Cruz County
Affliliation: Archaeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size:
Disclosure: Not for publication
Collections: No

General notes

Stone tool artifacts and stone tool manufacturing debris were discovered. (DM, 11/7/19)

Associated resources

No. resources: 0
Has informals: Yes

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
	4860 Scotts Valley Drive	Scotts Valley		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/7/2019	akmenkalnsj

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/6/2019	moored	Added collections, month, and location info.
	11/7/2019	akmenkalnsj	Verified

Record status: Verified

Report Detail: S-020176

Identifiers

Report No.: S-020176
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier
Year: 1998 (Feb)
Title: Cultural Resource Evaluation of the Scotts Valley Drive Reconstruction Project in the City of Scotts Valley, California, in Fulfillment of CEQA Requirements
Affliliation: Archaeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: c 55 ac
Disclosure: Not for publication
Collections: No

General notes

Associated resources

Primary No.	*Trinomial*	*Name*
P-44-000251	CA-SCR-000249	9-2-1

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton
Address:
PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	6/9/2015	grahams

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.

Record status: Verified

Report Detail: S-020294

Identifiers

Report No.: S-020294
Other IDs:
Cross-refs:

Citation information

Author(s): Gary S. Breschini and Mary Doane
Year: 1998 (Apr)
Title: Final Report on Archaeological Mitigation at CA-SCR-177 for Construction on APN 022-082-037 at 101 Civic Center Drive, Scotts Valley, Santa Cruz, California
Affliliation: Archaeological Consulting
No. pages:
No. maps:
Attributes: Archaeological, Excavation
Inventory size:
Disclosure: Not for publication
Collections: Yes

Sub-desig.: a
Author(s): Gary S. Breschini and Mary Doane
Year: 1997 (Nov)
Title: Preliminary Archaeological Mitigation Plan for Assessor's Parcel Number 022-082-37, 101 Civic Center Drive, Scotts Valley, Santa Cruz County, California
Affiliation: Archaeological Consulting
Report type(s): Archaeological, Management/planning, Other research
Inventory size:
No. pages:
Disclosure: Not for publication
Collections: No
PDF Pages: 22-29

Sub-desig.: b
Author(s): David G. DeVries
Year: 1997 (Nov)
Title: Soil Observations Northeast of CA-SCR-177, Scott's Valley, Santa Cruz County, California
Affiliation: Mesa Technical
Report type(s): Archaeological, Other research
Inventory size:
No. pages:
Disclosure: Not for publication
Collections: No
PDF Pages: 50-74

General notes

The report contains a copy of S-10186.

Associated resources

Primary No.	*Trinomial*	*Name*
P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address: *Address*	*City*	*Assessor's parcel no.*	*Zip code*

Report Detail: S-020294

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/8/2019	hagell

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/6/2019	moored	Added additional citation 'a' (Breschini, Doane, 1997) and 'b' (DeVries, 1997)
	11/7/2019	akmenkalnsj	Collections=yes; verified

Record status: Verified

Report Detail: S-022624

Identifiers

Report No.: S-022624
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier, Alex Wesson, Victoria Bobo, and B. Vasiliki Vassil
Year: 1999 (Nov)
Title: Archaeological Recovery at SCR-249 for the Scotts Valley Drive Reconstruction Project in the City of Scotts Valley
Affliliation: Archaeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Excavation
Inventory size:
Disclosure: Not for publication
Collections: Yes

General notes

Associated resources

	Primary No.	*Trinomial*	*Name*
	P-44-000251	CA-SCR-000249	9-2-1

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
		Scotts Valley		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/7/2019	akmenkalnsj

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/7/2019	akmenkalnsj	Collections=yes; removed Laurel quad; verified

Record status: Verified

Report Detail: S-022631

Identifiers

Report No.: S-022631
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier
Year: 1999 (Oct)
Title: Cultural Resource Evaluation of Approximately 2.5 Acres of Land off Scotts Valley Drive in the City of Scotts Valley
Affliliation: Archaeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size:
Disclosure: Not for publication
Collections: No

General notes

Associated resources

Primary No.	*Trinomial*	*Name*
P-44-000251	CA-SCR-000249	9-2-1

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address: *Address*	*City*	*Assessor's parcel no.*	*Zip code*
4444 Scotts Valley Drive	Scotts Valley		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	11/8/2019	hagell

IC actions: *Date*	*User*	*Action taken*
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/6/2019	moored	Added collections.
11/7/2019	akmenkalnsj	Verified

Record status: Verified

Report Detail: S-027837

Identifiers

Report No.: S-027837
Other IDs:
Cross-refs:

Citation information

Author(s): Robert Cartier
Year: 2003 (Oct)
Title: Archaeological Evaluation Program for the Kelly Court Project in the City of Scotts Valley
Affliliation: Archaeological Resource Management
No. pages:
No. maps:
Attributes: Archaeological, Excavation
Inventory size:
Disclosure: Not for publication
Collections: Yes

General notes

Associated resources

	Primary No.	*Trinomial*	*Name*
	P-44-000251	CA-SCR-000249	9-2-1

No. resources: 1
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
	4404 Scotts Valley Drive	Scotts Valley		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	4/17/2017	moored

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.

Record status: Verified

Report Detail: S-031024

Identifiers

Report No.: S-031024
Other IDs:
Cross-refs:

Citation information

Author(s): Hannah Hicok
Year: 2005 (Nov)
Title: Archaeological Monitoring at 141 Oak Lane, Scotts Valley, California (letter report)
Affliliation: Albion Environmental, Inc.
No. pages:
No. maps:
Attributes: Archaeological, Monitoring
Inventory size: c 0.25 ac
Disclosure: Not for publication
Collections: No

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Santa Cruz
USGS quad(s): Felton

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
	141 Oak Lane	Scotts Valley	022-181-55	

PLSS:

Database record metadata

	Date	*User*
Entered:	1/31/2006	kellyn
Last modified:	6/9/2015	grahams

IC actions:
Record status: Verified

GEOTECHNICAL INVESTIGATION

Medium to High Density Residential Development
Erba Lane
Scotts Valley, California

Prepared For
Ken Anderson
City of Scotts Valley
Scotts Valley, California

Prepared By
HARO, KASUNICH AND ASSOCIATES, INC.
Geotechnical & Coastal Engineers
Project No. SC8998
November 2005

HARO, KASUNICH AND ASSOCIATES, INC.
CONSULTING GEOTECHNICAL & COASTAL ENGINEERS

Project No. SC8998
22 November 2005

MR. KEN ANDERSON
City Of Scotts Valley Public Works
One Civic Center Drive
Scotts Valley, California 95066

Subject: **Geotechnical Investigation – Feasibilty Study**
Medium to High Density Residential Development
Erba Lane
Scotts Valley, California

Dear Mr. Anderson:

In accordance with your authorization, we have performed a Geotechnical Investigation for the referenced project in the City of Scotts Valley in Santa Cruz County, California.

The results of our investigation indicate there are no adverse geotechnical hazards that would preclude the development of this project. Primary geotechnical concerns at the site include strong seismic shaking, adequate bearing support for foundations, and appropriate control of surface runoff. Due to variations in density and consistency across the property between the native soils and areas of loose fill, a conventional spread footing foundation system supported on redensified compacted soil is recommended for this project.

The accompanying report presents our conclusions and recommendations, as well as the results of the geotechnical investigation on which they are based.

If you have any questions concerning the data or conclusions presented in this report, please call our office.

Very truly yours,

HARO, KASUNICH AND ASSOCIATES, INC.

Moses E. Cuprill
Staff Engineer

John E. Kasunich
G.E. 455

MEC/dk
Copies: 5 to Addressee

116 EAST LAKE AVENUE • WATSONVILLE, CALIFORNIA 95076 • (831) 722-4175 • FAX (831) 722-3202

Project No. SC8998
22 November 2005

TABLE OF CONTENTS

LETTER OF TRANSMITTAL

GEOTECHNICAL INVESTIGATION 1

Introduction 1
Purpose and Scope 2
Site and Project Description 3
Field Exploration 4
Laboratory Testing 5
Subsurface Conditions 6
Groundwater 7
Seismic Considerations 7
Seismic Hazards 9
Liquefaction & Lateral Spreading 10
Landsliding 11

DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS 12

General Site Grading 13
Cut and Fill Slopes 17
Utility Trenches 18
Conventional Footing Recommendations 19
Retaining Wall Lateral Pressures 21
Concrete Slabs-on-Grade 23
Surface Drainage 24
Pavement Design 26
Plan Review, Construction Observation and Testing 27

LIMITATIONS AND UNIFORMITY OF CONDITIONS 29

APPENDIX A 30

Vicinity Map 31
Boring Site Plan 32
Key to Logs 33
Logs of Test Borings 34
Laboratory Test Results 40

Project No. SC8998
22 November 2005

GEOTECHNICAL INVESTIGATION
Medium to High Density Residential Development
Erba Lane
Scotts Valley, California

Introduction

This report summarizes the findings, conclusions and recommendations from our site-specific geotechnical investigation for the proposed multi-residential development of a lot located on the north side of Erba Lane 500 feet west of Scotts Valley Drive.

At the time of this report, building and grading plans had not yet been developed. Therefore, some of the recommendations presented in this report are general in nature. Our firm should be provided the opportunity for a geotechnical review of the project plans prior to construction, so that our recommendations may be properly interpreted and implemented, and to determine if this preliminary report is adequate and complete for the final planned grading and construction. It is not intended that the geotechnical engineer approve or disapprove the plans, but to provide an opportunity to update the preliminary report and include additions or qualifications as necessary.

Purpose and Scope

The purpose of our investigation was to explore the subsurface conditions at the site, in order to assess the subsoil characteristics, evaluate the soil-structure interaction from a static (dead plus live) loading condition and develop geotechnical recommendations pertaining to earthwork and foundation design. It is presumed the latest UBC (1997) edition design considerations, specifically the seismic factors and coefficients from Chapter 16, Volume 2, will be followed in the design of the residential-type structures.

The specific scope of our services was as follows:

1. Site reconnaissance and review of available data in our files regarding the site and region.

2. Field exploration, consisting of logging and interval sampling of six (6) exploratory borings drilled to depths of 11 to 31 feet. The soil samples obtained were sealed and returned to the laboratory for testing.

3. Field and laboratory testing of selective samples obtained. Moisture content, particle size distribution, and dry density tests of selected samples were performed to evaluate the consistency of the in-situ soils. Laboratory direct shear tests were performed at selective intervals to evaluate the strength properties of the soils.

4. Engineering analysis and evaluation of the resulting data, in order to determine geotechnical feasibility of development and develop geotechnical design criteria for general site grading, building foundations, concrete slab-on-grade, retaining walls, and general site drainage.

5. Preparation of a geotechnical investigation report, presenting the results of our investigation.

Site and Project Description

The subject property is located on the north side of Erba Lane 500 feet west of Scotts Valley Drive in Santa Cruz County, California (see Vicinity Map, Figure No. 1). The property is bounded by business development to the south, Erba Lane to the west, residential development to the north, and an intermittent drainage swale to the east. The property is generally level with a 5% slope to the south. It currently serves as a parking lot with a chip seal coat on the surface. Two large waste bins are currently placed in the parking lot for local yard waste disposal. Fill placed under the chip seal on the south end of the lot creates a berm to the adjacent paved parking lot.

Based on our discussions with the City of Scotts Valley, the lot will be sold for development of multi-family structures. We presume the structures will be two-story, of wood frame and/or masonry construction, combined with some concrete slab-on-grade floors. Actual

loads are not known at this time but are expected to be typical of such construction. We have presumed that proposed construction will include driveway access, patios and sidewalks, and attendant utilities and landscaping. Minor grading is expected.

Field Exploration

Our investigation included a site reconnaissance by the project engineer, and on 1 September 2005 subsurface conditions were explored by drilling six (6) exploratory borings to depths of 11 to 31 feet. The borings were drilled with 6-inch diameter, continuous flight auger equipment mounted on a truck. The approximate locations of the borings are shown on the Boring Site Plan, Figure No. 2.

Representative soil samples were obtained from the exploratory borings at selected depths, or at major strata changes. These samples were recovered using a 3.0 inch O.D. Modified California Sampler (L), or by a Standard Terzaghi Sampler (T). The soils encountered in the borings were continuously logged in the field and visually described in accordance with the Unified Soil Classification System (ASTM D2488). The Logs of Test Borings are included in the Appendix of this report. The logs depict subsurface conditions at the approximate locations shown on the Boring Site Plan; subsurface conditions at other locations may differ from those encountered at the explored locations. Stratification lines shown on the logs represent the approximate boundaries between soil types; actual transitions may be gradual.

The penetration blow counts noted on the boring logs were obtained by driving a sampler into the soil with a 140-pound hammer dropping through a 30-inch fall. The sampler was driven up to 18 inches into the soil and the number of blows counted for each 6-inch penetration interval. The numbers indicated on the logs are the total number of blows that were recorded for the second and third 6-inch intervals, or the blows that were required to drive the penetration depth shown if high resistance was encountered.

Laboratory Testing

Soil samples obtained from the borings at selected depths were taken to our laboratory for further examination and laboratory testing. The laboratory testing program was directed toward determining pertinent engineering properties of the potential foundation zone soils.

The soils were classified based on visual observation during drilling and laboratory test results. Sieve analyses on select samples were conducted and are recorded on the boring logs. The particle size distribution from a sieve analysis helps clarify the identity of the soil class. Natural moisture contents and dry densities were determined on selected samples and are recorded on the boring logs at the appropriate depths. Since water has a significant influence on soil, the natural moisture content provides a rough indicator of the soil's compressibility, strength, and potential expansion characteristics. A compaction test of the near surface, fill soils on the east side of the site was done to compare insitu densities of the fill sampled during our investigation.

The strength parameters of the underlying earth materials were determined from laboratory direct shear and field penetration resistance of the in-situ soils.

Subsurface Conditions

In general, the native earth materials underlying this site to the depths explored consist of silty sand with traces of gravel clasts. The silty sand is loose near the ground surface but becomes medium dense to dense with depth.

Fill composed of orange and brown silty sand with ¾ inch granite (possibly baserock) was encountered at the surface in each of the borings. Deeper fill (to 5 feet) was encountered on the northeast side of the parking lot. The fill appears to be a graded wedge since the depth of fill increased from north to south. Stockpiled fill has been placed around the south and south-east perimeters of the site to form a small berm. The deeper fill consisted of very loose silty sand and drain rock encountered in Boring No. 1, on the eastern end of the property.

In general, it is our opinion that the native materials underlying this site possess adequate engineering characteristics for support of the proposed improvements, provided our recommendations are incorporated into the design and construction of the project. The fill materials are unsuitable for structural support in their present condition and should be

removed from proposed improvement areas or redensified as engineered fill in accordance with the recommendations of this report.

Groundwater

Groundwater was encountered at a depth of 13 feet below existing grade in Boring Number 3. It should be noted that ground water levels will fluctuate due to variations in rainfall or other factors not evident during our investigation.

Seismic Considerations

The following is a general discussion of seismic considerations affecting the project area. Detailed studies of seismicity, faulting and other geologic hazards are beyond the scope of this study.

Seismic Shaking

The primary seismic hazard associated with the proposed development appears to be the potential for strong ground shaking. Experience following the 17 October 1989 Loma Prieta earthquake indicates that the quality of construction is a primary factor affecting the amounts of earthquake damage sustained by wood framed structures. Most of the structural damage from the Loma Prieta earthquake was sustained in buildings where the foundations were not adequately embedded into firm materials, where the wood-frame was

not well braced for lateral shear and/or where the wood-frame was not securely tied to the building foundations.

Conversely, where wood-frame structures were supported on foundations embedded into firm material, well braced for lateral shear and securely tied to the foundation, structural damage was generally minor, even in areas quite close to the epicenter where structures sustained very strong to severe ground shaking. Based on these considerations, the risk of substantial structural damage from earthquakes appears relatively low for well-built structures which incorporate lateral shear bracing and modern building code requirements into their design and construction.

It is highly probable that a major earthquake will occur in northern California during the next 50 years. During a major earthquake epicentered nearby, there is a potential for severe ground shaking at this site. Structures designed in accordance with the most current UBC should react well to seismic shaking.

UBC Design Criteria

Based on the information gathered from our borings we have classified the site soil conditions as Soil Type S_D as defined in Table 16-J of the 1997 UBC. The following table indicates the 1997 UBC seismic coefficients appropriate for this site. These are minimum

values; the project designer or structural designer may utilize more conservative values at his or her discretion.

FAULT NAME	DISTANCE TO SITE	R.I. (yr)	Mmax (Mw)	SLIP RATE (mm/yr)	UBC FAULT TYPE	Na	Nv	Ca	Cv
San Andreas	12km 7.5 Miles	210	7.9	24.0	A	1.0	1.1	.44	.70
Zayante	6 km 3.7 Miles	8821	6.8	0.10	B	1.0	1.2	.44	.77
San Gregorio	19.6 km 12.2 Miles	400	7.3	5.00	A	1.0	1.0	.44	.64

- Note: the Monterey Bay/Tularcitos is the critical fault at this site location.

Seismic Hazards

The seismic setting of the site is one in which it is reasonable to assume that the site will experience significant seismic shaking during the lifetime of the project. Active or potentially active faults which may significantly affect the site include the San Andreas (7.5 miles to the northeast), the Zayante (3.7 miles to the northeast), and the San Gregorio (19.6 miles to the southwest). The San Andreas and the San Gregorio faults are classified as Type A faults and the Zayante Fault is classified as a Type B fault.

Seismic hazards which may affect areas of Santa Cruz County are surface ground rupture, seismic shaking, liquefaction and lateral spreading, and seismically induced slope instabilities.

Surface ground rupture occurs in active fault zones. Since the nearest known active or potentially active fault is located 3.7 miles from the site, the potential for surface ground rupture at this site is considered to be low.

Ground shaking will be felt on the site. Structures founded on thick soft soil deposits will experience more destructive shaking, with higher amplitude and lower frequency, that structures founded on bedrock. Generally, shaking will be more intense closer to earthquake epicenters. Thick soft soil deposits large distances from earthquake epicenters, however, may result in seismic accelerations significantly greater than expected in bedrock. Structures built in accordance with the latest edition of the Uniform Building Code for Seismic Zone 4 should experience damage which is repairable. The seismic design of the project should be based on the 1997 Uniform Building Code as it has incorporated the most recent seismic design parameters.

Liquefaction and Lateral Spreading

The site is mapped in areas with a moderate potential for liquefaction (Maps showing Geology and Liquefaction Potential of Quaternary Deposits in Santa Cruz County, California, Dupre (1975). Liquefaction tends to occur in saturated soils composed of loose sand and non-cohesive silts, with low densities and restricted permeability's. An analysis of this site, including soil types, depth to free groundwater, and estimated ground accelerations, indicates that the liquefaction potential is low.

Landsliding

An evaluation of the potential for seismically induced landsliding was outside of our scope of services. Loose and/or saturated soil above the bedrock may be induced to move through the addition of seismic forces where moderate to steep slopes exist. The reference property is generally level with a 5 percent slope to the southeast. The level slope gradient of the site indicates the potential for seismically induced landsliding is low.

DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS

Based on the results of our investigation the reference property is feasible for development from a geotechnical standpoint, provided our recommendations are closely followed during the design and construction phases of the project. It is feasible to lower (but never eliminate) the level of risk to "ordinary" (as defined in the Scale of Acceptable Risks in Appendix C), by taking into consideration the risks and implementing mitigating measures.

The results of our investigation indicate there are no adverse geotechnical hazards that would preclude the development of this site. Primary geotechnical concerns at the site include strong seismic shaking, adequate bearing support for foundations, and appropriate control of surface runoff.

The project site is located within a seismically active area. Structures designed and constructed in accordance with the most current UBC and the recommendations of this report should react well to seismic shaking.

Due to variations in density and consistency across the property between the native soils and the areas of loose fill spread footings should be supported upon a uniform zone of engineered fill. The fill depth should extend a minimum of two feet below the bottom of the

footings, or 4 feet from existing grades, whichever is greater. The redensification zone should include the entire building footprint and an additional five feet (5') horizontally from all perimeter footing elements.

An engineered drainage plan to handle surface runoff should be developed for this site. Surface and subsurface site drainage should be adequately controlled during and after construction.

The following recommendations should be used as guidelines for preparing project plans and specifications, and assume that **Haro, Kasunich & Associates** will be commissioned to review project grading and foundation plans before construction and to observe, test and advise during earthwork and foundation construction. This additional opportunity to examine the site will allow us to compare subsurface conditions exposed during construction with those inferred from this investigation. Unusual or unforeseen soil conditions may require supplemental evaluation by the geotechnical engineer.

General Site Grading

1. The geotechnical engineer should be notified **at least four (4) working days prior to any grading or foundation excavating** so the work in the field can be coordinated with the grading contractor and arrangements for testing and observation can be made. The recommendations of this report are based on the assumption that the geotechnical

engineer will perform the required testing and observation during grading and construction. It is the owner's responsibility to make the necessary arrangements for these required services.

2. Where referenced in this report, Percent Relative Compaction and Optimum Moisture Content shall be based on ASTM Test Designation D1557.

3. Areas to be graded or to receive proposed improvements should be cleared of all obstructions and fill materials. Existing depressions or voids created during site clearing should be backfilled with engineered fill. Any surface or subsurface obstructions, or questionable material encountered during grading, should be brought immediately to our attention for proper exposure, removal and processing as directed.

4. Cleared areas should then be stripped of organic-laden topsoil. Stripping depth is anticipated to be from 2 to 4 inches, although the actual depth of stripping should be determined in the field by the geotechnical engineer. Strippings should be wasted off-site or stockpiled for use in landscaped areas if desired.

5. Following clearing and stripping of the building area, the existing fill underlying the site should be completely removed until firm, native soil is encountered. In addition, the subgrade below proposed building footprints and/or exterior improvements should be

subexcavated to a minimum depth of 2 feet below bottom of footing elevation, or 4 feet below existing grades, whichever is greater. Below exterior slabs or pavements, the subexcavation depth may be reduced to 12 inches below proposed soil subgrade, provided any existing fill underlying these areas has been removed and redensified as recommended herein.

6. Although not anticipated, if the existing fill at the site extends below a depth of six feet (6'), additional subexcavation will be necessary to ensure that the existing fill is removed entirely. Subexcavation areas should extend a minimum of 5 feet beyond the proposed structures, and 3 feet beyond pavements or exterior slabs.

7. Following subexcavation, the base of the excavation should be scarified, moisture conditioned (or allowed to dry as necessary) to produce a moisture content about 2 to 4 percent above the laboratory optimum value and uniformly compacted to at least 90 percent relative compaction. The site may then be brought to design grades with engineered fill.

8. Engineered fill should be placed in thin lifts not exceeding 8 inches in loose thickness, water conditioned to a moisture content about 2 to 4 percent above optimum, and compacted to at least 90 percent relative compaction. The upper 8 inches of pavement subgrade should be compacted to at least 95 percent relative compaction.

Aggregate base below pavements should likewise be compacted to at least 95 percent relative compaction

9. If grading is performed during or shortly after the rainy season, the grading contractor may encounter compaction difficulty with wet soils of high silt content. If compaction cannot be achieved after mixing and/or adjusting the soil moisture content, it may be necessary to use imported fill or gravel and stabilize the bottom of the excavation with stabilization fabric.

10. Provided they can be adequately moisture conditioned (or dried back) prior to use, the on-site soils (fill and native) appear generally suitable for use as engineered fill. Materials used for engineered fill which must be imported should be free of organic and deleterious material, contain no rocks or clods over 4 inches in dimension, and should contain no more than 15 percent by weight of rocks larger than 2 inches. Imported fill should also be granular, have a Plasticity Index of less than 18, and should have sufficient binder to allow excavations to stand without caving. Prior to delivery to the site, a representative sample of proposed import should be sent to our laboratory for evaluation.

11. We estimate shrinkage factors of about 20 percent for the on-site materials when used in engineered fills.

Cut and Fill Slopes

12. Temporary excavations should be properly shored and braced during construction to prevent sloughing and caving at sidewalls. The contractor should be aware of all CAL OSHA and local safety requirements and codes dealing with excavations and trenches.

13. Permanent cut slopes should be inclined no steeper than 2:1 (horizontal to vertical). The top of all cut slopes should be rounded off to reduce soil sloughing. If seepage is observed, the geotechnical engineer should provide additional recommendations. Cut slopes with these recommended gradients may require periodic maintenance to remove minor soil sloughing.

14. Compacted fill slopes should be constructed at a slope inclination not steeper than 2:1 horizontal to vertical. Fill slopes with these recommended gradients may require periodic maintenance to remove minor soil sloughing. All fills must be adequately benched into competent material, and keys for stability will be required at the toe of the fill embankment. The toe key should be at least 8 feet wide and should extend at least 2 feet into competent soil or bedrock. The bottom of the toe key should be sloped downward at about 2 percent toward the back of the key.

15. There should be a minimum of 10 feet horizontal separation between the bottom of all footing elements and the top of a fill slope or the base of a cut slope.

16. In order to maintain stable slopes at the recommended gradients, it is important that seepage forces and accompanying hydrostatic pressure be relieved by adequate drainage. Adequate backdrains in keyways and benches should be provided. The locations of backdrains and outlets will be determined by the geotechnical engineer in the field during grading.

17. Following grading, exposed soil should be planted as soon as possible with erosion-resistant vegetation.

18. After the earthwork operations have been completed and the geotechnical engineer has finished his observation of the work, no further earthwork operations shall be performed without the direct observation and approval of the geotechnical engineer.

Utility Trenches

19. Trenches must be properly shored and braced during construction or laid back at an appropriate angle to prevent sloughing and caving at sidewalls. The project plans and specifications should direct the attention of the contractor to all CAL OSHA and local safety requirements and codes dealing with excavations and trenches.

20. Utility trenches that are parallel to the sides of buildings should be placed so that they do not extend below an imaginary line sloping down and away at a 2:1 (horizontal to

vertical) slope from the bottom outside edge of all footings. The structural design professional should coordinate this requirement with the utility layout plans for the project

21. Trenches should be backfilled with granular-type material and uniformly compacted by mechanical means to the relative compaction as required by city specifications, but not less than 95 percent under paved areas and 90 percent elsewhere. The relative compaction will be based on the maximum dry density obtained from a laboratory compaction curve run in accordance with ASTM Procedure #D1557.

22. We strongly recommend placing a three-foot (3') concrete plug in each trench where it passes under the exterior foundations. Care should be taken not to damage utility lines.

23. Trenches should be capped with 1.5± feet of relatively impermeable soil.

Conventional Footing Recommendations

24. Provided the building area is prepared in accordance with our recommendations, the proposed residences may be supported by continuous, conventional spread footings bearing uniformly on engineered fill as outlined above. A foundation system resting partially on engineered fill and partially on native soil is not recommended.

25. Interior load-bearing walls should be supported on continuous, reinforced concrete foundations that are structurally connected at each end to the continuous perimeter foundations.

26. A minimum footing embedment depth of 15 inches is recommended, as measured from lowest adjacent grade. The foundation trenches should be kept moist and be thoroughly cleaned of all slough or loose materials prior to pouring concrete. In addition, all footings located adjacent to other footings or utility trenches should have their bearing surfaces founded below an imaginary 2:1 plane projected upward from the bottom edge of the adjacent footings or utility trenches.

27. Foundations designed in accordance with the above may be designed for an allowable soil bearing pressure of 2,000 psf for dead plus live loads. This value may be increased by one-third to include short-term seismic and wind loads.

28. Lateral load resistance for structures supported on spread footings may be developed in friction between the foundation bottom and the supporting subgrade. A friction coefficient of 0.38 is considered applicable.

29. All footings should be reinforced in accordance with applicable UBC and/or ACI standards, however, we recommend the continuous footings contain a minimum steel reinforcement of four (4) #4 bars; i.e., two near the top and two near the bottom of the footing.

30. All footing excavations should be thoroughly cleaned and observed by the geotechnical engineer prior to placing forms and steel. Observation of foundation excavations allows anticipated soil conditions to be correlated to those inferred from our investigation and to verify that the footings are in accordance with our recommendations

Retaining Wall Lateral Pressures

31. Retaining walls should be designed to resist both lateral earth pressures and any additional surcharge loads. For design of retaining walls up to 8 feet high, the following design criteria may be used:

A. Active earth pressure on fully drained walls allowed to yield is that exerted by an equivalent fluid weighing 35 pcf for a level backslope gradient; and 50 pcf for a 2:1 (horizontal to vertical) backslope gradient. **This assumes a fully drained condition.**

B. Where walls are restrained from moving at the top, as in the case for basement walls, design for a uniform rectangular distribution equivalent to 25H psf per foot of wall height for a level backslope, and 35H psf per foot of

wall height for a 2:1 backslope (where H is the height of the wall).

C. Use a coefficient of friction between base of foundation and native soil of 0.38.

D. In addition, the walls should be designed for any adjacent live or dead loads which will exert a force on the wall (garage and/or auto traffic).

E. Retaining walls used as interior living space should be thoroughly waterproofed.

32. For seismic design of interior structural retaining walls, a dynamic surcharge load equal to 10H psf, where H is the height of the wall, should be added to the above active lateral earth pressures.

33. Fully drained walls should be backfilled with drainage materials consisting of Class 1, Type A permeable material complying with Section 68-1.025 of Caltrans Standard Specifications, latest edition.

34. The drainage material should be at least 12 inches thick. The drains should extend from the base of the walls to within 12 inches of the top of the backfill. A perforated, rigid pipe should be placed (holes down) about 4 inches above the bottom of the wall and be tied to a suitable drain outlet. Wall backdrains should be capped at the surface with clayey material to prevent infiltration of surface runoff into the backdrains. A layer of filter fabric

(Mirafi 140N or equivalent) should separate the subdrain material from the overlying soil cap.

Concrete Slabs-on-Grade

35. Building floor slabs and exterior slabs should be constructed on properly water conditioned and compacted soil subgrades. Soil subgrades should be prepared and compacted as recommended in the section entitled "General Site Grading". Soil moisture should be consistently maintained at 2 to 3 percent over optimum until the slab is poured. If the subgrade is allowed to dry out, it should be adequately pre-moistened for at least 48 hours prior to pouring concrete.

36. Slab reinforcing should be provided in accordance with the anticipated use and loading of the slab, however we recommend a minimum reinforcement of #3 bars spaced 16 inches on-center in both directions. The steel reinforcement should be held firmly in the vertical center of the slab during placement and finishing of the concrete with pre-cast concrete dobies.

37. Where floor dampness must be minimized or where floor coverings will be installed, concrete slabs-on-grade should be constructed on a capillary break layer at least 4 inches thick, covered with a membrane vapor retarder. Capillary break material should be free-draining, clean gravel or rock, such as 3/4-inch gravel. The gravel should be washed

to remove fines and dust prior to placement on the slab subgrade. The vapor retarder should be a high quality membrane at least 10 mil in thickness. A layer of sand about 2 inches thick should be placed between the vapor retarder and the floor slab to protect the membrane and to aid in curing concrete. The sand should be lightly moistened prior to placing concrete.

38. Exterior concrete slabs-on-grade should be founded on firm, well-compacted ground as delineated above. Reinforcing should be provided in accordance with the anticipated use and loading of the slab. The reinforcement should not be tied to the building foundations. These exterior slabs can be expected to suffer some cracking and movement. However, thickened exterior edges, a well-prepared subgrade including pre-moistening prior to pouring concrete, adequately spaced expansion joints, and good workmanship should minimize cracking and movement.

Surface Drainage

39. An engineered drainage plan to handle surface runoff should be developed for this site. Site drainage should be adequately controlled both during and after construction.

40. The site should be graded to promote positive runoff towards an approved discharge point offsite.

41. All exposed soil should be landscaped and permanently protected against erosion as soon as possible after grading.

42. We recommend that full gutters be used along all roof down eaves to collect storm runoff water and channel it through closed rigid conduits to a suitable discharge point away from all structural improvements.

43. Surface runoff should **not** be allowed to flow onto graded or natural slopes. Consideration should be given to catch basins, berms, concrete v-ditches, or drainage swales at the top of all slopes to intercept runoff and direct it to a suitable discharge point.

44. Surface drainage should include provisions for positive gradients so that surface runoff is not permitted to pond adjacent to foundations and on pavements. Surface drainage should be directed away from the building foundations, on a minimum gradient of 2 percent for a distance of at least 3 feet to an adequate discharge point. Concentrations of surface water runoff should be handled by providing necessary structures, such as paved ditches, catch basins, etc.

45. Irrigation activities at the site should be done in a controlled and reasonable manner. Planter areas should not be sited adjacent to walls; otherwise, measures should be implemented to contain irrigation water and prevent it from seeping into walls and under foundations.

46. The migration of water or spread of extensive root systems below foundations, slabs, or pavements may cause undesirable differential movements and subsequent damage to these structures. Landscaping should be planned accordingly.

47. Drainage patterns approved at the time of fine grading should be maintained throughout the life of proposed structures.

Pavement Design

48. R-Value test results of finished subgrade soil at this site have not been performed. To have selected pavement sections perform to their greatest efficiency, it is very important that the following items be considered:

a. Scarify and moisture condition the top eight inches (8") of subgrade and compact to a minimum relative compaction of 95 percent, at a moisture content which is about 4 percent above laboratory optimum value.

b. Provide sufficient gradient to prevent ponding of water.

c. Use only quality materials of the type and thickness (minimum) specified. All baserock (R=78 minimum) must meet CALTRANS Standard Specifications for Class 2 Untreated Aggregate Base (Section 26). All subbase (R=50 minimum) must meet CALTRANS Standard Specifications for Class 2 Untreated Aggregate Subbase, (Section 25).

d. Compact the baserock and subbase uniformly to a minimum relative compaction of 95 percent.

e. Place the asphaltic concrete only during periods of fair weather when the free air temperature is within prescribed limits.

f. Maintenance should be undertaken on a routine basis.

Plan Review, Construction Observation and Testing

49. Our firm should be provided the opportunity for a general review of the project plans prior to construction so that our geotechnical recommendations may be properly interpreted and implemented. The purpose is to determine if this preliminary report is adequate and complete for the final planned grading and construction. It is not intended that the geotechnical engineer approve or disapprove the plans, but to provide an opportunity to update the preliminary report and include additions or qualifications as necessary. If our firm is not accorded the opportunity of making the recommended review, we can assume no responsibility for misinterpretation of our recommendations.

50. We recommend that our office review the project plans prior to submittal to public agencies, to expedite project review. The recommendations presented in this report require our review of final plans and specifications prior to construction and upon our observation and, where necessary, testing of the earthwork and foundation excavations. Observation of grading and foundation excavations allows anticipated soil conditions to be correlated to those actually encountered in the field during construction.

LIMITATIONS AND UNIFORMITY OF CONDITIONS

1. The conclusions and recommendations noted in this report are based on probability and in no way imply that the proposed improvements will not possibly be subjected to ground failure or seismic shaking so intense they will be severely damaged or destroyed.

2. This report is issued with the understanding that it is the duty and responsibility of the owner or his representative or agent to ensure that the recommendations contained in this report are brought to the attention of the architects and engineers and contractors for the project, incorporated into the plans and specifications, and that the necessary steps are taken to see that the contractor and subcontractors carry out such recommendations in the field.

3. The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice in the Santa Cruz County area. No other warranty, expressed or implied, is made.

4. If any unexpected variations in soil conditions, or if adverse soil conditions are encountered during construction, or if the proposed construction will differ from that planned at the present time, Haro, Kasunich and Associates should be notified so that supplemental recommendations can be given.

5. The findings of this report are valid as of the present date. However, changes in the conditions of a property can occur with the passage of time, whether they are due to natural processes or to the works of man, on this or adjacent properties. In addition, changes in applicable or appropriate standards occur whether they result from legislation or the broadening of knowledge. Accordingly, the findings of this report may be invalidated, wholly or partially, by changes outside our control. Therefore, this report should not be relied upon after a period of three years without being reviewed by a geotechnical engineer.

APPENDIX A

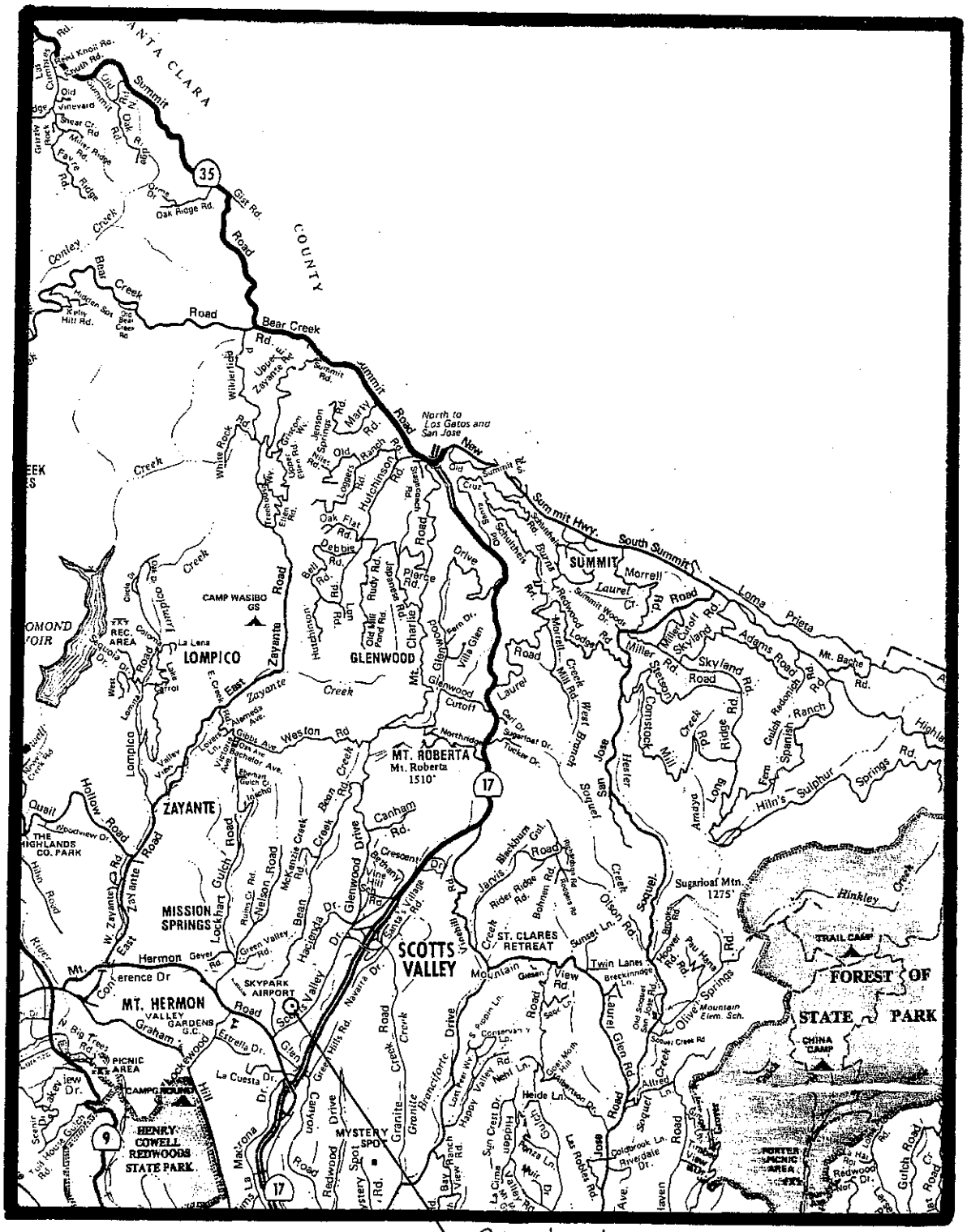
Vicinity Map

Boring Site Plan

Key to Logs

Logs of Test Borings

Laboratory Test Results

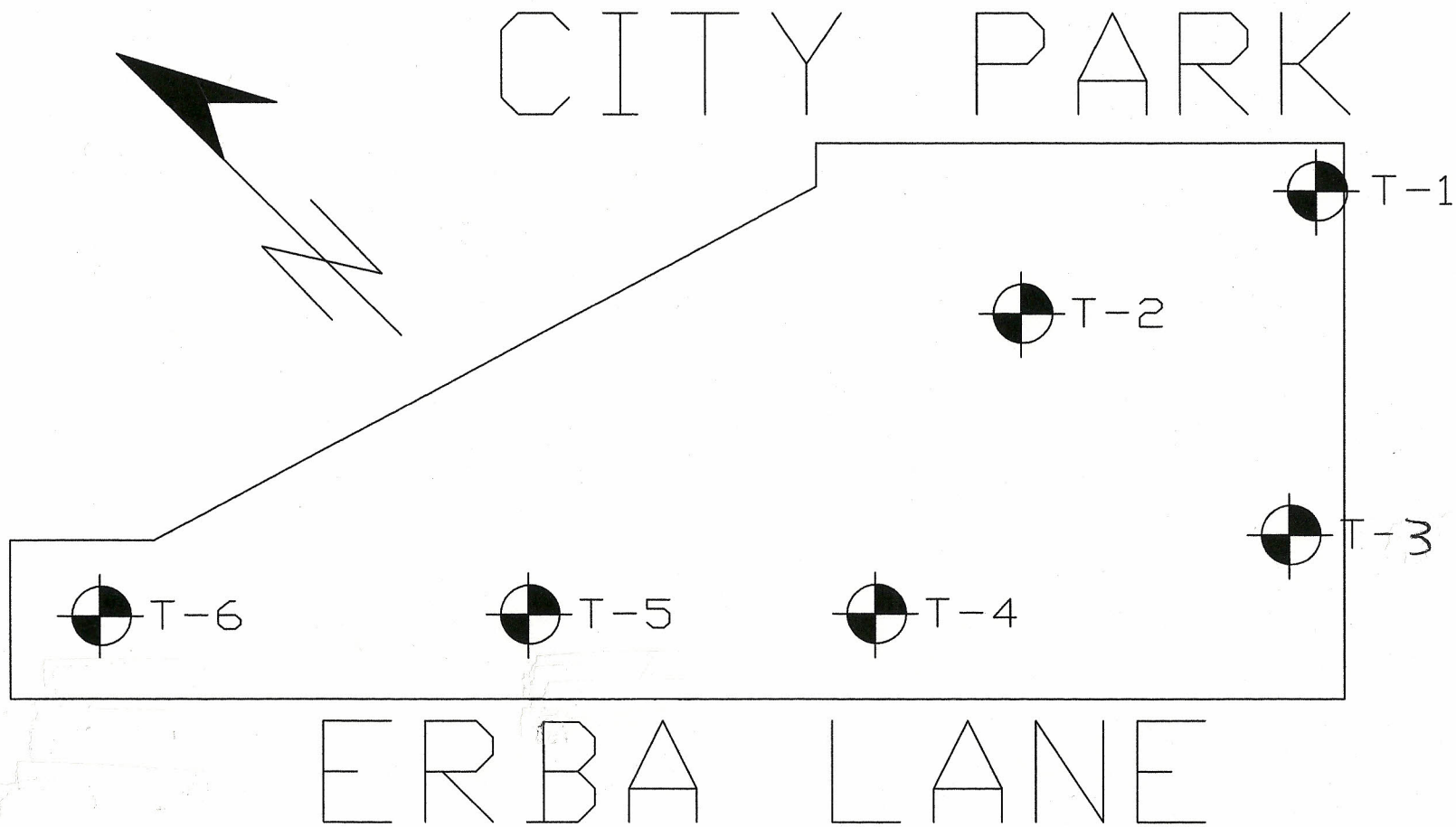


PROJECT NO.	SC8998
DATE	11/22/05
SCALE	NTS
DRAWN BY	TL

Site Vicinity Map
Erba Lane
Scotts Valley, Santa Cruz County, California

HARO, KASUNICH & ASSOCIATES

FIGURE NO.



NOTES:

T-1 DENOTES FIELD EXPLORATORY BORING

LOCATIONS OF FIELD EXPLORATORY BORINGS
ERBA LANE
SCOTTS VALLEY, SANTA CRUZ COUNTY, CALIFORNIA

SCALE: 1"=40'	
DRAWN BY: MC	
DATE: NOVEMBER 2005	HARO, KASUNICH & ASSOCIATES, INC.
REVISED:	GEOTECHNICAL AND COASTAL ENGINEERS
JOB NO. SC8998	116 E. LAKE AVENUE, WATSONVILLE, CA 95076 (831) 722-4175

FIGURE NO. 2

PRIMARY DIVISIONS			GROUP SYMBOL	SECONDARY DIVISIONS
COARSE GRAINED SOILS — MORE THAN HALF OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	GRAVELS — MORE THAN HALF OF COARSE FRACTION IS LARGER THAN NO. 4 SIEVE	CLEAN GRAVELS (LESS THAN 5% FINES)	GW	Well graded gravels, gravel-sand mixtures, little or no fines.
			GP	Poorly graded gravels or gravel-sand mixtures, little or no fines.
		GRAVEL WITH FINES	GM	Silty gravels, gravel-sand-silt mixtures, non-plastic fines
			GC	Clayey gravels, gravel-sand-clay mixtures, plastic fines.
	SANDS — MORE THAN HALF OF COARSE FRACTION IS SMALLER THAN NO. 4 SIEVE	CLEAN SANDS (LESS THAN 5% FINES)	SW	Well graded sands, gravelly sands, little or no fines.
			SP	Poorly graded sands or gravelly sands, little or no fines.
		SANDS WITH FINES	SM	Silty sands, sand-silt mixtures, non-plastic fines.
			SC	Clayey sands, sand-clay mixtures, plastic fines.
FINE GRAINED SOILS — MORE THAN HALF OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE	SILTS AND CLAYS — LIQUID LIMIT IS LESS THAN 50%		ML	Inorganic silts and very fine sands, rock flour, silty or clayey fine sands or clayey silts with slight plasticity.
			CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays.
			OL	Organic silts and organic silty clays of low plasticity.
	SILTS AND CLAYS — LIQUID LIMIT IS GREATER THAN 50%		MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts
			CH	Inorganic clays of high plasticity, fat clays.
			OH	Organic clays of medium to high plasticity, organic silts.
HIGHLY ORGANIC SOILS			PT	Peat and other highly organic soils.

GRAIN SIZES

U.S STANDARD SERIES SIEVE				CLEAR SQUARE SIEVE OPENINGS			
200	40	10	4	3/4"	3"	12"	
SILTS AND CLAYS	SAND			GRAVEL		COBBLES	BOULDERS
	FINE	MEDIUM	COARSE	FINE	COARSE		

RELATIVE DENSITY

SANDS AND GRAVELS	BLOWS/FT*
VERY LOOSE	0 - 4
LOOSE	4-10
MEDIUM DENSE	10 - 30
DENSE	30 - 50
VERY DENSE	OVER 50

CONSISTENCY

SILTS AND CLAYS	STRENGTH**	BLOWS/FT*
VERY SOFT	0 - 1/4	0 - 2
SOFT	1/4 - 1/2	2 - 4
FIRM	1/2 - 1	4 - 8
STIFF	1 - 2	8 - 16
VERY STIFF	2 - 4	16 - 32
HARD	OVER 4	OVER 32

*Number of blows of 140 pound hammer falling 30 inches to drive a 2 inch O.D. (1 3/8 inch I.D) split spoon (ASTM D-1586)

** Unconfined compressive strength in tons/ft^2 as determined by laboratory testing or approximated by the standard penetration test (ASTM D-1586), pocket penetrometer, torvane, or visual observation

HARO, KASUNICH & ASSOCIATES	KEY TO LOGS		FIGURE NO.

Haro, Kasunich & Associates, Inc.
Geotechnical Engineers

Erba Lane
Santa Cruz County, California

PROJECT NO. SC8998

LOGGED BY MC DATE DRILLED September 1, 2005 BORING DIAMETER 6" BORING NO. B-1

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			Fill	SM					
	1-1 (L)		Dark brown Silty SAND, loose to medium dense, damp		18			5.9	
	1-2 (L)				9		98	8.6	
5			Loose						
	1-3 (L)		Native	SM	12		111	7.5	Passing #200 Sieve = 17.3%
			Dark brown fine grain Sandy SILT, loose, dense, moist				106	6.1	
10	1-4 (L)		Dark brown Silty Clayey SAND with 1/16 to 1/8 inch clasts, medium dense, moist		38		104	15.6	
15	1-5 (L)		Grey brown medium coarse Silty SAND, medium dense to dense, moist	SM	54		124	10.8	
20	1-6 (T)		Some clay binder slight increase in moisture		26			11.4	
25			Consistant drilling						
30	1-7 (T)		Light brown medium - coarse grain Sand, (Sandstone), moist, very dense		50/6"			7.8	
			Boring terminated at 31.5 feet						
35									

SuperLog Civil Tech software, www.civiltech.com File: C:\Superlog\HKA\Logsc8998.log Date: 11/22/2005

HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK | FIGURE NO. 1

Haro, Kasunich & Associates, Inc.
Geotechnical and Environmental Engineers

Erba Lane
Santa Cruz County, California

PROJECT NO. SC8998

LOGGED BY MC | DATE DRILLED September 1, 2005 | BORING DIAMETER 6" | BORING NO. B-2

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0	2-1 (L)		Fill Light brown Silty SAND, medium dense, dry-damp	SM	27			5.2	
			Native	SM					
5	2-2 (L)		Light brown Silty SAND, fine-medium grain, medium dense, damp		66		113	15.6	
10	2-3 (L)		Light brown Silty SAND, fine-medium grain with trace of gravel/mudstone, very dense, damp		50/6"		110	5.7	
				SM					
15	2-4 (L)		Light brown Silty SAND medium-coarse grain with trace of gravel, medium dense, damp		56		118	9.0	
20	2-5 (T)		Light brown, orange coarse grain SAND with Silt, medium dense, moist		22			10.4	
			Grey, medium-coarse Silty SAND, some small layer of fine grain sand, very dense, moist						
25	2-6 (T)				71			11.0	
			Boring terminated at 26.5 feet						
30									
35									

HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK | FIGURE NO. 2

Logic Civil Software, www.civilech.com File: C:\Supernog\HKA\Logs\sc8998.log Date: 11/23/2005

Haro, Kasunich & Associates, Inc.
Geotechnical and Environmental Engineers

Erba Lane
Santa Cruz County, California

PROJECT NO. SC8998

LOGGED BY MC **DATE DRILLED** September 1, 2005 **BORING DIAMETER** 6" **BORING NO.** B-3

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			Fill Dark brown Silty SAND fine grained damp-dry	SM					
	3-1 (L)		Light brown Silty SAND, fine-medium grain, medium dense	SM	46				Passing #200 Sieve = 31.3%
	3-2 (L)				10		110	15.5	
5			Native Dark brown Silty SAND fine-medium grain, loose, moist	SM					
10	3-3 (L)		Light brown Silty SAND, medium-coarse grain, medium dense, moist (Sandstone)	SM	38				
			1st Encounter 12:10 pm, 9/1/05						
15	3-4 (T)		Light brown Silty SAND, medium-coarse grain, dense, trace of gravels, very moist		37			18.5	
			Boring terminated at 16.5 feet						
20									
25									
30									
35									

HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK | **FIGURE NO.** 3

Haro, Kasunich & Associates, Inc.
Geotechnical Consulting Engineers

Erba Lane
Santa Cruz County, California

PROJECT NO. SC8998

LOGGED BY MC DATE DRILLED September 1, 2005 BORING DIAMETER 6" BORING NO. B-4

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			Fill, orange Silty SAND fine - medium grain with 3/4" Granite "baserock"	SM					
	4-1 (L)		Native, dark brown Silty SAND, fine - medium grain, loose, dry-damp	SM	17			7.6	
5	4-2 (L)		Light brown Silty SAND, medium coarse grain, loose, damp-moist	SM	13		110	10.5	Passing #200 Sieve = 19.8%
10	4-3 (T)		Light brown Silty SAND, fine - medium grain medium dense, damp-moist		14			13.3	
15	4-4 (T)		Light brown Silty SAND, medium-coarse grain dense - very dense, moist		62			13.7	
			Boring terminated at 16.5 feet						
20									
25									
30									
35									

HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK

FIGURE NO. 4

Date: 11/23/2005 C:\Sdpenings\HKA\Logs\sc8998.log www.haroh.com ...oftwa... ...og Civ...

Haro, Kasunich & Associates, Inc.
Geotechnical and Environmental Engineers

Erba Lane
Santa Cruz County, California

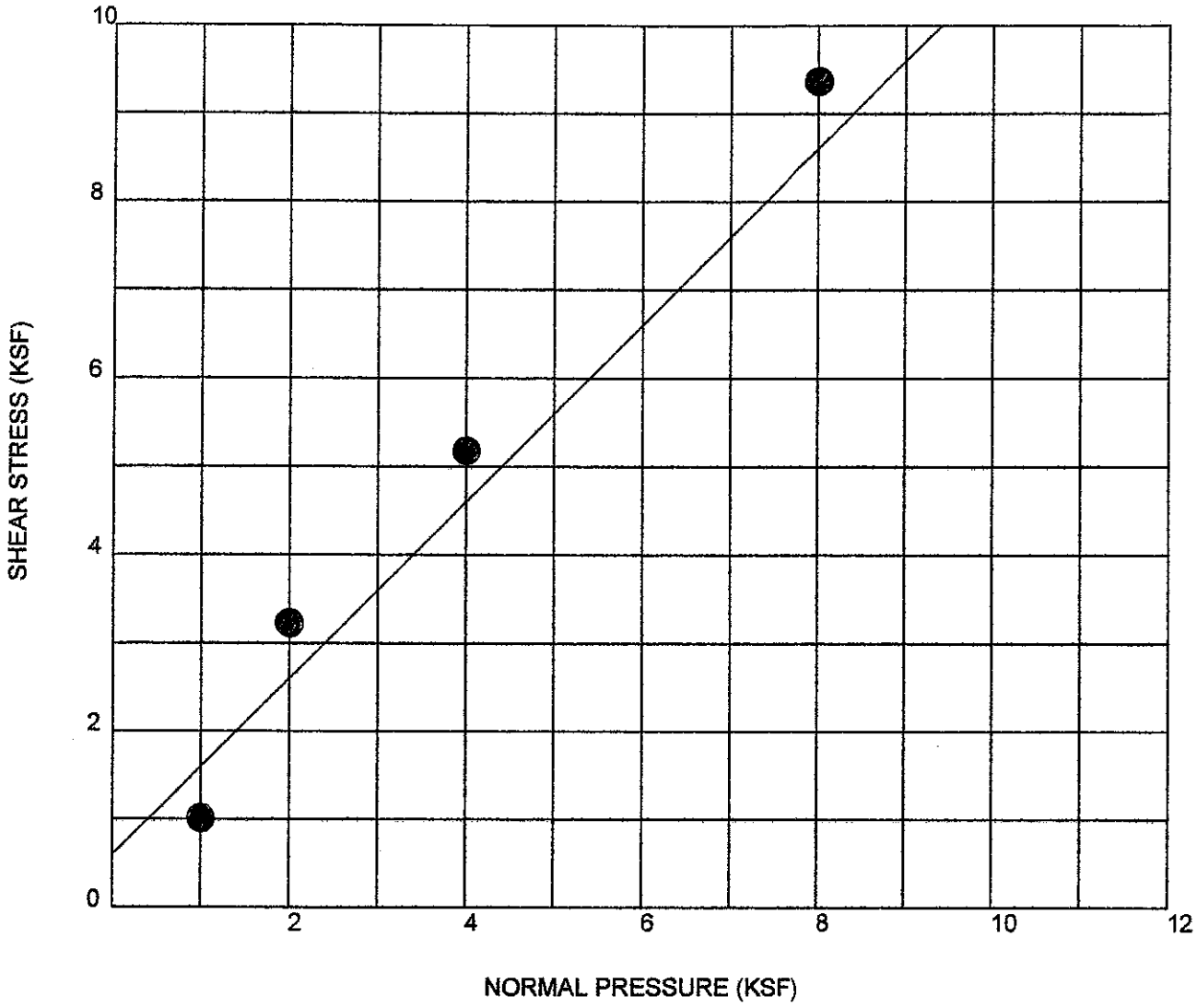
PROJECT NO. SC8998

LOGGED BY MC **DATE DRILLED** September 1, 2005 **BORING DIAMETER** 6" **BORING NO.** B-6

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			Fill, orange Silty SAND fine-medium grain with 3/4 inch Granite gravels	SM					
	6-1 (L)		Native, Light brown Silty SAND fine - medium grain, medium dense, damp	SM	34		107	7.7	Direct Shear: C = 1000 psf, phi = 34 degrees
5	6-2 (L)		Light brown Silty SAND medium - coarse grain, medium dense, damp	SM	27		107	3.8	
10	6-3 (L)		Light brown Silty SAND medium - fine grain loose, dry-damp	SM	14		116	3.1	
15	6-4 (T)		Light brown Silty SAND, medium - fine grain, medium dense, damp - moist		15			19.8	
20	6-5 (T)		Light brown Silty SAND medium - coarse grain, medium dense - dense, damp - moist	SM	29			14.5	
			Boring terminated at 21.5 feet						
25									
30									
35									

HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK | **FIGURE NO.** 6



SAMPLE DATA	
DESCRIPTION: Dark brown Silty SAND with small gravels	
BORING NO.: B-5	RING SAMPLES NO.: 5-1-2
DEPTH OF SAMPLE: 18" BG	ELEVATION (FT): 0.0

IN-SITU DIRECT SHEAR TEST RESULTS
APPARENT COHESION (C): 300 psf
APPARENT ANGLE OF INTERNAL FRICTION (ϕ): 45

TEST DATA				
TEST NUMBER	1	2	3	4
NORMAL PRESSURE (KSF)	1.0	2.0	4.0	8.0
SHEAR STRENGTH (KSF)	0.997	3.213	5.171	9.358
MOISTURE SOAKED (%)				
MOISTURE RECEIVED (%)	8.3	6.7	7.0	9.2
MOISTURE CHANGE (%)				
FINAL DRY DENSITY (PCF)	89.7	101.2	101.7	95.5

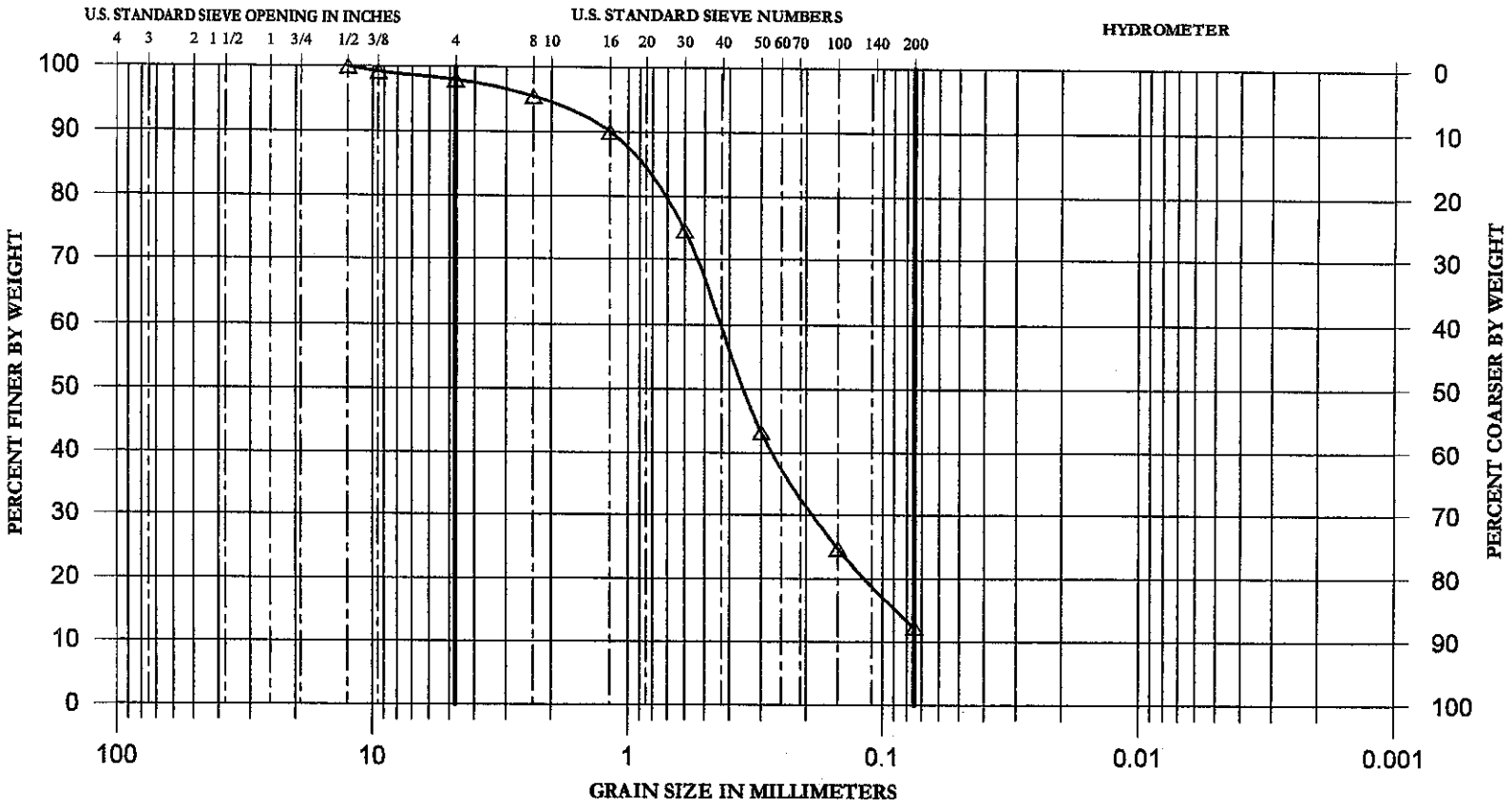
Project No.: SC8998

Date: 23 September 2005

Erba Lane
Santa Cruz County, California

HARO, KASUNICH & ASSOCIATES

Figure No.



COARSE	FINE	COARSE	MEDIUM	FINE	SILT AND CLAY
GRAVEL		SAND			

GRAVEL CONTENT: 2.0%
SAND CONTENT: 85.7%
FINES CONTENT: 12.3%

Boring No. 1, Sample 1-3-2

Soil Description: Dark to light brown Silty SAND

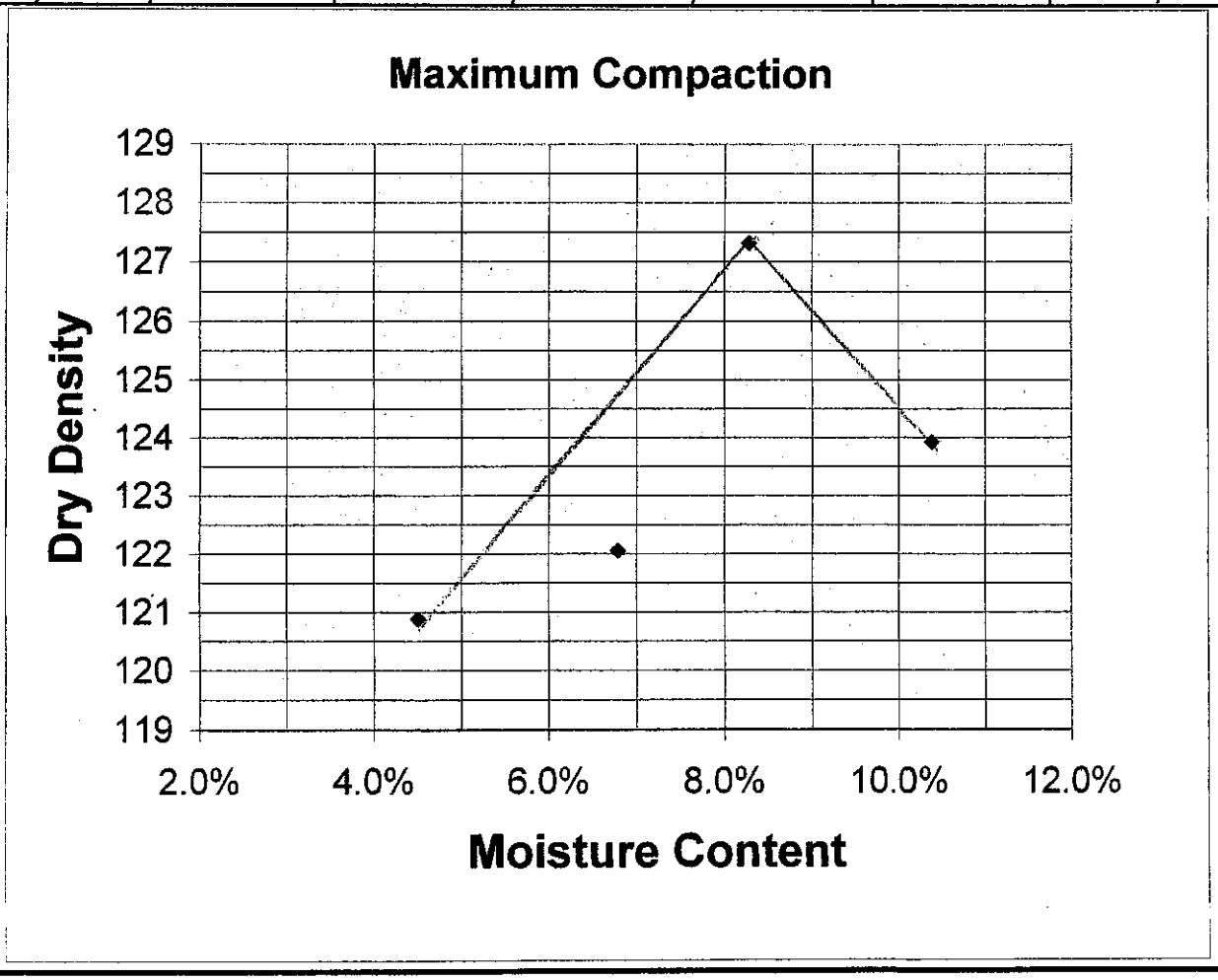
Haro, Kasunich & Associates, Inc.
Geotechnical and Geotechnical Engineers
116 East Lake Avenue, Watsonville, California 95076
(831) 722-4175 ~ Fax (831) 722-3202

HKA Project No: SC8998	*GRAIN SIZE DISTRIBUTION*
Date: November 2005	
Scale: N/A	**Erba Lane** **Santa Cruz County, California**
	Drawn By: Ag — Figure No.

Compaction Test

Project:	Erba Lane	**Project #**	
Descriptn:	Dk Brn Si/Sa Fine/Med Grain	**Date:**	September 8, 2005
Import Orange Si/Sa Med Grain W/3/4" Granite		**Tested By:**	JR
Type:	4" mold **Curve:** 1	**Sample Wt.**	2400 gr.

Moisture		0	+2	+4	+6	0
Wt. Mold+Comp. Soil		4041.1	4101.9	4215.9	4199.7	0.0
Wt. of Mold	2127.0	2127.0	2127.0	2127.0	2127.0	0.0
Vol. Factor:	0.066	0.066	0.066	0.066	0.066	0.000
Tare No.:		182	451	108	400	
Wet Wt.+Tare:		851.8	894.7	944.1	821.7	
Dry Wt.+Tare:		818.2	842.5	877.7	751.2	
Wt. Comp. Soil		1914.1	1974.9	2088.9	2072.7	0.0
Tare Wt.		72.1	73.6	76.2	72.4	
Net Dry Wt.		746.1	768.9	801.5	678.8	0.0
Wt. of Water		33.6	52.2	66.4	70.5	0.0
Wet Density		126.3	130.3	137.9	136.8	0.0
Water Content		0.045	0.068	0.083	0.104	#DIV/0!
Water Content %		4.5%	6.8%	8.3%	10.4%	#DIV/0!
Dry Density		120.9	122.1	127.3	123.9	#DIV/0!



Laboratory
Max D.D.
127.3
Opt Moist.
8.3%

Corrected
Max D.D.
127
Opt Moist.
8.0%

WC

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS & LAND SURVEYORS
ESTABLISHED IN 1908, A CALIFORNIA CORPORATION SINCE 1974
3949 RESEARCH PARK COURT, SUITE 100 • SOQUEL, CA 95073-2049
PHONE (831) 426-3560 FAX (831) 426-9182 www.bowmanandwilliams.com

PRELIMINARY STORM WATER CONTROL PLAN

For

Scotts Valley Housing, LLC
Erba Lane
Scotts Valley, California

Prepared for Scotts Valley Housing, LLC

Date: September 10, 2018

Job No. 26390

TABLE OF CONTENTS

I. Project Data …… 2

II. Settings …… 2

II.A. Project Location and Description…… 2

II.B. Existing Site Features and Conditions …….. 3

II.C. Opportunities and Constraints for Stormwater Control ……. 3

III. Low Impact Development Design Strategies ……... 3

III.A. Optimization of Site Layout …… 3

III.B. Use of Permeable Pavements ……...…… 3

III.C. Dispersal of Runoff of Pervious Area ……. 3

III.D. Stormwater Control Measures …… 4

IV. Documentation of Drainage Design …….. 4

IV.A. Description of Drainage Design ……... 4

IV.A.1. Drainage Management Area Tabulations ……... 4

IV.A.2. Drainage Management Area Descriptions …….. 4

IV.B. Tabulation and Sizing Calculations …… 5

V. Source Control Measures ……... 7

V.A. Site Activities and Potential Sources of Pollutants …… 7

V.B. Source Control Table ……... 8

V.C. Features, Materials, and Methods of Construction of Source Control BMPs ……... 9

VI. Stormwater Facility Maintenance ……..... 9

VI.A. Ownership and Responsibility for Maintenance in Perpetuity

VI.B. Summary of Maintenance Requirement for Each Stormwater Facility

VII. Construction Checklist ……..... 9

VIII. Certifications ……... 9

Tables

Table 1. Project Data x
Table x. Self-Treating Areas x
Table x. Self-Retaining Areas x
Table x. Areas Draining to Self-Retaining Areas x

Table x. LID Facility Sizing Calculations [or for Tier 3 projects, submit Excel file] x
Table x. Sources and Source Control Measures x
Table x. Construction Plan C.3 Checklist x

Figures
Vicinity Map x

Attachments
Stormwater Control Plan Exhibit
Stormwater Control Measures Sizing Calculator (submit Excel file)

Appendices

I. Project Data

Project Name: Scotts Valley Housing, LLC
Application Submittal Date:
Project Location: Erba Lane easterly parking lot south of Ridgecrest Lane
Assessor's Parcel Number: APN 022-481-18
Project Description: Replace existing parking lots along Erba Lane with 12 Residential Homes.
Total Project Site Area (acres): 1.0386
Total New Impervious Surface Area (Sq.Ft.): 4,345
Total Replaced Impervious Surface Area (Sq.Ft.): 21,579
Total Pre-Project Impervious Surface Area (Sq.Ft.): 32,280
Total Post-Project Impervious Surface Area (Sq.Ft.): 25,924
Net Impervious Area (Sq.Ft.): 19,568
Watershed Management Zone(s): 1
Design Storm Frequency and Depth: 95th Percentile and 2.6 inches
Urban Sustainability Area: N/A
Project Tier: 4

II. Setting

II.A. Project Location and Description: The site is the existing parking that fronts the easterly right of way of Erba Lane and south of Ridgecrest Lane. It has been re-zoned for High Density residential housing and to be subdivided into 14 lots. The subdivision will be made up of 12 residential lots and 2 common area lots. The common area lots will consist of 2 parking stalls at the northerly end of the site just south of Ridgecrest Lane and a new access road on the southerly portion of the site that services 5 of the 12 residential lots. The residential units will be setback 25 feet from the 100-year storm flood boundary of existing intermittent drainage swale to the east the site.

II.B. Existing Site Features and Conditions: The site is trapezoidal in shape, it's longest length 320 feet +/- which runs north and south and is approximately 1.0387 more or less acres in size. The westerly two-thirds of the site consist of two existing asphalt concrete parking lots. The two parking lots are not conjoined but are accessible from Erba Lane and separated by a small slope bank with an approximately grade of 3 to 1. The easterly portion of the site gradually slopes towards the existing intermittent drainage swale. The site is made up of a fill wedge varying is depth starting from the south and increase to approximate 5 feet of fill depth at the northern limits of the site. The Geotechnical investigation has deemed the fill material unsuitable for structural support at its current condition and has called for it to removed and recompacted. According the USDA Web Soil Survey the southwesterly portion of the site adjacent to Erba Lane is Zayante Coarse Sand with a Ksat of 5.95 to 19.98 inches per hour and remainder of the site adjacent to the drainage swale is Soquel Loam with a Ksat of 0.20 to 0.57 inches per hour.

II.C. Opportunities and Constraints for Stormwater Control: The proposed road that services the proposed sub-division will be comprised of permeable pavers section and asphalt concrete section. The permeable paver section of the road, adjacent to Erba Lane will contain a retention storage basin beneath it. The retention basin resides where the Zayante Coarse Sand is shown on-site according to the USDA soils survey and thus providing moderate percolation rates for the proposed site BMP. Stormwater overflow runoff from the proposed drainage system will be conveyed to the existing public storm drainage system by installing a new manhole, curb inlet and 18" storm drainage line running south approximately 425 linear feet in Erba Lane to the existing storm drainage system.

III. Low Impact Development Design Strategies

III.A. Optimization of Site Layout:

III.B. Use of Permeable Pavements: Permeable pavers will be used to mitigate driveway runoff at each residential lot, common area parking lot and portion of the road serving lots 8 through 12. The driveways and common area parking lot stormwater runoff will be captured in individual perforated sub-drain pipes which will be connected to 12" collector pipe running north and south and parallel to Erba Lane. The common road servicing the interior lots will have a permeable pavement section adjacent to Erba Lane and downstream of the asphalt concrete pavement section portion of roadway. Stormwater runoff from the upstream paved section of roadway will surface flow and infiltrate into the permeable section downstream.

III.C. Dispersal of Runoff of Pervious Areas: All hardscape stormwater runoff will be directed directly to the retention system below the access (Sams Lane) road. The decomposed granite pathway from the northern parking lot to the intermittent drainage swale will have some stormwater runoff being directed overland to the existing swale. The majority of the lots stormwater runoff bordering the existing drainage swale will be routed to

the on-site retention system. The intent is to avoid dispersion of site drainage to the existing drainage swale to the west.

III.D. Stormwater Control Measures: The post development impervious surface will be less than the pre-development thus post development peak flows discharge from the site for the 10 year 24 hour event. Hence no peak management will be required for the project. With permeable pavers and storm chambers beneath the common service road our goal is to retain the 95th percentile storm event. Individual lots' roofs, driveways, and hardscape stormwater runoff will be conveyed via storm drain pipe network to the sized retention storage basin beneath the road.

IV. Documentation of Drainage Design

IV.A. Description of Drainage Management Area: This site has one drainage management area for entire sub-division:

IV.A.1. Drainage Management Area Tabulation

DMA#1	
Impervious Surfaces	**22,206 Square Feet / 0.5098 Acres**
Permeable Surfaces	**6,147 Square Feet / 0.1423 Acres**

IV.A.2. Drainage Management Area Descriptions:

DMA#1 Totaling 25,924* Square Feet, drains to site retention storage area beneath common roadway servicing lots 8 through 12.

*Table 4-6 Correction Factor for Use in Calculating Equivalent Impervious Surface Area (EISA) per Scotts Valley Stormwater Technical Guide, EISA for permeable pavement is 0.60.

IV.B. Tabulation and Size Calculations

PRE-DEVELOPMENT AREA	POST DEVELOPMENT AREA			
SITE IMPERVIOUS SURFACES	SITE IMPERVIOUS SURFACES		SITE PERMEABLE SURFACES	
EXISTING	NEW	REPLACED	NEW	REPLACED
SQ. FT.	SQ. FT.	SQ. FT.	SQ. FT.	SQ. FT.
32,280	3,604	18,173	1,105	5,520
			EQUIVALENT IMPERVIOUS SURFACE FACTOR	
			0.6	0.6
			EQUIVALENT IMPERVIOUS SURFACE ADJUSTED	
			663	3,312
	NEW AND REPLACE CREDIT ADJUSTMENTS FOR RETENTION*			
	1	0.5	1	0.5
	ADJUSTED POST DEVELOPMENT IMPERVIOUS AREAS			
	3,604	9,087	663	1,656
TOTAL ADJUSTED POST DEVELOPMENT IMPERVIOUS SURFACES FOR RETENTION CALCULATIONS				

TOTAL ADJUSTED IMPERVIOUS SURFACE AREA	15,010	SQ. FT.
95TH PERCENTILE RAIN EVENT	2.6	INCHES / 24 HRS
RETENTION STORAGE VOLUME REQUIRED	**3,252**	**CUBIC FEET**

*REPLACED IMPERVIOUS SQUARE FOOTAGE MAY BE MULTIPLIED BY 0.5 BEFORE ENTERING INTO BMP SIZING CALCULATION

RETENTION VOLUME NEEDED					**3252**	**CUBIC FEET**
PERMEABLE PAVER AREA			1957	FEET		
ADS STORMTECH CHAMBER						
	CHAMBER MC-3500					
	FOOT PRINT		703	SQUARE FEET		
	CHAMBER COVERAGE		24	"		
	CHAMBER ROCK COVERAGE		21	"		
	CALCULATED VOLUME		2454	CUBIC FEET		
	ROW 1		5	CHAMBERS		
	ROW 2		5	CHAMBERS		
	DRAIN ROCK VOID RATIO		0.4			
PERMEABLE PAVER SECTION						
80	mm PAVERS					
2	" MIN THICKNESS OF 3/8" DRAIN ROCK					
19	" MIN THICKNESS OF 3/4" DRAIN ROCK					
40	PERCENT VOID RATIO					
21	" TOTAL DRAIN ROCK THICKNESS (TO MATCH STORMTECH ROCK COVERAGE)					
PERMEABLE PAVER SECTION STORAGE VOLUME					878	CUBIC FEET
1.75	MINIUM DEPTH IN FEET OF DRAIN ROCK BENEATH PAVER SECTION					
0.4	DRAIN ROCK VOID RATIO					
1254	PAVER AREA OUTSIDE OF STORMTECH CHAMBER FOOT PRINT					
	(STORMTECH CHAMBER VOLUME CALCULATIONS INCLUDE PAVER AREA ABOVE)					
TOTAL STORAGE VOLUME CALCULATED					**3332**	**CUBIC FEET**
	STORAGE VOLUME NET GAIN				80	CUBIC FEET

V. Source Control Measures

V.A. Site activities and potential sources of pollutants

The proposed project will be a single family home development. Potential sources of pollutants will be runoff from activities such as car washing, fertilizers, pesticides etc…

V.B. Table 4, Sources and Source Control Table

Table 5

Potential Source of Pollutants	Permanent Source Control BMP's	Operational Source Control BMP's
On-site storm drain inlets	Mark all inlets with the words "No Dumping! Flows to Bay"	Maintain and periodically replace inlet markings Provide stormwater pollution prevention information to new site owners & lessees Include the following in lease agreements: "Tenant shall not allow anyone to discharge anything to storm drains or to store or deposit materials so as to create a potential discharge to storm drains." See applicable operational BMPs in Fact Sheet SC-41, "Building and Grounds Maintenance," in the CASQA Stormwater Quality Handbooks at www.cabmphandbooks.com
Need for future indoor & structural pest control	Note building design features that discourage entry of pests.	Provide Integrated Pest Management information to owners, lessees, and operators.
Landscape/ Outdoor Pesticide Use/Building and Grounds Maintenance	State that final landscape plans will accomplish all of the following: 1. Preserve existing native trees, shrubs, and ground cover to the maximum extent possible.	Maintain landscaping using minimum or no pesticides. See applicable operational BMPs in Fact Sheet SC-41, "Building and Grounds

	2. Design landscaping to minimize irrigation and runoff, to promote surface infiltration where appropriate, and to minimize the use of fertilizers and pesticides that can contribute to stormwater pollution 3. Where landscaped areas are used to retain or detain stormwater, specify plants that are tolerant of saturated soil conditions. 4. Consider using pest-resistant plants,especially adjacent to hardscape. 5. To insure successful establishment, select plants appropriate to site soils, slopes, climate, sun, wind, rain, land use, air movement, ecological consistency, and plant interactions.	Maintenance," in the CASQA Stormwater Quality Handbooks at www.cabmphandbooks.com Provide IPM information to new owners, lessees and operators.
Roofing, gutters, and trim.	Avoid roofing, gutters, and trim made of copper or other unprotected metals that may leach into runoff.	
Plazas, sidewalks, and parking lots.		Sweep plazas, sidewalks, and parking lots regularly to prevent accumulation of litter and debris. Collect debris from pressure washing to prevent entry into the storm drain system. Collect washwater containing any cleaning agent or degreaser and discharge to the sanitary sewer not to a storm drain.

V.C. Features, Materials and Methods of Construction of Source Control BMP's

Permanent source control BMP's will consist mainly of marking storm drain inlets with "No Dumping! Drains to Bay". Stencils or metal placards will be used to mark all site catch basins.

VI. Stormwater Facility Maintenance

VI.A. Owner and Responsibility for Maintenance in Perpituity

The project will require the formation of a Homeowners Association for maintaining the driveway and drainage. The Homeowners Association CC&R's will have specific language as to maintenance of the stormwater treatment facilities.

The applicant accepts responsibility for the operation and maintenance of stormwater treatment and flow-control facilities for the life of the project. Any future change or alteration, or the failure to maintain any feature described herein can result in penalties including but not limited to fines, property liens, and other actions for enforcement of a civil judgment.

VI.B. Summary of Maintenance Requirements for Each Stormwater Facility

VI.B.1. Periodic Vacuuming and sweeping of permeable pavers. Inspection of joints and replenish joint aggregate material to lip of paver.

VI.B.2. Inspect storm drain outlet control structure and clear orifice, riser pipe, connection pipes and control struction of accumulated debris by hand or light equipment. Orifice shall be inspected after major storm events and control structure to be inspected and clean prior to October 15th of each year and after major rain events.

VI.B.3. Stormtech Stormwater detention chambers to be inspected every six months for the first year. For subsequent years, inspect sediment level through inspection port. When sediment level nears 3 inches in thickness the inspected chambers are to be cleaned by Jet Vac truck.

VII. Construction Checklist

Table 6

Stormwater Control Plan Page #	BMP Description	See Plan Sheet #s
X,	Use of Pervious Pavement	CX.X
X,	Use of Stormtech Chambers	CX.X

VIII. Certification

The preliminary design of stormwater treatment facilities and other stormwater pollution control measures in this plan are in accordance with the current edition of the City of Scotts Valley Stormwater Technical Guide and have been prepared under the guidance of a Civil Engineer.

Attachment A

(City of Scotts Valley Appendix C, Maintenance Agreement Template)

Upon recording return to:

City of Scotts Valley
Public Work Department
One Civic Center Drive, Scotts Valley 95066

(Space above this line for Recorder's use)

City of Scotts Valley
Storm Water
Maintenance Agreement Regarding Maintenance of
Structural or Treatment Control
Best Management Practices (BMPs)

For: Address:_____

I,_____, being the owner of the real property, APN No. _____, which is located at _____, Scotts Valley, California, consents and agrees to inspect and maintain any and all structural or treatment control Best Management Practices (BMPs) as outlined in the approved project Storm Water Operation and Maintenance Plan on the subject property. The structural or treatment control BMPs on the subject property include(s):_____

_____

_____

I agree to send a letter that provides proof of inspection and maintenance to the City of Scotts Valley Department of Public Works prior to December 1 of each year. Proof of inspection and maintenance shall include a log of inspection and maintenance dates for the past year, and receipts if conducted by a hired service. The log should also indicate any significant observations or repairs made. ***The proof of inspection and maintenance should be sent to: Storm Water Maintenance, Department of Public Works, City of Scotts Valley, 701 Lundy Lane, Scotts Valley, CA 95066.***

You are required herein to pay an annual service charge of $____ to cover the City's cost of inspection, oversight, and reporting requirements to the Regional Water Quality Control Board. The annual service charge is subject to change based on annual inflation adjustments.

As part of this agreement you agree to allow City staff to enter the subject property to inspect the stormwater facility. In the event that you fail to provide satisfactory inspection and maintenance reporting by December 1 and/or the stormwater facility on the subject property is not functioning satisfactorily, you will be charged for for re-inspection.

In the event that the property is sold, transferred, or leased, the obligations hereby imposed on the property owner shall be assumed by subsequent property owners and lessees. To this end, property owner, in any deed transferring an ownership interest in the property or in any lease agreement for the property, shall include a term by which the subsequent property owner or lessee acknowledges his or her understanding of the obligations imposed by this agreement and expressly agrees to accept the assume responsibility for complying with all said obligations imposed by this agreement.

In addition, I will provide printed information to the new property owner or lessee regarding proper BMP inspection and maintenance frequency and methods. The information shall accompany the first deed transfer. This information shall include the following:

1. a description of any and all storm water structural or treatment control BMPs;
2. a map of the property indicating the BMP locations; and
3. a description of how inspections and necessary maintenance can be performed.

The transfer of this information shall also be required with any subsequent sale of property.

Failure to comply with the provisions of the Maintenance Agreement may result in enforcement actions including assessment of civil penalties as allowed by the City's Municipal Code, Chapter 12.14.060 Storm Water Conveyance Systems.

I have read the above agreement and understand it.

This agreement shall be binding on and shall inure to the benefit of the heirs, executors, administrators, and assigns of owner.

Owner name: _____

Owner signature _____

Date this_____day of_____, _____

Owners address: _____

Phone: _____

Email: _____

(Note: All signatures on this form must be notarized.)

Attachment B

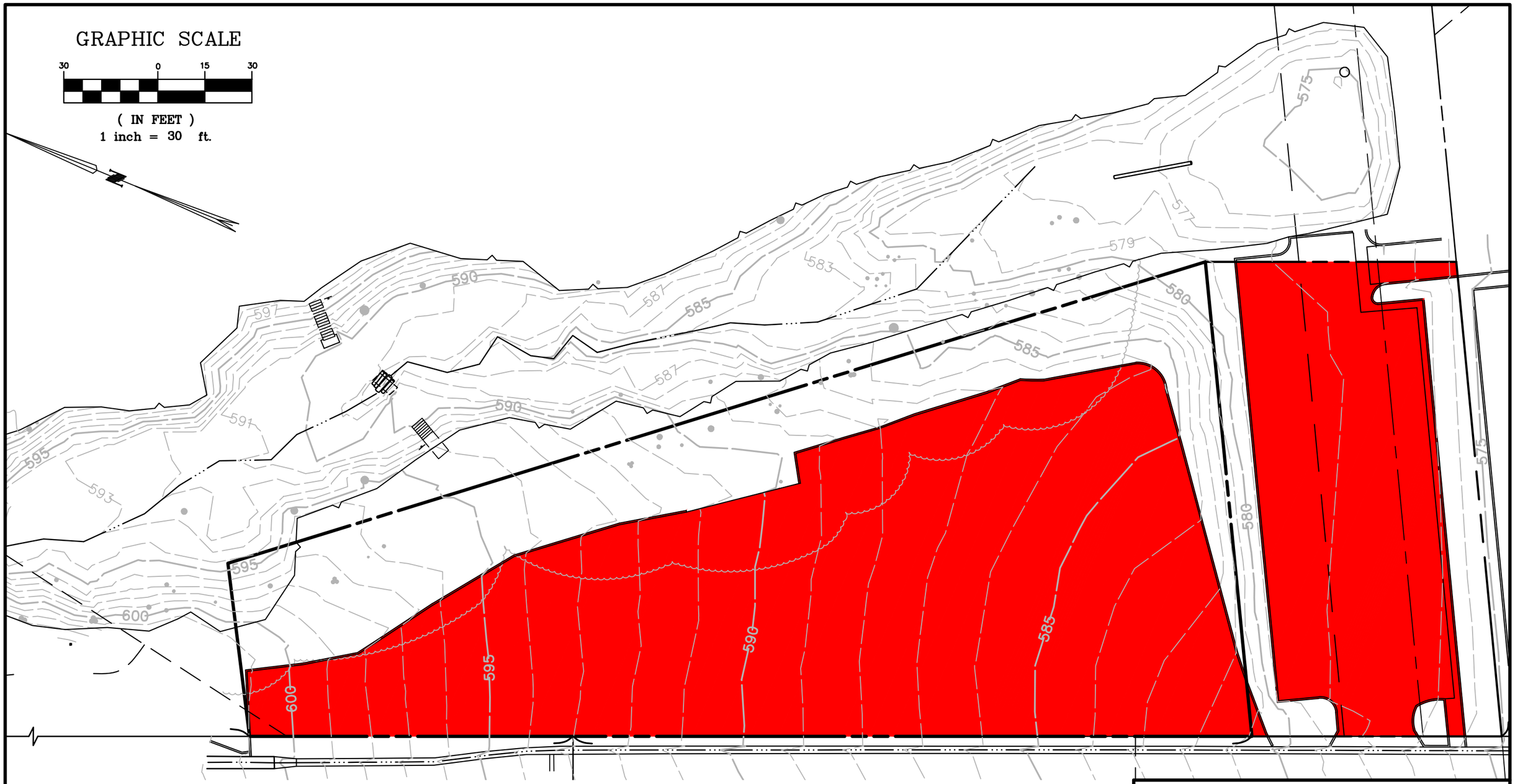
(Pre-Development Impervious & Pervious Surfaces)

GRAPHIC SCALE

30 0 15 30

(IN FEET)

1 inch = 30 ft.



LEGEND

- PERVIOUS SURFACES
- IMPERVIOUS SURFACES

SITE DRAINAGE SURFACES

PERVIOUS	12,964 SF
IMPERVIOUS	32,280 SF
TOTAL	45,244 SF

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
AND LAND SURVEYORS
3949 RESEARCH PARK CT., STE. 100, SOQUEL, CA 95073
(831) 426-3560

SCALE 1" = 30'	JOB NO. 26390
DATE SEPTEMBER 10, 2018	DWG NAME 26390 PRE-DEV
DRAWN CMM	FILE NO. 26390

Attachment C

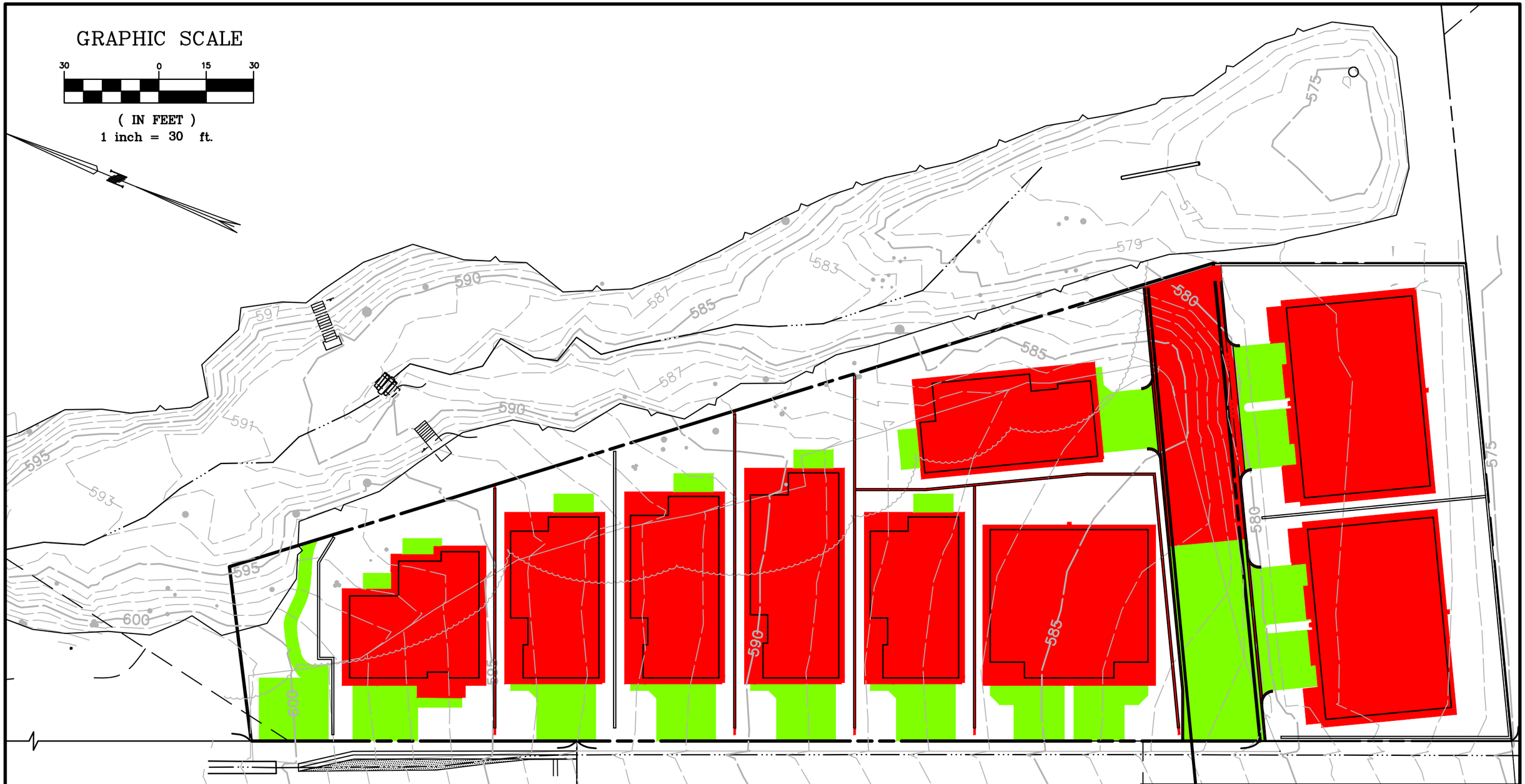
(Post-Development Impervious & Pervious Surfaces)

GRAPHIC SCALE

30 0 15 30

(IN FEET)

1 inch = 30 ft.



LEGEND

- PERVIOUS SURFACES
- SEMI–IMPERVIOUS SURFACES
- IMPERVIOUS SURFACES

SITE DRAINAGE SURFACES

PERVIOUS	15,948 SF
SEMI–IMPERVIOUS	6,661 SF
IMPERVIOUS	22,635 SF
TOTAL	45,244 SF

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
AND LAND SURVEYORS
3949 RESEARCH PARK CT., STE. 100, SOQUEL, CA 95073
(831) 426–3560

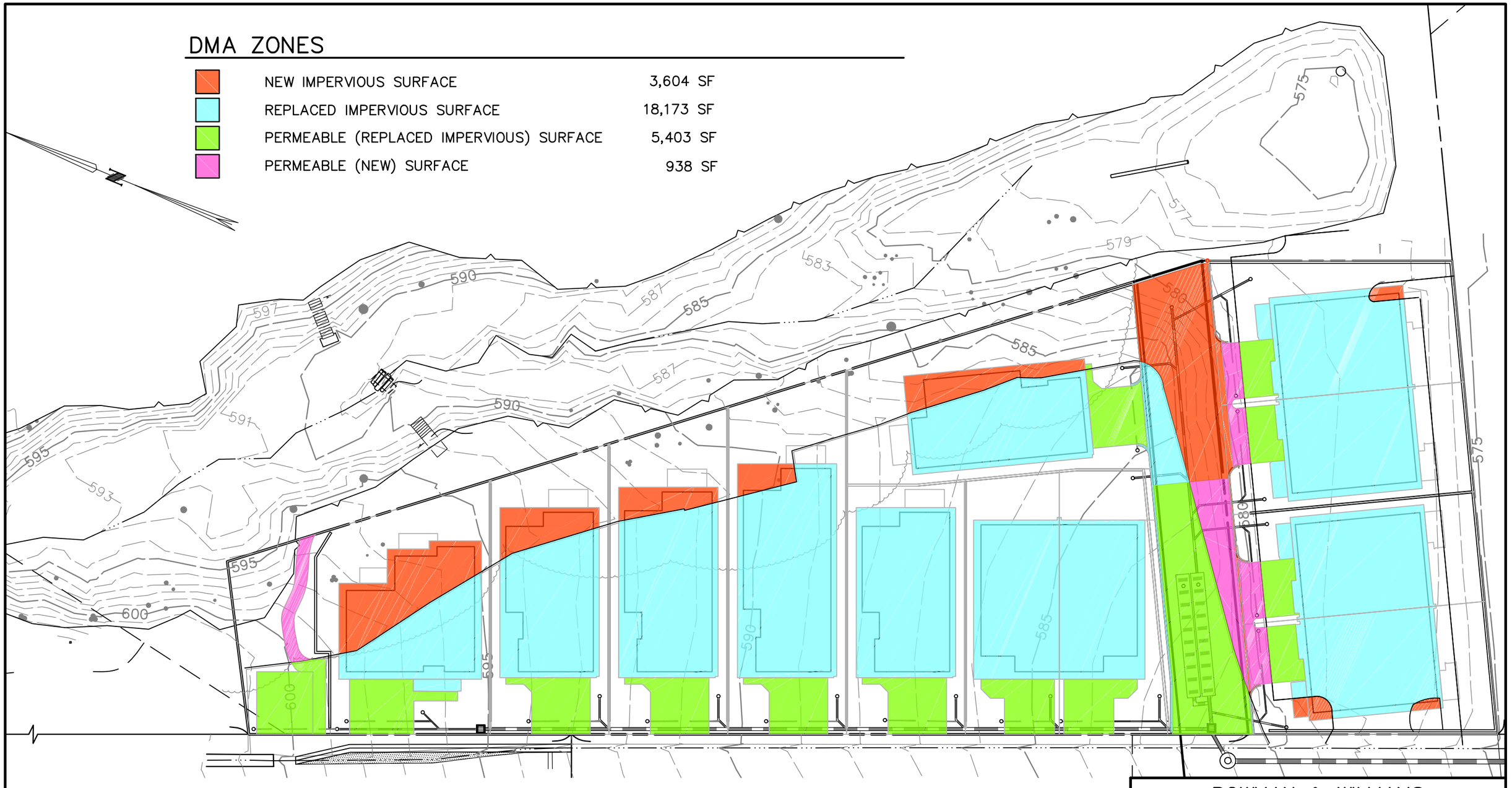
SCALE 1" = 30'	JOB NO. 26390
DATE SEPTEMBER 10, 2018	DWG NAME 26390 POST–DEV
DRAWN CMM	FILE NO. 26390

Attachment D

(Drainage Management Areas)

DMA ZONES

	NEW IMPERVIOUS SURFACE	3,604 SF
	REPLACED IMPERVIOUS SURFACE	18,173 SF
	PERMEABLE (REPLACED IMPERVIOUS) SURFACE	5,403 SF
	PERMEABLE (NEW) SURFACE	938 SF



GRAPHIC SCALE

30 0 15 30

(IN FEET)
1 inch = 30 ft.

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
AND LAND SURVEYORS
3949 RESEARCH PARK CT., STE. 100, SOQUEL, CA 95073
(831) 426-3560

SCALE 1" = 30'	JOB NO. 26390
DATE SEPTEMBER 10, 2018	DWG NAME 26390 DMA EXH
DRAWN CMM	FILE NO. 26390

April 16, 2021

City of Scotts Valley
Planning Department
One Civic Center Drive
Scotts Valley, CA 95066

RE: Bay Village Planned Development – Planning Permit Application Nos.: PD19-004, LD19-002, DR19-014, EA19-010, CR20-001, ND20-001

Dear Ms. Bradley,

We are writing to OBJECT to the application referenced above for a 10 unit planned community on Erba Lane across from the SV Fire Department Headquarters.

My husband and I raised our family at 49 Erba Lane and spent 30 years living on the street, finally selling in October 2020. We continue to visit our friends who reside on the street often.

Erba Lane is and has been for many years a very busy street with numerous businesses at the lower end, the active fire station headquarters in the middle, Mac Dorsa Park across the street and 20+ houses and townhome at the upper end of the street. In addition, there are over 15 homes on Ridgecrest Dr. which adds additional traffic on to Erba Lane. Adding ten more housing units and the associated traffic, parking and people will have a tremendous and detrimental impact on the safety of the street and all who use it.

Erba Lane is a relatively narrow street and the further up it a driver goes, the less street space there is to park. For a number of years, I asked the City of SV to maintain and trim the trees and brush that grows out of the creek and blocks street parking. Very little was done in all the years we lived on the street to manage the growth. This makes parking along the creek side of the street extremely challenging. Vehicles typically have to park one to two feet off the curb and into the street since the brush growth prevents parking close to the curb. Adding more cars to the street will only increase the demand for street parking and will further clog the street.

With the increase in street parking in the upper section of Erba Lane comes a decrease in visibility for drivers coming down Ridgecrest Drive making the intersection of the two streets extremely dangerous. On numerous occasions residences of Erba have come close to being broadsided by drivers failing to stop at the bottom of Ridgecrest. Instead drivers coming from Ridgecrest merge onto Erba with no thought to look for cars, bicycles and pedestrians coming down the street. An increase in traffic on Erba will make this intersection even more dangerous.

The loss of this parking area will also have a negative impact on the neighborhood when there are events and parties held at Mac Dorsa Park. The lot where the housing is proposed is used for Mac Dorsa and fire station parking overflow. If this lot is taken away and new residences added, there will be an even greater increase in demand for street parking.

Erba Lane has a large number of pedestrians on it daily. From the businesses located at the bottom of the street, many employees take their breaks and walk up the Erba hill or continue up Ridgecrest. There is currently no sidewalk on Erba Lane. Adding more traffic from the new housing will make it even more dangerous for pedestrians. There are also a number of families that live on Erba and their children walk to SVMS. They will also encounter more traffic and less room to walk safely on the shoulder of the street.

It is our strong opinion that adding more housing in such a small area on an already busy street is an extremely poor idea. These houses will have a negative impact on the fire station, local businesses, the community's ability to access Mac Dorsa Park and most impactfully will have an extremely negative affect on the residences of Erba Lane.

We ask you to deny the building permit for these homes.

Thank you for your consideration,

Sue Rains

Kevin and Sue Rains
106 Bluebonnet Lane #8
Scotts Valley, CA 95066
408-313-1007

EXTERNAL: Bay Village Planned Development: Planning Permits PD19-004, LD19-002, DR19-04, EA19-010, CR20-001, ND20-001
Natasha Katznelson <nashakat@comcast.net>
Fri 4/23/2021 4:01 PM
To:Bradley, Paula <pbradley@mbakerintl.com>

Paula Bradley, Contract Planner
City of Scotts Valley
Community Development Department
One Civic Center Drive, Scotts Valley, CA 95066

I'm writing in regard to the planned development for Erba Lane known as Bay Village.

My name is Natasha Katznelson.
I live at 29 Erba Lane

Please accept the following comments for the planned project.
As a resident of the neighborhood I am concerned about the following issues

1) The narrowing of Erba Lane
With the planned addition of a 5 foot wide sidewalk, a 6 foot wide landscaping strip, and 9ft wide on-street parking, effectively narrowing the street by 15-20 feet, I am concerned that the street would become overly narrow in front of the Fire Department and for the length of the development.
In current conditions two cars can pass in opposite directions comfortably if there are no pedestrians. When there are pedestrians present (children walking to and from school for example) it feels congested.
This becomes an issue of safety not only for pedestrians but also in the case of a sudden or unexpected evacuation.
The narrowing will also affect the ability of firetrucks to easily depart the fire station.
I believe the narrowing will lead to congestion and more dangerous conditions, especially with the return of normal traffic patterns.
Lower Erba is already busy is traffic from B of A and the rockery.
It is also a popular pick up/drop off point for the middle school.
The addition of 27 new residents will only add to the congestion.

2) Decreased utility of the Fire Station
The site is currently used by the fire department for a multitude of purposes.
First and foremost it is used as a training site not only for SV staff but for other departments as well.
The site is used to host potential recruits, disaster relief training, critical rescue trainings (jaws of life), etc.
It is also used as staff parking.

3) Increased traffic and decreased parking
The top of Erba Lane is a cul de sac and usually only sees non resident traffic when someone overshoots the turn for Ridgecrest.
My concern is that there will be an increase of traffic as the number of residences increase.
Although the parking for each lot in the development is generous (4 spaces total) many people opt to use their garage for storage rather than parking.
This will lead to a potential increase in new resident parking (or guests) on upper Erba which in turn would increase the flow of traffic through the cul de sac.
There is already limited parking daily and is even more problematic during holidays or other social occasions.
Upper Erba is narrow and only allows one side of the street parking- opposite the existing dwellings.
The natural flow of traffic is to exit by driving around the cul de sac.

Our property is situated on the curve with very tall privacy hedges which creates a blind spot exactly where most drivers tend to accelerate.
It can be challenging to exit our driveway safely with residents who are familiar with the neighborhood.

4) Construction noise and debris.
Although this is addressed in the environmental impact report as not much of a concern- the construction noise is not thought to be louder than 60 decibels (?).
Our family is very sensitive to sounds and there is definitely a background noise generated by construction.
I could not find a projected timeline for the completion of the project.
After a year+ of constraint and stress of pandemic living another 6-12 months of dealing with the noise and congestion of construction on our street feels unbearable.
I also could not find any information about the mitigation of construction debris.
The last time we lived near a construction zone we had to replace the tires on both our cars due to sharp objects from the construction.

Thank you for your time.

Sincerely,

Natasha Katznelson

AS

Amy Skillicorn <amyz91@gmail.com>
Fri 5/7/2021 5:50 AM
To: Bradley, Paula

Dear Paula Bradley,

I live in Scotts Valley currently. Many people have had to relocate due to lack of affordable housing in the area and are still searching for housing and a new development would be very beneficial for business looking for further employees. This home project would help with commute time. The project has a very nice design and utilizes the land very well. I can see many benefits for the community and lots of happy employers upon approval. We appreciate all the hard work you do and we urge for this project to be fulfilled for sack of growing our beloved community.

Thank you for your time and consideration.

Best regards,
Amy Skillicorn

Reply | Forward

EXTERNAL: Erba Lane Project

SB

Sarah Bergeron <sarabe2@mac.com>
Thu 5/6/2021 5:19 PM
To: Bradley, Paula

Dear Ms Bradley,

I am a Scotts Valley resident and Bay Photo employee. I am in favor of this project. I've experienced firsthand how difficult it is to find housing in this area and see my co-workers struggle with this daily. More and more often the decision is to move further away to find more affordable housing therefore our community has lost some great, hard-working members due to housing woes. Larry has helped me with my housing situation and I see his care for both his employees and this community reflected in the beauty of this project.

This project seems like a very practical way to integrate more housing and a would be a great benefit to the community with minimal impact.

Thank you for your hard work, I urge that you approve this project.

Regards,

Sarah Bergeron

Reply | Forward

EXTERNAL: Erba Lane Housing Project

MM

Matt Morrasy <morrasy@gmail.com>
Fri 5/7/2021 8:36 AM
To: Bradley, Paula

Dear Ms. Bradley, I'm writing to you today to lend my support to the proposed housing project on Erba Lane.

I am a lifelong resident of Santa Cruz County, currently living in Ben Lomond and have been working full time in Scotts Valley for the past 8+ years. During that time, I've unfortunately seen first hand, valuable contributing members of our community forced out of the area due to the lack of available housing.

This project provides a much needed opportunity for our community members to secure housing and contribute right back to our local economy.

I have reviewed this project and I'm incredibly impressed by the overall design of the homes and thoughtfulness for the layout at that location.

I strongly encourage the approval of this project, as it is greatly needed here in Scotts Valley.

Thank you for your consideration.

Best regards,
Matt Morrasy

Reply | Forward

EXTERNAL: Erba Lane Housing Project

GR

George Rentschler <georgerent@msn.com>
Fri 5/7/2021 10:45 AM
To: Bradley, Paula

Dear Ms. Bradley, I work in Scotts Valley very close to this proposed development.

I am writing to express my support for this project. As a business manager, I can tell you that the need for housing continues to be critical for local workers.

Companies and other organizations in our area are experiencing a severe labor shortage, and one of the reasons for that is the lack of sufficient housing in this area.

This development offers the chance to help fill this void while having minimal impact on the neighborhood. This is demonstrated by the environmental review, which concluded there are no negative impacts.

What a win win for the City of Scotts Valley!

I thank you and the Planning Commission for their work, and hope we can see a rapid approval of this project.

Regards,

George Rentschler

Reply | Forward

AE

Aimee Ellis <aimeenellis@gmail.com>
Tue 5/11/2021 8:10 AM
To: Bradley, Paula

Dear Ms. Bradley,

I am writing in support of the proposed Bay Village housing development at Erba Lane in Scotts Valley. This project is of personal interest for my family and I, as we are potential buyers of a home in this proposed community. I work for Bay Photo Lab and my husband works for Anderson Pacific Engineering Construction, both with locations within walking distance of this proposed community.

We currently rent, but we have been attempting for over a year to buy a house in Scotts Valley or the Santa Cruz Mountains without success. While we are able to obtain financing through the use of a VA loan due to my husband's service disability, we have found sellers in the area unwilling to consider our offers due to the fierce competition and seller hesitations concerning VA loans. With the fires last summer destroying numerous homes in the surrounding areas, the existing housing shortage has only gotten worse. New housing developments, such as this one, are quickly becoming essential infrastructure for the area.

After reviewing the proposed plans, it is clear that any of the proposed homes would be an ideal place for my family and I to live. Having both grown up in the area with parents in construction, it was always notable that Scotts Valley took a planned and rational approach to the needs of its residents and the demands for growth. It is refreshing to see that the City has continued this practice of responsible growth through the consistent approval of well planned developments, such as this one. I thank you for your time and consideration.

Sincerely,

Aimee Ellis

Reply | Forward

Dear City Council & Planning Commission:

I am writing to ask for your support in favor of the housing development proposal of Bay Village on Erba Lane by Mr Larry Abitbol.

As the president of Bay Photo, Mr Larry Abitbol brought his company and 350+ employees to Scotts Valley in an effort to bring economic vitality to our local community. During this time, Mr Abitbol has shown considerable generosity and goodwill toward his employees in finding housing opportunities for his staff.

As a young professional in Santa Cruz County, and for Bay Photo, for almost 20 years now, it has proven challenging to find quality housing opportunities. As rental and home values have increased, wildfires have destroyed and displaced residents, and a pandemic has damaged the livelihood of community members, Bay Photo and Scotts Valley have lost essential revenue due to a lack of housing opportunities and high cost of living. I, personally, would not be in a favorable position to live here without the support of Mr Larry Abitbol and am grateful to have found a great company and generous employer to work for.

We hope to find your support in this proposed development that will provide much needed housing opportunities for the working professionals contributing economic vitality to our local community.

Sincerely,
Justin Downard
Production Manager
Bay Photo Lab
831-421-2934

May 12, 2021

Paula Bradley, Planner

City of Scotts Valley

Community Development Department

One Civic Center Drive, Scotts Valley CA 95066

RE: 10 SFR on Erba Lane

To Whom it may concern,

I am writing with a voice of support for the proposed development of 10 SFR on Erba Lane.

As a long time commercial real estate broker active in Scotts Valley and Santa Cruz, I am often on the front line of companies looking to move and expand their business into town. The question of housing availability for employees is always a concern. This 10 unit infill project will help. This appears to be a classic "infill" project that is compatible with the neighborhood and will enhance the immediate surroundings. It is always good to have housing stock like this project near City Hall and the City Park.

Scotts Valley holds this nice balance of being a bedroom community for Silicon Valley, but at the same time its housing stock bolsters the local business communities. This development will be good for employees who work in Scotts Valley and want to live here as well.

I support this development because it will be good for people who work in Scotts Valley.

Sincerely,

Randy Parker

dfwdropsin@gmail.com
Fri 5/7/2021 12:08 PM
To: Bradley, Paula



BAY VILLAGE-Erba Lane Merg...
9 MB

2 attachments (10 MB) Download all Save all to OneDrive - Michael Baker International

Dear Ms. Bradley, I am a Scotts Valley property owner. I am in favor of this project. Housing is sorely needed in the entire county. This is a great-looking project, it looks like a lot of care was taken in its design.

This project would be of great benefit to the community with minimal impact. Thank you for your hard work, I urge that you approve this project.

Sincerely:
David Webb

Yes, I approve. | Thank you for letting me know. | Received, thank you.

Are the suggestions above helpful? Yes No

Reply | Forward

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Paula Bradley, Consulting Planner

APPROVED: Tina Friend, City Manager

SUBJECT: **PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION OF APPROVAL FOR A PLANNED DEVELOPMENT ZONING PERMIT, MINOR LAND DIVISION, ENVIRONMENTAL REVIEW AND DESIGN REVIEW APPLICATION IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR A THREE-LOT SUBDIVISION AND A COMMON PARCEL, FOR TWO NEW SINGLE-FAMILY DWELLINGS AND A NEW DETACHED TWO-CAR GARAGE FOR THE EXISTING SINGLE FAMILY DWELLING ON A 0.43-ACRE SITE LOCATED AT 4303 B SCOTTS VALLEY DRIVE, APN 022-902-11**

SUMMARY OF ISSUE

The project proposes to create a three-lot subdivision and one common parcel for two new single-family dwellings and a new detached two-car garage for an existing single-family dwelling and related site improvements. The site is zoned R-H High Density Residential General Plan and Zoning District, is 0.43-acres in size, and is currently developed with a single-family dwelling, located at 4303 B Scotts Valley Drive The project requires a Planned Development District Zoning / Permit, Design Review, Minor Land Division and Environmental Review for the proposed residential development.

The project site is at the terminus of a new private road (Coastal Oak Court) also serving the Lennar Homes multiple-family residential project which is currently under construction. A new private road will provide access to the three dwelling units. Existing land uses on adjacent parcels includes single and multi-family housing.

PLANNED DEVELOPMENT / MINOR LAND DIVISION The project is requesting a Planned Development to establish specialized development standards that reflect exceptions from the proposed R-H Residential zoning regulations to accommodate the proposed residential development. Exceptions to the development standards through the Planned Development process for are requested for: 1) reduced lot sizes; 2) reduced lot depth; 4) reduced front, and rear yard setbacks. In addition, the proposed retaining walls topped with wood fences are higher than three-feet in portions of the

front yard setbacks and exceed six-feet in height in portions of the side and rear yards and are subject to Design Review.

PLANNING COMMISSION REVIEW

The project was reviewed by the Planning Commission on May 13, 2021 and recommended for approval. A complete analysis of the project's General Plan and zoning compliance is contained in the Planning Commission staff report for the May 13th hearing (see attachment). The Commission discussed project specific details including the reduced setbacks and lot sizes for some of the lots as allowed by the Planned Development district. The project meets the single-family parking requirements by providing a two-car garage for each unit driveway spaces for two additional vehicles. A common lot, Parcel A, provides a shared private access road benefitting the three lots, utilities, on-site stormwater retention facilities. Lot 2 includes a dual-purpose emergency vehicle turnaround as required by the fire department and stormwater retention facilities. The emergency vehicle turn-around would be required to be available at all times for exclusive use for emergency vehicles. There is no off-site (street) parking provided for this project.

At the hearing the applicant requested that the Planning Commission consider a revised plan for a detached garage instead of the proposed attached garage. The detached garage would be on the same footprint of the existing accessory building and would have a rear yard setback of ten feet instead of 15 feet, and a side yard setback of side yard setback of five feet instead of seven feet. The Planning Commission recommended approval of the detached garage. The three-lot subdivision, as designed, with two new two-story single-family homes with private yards, and two-car garage parking is consistent with other single and multi-family homes in the surrounding area.

PUBLIC COMMENT

A public notice was posted on site and mailed to surrounding property owners within 300 feet pursuant to State law. As of this date no comments were received.

FISCAL IMPACT

No significant fiscal impacts to the City as a result of the proposed development have been identified.

STAFF RECOMMENDATION

The Planning Commission recommended that the City Council approve the three-lot subdivision, the Planned Development District and Permit, and Design Review subject to findings and conditions of approval contained in the attached Resolution, with the addition of the revised detached garage plan sheets A1.1, A1.2, A3.1, received 5/11/21, as listed below:

1. Adopt Resolution No.1998 to approve the Negative Declaration,
2. Introduce for first reading Ordinance 16-ZC-231 to approve the Planned Development District;
3. Adopt a Resolution No. 1998.1 to approve the Minor Land Division; and,
4. Adopt Resolution No. 1998.2 to approve the Planned Development Permit and the Design Review.

ATTACHMENTS **PAGE NO.**

Resolution No. 1998 Approving the Negative Declaration 4
Ordinance 16-ZC-231 Approving the Planned Development District 7
Exhibit A: General Plan / Zoning Map..... 11
Resolution No. 1998.1 Approving the Minor Land Division 12
Exhibit A: Conditions of Approval 15
Resolution No. 1998.2 Approving the Planned Development Permit and Design Review28
Exhibit A: Conditions of Approval 33
Project Plans: Detached garage plan sheets A1.1, A1.2, A3.1, received 5/11/21 46
Planning Commission Minutes (05/13/21) 49
Planning Commission Staff Report (05/13/21) 53
Resolution No. 1998.1 Approving the Planned Development Permit and Design Review..... 61
Draft Initial Study (3/30/2021) and attached reports 103
a. Entomological Report (02/20/20)..... 156
b. Entomological Report (09/26/05)..... 158
c. Arborist Report, Tree Inventory & Preliminary Assessment (12/10/19) 165
d. Geotechnical Soils Report by Rock Solid Engineering (10/14/19) 202
e. Stormwater Control Plan (07/28/20) and Drainage Map 241

All documents are available electronically on the city website at:
http://www.scottsvalley.org/242/Current-Projects

RESOLUTION NO. 1998

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING THE NEGATIVE DECLARATION FOR THE 4303 B SCOTTS VALLEY DRIVE PLANNED DEVELOPMENT FOR A THREE-LOT SUBDIVISION AND A COMMON PARCEL IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR TWO SINGLE-FAMILY HOMES AND A DETACHED TWO-CAR GARAGE FOR THE EXISTING SINGLE FAMILY HOME AND RELATED SITE IMPROVEMENETS ON A 0.43-ACRE SITE LOCATED AT 4303 B SCOTTS VALLEY DRIVE / APN 22-902-11

WHEREAS, the Planning Department of the City of Scotts Valley has received applications filed by Rick Hochler, of the Hochler & Ross Family Trust for a three lot residential subdivision for two single-family homes and a detached two-car garage for the existing single family home to be consistent with the parking requirements and related site improvements on a 0.43-acre site located at 4303 B Scotts Valley Drive; (collectively referred to as "Application"); and,

WHEREAS, Rick Hochler, of the Hochler & Ross Family Trust (referred to as "applicant") has presented substantial evidence which supports the application; and

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

WHEREAS, a 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 results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021 to consider the application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

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

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated June 16, 2021.

1. ***An initial study has been prepared by the City of Scotts Valley to evaluate the potential for adverse environmental impacts.*** City consultant conducted an Initial Study for the project and prepared a Negative Declaration and determined that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment, wildlife or plant resources with the implementation of identified standard conditions of approval.

2. ***The Negative Declaration for the project has been completed in compliance with the California Environmental Quality Act (CEQA).*** The Negative Declaration was completed in compliance with CEQA, was published and distributed to the applicable agencies, and was made available for public review for a 30-day period from March 30, 2021 to April 30, 2021.

3. ***The environmental determination represents the independent judgment of the City.*** The Negative Declaration was prepared by City Consultant. All reports and supporting information have been reviewed and approved by the applicable City Department Heads.

4. ***The documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Department of Planning of the City of Scotts Valley in the custody of the Community Development Director.*** Copies of the Negative Declaration and the referenced technical and/or environmental studies that were submitted for the project have been made available to the public on the City's website.

5. ***Based on the Initial Study and when considering the record as a whole, there is no evidence before the City of Scotts Valley, including the information in the Negative Declaration and comments of appropriate reviewing agencies, to indicate that the proposed project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which it depends.*** The project site is within an area known to contain habitat for a federally listed endangered insect species. An updated Entomological report (dated February 20, 2020) was prepared for the project and confirmed, as did the previous report in 2005 that the project site is not suitable habitat for the endangered Mount Hermon June Beetle or the Zayante Band Winged grasshopper. Therefore, the project will not result in any adverse impacts to fish and wildlife resources.

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 the Negative Declaration for the three lot residential subdivision for the construction of two single-family homes, and a detached two-car garage for the existing single family home, and related property improvements on a 0.43-acre site located at 4303 B Scotts Valley Drive / APN 22-902-11.

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

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

_____
Derek Timm, Mayor

ATTEST:

_____
Tracy A. Ferrara, City Clerk

ORDINANCE NO. 16-ZC-231

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A PLANNED DEVELOPMENT DISTRICT OVERLAY (PD19-004) FOR THE 4303 B SCOTTS VALLEY DRIVE PLANNED DEVELOPMENT FOR A THREE-LOT SUBDIVISION AND A COMMON PARCEL FOR TWO SINGLE-FAMILY HOMES AND A DETACHED TWO-CAR GARAGE FOR THE EXISTING SINGLE FAMILY HOME AND RELATED SITE IMPROVEMENTS ON A 0.43-ACRE SITE LOCATED AT 4303 B SCOTTS VALLEY DRIVE / APN 022-902-11.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Rick Hochler, of the Hochler & Ross Family Trust for Planned Development No. PD19-004 for a three-lot residential subdivision and a common parcel, for two single-family homes and a detached two-car garage for the existing single family home and related site improvements on a 0.43-acre site located at 4303 B Scotts Valley Drive (collectively referred to as “Application”); and,

WHEREAS, Rick Hochler, of the Hochler & Ross Family Trust (referred to as “applicant”) has presented substantial evidence which supports the Application; and

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

WHEREAS, a 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 results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Negative Declaration for the project by adoption of Resolution No. 1998.

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 16, 2021:

1. ***That the Planned Development Zoning District Overlay and Permit (PD) further the policies of the General Plan.*** The project meets the requirement of this finding in that the project proposes two new single-family homes within lands designated R-H, High Density Residential on the City's General Plan map. The two new single-family homes are two-story and include two covered garage parking spaces and two uncovered parking spaces, private yards. The homes are of a conventional design that is consistent with the character of the neighborhood. Further, the project improves and upgrades a previously developed and underutilized site providing housing opportunities for two additional families.

2. ***The proposed Planned Development District Overlays (PD) are consistent with the underlying land use designations and zoning districts and that of the City of Scotts Valley General Plan.*** The project meets the requirements of this finding because the PD district overlay will be combined with the base zoning district. The resulting R-H/PD zone allows specific development standards to address to accommodate unique circumstances related to lot size and shape, intensity, coverage, and appearance of structures. The physical constraints of the site including the location of the existing home, the access road, emergency vehicle turnaround, on-site stormwater retention and tree preservation, resulted in a reduced three-lot subdivision with three new homes.

3. ***That the PD conforms in all respects to the planned development zoning of the property.*** The "PD" will be an overlay zone to the proposed R-H base zoning district. The project design meets the requirement of this finding in that approval of the Planned Development and Design Permit will allow two new two-story single-family homes with attached two-car garages, and a detached two-car garage for the existing single family dwelling to be consistent with the parking requirements to be developed. The Planned Development zoning allows exceptions to the development standards to accommodate the proposed lot configuration with reduced lot sizes, width and depths, reduced front, side, and rear setbacks. Each new home will have private yard space and two covered garage parking spaces and two uncovered parking spaces.

4. ***That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.*** The project meets the requirements of this finding in that the overall siting, mass, and height of the two-story homes, are well proportioned with attractive architectural details and quality materials and are harmonious with conventional new homes in the neighborhood. The two-story homes are approximately 26.5 to 28.5-feet in height feet and similar to other nearby homes in the neighborhood. As designed consistent with the General Plan Action OSA-387. So general). The PD allows exceptions from the underlying R-H zoning standards predominantly related to lot size and configuration of the proposed lots, in order for each home to be on a separate parcel of land, which has private yard spaces. The architecture, quality exterior materials/ finishes/colors, and landscaping will create a visually harmonious project.

5. ***The environmental impacts of the project have been reviewed and considered.*** The project meets the requirements of this finding in that the Project's Initial Study and Negative Declaration (ND20-002) and determined that there were no potentially significant adverse environmental impacts and the project will not degrade the quality of the environment wildlife or plant resources with the implementation of identified standard conditions of approval.

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 District (PD19-004) for the 4303 B Scotts Valley Drive Planned Development a three-lot single-family residential subdivision and a common parcel for two single-family homes and a detached two-car garage for the existing single family home and related site improvements on a 0.43-acre site located at 4303 B Scotts Valley Drive / APN 022-902-11, pursuant to the Planned Development Zone Map (Exhibit A) which is incorporated herein by this reference.

* *

This ordinance was introduced on the 16th day of June, 2021, and was passed and adopted by the City Council of the City of Scotts Valley on the 4th day of August, 2021, by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

_____
Derek Timm, Mayor

ATTEST:

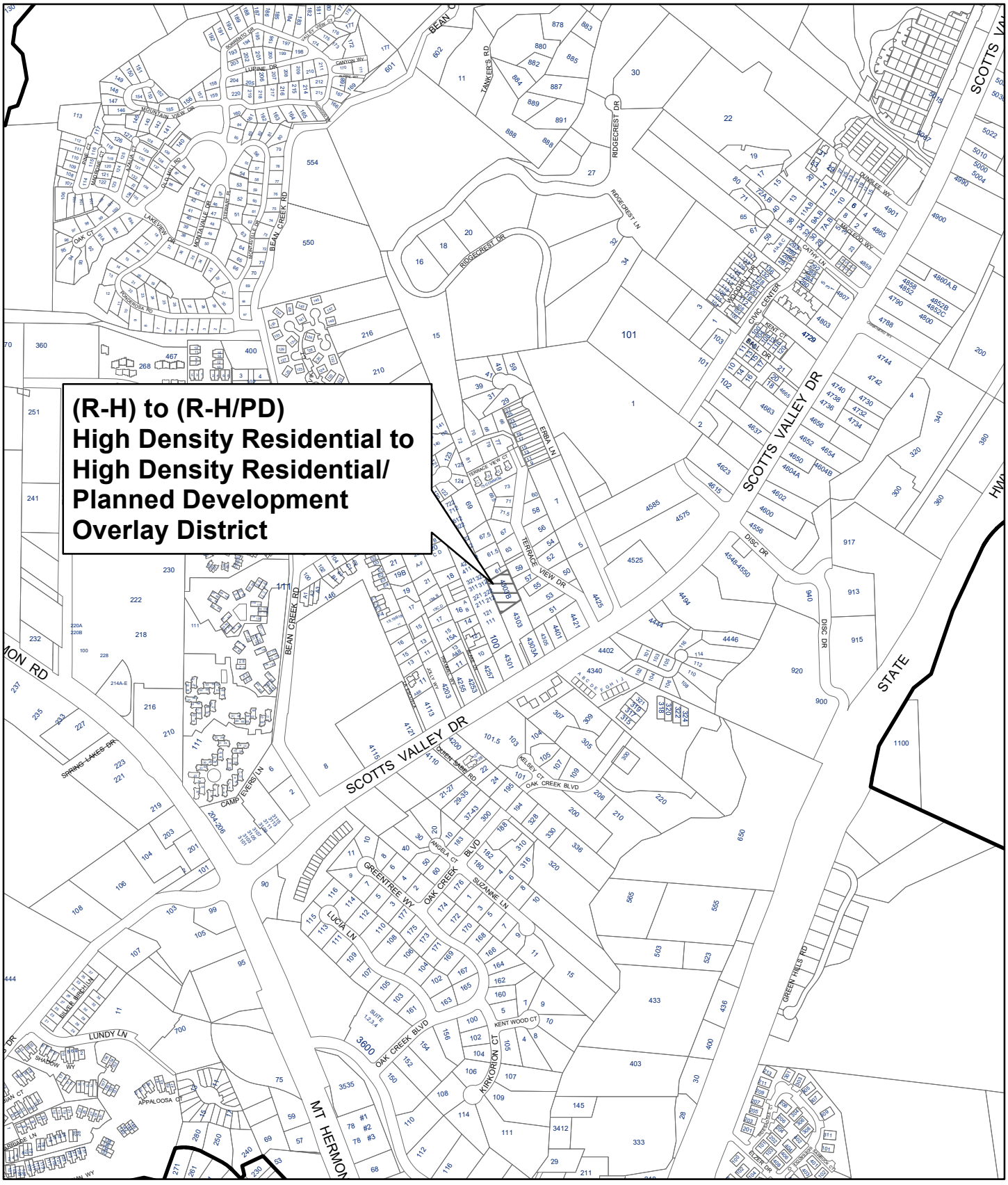
_____
Tracy A. Ferrara, City Clerk

APPROVED AS TO FORM:

_____
Kristen Powell, City Attorney

Exhibit A

4303B Scotts Valley Drive
APN 022-902-11



RESOLUTION NO. 1998.1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A MINOR LAND DIVISION NO. (MLD19-002) FOR THE 4303 B SCOTTS VALLEY DRIVE PLANNED DEVELOPMENT FOR A THREE-LOT SUBDIVISION AND A COMMON PARCEL FOR A THREE-LOT SUBDIVISION AND A COMMON PARCEL IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR TWO SINGLE-FAMILY HOMES AND A DETACHED TWO-CAR GARAGE FOR THE EXISTING SINGLE FAMILY HOME AND RELATED SITE IMPROVEMENTS ON A 0.43-ACRE SITE LOCATED AT 4303 B SCOTTS VALLEY DRIVE / APN 022-902-11.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Rick Hochler, of the Hochler & Ross Family Trust for a Minor Land Division No. MLD19-002 for a three-lot residential subdivision and a common parcel, for two single-family homes and a detached two-car garage for the existing single family home and related site improvements on a 0.43-acre site located at 4303 B Scotts Valley Drive (collectively referred to as "Application"); and,

WHEREAS, Rick Hochler, of the Hochler & Ross Family Trust, (referred to as "applicant") has presented substantial evidence which supports the Application; and

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

WHEREAS, a 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 results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Negative Declaration for the project by adoption of Resolution No. 1998; and

WHEREAS, the City Council approved the Planned Development Overlay for the project by Adoption of Ordinance No. 16-ZC-238.

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 Land Division findings, as further clarified in the staff report dated June 16, 2021:

1. ***That the location of the uses is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.*** The project meets the requirements of this finding in that the project provides two new single-family homes in the R-H, High Density Residential Zoning District. The homes utilize conventional materials and design details that integrate into the surrounding residential neighborhood.

2. ***That the proposed tentative map/land division, together with the provisions for its design and improvement, is consistent with the General Plan.*** The project meets the requirements of this finding in that the three-lot residential development on the 0.43-acre site is consistent with the General Plan High Density Residential density as it does not exceed the maximum units per acre. The subdivision design and the related property improvements create two new single-family homes with attached two-car garages and a new two-car garage for the existing home, private yard spaces for each new. The project as proposed and conditioned is consistent with goals and objectives of the General Plan.

3. ***That the project site is physically suitable for the density of the land division.*** The project meets the requirement of this finding in that the 0.43-acre site is sufficient in size to accommodate the three-lot subdivision and improvements including two-car garages and private yard areas for each unit. It is an infill lot and will add two new single-family homes. The three-lot subdivision is suitable as it adds two new single-family homes on an underutilized infill lot, and it does not exceed the General Plan and Zoning density. Public services are available, and utilities are of adequate capacity to accommodate the project.

4. ***That the design of the land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*** The project meets the requirements of this finding in that the ND found that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment or impact fish, wildlife or habitat with the implementation of identified standard conditions of approval.

5. ***That the design of the land division or the type of improvements is not likely to cause serious public health problems.*** The project will not generate hazardous emissions nor be a storage facility for hazardous/ combustible materials. During project grading and construction, to reduce dust generation to minimal levels and to prevent sedimentation and discharge of contaminants off-site, standard conditions of approval require the grading and construction contractors to implement best management practices (BMPs). The Negative

Declaration evaluated that the project is not expected to cause serious public health problems.

6. ***That the design of the land division will not conflict with easements acquired by the public at large (for access through or use of property within the land division).*** The project meets the requirement of this finding in that there are no conflicts with easements known to affect the project site. Common lot Parcel A provides a shared access road benefitting the three lots. It also contains an emergency vehicle turnaround, utilities, on-site stormwater retention facilities and landscaping. A condition of approval requires a road access easement and maintenance management to share in the maintenance of driveways, landscaping, and stormwater infrastructure. Access to the project site is via a 24" wide private road (Coastal Oak Court) which requires an additional ingress egress easement over a corner of the adjacent property to the southeast (Lennar Homes) for the shared private road with an existing access and public utilities easement. The Public Works Department has reviewed the project and recommended approval subject to conditions.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Minor Land Division No. MLD19-002 for a three-lot residential subdivision, on a 0.43-acre site located at 4303 B Scotts Valley Drive subject to the Conditions of Approval set forth in Exhibit A, which is incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 16th day of June 2021, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

_____
Derek Timm, Mayor

ATTEST:

_____
Tracy A. Ferrara, City Clerk

Exhibit A

Legal

1. The 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 action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.

3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all required development and impact fees before starting any grading/earth disturbance or construction on the property.

Planning Department

4. The approved planning permits include a Planned Development Overlay and Permit, Minor Land Division, and Design Review for a three-lot residential subdivision, for two single-family homes and a detached two-car garage for the existing single family dwelling to be consistent with the parking requirements and related site improvements on a 0.43-acre site located at 4303 B Scotts Valley Drive on a 0.43-acre site. The two-story, single-family homes, new attached two-car garage to the existing single-family dwelling, and site improvements shall be constructed substantially as shown in the plans prepared Craycroft Design, John Craycroft, Designer, and Gregory Lewis, Landscape Designer, received dated November 11, 2020, the Civil Plans dated 12/17/20 and the revised detached garage plan sheets A1.1, A1.2, A3.1, receive 5/11/21, and as described in writing on the project's technical reports, which are on file in the Planning Department.

5. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.

6. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.

7. To ensure that the tree protection measures conditions of approval are communicated and complied with a preconstruction meeting shall be conducted prior to the start of any construction and the following shall attend: the developer, grading contractor supervisor, project planner, Building Official, Public Works Director, project biologist and arborist, with exception of installing temporary construction fencing demarcating the disturbance area, siltation and tree protection fencing. Temporary construction protective measures and tree protection fencing shall be installed prior to the meeting and inspected at that time by the biologist and arborist. Provide an attendance list to the project planner.

Cultural Resources

Archaeological Resources

8. The developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities and inspections for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.

    a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities.

    b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis.

c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring.

d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present.

9. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.

10. If human remains are unexpectedly encountered during project grading the actions required as identified in the previous condition shall be implemented to effectively preserve any human remains until the Santa Cruz County Coroner determines the appropriate course of action concerning the treatment and disposition of the human remains pursuant to the California Health and Safety Code Section 7050.5(b).

<u>Paleontological Resources</u>

11. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading;

12. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas;

13. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.);

14. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken; and,

15. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery

efforts if necessary.

16. The applicant and construction contractor shall ensure that paleontological resources are not destroyed during project grading.

17. The developer shall submit a copy of a contract with a qualified/registered paleontologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work.

18. The qualified/registered paleontologist shall monitor all earthwork activity as described in conditions 19-23, below.

19. The applicant/contractor shall provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.

20. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.

21. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).

22. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.

23. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Fences and Walls

24. All fence and wall design details shall be included on plans submitted for building permit and subject to Planning Department approval.

Trees

Standard

25. All recommendations in the Arborist Report, dated December 10, 2019, are

incorporated as conditions of project approval.

26. No tree removal shall occur until grading/building permit issuance.

27. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

28. The final grading plans and improvement plans shall be reviewed and approved by the project Arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.

29. Upon completion of construction activities, the project arborist shall submit written documentation stating that all recommended tree preservation measures have been completed prior to Building Permit final for the project.

30. The cost of the project arborist review and implementation of conditions, site inspection and related work shall be borne by the applicant.

31. The project arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.

32. During the pre-construction phase of development, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits.

Project Specific

33. If any protection is removed, the arborist shall verify that the fencing and other measures were correctly reinstalled.

34. Provide a copy of a contract for the project arborist’s services for the Community Development Department Director review and approval.

35. Prior to issuance of any grading or building permits, the arborist shall review the site plan dated 11/20/20, and the grading and improvement plans shall have the arborists recommendations included on the plans. The arborists

recommendations are: 1) Obtain all necessary permits prior to removing or significantly altering any trees on site; 2) Remove trees recommended for removal; 3) Modify locations of retaining walls a minimum of 7-10 feet adjacent to tree #1, coast redwood and a minimum of 10 feet from T13 and 14 coast live oak, if they are to be retained; and 4) Additional tree protection specifications will be required once the final plans sets are completed. The arborist's recommendations for tree preservation shall be incorporated into the plans, and printed on the grading and construction drawings.

36. The project arborist shall routinely inspect the condition and health of the protected trees periodically through the term of construction. The arborist shall provide the notes to the Community Development Department Director review and notify if there are any issues.

37. Landscape plans submitted to the City for site development permits shall include a minimum of ten replacement trees. If additional trees are removed due to construction impacts, these trees shall also require replacement at a 2:1 ratio prior to occupancy and as part of the landscaper warranty. All new tree species shall be selected in consultation with the project arborist, based on the specific tree location, soil type, and water and solar needs.

Landscaping

38. The landscaping improvements shall be permanently maintained and irrigated.

39. Landscaping shall comply with State of California Government Code Section 65596 Water Conservation in Landscaping and associated Model Water Efficient Landscaping Ordinance for landscaping equal or greater than 2,500 square feet. If not applicable the project is required to be consistent with the City Water Conservation Ordinance.

40. A final landscape plan shall be submitted and include the name, number, size, and location for all planting materials, trees and ground covers replacement trees and shall be approved by the Community Development Director prior to issuance of grading or building permits.

41. The ground cover in the emergency turnaround adjacent to the garage on Lot 2 shall include shrubs in addition to ground cover.

Lighting

42. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from

adjacent properties. Where deemed necessary by the Community Development Director light cutoffs/shields shall be installed.

CC&R's and Joint Maintenance

43. CC&R's and/or any joint maintenance agreements and subsequent association for the ongoing management and maintenance of the site improvements including perimeter fencing, on-site stormwater facilities, landscaping, driveways, retaining walls, and any other shared facilities, for the project shall be approved by the City and executed by the property owner prior to the approval of the final map. The ongoing maintenance documents shall be recorded prior to building permit final, or the sale or lease of the first unit or within 30 days of the final map recording, whichever comes first. The property owner shall pay recording costs.

44. The private access road curbs and the emergency vehicle turnaround shall be clearly marked and painted red indicating no parking except for emergency vehicles and no parking signs installed pursuant to Fire Department standards.

Building Department

Standard

45. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.

46. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.

47. All trades of electrical, plumbing, and mechanical will be issued under one building permit for said project (General Contractor permittee). All subcontractors shall provide their contractor's license number and their workers compensation insurance information to the Building Department.

48. All buildings shall be designed to comply with the current California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Energy Code and California Green Building Code, in effect at the time of building permit application.

49. The building permit plans must comply with the current California Plumbing and Green Building Code for water-conserving fixtures and fittings and with the CA

Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.

50. All new construction shall comply with the California Green Building Code and the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.

51. Structural calculations shall be submitted and wet-signed by the Engineer of record.

52. A Special Inspection form shall be submitted and the names of Special Inspectors with certifications as required shall be provided.

53. A soils report by a qualified geologic engineer shall be submitted with the application for any building permits. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.

54. The developer shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.

55. Site drainage erosion control and foundation plans must be reviewed and approved by the soils engineer of record.

56. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.

57. Developer shall submit a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval.

58. A completed City of Scotts Valley Construction and Waste Management Plan form shall be submitted with the Building permit application.

<u>Grading</u>

59. All recommendations in the geotechnical report prepared for the project shall

be incorporated as conditions of project approval.

60. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

61. If grading in the rainy season (October 15th to April 15th) is necessary all necessary, approvals from the Building Department shall be obtained.

62. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.

63. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

<u>The following Air Quality BMPs shall be included in the construction contract for the project and be implemented during site grading</u>:

64. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.
65. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.
66. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.
67. The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.
68. Roadway(s) along the project frontage shall be mechanically swept at the end of each workday when any dirt or mud has been tracked on the street.
69. No grading activities shall occur during days of high wind velocity.
70. Finished graded areas that are designated as open space and landscape areas of project shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.
71. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.

72. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

Hazardous Materials and Hydrology

73. Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.

74. Construction materials shall not be stockpiled or stored where they could be accidently discharged down slope or into Scotts Valley Drive.

75. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

Public Works Department

76. A final subdivision or parcel map in conformance with the California Government Code, Section 66410 et seq, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer.

77. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)

78. Engineered Improvement Plans shall be submitted for all onsite and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required satisfying tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.

79. Engineered improvement plans for all work, signed, and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.

80. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.

81. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material men's Bond, to the satisfaction of the Public Works Director/City Engineer.

82. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".

83. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.

84. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city's SWMP Ordinance No. 184.1.

Stormwater Management Plan:

85. A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan.

86. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

87. See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works

88. Impervious area must be shown on coversheet.

89. Applicant shall pay the cost to accomplish the utility design and construction to

underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This under grounding of utilities to remove utility poles comes in addition to the state required under grounding of transmission for the project and any new service connections.

90. The final map shall be submitted to the City's Public Works Department on an AutoCAD drawing version 2018 LT or earlier electronic version prior to recording

91. Applicant shall submit electric files for all civil plans for review and As-Builts when project is completed in both paper and electronic files

92. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.

93. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.

94. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

DEPARTMENT OF PUBLIC WORKS -PARKS AND RECREATION DIVISION

95. The developer shall comply with SVMC chapter 16.35, dedication of land for parks and recreational purposes. Any fees shall be paid prior to issuance of a grading and/or building permit.

FIRE DEPARTMENT

96. This project shall comply with the California Fire Code as amended by the Scotts Valley Fire Protection District

97. The emergency vehicle turnaround shall be clearly marked with red curbs and no parking signs pursuant to Fire Department standards.

_____

Name and Signature of Property Owner Date

RESOLUTION NO. 1998.2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING PLANNED DEVELOPMENT PERMIT (PD19-004) AND DESIGN REVIEW (DR19-014) FOR THE 4303 B SCOTTS VALLEY DRIVE PLANNED DEVELOPMENT FOR A THREE-LOT SUBDIVISION AND A COMMON PARCEL IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR TWO SINGLE-FAMILY HOMES AND A DETACHED TWO-CAR GARAGE FOR THE EXISTING SINGLE FAMILY HOME AND RELATED SITE IMPROVEMENTS ON A 0.43-ACRE SITE LOCATED AT 4303 B SCOTTS VALLEY DRIVE / APN 022-902-11.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Rick Hochler, of the Hochler & Ross Family Trust for Planned Development No. PD19-004 and Design Review No. DR19-014 for a three-lot subdivision and a common parcel for two single-family homes, and a detached two-car garage for the existing single family home on a 0.43-acre site located at 4303 B Scotts Valley Drive (collectively referred to as “Application”); and,

WHEREAS, Rick Hochler, of the Hochler & Ross Family Trust (referred to as “applicant”) has presented substantial evidence which supports the Application; and

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

WHEREAS, a 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 results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Mitigated Negative Declaration for the project by adoption of Resolution No. 1998; and

WHEREAS, the City Council approved the Planned Development Zoning for the project by adoption of Ordinance No. 16-ZC-231; and

WHEREAS, the City Council approved the Minor Land Division for the project by adoption of Resolution No. 1998.1.

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 Planned Development Permit findings, as further clarified in the staff report dated June16, 2021:

1. ***That the Planned Development Zoning District Overlay and Permit (PD) further the policies of the General Plan.*** The project meets the requirement of this finding in that the project proposes two new single-family homes within lands designated R-H, High Density Residential on the City's General Plan map. The two new single-family homes are two-story and include two covered garage parking spaces and two uncovered parking spaces, and private yards. The homes are of a conventional design that is consistent with the character of the neighborhood. Further, the project improves and upgrades a previously developed and underutilized site providing housing opportunities for two additional families.

2. ***The proposed Planned Development District Overlays (PD) are consistent with the underlying land use designations and zoning districts and that of the City of Scotts Valley General Plan.*** The project meets the requirements of this finding because the PD district overlay will be combined with the base zoning district. The resulting R-H/PD zone allows specific development standards to address to accommodate unique circumstances related to lot size and shape, intensity, coverage, and appearance of structures. The physical constraints of the site including the location of the existing home, the access road, emergency vehicle turnaround, on-site stormwater retention and tree preservation, resulted in a reduced three-lot subdivision with three new homes.

3. ***That the PD conforms in all respects to the planned development zoning of the property.*** The "PD" will be an overlay zone to the proposed R-H base zoning district. The project design meets the requirement of this finding in that approval of the Planned Development and Design Permit will allow two new two-story single-family homes with attached two-car garages, and a detached two-car garage for the existing single family dwelling to be consistent with the parking requirements to be developed. The Planned Development zoning allows exceptions to the development standards to accommodate the proposed lot configuration with reduced lot sizes, width and depths, reduced front, side, and rear setbacks. Each new home will have private yard space and two covered garage parking spaces and two uncovered parking spaces.

4. ***That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.*** The

project meets the requirements of this finding in that the overall siting, mass, and height of the two-story homes, are well proportioned with attractive architectural details and quality materials and are harmonious with conventional new homes in the neighborhood. The two-story homes are approximately 26.5 to 28.5-feet in height feet and similar to other nearby homes in the neighborhood. As designed consistent with the General Plan Action OSA-387. So general). The PD allows exceptions from the underlying R-H zoning standards predominantly related to lot size and configuration of the proposed lots, in order for each home to be on a separate parcel of land, which has private yard spaces. The architecture, quality exterior materials/ finishes/colors, and landscaping will create a visually harmonious project.

5. ***The environmental impacts of the project have been reviewed and considered.*** The project meets the requirements of this finding in that the Project's Initial Study and Negative Declaration (ND20-002) and determined that there were no potentially significant adverse environmental impacts and the project will not degrade the quality of the environment wildlife or plant resources with the implementation of identified standard conditions of approval.

SECTION 2: The City Council of the City of Scotts Valley does hereby make the following Design Review findings, as further clarified in the staff report dated June 16, 2021:

1. ***The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood is appropriate.*** The project meets the requirements of this finding in that the proposed single-family homes will be sited appropriately in relation to the existing neighborhood and located at the terminus of the private road. The site gently slopes towards Scotts Valley drive and for level building pads retaining walls are required for Lots 1 and 2. The steeper portion of the site are behind the existing home will remain undisturbed except where the new two-car garage is proposed. The physical constraints of the site require exceptions from the development standards as allowed in a PD district, which are common on infill developments in the area such as the flag lot type driveway and requirements for on-site stormwater retention. As proposed the single-family homes are suited to the property, setting, and zoning context.

2. ***The materials, colors, proportion, mass, and detail of all structures shall be in good proportion, have simplicity of mass and detail and be compatible in appearance with surrounding structures. There shall be an appropriate use of materials; colors shall be appropriate within the context of use and should blend with surrounding structures.*** The project meets the requirements of this finding in that the proposed single-family homes are two-story in height, utilize conventional stucco and hardi-board type shingle siding exterior, composition shingle roofing with brackets under the gables, belly bands separating the stories on all sides. Included are shed roof details over some doors and windows and windows are white vinyl single hung and vary with single, double, and triple windows with multiple lights and wood trim. The color scheme incorporates natural color tones of light grey and blue green with white trim. The variety of quality materials, exterior treatments, finish details and exterior colors are appropriate and consistent with the City's design review criteria.

3. ***Landscaping and irrigation plans shall be required on the site. Landscaping shall be in keeping with the character or design of the building. Existing trees shall be preserved wherever possible.*** The project, landscape design as depicted and described in the applicant schematic revisions dated October 20, 2020 would meet the requirements of this finding in that the project will provide new landscaping including replacement trees and shrubs, ground cover, and planted bioretention swales. The retaining walls along a portion of the front and rear yard property line for Lots 1 & 2 including a landscaping buffer. Preliminary landscaping and irrigation details have been reviewed. A condition of approval requires that final landscape and irrigation plans be submitted for staff review and approval by the Community Development Director.

4. ***The size, location and arrangement of on-site parking and paved areas shall be appropriate.*** The project meets the requirements of this finding in that each proposed single-family home has an attached two-car garage. A detached two-car one-story garage will be developed for the existing single-family home to become consistent with the parking requirements. The site requires an access road and an emergency vehicle turnaround which includes pervious pavers. The front entry walkways will also incorporate pervious pavers. Each of the driveways that serve the homes provides a minimum of two uncovered parking space which meet or exceed the City's single-family parking standard.

5. ***For ingress, egress, and internal traffic circulation, all the above factors shall be related to the setting or established character of the neighborhood or surrounding area.*** The project meets the requirement of this finding in that vehicle access to the site and to the homes driveways is through a shared, common, private parcel. This private road connects to "Coastal Oak Court" off Acorn Court, a newly constructed private road for the adjacent townhome development to the southeast. The project's vehicle access and circulation plan, at the end of a private road, is designed to accommodate an on-site emergency vehicle turn-around to accommodate City Fire Department emergency vehicles.

6. ***For fences and walls over eight feet tall or fences over three feet tall in front yards when across from Hwy 17, consider height and access to sunlight, setbacks, landscaping and use of materials for articulation and visual relief.*** The project includes retaining walls over three feet in height for a portion of Lots 1 and 2 front yard areas towards Lot 3. The concrete retaining walls vary from three to six feet in height. The interior retaining walls are topped with five-foot height redwood fences with a combined total height of eight to 11.5 feet. The retaining walls are required for new Lots 1 and 2 to create two level building pads. For Lots 1 and 2, along the property line of Lot 3, are similarly designed walls topped with redwood fences with an overall combined height of 9.5 to 11.5 feet. Along the shared driveway the landscape plans include plantings to screen and soften the appearance of the front yard retaining walls. For Lot 3 a portion of the side property line adjacent to the new one-story garage will require a retaining wall of 2.5 feet to three feet height, topped with a six-foot height redwood fence for a combined height of 6.5 feet to 8.5 feet. The retaining walls are an Allen block type concrete block with a light brown color finish. A new six-foot height wood good neighbor type perimeter fence will be constructed.

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 No. PD19-004 and Design Review No. DR19-014 for the development of a three-lot subdivision and a common parcel, for two single-family homes, and a detached two-car garage for the existing single family home on a 0.43-acre site located at 4303 B Scotts Valley Drive, subject to the Conditions of Approval set forth in Exhibit A, which is incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 16th day of June 2021, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

_____
Derek Timm, Mayor

ATTEST:

_____
Tracy A. Ferrara, City Clerk

Exhibit A

Legal

1. The 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 action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.

3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all required development and impact fees before starting any grading/earth disturbance or construction on the property.

Planning Department

4. The approved planning permits include a Planned Development Overlay and Permit, Minor Land Division, and Design Review for a three-lot residential subdivision, for two single-family homes and a detached two-car garage for the existing single family dwelling to be consistent with the parking requirements and related site improvements on a 0.43-acre site located at 4303 B Scotts Valley Drive on a 0.43-acre site. The two-story, single-family homes, new attached two-car garage to the existing single-family dwelling, and site improvements shall be constructed substantially as shown in the plans prepared Craycroft Design, John Craycroft, Designer, and Gregory Lewis, Landscape Designer, received dated November 11, 2020, the Civil Plans dated 12/17/20 and the revised detached garage plan sheets A1.1, A1.2, A3.1, receive 5/11/21, and as described in writing on the project's technical reports, which are on file in the Planning Department.

5. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.

6. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.

7. To ensure that the tree protection measures conditions of approval are communicated and complied with a preconstruction meeting shall be conducted prior to the start of any construction and the following shall attend: the developer, grading contractor supervisor, project planner, Building Official, Public Works Director, project biologist and arborist, with exception of installing temporary construction fencing demarcating the disturbance area, siltation and tree protection fencing. Temporary construction protective measures and tree protection fencing shall be installed prior to the meeting and inspected at that time by the biologist and arborist. Provide an attendance list to the project planner.

Cultural Resources

Archaeological Resources

8. The developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities and inspections for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.

    a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities.

    b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis.

c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring.

d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present.

9. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.

10. If human remains are unexpectedly encountered during project grading the actions required as identified in the previous condition shall be implemented to effectively preserve any human remains until the Santa Cruz County Coroner determines the appropriate course of action concerning the treatment and disposition of the human remains pursuant to the California Health and Safety Code Section 7050.5(b).

<u>Paleontological Resources</u>

11. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading;

12. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas;

13. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.);

14. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken; and,

15. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery

efforts if necessary.

16. The applicant and construction contractor shall ensure that paleontological resources are not destroyed during project grading.

17. The developer shall submit a copy of a contract with a qualified/registered paleontologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work.

18. The qualified/registered paleontologist shall monitor all earthwork activity as described in conditions 19-23, below.

19. The applicant/contractor shall provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.

20. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.

21. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).

22. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.

23. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Fences and Walls

24. All fence and wall design details shall be included on plans submitted for building permit and subject to Planning Department approval.

Trees

Standard

25. All recommendations in the Arborist Report, dated December 10, 2019, are

incorporated as conditions of project approval.

26. No tree removal shall occur until grading/building permit issuance.

27. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

28. The final grading plans and improvement plans shall be reviewed and approved by the project Arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.

29. Upon completion of construction activities, the project arborist shall submit written documentation stating that all recommended tree preservation measures have been completed prior to Building Permit final for the project.

30. The cost of the project arborist review and implementation of conditions, site inspection and related work shall be borne by the applicant.

31. The project arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.

32. During the pre-construction phase of development, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits.

Project Specific

33. If any protection is removed, the arborist shall verify that the fencing and other measures were correctly reinstalled.

34. Provide a copy of a contract for the project arborist’s services for the Community Development Department Director review and approval.

35. Prior to issuance of any grading or building permits, the arborist shall review the site plan dated 11/20/20, and the grading and improvement plans shall have the arborists recommendations included on the plans. The arborists

recommendations are: 1) Obtain all necessary permits prior to removing or significantly altering any trees on site; 2) Remove trees recommended for removal; 3) Modify locations of retaining walls a minimum of 7-10 feet adjacent to tree #1, coast redwood and a minimum of 10 feet from T13 and 14 coast live oak, if they are to be retained; and 4) Additional tree protection specifications will be required once the final plans sets are completed. The arborist's recommendations for tree preservation shall be incorporated into the plans, and printed on the grading and construction drawings.

36. The project arborist shall routinely inspect the condition and health of the protected trees periodically through the term of construction. The arborist shall provide the notes to the Community Development Department Director review and notify if there are any issues.

37. Landscape plans submitted to the City for site development permits shall include a minimum of ten replacement trees. If additional trees are removed due to construction impacts, these trees shall also require replacement at a 2:1 ratio prior to occupancy and as part of the landscaper warranty. All new tree species shall be selected in consultation with the project arborist, based on the specific tree location, soil type, and water and solar needs.

Landscaping

38. The landscaping improvements shall be permanently maintained and irrigated.

39. Landscaping shall comply with State of California Government Code Section 65596 Water Conservation in Landscaping and associated Model Water Efficient Landscaping Ordinance for landscaping equal or greater than 2,500 square feet. If not applicable the project is required to be consistent with the City Water Conservation Ordinance.

40. A final landscape plan shall be submitted and include the name, number, size, and location for all planting materials, trees and ground covers replacement trees and shall be approved by the Community Development Director prior to issuance of grading or building permits.

41. The ground cover in the emergency turnaround adjacent to the garage on Lot 2 shall include shrubs in addition to ground cover.

Lighting

42. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from

adjacent properties. Where deemed necessary by the Community Development Director light cutoffs/shields shall be installed.

CC&R's and Joint Maintenance

43. CC&R's and/or any joint maintenance agreements and subsequent association for the ongoing management and maintenance of the site improvements including perimeter fencing, on-site stormwater facilities, landscaping, driveways, retaining walls, and any other shared facilities, for the project shall be approved by the City and executed by the property owner prior to the approval of the final map. The ongoing maintenance documents shall be recorded prior to building permit final, or the sale or lease of the first unit or within 30 days of the final map recording, whichever comes first. The property owner shall pay recording costs.

44. The private access road curbs and the emergency vehicle turnaround shall be clearly marked and painted red indicating no parking except for emergency vehicles and no parking signs installed pursuant to Fire Department standards.

Building Department

Standard

45. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.

46. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.

47. All trades of electrical, plumbing, and mechanical will be issued under one building permit for said project (General Contractor permittee). All subcontractors shall provide their contractor's license number and their workers compensation insurance information to the Building Department.

48. All buildings shall be designed to comply with the current California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Energy Code and California Green Building Code, in effect at the time of building permit application.

49. The building permit plans must comply with the current California Plumbing and Green Building Code for water-conserving fixtures and fittings and with the CA

Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.

50. All new construction shall comply with the California Green Building Code and the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.

51. Structural calculations shall be submitted and wet-signed by the Engineer of record.

52. A Special Inspection form shall be submitted and the names of Special Inspectors with certifications as required shall be provided.

53. A soils report by a qualified geologic engineer shall be submitted with the application for any building permits. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.

54. The developer shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.

55. Site drainage erosion control and foundation plans must be reviewed and approved by the soils engineer of record.

56. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.

57. Developer shall submit a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval.

58. A completed City of Scotts Valley Construction and Waste Management Plan form shall be submitted with the Building permit application.

<u>Grading</u>

59. All recommendations in the geotechnical report prepared for the project shall

be incorporated as conditions of project approval.

60. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

61. If grading in the rainy season (October 15th to April 15th) is necessary all necessary, approvals from the Building Department shall be obtained.

62. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.

63. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

<u>The following Air Quality BMPs shall be included in the construction contract for the project and be implemented during site grading</u>:

64. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.
65. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.
66. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.
67. The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.
68. Roadway(s) along the project frontage shall be mechanically swept at the end of each workday when any dirt or mud has been tracked on the street.
69. No grading activities shall occur during days of high wind velocity.
70. Finished graded areas that are designated as open space and landscape areas of project shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.
71. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.

72. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

Hazardous Materials and Hydrology

73. Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.

74. Construction materials shall not be stockpiled or stored where they could be accidently discharged down slope or into Scotts Valley Drive.

75. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

Public Works Department

76. A final subdivision or parcel map in conformance with the California Government Code, Section 66410 et seq, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer.

77. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)

78. Engineered Improvement Plans shall be submitted for all onsite and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required satisfying tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.

79. Engineered improvement plans for all work, signed, and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.

80. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.

81. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material men's Bond, to the satisfaction of the Public Works Director/City Engineer.

82. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".

83. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.

84. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city's SWMP Ordinance No. 184.1.

Stormwater Management Plan:

85. A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan.

86. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

87. See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works

88. Impervious area must be shown on coversheet.

89. Applicant shall pay the cost to accomplish the utility design and construction to

underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This under grounding of utilities to remove utility poles comes in addition to the state required under grounding of transmission for the project and any new service connections.

90. The final map shall be submitted to the City's Public Works Department on an AutoCAD drawing version 2018 LT or earlier electronic version prior to recording

91. Applicant shall submit electric files for all civil plans for review and As-Builts when project is completed in both paper and electronic files

92. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.

93. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.

94. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

DEPARTMENT OF PUBLIC WORKS -PARKS AND RECREATION DIVISION

95. The developer shall comply with SVMC chapter 16.35, dedication of land for parks and recreational purposes. Any fees shall be paid prior to issuance of a grading and/or building permit.

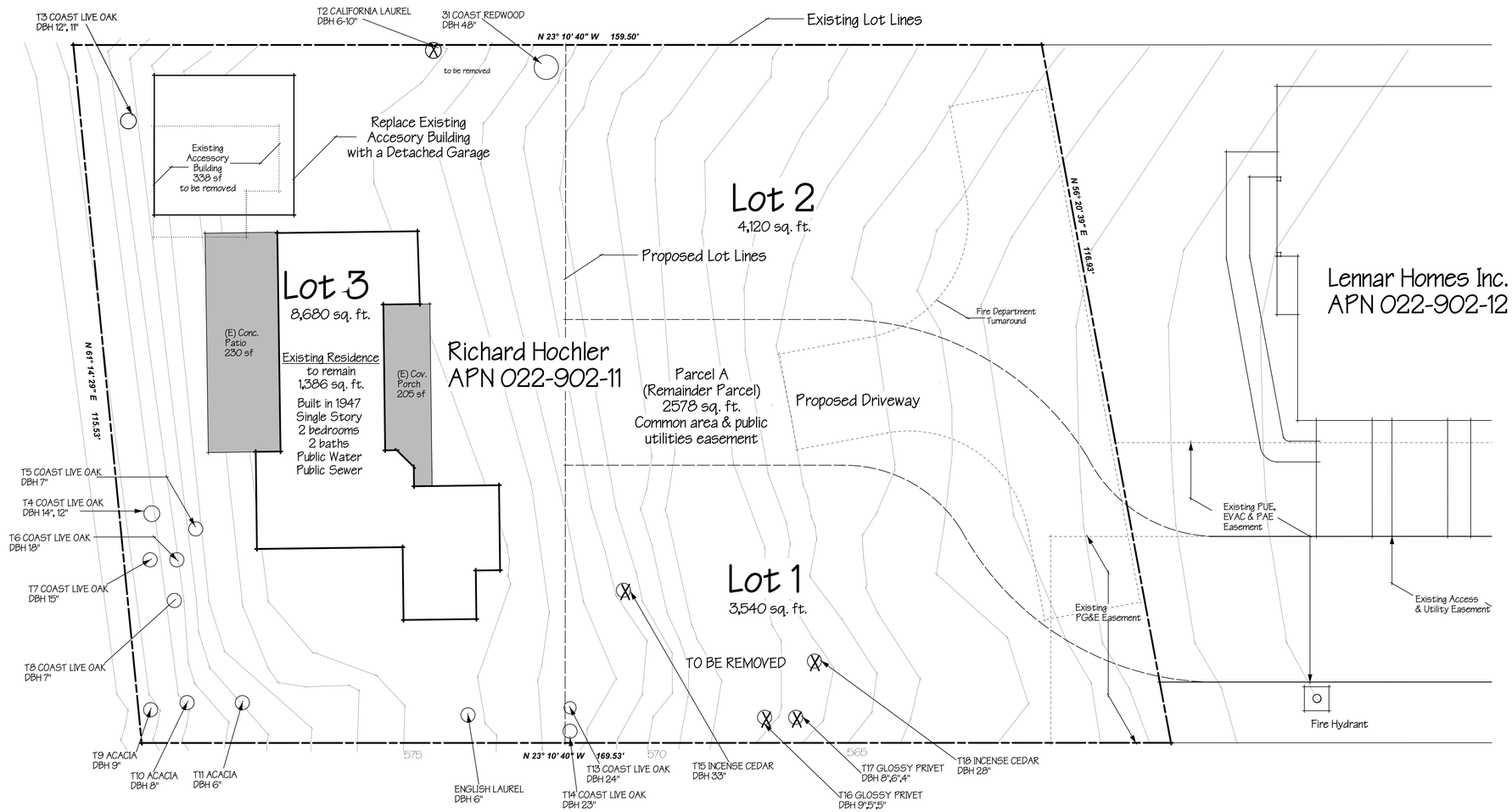
FIRE DEPARTMENT

96. This project shall comply with the California Fire Code as amended by the Scotts Valley Fire Protection District

97. The emergency vehicle turnaround shall be clearly marked with red curbs and no parking signs pursuant to Fire Department standards.

_____

Name and Signature of Property Owner Date



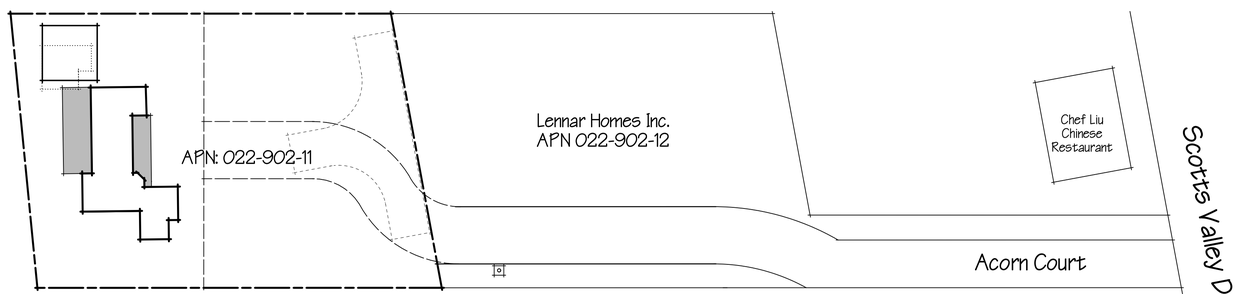
X- Trees to be Removed

N

Existing Site Plan

Scale: 1" = 10'-0"

Showing Location of the Existing Home & Trees and Proposed Access and Land Division



N

Vicinity Detail Map

Scale: 1" = 30'-0"

ARBORIST RECOMMENDATIONS
Kurt Fouts ISA Certified Arborist WE0681A
1. Obtain all necessary permits prior to removing or significantlyaltering any trees on site.
2. Remove trees recommended for removal.
3. Retaining walls a minimum of 7-10 feet, adjacent to tree T1, coast redwood and a minimum of 10 feet from. T13 & 14 coast live oak, if they are to be retrained.
4. Additional tree protection specifications will be required once final plan sets are completed.

Tree Protection Zone
The tree protection zone (TPZ), is a defined area within which certain activities are prohibited or restricted to minimize potential injury to designated trees during construction.
The size of the optimal TPZ can be determined by a formula based on 1) trunk diameter 2) species tolerance to construction impacts, and 3) tree age (Matheny, N. and Clark, J 1998). In some instances, tree drip line is used as the TPZ. Development constraints can also influence the final size of the tree protection zone. Fencing is installed to delineate the (TPZ), and to protect tree roots, trunk, and scaffold branches from construction equipment. The fenced protection area may be smaller than the optimal or designated TPZ area in some circumstances. Tree protection may also involve the armoring of the tree trunk and/or scaffold limbs with barriers to prevent mechanical damage from construction equipment. See Tree Protection Guidelines & Restrictions – Appendix E.
Once the TPZ is delineated and fenced (prior to any site work, equipment and materials move in), construction activities are only to be permitted within the TPZ if allowed for and specified by the project arborist.
Where tree protection fencing cannot be used, or as an additional protection from heavy equipment, tree wrap may be used. Wooden slats at least one inch thick are to be bound securely, edge to edge, around the trunk. A single layer or more of orange plastic construction fencing is to be wrapped and secured around the outside of the wooden slats. Major scaffold limbs may require protection as determined by the City arborist or Project arborist. Straw wattle may also be used as a trunk wrap and secured with orange plastic fencing.

Critical Root Zone
Critical Root Zone (CRZ) is the area of soil around the trunk of a tree where roots are located that provide critical stability, uptake of water and nutrients required for a tree's survival. The CRZ is the minimum distance from the trunk that trenching that requires root cutting should occur and can be calculated as three to the five times the trunk Diameter at Breast Height (DBH). For example, if a tree is one foot in trunk diameter than the CRZ is three to five feet from the trunk location. We will often average this as four times the trunk diameter or 1ft. DBH = 4ft. CRZ (Smiley, E.T., Fraedrich, B. and Hendrickson, N. 2007).

Root Disturbance Distance
No one can estimate and predict with absolute certainty what distance from a tree, a soil disturbance such as excavation for construction should be, to ensure it will not significantly affect tree stability or health. Or to what degree, (low, moderate or high), a tree might be impacted. There are simply too many variables involved that we cannot see or anticipate. However, three times the D.B.H. (diameter at breast height), is a widely accepted minimum used in the industry for root disturbance, on one side of the trunk, and is supported by several research studies including (Smiley, Fraedich & Hendrickson 2002, Bartlett Tree Research Laboratories). This distance is often used during the design and planning phases of a project in order to estimate root loss due to construction activities. This distance is a guideline only and should be increased for trees with significant leans, decay or other structural problems.

PROJECT DATA

Existing Parcel:
Address: 4303 B Scotts Valley Dr. Scotts Valley, CA
Parcel Number: 022-902-11
Parcel Size: 18,918 sq. ft.
Water Supply: Public
Waste Water: Sewer
Occupancy Classification Group: R2, U Wood Frame
Construction Type: VB.

Proposed Areas & Development Standards
See Tables A & B--Sheet A1.2

PROJECT DESCRIPTION

The proposed development is for a three unit Planned Development, subdividing the parcel with an existing single family dwelling at 4303 Scotts Valley Drive into 3 lots, along with a "remainder parcel" for the access road and utilities. The existing family dwelling will be retained. The new homes have been designed to fit within the context of the established neighborhood and the new Lennar homes on the adjacent parcel. The proposed design will utilize a shared driveway access with the Lennar home project, incorporating a shared fire turn-around, underground utility services and providing open space between the properties.

VICINITY MAP (n.t.s.)

SHEET INDEX

A1.1	Cover Sheet & Existing Site Plan
A1.2	Proposed Site Plan
A1.3	Site Plan with Neighboring Properties
A1.4	Site Plan with Retaining Walls/Fences
A1.5	Site Plan with Exterior Lighting
A2.1	Lot 1 - Proposed Residence Plans
A2.2	Lot 2 - Proposed Residence Plans
A3.1	Colors & Materials Descriptions
C-1	Civil - Grading & Drainage Plan
C-2	Civil - Utility Plan
C-3	Civil - Details
C-4	Civil - Cross Sections
C-5	Civil - Erosion Control Plan
C-6	Civil - Shaded Slope Plan
L1	Landscape Planting Plan
L2	Landscape Hydrozone Plan
SU1	Tentative Parcel Map
SU2	Survey

CRAYCROFT DESIGN
455 Happy Valley Way
Santa Cruz, CA 95065
831-427-3048

N·C·B·D·C NATIONAL COUNCIL OF BUILDING DESIGNERS & CERTIFICATION
JOHN S. CRAYCROFT CERTIFICATION NO. 08498
12/10/19

SURVEYOR
Paul Hanagan LS
305-C Soquel Ave
Santa Cruz, CA 95062
831-469-3428

GEOTECHNICAL ENGINEER
Rock Solid Engineering, Inc.
1100 Main Street, Ste. A
Watsonville, CA 95076
831-724-5868

CIVIL ENGINEER
Ryan Haley, PE QSD
Cornerstone Civil Inc.
2528 Charlene Lane
Santa Cruz, CA
831-346-5446

LANDSCAPE ARCHITECT
Gregory Lewis
Landscape Architect
736 Park Way
Santa Cruz, CA
831-359-0960

ARBORIST
Gregory Lewis
Arborist Consultant
826 Monterey Ave.
Capitola, CA
831-359-3607

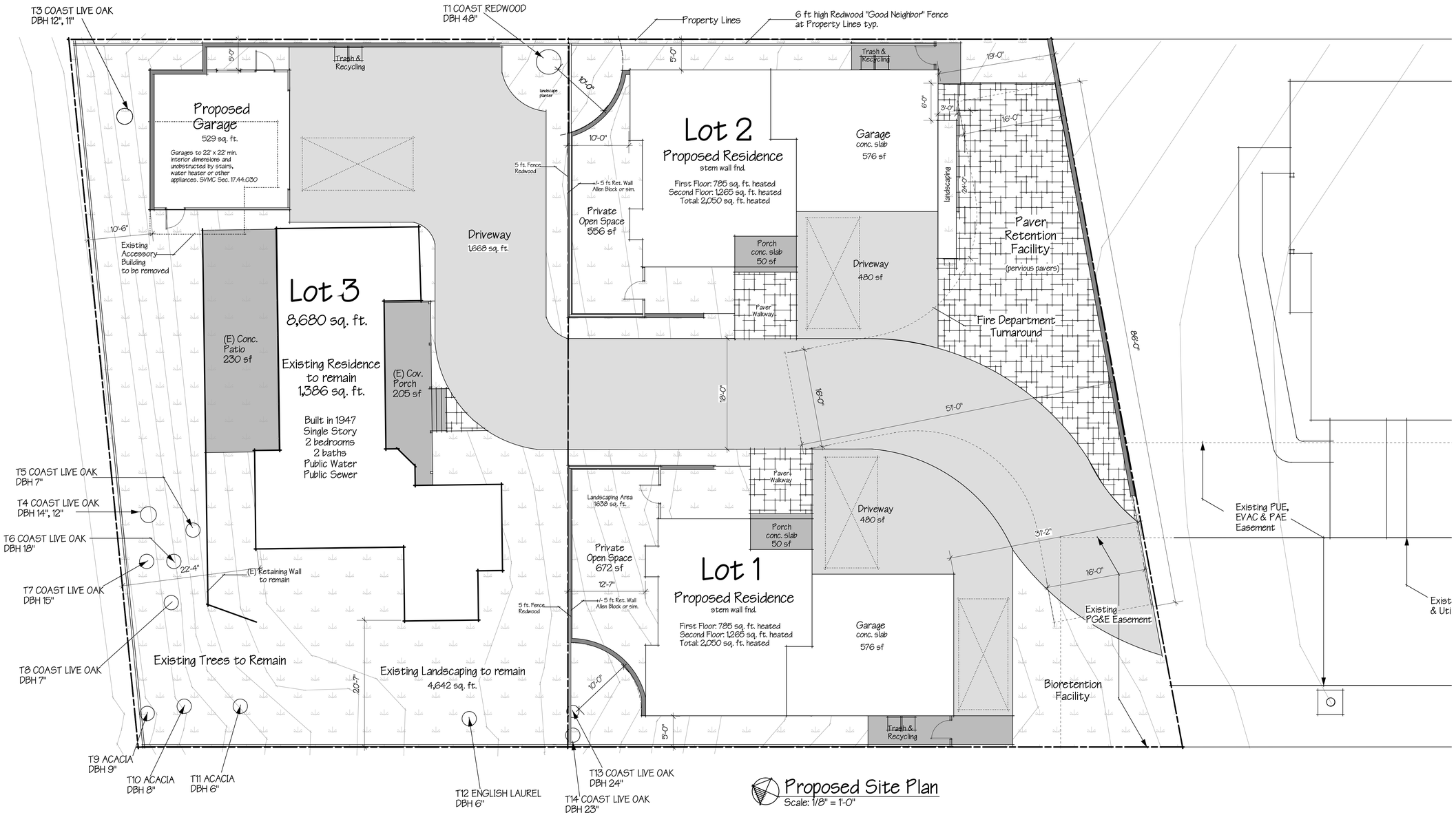
OWNER
Rick Hochler
325 Canham Road
Scotts Valley, CA
831-818-0919
hochwave@comcast.net

PROJECT
Proposed Development
4303 B Scotts Valley Dr.
Scotts Valley, CA
APN: 022-902-11

VERSION	
date	remarks
12/10/19	Design Permit Submittal
4/14/20	Design Permit Resubmittal
8/17/20	Design Permit Resubmittal
10/28/20	Design Permit Resubmittal
5/11/21	Lot 3-detach garage

Coversheet & Exist. Site Plan

A1.1



Proposed Site Plan
Scale: 1/8" = 1'-0"

Table A
Project Area Calculations

Lot #	Lot Area	First Floor	Second Floor	Total Heated (sq. ft.)	Garage	Covered Porch	Landscaping Area	Landscaping Percentage	Lot Coverage	Density %	Bedrooms	Private Open Space	Parking
Lot 1	3540	785	1265	2050	576	53	1458	0.412	1414	0.579	3	556	3
Lot 2	4120	785	1265	2050	576	53	988	0.24	1414	0.498	3	672	3
Lot 3	8680	1386		1386	530	205	4642	0.535	2121	0.16	3	4682	3
Remainder Lot	2578												
Totals	10238			4100	1152	106		0.593	2828	0.412			6

Table B
Project Development Standards

Requirement	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3	Required
Front Yard	8.5 ft	8.5 ft	10.8 ft	20 ft
Side Yard	12.53 ft & 12 ft	10 ft & 19 ft	7.61 ft & 20.6 ft	5-10' (Hillside District: 11.5'-16.5')
Rear Yard	5 ft	5 ft	14.35 ft	15 ft - 25 ft
Max. Height	28.5 ft	28.5 ft		35 ft max
Density	3,412 sq ft per dwelling	3,412 sq ft per dwelling		3,000 sq ft min per dwelling
Private Open Space	556 sq ft to 4682 sq ft	556 sq ft to 4682 sq ft		90 sq ft min
Parking	9	9		12 (4 each per dwelling)
Lot Coverage	41%	41%		55%

CRAYCROFT DESIGN
455 Happy Valley Way
Santa Cruz, CA 95065
831-427-3048

N·C·B·D·C NATIONAL COUNCIL OF BUILDING DESIGNERS & CERTIFICATION
JOHN S. CRAYCROFT
CERTIFICATION No. 08498
12/10/19

SURVEYOR
Paul Hanagan LS
305-C Soquel Ave
Santa Cruz, CA 95062
831-469-3428

GEOTECHNICAL ENGINEER
Rock Solid Engineering, Inc.
1100 Main Street, Ste. A
Watsonville, CA 95076
831-724-5868

CIVIL ENGINEER
Ryan Haley, PE QSD
Cornerstone Civil Inc.
2528 Charlene Lane
Santa Cruz, CA
831-346-5446

LANDSCAPE ARCHITECT
Gregory Lewis
Landscape Architect
736 Park Way
Santa Cruz, CA
831-359-0960

ARBORIST
Gregory Lewis
Arborist Consultant
826 Monterey Ave.
Capitola, CA
831-359-3607

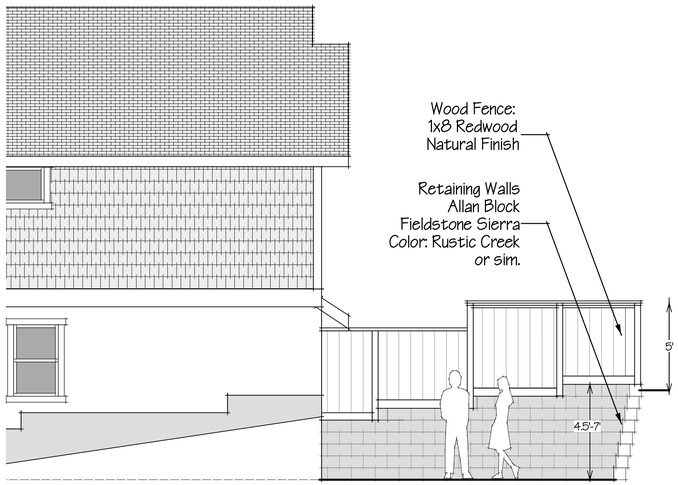
OWNER
Rick Hochler
325 Canham Road
Scotts Valley, CA
831-818-0919
hochwave@comcast.net

PROJECT
Proposed Development
4303 B Scotts Valley Dr.
Scotts Valley, CA
APN: 022-902-11

VERSION	
date	remarks
12/10/19	Design Permit Submittal
4/14/20	Design Permit Resubmittal
8/17/20	Design Permit Resubmittal
10/28/20	Design Permit Resubmittal
4/19/21	Table A & B data revised
5/11/21	Lot 3-detach garage

Proposed Site Plan

A1.2



3 A3.1 Retaing Wall and Fence Detail
Scale: 1/4" = 1'-0"



Redwood "Good Neighbor Fence"



Retaining Walls:
Allan Block
Fieldstone Sierra Series
Color: Rustic Creek
or sim.



Roofing:
GAF Timberline HD Shingles
Color: Pewter Gray



Siding:
Hardi Panel Shingle Siding
Stucco



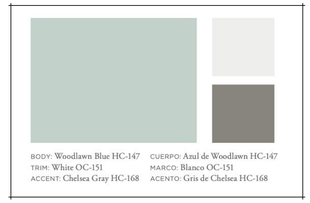


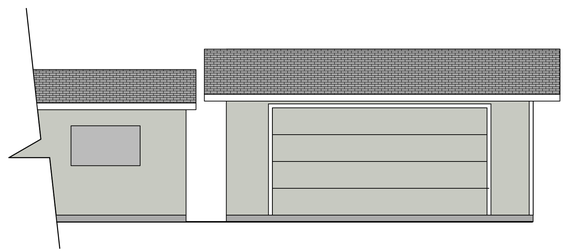
Windows:
Marvin Elevate Series or equiv.
Vinyl or Fiberglass White



1 A3.1 Front Elevaton - Lot 1
Scale: 3/16" = 1'-0"

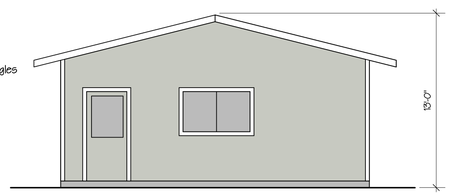
First Floor: Stucco
Second Floor: Hardi-panel Shingle Siding
Colors: Benjamin Moore
Body, Downspouts: Woodlawn Blue HC-147
Trim, Gutters: White OC-151
Accent-Doors: Chelsea Gray HC-168





Roofing:
GAF Timberline HD Shingles
Color: Pewter Gray

Siding:
Plywood Siding
to match existing



4 A3.1 Front Elevation
Scale: 3/16" = 1'-0"

5 A3.1 Right Elevation
Scale: 3/16" = 1'-0"

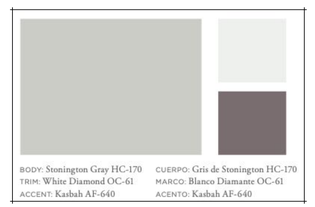
Lot 3 Garage Elevations

Colors: Benjamin Moore
Body, Doors, Downspouts: Stonington Gray HC-170
Trim, Gutters: White Diamond OC-61



2 A3.1 Front Elevation Lot 2
Scale: 3/16" = 1'-0"

First Floor: Stucco
Second Floor: Hardi-panel Shingle Siding
Colors: Benjamin Moore
Body, Downspouts: Stonington Gray HC-170
Trim, Gutters: White Diamond OC-61
Accent-Doors: Kasbah AF-640



CRAYCROFT DESIGN
455 Happy Valley Way
Santa Cruz, CA 95065
831-427-3048

N·C·B·D·C NATIONAL COUNCIL OF BUILDING DESIGNERS & CERTIFICATION
JOHN S. CRAYCROFT CERTIFICATION NO. 08488
12/10/19

SURVEYOR
Paul Hanagan LS
305-C Soquel Ave
Santa Cruz, CA 95062
831-469-3428

GEOTECHNICAL ENGINEER
Rock Solid Engineering, Inc.
1100 Main Street, Ste. A
Watsonville, CA 95076
831-724-5868

CIVIL ENGINEER
Ryan Haley, PE QSD
Cornerstone Civil Inc.
2528 Charlene Lane
Santa Cruz, CA
831-346-5446

LANDSCAPE ARCHITECT
Gregory Lewis
Landscape Architect
736 Park Way
Santa Cruz, CA
831-359-0960

ARBORIST
Gregory Lewis
Arborist Consultant
826 Monterey Ave.
Capitola, CA
831-359-3607

OWNER
Rick Hochler
325 Canham Road
Scotts Valley, CA
831-818-0919
hochwave@comcast.net

PROJECT
Proposed Development
4303 B Scotts Valley Dr.
Scotts Valley, CA
APN: 022-902-11

VERSION	
date	remarks
8/17/20	Design Permit Resubmittal
10/28/20	Design Permit Resubmittal
5/11/21	Lot 3-detach garage

Lot 2 Proposed Plans

A3.1

Minutes

Scotts Valley Planning Commission
Meeting was Remote Access Only
Date: May 13, 2021
Time: 6:00 PM

CITY OF SCOTTS VALLEY	MEETING LOCATION	POSTING: The agenda was posted on May 7, 2021, at City Hall and on the Internet at www.scottsvalley.org.
1 Civic Center Drive Scotts Valley, CA 95066 831-440-5630	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066	

Appointed Officials	City Staff Members
Rosanna Herrera, Chair Lori Gentile, Vice Chair David Hodgin, Commissioner Steven Horlock, Commissioner Chuck Maffia, Commissioner Eric Taylor, Cultural Resource Commissioner	Taylor Bateman, Community Development Director Brenda Stevens, Associate Planner Jonathan Kwan, Contract Planner Paula Bradley, Contract Planner Steve Tolar, Consultant

CALL TO ORDER: 6:06 pm

ROLL CALL: Present: Gentile, Herrera, Hodgin, Horlock and Maffia

PUBLIC COMMENT: John Swift addressed the Planning Commission regarding storage facilities in the Commercial Service Zoning District.

ALTERATIONS TO CONSENT AGENDA: None

CONSENT AGENDA:

A. Action Meeting Minutes from the February 18, 2021 meeting.

M/S: Hodgin / Gentile
To approve the minutes from the February 18, 2021 meeting.
Carried: 5-0-0
Ayes: Gentile, Herrera, Hodgin, Horlock and Maffia.
Noes: None

ALTERATIONS TO PUBLIC HEARING AGENDA: None.

PUBLIC HEARING AGENDA:

1. **Title**: Capital Improvement Program for FY2021/2026 Consistency Report with the City's General Plan
   Address: City-wide
   Applicant: City of Scotts Valley
   Property Owner: City of Scotts Valley
   Project Description: State law requires cities to adopt a Capital Improvement Program (CIP) to implement the cities' General Plan. The CIP is a list of the proposed public works projects. The City's Public Works Department develops the CIP as a 5-year program and updates the program each year. By law, the Planning Commission must review the CIP for consistency with the General Plan.
   Staff: Steve Tolar, Consultant, stolar@managementpartners.com
   M/S: Horlock / Maffia
   To approve Resolution No. 1757 for FY2021/2026 Consistency Report with the City's General Plan.
   Carried: 5-0-0
   Ayes: Gentile, Herrera, Hodgin, Horlock and Maffia.
   Noes: None

2. **Title**: Bay Village Planned Development
   Address: Erba Lane (no situs) / APNs 022-481-18 and 22
   Planning Permit Application: CR20-001
   Applicant: Charlie Eadie, Eadie Consultants
   Property Owner: Larry Abitbol
   Project Description: Consideration of a Cultural Resource Alteration Application for the proposed construction of 10 single-family dwellings, including two duplex/duets.
   Staff: Paula Bradley, Contract Planner, pbradley@mbakerintl.com
   M/S: Taylor / Maffia
   To approve Resolution No. 1758 for CR20-001 for the Bay Village Planned Development.
   Carried: 6-0-0
   Ayes: Gentile, Herrera, Hodgin, Horlock, Maffia and Taylor
   Noes: None

3. **Title**: Target Remodel
   Address: 270 Mount Hermon Road / APN 022-231-17
   Planning Permit Application: PD21-022, DR21-002
   Applicant: Brian Leung, Kimley-Horn and Associates
   Property Owner: Kevin Pratt, Scotts Valley Phase II, LP
   Project Description: Consideration of a Planned Development and Design Review for a proposed Target store located at the existing 57,780 square foot building at the Scotts Valley Square Shopping Center. The project includes exterior modifications to the building design, parking lot modifications for ADA compliance and the Target Drive Up program and new signage.

Staff: Jonathan Kwan, Contract Planner, jonathank@csgengr.com
M/S: Horlock / Maffia
To approve Resolution No. 1759 for PD21-022 and DR21-022 for the Target Remodel.
Carried: 5-0-0
Ayes: Gentile, Herrera, Hodgin, Horlock and Maffia.
Noes: None

4. **Title**: Bay Village Planned Development
Address: Erba Lane (no situs) / APNs 022-481-18 and 22
Planning Permit Applications: PD19-001, LD19-001, DR19-005, EA19-003,
Applicant: Charlie Eadie, Eadie Consultants
Property Owner: Larry Abitbol
Project Description: Consideration of a Planned Development, Land Division, Design Review and Environmental Assessment for the Bay Village Planned Development to subdivide a 1.04-acre site into 10 lots for the construction of 10 units (six detached single-family dwellings and two attached duet/duplexes) and related site improvements, in the High Density Residential General Plan and Zoning District located at Erba Lane (not situs).
Staff: Paula Bradley, Contract Planner, pbradley@mbakerintl.com
M/S: Hodgin / Horlock
To approve Resolution No. PD19-001, LD19-001, DR19-005 and EA19-003 for the Bay Village Planned Development.
Carried: 5-0-0
Ayes: Gentile, Herrera, Hodgin, Horlock and Maffia.
Noes: None

5. **Title**: 4303-B Scotts Valley Drive Planned Development
Address: 4303-B Scotts Valley Drive
Planning Permit Applications: PD-19-004, MLD19-002, DR19-014, EA-19-010
Applicant / Property Owner: Rick Hochler, Hochler and Ross Family Trust
Project Description: Consideration of a Planned Development, Minor Land Division, Design Review and Environmental Assessment, for a three-lot subdivision and a common parcel on a 0.43-acre site in the High Density Residential General Plan and Zoning District. Two new single-family dwellings and a new attached two-car garage for an existing single family dwelling is proposed.
Staff: Paula Bradley, Contract Planner, pbradley@mbakerintl.com
M/S: Gentile / Horlock
To approve Resolution No. PD19-004, MLD19-002, DR19-014 and EA19-010 for the 4303-B Scotts Valley Drive Planned Development.
Carried: 5-0-0
Ayes: Gentile, Herrera, Hodgin, Horlock and Maffia.
Noes: None

ALTERATIONS TO REGULAR AGENDA
(Commission 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 Chair.)

None.

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS: None.

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY: None.

DIRECTOR UPDATES: None.

ADJOURNMENT: 9:34 pm

City of Scotts Valley
PLANNING COMMISSION
STAFF REPORT

Date: May 13, 2021

Applicant / Property Owner: Rick Hochler, Hochler & Ross Family Trust

Applications: Planned Development Permit PD19-004, Minor Land Division MLD19-002, Design Review DR19-014, Environmental Assessment EA19-010 and Environmental Review/Negative Declaration ND20-002

Location: 4303 B SV Drive/ APN: 022-902-11

General Plan / Zoning: High Density Residential / R-H, Residential High Density

Environmental Status: Negative Declaration

Request: Consideration of a Planned Development, Minor Subdivision, Environmental Review, and a Design Review application for a three-lot subdivision and a common parcel on a 0.43-acre site in the High Density Residential General Plan and Zoning District. Two new single-family dwellings and a new attached two-car garage for an existing single family is proposed

Staff Planner: Paula Bradley, Contract Planner, (831) 345-5482
pbradley@mbakerintl.com

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve the proposed project based on findings and conditions contained in the attached Resolution and Exhibit A.

SITE AND PROJECT DESCRIPTION

The project proposes to subdivide an existing 18,918 square foot (0.43 acre) parcel of land to create a three-lot subdivision with one common lot. The proposed residential lot sizes are: 3,540 square feet (Lot 1), 4,120 square feet (Lot 2), 8,680 square feet (lot 3) containing an

existing single-family home, and the common lot would be 2,578 square feet. The project includes the construction of two new single-family homes with attached two-car garages and a new attached two-car garage for the existing single-family home. The common lot provides a shared access road to each unit's garage, public utility and a stormwater retention infrastructure and an emergency vehicle (fire) turnaround serving the three lots. The project site slopes from the existing home towards Lots 1 and 2 and Scotts Valley Drive with the steeper area primarily located along the northwest property line behind the existing single-family home. The project includes retaining walls to create level building pads for Lots 1 and 2.

The project site is at the terminus of a new private road (Coastal Oak Court) also serving the Lennar Homes multiple-family residential project which is currently under construction. Existing land uses on adjacent parcels includes single and multi-family housing. All public utilities necessary to serve the proposed development are available to the site.

PROPOSED ENTITLEMENTS

The project requires the following planning permits:

1. Planned Development Zoning – The proposed project is requesting to establish specialized planned development zoning standards that are exceptions from lot size, shape, and lot coverage standards of the R-H zoning regulations.

2. Minor Subdivision – The project proposes to subdivide an existing 0.43-acre site into three residential lots and one common lot that provides shared vehicle access to the three parcels and includes public utilities and the required on-site stormwater retention facilities that serve the minor subdivision.

3. Design Review – Architectural and site plan review is required for all structures, alterations to structures and signage in the R-H zoning district pursuant to Municipal Code (R-H) Section 17.10.050. Design review is also required for the retaining walls and fences over three feet height in the front yard setback and over six feet height on the sides or rear yard setbacks.

Each of these requested entitlements and the proposed development's compliance with General Plan and Zoning standards are discussed below.

DISCUSSION AND ANALYSIS

The project is requesting approval of a Planned Development Zoning, Minor Subdivision, Design Review, and Environmental Review. The following section provides an analysis of the relevant general plan and zoning standards, requested development entitlements and environmental conditions associated with the proposed project.

PLANNED DEVELOPMENT / MINOR LAND DIVISION:

The project is situated in the R-H, High Density Residential Zoning District. The table below provides lot sizes and site coverage proposed with the proposed subdivision.

Lot Size and Coverage Table					
	Lot Area	Dwelling Footprint including porch	Lot Width	Lot Depth	Site Coverage
Lot 1	3540	1414	99.67	45.5’	40%
Lot 2	4120	1414	72.07’	45.5’	34%
Lot 3	8680	2121	115.54’’	69.86’	24%
Common Lot	2578	0	Irregularly shaped	irregularly shaped’	0

The project is requesting a Planned Development to establish specialized development standards that reflect exceptions from the proposed R-H residential zoning regulations to accommodate the proposed residential development. Requested exceptions include: 1) minimum lot size; 2) lot depth; 3); reduced front and rear yard setbacks. The proposed retaining walls topped with five-foot interior fences and six-foot perimeter fences are greater than three-feet in height in the front yard areas and greater than six-feet in height in the side and rear yard areas are subject to Design Review. The Zoning Code requires every Planned Development District to be combined with an alternative base zoning district. In this case, the alternative base zone requested for this development is the High-Density Residential District (R-H).

The table below describes the projects compliance with the R-H, zoning standards and the requested development exceptions.

Zoning Compliance Table – 4303 B Scotts Valley Drive				
R-H, High-Density Residential				
	Standard	Proposed	Compliance	Comment
Density	6 units, 3,000 sf /du; and 9-15 units/acre	3 units, 6,306 sf/unit average	Yes	
Lot Area	6,000 sf	Lots 1 3,540 sf, Lot 2 4,120 sf; Lot 3, 8,680 sf	Partial	PD needed for Lots 1 & 2
Lot Width	60’	Lot 1: 100’; Lot 2 72’; Lot 3, 115.5’	Yes	
Lot Depth	60’	Lots 1 & 2, 45.5’; Lot 3, 70’	Partial	PD needed for Lots 1 & 2
Setbacks - Front	20’	Lots 1 & 2, 8’5”; Lot 3, 10’8”	No	PD needed
- Side Hillside Combining District	10% of lot width, 5’ min Add 3’; Lots 1 & 2 top plate is 18’)	Lots 1, 12.53’+, Lot 2, 10’+; Lot 3, 7.61’ and 20.6’ (8’ required)	Yes	
- Rear	20% of lot depth, 15’ min	Lot 1, 12’7”; Lot 2, 10’, Lot 3 15’4”	Partial	PD needed for Lots 1 & 2
Height	35’	26.5’- 28.6’	Yes	
Site Coverage	55%	26% overall; Lot 1 60%, Lot 2 50%, Lot 3 16%	Yes	

Parking	2-car garage + 1 uncovered	2-car garage + 2 uncovered	Yes	
Retaining Walls	Design Review for retaining walls/fences <3' in front yards, and >6' inside or rear yards	Interior walls topped by 5' fences vary from 8' – 11'ft height in front yards, and 6.5' – 11' height in side and rear yards	No	Subject to Design Review

Note: *Hillside Combining District regulations require one-foot added to each side yard for each one foot of height above which the top plate line exceeds 15' in height.

According to the General Plan, the purpose of Planned Development Zoning is to provide the means to tailor zoning regulations and to apply specific standards for the development of a particular site. This process enables the City Council to consider the unique characteristics of a site and its surroundings to better implement the citywide objectives, goals, and policies of the General Plan and to provide site-specific development standards. Anytime Planned Development zoning is utilized, the standards established for the zoning district, which reflects the General Plan designation are tailored as part of a planned development. Tailored zoning regulations include, but are not limited to, lot size and shape, intensity, coverage, and appearance of structures. The three-lot subdivision, as designed, with two new two-story single-family homes with private yards, and garage parking consistent with other single and multi-family homes in the surrounding area.

The applicant originally proposed a four-lot subdivision with four new single-family, two-story homes and to demolish the existing home units, which would have been consistent with the density designation. The physical constraints of the site resulted in a reduction to a three-lot subdivision as circulation was constricted.

The following sections provide an analysis of the requested exceptions:

Lot Area: The minimum lot area in the R-H zoning district is 6,000 square feet. Based on this standard, the existing 18,918 square foot lot could be subdivided into three lots. The applicant is proposing a subdivision, which provides three single-family homes with private yard spaces and attached garage parking. Lots 1 and 2 are below the minimum 6,000 square foot lot area standard and require an exception through the Planned Development process.

Front yard Setback: The proposed development's private common lot provides shared vehicle access road to the three homes. As proposed, the front setback, for Lots 1 and 2 measured from the building to the property line of the common parcel, is 8.5 feet. The zoning code standard for the front yard setback is 20-feet from the building to roadway right-of-way. Although an exception to the zoning code standard is required for both the front setback and the reduced front setback can be authorized through the Planned Development process.

Reduced front, side and rear yard setbacks within a planned development is a standard practice to achieve appropriate residential densities and can be allowed through the Planned Development process.

Side and Rear Yard Setbacks: The minimum side yard setback in the R-H zone is five-feet. The proposed lot configuration is such that for Lots 1 & 2 the lot width is greater than the lot

depth, so the larger yards are the side yards and the rear yard setback is only five feet. Exceptions are requested for the front and rear yard setbacks. The adjacent home to the northeast has a rear setback of 10 feet to one corner and the adjacent duplex has a rear setback of 20 feet from the property line. To the southwest is the Acorn Apartments with a 15-foot setback from the property line. The new townhomes to the southeast have a setback of 30-feet from the property and is the side where the fire turnaround is located.

The Hillside Combining District regulations apply to this residential site since it has an average slope of 15.5%. However, the area of 10% slope or more is primarily to the rear of the existing home and proposed one story garage. The Hillside Combining District regulations require one-foot added to each side yard for each one-foot of height above which the top plate line exceeds 15-feet in height. In this case, the two-story homes on Lots 1 and 2 the top plate is 18-feet and an additional three-feet could apply but the side yard setbacks meet this standard. Proposed for Lot 1 the side yard setback is 12.53-feet and 12-feet or more; Lot 2 is 10-feet and 19-feet. Lot 3 the one-story garage has a top plate under 15-feet with a side yard setback of 20.6-feet and 7.61 feet next to the garage.

Site Coverage: Site coverage is defined as the percentage of site area that may be covered by impervious surfaces, including all structures, open or enclosed or projections of structures. As shown in the tables above, the maximum allowable site coverage in the R-H zoning district is 55-percent. Project plans indicate an overall site coverage of 26-percent, which is below the maximum site coverage. The common parcel includes permeable paving for the emergency vehicle turn around area, which is not included in the site coverage.

On-Site Parking and Driveway Design: The project meets the single-family parking requirements by providing a two-car garage for each unit driveway spaces for two additional vehicles. The subject property is located at the terminus of a new road (Coastal Oak Court) serving the subject project and the two triplexes townhouse project (Lennar Homes) to the east. A paved area to the right Lot 2 is a dual-purpose emergency vehicle turnaround as required by the fire department and stormwater retention facilities. The private road and emergency vehicle turnaround area would be striped and signed pursuant to Fire Department standards no parking except for emergency vehicles. The emergency vehicle turn-around would be required to be a dedicated area to be available at all times for exclusive use for emergency vehicles. There is no off-site (street) parking provided for this project which is something that potential owners of these new homes will need to consider in their purchase decision.

With regards to the road paving, City standards limit the amount of paved area in front yards, allowing for landscaping to provide visual relief. However, in this case, the front common parcel provides shared and combined vehicle access serving all three of the proposed homes and is the only means of vehicle access to each of the homes. To retain stormwater on site, the emergency turnaround is designed with pervious pavers and subsurface on-site stormwater retention facility, and an engineered landscaped bio-retention facility on Lot 1. A landscape planting area was added adjacent to the Lot 2 garage and a condition of approval will require shrubs in addition to the proposed ground cover for a green buffer. The front walkway pavers will be permeable pavers. These landscape areas provide visual relief and help soften the surrounding hardscape although the landscaping is groundcover (grasses).

Road access easement
Common lot Parcel A provides a shared access road benefitting the three lots. It also contains an emergency vehicle turnaround, utilities, on-site stormwater retention facilities and landscaping. A condition of approval requires a road access easement and maintenance management to share in the maintenance of roads, landscaping, and stormwater infrastructure. Access to the project site is via a 24" wide private road (Coastal Oak Court) which requires an additional ingress egress easement over a corner of the adjacent property to the southeast (Lennar Homes) for the shared private road with an existing access and public utilities easement.

DESIGN REVIEW: The Design Review process requires architectural and site plan review for all structures by the Planning Commission. The Design Review process is established to carry out the objectives of the City's General Plan and related zoning regulations and to ensure that permits for construction will be carried out in a manner which is not detrimental to the surrounding uses and is consistent with the overall planning goals of the city. Architectural and Site Plan Design Review is required for all new structures in the R-H zoning district subject to design criteria specified in Section 17.50.030.

Building architecture and site design: The development proposes two new, two story homes, in addition to the existing home. The two new homes are two-story, 26.5-feet to 28.5 feet in height, with gable roof forms with an 8:12 pitch in the front and sides elevations. The front facing two-car garages will feature trellises over the doors, and walkways to the front porch entry.

The two new homes mirror each other and incorporate stucco exterior on the first floor and hardi-panel shingle siding on the second floor, belly bands separating the stories on all sides, and brackets under the gables. There are shed roof details over some doors and windows. Windows are white vinyl single hung and vary with single, double, and triple windows with multiple lights. For the Lot 1 home, the proposed stucco body and second floor hardi-panel shingle siding are a light blue-green color. The trim and gutters would be white with a darker gray color door. For the Lot 2 home, the first-floor stucco body, and the second floor hardi-panel shingle siding are a light gray color, the trim, and gutters are white, with a darker gray color door. The new homes garage doors are a wood carriage type with four sections with six divided lights at the top of each panel. The roofs would be a Timberline series dark gray or brown color composition shingle. For the new one-story, two-car garage, colors and materials would match the existing home (plywood siding) with a roll-up garage door gray with white trim. The architectural details, materials, mass, and colors of the proposed residential units are consistent with similar newer single-family homes, and compatible with the surrounding area.

Retaining Walls and Fences: The project site slopes downward from the existing home towards Lots 1 and 2 and the townhouses to the southeast. The walls are Allen block type brown color finish topped with five-foot height redwood plank fences in the interior and a six-foot redwood fence along the perimeter, all a good neighbor design. As previously stated, retaining walls over three-feet in height in front yards and six-feet in the side and rear yards are subject to design review.

Retaining walls are also designed at the corner of Lot 1 to preserve a 24" diameter at breast height (dbh) and 23" dbh coast live oak and for Lot 2 to preserve a 48" dbh coast redwood. A condition of approval will require specific tree preservation methods for the grading and construction to preserve these trees. Site plan (sheet A1.4) shows the details for retaining walls and fences.

Landscaping: The project proposes to incorporate irrigated landscape areas, consisting of ground cover for Lot 1 and Lot 2, planters in front of the front yard walls and shrubs and trees along the rear walls. Trees and shrubs are proposed for the front yards. Ten 15-gallon replacement trees are included on the landscape plan. Lot 3 will retain the existing landscaping. The bioretention areas will include ground cover and native grasses in accordance with industry standards.

Lighting: The project proposes exterior lighting to include recessed lights in the front porch ceiling in the front entry for Lots1 and 2. A decorative bollard light is proposed for each of the three walkways and is proposed as the public art (sheet A1.5). Lot 3 will retain the existing exterior front lights. Wall mounted lights are proposed above the garage doors. Wall mounted photo-voltaic lights are proposed in the side yards and the sides of the garage doors for Lots 1 and 2. To insure that exterior lighting does not add glare on neighboring properties, a condition of approval is included that all exterior lighting be down directed with shielded light sources.

Trees: The applicant has submitted an arborist report, dated December 10, 2019, which evaluates 14 protected trees. Five of the 14 protected trees on site would be directly impacted by the proposed development and are proposed to be removed including two incense cedars, two glossy privets, and one California laurel. The Lot 1 and Lot 2 rear yard retaining walls were designed to preserve two protected coast live oaks and one redwood tree. Tree protection recommendations are included in the arborist's report to preserve the remaining trees and these measures and recommendations will be required to be included as conditions of approval. The three trees to be saved will be impacted by the grading and construction and the arborist will be required to monitor construction during grading and retaining wall construction.

ENVIRONMENTAL DETERMINATION

An Initial Study / Negative Declaration (ND) was prepared for the proposed development consistent with the requirements of the California Environment Quality Act. No project related environmental impacts were identified, and no mitigation measures were required. The ND was circulated for 30 days as required, from March 30th through April 30, 2021. As discussed in the individual sections, the project would not degrade the quality of the environment, including effects on animals or plants, or humans, either directly or indirectly with the implementation of identified standard conditions of approval.

.

PUBLIC NOTICE & COMMENT

A public notice was posted on site and mailed to surrounding property owners within 300 feet pursuant to State law. As of the date of this staff report no comments have been received on the proposed development.

FINDINGS AND CONCLUSION

Staff finds that the project's architectural and site plans respond appropriately to the site and surrounding area and recommends that the Planning Commission forward an affirmative recommendation to the City Council on the proposed four lot residential subdivision, Planned Development District and Permit, and Design Review subject to findings and conditions contained in the attached Resolution and Conditions of approval.

ATTACHMENTS

Resolution and Conditions of Approval (Action Item) 9
1. Location Map 27
2. Project Plans 28
3. Draft Initial Study (3/30/2021) and attached reports 49
   a. Entomological Report by Entomological Conservation Resources, dated February 20, 2020
   b. Entomological Report by Entomological Conservation Resources, dated 9/26/2005
   c. Arborist Report, Tree Inventory & Preliminary Assessment, dated December 10, 2019
   d. Geotechnical Soils Report by Rock Solid Engineering, dated 10/14/2019
   e. Stormwater Control Plan, dated 07/28/20 and Drainage Map

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF A NEGATIVE DECLARATION (ND20-002), MINOR LAND DIVISION (MLD19-002) PLANNED DEVELOPMENT OVERLAY AND PERMIT (PD19-004), DESIGN REVIEW (DR19-014) FOR THE 4303 B SCOTTS VALLEY DRIVE PLANNED DEVELOPMENT CONSISTING OF A THREE-LOT SUBDIVISION AND A COMMON PARCEL ON A 0.43-ACRE SITE IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT. TWO NEW SINGLE-FAMILY DWELLINGS AND A NEW ATTACHED TWO-CAR GARAGE FOR AN EXISTING SINGLE-FAMILY DWELLING AND RELATED SITE IMPROVEMENTS, SUBJECT TO CONDITIONS OF APPROVAL, ON A 0.43-ACRE SITE AT 4303 B SCOTTS VALLEY DRIVE // APN 022-902-11

WHEREAS, the City of Scotts Valley has received an application and technical reports from Rick Hochler, of the Hochler & Ross Family Trust, applicant and property owner, to subdivide a 0.43-acre site into three lots and one common lot, to construct two single-family dwellings and a new attached two-car garage for an existing single family dwelling and related site improvements at 4303 B Scotts Valley Drive, as shown on project plans on file with the Planning Department / APN 022-902-11; and

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

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

WHEREAS, the City conducted an Initial Study and prepared a Negative Declaration (IS/ND), in accordance with the State CEQA Guidelines and requirements. The IS/ND was duly noticed, published, and distributed for a 30-day public review period from March 30, 2021 through April 30, 2021 (5:00PM), and was made available for public review, on the City’s website; and

WHEREAS, the Planning Commission held duly published and noticed public hearing on May 13, 2021, to review and consider the proposed development and the requested planning permits (entitlements), hear public testimony, and provide comments and recommendations to the City Council; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Scotts Valley (“Commission”) that the Commission hereby recommends to the City Council:

SECTION 1: That the IS/ND has been completed in compliance with the requirements of CEQA and that the Planning Commission has reviewed and considered the information within the Initial Study / Negative Declaration (IS/ND).

SECTION 2: That the IS/ND represents the independent judgment and analysis of the City.

SECTION 3: That the City Council certify the Negative Declaration based on the following findings pursuant to CEQA and the CEQA Guidelines Section 15074:

1. ***An initial study has been prepared by the City of Scotts Valley to evaluate the potential for adverse environmental impacts.*** City consultant conducted an Initial Study for the project and prepared a Negative Declaration and determined that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment, wildlife or plant resources with the implementation of identified standard conditions of approval.

2. ***The Negative Declaration for the project has been completed in compliance with the California Environmental Quality Act (CEQA).*** The Negative Declaration was completed in compliance with CEQA, was published and distributed to the applicable agencies, and was made available for public review for a 30-day period from March 30, 2021 to April 30, 2021.

3. ***The environmental determination represents the independent judgment of the City.*** The Negative Declaration was prepared by City Consultant. All reports and supporting information have been reviewed and approved by the applicable City Department Heads.

4. ***The documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Department of Planning of the City of Scotts Valley in the custody of the Community Development Director.*** Copies of the Negative Declaration and the referenced technical and/or environmental studies that were submitted for the project have been made available to the public on the City's website.

5. ***Based on the Initial Study and when considering the record as a whole, there is no evidence before the City of Scotts Valley, including the information in the Negative Declaration and comments of appropriate reviewing agencies, to indicate that the proposed project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which it depends.*** The project site is within an area known to contain habitat for a federally listed endangered insect species. An updated Entomological report (dated February 20, 2020) was prepared for the project and confirmed, as did the previous report in 2005 that the project site is not suitable habitat for the endangered Mount Hermon June Beetle or the Zayante Band Winged grasshopper. Therefore, the project will not result in any adverse impacts to fish and wildlife resources.

SECTION 4: Approve the Planned Development District Overlay and Permit based on the following findings, subject to Conditions of Approval (Exhibit A) attached hereto and incorporated herein:

6. ***That the Planned Development Zoning District Overlay and Permit (PD) further the policies of the General Plan.*** The project meets the requirement of this finding in that the project proposes two new single-family homes within lands designated R-H, High Density Residential on the City's General Plan map. The two new single-family homes are two-story and include two covered garage parking spaces and two uncovered parking spaces, private yards. The homes are of a conventional design that is consistent with the character of the neighborhood. Further, the project improves and upgrades a previously developed and underutilized site providing housing opportunities for two additional families.

7. ***The proposed Planned Development District Overlays (PD) are consistent with the underlying land use designations and zoning districts and that of the City of Scotts Valley General Plan.*** The project meets the requirements of this finding because the PD district overlay will be combined with the base zoning district. The resulting R-H/PD zone allows specific development standards to address to accommodate unique circumstances related to lot size and shape, intensity, coverage, and appearance of structures. The physical constraints of the site including the location of the existing home, the access road, emergency vehicle turnaround, on-site stormwater retention and tree preservation, resulted in a reduced three-lot subdivision with three new homes.

8. ***That the PD conforms in all respects to the planned development zoning of the property.*** The "PD" will be an overlay zone to the proposed R-H base zoning district. The project design meets the requirement of this finding in that approval of the Planned Development and Design Permit will allow two new two-story single-family homes with attached two-car garages, and a detached two-car garage for the existing single family dwelling to be consistent with the parking requirements to be developed. The Planned Development zoning allows exceptions to the development standards to accommodate the proposed lot configuration with reduced lot sizes, width and depths, reduced front, side, and rear setbacks. Each new home will have private yard space and two covered garage parking spaces and two uncovered parking spaces.

9. ***That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.*** The project meets the requirements of this finding in that the overall siting, mass, and height of the two-story homes, are well proportioned with attractive architectural details and quality materials and are harmonious with conventional new homes in the neighborhood. The two-story homes are approximately 26.5 to 28.5-feet in height feet and similar to other nearby homes in the neighborhood. As designed consistent with the General Plan Action OSA-387. So general). The PD allows exceptions from the underlying R-H zoning standards predominantly related to lot size and configuration of the proposed lots, in order for each home to be on a separate parcel of land, which has private yard spaces. The architecture, quality exterior materials/ finishes/colors, and landscaping will create a visually harmonious project.

10. ***The environmental impacts of the project have been reviewed and considered.*** The project meets the requirements of this finding in that the Project's Initial Study and Negative Declaration (ND20-002) and determined that

there were no potentially significant adverse environmental impacts and the project will not degrade the quality of the environment wildlife or plant resources with the implementation of identified standard conditions of approval.

SECTION 5: Approve the Minor Land Division based on the following findings, and as shown on the plans submitted, subject to Conditions of Approval (Exhibit B) attached hereto and incorporated herein:

11. That the location of the uses is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located. The project meets the requirements of this finding in that the project provides two new single-family homes in the R-H, High Density Residential Zoning District. The homes utilize conventional materials and design details that integrate into the surrounding residential neighborhood.

12. That the proposed tentative map/land division, together with the provisions for its design and improvement, is consistent with the General Plan. The project meets the requirements of this finding in that the three-lot residential development on the 0.43-acre site is consistent with the General Plan High Density Residential density as it does not exceed the maximum units per acre. The subdivision design and the related property improvements create two new single-family homes with attached two-car garages and a new two-car garage for the existing home, private yard spaces for each new. The project as proposed and conditioned is consistent with goals and objectives of the General Plan.

13. That the project site is physically suitable for the density of the land division. The project meets the requirement of this finding in that the 0.43-acre site is sufficient in size to accommodate the three-lot subdivision and improvements including two-car garages and private yard areas for each unit. It is an infill lot and will add two new single-family homes. The three-lot subdivision is suitable as it adds two new single-family homes on an underutilized infill lot, and it does not exceed the General Plan and Zoning density. Public services are available, and utilities are of adequate capacity to accommodate the project.

14. That the design of the land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project meets the requirements of this finding in that the ND found that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment or impact fish, wildlife or habitat with the implementation of identified standard conditions of approval.

15. That the design of the land division or the type of improvements is not likely to cause serious public health problems. The project will not generate hazardous emissions nor be a storage facility for hazardous/ combustible materials. During project grading and construction, to reduce dust generation to minimal levels and to prevent sedimentation and discharge of contaminants off-site, standard conditions of approval require the grading and construction contractors to implement best management practices (BMPs). The Negative Declaration evaluated that the project is not expected to cause serious public health problems.

16. ***That the design of the land division will not conflict with easements acquired by the public at large (for access through or use of property within the land division).*** The project meets the requirement of this finding in that there are no conflicts with easements known to affect the project site. Common lot Parcel A provides a shared access road benefitting the three lots. It also contains an emergency vehicle turnaround, utilities, on-site stormwater retention facilities and landscaping. A condition of approval requires a road access easement and maintenance management to share in the maintenance of driveways, landscaping, and stormwater infrastructure. Access to the project site is via a 24" wide private road (Coastal Oak Court) which requires an additional ingress egress easement over a corner of the adjacent property to the southeast (Lennar Homes) for the shared private road with an existing access and public utilities easement. The Public Works Department has reviewed the project and recommended approval subject to conditions.

SECTION 6: Approve Design Review based on the following findings, subject to Conditions of Approval (Exhibit A) attached hereto and incorporated herein:

17. ***The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood is appropriate.*** The project meets the requirements of this finding in that the proposed single-family homes will be sited appropriately in relation to the existing neighborhood and located at the terminus of the private road. The site gently slopes towards Scotts Valley drive and for level building pads retaining walls are required for Lots 1 and 2. The steeper portion of the site are behind the existing home will remain undisturbed except where the new two-car garage is proposed. The physical constraints of the site require exceptions from the development standards as allowed in a PD district, which are common on infill developments in the area such as the flag lot type driveway and requirements for on-site stormwater retention. As proposed the single-family homes are suited to the property, setting, and zoning context.

18. ***The materials, colors, proportion, mass, and detail of all structures shall be in good proportion, have simplicity of mass and detail and be compatible in appearance with surrounding structures. There shall be an appropriate use of materials; colors shall be appropriate within the context of use and should blend with surrounding structures.*** The project meets the requirements of this finding in that the proposed single-family homes are two-story in height, utilize conventional stucco and hardi-board type shingle siding exterior, composition shingle roofing with brackets under the gables, belly bands separating the stories on all sides. Included are shed roof details over some doors and windows and windows are white vinyl single hung and vary with single, double, and triple windows with multiple lights and wood trim. The color scheme incorporates natural color tones of light grey and blue green with white trim. The variety of quality materials, exterior treatments, finish details and exterior colors are appropriate and consistent with the City's design review criteria.

19. ***Landscaping and irrigation plans shall be required on the site. Landscaping shall be in keeping with the character or design of the building. Existing trees shall be preserved wherever possible.*** The project, landscape design as depicted and described in the applicant schematic revisions dated October 20, 2020 would meet the requirements of this finding in that the project will provide new landscaping including replacement trees and shrubs, ground cover, and

planted bioretention swales. The retaining walls along a portion of the front and rear yard property line for Lots 1 & 2 including a landscaping buffer. Preliminary landscaping and irrigation details have been reviewed. A condition of approval requires that final landscape and irrigation plans be submitted for staff review and approval by the Community Development Director.

20. ***The size, location and arrangement of on-site parking and paved areas shall be appropriate.*** The project meets the requirements of this finding in that each proposed single-family home has an attached two-car garage. A detached two-car one-story garage will be developed for the existing single-family home to become consistent with the parking requirements. The site requires an access road and an emergency vehicle turnaround which includes pervious pavers. The front entry walkways will also incorporate pervious pavers. Each of the driveways that serve the homes provides a minimum of two uncovered parking space which meet or exceed the City's single-family parking standard.

21. ***For ingress, egress, and internal traffic circulation, all the above factors shall be related to the setting or established character of the neighborhood or surrounding area.*** The project meets the requirement of this finding in that vehicle access to the site and to the homes driveways is through a shared, common, private parcel. This private road connects to "Coastal Oak Court" off Acorn Court, a newly constructed private road for the adjacent townhome development to the southeast. The project's vehicle access and circulation plan, at the end of a private road, is designed to accommodate an on-site emergency vehicle turn-around to accommodate City Fire Department emergency vehicles.

22. ***For fences and walls over eight feet tall or fences over three feet tall in front yards when across from Hwy 17, consider height and access to sunlight, setbacks, landscaping and use of materials for articulation and visual relief.*** The project includes retaining walls over three feet in height for a portion of Lots 1 and 2 front yard areas towards Lot 3. The concrete retaining walls vary from three to six feet in height. The interior retaining walls are topped with five-foot height redwood fences with a combined total height of eight to 11.5 feet. The retaining walls are required for new Lots 1 and 2 to create two level building pads. For Lots 1 and 2, along the property line of Lot 3, are similarly designed walls topped with redwood fences with an overall combined height of 9.5 to 11.5 feet. Along the shared driveway the landscape plans include plantings to screen and soften the appearance of the front yard retaining walls. For Lot 3 a portion of the side property line adjacent to the new one-story garage will require a retaining wall of 2.5 feet to three feet height, topped with a six-foot height redwood fence for a combined height of 6.5 feet to 8.5 feet. The retaining walls are an Allen block type concrete block with a light brown color finish. A new six-foot height wood good neighbor type perimeter fence will be constructed.

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 Planning Commission of the City of Scotts Valley recommends City Council certify a Negative Declaration ND20-002 and approve Planned Development Overlay and Permit PD19-004, a Minor Land Division MLD19-002, and Design Review DR19-014, for the planned development consisting of two single-family homes, homes

and an attached two-car garage for the existing single family dwelling to be consistent with the parking requirements, and related site improvements, on a 0.43-acre site located at 4303 B Scotts Valley Drive / APN 022-902-11 subject to Conditions of Approval (Exhibit A), and project development plans which are attached hereto and incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the Planning Commission of the City of Scotts Valley at a meeting held on the 13th day of May 2021, by a vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

Approved: _____
Planning Commission Chair

Attest: _____

Taylor Bateman
Community Development Director

Exhibit A

Legal

1. The 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 action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.

3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all required development and impact fees before starting any grading/earth disturbance or construction on the property.

Planning Department

4. The approved planning permits include a Planned Development Overlay and Permit, Minor Land Division, and Design Review for a three-lot residential subdivision, for two single-family homes and a detached two-car garage for the existing single family dwelling to be consistent with the parking requirements and related site improvements on a 0.43-acre site located at 4303 B Scotts Valley Drive on a 0.43-acre site. The two-story, single-family homes, new attached two-car garage to the existing single-family dwelling, and site improvements shall be constructed substantially as shown in the plans prepared Craycroft Design, John Craycroft, Designer, and Gregory Lewis, Landscape Designer, received dated November 11, 2020, and as described in writing on the project's technical reports, which are on file in the Planning Department.

5. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.

6. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.

7. To ensure that the tree protection measures conditions of approval are communicated and complied with a preconstruction meeting shall be conducted prior

to the start of any construction and the following shall attend: the developer, grading contractor supervisor, project planner, Building Official, Public Works Director, project biologist and arborist, with exception of installing temporary construction fencing demarcating the disturbance area, siltation and tree protection fencing. Temporary construction protective measures and tree protection fencing shall be installed prior to the meeting and inspected at that time by the biologist and arborist. Provide an attendance list to the project planner.

Cultural Resources

Archaeological Resources

8. The developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities and inspections for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.

    a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities.

    b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis.

    c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring.

    d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present.

9. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.

10. If human remains are unexpectedly encountered during project grading the actions required as identified in the previous condition shall be implemented to effectively preserve any human remains until the Santa Cruz County Coroner determines the

appropriate course of action concerning the treatment and disposition of the human remains pursuant to the California Health and Safety Code Section 7050.5(b).

Paleontological Resources

11. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading;

12. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas;

13. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.);

14. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken; and,

15. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

16. The applicant and construction contractor shall ensure that paleontological resources are not destroyed during project grading.

17. The developer shall submit a copy of a contract with a qualified/registered paleontologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work.

18. The qualified/registered paleontologist shall monitor all earthwork activity as described in conditions 19-23, below.

19. The applicant/contractor shall provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.

20. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.

21. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).

22. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.

23. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Fences and Walls

24. All fence and wall design details shall be included on plans submitted for building permit and subject to Planning Department approval.

Trees

Standard

25. All recommendations in the Arborist Report, dated December 10, 2019, are incorporated as conditions of project approval.

26. No tree removal shall occur until grading/building permit issuance.

27. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

28. The final grading plans and improvement plans shall be reviewed and approved by the project Arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.

29. Upon completion of construction activities, the project arborist shall submit written documentation stating that all recommended tree preservation measures have been completed prior to Building Permit final for the project.

30. The cost of the project arborist review and implementation of conditions, site inspection and related work shall be borne by the applicant.

31. The project arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.

32. During the pre-construction phase of development, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits.

Project Specific

33. If any protection is removed, the arborist shall verify that the fencing and other measures were correctly reinstalled.

34. Provide a copy of a contract for the project arborist's services for the Community Development Department Director review and approval.

35. Prior to issuance of any grading or building permits, the arborist shall review the site plan dated 11/20/20, and the grading and improvement plans shall have the arborists recommendations included on the plans. The arborists recommendations are: 1) Obtain all necessary permits prior to removing or significantly altering any trees on site; 2) Remove trees recommended for removal; 3) Modify locations of retaining walls a minimum of 7-10 feet adjacent to tree #1, coast redwood and a minimum of 10 feet from T13 and 14 coast live oak, if they are to be retained; and 4) Additional tree protection specifications will be required once the final plans sets are completed. The arborist's recommendations for tree preservation shall be incorporated into the plans, and printed on the grading and construction drawings.

36. The project arborist shall routinely inspect the condition and health of the protected trees periodically through the term of construction. The arborist shall provide the notes to the Community Development Department Director review and notify if there are any issues.

37. Landscape plans submitted to the City for site development permits shall include a minimum of ten replacement trees. If additional trees are removed due to construction impacts, these trees shall also require replacement at a 2:1 ratio prior to occupancy and as part of the landscaper warranty. All new tree species shall be selected in consultation with the project arborist, based on the specific tree location, soil type, and water and solar needs.

Landscaping

38. The landscaping improvements shall be permanently maintained and irrigated.

39. Landscaping shall comply with State of California Government Code Section 65596 Water Conservation in Landscaping and associated Model Water Efficient Landscaping Ordinance for landscaping equal or greater than 2,500 square feet. If not applicable the project is required to be consistent with the City Water Conservation Ordinance.

40. A final landscape plan shall be submitted and include the name, number, size, and location for all planting materials, trees and ground covers replacement trees and shall be approved by the Community Development Director prior to issuance of grading or building permits.

41. The ground cover in the emergency turnaround adjacent to the garage on Lot 2 shall include shrubs in addition to ground cover.

Lighting

42. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. Where deemed necessary by the Community Development Director light cutoffs/shields shall be installed.

CC&R's and Joint Maintenance

43. CC&R's and/or any joint maintenance agreements and subsequent association for the ongoing management and maintenance of the site improvements including perimeter fencing, on-site stormwater facilities, landscaping, driveways, retaining walls, and any other shared facilities, for the project shall be approved by the City and executed by the property owner prior to the approval of the final map. The ongoing maintenance documents shall be recorded prior to building permit final, or the sale or lease of the first unit or within 30 days of the final map recording, whichever comes first. The property owner shall pay recording costs.

44. The private access road curbs and the emergency vehicle turnaround shall be clearly marked and painted red indicating no parking except for emergency vehicles and no parking signs installed pursuant to Fire Department standards.

Affordable Housing

45. Prior to the issuance of any building or grading permit, the developer shall comply with applicable affordable housing requirements including the payment of in-lieu fees.

Building Department

Standard

46. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.

47. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.

48. All trades of electrical, plumbing, and mechanical will be issued under one building permit for said project (General Contractor permittee). All subcontractors shall provide their contractor's license number and their workers compensation insurance information to the Building Department.

49. All buildings shall be designed to comply with the current California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Energy Code and California Green Building Code, in effect at the time of building permit application.

50. The building permit plans must comply with the current California Plumbing and Green Building Code for water-conserving fixtures and fittings and with the CA Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.

51. All new construction shall comply with the California Green Building Code and the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.

52. Structural calculations shall be submitted and wet-signed by the Engineer of record.

53. A Special Inspection form shall be submitted and the names of Special Inspectors with certifications as required shall be provided.

54. A soils report by a qualified geologic engineer shall be submitted with the application for any building permits. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.

55. The developer shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.

56. Site drainage erosion control and foundation plans must be reviewed and approved by the soils engineer of record.

57. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.

58. Developer shall submit a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval.

59. A completed City of Scotts Valley Construction and Waste Management Plan form shall be submitted with the Building permit application.

<u>Grading</u>

60. All recommendations in the geotechnical report prepared for the project shall be incorporated as conditions of project approval.

61. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

62. If grading in the rainy season (October 15th to April 15th) is necessary all necessary, approvals from the Building Department shall be obtained.

63. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.

64. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

The following Air Quality BMPs shall be included in the construction contract for the project and be implemented during site grading:

65. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.

66. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.

67. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.

68. The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.

69. Roadway(s) along the project frontage shall be mechanically swept at the end of each workday when any dirt or mud has been tracked on the street.

70. No grading activities shall occur during days of high wind velocity.

71. Finished graded areas that are designated as open space and landscape areas of project shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.

72. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.

73. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

Hazardous Materials and Hydrology

74. Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.

75. Construction materials shall not be stockpiled or stored where they could be accidently discharged down slope or into Scotts Valley Drive.

76. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

Public Works Department

77. A final subdivision or parcel map in conformance with the California Government Code, Section 66410 et seq, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer.

78. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)

79. Engineered Improvement Plans shall be submitted for all onsite and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required satisfying tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.

80. Engineered improvement plans for all work, signed, and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.

81. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.

82. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material men's Bond, to the satisfaction of the Public Works Director/City Engineer.

83. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".

84. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.

85. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city’s SWMP Ordinance No. 184.1.

Stormwater Management Plan:

86. A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan.

87. Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

88. See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works

89. Impervious area must be shown on coversheet.

90. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This under grounding of utilities to remove utility poles comes in addition to the state required under grounding of transmission for the project and any new service connections.

91. The final map shall be submitted to the City's Public Works Department on an AutoCAD drawing version 2018 LT or earlier electronic version prior to recording

92. Applicant shall submit electric files for all civil plans for review and As-Builts when project is completed in both paper and electronic files

93. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.

94. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.

95. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

DEPARTMENT OF PUBLIC WORKS -PARKS AND RECREATION DIVISION

96. The developer shall comply with SVMC chapter 16.35, dedication of land for parks and recreational purposes. Any fees shall be paid prior to issuance of a grading and/or building permit.

FIRE DEPARTMENT

97. This project shall comply with the California Fire Code as amended by the Scotts Valley Fire Protection District

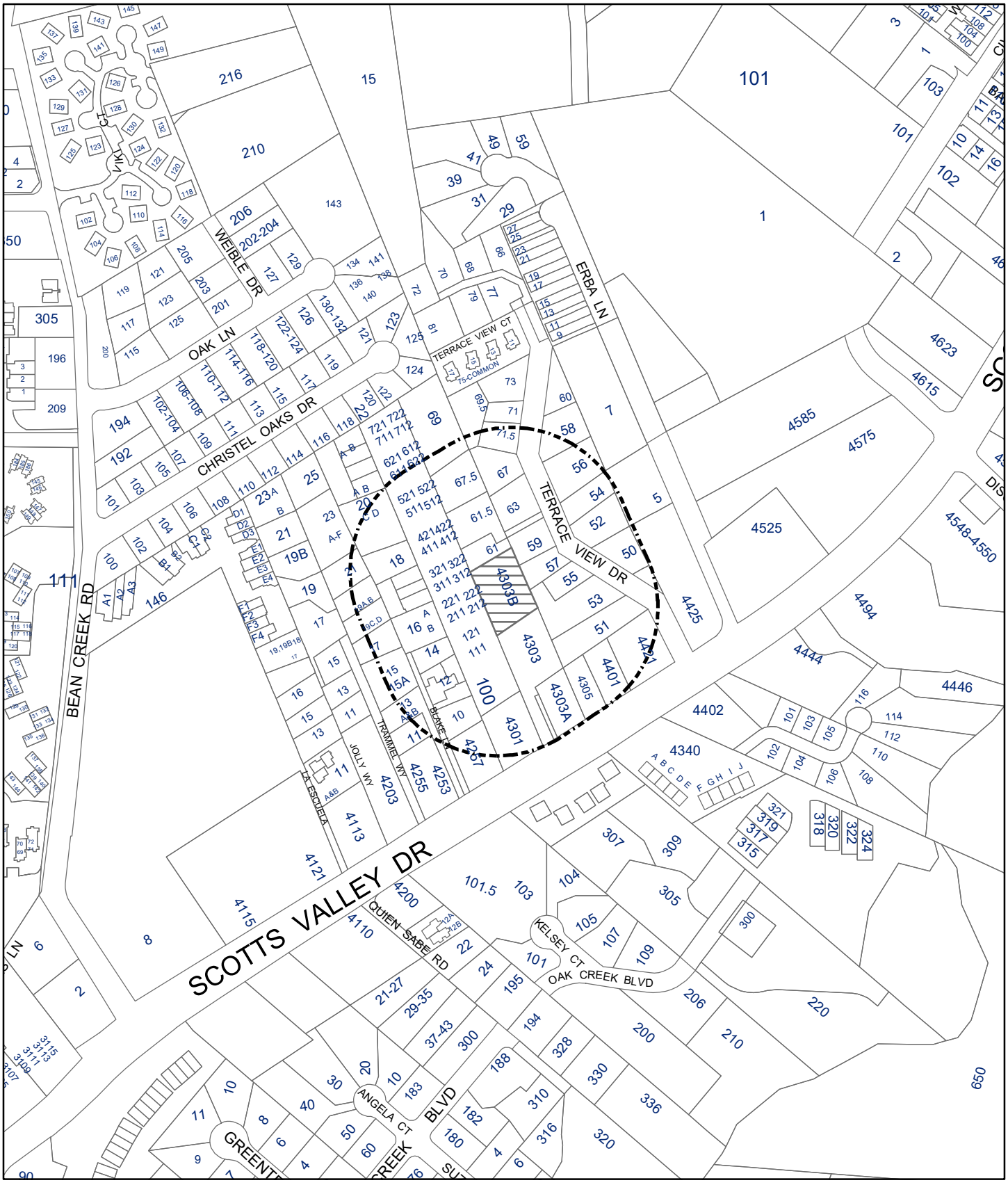
98. The emergency vehicle turnaround shall be clearly marked with red curbs and no parking signs pursuant to Fire Department standards.

_____

Name and Signature of Property Owner Date

Project Location

4303 B Scotts Valley Drive / APN 022-902-11



079



Roofing:
GAF Timberline HD Shingles
Color: Pewter Gray



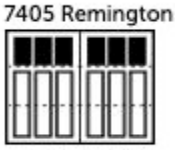
Siding:
Hardi Panel Shingle Siding
Stucco



Windows:
Marvin Elevate Series or equiv.
White Vinyl or Fiberglass
with dividers as shown or similar



Garage Door:
Wayne Dalton Garage Doors
Carriage House Wood Doors
Series 7400 or similar

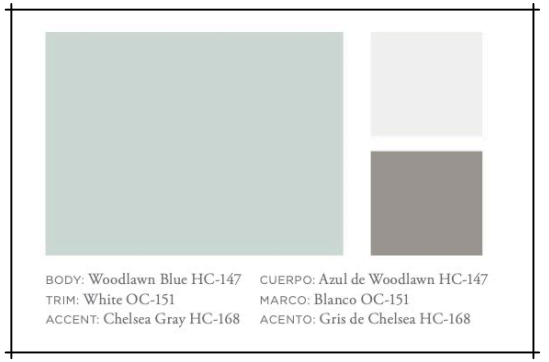




Front Elevaton - Lot 1

Scale: 1/8" = 1'-0"

First Foor: Stucco
Second Floor: Hardi-panel Shingle Siding
Colors: Benjamin Moore
Body, Downspouts: Woodlawn Blue HC-147
Trim, Gutters: White OC-151
Accent-Doors: Chelsea Gray HC-168



CRAYCROFT DESIGN 455 Happy Valley Way Santa Cruz, CA 95065 831-427-3047

Proposed Planned Develoment
4303 B Scotts Valley Drive
Scotts Valley, CA
APN: 022-902-11
10/28/20



Roofing:
GAF Timberline HD Shingles
Color: Pewter Gray



Siding:
Hardi Panel Shingle Siding
Stucco

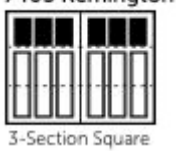




Windows:
Marvin Elevate Series or equiv.
White Vinyl or Fiberglass
with dividers as shown or similar



Garage Door:
Wayne Dalton Garage Doors
Carriage House Wood Doors
Series 7400 or similar

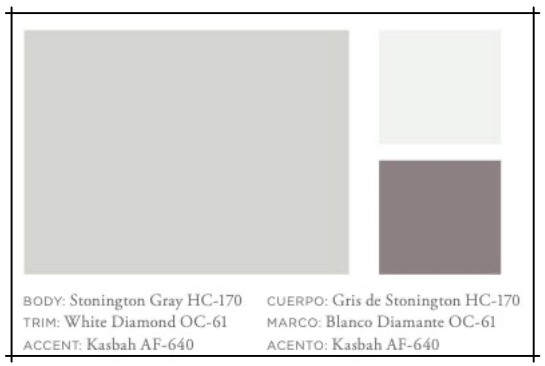




Front Elevation Lot 2

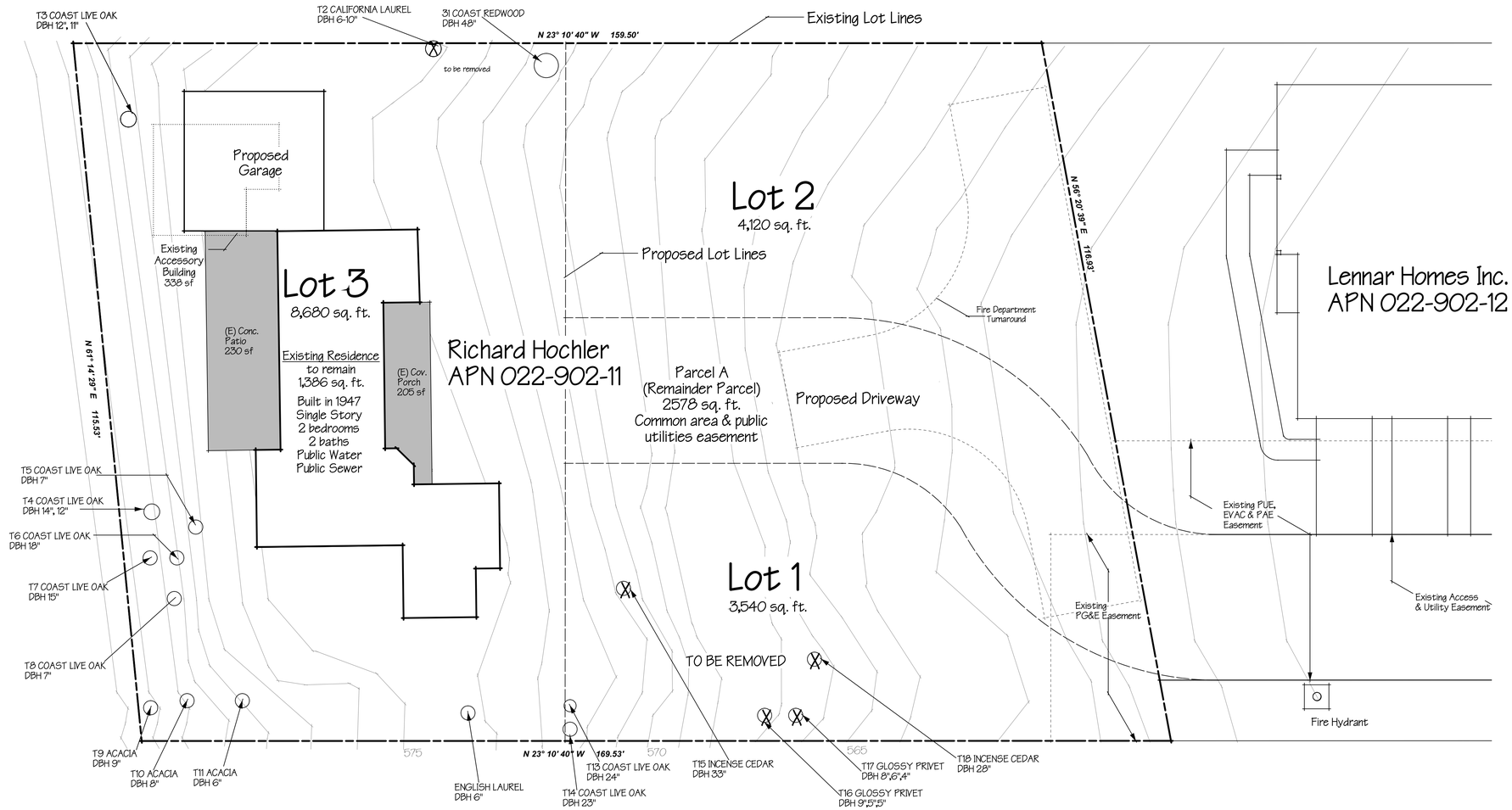
Scale: 1/8" = 1'-0"

First Foor: Stucco
Second Floor: Hardi-panel Shingle Siding
Colors: Benjamin Moore
Body, Downspouts: Stonington Gray HC-170
Trim, Gutters: White Diamond OC-61
Accent-Doors: Kasbah AF-640



Proposed Planned Develoment
4303 B Scotts Valley Drive
Scotts Valley, CA
APN: 022-902-11
10/28/20

CRAYCROFT DESIGN 455 Happy Valley Way Santa Cruz, CA 95065 831-427-3047



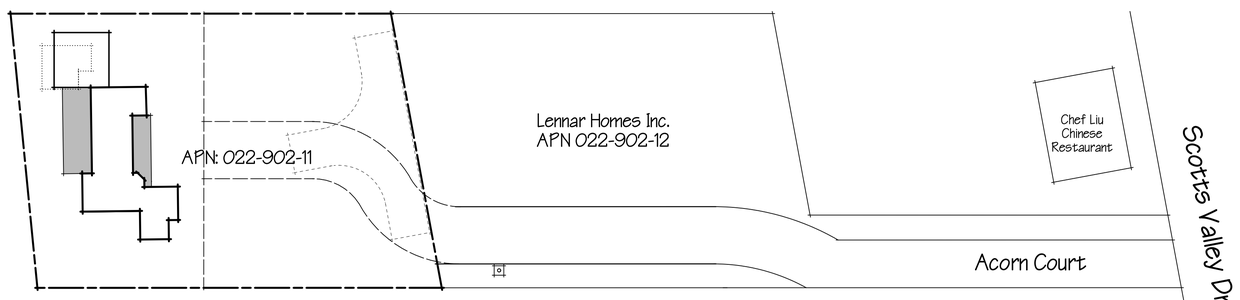
X- Trees to be Removed

N

Existing Site Plan

Scale: 1" = 10'-0"

Showing Location of the Existing Home & Trees and Proposed Access and Land Division



N

Vicinity Detail Map

Scale: 1" = 30'-0"

ARBORIST RECOMMENDATIONS
Kurt Fouts ISA Certified Arborist WE0681A
1. Obtain all necessary permits prior to removing or significantlyaltering any trees on site.
2. Remove trees recommended for removal.
3. Retaining walls a minimum of 7-10 feet, adjacent to tree T1, coast redwood and a minimum of 10 feet from. T13 & 14 coast live oak, if they are to be retrained.
4. Additional tree protection specifications will be required once final plan sets are completed.

Tree Protection Zone
The tree protection zone (TPZ), is a defined area within which certain activities are prohibited or restricted to minimize potential injury to designated trees during construction.
The size of the optimal TPZ can be determined by a formula based on 1) trunk diameter 2) species tolerance to construction impacts, and 3) tree age (Matheny, N. and Clark, J 1998). In some instances, tree drip line is used as the TPZ. Development constraints can also influence the final size of the tree protection zone. Fencing is installed to delineate the (TPZ), and to protect tree roots, trunk, and scaffold branches from construction equipment. The fenced protection area may be smaller than the optimal or designated TPZ area in some circumstances. Tree protection may also involve the armoring of the tree trunk and/or scaffold limbs with barriers to prevent mechanical damage from construction equipment. See Tree Protection Guidelines & Restrictions – Appendix E.
Once the TPZ is delineated and fenced (prior to any site work, equipment and materials move in), construction activities are only to be permitted within the TPZ if allowed for and specified by the project arborist.
Where tree protection fencing cannot be used, or as an additional protection from heavy equipment, tree wrap may be used. Wooden slats at least one inch thick are to be bound securely, edge to edge, around the trunk. A single layer or more of orange plastic construction fencing is to be wrapped and secured around the outside of the wooden slats. Major scaffold limbs may require protection as determined by the City arborist or Project arborist. Straw wattle may also be used as a trunk wrap and secured with orange plastic fencing.

Critical Root Zone
Critical Root Zone (CRZ) is the area of soil around the trunk of a tree where roots are located that provide critical stability, uptake of water and nutrients required for a tree's survival. The CRZ is the minimum distance from the trunk that trenching that requires root cutting should occur and can be calculated as three to the five times the trunk Diameter at Breast Height (DBH). For example, if a tree is one foot in trunk diameter than the CRZ is three to five feet from the trunk location. We will often average this as four times the trunk diameter or 1ft. DBH = 4ft. CRZ (Smiley, E.T., Fraedrich, B. and Hendrickson, N. 2007).

Root Disturbance Distance
No one can estimate and predict with absolute certainty what distance from a tree, a soil disturbance such as excavation for construction should be, to ensure it will not significantly affect tree stability or health. Or to what degree, (low, moderate or high), a tree might be impacted. There are simply too many variables involved that we cannot see or anticipate. However, three times the D.B.H. (diameter at breast height), is a widely accepted minimum used in the industry for root disturbance, on one side of the trunk, and is supported by several research studies including (Smiley, Fraedich & Hendrickson 2002, Bartlett Tree Research Laboratories). This distance is often used during the design and planning phases of a project in order to estimate root loss due to construction activities. This distance is a guideline only and should be increased for trees with significant leans, decay or other structural problems.

PROJECT DATA

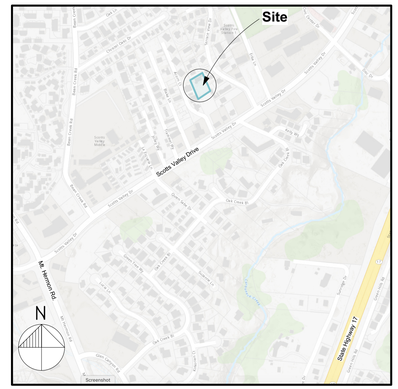
Existing Parcel:
Address: 4303 B Scotts Valley Dr. Scotts Valley, CA
Parcel Number: 022-902-11
Parcel Size: 18,918 sq. ft.
Water Supply: Public
Waste Water: Sewer
Occupancy Classification Group: R2, U Wood Frame
Construction Type: VB

Proposed Areas & Development Standards
See Tables A & B--Sheet A1.2

PROJECT DESCRIPTION

The proposed development is for a three unit Planned Development, subdividing the parcel with an existing single family dwelling at 4303 Scotts Valley Drive into 3 lots, along with a "remainder parcel" for the access road and utilities. The existing family dwelling will be retained. The new homes have been designed to fit within the context of the established neighborhood and the new Lennar homes on the adjacent parcel. The proposed design will utilize a shared driveway access with the Lennar home project, incorporating a shared fire turn-around, underground utility services and providing open space between the properties.

VICINITY MAP (n.t.s.)



SHEET INDEX

A1.1	Cover Sheet & Existing Site Plan
A1.2	Proposed Site Plan
A1.3	Site Plan with Neighboring Properties
A1.4	Site Plan with Retaining Walls/Fences
A1.5	Site Plan with Exterior Lighting
A2.1	Lot 1 - Proposed Residence Plans
A2.2	Lot 2 - Proposed Residence Plans
A3.1	Colors & Materials Descriptions
C-1	Civil - Grading & Drainage Plan
C-2	Civil - Utility Plan
C-3	Civil - Details
C-4	Civil - Cross Sections
C-5	Civil - Erosion Control Plan
C-6	Civil - Shaded Slope Plan
L1	Landscape Planting Plan
L2	Landscape Hydrozone Plan
SU1	Tentative Parcel Map
SU2	Survey

CRAYCROFT DESIGN
455 Happy Valley Way
Santa Cruz, CA 95065
831-427-3048

N·C·B·D·C NATIONAL COUNCIL OF BUILDING DESIGNERS & CERTIFICATION
JOHN S. CRAYCROFT CERTIFICATION NO. 08498
12/10/19

SURVEYOR
Paul Hanagan LS
305-C Soquel Ave
Santa Cruz, CA 95062
831-469-3428

GEOTECHNICAL ENGINEER
Rock Solid Engineering, Inc.
1100 Main Street, Ste. A
Watsonville, CA 95076
831-724-5868

CIVIL ENGINEER
Ryan Haley, PE QSD
Cornerstone Civil Inc.
2528 Charlene Lane
Santa Cruz, CA
831-346-5446

LANDSCAPE ARCHITECT
Gregory Lewis
Landscape Architect
736 Park Way
Santa Cruz, CA
831-359-0960

ARBORIST
Gregory Lewis
Arborist Consultant
826 Monterey Ave.
Capitola, CA
831-359-3607

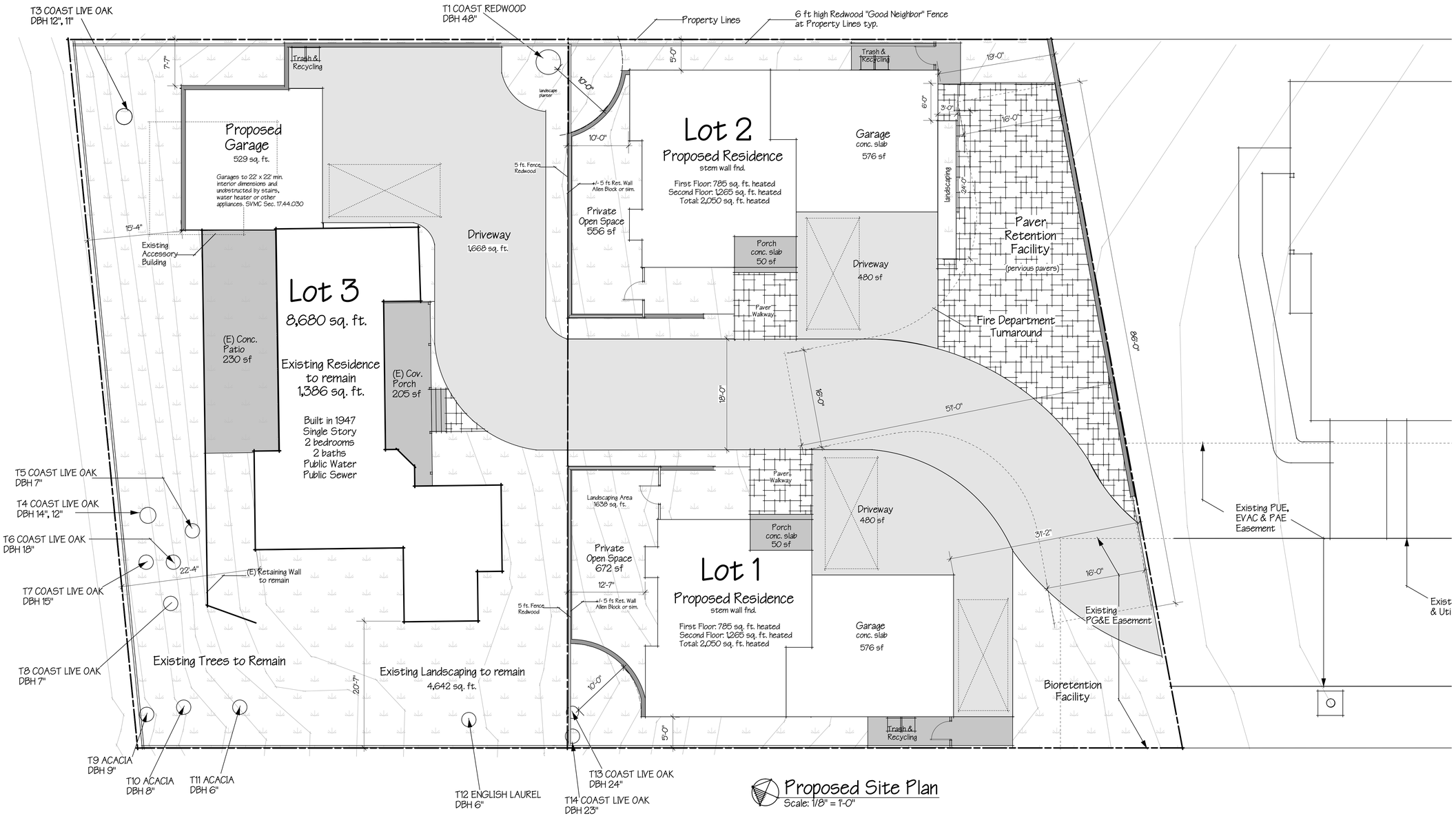
OWNER
Rick Hochler
325 Canham Road
Scotts Valley, CA
831-818-0919
hochwave@comcast.net

PROJECT
Proposed Development
4303 B Scotts Valley Dr.
Scotts Valley, CA
APN: 022-902-11

VERSION	
date	remarks
12/10/19	Design Permit Submittal
4/14/20	Design Permit Resubmittal
8/17/20	Design Permit Resubmittal
10/28/20	Design Permit Resubmittal

Coversheet & Exist. Site Plan

A1.1



Proposed Site Plan
Scale: 1/8" = 1'-0"

Table A
Project Area Calculations

Lot #	Lot Area	First Floor	Second Floor	Total Heated (sq. ft.)	Garage	Covered Porch	Landscaping Area	Landscaping Percentage	Lot Coverage	Density %	Bedrooms	Private Open Space	Parking
Lot 1	3540	785	1265	2050	576	53	1458	0.412	1414	0.579	3	556	3
Lot 2	4120	785	1265	2050	576	53	988	0.24	1414	0.498	3	672	3
Lot 3	8680	1386		1386	530	205	4642	0.535	2121	0.16	3	4682	3
Remainder Lot	2578												
Totals	10238			4100	1152	106		0.593	2828	0.412			6

Table B
Project Development Standards

Requirement	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3	Required
Front Yard	8.5 ft	8.5 ft	10.8 ft	20 ft
Side Yard	12.53 ft & 12 ft	10 ft & 19 ft	7.61 ft & 20.6 ft	5-10' (Hillside District: 11.5'-16.5')
Rear Yard	5 ft	5 ft	14.35 ft	15 ft - 25 ft
Max. Height	28.5 ft	28.5 ft		35 ft max
Density	3,412 sq ft per dwelling	3,412 sq ft per dwelling		3,000 sq ft min per dwelling
Private Open Space	556 sq ft to 4682 sq ft	556 sq ft to 4682 sq ft		90 sq ft min
Parking	9	9		12 (4 each per dwelling)
Lot Coverage	41%	41%		55%

CRAYCROFT DESIGN
455 Happy Valley Way
Santa Cruz, CA 95065
831-427-3048

N·C·B·D·C NATIONAL COUNCIL OF BUILDING DESIGNERS & CERTIFICATION
JOHN S. CRAYCROFT
CERTIFICATION No. 08498
12/10/19

SURVEYOR
Paul Hanagan LS
305-C Soquel Ave
Santa Cruz, CA 95062
831-469-3428

GEOTECHNICAL ENGINEER
Rock Solid Engineering, Inc.
1100 Main Street, Ste. A
Watsonville, CA 95076
831-724-5868

CIVIL ENGINEER
Ryan Haley, PE QSD
Cornerstone Civil Inc.
2528 Charlene Lane
Santa Cruz, CA
831-346-5446

LANDSCAPE ARCHITECT
Gregory Lewis
Landscape Architect
736 Park Way
Santa Cruz, CA
831-359-0960

ARBORIST
Gregory Lewis
Arborist Consultant
826 Monterey Ave.
Capitola, CA
831-359-3607

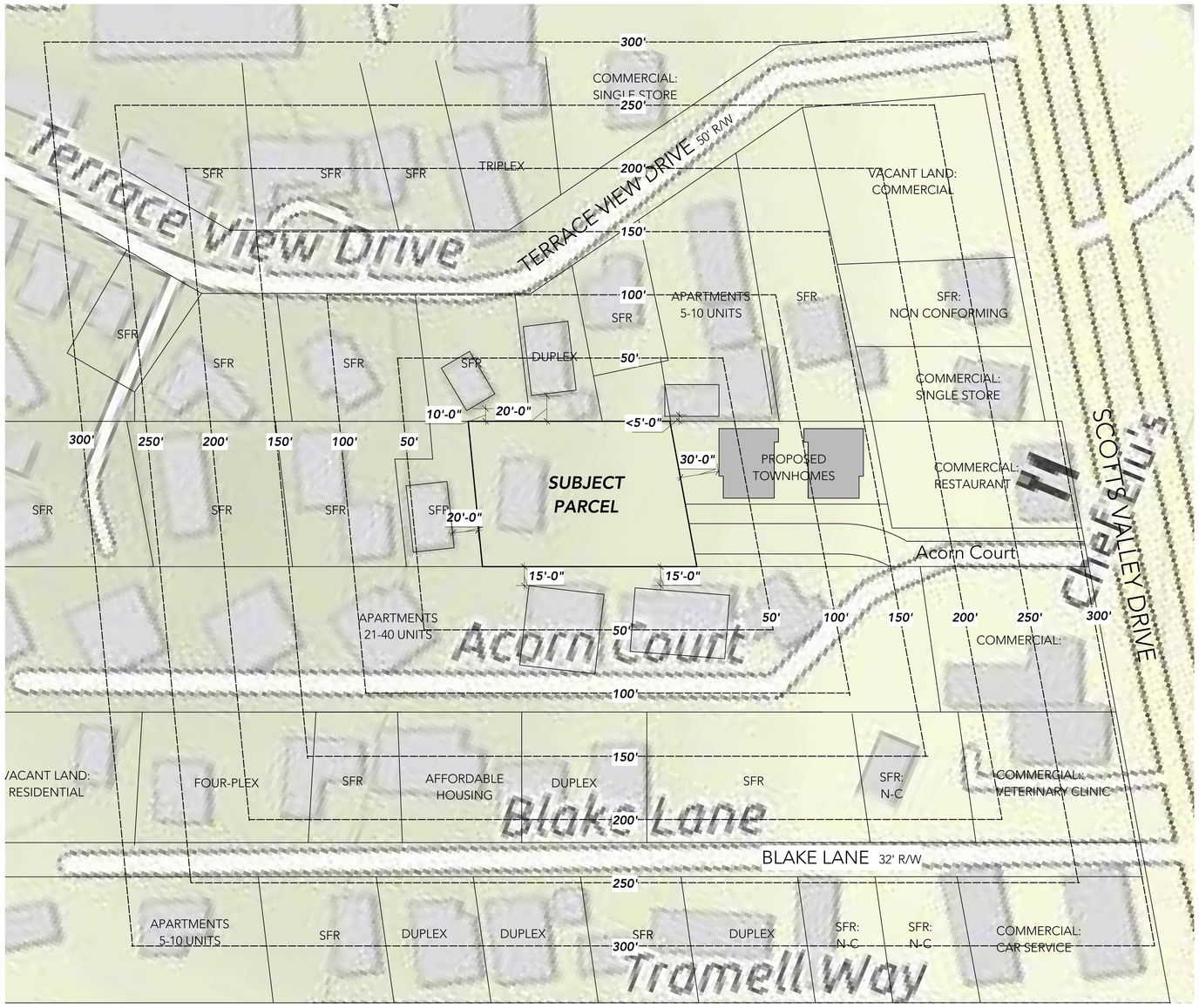
OWNER
Rick Hochler
325 Canham Road
Scotts Valley, CA
831-818-0919
hochwave@comcast.net

PROJECT
Proposed Development
4303 B Scotts Valley Dr.
Scotts Valley, CA
APN: 022-902-11

VERSION	
date	remarks
12/10/19	Design Permit Submittal
4/14/20	Design Permit Resubmittal
8/17/20	Design Permit Resubmittal
10/28/20	Design Permit Resubmittal
4/19/21	Table A & B data revised

Proposed Site Plan

A1.2



Site Plan with Surrounding Properies and Uses

Scale: 1" = 50'-0"

Building Locatons are obtained from aerial mapping data. Dimensions are approximate.

CRAYCROFT DESIGN

455 Happy Valley Way
Santa Cruz, CA 95065
831-427-3048

N·C·B·D·C NATIONAL COUNCIL OF BUILDING DESIGNER CERTIFICATION
JOHN S. CRAYCROFT CERTIFICATION NO. 05-696
12/10/19

SURVEYOR
Paul Hanagan LS
305-C Soquel Ave
Santa Cruz, CA 95062
831-469-3428

GEOTECHNICAL ENGINEER
Rock Solid Engineering, Inc.
1100 Main Street, Ste. A
Watsonville, CA 95076
831-724-5868

CIVIL ENGINEER
Ryan Haley, PE QSD
Cornerstone Civil Inc.
2528 Charlene Lane
Santa Cruz, CA
831-346-5446

LANDSCAPE ARCHITECT
Gregory Lewis
Landscape Architect
736 Park Way
Santa Cruz, CA
831-359-0960

ARBORIST
Gregory Lewis
Arborist Consultant
826 Monterey Ave.
Capitola, CA
831-359-3607

OWNER
Rick Hochler
325 Canham Road
Scotts Valley, CA
831-818-0919
hochwave@comcast.net

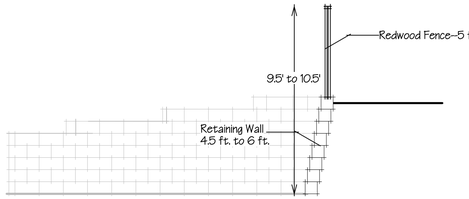
PROJECT

Proposed Development
4303 B Scotts Valley Dr.
Scotts Valley, CA
APN: 022-902-11

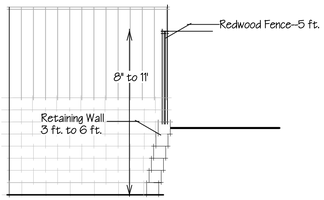
VERSION	
date	remarks
4/14/20	Design Permit Resubmittal
8/17/20	Design Permit Resubmittal
10/28/20	Design Permit Resubmittal

Site Plan with Neighboring Parcels

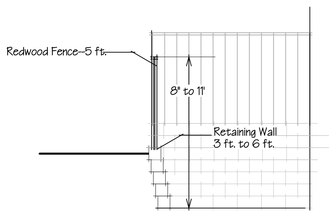
A1.3



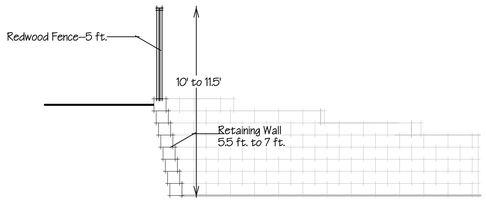
2 A1.4 Section A
Scale: 1/4" = 1'-0"



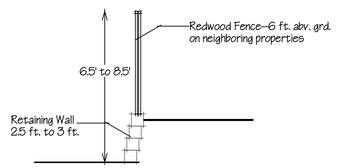
4 A1.4 Section B
Scale: 1/4" = 1'-0"



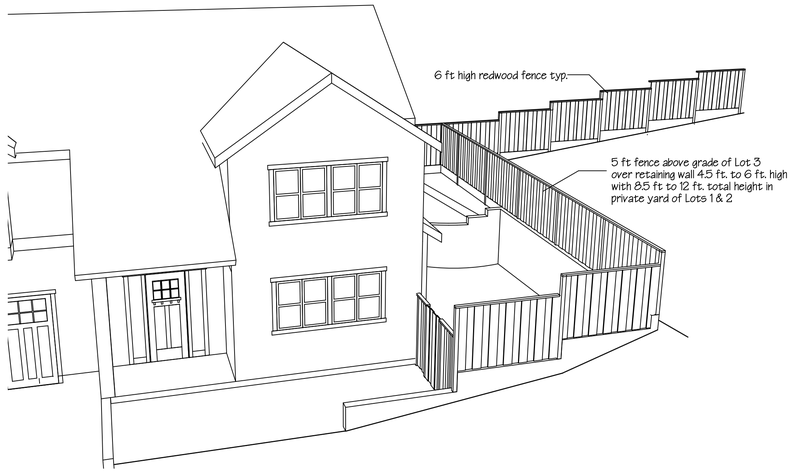
5 A1.4 Section C
Scale: 1/4" = 1'-0"



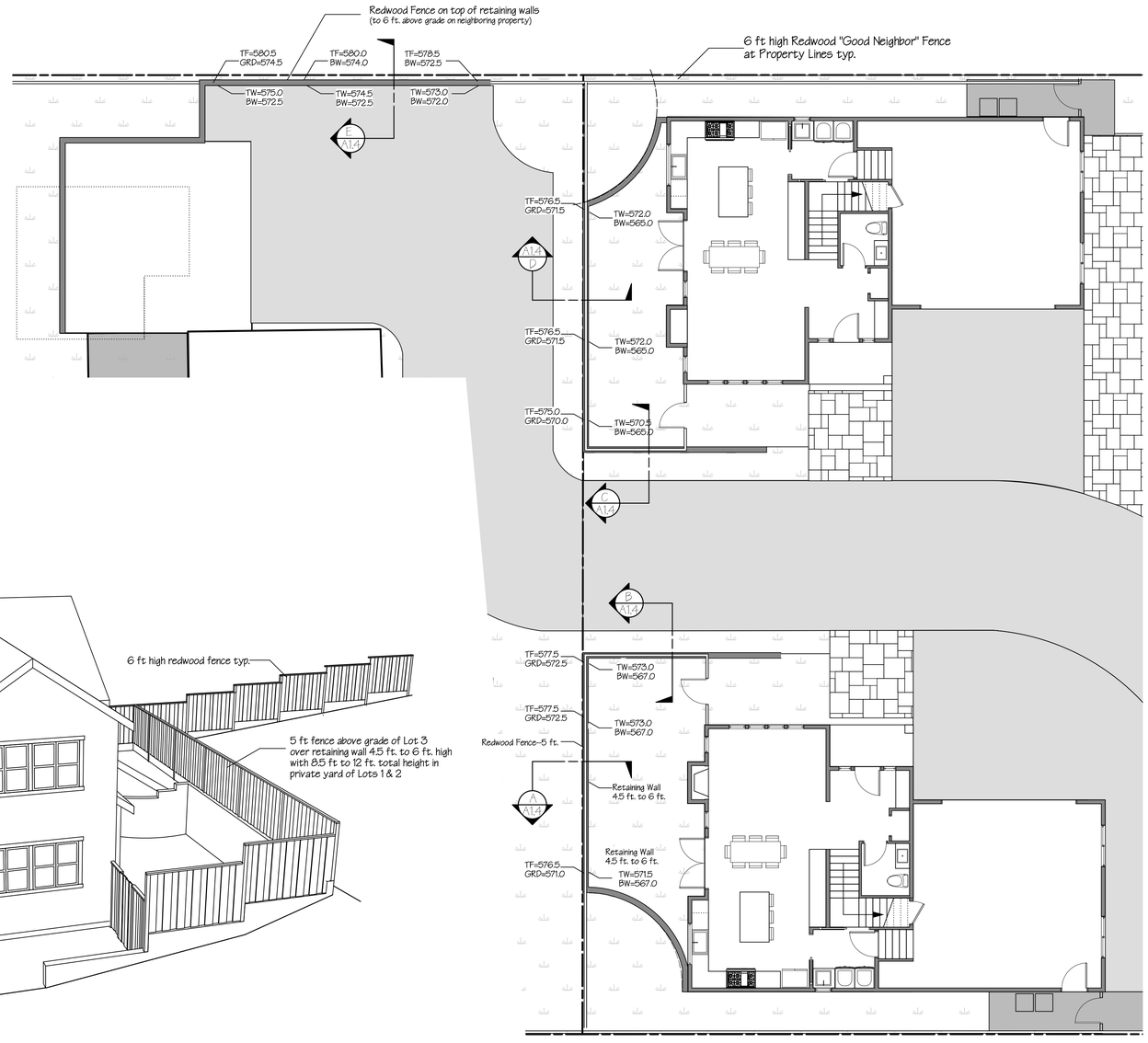
6 A1.4 Section D
Scale: 1/4" = 1'-0"



7 A1.4 Section E
Scale: 1/4" = 1'-0"



8 A1.4 Typical View of Fences over Retaining Walls



1 A1.4 Site Plan with Fences on Retaining Walls
Scale: 1/8" = 1'-0"

CRAYCROFT DESIGN
455 Happy Valley Way
Santa Cruz, CA 95065
831-427-3048

N·C·B·D·C NATIONAL COUNCIL OF BUILDING DESIGNER CERTIFICATION
JOHN S. CRAYCROFT
CERTIFICATION NO. 05496
12/10/19

SURVEYOR
Paul Hanagan LS
305-C Soquel Ave
Santa Cruz, CA 95062
831-469-3428

GEOTECHNICAL ENGINEER
Rock Solid
Engineering, Inc.
1100 Main Street, Ste. A
Watsonville, CA 95076
831-724-5868

CIVIL ENGINEER
Ryan Haley, PE QSD
Cornerstone Civil Inc.
2528 Charlene Lane
Santa Cruz, CA
831-346-5446

LANDSCAPE ARCHITECT
Gregory Lewis
Landscape Architect
736 Park Way
Santa Cruz, CA
831-359-0960

ARBORIST
Gregory Lewis
Arborist Consultant
826 Monterey Ave.
Capitola, CA
831-359-3607

OWNER
Rick Hochler
325 Canham Road
Scotts Valley, CA
831-818-0919
hochwave@comcast.net

PROJECT
Proposed Development
4303 B Scotts Valley Dr.
Scotts Valley, CA
APN: 022-902-11

VERSION	
date	remarks
9/26/20	Design Permit Resubmittal
10/28/20	Design Permit Resubmittal

Site Plan with Overheight fence Details

A1.4

Wall Mount Light A



Good Earth Lighting LED security light Model #SE1097-BP2-02LF0-G
provides safety and security by illuminating dark exterior areas such as backyards and driveways. The light is made of rust-proof die cast aluminum housing with a diamond-patterned diffuser lens, that provides a smooth and even light distribution. The LED security light feature swivel joints for easy head positioning and a specially designed universal mounting plate for fast and easy installation. The motion activated security light illuminate as motion is detected and turn off automatically when motion stops only during nighttime hours. The built-in timer and distance control settings can be customized to meet a wide variety of lighting customizations. Maximize energy savings and discourage intruders from coming near the home.
1. The 2 head LED light has a ball in socket design that allows for easy head rotation; providing precise aiming and broad wide light coverage with a color temperature of 5000K bright daylight 180° Adjustable passive infrared sensor (PIR) that detects motion up to 70-ft away
2. Built-in dusk-to-dawn sensor that automatically turns the light on at sunset and off at sunrise for energy savings
3. Time control setting options are available from 1-min, test, 5-min and 10-min to set how long the light will stay on after motion is no longer detected
4. Distance control options are from 10-ft, 20-ft, 50-ft and max which is 70-ft
5. Maximize energy savings and brightness with integrated LEDs that produce 2,138 lumens of light at a low energy consumption of 24-W; Energy Star certified
6. Cold weather rated with a minimum cold start temperature of negative 20°F; Energy Technology Label listed (ETL) to guarantee and strict quality standards with a 8-year limited warranty
7. Sturdy die cast aluminum construction and shatter-resistant lens with ball in socket design for easy head rotation so light can be directed where it is needed most
8. Universal mounting platform allows for maximum flexibility in installation and is designed to meet requirements for wall, eave or surface box mounting; includes pre-attached push-in wire connecters for fast and easy direct wiring

Wall Mount Light B



Kichler Independence 11250BKT30 LED 7 inch Textured Black Outdoor Wall Sconce
- Bulb Category: LED
- Primary Bulb(s): 1 x 11.00 watts
- Color Temperature: 3000K
- Color Rendering Index: 90.0000
- Total Lumens: 350

Title 24 Approved

Wall Mount Light C



Kichler Ashbern 12.75-in H Textured Black LED Outdoor Wall Light
The 12-inch LED outdoor wall light from the Ashbern(TM) collection features a modern Matte Black finish. Overlapping arcs create visual interest, and coordinate with a variety of architectural home styles, from traditional to soft modern. The classic box shape keeps lines clean for maximum curb appeal. Integrated LED assures energy efficient performance for years to come.
1. Aluminum construction with a textured black finish
2. Integrated soft white (3000K) LED light source delivers 300 lumens
3. Measures 12.75 inches in body height and 6.5 inches in width; extends 6.75 inches from wall
4. Perfect for your entryway, patio, or porch
5. Backplate measures 4.25-in square
6. Warranty is one (1) year from the date of purchase
7. Provides outdoor ambient lighting, which provides overall illumination to the area
8. ETL Listed Wet for open or direct exposure to sun, rain, snow, or water spray and is ideal for pergolas, lanais, open porches and more

Kichler 12V Mission Bollard Path Light Olde Bronze®



MISSION BOLLARD

The broad roof indicative of mission styling is blended into a garden bollard with honey beige glass.

Housing Brass with honey beige glass

Finish Old Bronze®

Light Source 12V Incandescent T-5 wedge base socket

Power Usage at 12V AC Input
VA MAX: 16.25-W(VA)
Supplied: 11.6-W(VA) 912X (17023) (qty 2)
Optional: 16.25-W(VA) 921X (17025)
6.5-W(VA) 918X (17022)
4-W(VA) 901X (17021)
(2 required)

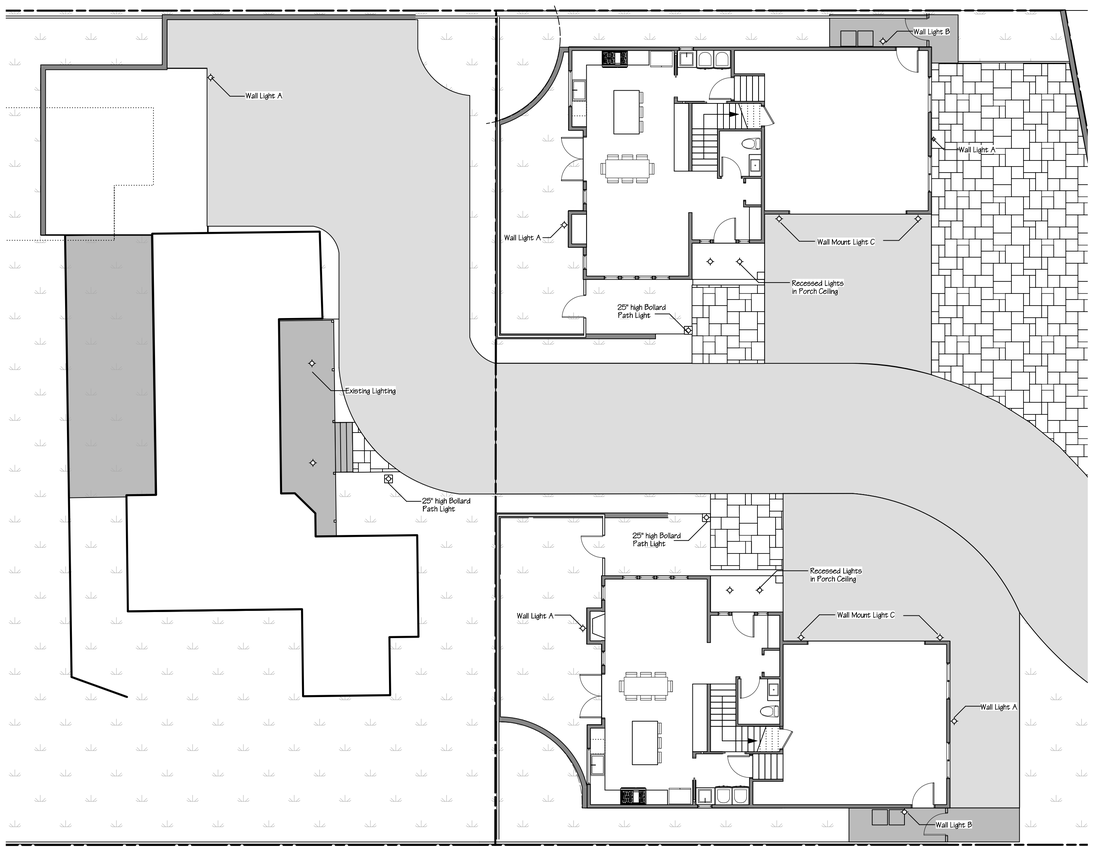
Wiring 22" of usable #18-2, SPT-1-W leads. Cable connector supplied.

Mounting Accessories Included
8" in-ground stake



Photometric with Lamp Supplied (fc)

Distance from Light	0'	1'	2'	3'	4'	5'	6'	7'	8'
Footcandles	0.44	1.81	1.26	0.70	0.39	0.25	0.16	0.12	0.10



Outdoor Lighting Notes

Outdoor lighting fixtures, shown with ✧ sybmol to be typically at +/- 8 ft high on the exterior walls of the building
All exterior lighting shall satisfy the following conditions:
1. All exterior lighting shall be shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
2. Lights on motion sensor shall not be triggered by movement or activity located off the property on which the light is located.

1 / A1.5 Exterior Lighting Plan
Scale: 1" = 10'-0"

CRAYCROFT DESIGN
455 Happy Valley Way
Santa Cruz, CA 95065
831-427-3048

N·C·B·D·C NATIONAL COUNCIL OF BUILDING DESIGNER CERTIFICATION
JOHN S. CRAYCROFT CERTIFICATION NO. 05496
12/10/19

SURVEYOR
Paul Hanagan LS
305-C Soquel Ave
Santa Cruz, CA 95062
831-469-3428

GEOTECHNICAL ENGINEER
Rock Solid Engineering, Inc.
1100 Main Street, Ste. A
Watsonville, CA 95076
831-724-5868

CIVIL ENGINEER
Ryan Haley, PE QSD
Cornerstone Civil Inc.
2528 Charlene Lane
Santa Cruz, CA
831-346-5446

LANDSCAPE ARCHITECT
Gregory Lewis
Landscape Architect
736 Park Way
Santa Cruz, CA
831-359-0960

ARBORIST
Gregory Lewis
Arborist Consultant
826 Monterey Ave.
Capitola, CA
831-359-3607

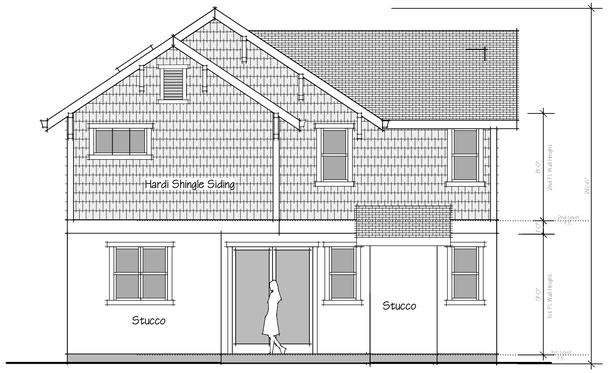
OWNER
Rick Hochler
325 Canham Road
Scotts Valley, CA
831-818-0919
hochwave@comcast.net

PROJECT
Proposed Development
4303 B Scotts Valley Dr.
Scotts Valley, CA
APN: 022-902-11

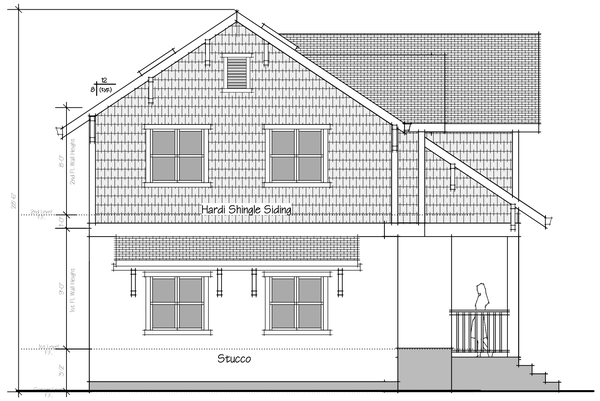
VERSION	
date	remarks
9/26/20	Design Permit Resubmittal
10/28/20	Design Permit Resubmittal

Site Plan with Exterior Lighting Plan

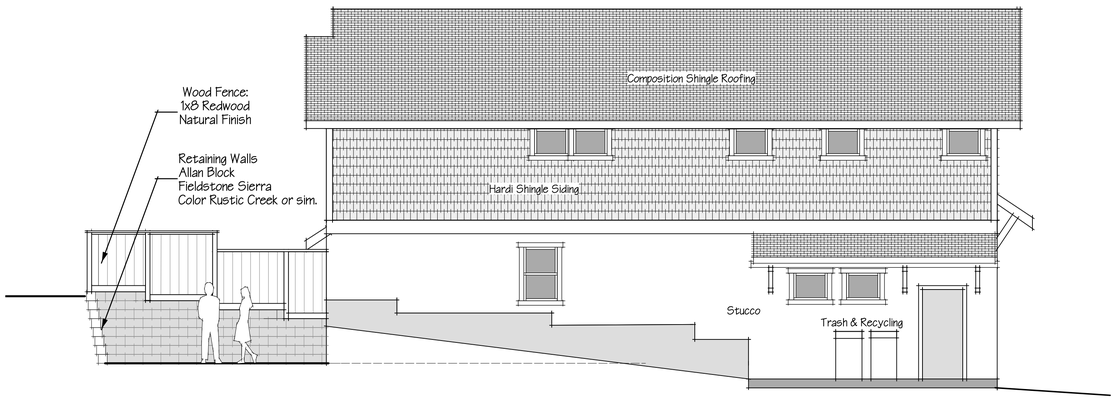
A1.5



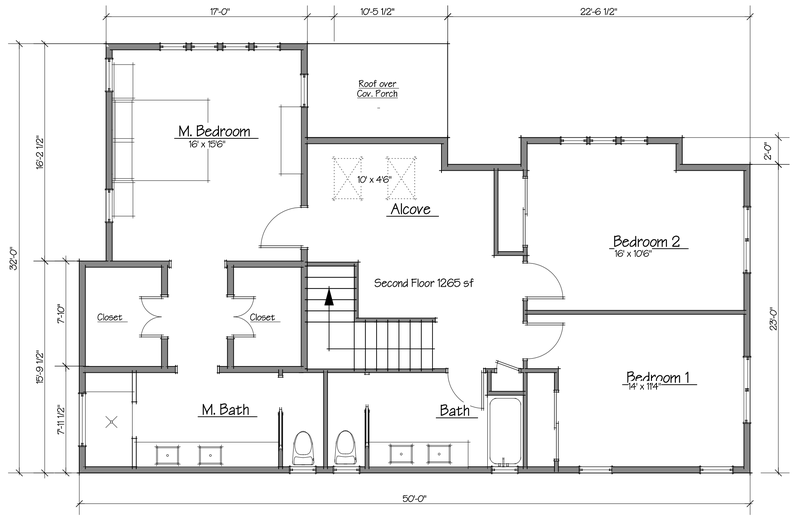
5 A2.1 Right Elevation
Scale: 3/16" = 1'-0"



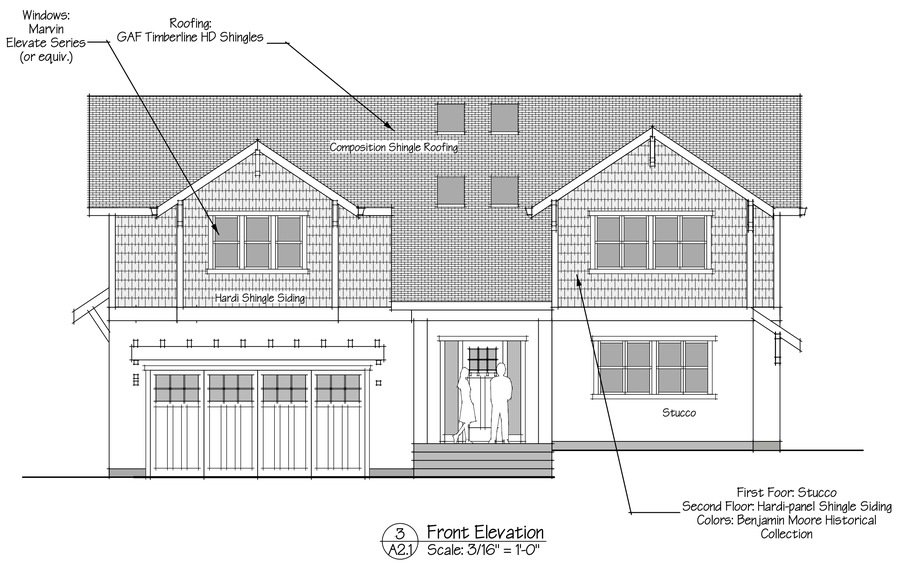
6 A2.1 Left Elevation
Scale: 3/16" = 1'-0"



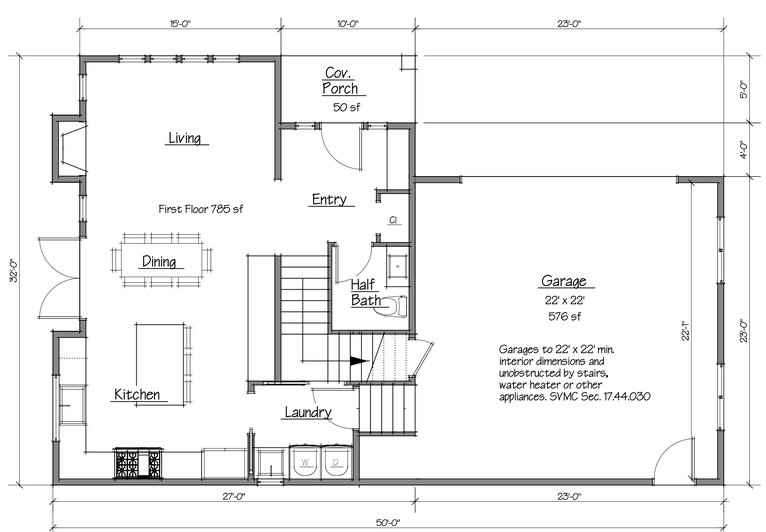
4 A2.1 Rear Elevation
Scale: 3/16" = 1'-0"



2 A2.1 Second Floor Plan
Scale: 3/16" = 1'-0"



3 A2.1 Front Elevation
Scale: 3/16" = 1'-0"



1 A2.1 First Floor Plan
Scale: 3/16" = 1'-0"

First Floor: 785 sq. ft. heated
Second Floor: 1,265 sq. ft. heated
Total: 2,050 sq. ft. heated

CRAYCROFT DESIGN
455 Happy Valley Way
Santa Cruz, CA 95065
831-427-3048

N·C·B·D·C
NATIONAL COUNCIL OF BUILDING DESIGNERS CERTIFICATION
JOHN S. CRAYCROFT
CERTIFICATION NO. 08498

12/10/19

SURVEYOR
Paul Hanagan LS
305-C Soquel Ave
Santa Cruz, CA 95062
831-469-3428

GEOTECHNICAL ENGINEER
Rock Solid
Engineering, Inc.
1100 Main Street, Ste. A
Watsonville, CA 95076
831-724-5868

CIVIL ENGINEER
Ryan Haley, PE QSD
Cornerstone Civil Inc.
2528 Charlene Lane
Santa Cruz, CA
831-346-5446

LANDSCAPE ARCHITECT
Gregory Lewis
Landscape Architect
736 Park Way
Santa Cruz, CA
831-359-0960

ARBORIST
Gregory Lewis
Arborist Consultant
826 Monterey Ave.
Capitola, CA
831-359-3607

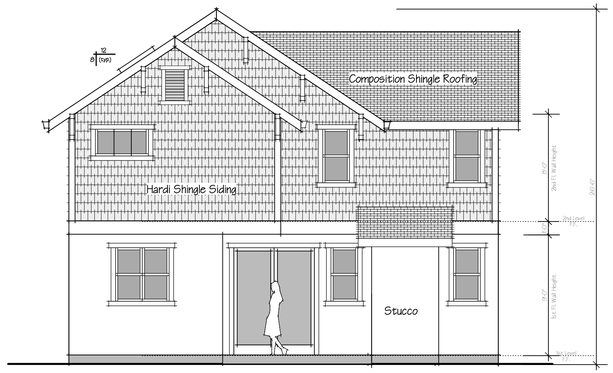
OWNER
Rick Hochler
325 Canham Road
Scotts Valley, CA
831-818-0919
hochwave@comcast.net

PROJECT
Proposed Development
4303 B Scotts Valley Dr.
Scotts Valley, CA
APN: 022-902-11

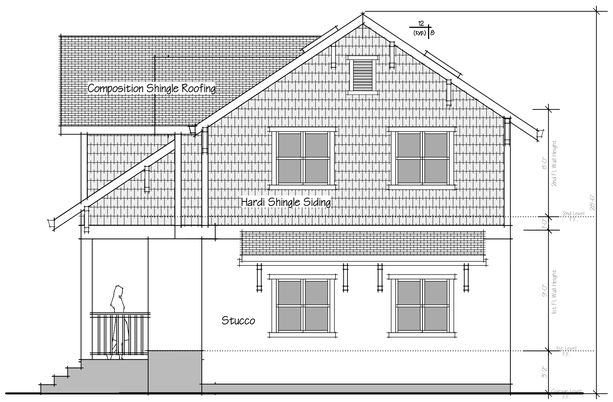
VERSION	
date	remarks
12/10/19	Design Permit Submittal
4/14/20	Design Permit Resubmittal
8/17/20	Design Permit Resubmittal
10/28/20	Design Permit Resubmittal

Lot 1 Proposed Plans

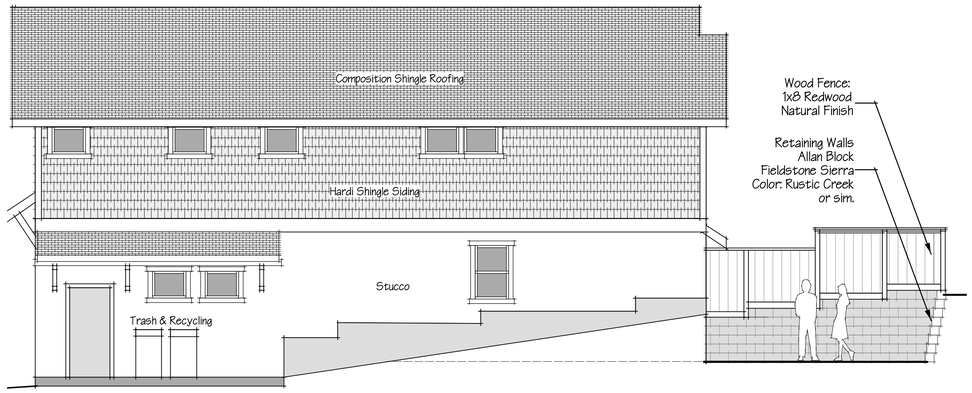
A2.1



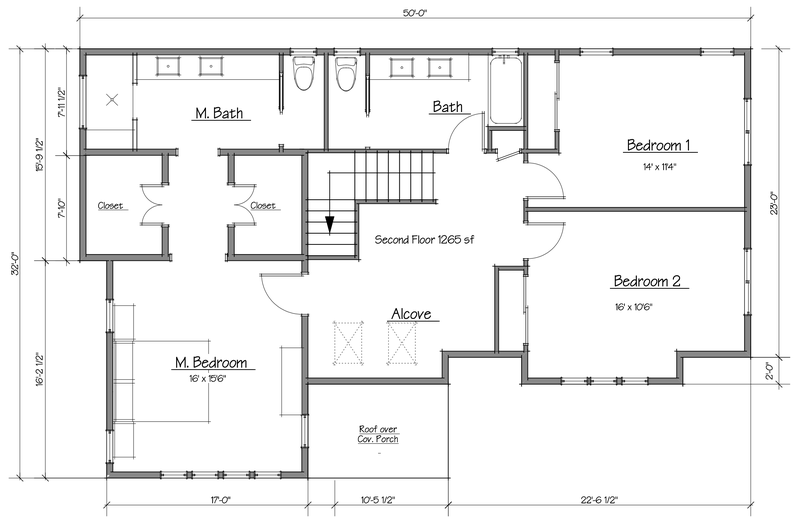
5 A2.2 Left Elevation
Scale: 3/16" = 1'-0"



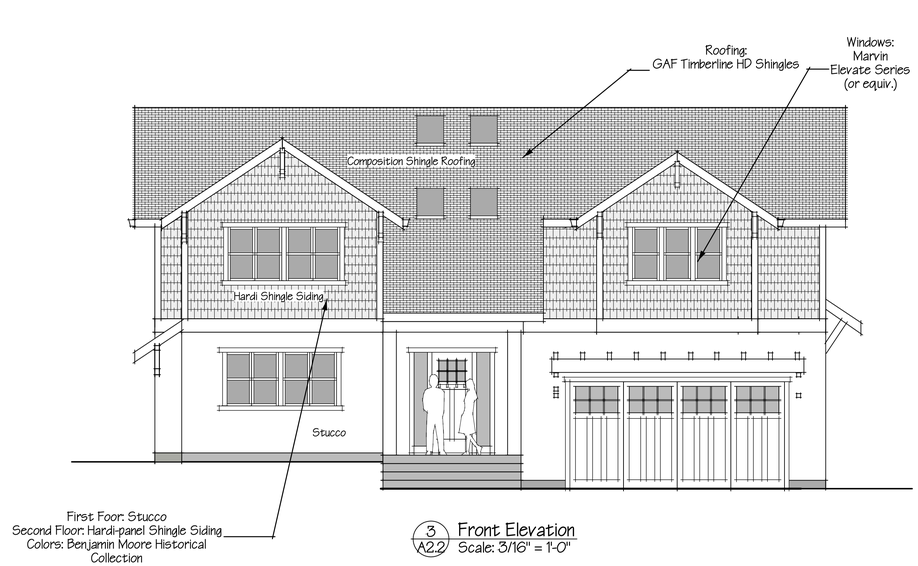
6 A2.2 Right Elevation
Scale: 3/16" = 1'-0"



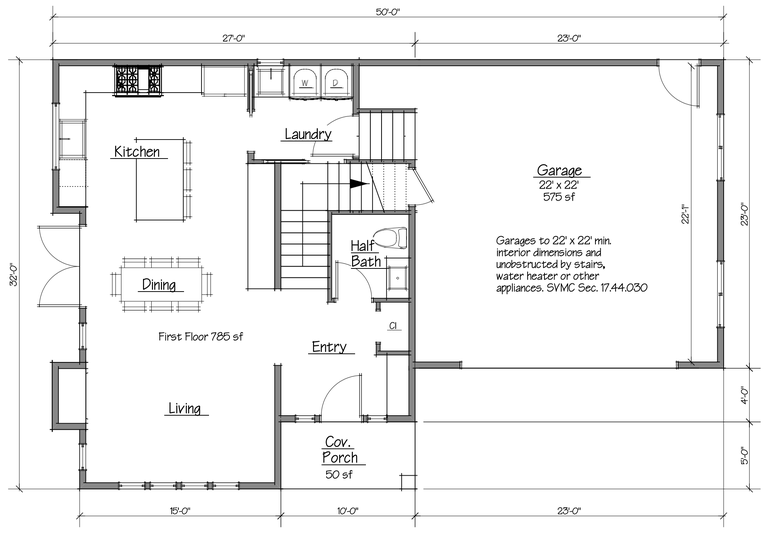
4 A2.2 Rear Elevation
Scale: 3/16" = 1'-0"



2 A2.2 Second Floor Plan
Scale: 3/16" = 1'-0"



3 A2.2 Front Elevation
Scale: 3/16" = 1'-0"



1 A2.2 First Floor Plan
Scale: 3/16" = 1'-0"

First Floor: 785 sq. ft. heated
Second Floor: 1,265 sq. ft. heated
Total: 2,050 sq. ft. heated

CRAYCROFT DESIGN
455 Happy Valley Way
Santa Cruz, CA 95065
831-427-3048

N·C·B·D·C
NATIONAL COUNCIL OF BUILDING DESIGNERS & CERTIFICATION
JOHN S. CRAYCROFT
CERTIFICATION NO. 08498

12/10/19

SURVEYOR
Paul Hanagan LS
305-C Soquel Ave
Santa Cruz, CA 95062
831-469-3428

GEOTECHNICAL ENGINEER
Rock Solid
Engineering, Inc.
1100 Main Street, Ste. A
Watsonville, CA 95076
831-724-5868

CIVIL ENGINEER
Ryan Haley, PE QSD
Cornerstone Civil Inc.
2528 Charlene Lane
Santa Cruz, CA
831-346-5446

LANDSCAPE ARCHITECT
Gregory Lewis
Landscape Architect
736 Park Way
Santa Cruz, CA
831-359-0960

ARBORIST
Gregory Lewis
Arborist Consultant
826 Monterey Ave.
Capitola, CA
831-359-3607

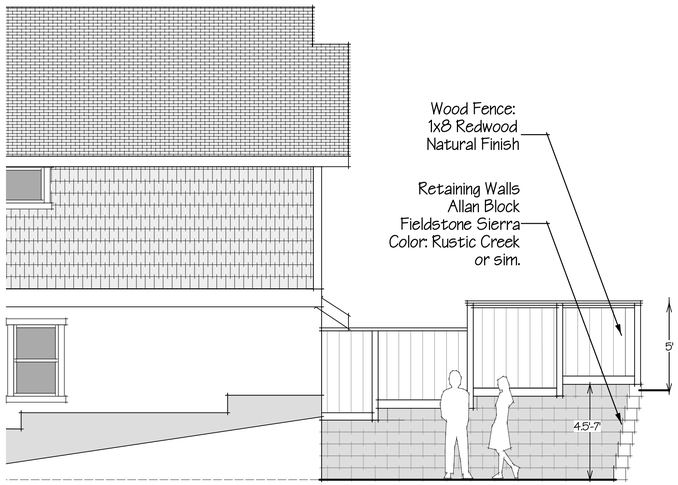
OWNER
Rick Hochler
325 Canham Road
Scotts Valley, CA
831-818-0919
hochwave@comcast.net

PROJECT
Proposed Development
4303 B Scotts Valley Dr.
Scotts Valley, CA
APN: 022-902-11

VERSION	
date	remarks
12/10/19	Design Permit Submittal
4/14/20	Design Permit Resubmittal
8/17/20	Design Permit Resubmittal
10/28/20	Design Permit Resubmittal

Lot 2 Proposed Plans

A2.2



3 A3.1 Retaing Wall and Fence Detail
Scale: 1/4" = 1'-0"



Redwood "Good Neighbor Fence"



Retaining Walls:
Allan Block
Fieldstone Sierra Series
Color: Rustic Creek
or sim.



Roofing:
GAF Timberline HD Shingles
Color: Pewter Gray



Siding:
Hardi Panel Shingle Siding
Stucco



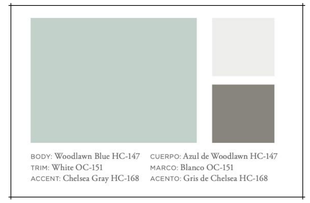


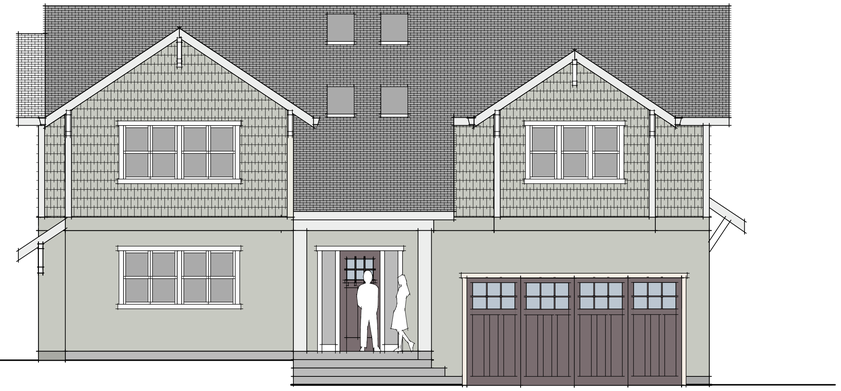
Windows:
Marvin Elevate Series or equiv.
White



1 A3.1 Front Elevaton - Lot 1
Scale: 3/16" = 1'-0"

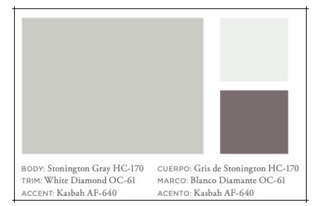
First Floor: Stucco
Second Floor: Hardi-panel Shingle Siding
Colors: Benjamin Moore
Body, Downspouts: Woodlawn Blue HC-147
Trim, Gutters: White OC-151
Accent-Doors: Chelsea Gray HC-168

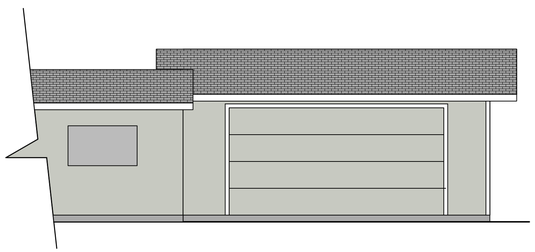




2 A3.1 Front Elevation Lot 2
Scale: 3/16" = 1'-0"

First Floor: Stucco
Second Floor: Hardi-panel Shingle Siding
Colors: Benjamin Moore
Body, Downspouts: Stonington Gray HC-170
Trim, Gutters: White Diamond OC-61
Accent-Doors: Kasbah AF-640

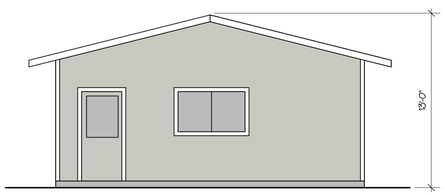




Roofing:
GAF Timberline HD Shingles
Color: Pewter Gray

Siding:
Plywood Siding
to match existing

4 A3.1 Front Elevation
Scale: 3/16" = 1'-0"



5 A3.1 Right Elevation
Scale: 3/16" = 1'-0"

Lot 3 Garage Elevations

Colors: Benjamin Moore
Body, Doors, Downspouts: Stonington Gray HC-170
Trim, Gutters: White Diamond OC-61

CRAYCROFT DESIGN
455 Happy Valley Way
Santa Cruz, CA 95065
831-427-3048

N·C·B·D·C NATIONAL COUNCIL OF BUILDING DESIGNER CERTIFICATION
JOHN S. CRAYCROFT CERTIFICATION NO. 08488
12/10/19

SURVEYOR
Paul Hanagan LS
305-C Soquel Ave
Santa Cruz, CA 95062
831-469-3428

GEOTECHNICAL ENGINEER
Rock Solid Engineering, Inc.
1100 Main Street, Ste. A
Watsonville, CA 95076
831-724-5868

CIVIL ENGINEER
Ryan Haley, PE QSD
Cornerstone Civil Inc.
2528 Charlene Lane
Santa Cruz, CA
831-346-5446

LANDSCAPE ARCHITECT
Gregory Lewis
Landscape Architect
736 Park Way
Santa Cruz, CA
831-359-0960

ARBORIST
Gregory Lewis
Arborist Consultant
826 Monterey Ave.
Capitola, CA
831-359-3607

OWNER
Rick Hochler
325 Canham Road
Scotts Valley, CA
831-818-0919
hochwave@comcast.net

PROJECT
Proposed Development
4303 B Scotts Valley Dr.
Scotts Valley, CA
APN: 022-902-11

VERSION	
date	remarks
8/17/20	Design Permit Resubmittal
10/28/20	Design Permit Resubmittal

Lot 2 Proposed Plans

A3.1

Landscape Notes

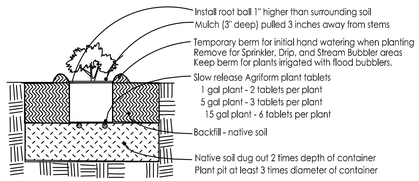
1) Finall landscape construction plans to include a Detailed Irrigation Plan using Potable Water from each residence. Landscape Details, and Landscape Specifications that comply with the State of California Government Code Section 65596 Water Conservation in Landscaping and associated Model Water Efficient Landscaping Ordinance (WELO) for landscaping area equal or greater than 2500 sq.ft. No developer installed landscaping at any of the houses exceeds 1000 sf and lot 3 existing house is existing landscaping with no developer installed landscaping planned
2) Exact location of plants on site to be adjusted so as to best coordinate with irrigation component locations, lights, drainage features, and swales
3) Use 3 inch deep mulch in all planting areas. Provide owner with different mulch samples and prices including dark brown Mahogany dyed Wonder Mulch from Vision Recycling at in Watsonville or Fremont or nitrolized redwood sawdust. Bid the nitrolized RWD sawdust.
4) Install plants for all plant circles shown on the plan even if they aren't labeled. Call for clarification. For bidding purposes, if no one is available to answer questions, assume that any plant circle scaled less than 8' wide is 5 gal. size and any circle scaled larger is 15 gal. size
5) The plan is schematic. Don't install plants too close to edges of paving or buildings. Be sure plants are not blocking sprinklers excessively (no sprinklers on this plan). Keep valves and quick couplers away from trees.
6) Existing trees have been shown that are to be preserved. Do not trench in the area under the tree canopy without written approval of the project certified arborist. Do not grade, trench or store construction material in the natural protected area.
7) Vegetate any swales that are not planted with shrubs and ground cover on the Plant List with shade tolerant, low water use rated grass such as Festuca rubra in the shaded areas and sun tolerant low water use rated grass in the sunny areas and mulch all seeded areas with rice straw or some other straw with no weed seed.

Landscape Site Notes

1. 3 foot wide solid wood gate with lockable latch. Adjust location of gate to coordinate with windows and to keep meters in front of gate so you don't need to go thru gate to get to meters
2. 6 foot tall solid wood good neighbor fence along property lines and between property line and house - adjust location to coordinate with windows and meters - existing fencing on property lines that is in good condition can remain
3. Bio retention area - see civil plans for special soil

Plant Legend

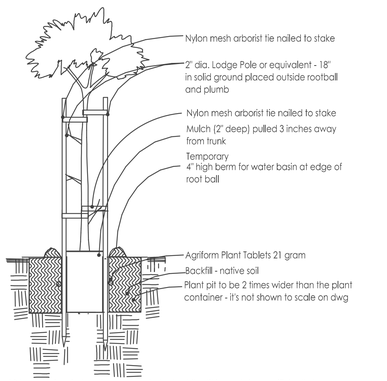
KEY	QTY	SIZE	BOTANICAL NAME	COMMON NAME
TREES				
PC	3	15 gal	Pistacia chinensis	Chinese Pistache
LN	7	15 gal	Laurus Saratoga or Laurus nobilis	Hybrid Laurel Grecian Laurel
There are a total of 10 - 15 gal. replacement trees for removing 5 existing trees				
MEDIUM SHRUBS				
RI	5		Rhus integrifolia	Lemonade Berry
LC	1		Loropetalum Razzleberry	
AH	1		Arctostaphylos Howard McMinn	Manzanita
SL	1		Salvia leucantha	Mexican Sage
NC	5		Nandina Gulf Stream	Heavenly Bamboo
Ground Cover				
LB	1		Lomandra Breeze	
LP	1		Lomandra Breeze Platinum	
Bio Retention Areas				
J	1		Juncus patens Elk Blue	CA Gray Rush
C	1		Chondropetalum tectorum	Small Cape Rush



1) 8 - 12 hours before installation, water all plants while still in containers sufficiently to thoroughly wet root balls
2) Dig the plant hole at least 3 times the dia. and 2 times the depth of the plant container.
3) Replace this mixture in bottom half of hole and walk on it. The level of it should be such that when the plant is installed and settled it will be slightly above grade of existing soil. Fill hole with water .
4) Remove rootball carefully from container by tapping out, not pulling out by the stem. Scarify rootball walls in 3 vertical cuts and bottom to 1/2" deep, or by cutting roots of 1/2" or larger with shears. Do not pull roots apart.
5) Install fertilizer packets under rootball of plant. Set rootball on prepared surface and fill hole to 1/2 the depth, tamping soil around rootball. Fill hole with water.
6) Fill the remainder of the hole with backfill and pack it but do not tamp rootball.
7) Make the water basin.
8) Water shrub thoroughly within 1 hour of planting by filling the basin and allowing the water to percolate in, doing this 3 times or more until root ball and backfill is wet
9) Install mulch

Shrub Planting

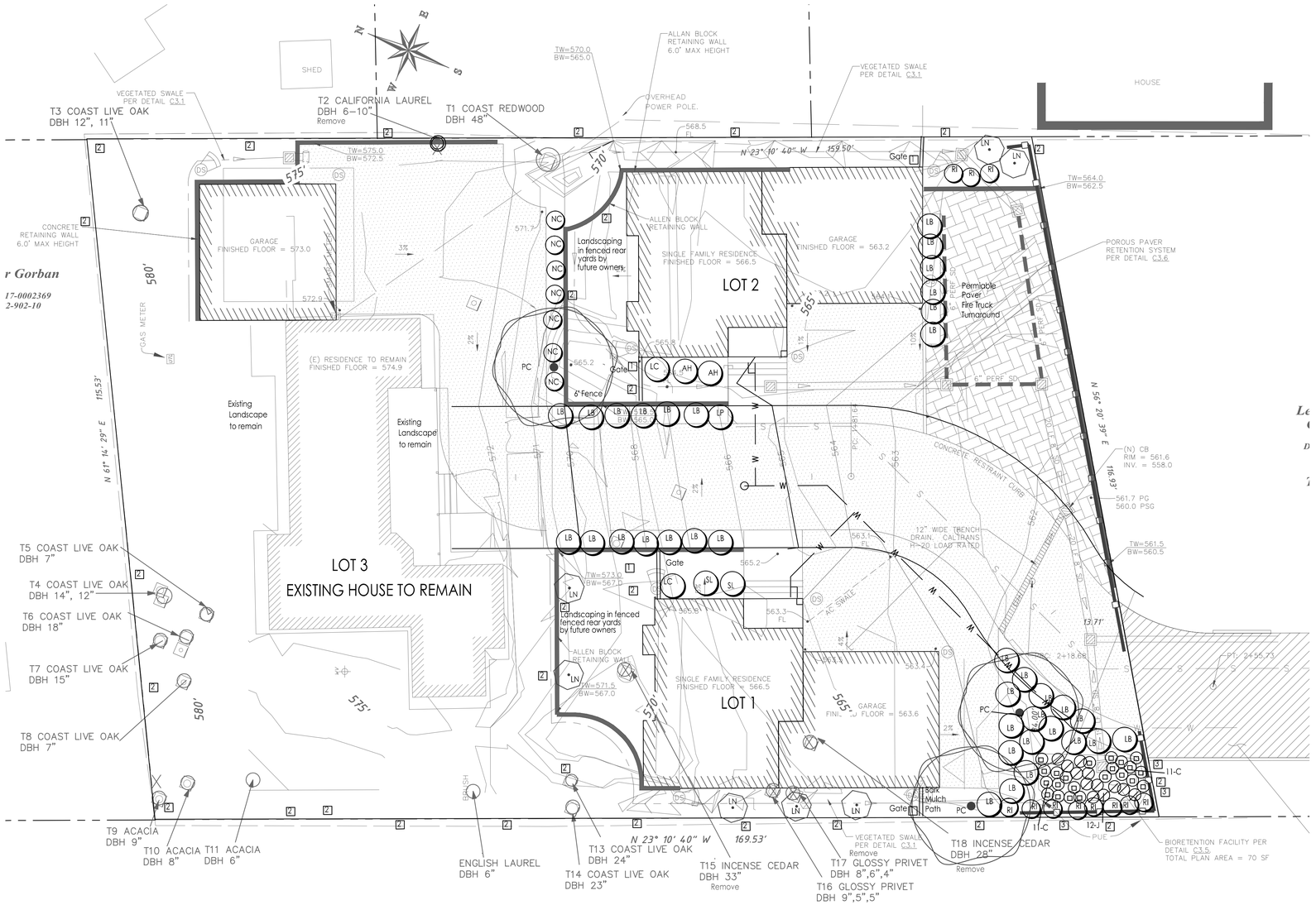
No Scale



1) 8 - 12 hours before installation, water all plants while still in containers sufficiently to thoroughly wet root balls
2) Dig hole at least 3" deeper than the container and 3 times wider than the diameter of the container the plants were delivered in.
3) Gouge holes in the side of the plant pit - 2 holes per sq. ft. of wall surface
4) Remove rootball carefully from container with support from below. Sever any circling roots (3/16"dia. or greater) with sharp knife. Do not pull roots apart. The severing of large roots will encourage new roots at the cuts. Install enough backfill under root ball so top of rootball ends up 2" above grade of surrounding soil when it settles. Install some of fertilizer packets under root ball.
5) Fill around rootball with backfill mix to 1/2 its height and pack soil as you fill with shovel handle or feet being careful not to disturb root ball
6) Put Agriform Plant Tablet fertilizer at this level adjacent to rootball and at bottom of hole (5 tablets per 15 gal. or 5 tablets per 1 inch of caliper width. Fill the remainder of the hole with backfill and pack it.
7) Water tree thoroughly by filling the basin and allowing the water to percolate in, doing this 3 times or more until root ball and backfill is wet
8) Install stakes such that the stakes and the tree ties won't damage the tree and the stakes won't lean toward each other. Cut off tops of stakes if necessary to lower below branches that could be rubbed by stakes. Install stakes so they are straight up and don't lean in to each other

Tree Planting

No Scale



I have complied with the criteria of the MWELO ordinance and applied them accordingly for the efficient use of water in the Landscape Design Plan
Greg Lewis - Landscape Architect 10/20/20
GregLewis 10/20/20

Planting Plan

1"=10'-0"
0' 10' 20'

Revision

GREGORY LEWIS LANDSCAPE ARCHITECT #2176
736 Park Way Santa Cruz, CA 95065 (831) 359-0960

LICENSED LANDSCAPE ARCHITECT GREGORY LEWIS No. 2176 Greg Lewis 4/30/2022 Renewal 10/20/20 STATE OF CALIFORNIA

Proposed Residences

4303 B Scotts Valley Dr., Scotts Valley
APN: 022-902-11

Date	10/20/20
Scale	As Noted
Drawn	Greg
Job	
Sheet	L1
of	2

090

Hydrozone Summary - Lot 1

HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
1 Low water shrub		Drip	540	63%
2 Low water trees		Drip	175	21%
3 Low water bio retention		Drip	138	16%
TOTAL			853	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	853	100%
TOTAL	853	100%

THERE IS A TOTAL OF 853 sf of NEW PROPOSED PLANTING AND IRRIGATION

Hydrozone Summary - Lot 2

HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
1 Low water shrub		Drip	369	83%
2 Low water trees		Drip	75	17%
TOTAL			444	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	444	100%
TOTAL	444	100%

THERE IS A TOTAL OF 444 sf of NEW PROPOSED PLANTING AND IRRIGATION



Hydrozone Plan

1"=10'-0"

0' 10' 20'

r Gorban

17-0002369
2-902-10

Revision

GREGORY LEWIS LANDSCAPE ARCHITECT #2176
736 Park Way Santa Cruz, CA 95065 (831) 359-0960

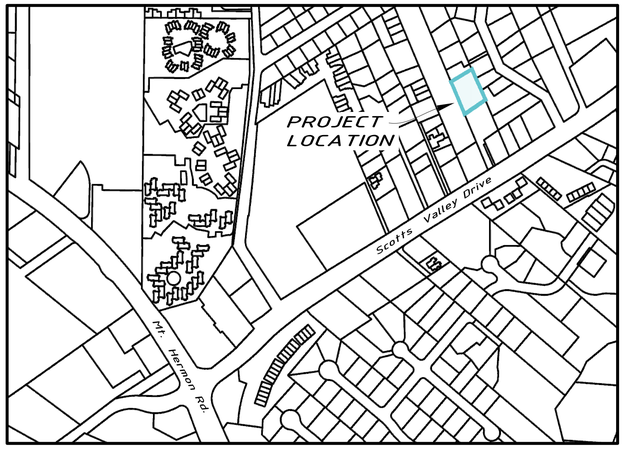
LICENSED LANDSCAPE ARCHITECT GREGORY LEWIS No. 2176 Greg Lewis 4/30/2022 10/20/20 STATE OF CALIFORNIA

Proposed Residences

4303 B Scotts Valley Dr., Scotts Valley
APN: 022-902-11

Date	10/20/20
Scale	As Noted
Drawn	Greg
Job	
Sheet	L2
of	2

091



Location Map

Within the City of Scotts Valley (not to scale)

Project Data

Project Description

A four lot Minor Land Division, with Parcel A as a remainder parcel, of the lands of Richard Steven Hochler, Trustee of The Hochler Family Trust dated March 15, 1996, recorded in Document No. 2019-0004291 of the Official Records of Santa Cruz County.

Owner, Subdivider & Address

Richard Steven Hochler,
325 Canham Road, Scotts Valley, CA 95066

Existing Zoning

R-H: High Density 3,000 sq.ft/du

General Plan

High Density Residential

Proposed Use

A four lot Minor Land Division with a remainder parcel for four new single family dwellings.

Sanitary Sewer

City of Scotts Valley.

Storm Drain

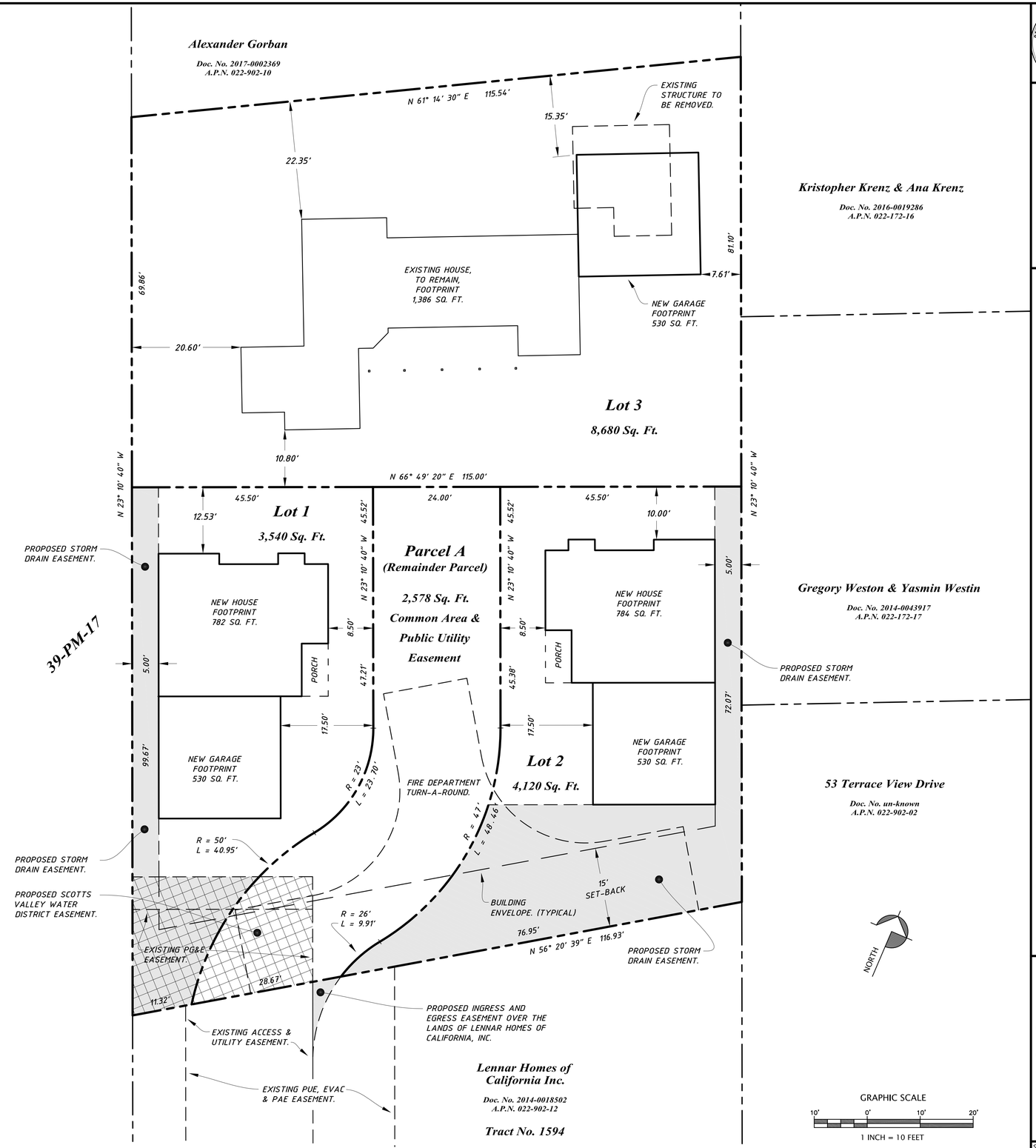
City of Scotts Valley.

Water Service

City of Scotts Vally.

Parcel Area (gross and net)

Parent Parcel = 18,918 sq. ft. or 0.434 acre.
Lot 1 = 3,540 sq. ft.
Lot 2 = 4,120 sq. ft.
Lot 3 = 8,680 sq. ft.
Parcel A = 2,578 sq. ft.



Tentative Parcel Map

PROFESSIONAL LAND SURVEYOR
PAUL J. HANAGAN
NO. 7797
EXP. 12-31-21
STATE OF CALIFORNIA

REVISION

APPROVED Paul Hanagan
Paul Hanagan LS 7797

HANAGAN LAND SURVEYING
305-C SOQUEL AVE.,
SANTA CRUZ, CA 95062
PHONE (831) 469-3428

Tentative Parcel Map, The Lands Of:
Richard Hochler
4303 Scotts Valley Drive, Unit B, Scotts Valley, CA 95066

Santa Cruz County
A.P.N. 022-902-11

DESIGN
DRAWN P. Hanagan
DATE 9-27-2019
SCALE 1" = 10'

SHEET SU-1
OF 2 SHEETS

JOB NO. 19103

092

Disclaimer:
The electronic data and paper data set forth on this sheet is the property of Hanagan Land Surveying, Inc. It is an instrument of service and is not transferable, and may not be reproduced, changed or copied in any form or manner whatsoever. Nor may it be assigned to any proposed electronic transfer of data shall be the users responsibility without liability to the surveyor.
Layout Tab Name: 24x36, Imagesets - Xrefs:
S:\PROJECTS\2019\19103 4303 Scotts Valley Drive\dwg\4303 Scotts Valley Drive Tentative Parcel Map 3 Lot.dwg, Plotted By: paul, Plotted: Oct 20, 2020 - 1:59pm

HOUSE

Alexander Gorban

Doc. No. 2017-0002369
A.P.N. 022-902-10

N 61° 14' 29" E 115.53'

12" ACACIA
18" OAK
12" OAK
8" OAK
4" ACACIA
12" OAK
12" ACACIA
24" OAK
24" & 6" OAK
30" & 2 12" OAK
GAS METER
580'
580'

A.D.U

HOUSE

Richard Hochler

Doc. No. 2019-0004291
A.P.N. 022-902-11

F.F. = 574.9'

SMART METER
575'
575'
W
OH
CONCRETE
32" TREE
BRUSH
6" TREE
ROOF OVERHANG (TYPICAL)
24" OAK
22" OAK
36" RWD
12" TREE
570'
570'
6" TREE
OVERHEAD POWER POLE.

HOUSE

Kristopher Krenz & Ana Krenz

Doc. No. 2016-0019286
A.P.N. 022-172-16

SHED

HOUSE

HOUSE

Gregory Weston & Yasmin Westin

Doc. No. 2014-0043917
A.P.N. 022-172-17

N 23° 10' 40" W 169.53'

12" TREE
16" TREE
24" RWD
BRUSH
565'
565'
BRUSH
BRUSH
FENCE (TYPICAL)
N 23° 10' 49" W 159.50'
HO
34.00'
PUE
13.71'
N 56° 20' 39" E 116.93'
24' ACCESS AND UTILITY EASEMENT
NON-EXCLUSIVE INGRESS AND EGRESS EASEMENT, 1955-OR-236.
PUE, PVAE & PAE, FROM TRACT NO. 1594. (49.5'± WIDE)

Lennar Homes of California Inc.

Doc. No. 2014-0018502
A.P.N. 022-902-12

Tract No. 1594

HOUSE

GRAPHIC SCALE
10' 0' 10' 20'
1 INCH = 10 FEET

PROFESSIONAL LAND SURVEYOR
PAUL J. HANAGAN
NO. 7797
EXP. 12-31-21
STATE OF CALIFORNIA

REVISION

APPROVED *Paul Hanagan* Paul Hanagan LS 7797

HANAGAN LAND SURVEYING
305-C SOQUEL AVE.,
SANTA CRUZ, CA 95062
PHONE (831) 469-3428

Boundary and Topographic Map, The Lands Of:

Richard Hochler

4303 Scotts Valley Drive, Unit B, Scotts Valley, CA 95066

Santa Cruz County
A.P.N. 022-902-11

DATE 9-27-2019
DESIGN
DRAWN P. Hanagan
SCALE 1" = 10'

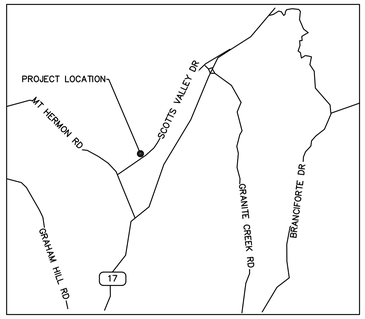
SHEET *SU-2*
OF 2 SHEETS

19103
JOB NO.

093

Disclaimer:
The electronic data and paper data set forth on this sheet is the property of Hanagan Land Surveying, Inc. It is an instrument of service and is not transferable, and may not be changed or modified in any way without the written consent of Hanagan Land Surveying, Inc. The proper electronic transfer of data shall be the users responsibility without liability to the surveyor.

Layout Tab Name: 24x36, Images: , Xrefs:
S:\PROJECTS\2019\19103 4303 Scotts Valley Drive\dwg\4303 Scotts Valley Drive.dwg, Plotted By: paul, Plotted: Aug 11, 2020 - 10:13am



VICINITY MAP – NOT TO SCALE

AVERAGE SLOPE CALCULATION (TOTAL SITE)

SV MUNICIPAL CODE 17.40.020

S=(0.00229 * I * L)/A
WHERE:

I = CONTOUR INTERVAL (FT.)
L = COMBINED LENGTH OF CONTOURS (FT.)
A = GROSS AREA OF SITE (ACRES)

S=(0.00229 * 1 * 2939)/0.434

S= 15.5%

STORM DRAINAGE SPECIFICATIONS

1. ALL INLETS SHALL BE CONCRETE OLDCASTLE CHRISTY PRODUCTS OR APPROVED EQUAL.
2. ALL STORM DRAIN PIPES SHALL BE SDR–26, HDPE SCHEDULE 40 OR APPROVED EQUAL.

DISCLAIMER

THE DATA SET FORTH ON THIS SHEET IS THE PROPERTY OF CORNERSTONE CIVIL INC. IT IS AN INSTRUMENT OF SERVICE AND MAY NOT BE REPRODUCED, ALTERED OR USED WITHOUT THE CONSENT OF THE ENGINEER. THE PROPER TRANSFER OF ELECTRONIC DATA SHALL BE THE USER'S RESPONSIBILITY WITHOUT LIABILITY TO THE ENGINEER. UNAUTHORIZED USE IS PROHIBITED.

ENGINEER'S NOTE TO CONTRACTOR

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES OR STRUCTURES SHOWN ON THESE PLANS ARE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN AND ANY OTHER LINES NOT OR RECORD OR NOT SHOWN ON THESE DRAWINGS. PRIOR TO EXCAVATION, THE CONTRACTOR SHALL CALL U.S.A. DIG ALERT TO VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES. 1(800)624–1444

GENERAL NOTES

1. OWNER:
   RICK HOCHLER
   4303 SCOTTS VALLEY DRIVE
   SCOTTS VALLEY, CA
2. ARCHITECTURAL PLANS:
   CRAYCROFT DESIGN
   455 HAPPY VALLEY WAY
   (831)427–3048
3. ALL GRADING OPERATIONS SHALL CONFORM TO SECTION 19 OF THE CALTRANS STANDARD SPECIFICATIONS, AND SHALL ALSO BE DONE IN CONFORMANCE WITH THE REQUIREMENTS OF THE CITY OF SCOTTS VALLEY.
4. THE CONTRACTOR SHALL NOTIFY THE CITY GRADING INSPECTOR AND AT LEAST 48 HOURS PRIOR TO TO THE START OF CONSTRUCTION.
5. THE CONTRACTOR SHALL IMMEDIATELY REPORT TO THE ENGINEER ANY DISCREPANCY OCCURRING ON THE DRAWINGS OR FOUND IN HIS COORDINATION WORK. NO CHANGES IN APPROVED PLANS SHALL BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE PROJECT ENGINEER AND THE CITY OF SCOTTS VALLEY.
6. WORK SHALL BE LIMITED TO 8:00 A.M. TO 5:00 PM WEEKDAYS. NON–NOISE PRODUCING ACTIVITIES, SUCH AS INTERIOR PAINTING, SHALL NOT BE SUBJECT TO THIS RESTRICTION.
7. NO LAND CLEARING, GRADING OR EXCAVATING SHALL TAKE PLACE BETWEEN OCTOBER 15 AND APRIL 15 UNLESS THE PLANNING DIRECTOR APPROVES A SEPARATE WINTER EROSION CONTROL PLAN.
8. BETWEEN OCTOBER 15 AND APRIL 15, EXPOSED SOIL SHALL BE PROTECTED FROM EROSION AT ALL TIMES. DURING CONSTRUCTION SUCH PROTECTION MAY CONSIST OF MULCHING AND/OR PLANTING OF NATIVE VEGETATION OF ADEQUATE DENSITY. BEFORE COMPLETION OF THE PROJECT, ANY EXPOSED SOIL ON DISTURBED SLOPES SHALL BE PERMANENTLY PROTECTED FROM EROSION.
9. THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO, OR USES OF, THESE PLANS. ALL CHANGES MUST BE IN WRITING AND MUST BE APPROVED BY THE ENGINEER PRIOR TO CONSTRUCTION.
10. STORM DRAIN TIE IN POINT IS BASED ON A DEVELOPMENT PLAN FOR THE NEIGHBORING LENNER PROPERTY. CONTRACTOR SHALL VERIFY THE SEWER, WATER AND STORM DRAIN PIPES HAVE BEEN INSTALLED CORRECTLY PRIOR TO CONSTRUCTION.

IMPERVIOUS SUMMARY

ITEM	EXISTING	PROPOSED	
		CREATED	REPLACED
BUILDING	1,727	3,223	0
ASPHALT	2,039	2,829	2,039
CONCRETE	0	0	0
TOTAL	8,091 SF CREATED OR REPLACED		
POROUS PAVERS	0	1,140	0

ITEM	CUT (CY)	FILL (CY)
SITE GRADING	417	25
BLDG FOUNDATION	215	5
DRIVEWAY	70	11
SUB–TOTAL	702	41
TOTAL	661 CY (EXPORT)	

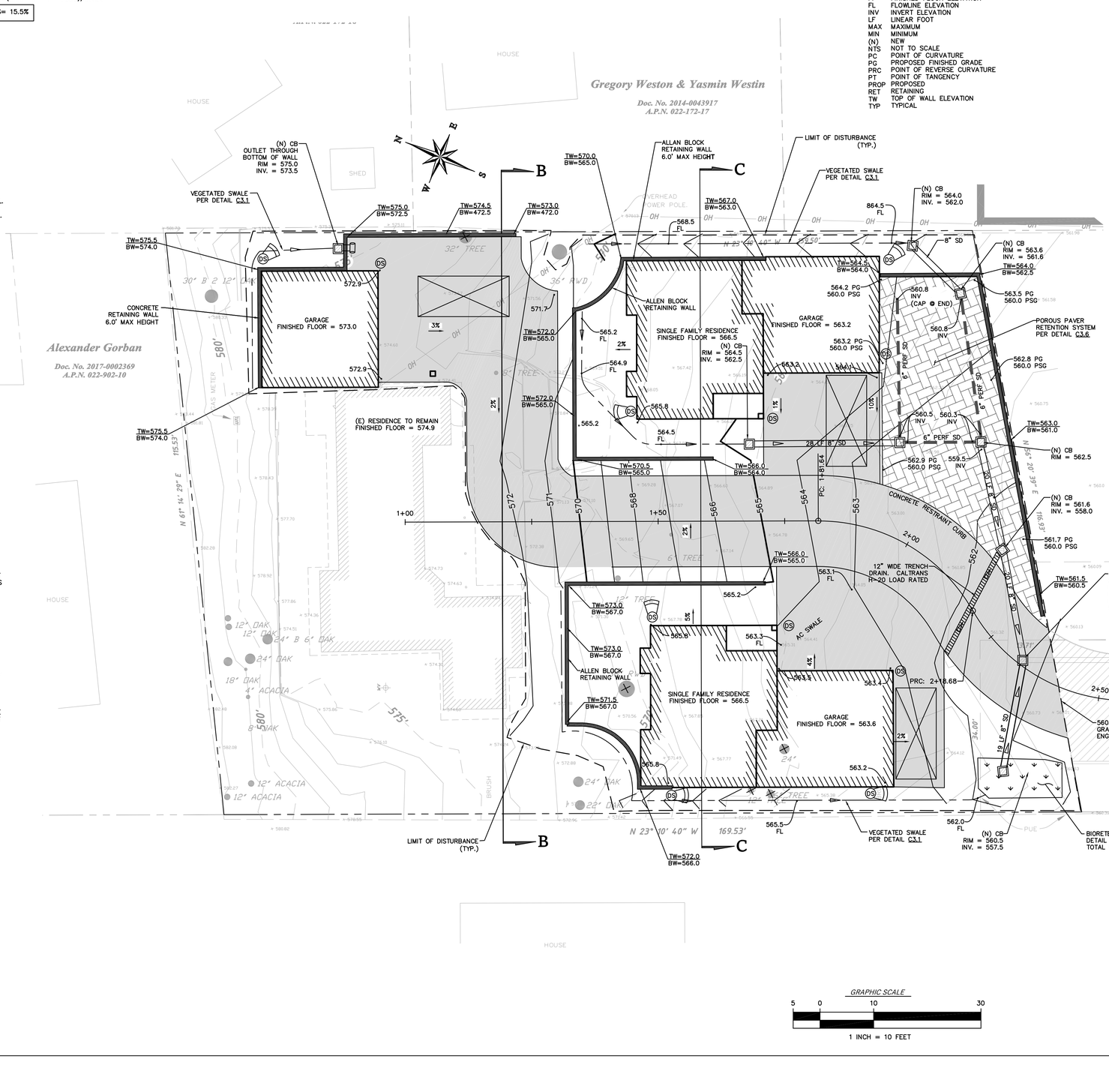
TOTAL AREA OF DISTURBANCE = 0.31 ACRES

ABBREVIATIONS

(E)	EXISTING
A.C.	ASPHALT CONCRETE
BW	BOTTOM OF WALL ELEVATION
BSG	BOTTOM OF SUBGRADE ELEVATION (POROUS PAVERS)
CB	CATCH BASIN
DS	DOWNSPOUT
EL	ELEVATION
FF	FINISHED FLOOR ELEVATION
FL	FLOWLINE ELEVATION
INV	INVERT ELEVATION
LF	LINEAR FOOT
MAX	MAXIMUM
MIN	MINIMUM
(N)	NEW
NTS	NOT TO SCALE
PC	POINT OF CURVATURE
PG	PROPOSED FINISHED GRADE
PRC	POINT OF REVERSE CURVATURE
PT	POINT OF TANGENCY
PROP	PROPOSED
RET	RETAINING
TW	TOP OF WALL ELEVATION
TYP	TYPICAL

LEGEND

- PROPOSED BUILDING
- PROPOSED POROUS PAVERS PER DETAIL C4.XX
- PROPOSED WOOD DECK PER ARCHITECTURAL PLAN
- PROPOSED RETAINING WALL
- 488 — PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- 492 — EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- 476.52 — PROPOSED SPOT GRADE ELEVATION
- LIMIT OF GRADING
- PROPOSED CONCRETE
- PROPOSED ASPHALT
- SETBACK
- PROPOSED CATCH BASIN
- PROPOSED VEGETATED SWALE
- GRADE BREAK
- PROPOSED FLOW ARROW
- PROPOSED 4" ROOF DRAIN LEADER
- 37 LF 8" SD — PROPOSED STORM DRAIN PIPE
- DS — ROOF DOWNSPOUT
- W — W — PROPOSED WATER SERVICE
- S — S — PROPOSED SEWER SERVICE
- LIMIT OF DISTURBANCE
- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED
- 8' X 18' GUEST PARKING SPACE



GRAPHIC SCALE
5 0 10 30
1 INCH = 10 FEET

REVISED PER WATER DEPT COMMENTS DEC 2020

4–LOT MINOR LAND DIVISION

FOR RICK HOCHLER
4303 SCOTTS VALLEY DRIVE
SCOTTS VALLEY, CA
APN: 022–902–11

CORNERSTONE CIVIL
Land Development Engineering
2528 Charlene Lane
Santa Cruz, CA
(831) 346-5446

REGISTERED PROFESSIONAL ENGINEER RYAN P. HALEY 38581 CIVIL STATE OF CALIFORNIA
PRELIMINARY NOT FOR CONSTRUCTION

JULY 28, 2020
DATE

DRAWN BY: R. HALEY
PROJECT No.: 19.017
DATE: JULY 2020

GRADING & DRAINAGE PLAN

C–1

ABBREVIATIONS

(E)	EXISTING
A.C.	ASPHALT CONCRETE
BW	BOTTOM OF WALL ELEVATION
CB	CATCH BASIN
DS	DOWNSPOUT
EL	ELEVATION
FF	FINISHED FLOOR ELEVATION
FL	FLOWLINE ELEVATION
INV	INVERT ELEVATION
LF	LINEAR FOOT
MAX	MAXIMUM
MIN	MINIMUM
(N)	NEW
NTS	NOT TO SCALE
PC	POINT OF CURVATURE
PRC	POINT OF REVERSE CURVATURE
PT	POINT OF TANGENCY
PROP	PROPOSED
RET	RETAINING
WNC	WALNUT CREEK
TW	TOP OF WALL ELEVATION
TYP	TYPICAL

CONNECTION NOTE

STORM DRAIN TIE IN POINT IS BASED ON A DEVELOPMENT PLAN FOR THE NEIGHBORING LENNER PROPERTY. CONTRACTOR SHALL VERIFY THE SEWER, WATER AND STORM DRAIN PIPES HAVE BEEN INSTALLED CORRECTLY PRIOR TO CONSTRUCTION.

LEGEND

- PROPOSED BUILDING
- PROPOSED POROUS PAVERS PER DETAIL C4.XX
- PROPOSED WOOD DECK PER ARCHITECTURAL PLAN
- PROPOSED RETAINING WALL
- 488 — PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- 492 — EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- 476.52 — PROPOSED SPOT GRADE ELEVATION
- LIMIT OF GRADING
- PROPOSED CONCRETE
- PROPOSED ASPHALT
- SETBACK
- PROPOSED CATCH BASIN
- PROPOSED VEGETATED SWALE
- GRADE BREAK
- PROPOSED FLOW ARROW
- PROPOSED 4" ROOF DRAIN LEADER
- 37 LF 8" SD — PROPOSED STORM DRAIN PIPE
- DS — ROOF DOWNSPOUT
- W — W — PROPOSED WATER SERVICE
- S — S — PROPOSED SEWER SERVICE
- LIMIT OF DISTURBANCE
- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED
- 8' X 18' GUEST PARKING SPACE

Kristopher Krenz & Ana Krenz
Doc. No. 2016-0019286
A.P.N. 022-172-16

Gregory Weston & Yasmin Westin
Doc. No. 2014-0043917
A.P.N. 022-172-17

Alexander Gorban
Doc. No. 2017-0002369
A.P.N. 022-902-10

Lennar Homes of California Inc.
Doc. No. 2014-0018502
A.P.N. 022-902-12
Tract No. 1594

HOUSE
HOUSE
SHED
OVERHEAD POWER POLE
OH
N 23° 10' 40" W 59.50'
N 23° 10' 40" W 169.53'
N 61° 14' 29" E 115.53'
N 56° 20' 39" E 116.93'
580'
575'
572'
32" TREE
30" B 2 12" OAK
36" RWD
8" TREE
6" TREE
12" TREE
24" TREE
12" OAK
24" B 6" OAK
24" OAK
18" OAK
4" ACACIA
8" OAK
12" ACACIA
22" OAK
BRUSH
GAS METER
PUE
PUE, EVAE & PAE, FROM TRACT NO. 1594. (49.5'± WIDE)
24' ACCESS AND UTILITY EASEMENT
ACORN COURT R.O.W.

4" SEWER LATERAL AT 2% MIN. STUB 3' FROM BLDG. INSTALL CLEANOUT PER SV STANDARD DETAIL SS-12
EXTEND WATER SERVICE TO WITHIN 5' OF BUILDING FOUNDATION
45° BEND INSTALL CLEANOUT INV = 558.00
MAINTAIN 10' SEPARATION BETWEEN WATER AND SEWER UTILITIES (TYP.)
6" SEWER MAIN
C/O INV. 560.60
6" S SEWER MAIN
C/O INV. 555.40
1" AND 2" FIRE AND DOMESTIC SERVICES (TYP.)
INV. @ CONNECTION = 552.60
(E) BLOWOFF
6" SEWER LINE STUBBED AT ℄ PER PLANS BY CBG ENGINEERS DATED JANUARY 2019 SEE CONNECTION NOTE ABOVE
3 X 2" SERVICE CONNECTIONS PER SVWD DETAIL 1
8" WATER LINE STUBBED AT ℄ PER PLANS BY CBG ENGINEERS DATED JANUARY 2019 SEE CONNECTION NOTE ABOVE
2 X COMBINATION 2" DOMESTIC AND FIRE SERVICE PER SVWD DETAIL 4
MAINTAIN 1' SEPARATION BETWEEN WATER LATERALS AND STORMDRAIN
ABANDON (E) WATER LATERAL
REMOVE (E) WATER METER TO 4303 SCOTTS VALLEY DRIVE
CAP AND ABANDON (E) LATERAL CONNECTION PER SCWD STANDARDS

GRAPHIC SCALE
5 0 10 30
1 INCH = 10 FEET

NOTE: LOCATIONS ARE APPROXIMATE. NOT SURVEYED. CONTRACTOR TO LOCATE (E) METER AND LATERAL CONNECTION TO THE MAIN.

△ REVISED PER WATER DEPT COMMENTS DEC 2020

4-LOT MINOR LAND DIVISION

FOR RICK HOCHLER
4303 SCOTTS VALLEY DRIVE
SCOTTS VALLEY, CA
APN: 022-902-11

CORNERSTONE CIVIL
Land Development Engineering
2528 Charlene Lane
Santa Cruz, CA
(831) 346-5446

REGISTERED PROFESSIONAL ENGINEER RYAN P. HALEY No. 78844 CIVIL STATE OF CALIFORNIA

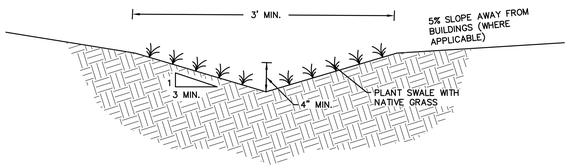
PRELIMINARY NOT FOR CONSTRUCTION

JULY 28, 2020
DATE

DRAWN BY: R. HALEY
PROJECT No.: 19.017
DATE: JULY 2020

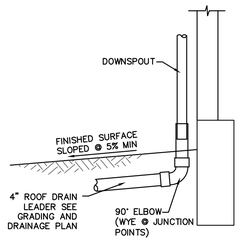
UTILITY PLAN

C-2



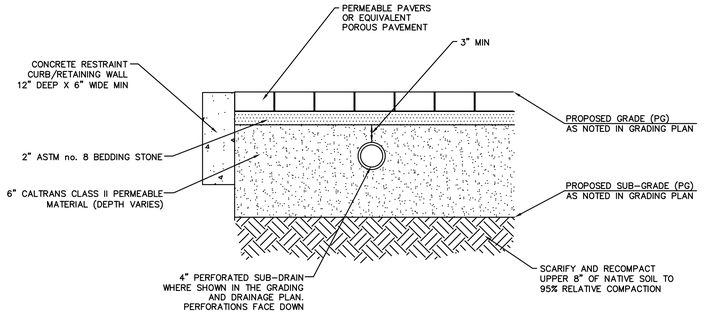
C3.1 VEGETATED SWALE DETAIL

NOT TO SCALE



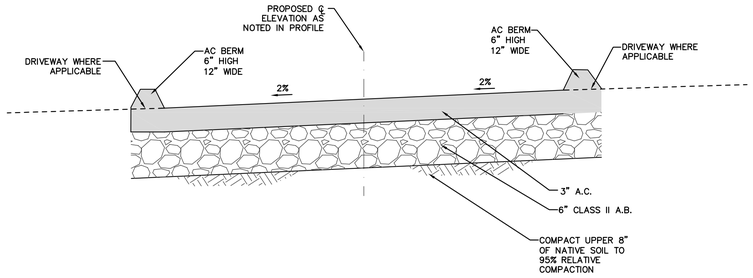
C3.2 ROOF DOWNSPOUT CONNECTION

NOT TO SCALE



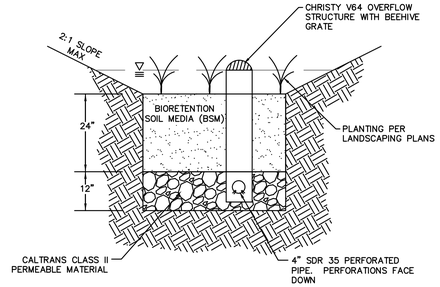
C3.6 POROUS PAVER DETAIL

NOT TO SCALE



C3.3 TYPICAL DRIVEWAY SECTION

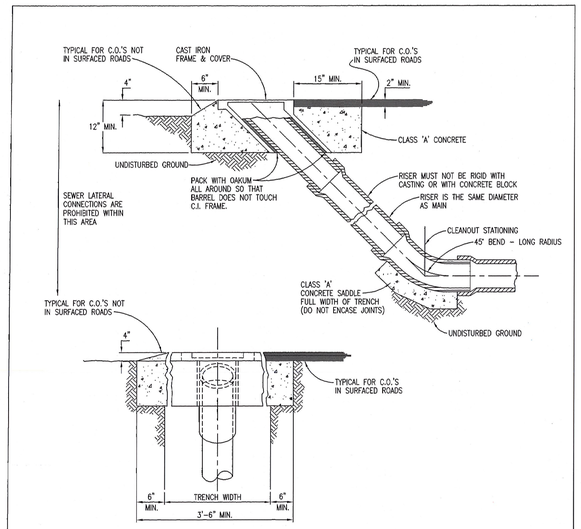
NOT TO SCALE



C3.5 BIORETENTION FACILITY

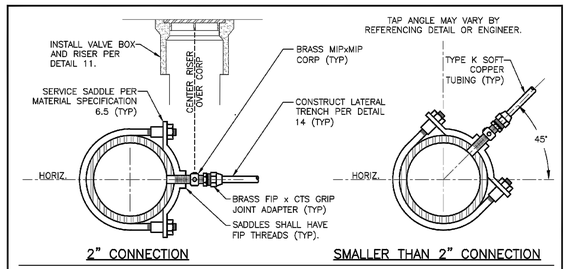
NOT TO SCALE

1. MULCH DEPTH 2–3", USE OF MULCH BELOW PONDING HIGH WATER MARK IS OPTIONAL. PREFERRED MULCH TYPE: AGED, STABILIZED, NON–FLOATING.
2. MINIMUM CURB DEPTH ALONG CITY RIGHT–OF–WAY SHALL BE 24". STEEL REINFORCEMENT IS REQUIRED FOR PLANTER WALLS INSTALLED ALONG CITY RIGHT–OF–WAY.
3. BIORETENTION SOIL MEDIA (BSM): MINIMUM INFILTRATION RATE 5 IN/HR. USE CONCRETE SAND (60–70%) MEETING ASTM C33 SPECIFICATIONS AND STABLE, WEED–FREE COMPOST (30–40%) MIXTURE.
4. SCARIFY SUBGRADE BEFORE INSTALLING BIORETENTION AREA AGGREGATE AND BSM.
5. USE MIN. 4" DIA. PVC SDR36 PERFORATED PIPE. INSTALL NEAR THE TOP OF AGGREGATE LAYER WITH HOLES FACING DOWN.
6. UNDERDRAIN DISCHARGE SHALL BE NO LOWER THAN THE TOP OF THE AGGREGATE LAYER. UNDERDRAIN SLOPE MAY BE FLAT.
7. PROVIDE 4" MIN. DIAMETER CAPPED AND THREADED PVC CLEANOUT FOR UNDERDRAIN, WITH SWEEP BEND.

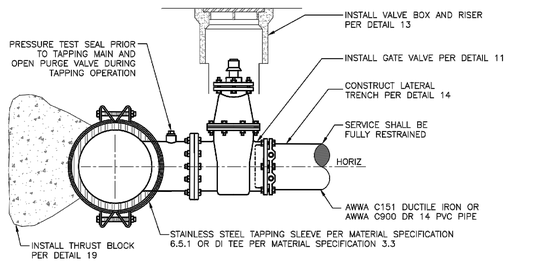


1. IN UNIMPROVED AREAS, THE TOP OF COVER SHALL BE PLACED A MINIMUM OF 4" ABOVE GROUND WITH PROTECTION FROM STORM WATER INTRUSION.
2. SEE STANDARD MAIN MANHOLE FOR MARKER POSTS.
3. FRAME AND COVER TO BE D&L SUPPLY MODEL H6520 OR APPROVAL EQUAL.

CITY OF SCOTTS VALLEY STANDARD DETAIL	SCOTT HAMBY DIRECTOR OF PUBLIC WORKS	DRAWING NO:	SS-12
STANDARD CLEANOUT		SCALE:	NONE
		DATE:	12/06/17



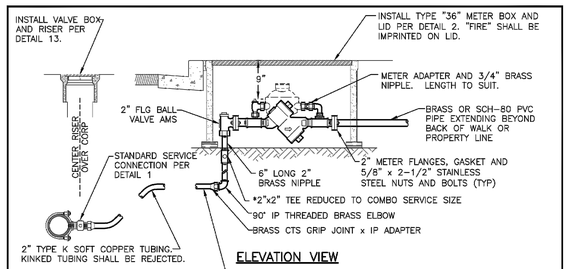
2" CONNECTION SMALLER THAN 2" CONNECTION



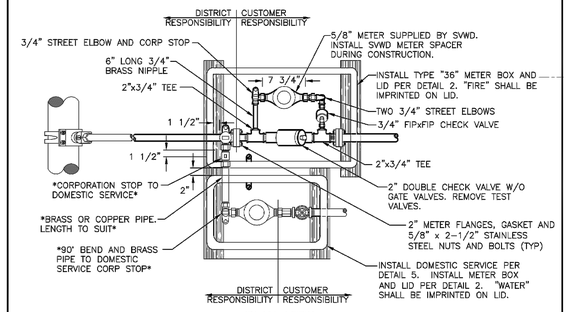
4" AND LARGER CONNECTION

NOTES
1. ALL HOT TAP CONNECTIONS SHALL BE MADE IN THE PRESENCE OF THE ENGINEER.
2. ALL HOT TAP CONNECTIONS SHALL BE AT LEAST 24" AWAY FROM ANY JOINT OR FITTING AND 18" AWAY FROM ANY OTHER TAP.
3. CONTRACTOR SHALL OPEN PURGE VALVE DURING TAPPING OPERATION.
4. SERVICE PIPING AND FITTING DIAMETERS SHALL MEET OR EXCEED THE SERVICE SIZE DESIGNATED BY THE ENGINEER.
5. TAPPING BIT SHALL BE OF THE HOLE–SAW OR SHELL TYPE.
6. COUPON OR "COOKIE" SHALL BE SUBMITTED TO THE ENGINEER UPON REQUEST.
7. IF COUPON IS LOST, CONTRACTOR SHALL FULLY OPEN SERVICE IN THE PRESENCE OF THE ENGINEER TO VERIFY FLOW.
8. CONTRACTOR SHALL COAT TAPPING SADDLE, ALL FASTENERS AND SERVICE LINE WITH BITUMASTIC AND/OR ENCASE IN POLYETHYLENE IF DIRECTED BY THE ENGINEER.
9. CONNECTIONS TO MAINS SMALLER THAN 4" SHALL BE SPECIFIED ON A CASE BY CASE BASIS.
10. SERVICE SHALL BE DISINFECTED IF REQUIRED BY THE ENGINEER.

SCOTTS VALLEY WATER DISTRICT
WWW.SVWD.ORG
DETAIL 1
SERVICE CONNECTION
NOT TO SCALE
RESOLUTION 08–11 APPROVED APRIL 14, 2011



ELEVATION VIEW



PLAN VIEW

NOTES
* REQUIRED ONLY FOR COMBO SERVICE INSTALLATIONS.
1. BRASS FITTINGS, VALVES AND PIPE SHALL CONSIST OF LOW–LEAD BRASS ALLOY AND SHALL HAVE A MINIMUM WORKING PRESSURE OF 150 PSI.
2. FIRE SERVICE LINE SHALL BE TESTED FOR LEAKS PRIOR TO BACKFILLING.
3. CUSTOMER SIDE FIRE SERVICE PIPE TYPE AND CONNECTION SHALL MEET LOCAL FIRE AGENCY REQUIREMENTS.
4. CONNECT NEW METER BOXES TO OTHER NEW AND EXISTING METER BOXES WITHIN 10 FEET WITH CONDUIT PER DETAIL 2.

SCOTTS VALLEY WATER DISTRICT
WWW.SVWD.ORG
DETAIL 4
COMBINATION 2–INCH FIRE AND DOMESTIC SERVICE INSTALLATION
NOT TO SCALE
RESOLUTION 08–11 APPROVED APRIL 14, 2011

REVISED PER WATER DEPT COMMENTS DEC 2020

4–LOT MINOR LAND DIVISION

FOR RICK HOCHLER
4303 SCOTTS VALLEY DRIVE
SCOTTS VALLEY, CA
APN: 022–902–11

CORNERSTONE CIVIL
Land Development Engineering
2528 Charlene Lane
Santa Cruz, CA
(831) 346-5446

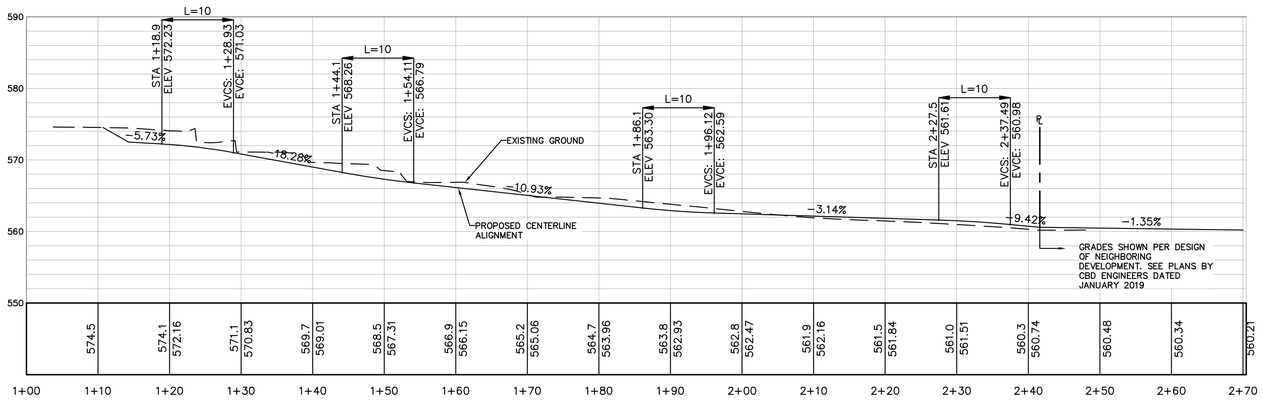
PRELIMINARY NOT FOR CONSTRUCTION
REGISTERED PROFESSIONAL ENGINEER RYAN P. HALEY No. 82138 CIVIL STATE OF CALIFORNIA

JULY 28, 2020
DATE

DRAWN BY: R. HALEY
PROJECT No.: 19.017
DATE: JULY 2020

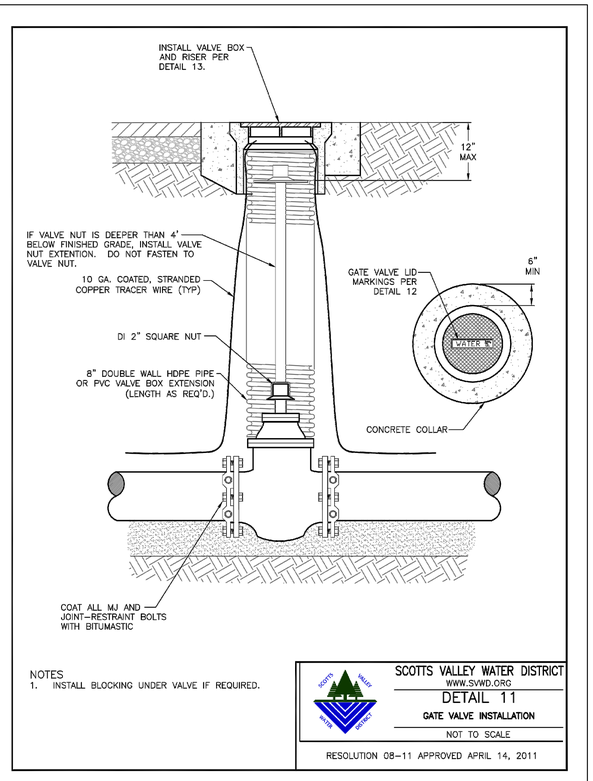
DETAILS

C–3



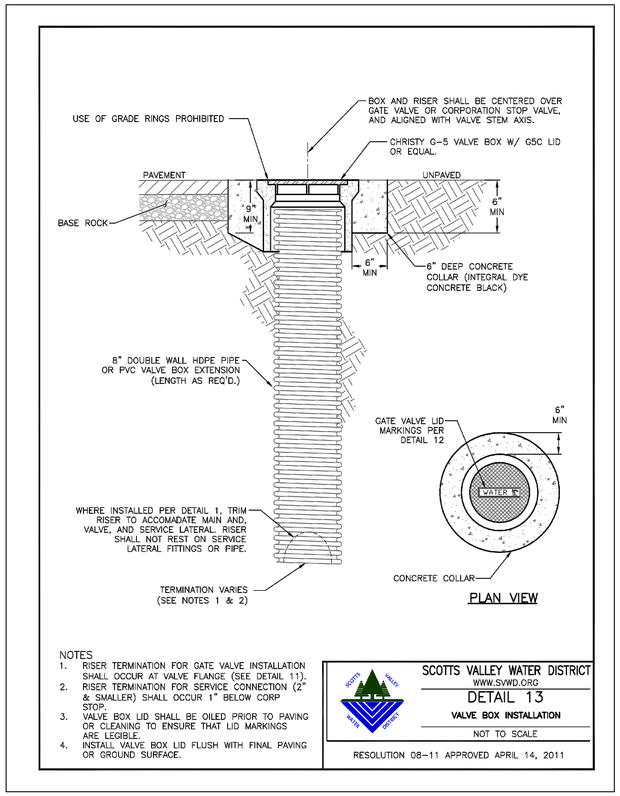
DRIVEWAY PROFILE

SCALE: 1"=10'



NOTES
1. INSTALL BLOCKING UNDER VALVE IF REQUIRED.

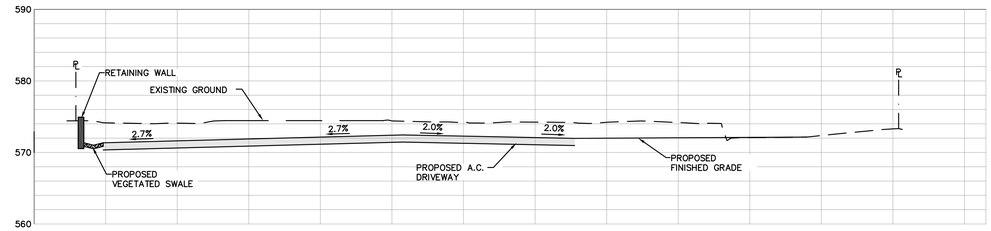
SCOTTS VALLEY WATER DISTRICT
WWW.SVWD.ORG
DETAIL 11
GATE VALVE INSTALLATION
NOT TO SCALE
RESOLUTION 08-11 APPROVED APRIL 14, 2011



PLAN VIEW

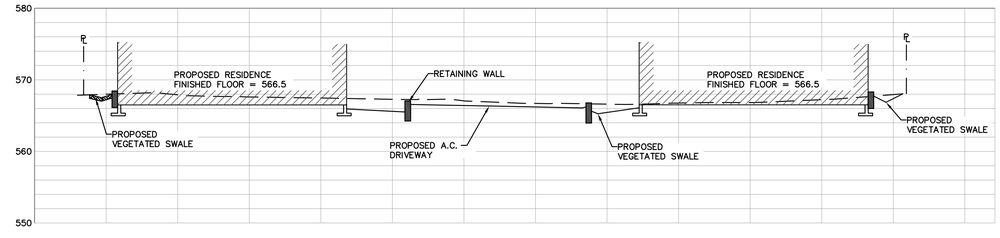
NOTES
1. RISER TERMINATION FOR GATE VALVE INSTALLATION SHALL OCCUR AT VALVE FLANGE (SEE DETAIL 11).
2. RISER TERMINATION FOR SERVICE CONNECTION (2" & SMALLER) SHALL OCCUR 1" BELOW CORP STOP.
3. VALVE BOX LID SHALL BE OILED PRIOR TO PAVING OR CLEANING TO ENSURE THAT LID MARKINGS ARE LEGIBLE.
4. INSTALL VALVE BOX LID FLUSH WITH FINAL PAVING OR GROUND SURFACE.

SCOTTS VALLEY WATER DISTRICT
WWW.SVWD.ORG
DETAIL 13
VALVE BOX INSTALLATION
NOT TO SCALE
RESOLUTION 08-11 APPROVED APRIL 14, 2011



SECTION B-B

SCALE: 1"=10'



SECTION C-C

SCALE: 1"=10'

⚠ REVISED PER WATER DEPT COMMENTS DEC 2020

4-LOT MINOR LAND DIVISION

FOR RICK HOCHLER
4303 SCOTTS VALLEY DRIVE
SCOTTS VALLEY, CA
APN: 022-902-11

CORNERSTONE CIVIL
Land Development Engineering
2528 Charlene Lane
Santa Cruz, CA
(831) 346-5446

REGISTERED PROFESSIONAL ENGINEER RYAN P. HALEY No. 82611 CIVIL STATE OF CALIFORNIA
PRELIMINARY NOT FOR CONSTRUCTION

JULY 28, 2020
DATE

DRAWN BY: R. HALEY
PROJECT No.: 19.017
DATE: JULY 2020

CROSS SECTIONS

C-4

SITE HOUSEKEEPING REQUIREMENTS

CONSTRUCTION MATERIALS

1. ALL LOOSE STOCKPILED CONSTRUCTION MATERIALS THAT ARE NOT ACTIVELY BEING USED (I.E. SOIL, SPOILS, AGGREGATE, FLY-ASH, STUCCO, HYDRATED LIME, ETC.) SHALL BE COVERED AND BERMED.
2. ALL CHEMICALS SHALL BE STORED IN WATERTIGHT CONTAINERS (WITH APPROPRIATE SECONDARY CONTAINMENT TO PREVENT ANY SPILLAGE OR LEAKAGE) OR IN A STORAGE SHED (COMPLETELY ENCLOSED).
3. EXPOSURE OF CONSTRUCTION MATERIALS TO PRECIPITATION SHALL BE MINIMIZED. THIS DOES NOT INCLUDE MATERIALS AND EQUIPMENT THAT ARE DESIGNED TO BE OUTDOORS AND EXPOSED TO ENVIRONMENTAL CONDITIONS (I.E. POLES, EQUIPMENT PADS, CABINETS, CONDUCTORS, INSULATORS, BRICKS, ETC.).
4. BEST MANAGEMENT PRACTICES TO PREVENT THE OFF-SITE TRACKING OF LOOSE CONSTRUCTION AND LANDSCAPE MATERIALS SHALL BE IMPLEMENTED.

LANDSCAPE MATERIALS

1. CONTAIN STOCKPILED MATERIALS SUCH AS MULCHES AND TOPSOIL WHEN THEY ARE NOT ACTIVELY BEING USED.
2. CONTAIN FERTILIZERS AND OTHER LANDSCAPE MATERIALS WHEN THEY ARE NOT ACTIVELY BEING USED.
3. DISCONTINUE THE APPLICATION OF ANY ERODABLE LANDSCAPE MATERIAL WITHIN 2 DAYS BEFORE A FORECASTED RAIN EVENT OR DURING PERIOD OF PRECIPITATION.
4. APPLY ERODABLE LANDSCAPE MATERIAL AT QUANTITIES AND APPLICATION RATES ACCORDING TO MANUFACTURE RECOMMENDATIONS OR BASED ON WRITTEN SPECIFICATIONS BY KNOWLEDGEABLE AND EXPERIENCED FIELD PERSONNEL.
5. STACK ERODABLE LANDSCAPE MATERIAL ON PALLETS AND COVERING OR STORING SUCH MATERIALS WHEN NOT BEING USED OR APPLIED.

VEHICLE STORAGE AND MAINTENANCE

1. MEASURES SHALL BE TAKEN TO PREVENT OIL, GREASE, OR FUEL TO LEAK IN TO THE GROUND, STORM DRAINS OR SURFACES WATERS.
2. ALL EQUIPMENT OR VEHICLES, WHICH ARE THE BE FUELED, MAINTAINED AND STORED ONSITE SHALL BE IN A DESIGNATED AREA FITTED WITH APPROPRIATE BMP'S.
3. LEAKS SHALL BE IMMEDIATELY CLEANED AND LEAKED MATERIALS SHALL BE DISPOSED OF PROPERLY.

WASTE MANAGEMENT

1. DISPOSAL OF ANY RINSE OR WASH WATERS OR MATERIALS ON IMPERVIOUS OR PERVIOUS SITE SURFACES OR INTO THE STORM DRAIN SYSTEM SHALL BE PREVENTED.
2. SANITATION FACILITIES SHALL BE CONTAINED (E.G., PORTABLE TOILETS) TO PREVENT DISCHARGES OF POLLUTANTS TO THE STORM WATER DRAINAGE SYSTEM OR RECEIVING WATER, AND SHALL BE LOCATED A MINIMUM OF 20 FEET AWAY FROM AN INLET, STREET OR DRIVEWAY, STREAM, RIPARIAN AREA OR OTHER DRAINAGE FACILITY.
3. SANITATION FACILITIES SHALL BE INSPECTED REGULARLY FOR LEAKS AND SPILLS AND CLEANED OR REPLACED AS NECESSARY.
4. COVER WASTE DISPOSAL CONTAINERS AT THE END OF EVERY BUSINESS DAY AND DURING A RAIN EVENT.
5. DISCHARGES FROM WASTE DISPOSAL CONTAINERS TO THE STORM WATER DRAINAGE SYSTEM OR RECEIVING WATER SHALL BE PREVENTED.
6. STOCKPILED WASTE MATERIAL SHALL BE CONTAINED AND SECURELY PROTECTED FROM WIND AND RAIN AT ALL TIMES UNLESS ACTIVELY BEING USED.
7. PROCEDURES THAT EFFECTIVELY ADDRESS HAZARDOUS AND NON-HAZARDOUS SPILLS SHALL BE IMPLEMENTED.
8. EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE AVAILABLE ON SITE AND THAT SPILLS AND LEAKS SHALL BE CLEANED UP IMMEDIATELY AND DISPOSED OR PROPERLY; AND
9. CONCRETE WASHOUT AREAS AND OTHER WASHOUT AREAS THAT MAY CONTAIN ADDITIONAL POLLUTANTS SHALL BE CONTAINED SO THERE IS NO DISCHARGE INTO THE UNDERLYING SOIL AND ONTO THE SURROUNDING AREAS.

EROSION CONTROL MEASURES

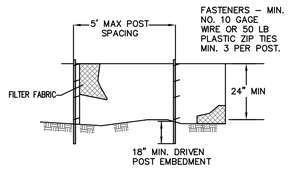
1. EROSION IS TO BE CONTROLLED AT ALL TIMES ALTHOUGH SPECIFIC MEASURES SHOWN ARE TO BE IMPLEMENTED AT A MINIMUM BY OCTOBER 15.
2. UNLESS SPECIFIC MEASURES ARE SHOWN OR NOTED ON THIS PLAN, ALL COLLECTED RUNOFF SHALL BE CARRIED TO DRAINAGE COURSES IN LINED CONDUITS. DISCHARGE SHALL BE IN THE LOCATIONS SHOWN ON THE PLANS.
3. THE DESIRED END RESULT OF THESE MEASURES IS TO CONTROL SITE EROSION AND PREVENT SEDIMENT TRANSPORT OFF THE SITE. IT SHALL BE THE DEVELOPER'S RESPONSIBILITY TO SEE THAT ANY ADDITIONAL MEASURES NECESSARY TO MEET THIS GOAL ARE IMPLEMENTED. IF FAILED INSPECTIONS BY COUNTY STAFF SHOW THIS GOAL IS NOT BEING MET, ADDITIONAL MEASURES MAY BE REQUIRED.
4. ALL DISTURBED AREAS NOT CURRENTLY BEING USED FOR CONSTRUCTION SHALL BE SEEDED WITH THE FOLLOWING SEED MIXTURE:

   WINTER BARLEY 25#/ACRE
5. AFTER SEEDING, STRAW MULCH WILL BE APPLIED IN 4" (AVG.) LAYERS.
6. AMMONIUM PHOSPHATE FERTILIZER, 6-3-3, SHALL BE APPLIED AT A RATE OF 30 LBS. PER ACRE. ON SLOPES GREATER THAN 20% EROSION CONTROL BLANKET (NORTH AMERICAN GREEN) SHALL BE APPLIED.
7. SILT BARRIERS SHALL BE PLACED END TO END AND STAKED DOWN ALONG THE BOTTOM OF ALL GRADED SLOPES.

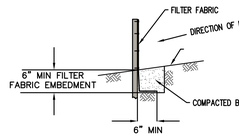
ALL EROSION CONTROL MEASURES INCLUDING BUT NOT LIMITED TO SILT FENCES, FIBER ROLLS AND SLOPE PROTECTION SHALL BE IN PLACE BY OCTOBER 15TH. THE ENGINEER OF RECORD SHALL INSPECT ONCE EROSION CONTROL MEASURES HAVE BEEN INSTALLED.

EXPOSED SLOPE MEASURES

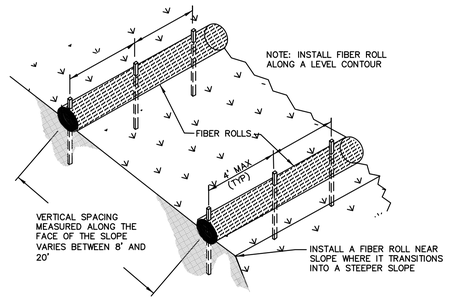
1. COVER ALL EXPOSED SLOPES
2. STRAW 2 TONS/ACRE ON SLOPES ≤ 20% WITH SOIL BINDER
3. USE NORTH AMERICAN GREEN C125 OR EQUAL ON SLOPES >20%.



ELEVATION

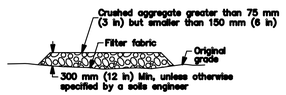


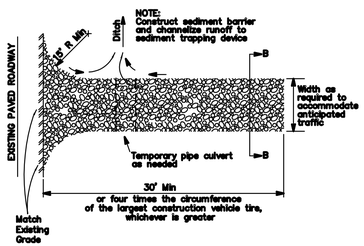
SILT FENCE DETAIL



TYPICAL FIBER ROLL INSTALLATION

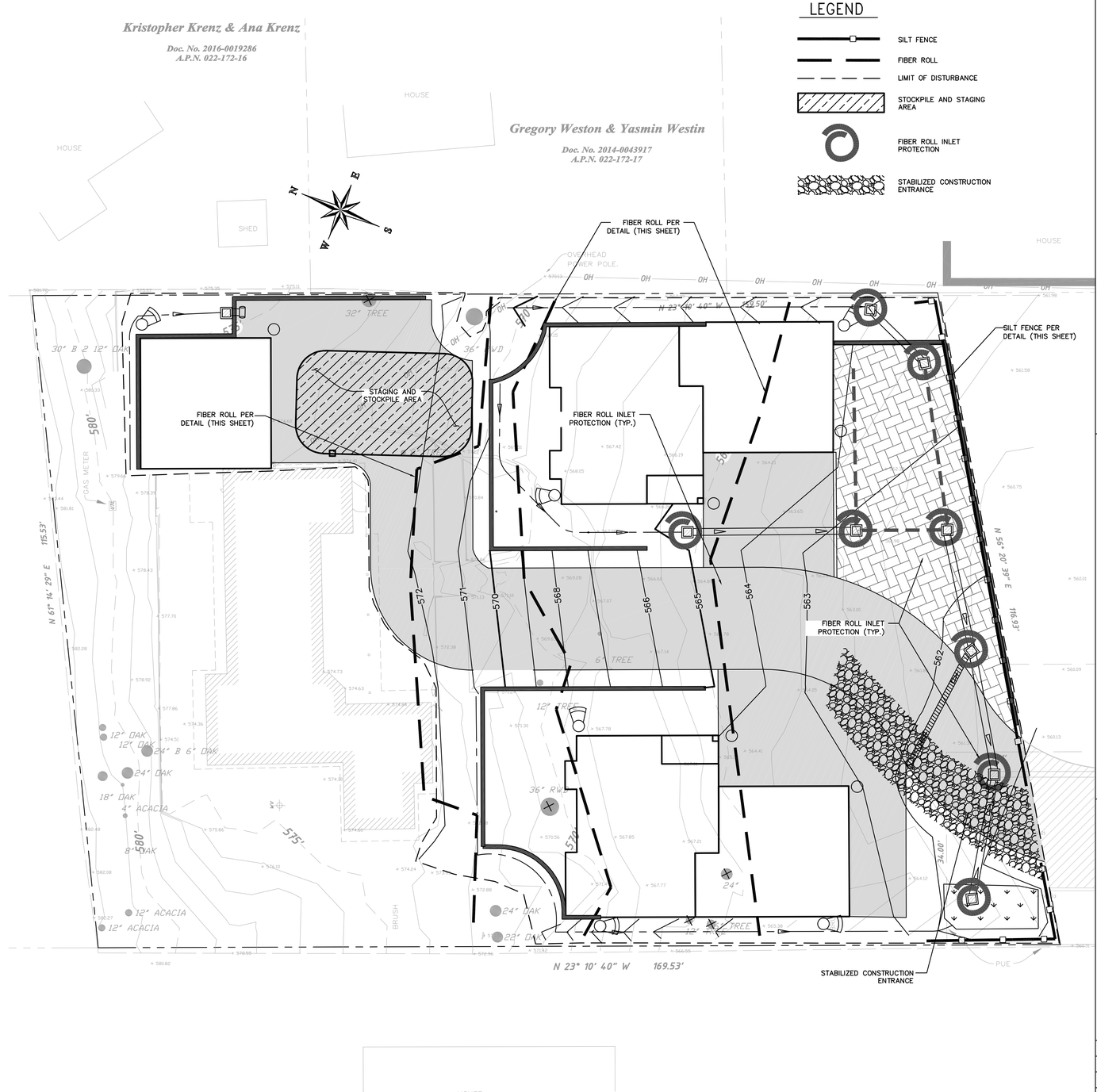
NTS





STABILIZED CONSTRUCTION ENTRANCE

NTS



REVISED PER WATER DEPT COMMENTS DEC 2020

4-LOT MINOR LAND DIVISION

FOR RICK HOCHLER
4303 SCOTTS VALLEY DRIVE
SCOTTS VALLEY, CA
APN: 022-902-11

CORNERSTONE CIVIL
Land Development Engineering
2528 Charlene Lane
Santa Cruz, CA
(831) 346-5446

REGISTERED PROFESSIONAL ENGINEER RYAN P. HALEY No. 84511 CIVIL STATE OF CALIFORNIA
PRELIMINARY NOT FOR CONSTRUCTION

JULY 28, 2020
DATE

DRAWN BY: R. HALEY
PROJECT No.: 19.017
DATE: JULY 2020

EROSION CONTROL PLAN

C-5

LEGEND

0% < SLOPE < 25%	15,950 SF
25.01% < SLOPE < 30%	1,270 SF
30.01% < SLOPE < 1000%	1,100 SF
STRUCTURE (0%)	1,728 SF



GRAPHIC SCALE

5 0 10 30

1 INCH = 10 FEET

REVISED PER WATER DEPT COMMENTS DEC 2020

4-LOT MINOR LAND DIVISION

FOR RICK HOCHLER
4303 SCOTTS VALLEY DRIVE
SCOTTS VALLEY, CA
APN: 022-902-11

CORNERSTONE CIVIL
Land Development Engineering
2528 Charlene Lane
Santa Cruz, CA
(831) 346-5446

REGISTERED PROFESSIONAL ENGINEER RYAN P. HALEY CIVIL STATE OF CALIFORNIA

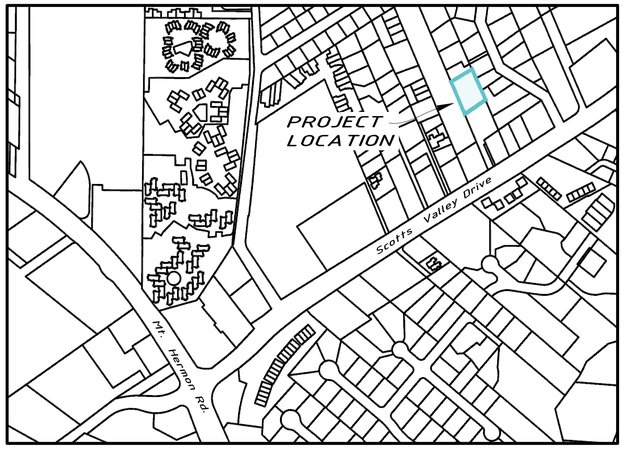
PRELIMINARY NOT FOR CONSTRUCTION

JULY 28, 2020
DATE

DRAWN BY: R. HALEY
PROJECT No.: 19.017
DATE: JULY 2020

EXISTING SLOPE AREAS MAP

C-6



Location Map

Within the City of Scotts Valley (not to scale)

Project Data

Project Description

A four lot Minor Land Division, with Parcel A as a remainder parcel, of the lands of Richard Steven Hochler, Trustee of The Hochler Family Trust dated March 15, 1996, recorded in Document No. 2019-0004291 of the Official Records of Santa Cruz County.

Owner, Subdivider & Address

Richard Steven Hochler,
325 Canham Road, Scotts Valley, CA 95066

Existing Zoning

R-H: High Density 3,000 sq.ft/du

General Plan

High Density Residential

Proposed Use

A four lot Minor Land Division with a remainder parcel for four new single family dwellings.

Sanitary Sewer

City of Scotts Valley.

Storm Drain

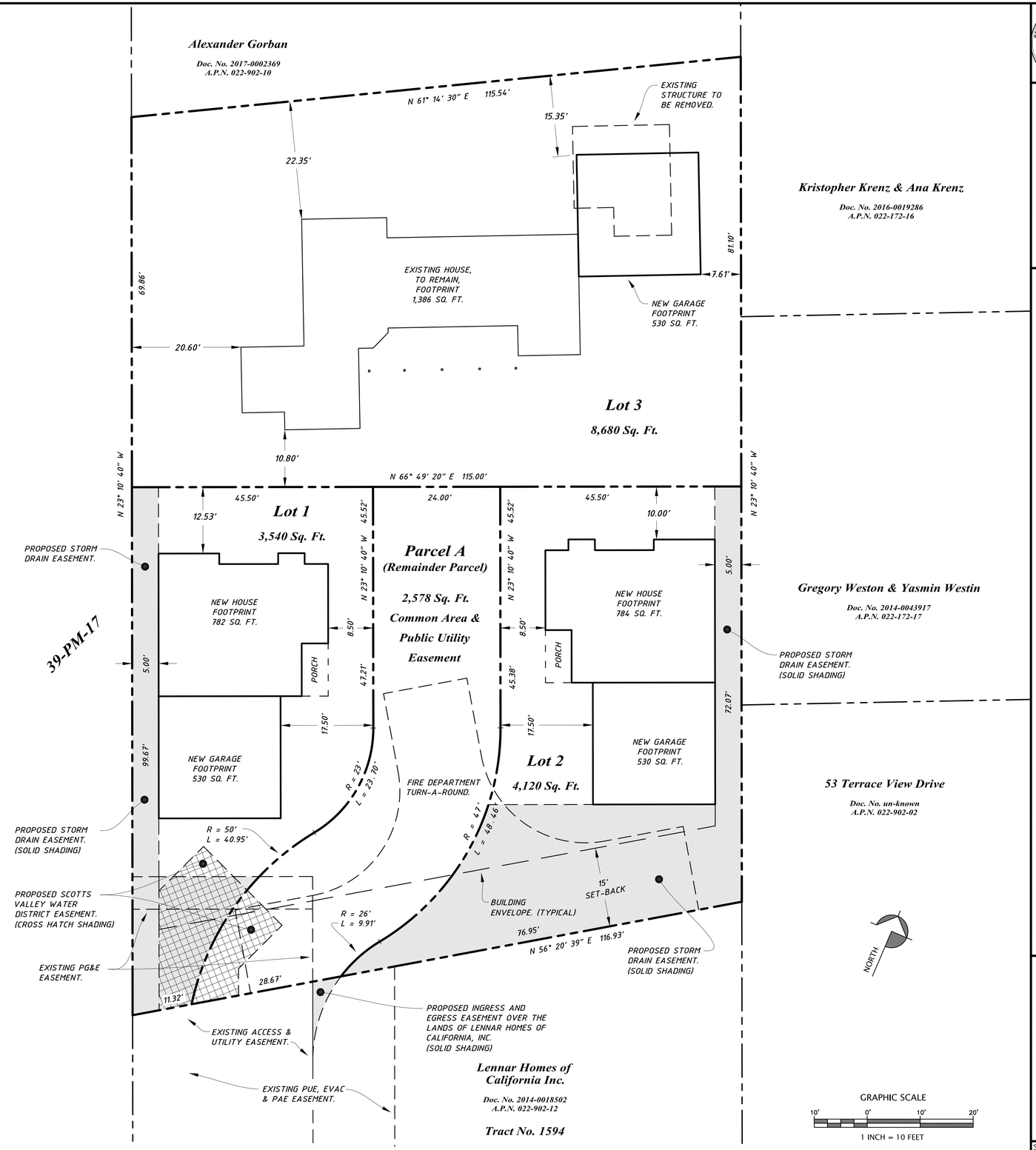
City of Scotts Valley.

Water Service

City of Scotts Vally.

Parcel Area (gross and net)

Parent Parcel = 18,918 sq. ft. or 0.434 acre.
Lot 1 = 3,540 sq. ft.
Lot 2 = 4,120 sq. ft.
Lot 3 = 8,680 sq. ft.
Parcel A = 2,578 sq. ft.



Tentative Parcel Map

PROFESSIONAL LAND SURVEYOR
PAUL J. HANAGAN
NO. 7797
EXP. 12-31-21
STATE OF CALIFORNIA

REVISION

APPROVED Paul Hanagan
Paul Hanagan LS 7797

HANAGAN LAND SURVEYING
305-C SOQUEL AVE.,
SANTA CRUZ, CA 95062
PHONE (831) 469-3428

Tentative Parcel Map, The Lands Of:
Richard Hochler
4303 Scotts Valley Drive, Unit B, Scotts Valley, CA 95066

Santa Cruz County
A.P.N. 022-902-11

DESIGN
DRAWN P. Hanagan
DATE 9-27-2019
SCALE 1" = 10'

SHEET SU-1
OF 2 SHEETS

JOB NO. 19103

Disclaimer:
The electronic data and paper data set forth on this sheet is the property of Hanagan Land Surveying, Inc. It is an instrument of service and is not transferable, and may not be reproduced, changed or copied in any form or manner whatsoever. Nor may it be assigned to any third party without the express written consent of Hanagan Land Surveying, Inc. Any unauthorized use, reuse or modification of this data shall be the users responsibility without liability to the surveyor.
Layout Tab Name: 24x36, Imagtek - Xref:
S:\PROJECTS\2019\19103 4303 Scotts Valley Drive\Dwg\4303 Scotts Valley Drive Tentative Parcel Map 3 Lot.dwg, Plotted By: paul, Plotted: Dec 11, 2020 - 3:28pm

Negative Declaration

Name of Project

4303 B Scotts Valley Drive Planned Development

Lead Agency

City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

Contact

Paula Bradley, MCP, AICP
Contract Planner
831 345-5482
pbradley@mbakerintl.com

Project Applicant

John Craycroft
Craycroft Designs
455 Happy Valley Way
Santa Cruz, CA 95065
831 427-3048
craycroftdesign@mac.com

Project Location

The project site is on one parcel (APN 022-902-11) on Scotts Valley Drive in the City of Scotts Valley.

Project Description

The proposed 4303 B Scotts Valley Drive Project (the project) is a Planned Development (minor subdivision) to create three lots (Lots 1, 2, and 3), and one common area (Parcel A) for an access road and utilities, on an existing 18,918 square foot (sf) lot (the project site). The project would construct two, 2-story, 3-bathroom, single-family homes on Lots 2 and 1. An existing single-family residence (Lot 1) would remain, however a new 529 sf garage would be constructed on the northeast side, adjacent to the existing unit.

Access to all three lots would be from a newly created "Parcel A" (remainder parcel) that would serve as common access to the homes and provide underground utilities. Parcel A would

connect to an existing 24-foot wide roadway "Coastal Oak Court" off of Acorn Court, which also provides access to two new triplex units (Lennar Homes Inc.) south of the project site. Parcel A would also include a turn-around for emergency services and an underground retention area with pervious pavers on the south side of the project site.

The project site is located within the R-H High Density Residential Zoning District, which requires a minimum density of 3,000 square feet per unit.

Public Review and Comment Period

March 30, 2021 through April 30, 2021

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to the City of Scotts Valley at the address listed above or by email to the project planner listed above. All comments received by 5:00 PM on April 30, 2021 will be considered by the City of Scotts Valley.

Findings and Reasons

Apart from the implementation of identified Standard Conditions of Approval, the Initial Study did not identify any potentially significant impacts on the environment. The project will not have the potential to significantly degrade the environment; will have no significant impact on long-term environmental goals; will have no significant cumulative effect upon the environment; and will not cause substantial adverse effects on human beings, either directly or indirectly.

The following reasons will support these findings:

1. The project is consistent with the adopted goals and policies of the City of Scotts Valley General Plan, and the City of Scotts Valley Municipal Code.
2. City staff independently reviewed the Initial Study, and this negative declaration reflects the independent judgment of the City of Scotts Valley.

4303 B Scotts Valley Drive Planned Development Initial Study



Table of Contents

Background & Project Description 1
Environmental Setting 3
Environmental Checklist 3
Aesthetics 3
Agriculture and Forestry Resources 5
Air Quality 6
Biological Resources 11
Cultural Resources 14
Energy 15
Geology and Soils 16
Greenhouse Gas Emissions 19
Hazards and Hazardous Materials 21
Hydrology and Water Quality 24
Land Use and Planning 27
Mineral Resources 27
Noise 28
Population and Housing 30
Public Services 31
Recreation 33
Transportation 34
Tribal Cultural Resources 35
Utilities and Service Systems 37
Wildfire 39
Mandatory Findings of Significance 40
Determination 42

List of Figures

Figure 1: Regional Location
Figure 2: Project Vicinity
Figure 3: Site Plan
Figure 4: Proposed Elevations of Lot 1
Figure 5: Proposed Elevations of Lot 2
Figure 6: Grading Plan
Figure 7: Exterior Lighting Plan
Figure 8: Planting Plan

Note: All figures are inserted at the end of the document.

Initial Study

Background & Project Description

Project Title

4303 B Scotts Valley Drive Project

Lead Agency Name and Address

City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

Contact Person and Phone Number

Paula Bradley, MCP, AICP
Contract Planner
831 345-5482
pbradley@mbakerintl.com

Project Location

As shown in Figure 1: Regional Location, and Figure 2: Project Vicinity, the project site is on one parcel (APN 022-902-11) on Scotts Valley Drive in the City of Scotts Valley.

Project Applicant/Sponsor

John Craycroft
Craycroft Designs
455 Happy Valley Way
Santa Cruz, CA 95065
831 427-3048
craycroftdesign@mac.com

General Plan Designation

Residential High Density (R-H)

Zoning

Residential High Density (R-H)

Project Description

The proposed 4303 B Scotts Valley Drive project (the project) is a Planned Development (minor subdivision) to create three lots (Lots 1, 2, and 3), and one common area (Parcel A) for an access road and utilities, on an existing 18,918 square foot (sf) lot (the project site). As shown in Figure 3: Site Plan, the project would construct two new single-family homes on Lots 2 and 3.

An existing single-family residence (Lot 1) would remain; however, a new 529 sf detached garage would be constructed on the northeast side, adjacent to the existing home.

The project site is located within the R-H High Density Residential Zoning District, which requires a minimum density of 3,000 square feet per unit. The residential lots would range in size from 3,540 sf to 8,680 sf.

The two new homes would be two-story, three-bedrooms, each totaling 2,050 sf of occupied space and a two car garage. The elevations of the subdivision are shown in Figure 4: Proposed Elevations of Lot 1 and Figure 5: Proposed Elevations of Lot 2.

Access to all three lots would be from a newly created "Parcel A" (remainder parcel) that would serve as common access to the homes and provide underground utilities. Parcel A would connect to an existing 24-foot wide roadway "Coastal Oak Court" off of Acorn Court, which also provides access to two new triplex units (Lennar Homes Inc.) south of the project site. Parcel A would also include a turn-around for emergency services and an underground retention area with pervious pavers on the south side of the project site.

As shown in Figure 6: Grading Plan, grading for the project would require a cut of 702 cubic yards of soil, and fill of 41 cubic yards, for a net export of 661 cubic yards. Stormwater would flow generally north to south across the project site.

Storm drainage from constructed impervious surfaces (e.g. roofs, driveways) would be conveyed via a series of collector storm drainpipes to underground (Stormtech) chambers located on the new private driveway where it would be retained and treated. Stormwater from the private driveway located on the project site would be collected via drainage inlets and directed to a newly constructed 8-inch storm drain for channel overflow along the southern boundary of the project site. A bioretention facility would be constructed on the southwest corner of the project site to control storm drain flows.

Water and sewer services would connect to an existing six-inch sanitary sewer and eight-inch water main located on Scotts Valley Drive.

Project-Related Approvals and Permits

- Planned Development Permit PD19-004
- Minor Land Division MLD19-002
- Design Review DR19-014
- Environmental Assessment EA19-010
- Environmental Review ND20-002

Other public agencies whose approval is required

None.

Environmental Setting

Background and Intent

The purpose of the project is to allow for the subdivision of the project site (Lots 1 through 3) and the construction of two residential units as part of a Planned Development.

Project Site and Existing Facilities

The project site (APN 022-902-12) is currently developed with a single-family residence, a small shed, and a paved driveway. The General Plan designation is Residential High Density (R-H) and the zoning designation is Residential High Density (R-H). Surrounding the project to the north, and east are single-family residences, and multi-family to the west. Located on an adjacent parcel to the south, is an affordable housing planned development (Lennar Homes Inc.) consisting of two triplexes currently under construction.

Environmental Checklist

The discussion below analyzes the potential environmental impacts of the project per the criteria as described in Public Resources Code Section 21166 and CEQA Guidelines Section 15162. For convenience, this analysis uses the Appendix G of the CEQA Guidelines as a framework. Different from the standard CEQA checklist included in Appendix G of the CEQA Guidelines are the impact options included in this analysis.

Aesthetics

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
a) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X
b) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				
c) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion

Scenic Vista

The project site currently contains a single-family home and is surrounded by residential uses. The project site is flat and would not block any scenic vista nor substantially change an important view from a scenic vantage point, and therefore there would be no impact.

Scenic Resources and Visual Character

The project site is not located along a state scenic highway or designated scenic corridor. Although the project would represent a visual change from the existing conditions, it would be consistent with the type of development planned for this area in the General Plan. Additionally, the project is subject to design review, which would provide an opportunity for further evaluation that the project would not adversely impact the visual character of the area. Because there are no scenic resources and the visual character would not be substantially altered, there would be no impact.

Light and Glare

Existing ambient sources of nighttime lighting include neon and fluorescent signs, lighting of building exteriors and architectural accents, illumination through windows, landscape lighting, street lighting, parking lot lighting, and vehicle headlights. The project would include outdoor lighting on the site typical of a residential development. As shown in Figure 7: Exterior Lighting Plan, project plans provide details for exterior lighting for the proposed homes that include: 25-inch tall lighting bollards and wall mounted lights. All fixtures would utilize light-emitting diode (LED) lighting with glare cutoff.

Site and architectural lighting is subject to the City design review process which would provide an opportunity for further evaluation of levels of luminance and thereby minimize lighting affects the adjacent properties. To ensure lighting is harmonious with the surrounding area, a

project-specific condition will require the project applicant to use no pole lights, and utilize down-directed fixtures on building exteriors with concealed light sources, consistent with City policies and design guidelines for lighting to be at the lowest level and carefully controlled for security, aesthetics, safety, and identification without interfering with nearby land uses. Implementation of these standard conditions of approval would reduce potential off-site light intrusion impacts to a less than significant level.

Findings

The project would not generate affect a scenic vista or scenic resource, would not change the visual character of the project area, and therefore there would be no impact. The project would not result in a substantial change to light and glare and therefore impacts would be less than significant. No mitigation is required.

Agriculture and Forestry Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Production (as defined by Government Code section 51104(g))?				
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Discussion

The property is not located on land that is classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the Farmland Mapping and Monitoring Program of the California Resource Agency. The site is zoned Residential High Density (R-H). Therefore, no agricultural impacts would occur as a result of the project.

Findings

As described above, there would be no impact on agricultural resources. Therefore, no mitigation is required.

Air Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?				X

Discussion

Air Quality Plan and Air Quality Standards

The project site is located within the North Central Coast Air Basin (NCCAB), which includes Monterey County, San Benito County, and Santa Cruz County, comprising an area of approximately 5,159 square miles along the central California coast. The Monterey Bay Air Resources District (MBARD) is responsible for local control and monitoring of criteria air pollutants throughout the NCCAB.

MBARD has developed the *2012 Air Quality Management Plan for the Monterey Bay Region* (2012 AQMP) The 2012 AQMP is a transitional plan shifting focus of MBARD's efforts from achieving the 1-hour component of the State ozone AAQS to achieving the 8-hour ozone requirement. The Plan includes an updated air quality trends analysis, which reflects both the 1- and 8-hour standards, as well as an updated emission inventory, which includes the latest information on stationary, area and mobile emission sources.

In March 2017, MBARD adopted the *2012-2015 Triennial Plan Revision*, which assesses and updates elements of the 2012 AQMP, including the air quality trends analysis, emission inventory, and mobile source programs. The 2017 AQMP Revision only addresses attainment of the State ozone standard. In 2012, EPA designated the NCCAB as in attainment of the current national 8-hour ozone standard of 0.075 ppm[1].

[1] On October 1, 2015, U.S. EPA adopted a new 8-hour ozone standard of 0.070 ppm. However, U.S. EPA has not yet reviewed recent NCCAB emissions to determine attainment with the current 0.070 ppm standard. Therefore, this attainment status is based upon U.S. EPA's prior 0.075 ppm standard.

The following MBARD rules would limit emissions of air pollutants from construction and operation of residential development pursuant to the project:

- *Rule 400 (Visible Emissions)* – Discharge of visible air pollutant emissions into the atmosphere from any emission source for a period or periods aggregating more than 3minutes in any 1 hour, as observed using an appropriate test method, is prohibited.

- *Rule 402 (Nuisances)* - No person shall discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or which endanger the comfort, repose, health, or safety of any such persons or the public; or which cause, or have a natural tendency to cause, injury or damage to business or property.

- *Rule 425 (Use of Cutback Asphalt)* – The use of cutback asphalt (asphalt cement that has been blended with petroleum solvents) is restricted.

- *Rule 426 (Architectural Coatings)* – This rule limits the emissions of ROGs from the use of architectural coatings.

The MBARD's 2008 CEQA Air Quality Guidelines provides criteria for determining cumulative impacts and consistency. The CEQA Air Quality Guidelines note that a project which is inconsistent with an Air Quality Plan would have a significant cumulative impact on regional air quality. Any emissions sources that would be generated as part of the project would be subject to the MBARD rules and regulations. The proposed development (the point source) does not include any processes or activities that would emit air pollutants. Therefore, the proposed use does not have the potential for significant impacts that would conflict with the AQMP. Therefore, the project would be consistent with the AQMP for the Monterey Bay Region. Thus, the project would not make a considerable contribution to this existing, cumulatively significant impact. Impacts would be less than significant.

Construction

MBARD CEQA Guidelines state that construction activities (e.g., excavation, grading, on-site vehicles) that emit 82 pounds per day or more of PM_{10} would have a significant impact on local air quality when they are located nearby and upwind of sensitive receptors. Based on this emissions threshold, construction activity occurring on more than 2.2 acres per day may result in significant PM_{10} emissions (MBARD, 2015). Because development of the project would not result construction activity occurring on more than 2.2 acres per day, impacts would be less than significant.

However, grading activities during construction could cause dust accumulation in the project area. Implementation of the following standard conditions of approval would be required to ensure potential impacts are reduced to a less-than-significant level for all construction activities on the project site.

Furthermore, standard conditions of approval require that development projects reduce dust generation from project grading and construction to minimal levels, the project proponent shall require the grading contractor to implement best management practices (BMPs) for dust control, including watering down exposed earth surfaces each non-rainfall day at intervals that attenuate dust problems. Any dirt tracked on to adjacent roadways shall be removed daily in a manner that does not create substantial airborne dust. The following BMPs shall be included in the building plans for the project and be implemented during site grading:

- Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.
- A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.
- In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.
- The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.
- Roadway(s) along the project frontage shall be mechanically swept at the end of each work day when any dirt or mud has been tracked on the street.
- No grading activities shall occur during days of high wind velocity.
- Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.
- Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.

Operational

The project would result in new long-term operational emissions from mobile sources (burning of fossil fuels in cars); energy sources (cooling, heating, and cooking); and area sources (landscape equipment and household products). Mobile source emissions constitute most operational emissions from this type of land use development project. However, emissions associated with buildout of this type of project is not expected to exceed any applicable MBARD thresholds. No stationary sources would be constructed that would be long-term permanent sources of emissions. Therefore, the project would not generate a significant level of operational emissions and impacts would be less than significant.

Sensitive Receptors

Sensitive receptors in the vicinity include residents, located approximately 20 feet from the property boundaries of the proposed development.

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust which is a known toxic air containment (TAC). The California Air Resources Board (CARB) has identified diesel exhaust particulate matter as a toxic air contaminant, and assessment of toxic air contaminant cancer risks is typically based upon a 70-year exposure period. Project grading and construction activities that would utilize diesel-powered equipment would expose receptors to possible diesel exhaust for a very limited number of days (approximately 10 days). Because exposure to diesel exhaust would be well below the 70-year exposure period, and given the limited and short-term duration of activities that would use diesel equipment, construction-related diesel emissions are not considered significant. Furthermore, the State is implementing emission standards for different classes of on- and off-road diesel vehicles and equipment that applies to off-road diesel fleets and includes measures such as retrofits. Additionally, Title 13 of the California Code of Regulations (section 2485(c)(1)) prohibits idling of a diesel engine for more than five minutes in any location.

Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations. Potential exposure of sensitive receptors to diesel emissions and associated risks is considered a less-than-significant impact, and no mitigation measures are required. However, standard conditions of approval require that prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

Odors

During construction activities, temporary odors from vehicles exhaust and construction equipment engine would occur. However, construction-related odors would be short-term and would cease upon completion. Therefore, no objectionable odors are anticipated from construction activities associated with the project and there would be no impact.

Land uses typically producing objectionable odors include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The project does not include any uses that would be associated with objectionable odors. Odor emissions from the project would be limited to odors associated with vehicle and engine exhaust and idling cars. The project does not include any known sources of objectionable odors associated with the long-term operational use and therefore there would be no impact.

Findings

A significant air quality impact is defined as any violation of an ambient air quality standard, any substantial contribution to an existing or projected air quality violation, or any exposure of sensitive receptors to substantial pollutant concentrations. As discussed above, the MBARD thresholds of significance have not been exceeded. Therefore, there would be no significant air quality impacts and no mitigation is required in addition to the City's standard conditions of approval for construction dust control at the time of development.

Biological Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Discussion

An Entomological Assessment was prepared for the project site in September of 2005 (Entomological Consulting Services, September 2005). An updated Entomological Assessment was prepared in April 2020, based on the current project (Dr. Richard Arnold, Consulting Entomologist, February 2020). Additionally, a Preliminary Tree Inventory & Assessment was prepared for the project (Kurt Fouts, December 10, 2019). The analysis below is based on the findings of these assessments.

Sensitive Natural Communities, Special Status Species, and Wildlife Corridors and Nursery Sites

The Santa Cruz County soils mapping (Bowman and Estrada 1980) indicate that the upper portions of the project site are characterized by Zayante sands. Based on a site survey by Dr. Arnold (2020), he examined the soils at several locations on the project site and observed a mixture of loam and sand, as is typical of Elder sandy loam, rather than pure or nearly pure sand, which is characteristic of Zayante sands. Based on his assessment, the illustrated boundary between the Elder sandy loam and Zayante sand soils on the project site appears to more transitional rather than an abrupt change in soil type as shown on the County's soil map. Because the endangered Mount Hermon June beetle is associated with Zayante sands, the presence of a loam-sand mixture is unlikely to support this beetle. For this reason, Dr. Arnold concluded that the project site is not considered suitable habitat for the endangered Mount Hermon June Beetle.

Dr. Arnold also concluded that due to the absence of Watsonville loam soils and coastal terrace prairie habitat, the project site is not suitable habitat for the endangered Ohlone Tiger beetle or the Opler's Longhorn moth. Similarly, due to the absence of open sand parkland vegetation, the project site is not considered a suitable habitat for the endangered Zayante Band Winged grasshopper (Richard Arnold, Consulting Entomologist, February 2020).

As an urban infill site surrounded by commercial and high-density residential uses, the project would not impede the movement of native wildlife nursery sites or migratory wildlife corridors. As such, the project would have no impact on wildlife corridors or nursery site.

State and Federal Regulated Waterways and Federal Wetlands

Section 404 of the federal Clean Water Act protects wetland habitats that are classified as federal "jurisdictional wetlands". Section 1600 et seq. of the California Fish and Game Code also protects wetland habitats and requires a Streambed Alteration Agreement to be obtained from the California Department of Fish and Game (CDFG) for the alteration of most wetlands. There are no swamps, marshes, or other types of wetlands on the project site. Thus, the project would have no impact and no mitigation is required.

Conflict with Local Polices, HCP or NCCP, or Other Conservation Plan

Per SVMC Section 17.44.080(E)(4), tree removal request shall be included as part of the development application, including an arborist's report, and shall be approved by the planning commission or city council. The development review process shall seek to preserve healthy trees, trees that contribute to the overall aesthetic quality of an area, and to preserve significantly sized trees that are important to the overall landscape of an area.

The Preliminary Tree Inventory & Assessment (Kurt Fouts, December 10, 2019) evaluated 14 "protected" trees on the project site, which includes Coast live oak (8), Coast redwood (1), Incense cedar (2), Glossy Privet (2), and California Laurel (1). The reported identify six trees in poor condition, concluded that more than half of the trees are not suitable for incorporation into the project, either due to poor condition (6 trees), or high construction impacts (5 trees).

As shown in Figure 8: Planting Plan, the project would remove the California Laurel (T2) and the two Incense Cedars (15 and T18). The Preliminary Tree Inventory recommended tree replacement to compensate for their removal at a 2:1 tree replacement using 15-gallon or 24-inch box size trees. This recommendation is consistent with City regulations, as described above.

Standard conditions of project approval require the project applicant to implement all measures contained within the Preliminary Tree Inventory for the protection of existing trees to remain, including but not limited to the required procedures and sequence, required tree replacement, tree preservation and protection, and appraised value of preserved trees in the report.

As described above, the Entomological Assessment concluded that the future development would not impact the Mount Hermon June Beetle or the Zayante Band Wing grasshopper. Therefore, the proposed project would not conflict with any local policies or applicable HCP's and there would be no impact.

Findings

The project would comply with the City's standard conditions of approval wherein protected tree removals are compensated at a minimum of 2:1 ratio. Therefore, the project would result in less than significant impacts and no mitigation is required.

Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			X	

Discussion

Cultural Resources

The Scotts Valley 1994 General Plan, Figure OS-2 ("Archeological Sensitivity Zones"), indicates that the project site is located within areas of moderate archaeological sensitivity.

Standard conditions of approval for development require that the project applicant and construction contractor ensure that any cultural resource, including archaeological, paleontological, or human remains are not destroyed if discovered during project grading or other subsurface work.

As part of the standard conditions of approval, the project applicant shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The project applicant shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below:

1. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities;

2. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis;
3. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring;
4. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present; and,
5. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The project applicant shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist, in order to locate or expose cultural remains.

Human Remains

No known human remains are located on the project site. Pursuant to section 7050.5 of the Health and Safety Code, if human remains are discovered, there shall be no further excavation or disturbance of the discovery site or any nearby area reasonably suspected to overlie adjacent human remains until the project applicant has complied with the provisions of State CEQA Guidelines Section 15064.5(e).

Findings

As discussed above, the project site is located within areas of moderate and high archaeological sensitivity. However, the project would comply with the City's standard conditions of approval for on-site project monitoring, which would reduce any potential impacts associated with cultural resources to a less than significant level.

Energy

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to				x

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X

Discussion

Energy consumption associated with construction of the project would be temporary and short-term. Project design and operation would comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards. Additionally, the project includes other design features including efficient low-energy lighting, and natural ventilation systems.

The project would also be required to be built according to City and State energy efficiency standards. The project would be required to comply with existing regulations, including applicable measures from the City's General Plan. Vehicle trips and energy consumption would be less carbon intensive as compared to historic levels due to statewide compliance with future low carbon fuel standard amendments and increasingly stringent Renewable Portfolio Standards).

Findings

The project would comply with existing State energy standards and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. There would be no impact to energy.

Geology and Soils

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Discussion

Earthquake Faults, Landslides, and Seismic Ground Shaking

Project construction would subject the buildings and their inhabitants to periodic seismic shaking associated with the San Andreas Fault and other active faults within the Monterey Bay area. As part of any future Planned Development application submitted to the City of Scotts Valley, the project applicant would be required to submit plans that are in compliance with the latest California Building Code (CBC) standards consistent with Title 15 – Buildings and Construction of the Scotts Valley Municipal Code.

Prior to approval of any entitlements, City staff is required to review project plans and verify that the CBC Seismic requirements are printed on the plans. Building Division staff shall verify that CBC standards are met prior to issuance of Building Permits. Building inspectors shall conduct site inspections to assure that construction occurs consistent with approved plans.

The Scotts Valley 1994 General Plan, Figure S-3 ("Liquefaction Potential") indicates that the project site is not in an area for liquefaction. Figure S-4 ("Landslide Deposits") indicates that the site is not in an area containing landslide deposits. Figure S-5 ("Slopes"), indicate that the project site is not located within any mapped geological hazard areas. Per the earthquake hazard zones defined by the Alquist-Priolo map, the risk of earthquake-induced ground rupture occurring across the project site is moderately low.

A geotechnical investigation was prepared by Rock Solid Engineering, Inc. (Rock Solid Engineering, October 2019), which determined that given the project site is generally level, and the potential for seismically induced landslides are low.

Because compliance with Title 15 – Buildings and Construction of the Scotts Valley Municipal Code is required for all future project, potential impacts associated with earthquake-related ground rupture would be less than significant and no mitigation is required.

Soil Erosion

The project would involve the removal of landscape vegetation and grading activities associated with the construction of buildings, infrastructure, and roads. Grading would largely be limited to the project site, which would limit the amount of exposed soil area that would be subject to erosion. Measures to control erosion would be incorporated into the construction specifications pursuant to the National Pollution Discharge Elimination System (NPDES) requirements for construction. In addition, to comply with the NPDES requirements for construction, projects involving construction on sites that are one acre or more are required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) that specifies how the discharger would protect water quality during construction activities. Compliance with the erosion control ordinances and acquisition of the NPDES General Permit for construction activities would ensure that soil erosion impacts associated with development pursuant to the project would be less than significant.

Sewage Disposal

The project would involve disposal of wastewater through the City's existing sanitary sewer system, and there would be no septic systems constructed as part of the project. Therefore, no impacts would occur.

Unique Geological Features and Paleontological Resources

There are no known paleontological resources on the project site. However, development of the project could result in the discovery and disturbance of previously unknown or undiscovered paleontological resources. Should evidence of paleontological resources be encountered during grading and construction, adherence to City, State, and Federal historic preservation laws, regulations, and codes related to archaeological and paleontological resources would ensure the adequate protection of historic and pre-historic resources. With implementation of existing regulations, the impact would be less than significant.

Findings

Compliance with Title 15 – Buildings and Construction of the Scotts Valley Municipal Code and NPDES requirements would reduce any potential impacts associated with geological and soil resources to a less than significant impact. Therefore, no mitigation is required.

Greenhouse Gas Emissions

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion

Construction

Construction of the project would result in direct emissions of CO_2, N_2O, and CH_4 from the operation of construction equipment and the transport of materials. MBARD does not have a threshold for construction GHG emissions, which would be one-time, short-term emissions and therefore would not significantly contribute to long-term cumulative GHG emissions impacts of the project. In the absence of quantitative significance thresholds in CEQA guidance, this analysis turns to other programs. For example, the CARB Mandatory Reporting program requirements are triggered for sources of GHG emissions exceeding 2,500 $MTCO_2e$) per year. AB 32 requires California agencies to take actions that would reduce GHG emissions by 2020 to the levels of 1990, and then substantially further reduce emissions by 2050. Most individual projects do not generate sufficient GHGs to create a project-specific impact to significantly influence climate change; therefore, this impact typically involves an analysis to determine if a project's GHG emissions are cumulatively considerable (significant cumulative impact). Once construction is complete, the generation of construction-related GHG emissions would cease. The project is not expected to exceed the CARB Mandatory Reporting applicability level of 2,500 $MTCO_2e$ per year. As a result, the short-term emission of GHG during construction would be less than significant.

Operational

Operational or long-term emissions would occur over the project's life. GHG emissions would result from direct emissions such as project generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power over the life of the project, the energy required to convey water to, and wastewater from the project site, the emissions associated with solid waste generated from the project site, and any fugitive refrigerants from air conditioning or refrigerators. The project would meet CalGreen and CBC

standards for energy efficiency standards including passive solar design and natural ventilation and natural lighting.

Additionally, the project includes water-efficient landscape, water-reducing features, and low-impact development practices to reduce water use. The project is an example of "smart growth" strategies based on infill, density, and unit types. Energy use of the completed residential units would be less than similar units constructed in previous years because their construction is required to comply with the energy efficiency standards of the California Building Code. All these factors result in a project that would not significantly contribute to a cumulative GHG impact. Thus, impacts would be considered less than significant.

Findings

While some GHGs would be generated as a result of development of the project, its contribution to GHGs would not be cumulatively considerable and there would not be any significant impacts associated with GHGs. Therefore, the project would result in a less than significant impact, and no mitigation is required.

Hazards and Hazardous Materials

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

Discussion

Hazardous Substances

Regarding on-site hazards, the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No records of the project site were found pertaining to open cases of LUSTs, toxic releases, or site cleanup requirements.

It is likely that oils, lubricants, and similar materials may be used to maintain and/or fuel construction vehicles and machinery during the construction phase of the project. Standard conditions of approval require the project applicant to have the construction contractor implement a best management practice/hazardous materials containment plan during the entire time construction activities are occurring. The hazardous materials containment plan shall contain the following elements:

- Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.
- Construction materials shall not be stockpiled or stored where they could be accidently discharged downslope or in to Scotts Valley Drive.
- Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

The project's residential uses may involve use and storage of some materials that are considered hazardous, although these materials are typically limited to everyday use solvents, paints, chemicals used for cleaning and building maintenance, and landscaping supplies. These materials would not be substantially different from household chemicals and solvents already in use throughout the City. Therefore, impacts associated with hazardous substances would be considered less than significant, and no mitigation is required.

Release of Substances Near Schools

Scotts Valley Middle School is located approximately 650 feet west of the project site. However, project construction and operation would not involve the emission of hazardous materials, therefore impacts would be considered less than significant and no mitigation is required.

Emergency Response

General Plan Safety Element Figure S-6 "Evacuation Routes" shows Scotts Valley Drive as a primary evacuation route in the City's Emergency Response Plan. Construction of the project would not change the function of Scotts Valley Drive as a primary evacuation route. Therefore, the proposed project would have no impact on emergency response.

Public Airport or Private Airstrip

The project site is not located within two miles of a public airport or public use airport, or within the vicinity of a private airstrip. Therefore, there would be no impact.

Wildland Fire

Refer to the Wildfire Section below for further discussion.

Findings

The project site is not on a list of hazardous materials sites, nor would the residential use involve the use of hazardous materials that would require permitting by the Santa County Health Department and therefor impacts would be less than significant. The project would not impact the City's primary evacuation routes, nor is it located within two miles of an airport, and therefore there would be no impacts. No mitigation is required.

Hydrology and Water Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				X
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X	
i. Result in substantial erosion or siltation on- or off-site?			X	
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
iv. Impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

Discussion

Groundwater Demand

According to the project plans, the project would use approximately 110 gallons per day (or 0.1 acre-feet of water per year) of water. The Scotts Valley Water District has reviewed the application and has determined that existing water resources would support the proposed development (SVWD Will Serve Letter, dated October 23, 2019). Therefore, there would be no impact.

Groundwater Recharge

The project is located in an area designated on the Scotts Valley General Plan Hydrological Resources Map, Figure OS-5, as a Potential Groundwater Recharge Area. Per the Open Space and Conservation Policy OSA-343 of the Scotts Valley General Plan, all proposed construction in a Potential Groundwater Recharge Area requires a detailed hydrological evaluation to mitigate the loss of recharge.

According to the Stormwater Control Plan (Cornerstone Civil, July 2020), the project site contains 3,766 sf of impervious surface area. Redevelopment would increase the amount of impervious surface area by 6,052 sf and replace an existing 2,039 sf, resulting in a net addition of impervious surface area to 8,091 sf. To offset the potential loss of groundwater infiltration, the project would construct a 70 sf bioretention area in the southwest portion of the project site, as well as porous pavers on the southeast corner of the site, for a retention system. These two new water quality treatment measures would be used as a hybrid system to mitigate all new impervious areas. Additionally, the project would incorporate various low impact development design strategies such as the use of permeable pavements, dispersal of runoff of pervious areas, and stormwater control measures that would assist in improving groundwater conditions. Therefore, there would be no impact and no mitigation is required.

Stormwater Runoff

The project applicant prepared a Stormwater Control Plan (SCP) (Cornerstone Civil, 07/28/2020) to address potential impacts from stormwater runoff. The PSCP described project site-specific best management practices (BMPs) to control erosion and sedimentation and maintain water quality in accordance with the current edition of the City of Scotts Valley Stormwater Technical Guide. The BMPs address the construction and maintenance of storm drain inlets, irrigation and use of pesticides, maintenance of hardscapes, and maintenance of underground stormwater facilities.

Furthermore, standard conditions of approval require the developer and construction contractor to implement best management practices to prevent sedimentation and discharge of contaminants off-site during project construction, including hazardous materials containment plan during the entire time construction activities are occurring. The hazardous materials containment plan shall contain the following elements:

- Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.
- Construction materials shall not be stockpiled or stored where they could be accidently discharged downslope or in to Scotts Valley Drive.
- Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

Implementation of recommendations as described in the SCP and preparation of a SWPPP for review and approval prior to construction activities would ensure that impacts from stormwater runoff would be less than significant.

Floodplains, Seiche, Tsunami and Mudflow Related Hazards

The property is not located within a floodplain. There is no possibility of a seiche or tsunami occurring that could affect the project. The project is not located on or near a lake or ocean coastline. Therefore, the project would have no impacts.

Findings

Implementation of recommendations as described in the SCP and preparation of a SWPPP would reduce impacts on hydrology and water resources to a level of less than significant. Therefore, no mitigation is required.

Land Use and Planning

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

Discussion

Residential land uses surround the project site on all sides. No community or neighborhood would be physically divided by the project.

The project site is currently zoned Residential High Density (R-H). The project site is designated in the City of Scotts Valley General Plan as Residential High Density (R-H), which allows for 9 to 15 residential units. Therefore, the project would be consistent with the existing zoning and General Plan land use designations.

Findings

The proposed future residential use of the site would be in keeping with surrounding land uses and the development pattern of the neighborhood. The project would have no impact and therefore no mitigation is required.

Mineral Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
be of value to the region and the residents of the state?				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Discussion

The Scotts Valley 1994 General Plan, Figure OS 4, indicates that there are no significant mineral deposits on the project site. The project is not located in an area known to contain regionally significant mineral resources and would not result in the loss of the availability of a known mineral resource of regional value. Additionally, the project site is not located in an area that has been identified by the City of Scotts Valley as a locally important mineral resource recovery site.

Findings

The project would have no impact and therefore no mitigation is required.

Noise

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion

Short Term Noise Levels

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g. land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect the residential neighborhoods surrounding the construction site. Project construction would occur adjacent from existing single-family residences; however, construction activities would occur throughout the project site and would not be concentrated at a single point near sensitive receptors.

Project construction would comply with the City's Municipal Code Section 17.46.160, which states that all construction activity shall be limited to the hours between 8 a.m. and 6 p.m., Monday through Friday, and 9 a.m. through 5 p.m. on Saturday. No construction activity is allowed on Sunday. These permitted hours of construction are included in the code in recognition that construction activities undertaken during daytime hours are a typical part of living in an urban environment and do not cause a significant disruption. Construction would occur throughout the project site and would not be concentrated or confined in the area directly adjacent to sensory receptors. Therefore, construction noise would be acoustically dispersed throughout the project site and impacts would be less than significant.

Long Term Noise Levels

The Noise Contour Map for the City indicates that the project site is in an area of less than 60dBA. The Noise Element of the Scotts Valley General Plan specifies that "exterior noise levels measured at the property line of proposed new residential developments shall be limited to or below an average annual day-night level of 60 dBA" (NA-454).

Implementation of the project would create new sources of noise in the project vicinity from residential sources, mechanical equipment, and landscape maintenance. These noise sources would be similar to those generated in other residential neighborhoods throughout the City. Such noise would primarily occur during the "daytime" activity hours of 7:00 a.m. to 7:00 p.m. Furthermore, the residences would be required to comply with the noise standards set forth in the City's General Plan and Municipal Code. Per General Plan Policies LP-38, NA-457, NO-441, and NA-444 land uses which include residential uses should not be allowed in areas with excessive noise. Therefore, there would be no impact from long-term noise levels.

Exposure to Groundborne Vibrations

Because the project would not require the use of heavy construction equipment, the residences located adjacent to the project site would not be exposed to vibrations levels exceeding the FTA's 0.20 in/sec PPV significance threshold vibrations. Therefore, there would be no vibration impacts.

Future project residents may experience occasional groundborne vibrations from nearby traffic on Scotts Valley Drive when large trucks use the roadway. But this vibration is not expected to be frequent nor at high levels. This impact is less than significant.

Airport or Private Airstrip Noise

The project site is not located within any airport noise impact contours and not located within the vicinity of any private air strip, and therefore there would be no impact.

Findings

The project would not expose future residential uses to short-term construction nor long-term operational noise levels in excess of City standards. Noise generated during the construction phase is temporary and would be limited to Monday-Saturday daytime hours per compliance with the City's Municipal Code Section 17.46.160. Therefore, no mitigation is required.

Population and Housing

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
example, through extension of roads or other infrastructure)?				
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

Discussion

The project would result in a relatively small increase in population (five persons [2]) that is well within the land use buildout capacity projections identified within the City of Scotts Valley General Plan (1994) as well as the Association of Monterey Bay Area Government's 2018 Regional Growth Forecast for the City of Scotts Valley population of 12,418 by 2040. Therefore, there would be no impact.

Findings

There is no potential for a significant impact due to substantial growth either directly or indirectly. Therefore, the project would have a no impact and no mitigation is required.

Public Services

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order				

[2] . The average household size for Scotts Valley is 2.67 persons which estimates 5 persons for a project with 2 units

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?				X
ii) Police protection?				X
iii) Schools?				X
iv) Parks?				X
v) Other public facilities?				X

Discussion

Fire Services

The project is located in an existing urban area that is currently served by the Scotts Valley Fire Protection District. The closest fire station is located approximately 300 feet east of the project site. Therefore, there would be no impact.

Police Services

The project would add new residents to the City who would occasionally need police services. This type of additional service would not generate a demand beyond what the police department can accommodate. The Scotts Valley Police department is located 700 feet east of the project site. Therefore, there would be no impact.

Schools

The project would add approximately five new residents to the City, some of whom will be students attending schools within the Scotts Valley Unified School District. These additional students would not generate a significant demand on the area school system and therefore there would be no impact.

Parks

The project would add approximately five new residents to the City who would occasionally utilize City parks and recreational programs; however, this additional use would not generate a demand beyond what the City Parks Department can accommodate, and no new additional park facilities would be required. Additionally, as a standard condition of the approval, the project would be required to pay a parks and recreation in-lieu fee as part of their building permit. Therefore, there would be no impact.

Other Public Facilities

The project does not have the potential to affect other public facilities (e.g. library, city administrative services, etc.), in excess of that previously considered by the General Plan. Therefore, there would be no impact.

Findings

The project would have no impact on public services and therefore no mitigation is required.

Recreation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion

Scotts Valley has a total of seven parks, ranging in size from a half-acre to 7.5 acres. Recreational facilities are also available at local schools, the Scotts Valley Senior Center, and Scotts Valley Community Center. The proposed project would not require the construction of new or expanded recreational facilities and therefore there would be no impact. Additionally, standard conditions require the developer pay an in-lieu park fee.

Finding

No significant impacts to recreation and open space resources are expected. Thus, the thresholds of significance have not been exceeded. Payment of Park Impact fees will mitigate the incremental increase created by the project.

Transportation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?				X
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d) Result in inadequate emergency access?				X

Discussion

Conflict with City Policies or Programs, Increase Hazards, Impair Emergency Access

The proposed project's design utilizes a shared driveway access with the adjacent parcel to the south of the project site, and incorporates a fire turn-around space on the south end of the project site. The driveway would be accessed from a private driveway "Coastal Oak Court" off of Acorn Court. The design of the roadway would be consistent with City standards and subject to design review to ensure there is adequate emergency vehicle access. Therefore, there would be no impact.

Increase Vehicle Miles Travelled

Vehicle Miles Traveled (VMT) is a measure of total vehicular travel that accounts for the number of vehicle trips and the length of those trips. Because the City of Scotts Valley has not

formally adopted VMT significance criteria, this CEQA analysis uses guidance per the City of Scotts Valley's Draft VMT Implementation Guidelines (Kimley-Horn and Associates, July 2020).

The VMT Implementation include screening criteria to avoid unnecessary analysis and findings for non-significant transportation impacts. Small projects that generate less than 110 trips per day are exempt from VMT analysis. However, upon issuance of the building permit, the proposed project would be required to pay City traffic impact fee.

Project trip generation was estimated by applying the proposed type of development to the appropriate trip generation rates published in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition (2012)*. The ITE estimated rate for single-family housing is 10.67 average daily trips per household (ITE Code 210). This would result in 21.3 trips per day for the project, which is less than the City's VMT Implementation Guidelines and as such, the project is exempt from further VMT analysis.

Findings

The project would not conflict with City policies or programs regarding the circulation system, including transit, roadway, bicycle and pedestrian facilities. The project would not cause a hazard nor impair emergency access. The project is considered a "small project" per the City VMT Implementation Guidelines and is exempt to further analysis. Therefore, there would be no impacts to transportation and no mitigation is required.

Tribal Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				x
i) Listed or eligible for listing in the California Register of Historical				x

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?				
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?				X
b) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) Listed or eligible for listing in the California				X

Discussion

Section 21080.3.1(b) of the California Public Resources Code (AB 52) requires a lead agency formally notify a California Native American tribe that is traditionally and culturally affiliated within the geographic area of the discretionary project when formally requested.

As of this writing, no California Native American tribes traditionally and culturally affiliated with the Santa Cruz County region have formally requested a consultation with the City of Scotts

Valley (as Lead Agency under CEQA) regarding Tribal Cultural Resources. As a result, no Tribal Cultural Resources are known to occur in or near the project area.

Findings

No California Native American tribes traditionally and culturally affiliated with the Santa Cruz County region have formally requested a consultation with the City of Scotts Valley. Therefore, no impact to the significance of a Tribal Cultural Resource is anticipated and no mitigation is required.

Utilities and Service Systems

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
otherwise impair the attainment of solid waste reduction goals?				
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X

Discussion

Water Treatment Facilities

The two proposed residential units would result in a daily water demand of 110 gallons per day or approximately 0.1-acre feet per year (AFY).[3] Therefore, the proposed residential use would cause only a minimal increase on the demand for water and wastewater service. The Scotts Valley Water District has reviewed the application and has determined that existing water resources would support the proposed development. Thus, impacts are be considered less than significant and no mitigation is required.

Wastewater Treatment Facilities

The Wastewater Department has reviewed the proposed development and has determined that the existing wastewater treatment facilities would support the proposed development. The project would not generate solid waste in excess of that typically generated by two residential units. Thus, impacts would be considered less than significant, and no mitigation is required.

Electric Power, Natural Gas, or Telecommunications

The project would require new connections to PG&E for electricity and natural gas. In addition, the project would require new telecommunication connections with the respective service providers. The project site is surrounded by commercial and residential development, which are serviced by various dry utility providers. Because these utilities would be readily extended from existing infrastructure adjacent to the project site, impacts from the project would be less than significant, and no mitigation is required.

3 Daily Water Use Factor for High Density Residential is 55 (gallons per capita/day). (5 residents x 55 gallons/day) = 110 (gallons/day)

Solid Waste

The project would generate approximately 25 pounds of daily solid waste.[4] The 25 pounds of daily solid waste generated by the project would represent less than one percent of the daily permit capacities of Buena Vista and Monterey Peninsula landfills[5], respectively. Therefore, both landfills have adequate capacity. Thus, impacts would be considered less than significant, and no mitigation is required.

Findings

Existing utilities and service systems are available to serve the project and no new facilities would be required to be constructed. Therefore, the project would have less than significant or no impacts associated to utilities and service systems, and no mitigation is required.

Wildfire

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that				X

4 Daily Solid Waste Generation Rate for Residential Use is 12.23 pounds per day/unit (CalRecycle, 2019). (2 residential units x 12.23 pounds/day) = 24.5 pounds/day
5 The Buena Vista Sanitary Landfill is permitted to receive 838 tons of solid waste per day (CalRecycle, 2019). The Monterey Peninsula Landfill is permitted to receive 3,500 tons of solid waste per day.

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
may result in temporary or ongoing impacts to the environment?				
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

Discussion

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped the relative wildfire risk in areas of large population by intersecting residential housing density with proximate fire threat according to three risk levels, namely Moderate, High, and Very High. Wildfires are large-scale brush and grass fires in undeveloped areas. The project is within an urbanized area and not within a Very-High Fire Hazard Severity Zone as mapped by CALFIRE. Additionally, the project would incorporate all applicable fire safety code requirements, including fire protection devices in all residential units and appropriate fire-resistant landscaping on the project site, as required by the Scotts Valley Fire District, and therefore there would be no impact.

Findings

The project would not affect emergency response/evacuation plans, would not expose residents or structures to a wildfire risk, and would not exacerbate fire risk. Therefore, the project would have no impact to wildfires, and no mitigation is required.

Mandatory Findings of Significance

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Does the project:				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion

As discussed in the individual sections, the project would not degrade the quality of the environment, including effects on animals or plant, with the implementation of identified Standard Conditions of Approval.

As described in the environmental resource sections of this Initial Study, the project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

The project would result in temporary air quality and noise impacts during construction. With the implementation of the identified Standard Conditions of Approval, and consistency with adopted City policies, construction impacts would be mitigated to a less than significant level.

As described above, these impacts would be temporary and the project would not have cumulatively considerable impacts on air quality and noise impacts in the project area.

The project would have a less than significant impact or no impact on the remaining environmental resources and would not contribute to cumulative impacts to these resources. Therefore, the project would not cause a cumulatively considerable impact and no mitigation is required.

Determination

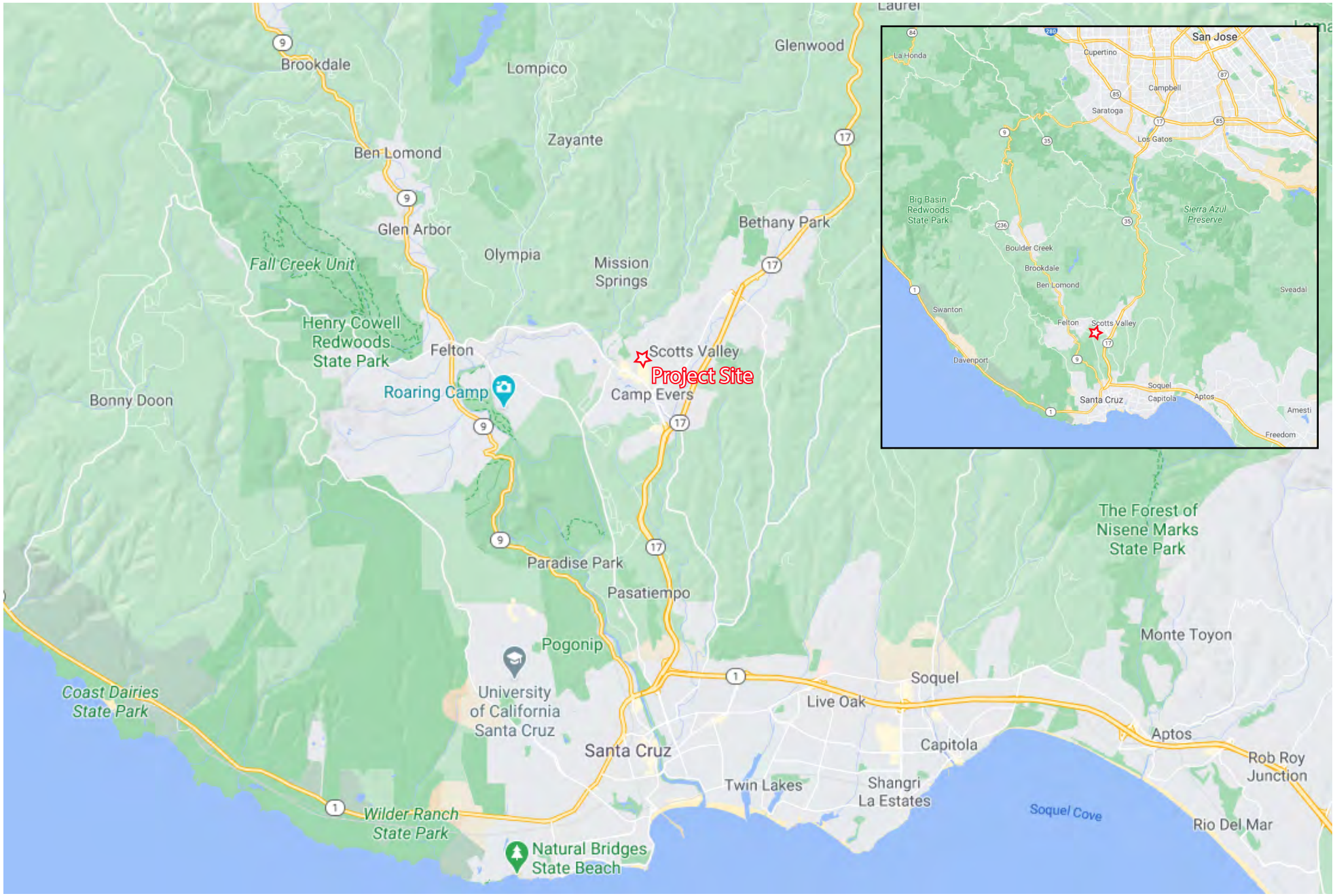
On the basis of this initial evaluation:

I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the project MAY have a potentially significant or a potentially significant unless mitigated impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.	

_____ _____

Paula Bradley, MCP, AICP
Contract Planner

Date

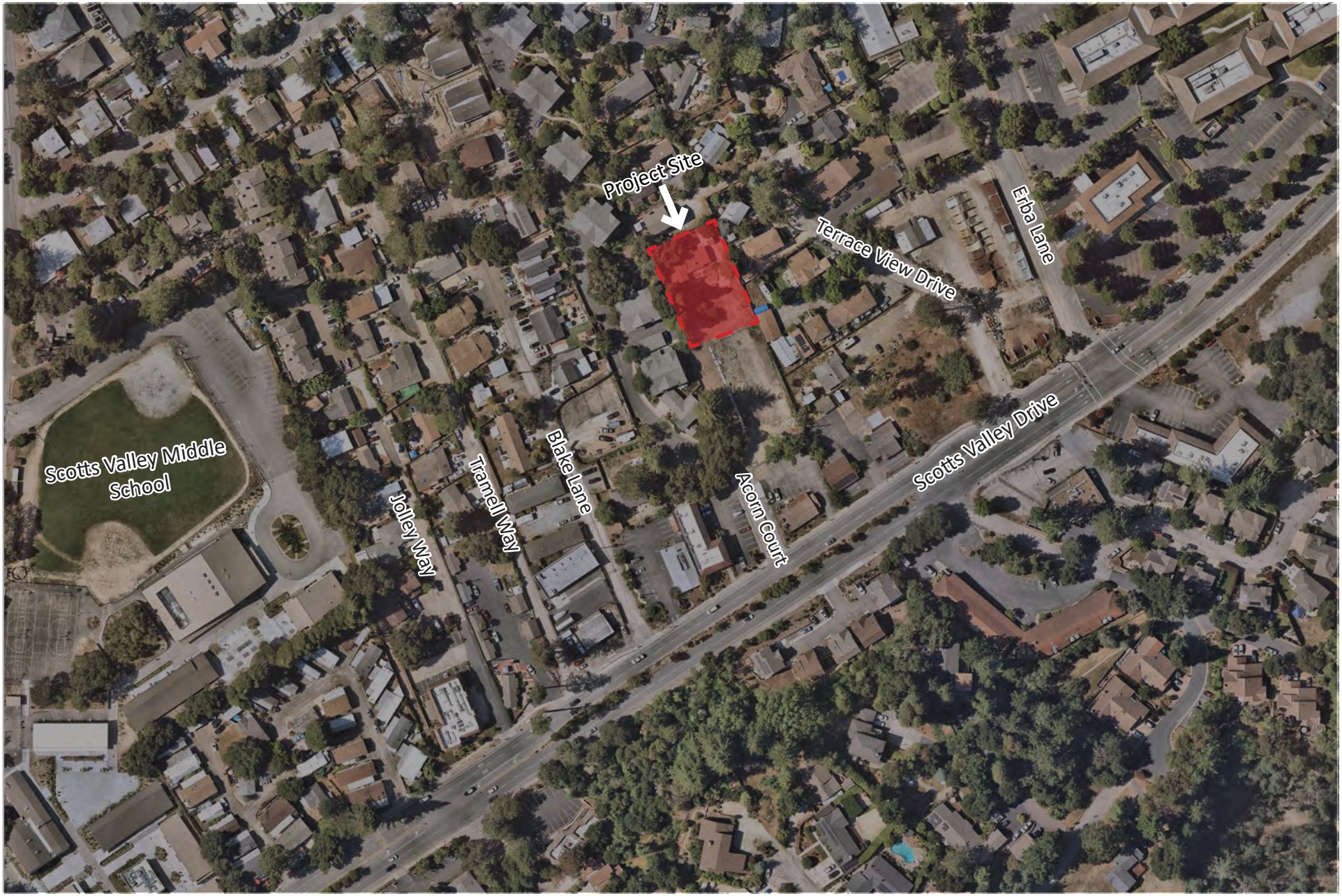


Source: Google Earth, 2021

Figure 1: Regional Location
4303 B Scotts Valley Drive Planned Development
Initial Study

Not to scale

Kimley»Horn
Expect More. Experience Better.

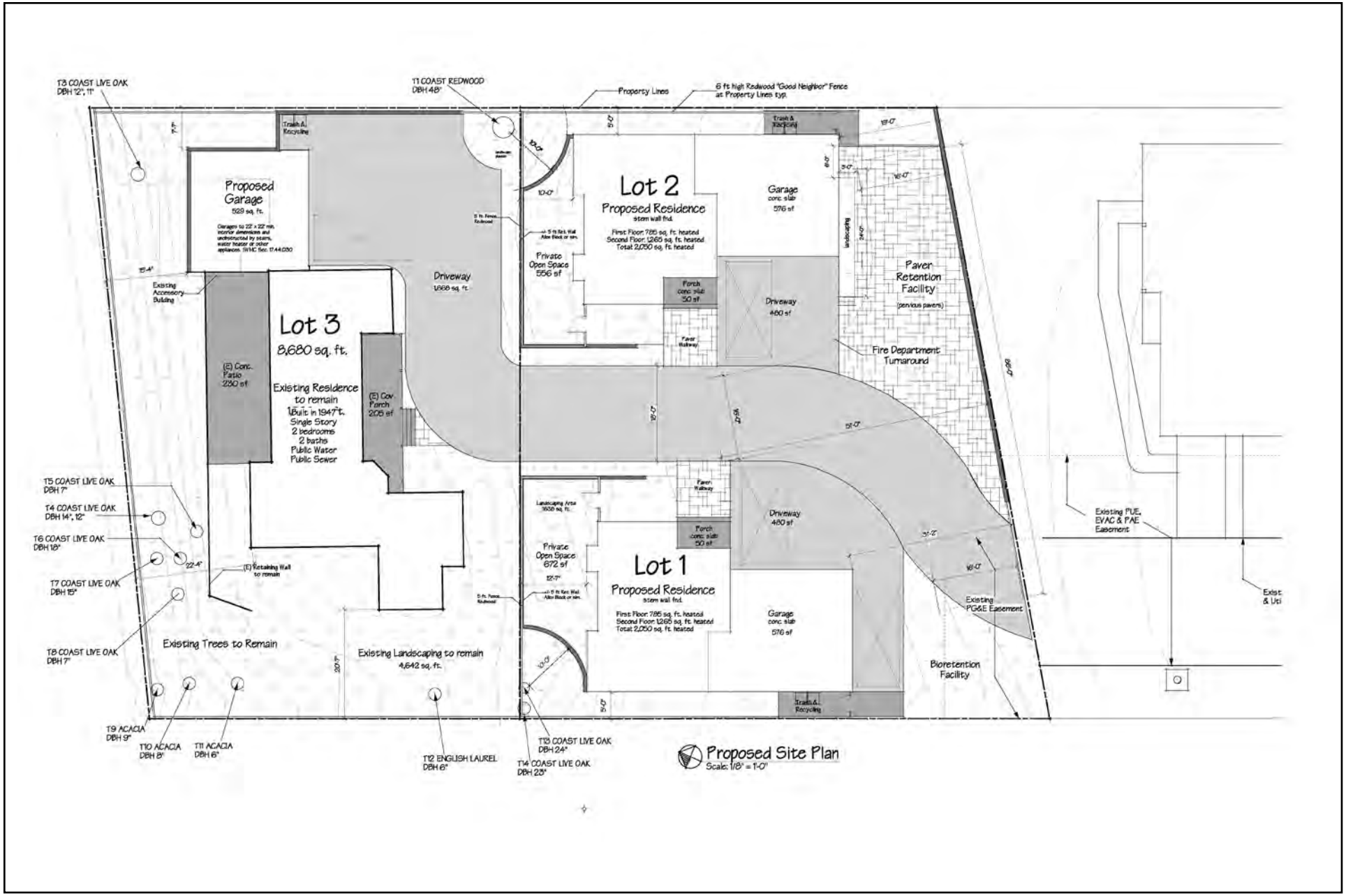


Source: Nearmaps, 2021

Figure 2: Project Vicinity
4303 B Scotts Valley Drive Planned Development
Initial Study

Not to scale

Kimley»Horn
Expect More. Experience Better.



Source: Craycroft Design, 2020

Figure 3: Site Plan

4303 B Scotts Valley Drive Planned Development
Initial Study

Not to scale

Kimley»Horn
Expect More. Experience Better.



Source: Craycroft Design, 2020

Figure 4: Proposed Elevations of Lot 1
4303 B Scotts Valley Drive Planned Development
Initial Study

Not to scale

Kimley»Horn
Expect More. Experience Better.



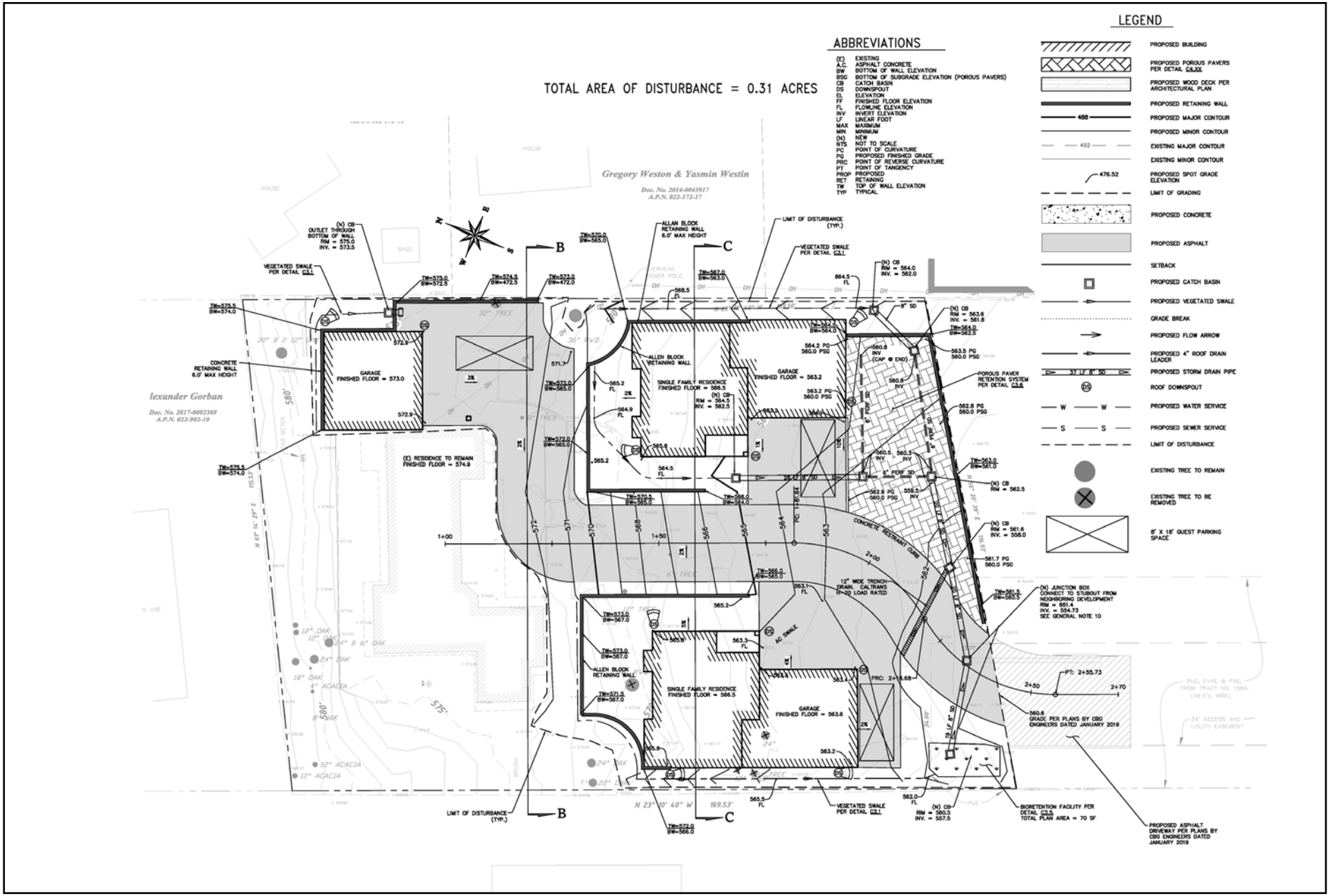
Source: Craycroft Design, 2020

Figure 5: Proposed Elevations of Lot 2

4303 B Scotts Valley Drive Planned Development
Initial Study

Not to scale

Kimley»Horn
Expect More. Experience Better.



Source: Cornerstone Civil, 2020

Figure 6: Grading Plan

4303 B Scotts Valley Drive Planned Development
Initial Study

Not to scale

Kimley»Horn
Expect More. Experience Better.

Wall Mount Light A



Good Earth Lighting LED security light Model #SE1097-BP2-02LF0-G
provides safety and security by illuminating dark exterior areas such as backyards and driveways. The light is made of rust-proof die cast aluminum housing with a diamond-patterned diffuser lens, that provides a smooth and even light distribution. The LED security light feature swivel joints for easy head positioning and a specially designed universal mounting plate for fast and easy installation. The motion activated security light illuminate as motion is detected and turn off automatically when motion stops only during nighttime hours. The built-in timer and distance control settings can be customized to meet a wide variety of lighting customizations. Maximize energy savings and discourage intruders from coming near the home.

1. The 2 head LED light has a ball in socket design that allows for easy head rotation; providing precise aiming and broad wide light coverage with a color temperature of 5000K bright daylight 180° Adjustable passive infrared sensor (PIR) that detects motion up to 70-ft away
2. Built-in dusk-to-dawn sensor that automatically turns the light on at sunset and off at sunrise for energy savings
3. Time control setting options are available from 1-min, test, 5-min and 10-min to set how long the light will stay on after motion is no longer detected
4. Distance control options are from 10-ft, 20-ft, 50-ft and max which is 70-ft
5. Maximize energy savings and brightness with integrated LEDs that produce 2,138 lumens of light at a low energy consumption of 24-W; Energy Star certified
6. Cold weather rated with a minimum cold start temperature of negative 20°F; Energy Technology Label listed (ETL) to guarantee and strict quality standards with a 8-year limited warranty
7. Sturdy die cast aluminum construction and shatter-resistant lens with ball in socket design for easy head rotation so light can be directed where it is needed most
8. Universal mounting platform allows for maximum flexibility in installation and is designed to meet requirements for wall, eave or surface box mounting; includes pre-attached push-in wire connecters for fast and easy direct wiring

Wall Mount Light B



Kichler Independence 11250BKT30 LED 7 inch Textured Black Outdoor Wall Sconce

- Bulb Category: LED
- Primary Bulb(s): 1 x 11.00 watts
- Color Temperature: 3000K
- Color Rendering Index: 90.0000
- Total Lumens: 350

Title 24 Approved

Kichler 12V Mission Bollard Path Light Olde Bronze®



MISSION BOLLARD

The broad roof indicative of mission styling is blended into a garden bollard with honey beige glass.

Housing Brass with honey beige glass

Finish Old Bronze®

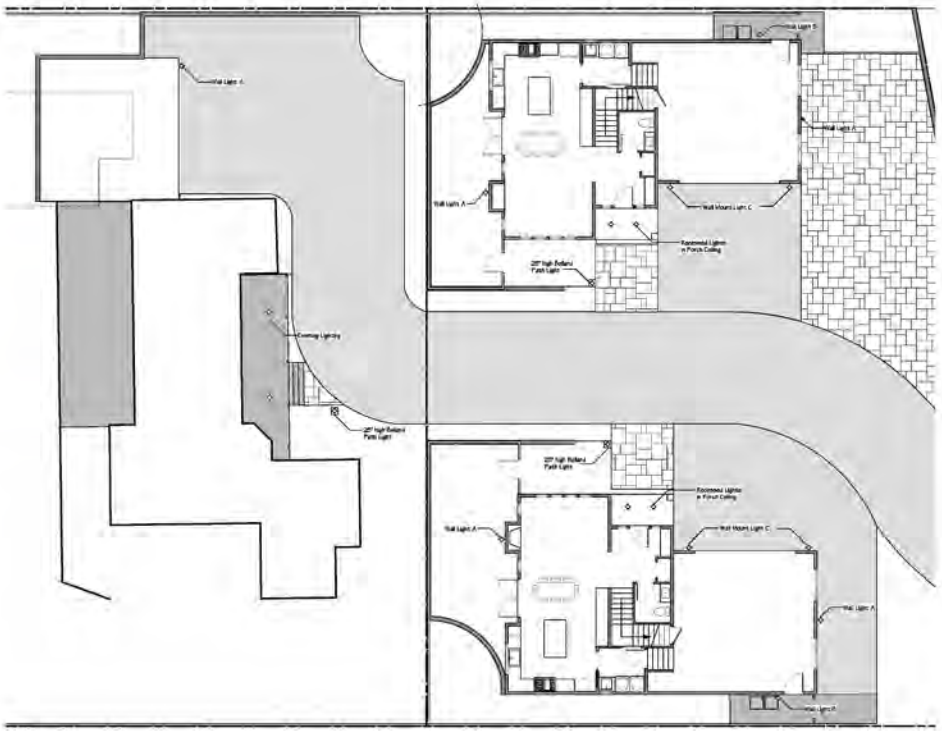
Light Source 12V Incandescent T-5 wedge base socket

Power Usage at 12V AC Input
VA MAX: 16.25-W(VA)
Supplied: 11.6-W(VA) 912X (17023) (qty 2)
Optional: 16.25-W(VA) 921X (17025)
6.5-W(VA) 918X (17022)
4-W(VA) 901X (17021)
(2 required)

Wiring 22" of usable #18-2, SPT-1-W leads. Cable connector supplied.

Mounting Accessories Included
8" In-ground stake





Exterior Lighting Plan

Wall Mount Light C



Kichler Ashbern 12.75-in H Textured Black LED Outdoor Wall Light
The 12-inch LED outdoor wall light from the Ashbern(TM) collection features a modern Matte Black finish. Overlapping arcs create visual interest, and coordinate with a variety of architectural home styles, from traditional to soft modern. The classic box shape keeps lines clean for maximum curb appeal. Integrated LED assures energy efficient performance for years to come.

1. Aluminum construction with a textured black finish
2. Integrated soft white (3000K) LED light source delivers 300 lumens
3. Measures 12.75 inches in body height and 6.5 inches in width; extends 6.75 inches from wall
4. Perfect for your entryway, patio, or porch
5. Backplate measures 4.25-in square
6. Warranty is one (1) year from the date of purchase
7. Provides outdoor ambient lighting, which provides overall illumination to the area
8. ETL Listed Wet for open or direct exposure to sun, rain, snow, or water spray and is ideal for pergolas, lanais, open porches and more

Source: Craycroft Design, 2020

Figure 7: Exterior Lighting Plan

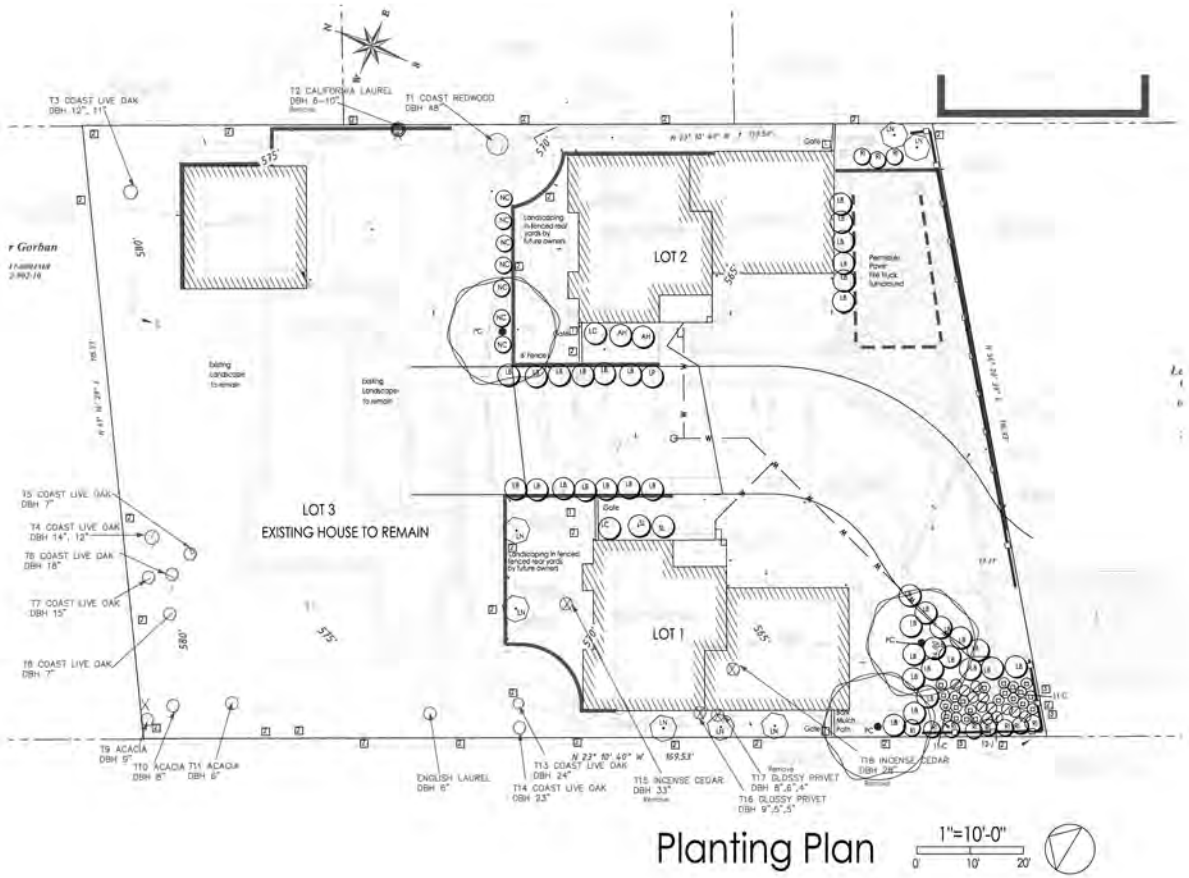
4303 B Scotts Valley Drive Planned Development
Initial Study

Not to scale

Kimley»Horn
Expect More. Experience Better.

Plant Legend

KEY	QTY	SIZE	BOTANICAL NAME	COMMON NAME
TREES				
PC	3	15 gal	Pistacia chinensis	Chinese Pistache
LN	7	15 gal	Laurus Saratoga or Laurus nobilis	Hybrid Laurel Grecian Laurel
There are a total of 10 - 15 gal. replacement trees for removing 5 existing trees				
MEDIUM SHRUBS				
RI	5		Rhus integrifolia	Lemonade Berry
LC	1		Loropetalum Razzleberry	
AH	1		Arctostaphylos Howard McMinn	Manzanita
SL	1		Salvia leucanitha	Mexican Sage
NC	5		Nandina Gulf Stream	Heavenly Bamboo
Ground Cover				
LB	1		Lomandra Breeze	
LP	1		Lomandra Breeze Platinum	
Bio Retention Areas				
J	1		Juncus patens Elk Blue	CA Gray Rush
C	1		Chondropetalum tectorum	Small Cape Rush



Source: GREGORY LEWIS LANDSCAPE ARCHITECT, 2020

Figure 8: Planting Plan
4303 B Scotts Valley Drive Planned Development
Initial Study

Not to scale

Kimley»Horn
Expect More. Experience Better.

4303 B Scotts Valley Drive Planned Development Initial Study Reports

1. Entomological Report, by Richard Arnold, PhD., Entomological Conservation Resources, dated 2/20/2020
2. Entomological Report, by Entomological Conservation Resources, dated 9/26/2005
3. Arborist Report, Tree Inventory & Preliminary Assessment, by Kurt Fouts, dated 12/10/19
4. Geotechnical Soils report, by Rock Solid Engineering, dated 10/14/19
5. Stormwater Control Plan, by Cornerstone Civil, dated 7/28/20 (and separate Drainage map attachment)
6. Drainage Map, by Cornerstone Civil, dated 12/06/19

Richard A. Arnold, Ph.D.
Consulting Entomologist
104 Mountain View Court
Pleasant Hill, CA 94523
(925) 825-3784 h, (925) 586-6981 m
bugdctr@comcast.net

RECEIVED
APR 16 2020
CITY OF SCOTTS VALLEY

20 February 2020

Mr. Rick Hochler
Hochler Construction
325 Canham Road
Scotts Valley, CA 95066

Re: APN 022-902-11 located at 4303 B Scotts Valley Drive in Scotts Valley, CA
Updated Habitat Assessment for Four Special-Status Insects

Dear Rick:

In 2005 I conducted a habitat assessment report for four special-status insects at this property and did not observe suitable habitat to support them. My written report, dated 26 September 2005, was prepared for Stephen Graves & Associates of Soquel. At that time, I referred to this property as 4303 Scotts Valley Drive with an APN of 022-172-73.

I understand that you are the current owner and plan to demolish an existing home there to redevelop this property. At your request I revisited the property on Feb. 18th to observe if habitat conditions had changed in the interim and might possibly now support any of the four special-status insects. I refer you to my 2005 report for background information on the four insects and their habitat requirements. The remainder of this letter updates my earlier habitat assessment report based on my site visit conducted earlier this week.

SITE DESCRIPTION

APN 022-902-11 measures 0.46 acres and has a single-family residence with a concrete driveway. Topography slopes from the rear to the front, but the site was previously graded to provide a flat area for construction of the existing home. The front yard has been terraced and has concrete sidewalks, driveway, and patio, while the back yard is characterized by a sizeable concrete patio.

County soils maps (Soil Survey of Santa Cruz County, Bowman and Estrada 1980) indicate that soils at the property consist of Elder sandy loam and Zayante sands in approximately a 50:50 mix. In general, Elder sandy loam occurs in the front while Zayante sands occur at the rear of the site.

SURVEY RESULTS AND DISCUSSION

When I visited the site in 2005, the home was occupied and the lot between 4303 B and the business along Scotts Valley Drive was vacant. At this time the residence is not occupied

and the adjacent vacant lot is being developed. Habitat conditions at the subject property appear similar to what I observed in 2005, i.e., very disturbed due to past site grading, terracing, plus subsequent residential development and use.

Due to the absence of Watsonville loam soils and coastal terrace prairie habitat, this property is ***not*** suitable habitat for the endangered Ohlone Tiger beetle or the Opler's Longhorn moth. Similarly, due to the absence of open sand parkland vegetation, this property is ***not*** suitable habitat for the endangered Zayante Band Winged grasshopper.

The Santa Cruz County soils mapping indicate that the upper portions of this property are characterized by Zayante sands. During my site visit I examined the soils at several locations in this portion of the property and observed a mixture of loam and sand, as is typical of Elder sandy loam, rather than pure or nearly pure sand, which is characteristic of Zayante sands. Based on my field examination, the illustrated boundary between the Elder sandy loam and Zayante sand soils at the property appears to more transitional rather than an abrupt change in soil type as the map (Bowman and Estrada 1980) indicates. Because the endangered Mount Hermon June beetle is associated with Zayante sands, the presence of a loam-sand mixture at this property is unlikely to support this beetle. For this reason, I do ***not*** consider the property to provide suitable habitat for this endangered beetle.

To summarize, habitat conditions at this property have not significantly changed since my 2005 habitat assessment report. For the reasons stated above, this property does not have suitable habitat to support any of the four special-status insect species, and redevelopment of this property should not impact them.

If you have any questions about this updated habitat assessment report for your property, just contact me.

Sincerely,

Richard A. Arnold, Ph.D.

Richard A. Arnold, Ph.D.
President

COPY

PDF

Entomological Consulting Services, Ltd.

104 Mountain View Court, Pleasant Hill, CA 94523-2188 • (925) 825-3784 • FAX (925) 827-1809
bugdctr@comcast.net • www.ecsltd.com

26 September 2005

Mr. Jason McCombs
c/o Stephen Graves & Associates
2735 Porter Street
Soquel, CA 95073

Attn: Sarah Wilkinson

Re: Jason McCombs Property - Habitat Assessment for Sensitive Insects
APN 022-172-73 located at 4303 Scotts Valley Drive in Scotts Valley, CA

Dear Sarah:

This letter reports the findings of my habitat assessment of the above-noted site, which is located off of Scotts Valley Drive in Scotts Valley, CA. My habitat assessment focused on four sensitive insect taxa, namely:

a) Mount Hermon June beetle, *Polyphylla barbata* (Coleoptera: Scarabaeidae);
b) Zayante Band Winged grasshopper, *Trimerotropis infantils* (Orthoptera: Acrididae);
c) Ohlone Tiger beetle, *Cicindela ohlone* (Coleoptera: Cicindelidae); and
d) Opler's Longhorn moth, *Adela oplerella* (Lepidoptera: Incurvariidae).

Both beetles and the grasshopper are recognized as endangered species by the U.S. Fish & Wildlife Service (USFWS), while the moth is a federal species of special concern.

The four aforementioned insects are known to occur in Scotts Valley and surrounding areas of Santa Cruz County. Because of the proximity to the aforementioned parcel to locations known to support these insects, a habitat assessment for all four insects was conducted on September 3, 2005. I can briefly summarize the findings of my report by stating that no suitable habitat for any of these four insects was observed at the aforementioned site. The remainder of this report describes my survey methods and findings in greater detail, and also provides pertinent background information on the four insect taxa.

SITE DESCRIPTION

Assessor's Parcel Number 022-172-73 is a lot that measures 0.46 acres. It is located on the north side of Scotts Valley Drive in the City of Scotts Valley (Santa Cruz County), CA. One building is on the otherwise vacant lot.

Although the site is largely vacant, it has been disturbed by past and current land uses. The site supports the following tree taxa: redwood, coast live oak, and acacia.

Understory vegetation at the site consists primarily of annual grassland, weeds, and ornamentals, as well as some bare areas, such as the driveway leading to the house that is located offsite but immediately north (i.e., upslope) of the property. A solitary tree lupine (*Lupinus arboreus*) was observed.

Soils at the project site consist primarily of Elder sandy loam and Zayante sands (Bowman and Estrada 1980). Topography at the site is generally flat, although there is a slight rise in elevation from the front to the rear of the property.

BACKGROUND INFORMATION

This section summarizes pertinent information on the distribution, habitat, biology, and conservation of the four sensitive insects.

Mount Hermon June Beetle and Zayante Band Winged Grasshopper.

Both of these insects were recognized as endangered species by USFWS in 1997 (U.S. Fish & Wildlife Service 1997). They are known only from the greater Scotts Valley – Felton – Ben Lomond area in Santa Cruz County. This portion of the county is characterized by the Zayante sand hills, which are old marine deposits of sand. Native vegetation on the Zayante sands includes a mixture of Ponderosa pine forest, maritime chaparral, and grassland with areas of bare or sparsely vegetated sand. This mixture of plant communities has been referred to as sand parkland vegetation.

Within the Zayante sand hills, the June beetle is known from approximately 70 locations while the grasshopper is known from about 12 locations (BUGGY Data Base 2005). Ponderosa pines grow at all known locations of the June beetle, and for this reason it is a suspected larval food plant. The larval stage of the beetle is fossorial, meaning that it burrows in the ground, where it feeds on roots. As the common name suggests, adult activity begins in May or June and continues through mid-August. Adults are active at dusk.

The grasshopper is also associated with sand parkland vegetation, but prefers areas where the tree cover is limited and the understory vegetation is characterized by grasses and forbs. A primary habitat requirement of the grasshopper is barren or sparsely vegetated ground that receives sunlight at ground level, a habitat that is referred to as open sand parkland. Adult grasshoppers have been observed between July and early November.

Additional information on both of these endangered species can be found in the final ruling to list them (U.S. Fish & Wildlife Service 1997) and their recovery plan (U.S. Fish & Wildlife Service 1998a).

Ohlone Tiger Beetle.

The Ohlone Tiger beetle (OTB) was described in 1993 by Freitag, Kavanaugh, and Morgan (1993). Their description of this new species was based on specimens collected from three sites in west central Santa Cruz County between 1987 and 1992.

Subsequently, the beetle has been found at the Vine Hill Elementary School in Scotts Valley, Moore Creek Open Space, Pogonip Park next to the UC Santa Cruz campus, and privately-owned ranches near the UC Santa Cruz campus.

This species appears to be restricted to coastal terrace situations, at low to mid-elevations (less than 1,200 feet), located between the crest of the Santa Cruz Mountains and the Pacific Ocean. On these terraces *Cicindela ohlone* inhabits areas characterized by remnant stands of native grassland. California oatgrass (*Danthonia californica*) and Purple needlegrass (*Stipa pulchra*) are two native grasses that grow at all known sites. Within these grasslands, the beetle has been observed primarily on level ground, where the vegetation is sparse or bare ground is prevalent.

The soil type, as mapped by the Soil Conservation Service (Bowman and Estrada. 1980), at all locations known to support the tiger beetle is Watsonville loam, which consists of shallow, poorly drained clay or sandy-clay soils that have accumulated over a layer of bedrock. This soil type has also been referred to as Santa Cruz Mudstone (Freitag, Kavanaugh, and Morgan 1993). Because the larvae and to a lesser degree, the adults of all tiger beetle species live much of their lives in earthen burrows, every species is usually associated with a specific soil type.

The diurnally active adults and larvae of *C. ohlone* are associated with sunny areas of bare or sparsely vegetated ground. Both adults and larvae are voracious predators. Collection records indicate that most adult *C. ohlone* are active from mid-January through mid-May (BUGGY Data Base 2005).

The U.S. Fish & Wildlife Service (2001) recently recognized the OTB as an endangered species. Additional information on the OTB is presented in this rulemaking.

Opler's Longhorn Moth.

Adelids are small, brightly colored, day-flying moths with exceptionally long antennae, hence their common name of Longhorn moths. They have been treated both as a family, the Adelidae, and as a subfamily (the Adelinae) of the Incurvariidae. These and other small moths are often referred to as microlepidoptera because of their small size.

Adela oplerella is a small, dark bronze colored moth with antennae only slightly longer than the forewing in the male and shorter than the forewing in the female. Males are approximately 10 mm. in size (i.e., wingspan), while females are slightly larger at approximately 12 mm. The color and maculation pattern of the wings and features of the head appendages and abdominal sclerites are primary characteristics used to distinguish *A. oplerella* from related species (Powell 1969).

This microlepidopteran is known primarily from various localities in Marin, San Francisco. and Santa Clara counties. The population behind the Vine Hill School in Scotts Valley was only recently discovered (U.S. Fish & Wildlife Service 1998b).

Opler's Longhorn moth is known primarily from serpentine grasslands

throughout most of its geographic range (U.S. Fish & wildlife Service 1998b). Adult moths are usually found in association with *Platystemon californicus* (Papaveraceae), its presumed larval foodplant (Powell 1969). However, this plant is not strictly limited to serpentine grasslands. Indeed, it grows at locations, such as the Vine Hill School site, in Scotts Valley, where no serpentine is present.

Little specific information is available about the biology and life history of this species. Indeed, none of the 11 Nearctic species of *Adela* have been reared. Information on the biologies of Nearctic species is inferred from information gained from rearing related European species (Powell 1969).

Larvae of *Adela oplerella* are presumed to feed on *Platystemon californicus* because females have been observed ovipositing on the flowers. Young larvae probably consume the contents of developing seed capsules and then descend to the ground. There they construct a case, in which they feed on the lower or fallen leaves of the same or other plants.

There is only one generation per year. Adults are active in the spring, typically during the flowering period of *Platystemon californicus,* which is early April through mid-May.

The U.S. Fish & Wildlife Service (1991) first recognized *A. oplerella* as a category 2 candidate in response to a petition to recognize the moth as endangered, which was submitted in 1990. Until recently, *A. oplerella* continued to be recognized as a category 2 candidate for endangered or threatened status; however, the U.S. Fish & Wildlife Service (1996) eliminated all category 2 candidates and now considers these taxa, including the moth, to be species of special concern.

SURVEY METHODS

I visited the property on September 3rd, 2005, and surveyed the entire project site by hiking throughout it. Even though soils at the project site do not include Watsonville loams, I searched for the OTB and others signs of it, such as larval burrows, which are evident at this time of year. Since the OTB is strictly associated with grassland vegetation, I looked for barrens or areas of sparse vegetation, preferably characterized by native bunch grass, that are favored by the OTB, at the property. Where such areas were found, I then examined the ground for evidence of burrows. I also visited the nearby Glenwood site to confirm that larvae of the OTB were active at the time of my visit to the property.

Life stages of the Mount Hermon June beetle were not active at the time of my site visit, I focused my survey efforts on identifying features characteristic of suitable habitat for this beetle, namely loose sandy deposits with sand parkland vegetation. Similarly, Opler's Longhorn moth was not active at the time of my site visit, and its

annual food plant also was not apparent. For this reason, I focused on identifying suitable habitat conditions for this moth.

My survey visit occurred during the late summer-fall activity period of the Zayante Band Wing grasshopper. The nearby Mt. Hermon Cross, which supports a known population of the grasshoppers was briefly visited on the same date as I visited the property to confirm that adults were active. I performed both a habitat assessment and presence-absence survey for the grasshopper at the subject property.

HABITAT ASSESSMENT RESULTS

Mount Hermon June Beetle and Zayante Band Winged Grasshopper.

Neither sand parkland vegetation nor Ponderosa pine forests were observed at the property. Trees at the property include redwood, acacia, and coast live oak. No areas of loose, sandy soils were observed at the parcel. Where soils were barren, they were compacted, such as along the driveway that traverses the full length of the property. All grassland at the site is dominated by annuals, which provide nearly complete cover. For these reasons, I did not find any suitable habitat for the Mount Hermon June beetle or Zayante Band Wing grasshopper and would not expect either of these endangered insects to occur at the parcel. Indeed, no individuals of the endangered grasshopper were observed at the subject property.

Ohlone Tiger Beetle.

All known locations of the Ohlone Tiger beetle are characterized by sandy-clay soils known Watsonville loam. Soils at the project site are Elder sandy loams and Zayante sands (Bowman and Estrada 1980). According to the descriptions provided by Bowman and Estrada 1980, these soil types are not known to support inclusions of Watsonville loam. Furthermore, vegetation at the site is inappropriate for the OTB, with dense annual grassland vegetation, and shadows cast by the resident trees. For these reasons, the Ohlone Tiger beetle is not expected to occur at the parcel. No larval burrows were noted during my survey of the subject property.

Opler's Longhorn Moth.

As indicated by the county soils map (Bowman and Estrada 1980), serpentine conditions do not occur at this property. No specimens of the suspected larval food plant, *Platystemon californicus*, were observed during my survey of the project site. Due to the past and current disturbance at the site, and inappropriate vegetation and habitat conditions, I would not expect the moth or its presumed food plant to occur at the parcel.

CONCLUSIONS AND RECOMMENDATIONS

Since no suitable habitat was observed at the property for any of the four special-status insects treated in report, I do not anticipate that these insects utilize the site. As no impacts to the insects or their habitat are anticipated, no mitigation actions should be required.

REFERENCES

Bowman, R.H. and D.C. Estrada. 1980. Soil survey of Santa Cruz County, California. U.S. Dept. of Agriculture and Soil Conservation Service in cooperation with the University of California, Agricultural Experiment Station Publication.

BUGGY Data Base. 2003. Report of sensitive insect and invertebrate species and their occurrences in the greater Scotts Valley (Santa Cruz County) area. Data base maintained by Entomological Consulting Services, Ltd., Pleasant Hill, CA.

Freitag, R., D.H. Kavanaugh, and R. Morgan. 1993. A new species of *Cicindela* (*Cicindela*) (Coleoptera: Carabidae: Cicindelini) from remnant native grassland in Santa Cruz County, California. The Coleopterists Bulletin 47:113-120.

Powell, J.A. 1969. A synopsis of nearctic adelid moths, with descriptions of new species (Incurvariidae). Journal of the Lepidopterists' Society 23:211-240.

U.S. Fish & Wildlife Service. 1991. Endangered and threatened wildlife and plants; animal candidate review for listing as endangered or threatened species, proposed rule. Federal Register 56:58804-58836.

U.S. Fish & Wildlife Service. 1996. Endangered and threatened wildlife and plants; animal candidate review for listing as endangered or threatened species, notice of review. Federal Register 61:7596-7613.

U.S. Fish & Wildlife Service. 1997. Endangered and threatened wildlife and plants; determination of endangered status for two insects from the Santa Cruz Mountains of California. Federal Register 62:3616-3628.

U.S. Fish & Wildlife Service. 1998a. Recovery plan for two insects and four plants from the Santa Cruz Mountains. Portland, OR. 63 pp.

U.S. Fish & Wildlife Service. 1998b. Recovery plan for serpentine soil species of the San Francisco Bay area. Portland, OR.

U.S. Fish & Wildlife Service. 2001. Endangered and threatened wildlife and plants; endangered status for the Ohlone Tiger beetle (*Cicindela ohlone*). Federal Register 66: 50340-50349.

If you have any questions about my report, please give me a call.

Sincerely,

Richard A. Arnold

Richard A. Arnold, Ph.D.
President



Fig. 1
Existing habitat conditions at 4303 Scotts Valley Drive
(foreground of photograph).

ARBORIST REPORT-

Tree Inventory & Preliminary Impact Assessment

4303 B Scotts Valley Drive, APN: 022-902-11

Scotts Valley, CA

December 10, 2019

Prepared for:

Mr. Rick Hochler
325 Canham Road
Scotts Valley, CA 95066

Prepared by:

Kurt Fouts
Arborist Consultant

826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

ISA Certified Arborist WE0681A

Table of Contents

SUMMARY 1
Background 1
Assignment 1
Limits of the Assignment 2
Purpose and use of the report 2
Resources 2
OBSERVATIONS 3-11
DISCUSSION 12
Species List 12
Tree Evaluation and Recording Methods 12
Condition Rating 13
Suitability for Preservation 13
Tree Protection Zone 14
Critical Root Zone 14
Root Disturbance Distance 15
Impacts to Subject Trees & Findings 15-16
Tree Replacement 17
CONCLUSION 17
RECOMMENDATIONS 18

Attachments: Appendix A - G

Appendix A – Tree Assessment Chart

Appendix B – Criteria for Tree Assessment Chart

Appendix C - Tree Location Map

Appendix D – Bibliography

Appendix E – Glossary of Terms

Appendix F – Tree Protection Guidelines & Restrictions

- Protecting Trees During Construction
- Project Arborist Duties & Inspection Schedule
- Tree Protection Fencing
- Tree Protection Signs
- Monitoring
- Root Pruning
- Tree Work Standards & Qualifications
- City of Scotts Valley Protected Trees

Appendix G - Assumptions & Limiting Conditions

SUMMARY

- An existing home will be demolished, and four two-story single-family units will be constructed on a sloped lot.
- Fourteen “protected” trees within the project limits were inventoried.
- Eight trees are in good or fair condition.
- Six trees are in poor condition and are not suitable for retention in the project.
- Preliminary site plans were reviewed to evaluated potential impacts to trees.
- The preliminary design will allow the retention of two mature and one young coast live oak located in the rear of the property, if no grade changes are required.
- If modifications to some retaining wall locations are made, three additional trees, a mature coast redwood and two maturing coast live oak can be retained.
- At least two “protected” trees will require removal due to impacts from the proposed plan.
- If removals are permitted, replacement trees will be required.

Background

Plans will be submitted to the City of Scotts Valley Planning Department for demolition of an existing residence and construction of four two-story single-family units at 4303-B Scotts Valley Drive, Scotts Valley. Mr. Rick Hochler, has requested my services, to assess the condition of trees on the applicant’s property and the construction impacts that may affect them. Further, to provide a report with my findings and recommendations to meet City of Scotts Valley planning requirements.

Assignment

Provide an arborist report that includes an assessment of the trees within the project area. The assessment is to include the species, size (trunk diameter, height and canopy spread), condition (health and structure), and suitability for preservation ratings. Further, to review the preliminary development plans and assess the potential construction impacts.

To complete this assignment, the following services were performed:

- **Tree Resource Evaluation:** Tag with metal tags, inventory, evaluate and assign suitability for preservation ratings for subject trees.
- **Plan Review: Reviewed provided plans including:** Topographic Survey, by Paul Hanagan, Surveyor dated, 9/27/2019 and Proposed Site Plan, Sheet A2.1, by John Craycroft, Designer, dated, 10/17/2019.
- **Construction Impact Assessment:** Combine tree resource data with anticipated construction impacts, to provide recommendations for removal or retention of trees.
- **Mapping:** Tree locations were plotted onto: Proposed Site Plan, dated 10/17/19, and a Tree Location Map was created.

Limits of the Assignment

The information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection on 12/5/2019.

The inspection is limited to visual examination of accessible items without climbing, dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the trees in questions may not arise in the future.

Purpose and use of the report

The report is intended to identify all the trees within the plan area that could be affected by a project. The report is to be used by the developer, their agents, and the City of Scotts Valley as a reference for existing tree conditions and to help satisfy the City of Scotts Valley planning requirements.

Resources

All information within this report is based on site plans as of the date of this report. Resources are as follows:

- Topographic Survey, dated, 9/27/2019 and Preliminary Site Plan, Sheet A2.1, dated 10/17/2019.
- Site Visit, Tree Inventory & Condition Evaluation at 4303-B Scotts Valley Drive, Scotts Valley on 12/5/2019.
- City of Scotts Valley Municipal Code –Section 17.44.080 Tree Protection Regulations (applicable sections).

OBSERVATIONS

The property is fronted by new construction on an adjacent parcel to the south. Acorn Court Apartments is to the west, and private residences are to the north and east. The parcel is almost flat at the southern boundary and slopes up to the north.

There are 14 “protected” trees within the project area, represented by five species, with coast live oak the dominant species (Image #1).



Image #1 – Tree T3, young Coast Live Oak in good condition.

Most of the oaks are in good or fair condition, but three in a grouping of five trees in the northwest corner are in poor condition (Image #2)



Image #2 – Tree T7 - Coast Live Oak.

Tree T7 has deadwood and decay in some limbs, with foliar dieback over 25-30% of the canopy. Most of the limb structure overhangs the adjacent property.

Tree T5 has minimal branching structure and live canopy. The trunk has sprouted from a previous tree failure and the new trunk is poorly attached. The trunk basal area has a significant cavity with deadwood decay and wood decay fungi (Image #3).



Image #3 – Tree T5 – Coast Live Oak. Note minimal canopy development.



Image #4 – Tree T5 – Note the large cavity filled with leaves, seam at attachment point (arrow) and wood decay fungi (circled).

A third tree in poor condition, tree T8, has minimal branching structure and foliar canopy. Two mature oaks in the grouping of five, T4 and T6 are in fair condition (Image #5)



Image #5 – Trees T4 & T6, Coast Live Oak.

Two oaks on the western edge of the property are in fair condition.



Image #6 – Tree T13, and T14, Coast live oak.



Image #7 – Trees T13 & T14, coast live oak. Lower trunk and branching structure.

There are two incense cedars, and both are in good condition (Image #10),



Image #10 – Trees T15, on right & T18, incense cedar.

There is one coast redwood tree in fair condition. There are large gaps on the canopy on one side due to clearance pruning from overhead lines (Image #11).



Image #11- Tree T1 – coast redwood, note gap in canopy where tree has been clearance pruned for utility lines.

A California laurel, tree T2, is in fair to poor condition. This tree has been topped at 15’ above grade for utility clearance. Limb regrowth from topping is poorly attached. The canopy density is very thin for species and leaf color is light green (should be dark green) or yellowing over most of the canopy (Image #12).



Image #12 – Tree T2, California laurel, circled areas indicate where tree has been topped with poorly attached regrowth. Note thin canopy density.

Two glossy privets, T16 & T17 are in fair condition but have poor structure. The trees are located very near the western property line. They have co-dominant trunks and unbalanced branching structures with a weight bias to the west. The poor structural development is due to larger adjacent trees. Most of both trees’ growth overhangs the adjacent property.

DISCUSSION

Species List

TOTAL SUBJECT TREES: 18 Trees

Protected: 14

8	Coast Live Oak	(*Quercus agrifolia*)
2	Incense Cedar	(*Calocedrus decurrens*)
2	Glossy Privet	(*Ligustrum lucidum*)
1	Coast Redwood	(*Sequoia sempervirens*)
1	California laurel	(*Umbellularia californica*)

Not **Protected: 4**

3	Bailey Acacia	(*Acacia baileyana)*
1	English Laurel	(*Prunus laurocerasus*)

Tree Evaluation and Recording Methods

Site evaluations were made on 12/5/19. *The inventory included all trees on the property within the project limits.* The health and structural **condition** of each tree was assessed and recorded. Based on the trees health and structural condition, each trees **suitability for preservation** was rated and recorded.

The recorded data is included in the *Tree Assessment Chart, Appendix A,* of this report. Tree numbers were plotted on the attached *Tree Location Map sheet, T1*. **To correlate the data in the Tree Assessment Chart to the tree's location on the site, refer to the Tree Protection Plan sheet - Appendix C.**

Condition Rating

A trees condition is determined by an assessing both the **health** and **structure**, then combining the two factors to reach a *condition rating*. Tree condition is rated as poor, fair or good. The quantity of trees assigned for each category (good, fair or poor), is indicated below:

Tree Condition Rating

- Good - 3
- Fair - 8
- Poor - 7

Suitability for Preservation

A trees suitability for preservation is determined based on its health, structure, age, species characteristics and longevity using a scale of good, fair or poor. The quantity of trees assigned to each category (good, fair or poor), is listed below.

Suitability Rating

- Good - 3
- Fair – 6
- Poor - 9

Trees Recommended for Removal (Based on condition)

- Nine Trees

1	T1 -	California laurel	(*Umbellularia californica*)
3	T5,T7,T8	Coast Live Oak	(*Quercus agrifolia*)
2	T16,T17	Glossy Privet	(*Ligustrum lucidum*)
3	T9,T10,T11	Bailey Acacia	(*Acacia baileyana)* Not protected tree.

Tree Protection Zone

The tree protection zone (TPZ), is a defined area within which certain activities are prohibited or restricted to minimize potential injury to designated trees during construction.

The size of the optimal TPZ can be determined by a formula based on 1) trunk diameter 2) species tolerance to construction impacts, and 3) tree age (Matheny, N. and Clark, J 1998). In some instances, tree drip line is used as the TPZ. Development constraints can also influence the final size of the tree protection zone.

Fencing is installed to delineate the (TPZ), and to protect tree roots, trunk, and scaffold branches from construction equipment. *The fenced protection area may be smaller than the optimal or designated TPZ area in some circumstances.* Tree protection may also involve the armoring of the tree trunk and/or scaffold limbs with barriers to prevent mechanical damage from construction equipment. *See Tree Protection Guidelines & Restrictions* – Appendix E.

Once the TPZ is delineated and fenced (prior to any site work, equipment and materials move in), construction activities are only to be permitted within the TPZ if allowed for and specified by the project arborist.

Where tree protection fencing cannot be used, or as an additional protection from heavy equipment, tree wrap may be used. Wooden slats at least one inch thick are to be bound securely, edge to edge, around the trunk. A single layer or more of orange plastic construction fencing is to be wrapped and secured around the outside of the wooden slats. Major scaffold limbs may require protection as determined by the City arborist or Project arborist. Straw wattle may also be used as a trunk wrap and secured with orange plastic fencing.

Data has been entered in the *Tree Assessment Chart – Appendix A,* which indicates the optimal Tree Protection Zone for each tree.

Critical Root Zone

Critical Root Zone (CRZ) is the area of soil around the trunk of a tree where roots are located that provide critical stability, uptake of water and nutrients required for a tree's survival. The CRZ is the minimum distance from the trunk that trenching that requires root cutting should occur and can be calculated as three to the five times the trunk Diameter at Breast Height (DBH). For example, if a tree is one foot in trunk diameter than the CRZ is three to five feet from the trunk location. We will often average this as four times the trunk diameter or 1ft. DBH = 4ft. CRZ (Smiley, E.T., Fraedrich, B. and Hendrickson, N. 2007).

Root Disturbance Distance

No one can estimate and predict with absolute certainty what distance from a tree, a soil disturbance such as excavation for construction should be, to ensure it will not significantly affect tree stability or health. Or to what degree, (low, moderate or high), a tree might be impacted. There are simply too many variables involved that we cannot see or anticipate. However, three times the D.B.H. (diameter at breast height), is a widely accepted minimum used in the industry for root disturbance, *on one side of the trunk*, and is supported by several research studies including (Smiley, Fraedich & Hendrickson 2002, Bartlett Tree Research Laboratories). This distance is often used during the design and planning phases of a project in order to estimate root loss due to construction activities. This distance is a guideline only and should be increased for trees with significant leans, decay or other structural problems.

The ISA, International Society of Arboriculture- Root Management (2017) publication recommends, “cutting roots at a distance greater than six times the trunk diameter (DBH) minimizes the likelihood of affecting both health and stability. This recommendation is given further direction by the companion publication, A.N.S.I. (*American National Standard*) A300 (Part 8)- 2013 Root Management, when roots are cut in a *non-selective* manner, i.e. in a straight line on one side of a tree. It says, if the cutting is “within six times the trunk diameter (DBH), mitigation shall be recommended”. Further, A.N.S.I. recommends the “minimum distance from the trunk for root cutting should be adjusted according to trunk diameter, species tolerance to root loss, tree age, health and site condition”.

In general, root cutting that occurs at a distance less than six times the diameter of a tree should be undertaken by hand digging and hand (or Sawzall), root pruning. These methods help mitigate root loss impacts.

Construction Impacts to Subject Trees

Construction Phases Affecting Subject Trees –

1. Grading to achieve level lots.
2. Excavation for retaining walls
3. Excavation for home foundations.
4. Building footprints.
5. Second story construction (canopy clearance).

Discussion of Findings

More than half of the fourteen “protected” trees are not suitable for incorporation into the project, either due to poor condition (6 trees), or high construction impacts (5 trees).

The mature coast redwood, tree T1 is located within 1 ½’ and 3 ½’ from the retaining wall, and the amount of root loss it would suffer would significantly impact both its health and stability (ability to remain upright). To retain this tree, the wall would need to be a minimum of 10 feet from the tree. Since the species has a good tolerance to some root loss, the distance could be reduced to 7-8 feet if pre-construction root exploration did not find large amounts of significant roots (< 2” in diameter). If retained it would require supplemental irrigation during and after the construction period as coast redwood has a high water requirement.

The multi-trunked California laurel, tree T2, has been poorly maintained (topped), and the regrowth is poorly attached. There is deadwood, decay and wood decay fungi in some trunks and branches and the canopy density is very thin. This tree is recommended for removal.

Tree T3, a young stand-alone oak in good condition, will be only low to moderately impacted, provided demolition of the existing retaining wall and existing garage conversion structure are removed according to tree protection specifications. Also, the new wall must be installed according to methods specified to preserve the tree.

A grouping of 5 mature coast live oak in the upper left (northwest) corner of the property, trees T4-T8, includes three trees in poor condition, and they are recommended for removal. Their condition is described above and in the Tree Assessment Chart, Appendix A. Two oaks are in fair condition and will receive low to moderate impacts provided there are no grade changes. Demolition of the existing retaining wall, and installation of new wall, must done according to tree protection specifications in a later report. One tree T6, will require targeted tree clearance pruning from the unit in Lot 4.

Two maturing coast live oak, trees T13 and T14 will be highly impacted by grade changes and installation of the new retaining wall. Since the retainer wraps around 3 sides of tree T13, root loss would occur on three sides of the tree. Root cutting would be required on two sides of tree T14 as well. For each side root cutting occurs, the percentage of root loss increases. To retain these trees, the retainers will need to be installed a minimum of 10 feet from trees T13 and T14. If the two trees are retained, they will require minor clearance pruning from the unit in Lot 1.

Two mature incense cedar, trees T15 and T18 will receive high construction impacts. Tree T18 is within the footprint of the unit on Lot 1. Tree T15 will suffer significant root loss on all sides of the tree due to grading and soil loss to achieve a level lot. The amount of root loss involved will significantly impact the health and stability (anchoring root loss), of the tree. Based on the submitted design, there is no practical way to preserve this tree.

Two glossy privet trees, T16 and T17 have poorly developed branching structures, with unbalanced canopy growth due to competition from larger adjacent oaks and cedar. Their poor structure cannot be corrected thru remedial pruning and their removal is recommended.

Tree Replacement

The City of Scotts Valley has a two to one replacement ratio for each permitted tree removed and replacement trees will be required.

CONCLUSION

- An existing home will be demolished, and four two-story single-family units will be constructed on a sloped lot.
- Fourteen “protected” trees within the project limits were inventoried.
- Eight trees are in good or fair condition including trees T1 coast redwood ,T3,T4,T6,T13 & T14 coast live oak, and T15 & T18 incense cedar.
- Six trees are in poor condition and are not suitable for retention in the project including trees T1 California laurel, T5,T7 & T8 coast live oak and T16 & T17 glossy privet.
- Preliminary site plans were reviewed to evaluated potential impacts to trees.
- The preliminary design will allow the retention of two mature (T4 & T6), and one young coast live oak (T3), located in the rear of the property, if no grade changes are required.
- If modifications to some retaining wall locations are made, three additional trees, a mature coast redwood, T1, and two maturing coast live oak ,T13 & T14 can be retained.
- At least two trees, incense cedars, T15 & T18, will require removal due to impacts from the proposed plan.
- If removals are permitted, replacement trees will be required.

RECOMMENDATIONS

1. Obtain all necessary permits prior to removing or significantly altering any trees on site.
2. Remove trees recommended for removal.
3. Modify locations of retaining walls a minimum of 7-10 feet, adjacent to treeT1, coast redwood and a minimum of 10 feet from T13 & 14 coast live oak, if they are to be retrained.
4. Additional tree protection specifications will be required once final plan sets are completed.

Respectfully submitted,

Kurt Fouts

Kurt Fouts ISA Certified Arborist WE0681A

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

4303 Scotts Valley Drive, Scotts Valley

Tree Assessment Chart - Appendix A

Suitability for Preservation Ratings:

Good: Trees in good health and structural condition with potential for longevity on the site

Fair: Trees in fair health and/or with structural defects that may be reduced with treatment procedures

Poor: Trees in poor health and/or with poor structure that cannot be effectively abated with treatment

Retention or Removal Code:

RT: Retain Tree
RI: Remove Due to Construction Impacts

I.M. Impacts Can Be Mitigated With Pre-Construction Treatments
R.C. Remove Due to Condition

Protected Tree City of Scotts Valley Any tree 13 inches or greater in diameter measured at 4.5 feet above grade. Any oak 8 inches or greater. Any multi-trunk oak with one trunk 4 inches or greater.

Tree #	Species	Trunk Diameter @ 54 inches a.g.	Protected Tree	Crown Height & Spread (diameter)	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in radius feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T1	coast redwood (*Sequoia sempervirens*)	48"	Yes	80'X15'	Fair	Fair-Poor	Fair	20'	High (Root loss: excavation)	RI	Requires a minimum of 10' from retaining structure to be preserved. Clearance pruned on north side for utility clearance, creating large gap in branching structure. Branching structure is thin (distance between branches), for species.
T2	California laurel (*Umbellularia californica*)	6-10" multi	Yes	18'X15'	Fair-Poor	Fair-Poor	Poor	22'	High (Root loss: excavation)	RC, RI	Requires a minimum of 8' from retaining structure to be preserved. Multiple trunks separate at grade. Topped at 15' above grade for utility clearance. Limb regrowth from topping is poorly attached. Very thin canopy density, with yellowing foliage.. Dead wood, decay and wood decay fungi in some trunks and branches.

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

12/10/2019

4303 Scotts Valley Drive, Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 54 inches a.g.	Protected Tree	Crown Height & Spread (diameter)	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in radius feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T3	coast live oak (*Quercus agrifolia*)	12",11"	Yes	25'X20'	Good	Fair	Good	14'	Low to Moderate (Root loss: excavation)	RT, IM	New retainer location is compatible with tree preservation. Co-dominant trunks at grade. May require minimal canopy clearance pruning from garage of unit on Lot 3.
T4	coast live oak	14",12"	Yes	40'X25'	Fair	Fair	Fair	15'	Low to Moderate (Root loss: excavation)	RT, IM	New retainer location is compatible with tree preservation. Co-dominant trunks at grade. One trunk with horizontal growth pattern and significant end weight.
T5	coast live oak	7"	Yes	15'X10'	Poor	Fair-Poor	Poor	8'	Moderate (Root loss: excavation)	RC	Significant basal cavity and decay, with deadwood and wood decay fungi. Re-sprouted trunk is poorly attached. Minimal branching structure and live canopy.
T6	coast live oak	18"	Yes	40'X25'	Fair	Fair	Fair	14'	Low to Moderate (Root loss: excavation)	RT, IM	New retainer location is compatible with tree preservation. 30 degree trunk lean to south. Thinning canopy with some dead wood and decay in upper canopy on limbs up to 4" in diameter. Will require some canopy clearance pruning from unit on Lot 4.
T7	coast live oak	15"	Yes	25'X25'	Fair-Poor	Poor	Poor	12'	Low to Moderate (Root loss: excavation)	RC	30 degree trunk lean to south. Half of canopy and limb structure overhangs adjacent property. Minimal foliar canopy relative to diameters of primary scaffolds. Foliar dieback over 25% of canopy.

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

4303 Scotts Valley Drive, Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 54 inches a.g.	Protected Tree	Crown Height & Spread (diameter)	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in radius feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T8	coast live oak	7"	Yes	15'X10'	Poor	Fair-Poor	Poor	8'	Low to Moderate (Root loss: excavation)	RC	Minimal branching structure and foliar canopy.
T9	Bailey acacia (*Acacia baileyana*)	9"	No	40'X10'	Fair	Poor	Poor	N/A	Low (Root loss: excavation)	RC	>30 degree trunk lean to southwest. Unbalanced canopy with significant weight bias to south.
T10	Bailey acacia	8"	No	35'X10'	Fair	Poor	Poor	N/A	Low to Moderate (Root loss: excavation)	RC	>30 degree trunk lean to southwest. Unbalanced canopy with significant weight bias to south.
T11	Bailey acacia	6"	No	20'X10'	Fair	Poor	Poor	N/A	Low to Moderate (Root loss: excavation)	RC	>30 degree trunk lean to southwest. Unbalanced canopy with significant weight bias to south.
T12	English laurel (*Prunus laurocerasus*)	6"	No	15'X20'	Good	Fair	Fair	N/A	High (Within home footprint)	RI	15 degree trunk lean to south.

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

12/10/2019

4303 Scotts Valley Drive, Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 54 inches a.g.	Protected Tree	Crown Height & Spread (diameter)	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in radius feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T13	coast live oak	24"	Yes	60'X35'	Fair	Fair-Poor	Fair	18'	High (Root loss: excavation)	RI	Retaining structures impact roots on 3 sides. Requires a minimum of 10' from retainers to be preserved. Co-dominant trunks with included bark at 5' above grade. Limited scaffold development. Competition from adjacent oak and incense cedar has reduced canopy development. No lower branch structure. Will require some canopy clearance pruning from 2nd story of unit on Lot 1.
T14	coast live oak	23"	Yes	60'X35'	Fair	Fair	Fair	18'	High (Root loss: excavation)	RI	Retaining structures impact roots on 2 sides. Requires a minimum of 8-10' from retainers to be preserved. Co-dominant trunks at 8' above grade. 5 degree lean to west. Most of branch structure and foliar canopy overhangs adjacent property. Existing lower branches should be maintained. Will require some canopy clearance pruning from 2nd story of unit on Lot 1.
T15	incense cedar (*Calocedrus decurrens*)	33"	Yes	70'X20'	Good	Good	Good	23'	High (Root loss: grade change)	RI	
T16	glossy privet (*Ligustrum lucidum*)	8",6",4"	Yes	40'X15'	Fair	Poor	Poor	9'	High (Root loss: excavation)	RC,RI	Co-dominant trunks at 1' above grade. Unbalanced canopy with weight bias to south. Poor structural development due to larger adjacent trees. Most of canopy overhangs adjacent property.

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

4303 Scotts Valley Drive, Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 48 inches a.g.	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T17	glossy privet	9",5",5"	Yes	40'X15'	Fair	Poor	Poor	9'	High (Root loss: excavation)	RC,RI	Co-dominant trunks at 1' above grade. Unbalanced canopy with weight bias to south. Poor structural development due to larger adjacent trees. Most of canopy overhangs adjacent property.
T18	incense cedar	28"	Yes	60'X20'	Fair	Good	Good	21'	High (Within home footprint)	RI	Trunk leans 5 degrees to south. Dieback of terminal (top), with branches up to 1" in diameter. Lack of foliar canopy on west side due to competition with adjacent trees. Ivy growing half way up trunk. Thinning canopy in pockets.
Kurt Fouts Arborist Consultant 826 Monterey Avenue Capitola, CA 95010 831-359-3607 kurtfouts1@outlook.com							Page 5 of 5				12/10/2019

APPENDIX B – CRITERIA FOR TREE ASSESSMENT CHART

Following is an explanation of the data used in the tree evaluations. The data is incorporated in the *Tree Assessment Chart, Appendix A.*

Trunk Diameter and Number of Trunks:

Trunk diameter as measured at 4.5 feet above grade. The number of trunks refers to a single or multiple trunked tree. Multiple trunks are measured at 4.5 feet above grade.

Health Ratings:

Good: A healthy, vigorous tree, reasonably free of signs and symptoms of disease

Fair: Moderate vigor, moderate twig and small branch dieback, crown may be thinning and leaf color may be poor

Poor: Tree in severe decline, dieback of scaffold branches and/or trunk, most of foliage from epicormics

Structure Ratings:

Good: No significant structural defects. Growth habit and form typical of the species

Fair: Moderate structural defects that might be mitigated with regular care

Poor: Extensive structural defects that cannot be abated.

Suitability for Preservation Ratings:

Rating factors:

Tree Health: Healthy vigorous trees are more tolerant of construction impacts such as root loss, grading and soil compaction, then are less vigorous specimens.

Structural integrity: Preserved trees should be structurally sound and absent of defects or have defects that can be effectively reduced, especially near structures or high use areas.

Tree Age: Over mature trees have a reduced ability to tolerate construction impacts, generate new tissue and adjust to an altered environment. Young to maturing specimens are better able to respond to change.

Species response: There is a wide variation in the tolerance of individual tree species to construction impacts.

Rating Scale:

Good: Trees in good health and structural condition with potential for longevity on the site

Fair: Trees in fair health and/or with structural defects that may be reduced with treatment procedures.

Poor: Trees in poor health and/or with poor structure that cannot be effectively abated with treatment. Trees can be expected to decline or fail regardless of construction impacts or management . The species or individual may possess characteristics that are incompatible or undesirable in landscape settings or unsuited for the intended use of the site.

Construction Impacts:

Rating Scale:

High: Development elements proposed that are located within the Tree Protection Zone that would severely impact the health and /or stability of the tree. The tree impacts cannot be mitigated without design changes. The tree may be located within the building footprint.

Moderate: Development elements proposed that are located within the Tree Protection Zone that will impact the health and/or stability of the tree and can be mitigated with tree protection treatments.

Low: Development elements proposed that are located within or near the Tree Protection Zone that will have a minor impact on the health of the tree and can be mitigated with tree protection treatments.

None: Development elements will have no impact on the health and stability of the Tree.

Tree Protection Zone (TPZ):

Defined area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees, particularly during construction or development.

Tree Location Map

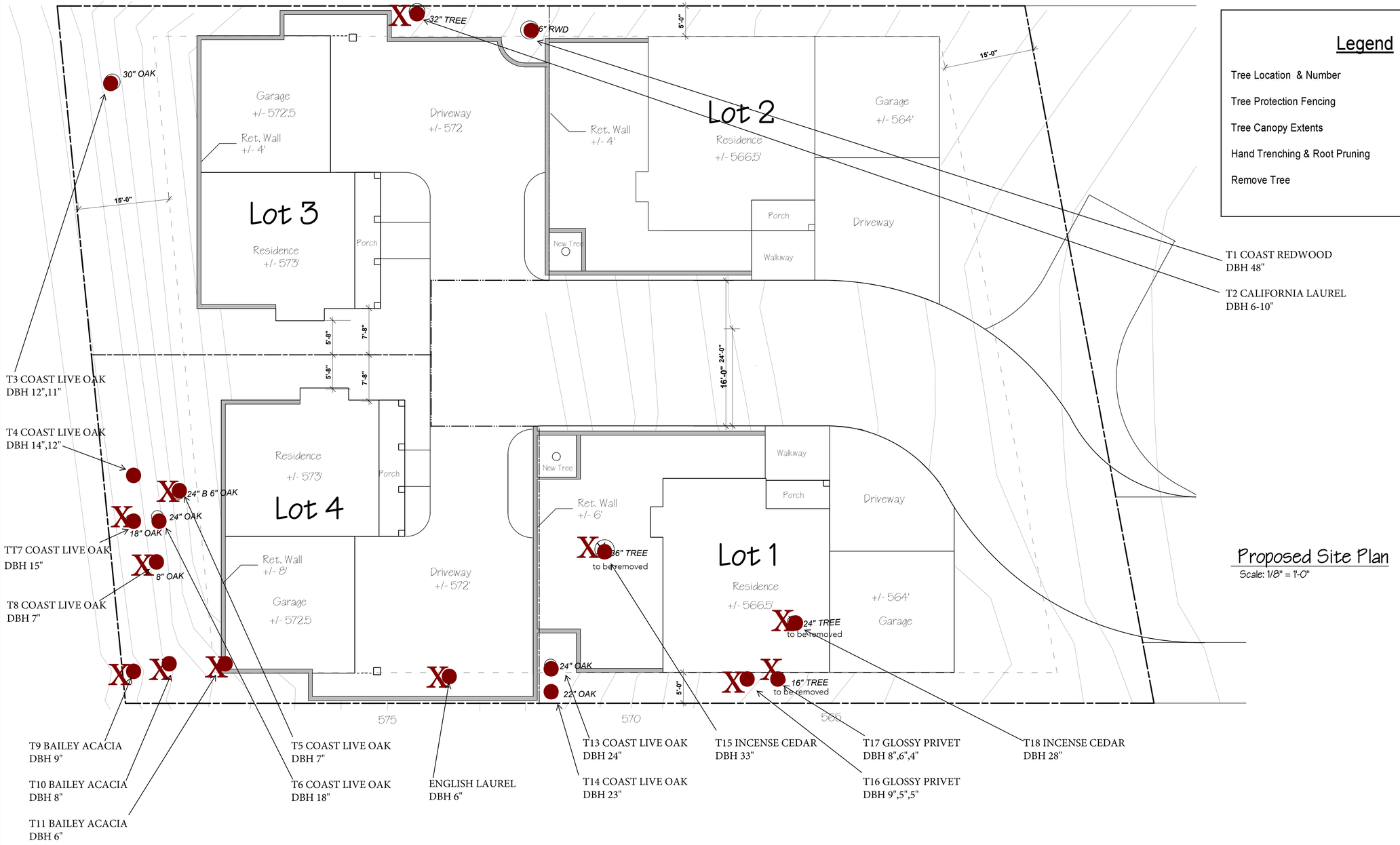
4303 Scotts Valley Drive, Scotts Valley

K.F.
APN:022-902-11
12/9/2019

Sheet T1
of 1 Sheet

Legend

- Tree Location & Number
- Tree Protection Fencing
- Tree Canopy Extents
- Hand Trenching & Root Pruning
- Remove Tree (X)



Proposed Site Plan

Scale: 1/8" = 1'-0"

Base map provided by: Craycroft Design, Santa Cruz, CA

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

BIBLIOGRAPHY

Matheny, N. and Clark, J. Trees & Development – A Technical Guide to Preservation of Trees During Land Development. Champaign, IL: International Society of Arboriculture c. 1998

Costello, L.R., Watson, G., Smiley E.T. Root Management – Best Management Practices, Champaign, ILL: International Society of Arboriculture c. 2017

ANSI Board of Standards Review. A.N.S.I. (*American National Standard*) A300 (Part 8)- 2013 Root Management

Harris, R.W., Clark, J.R. and Matheny, N.P. Arboriculture: *Integrated management of landscape tree, shrubs, and vines*. 4th ed. Upper Saddle River, NJ: Prentice-Hall, Inc. c.2004

Matheny, N. and Clark, J. Evaluation of Hazard Trees in Urban Areas. Champaign, IL: Wadley Graphix Corp. c.1994

Smiley, E.T., Matheny, N., Lilly, S. Tree Risk Assessment – Best Management Practices, Champaign, ILL: International Society of Arboriculture c. 2011

Costello, L., Perry, E., & Matheny,N, Abiotic Disorders of Landscape Plants: *A Diagnostic Guide* Oakland, CA:UC/ANR Publications (Publication 3420) c.2003.

Glossary of Terms

Basal rot: decay of the lower trunk, trunk flare, or buttress roots.

Canker: Localized diseased area on stems, roots and branches. Often sunken and discolored.

Critical Root Zone (CRZ): Area of soil around a tree where a minimum number of roots considered critical to the structural stability or health of the tree are located. CRZ determination is sometimes based on the drip line or a multiple of the DBH, but because root growth can be asymmetric due to site conditions, on-site investigation may be required.

Codominant branches/stems: Forked branches (or trunks), nearly the same size in diameter, arising from a common junction and lacking a normal branch union, may have included bark.

Crown: Upper part of a tree, measured from the lowest branch, including all branches and foliage.

Defect: An imperfection, weakness, or lack of something necessary. In trees defects are injuries, growth patterns, decay, or other conditions that reduce the tree's structural strength.

Diameter at breast height (DBH): Measurement of trunk diameter at 4.5 feet above grade.

Frass: Fecal material and/or wood shavings produced by insects.

Included Bark Attachments (crotches): Branch/limb or limb /trunk, or codominant trunks originating at acute angles from each other. Bark remains between such crotches, preventing the development of axillary wood. The inherent weakness of such attachments increases with time, through the pressure of opposing growth and increasing weight of wood and foliage, often resulting in failure.

Live Crown Ratio (LCR): Ratio of the height of the crown containing live foliage to overall height of the tree.

Scaffold branches: Permanent or structural branches that form the scaffold architecture or structure of a tree.

Suppressed: Trees that have been overtopped and occupy an understory position within a group or grove of trees. Suppressed trees often have poor structure.

Tree Protection Zones (TPZ): Defined area within which certain activities are prohibited of restricted to prevent or minimize potential injury to designated trees, especially during construction or development.

Trunk flare: Transition zone from trunk to roots where the trunk expands into the buttress or structural roots.

This Glossary of Terms was adapted from the *Glossary of Arboricultural Terms* (ISA, 2015)

Appendix F - TREE PROTECTION GUIDELINES AND RESTRICTIONS

Protecting Trees During Construction:

1) Before the start of site work, equipment or materials move in, clearing, excavation, construction, or other work on the site, every tree to be retained shall be securely fenced- off as delineated in approved plans. Such fences shall remain continuously in place for the duration of the work undertaken in connection with the development.

2) If the proposed development, including any site work, will encroach upon the tree protection zone, special measures shall be utilized, as approved by the project arborist, to allow the roots to obtain necessary oxygen, water, and nutrients.

3) Underground trenching shall avoid the major support and absorbing tree roots of protected trees. If avoidance is impractical, hand excavation undertaken under the supervision of the project arborist may be required. Trenches shall be consolidated to service as many units as possible. Boring/tunneling under roots should be considered as an alternative to trenching.

4) Concrete or asphalt paving shall not be placed over the root zones of protected trees, unless otherwise permitted by the project arborist.

5) Artificial irrigation shall not occur within the root zone of native oaks, unless deemed appropriate on a temporary basis by the project arborist to improve tree vigor or mitigate root loss.

6) Compaction of the soil within the tree protection zone shall be avoided.

7) Any excavation, cutting, or filling of the existing ground surface within the tree protection zone shall be minimized and subject to such conditions as the project arborist may impose. Retaining walls shall likewise be designed, sited, and constructed to minimize their impact on protected trees.

8) Burning or use of equipment with an open flame near or within the tree protection zone shall be avoided. All brush, earth, and other debris shall be removed in a manner that prevents injury to the tree.

9) Oil, gas, chemicals, paints, cement, stucco or other substances that may be harmful to trees shall not be stored or dumped within the tree protection zone of any protected tree, or at any other location on the site from which such substances might enter the tree protection zone of a protected tree.

10) Construction materials shall not be stored within the tree protection zone of a protected tree.

Project Arborist Duties and Inspection Schedule:

The project arborist is the person(s) responsible for carrying out technical tree inspections, assessment of tree health, structure and risk, arborist report preparation, consultation with designers and municipal planners, specifying tree protection measures, monitoring, progress reports and final inspection.
A qualified project arborist (or firm) should be designated and assigned to facilitate and insure tree preservation practices. He/she/they should perform the following inspections:

Inspection of site: Prior to equipment and materials move in, site work, demolition, landscape construction and tree removal: The project arborist will meet with the general contractor, architect / engineer, and owner or their representative to review tree preservation measures, designate tree removals, delineate the location of tree protection fencing, specify equipment access routes and materials storage areas, review the existing condition of trees and provide any necessary recommendations.

Inspection of site: During excavation or any activities that could affect trees: Inspect site during any activity within the Tree Protection Zones of preserved trees and any recommendations implemented. Assess any changes in the health of trees since last inspection.

Final Inspection of Site: Inspection of site following completion of construction. Inspect for tree health and make any necessary recommendations.

Kurt Fouts shall be the Project Arborist for this project. All scheduled inspections shall include a brief Tree Monitoring report, documenting activities and provided to the City Arborist.

Tree Protection Fencing

Tree Protection fencing shall be installed prior to the arrival of construction equipment or materials. Fence shall be comprised of six -foot chain link fence mounted on eight - foot tall, 1 and 7/8-inch diameter galvanized posts, driven 24 inches into the ground and spaced on a minimum of 10-foot centers. Once established, the fence must remain undisturbed and be maintained throughout the construction process until final inspection.

A final inspection by the City Arborist at the end of the project will be required prior to removing any tree protection fencing.

Tree Protection Signs

All sections of fencing should be clearly marked with signs stating that all areas within the fencing are Tree Protection Zones and that disturbance is prohibited.

Monitoring

Any trenching, construction or demolition that is expected to damage or encounter tree roots should be monitored by the project arborist or a qualified ISA Certified Arborist and should be documented.

The site should be evaluated by the project arborist or a qualified ISA Certified Arborist after construction is complete, and any necessary remedial work that needs to be performed should be noted.

Root Pruning

Root pruning shall be supervised by the project arborist. When roots over two inches in diameter are encountered they should be pruned by hand with loppers, handsaw, reciprocating saw, or chain saw rather than left crushed or torn. Roots should be cut beyond sinker roots or outside root branch junctions and be supervised by the project arborist. When completed, exposed roots should be kept moist with burlap or backfilled within one hour.

Tree Work Standards and Qualifications

All tree work, removal, pruning, planting, shall be performed using industry standards of workmanship as established in the Best Management Practices of the International Society of Arboriculture (ISA) and the American National Standards Institute series, *Safety Requirements in Arboriculture Operations* ANSI Z133-2017,

Contractor licensing and insurance coverage shall be verified.

During tree removal and clearance, sections of the Tree Protection Fencing may need to be temporarily dismantled to complete removal and pruning specifications. After each section is completed, the fencing is to be re-installed.

Trees to be removed shall be cut into smaller manageable pieces consistent with safe arboricultural practices, and carefully removed so as not to damage any surrounding trees or structures. The trees shall be cut down as close to grade as possible. Tree removal is to be performed by a qualified contractor with valid City Business/ State Licenses and General Liability and Workman's Compensation insurance.

Development Site Tree Health Care Measures

RECOMMENDED TO PROVIDE OPTIMUM GROWING CONDITIONS, PHYSIOLOGICAL INVIGORATION AND STAMINA, FOR PROTECTION AND RECOVERY FROM CONSTRUCTION IMPACT.

Establish and maintain TPZ fencing, trunk and scaffold limb barriers for protection from mechanical damage, and other tree protection requirements as specified in the arborist report.

Project arborist to specify site-specific soil surface coverings (wood chip mulch or other) for prevention of soil compaction and loss of root aeration capacity.

Soil, water and drainage management is to follow the ISA BMP for "Managing Trees During Construction" and the ANSI Standard A300(Part 2)- 2011 Soil Management (a. Modification, b. 'Fertilization, c. Drainage.)

Fertilizer / soil amendment product(s) amounts and method of application to be specified by certified arborist.

City of Scotts Valley - Protected Tree List*

A. Any size tree located within five (5) feet of a public right-of-way or street.

B. Any single-trunk **oak tree** greater than or equal to eight (8) inch diameter (25 inch circumference).**

C. Any multi-trunk **oak tree** with any trunk greater than or equal to four (4) inches diameter (12 inch circumference).**

D. Any tree greater than or equal to eight (8) inch diameter (25 inch circumference)** if located within 20 feet of a moderate slope (greater than 20% slope).

E. Any single-trunk tree greater than or equal to 13-inch diameter (40 inch circumference).**

F. Any multi-trunk tree with any trunk greater than or equal to eight (8) inch diameter (25 inch circumference).**

G. Any tree, regardless of size, required as part of a permit approved by the Planning Department, Planning Commission or City Council, or required as a replacement tree for a removed tree.

H. Any **Heritage Tree**, as specified in Municipal Code Section 17.44.080 and Exhibit A. A list and map of Heritage Trees are available at the Planning Department. Fees for removal of Heritage Trees are higher than other protected tree removals and applications must be approved at a public hearing before the Planning Commission.

*** Note:** No tree removal permit is required to remove:
C Monterey Pine trees that are infected with pitch canker; ***proof of infection is required***;
C Blue Gum Eucalyptus or Acacia trees;
C Bay Laurel trees ***if*** they are growing under the drip-line of an established oak tree; or,
C Fruit trees.

****** Tree measurement shall be taken 4½ feet (54 inches) above the ground.

ASSUMPTIONS AND LIMITING CONDITIONS

1. Any legal description provided by the appraiser/consultant is assumed to be correct. No responsibility is assumed for matters legal in character nor is any opinion rendered as the quality of any title.
2. The appraiser/consultant can neither guarantee nor be responsible for accuracy of information provided by others.
3. The appraiser/consultant shall not be required to give testimony or to attend court by reason of this appraisal unless subsequent written arrangements are made, including payment of an additional fee for services.
4. Loss or removal of any part of this report invalidates the entire appraisal/evaluation.
5. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person(s) to whom it is addressed without written consent of this appraiser/consultant.
6. This report and the values expressed herein represent the opinion of the appraiser/consultant, and the appraiser/consultant's fee is in no way contingent upon the reporting of a specified value nor upon any finding to be reported.
7. Sketches. Diagrams. Graphs. Photos. Etc., in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys.
8. This report has been made in conformity with acceptable appraisal/evaluation/diagnostic reporting techniques and procedures, as recommended by the International Society of Arboriculture.
9. When applying any pesticide, fungicide, or herbicide, always follow label instructions.
10. No tree described in this report was climbed, unless otherwise stated. We cannot take responsibility for any defects which could only have been discovered by climbing. A full root collar inspection, consisting of excavating around the tree to uncover the root collar and major buttress roots, was not performed, unless otherwise stated. We cannot take responsibility for any root defects which could only have been discovered by such an inspection.

CONSULTING ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education. Knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce risk of living near trees, Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like medicine, cannot be guaranteed.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.

Kurt Fouts
Arborist Consultant
826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

MEMBER INTERNATIONAL SOCIETY OF ARBORICULTURE ISA ™

UPDATED GEOTECHNICAL INVESTIGATION

Proposed Four Unit Planned Development
4303B Scotts Valley Drive
Scotts Valley, California
APN: 022-902-11

For:
Rick Hochler
325 Canham Road
Scotts Valley, California 95066

Project No. 06058B
October 14, 2019

Project No. 06058B
October 14, 2019

Rick Hochler
325 Canham Road
Scotts Valley, California 95066

SUBJECT: **UPDATED GEOTECHNICAL INVESTIGATION**
Proposed Four Unit Planned Development
4303B Scotts Valley Drive, Scotts Valley, California
APN: 022-902-11

Dear Mr. Hochler:

In accordance with your authorization, we have updated our recommendations for the subject project to be in accordance with the current building code requirements and project scope.

It is a pleasure being associated with you on this project. If you have any questions, or if we may be of further assistance, please do not hesitate to contact our office.

Sincerely,

ROCK SOLID ENGINEERING, INC.



Signed: October 17, 2019

Yvette M. Wilson, P.E.
Principal Engineer
R.C.E. 60245

Distribution: (6) Addressee and via email
(1) John Craycroft via email

TABLE OF CONTENTS

1. **INTRODUCTION** . . . 1
   - 1.1 Purpose . . . 1
   - 1.2 Proposed Development . . . 1
   - 1.3 Scope of Services . . . 1
   - 1.4 Authorization . . . 2
   - 1.5 Exclusions . . . 2

2. **FIELD EXPLORATION AND LABORATORY TESTING PROGRAM** . . . 2

3. **SITE DESCRIPTION** . . . 2
   - 3.1 Location . . . 2
   - 3.2 Surface Conditions . . . 2
   - 3.3 Subsurface Conditions . . . 2

4. **GEOTECHNICAL HAZARDS** . . . 3

5. **CONCLUSIONS AND RECOMMENDATIONS** . . . 4
   - 5.1 General . . . 4
   - 5.2 Grading . . . 5
     - 5.2.1 General . . . 5
     - 5.2.2 Site Clearing . . . 5
     - 5.2.3 Excavating Conditions . . . 6
     - 5.2.4 Fill Material . . . 6
     - 5.2.5 Fill Placement and Compaction . . . 7
     - 5.2.6 Preparation of On-Site Soils . . . 8
     - 5.2.7 Cut and Fill Slopes . . . 9
     - 5.2.8 Groundwater Table . . . 9
     - 5.2.9 Expansive Soils . . . 10
     - 5.2.10 Sulfate Content . . . 10
     - 5.2.11 Surface Drainage . . . 10
     - 5.2.12 Utility Trenches . . . 11
   - 5.3 Foundations . . . 11
     - 5.3.1 General . . . 11
     - 5.3.2 Conventional Shallow Foundations . . . 12
   - 5.4 Settlements . . . 13
   - 5.5 Retaining Structures . . . 13
     - 5.5.1 General . . . 13
     - 5.5.2 Lateral Earth Pressures . . . 13
     - 5.5.3 Backfill . . . 14
     - 5.5.4 Backfill Drainage . . . 15
   - 5.6 Slabs-on-Grade . . . 15
   - 5.7 Pavement Design . . . 16
   - 5.8 Exterior Concrete Flatwork . . . 17

6. **LIMITATIONS** . . . 18

REFERENCES . . . 19

Appendix A: Field Exploration and Laboratory Testing Program

1. INTRODUCTION

1.1 Purpose

The purpose of this updated report is to revise the design criteria from the original Geotechnical Investigation report (Reference 9) to be in accordance with the current code requirements. We have also updated the recommendations for the currently proposed project which consists of a four unit planned development.

1.2 Proposed Development

a. Based on our review of the design development drawings (Reference 6), it is our understanding that the current project consists of dividing the parcel into 4 lots, the construction of a new residence with attached garage on each lot and the construction of the access road.

b. At Lots 1 & 2, the proposed homes are two stories. At Lots 3 & 4, the proposed homes are three stories.

c. Anticipated construction consists of standard wood frame construction with raised wood or slab-on-grade floors. Exact wall, column, and foundation loads are unavailable, but are expected to be typical of such construction.

d. Final grading and foundation plans were unavailable at the time of this report. It is our understanding that the information obtained during our investigation will be used in the development of a finalized plan set.

1.3 Scope of Services

The scope of services provided during the course of our investigation included:

a. Review of the referenced geotechnical, geologic, and seismological reports and maps pertinent to the development of the site (available in our files).

b. Field exploration consisting of 3 borings, drilled to depths of approximately 21.5 feet below existing grade in the area of the proposed development.

c. Logging and sampling of the borings by our Field Engineer, including the collection of soil samples for laboratory testing.

d. Laboratory testing of soil samples considered representative of subsurface conditions.

e. Geotechnical analyses of field and laboratory data.

f. Preparation of a report (6 copies) presenting our findings, conclusions and recommendations.

1.4 Authorization

This updated report, as outlined in our Proposal dated September 13, 2019, was performed in accordance with your written authorization on September 19, 2019.

1.5 Exclusions

Our services on this project are limited to the proposed development. Our services specifically exclude all existing structures, foundations and associated improvements to the site.

2. FIELD EXPLORATION AND LABORATORY TESTING PROGRAM

Details of the previous field exploration and laboratory testing completed in 2007 are presented in Appendix A.

3. SITE DESCRIPTION

3.1 Location

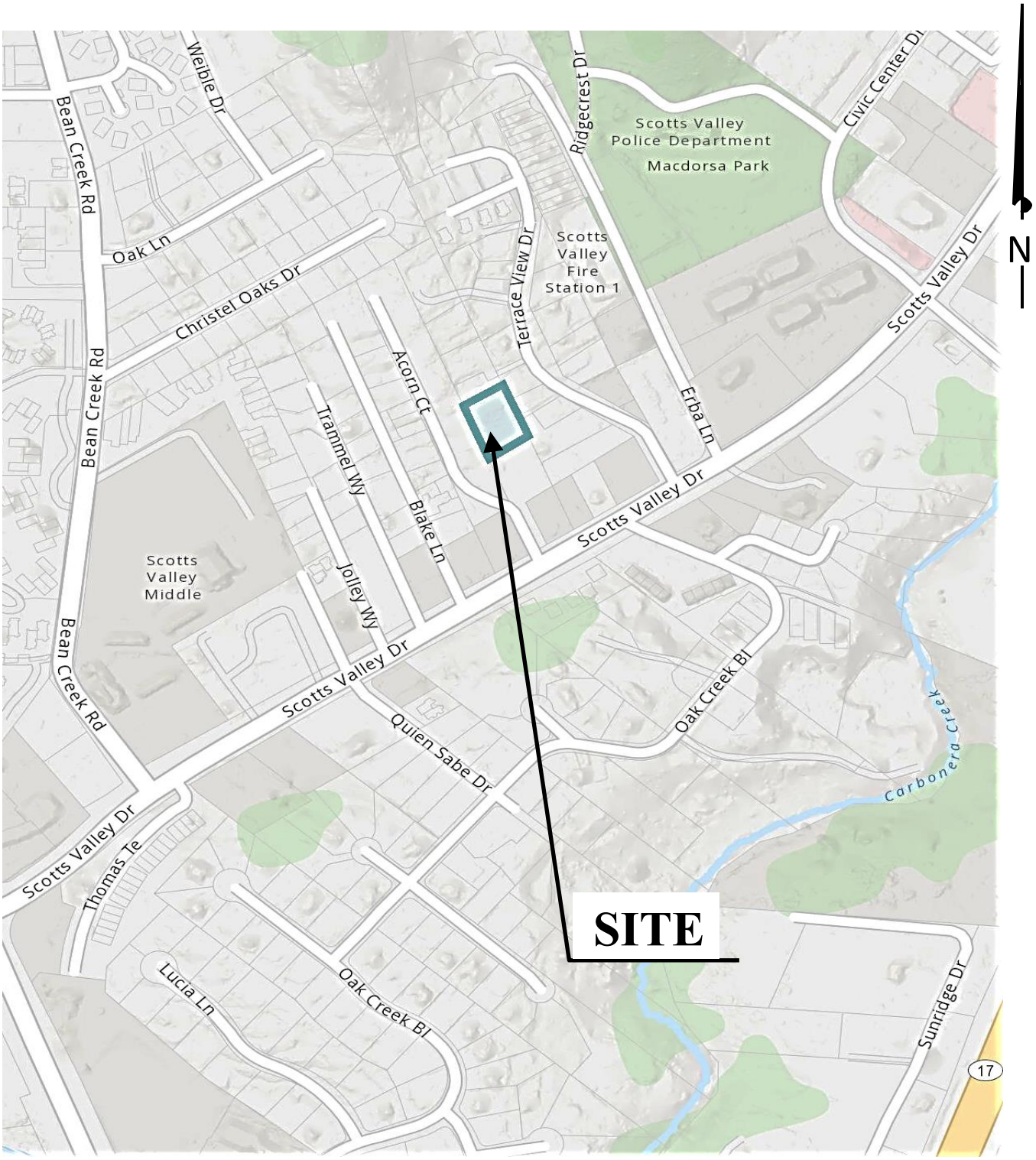
The subject project is located at 4303B Scotts Valley Drive in Scotts Valley, California. The site is accessed off of Acorn Court. The location is shown on the Location Map, **Figure 1**.

3.2 Surface Conditions

The project site slopes gently to moderately to the south. There is an existing one story residential home at the northern end of the project site. At the time of our field investigation, several other smaller apparently unoccupied buildings were located on the eastern area of the project site, these appear to have been removed since our initial investigation. At the time of our field investigation, the site was vegetated with scattered grassy areas, exposed soil areas, landscaped areas, and several very large diameter trees.

3.3 Subsurface Conditions

a. The results of our field exploration indicate that the subsurface soils present on the site are relatively consistent, however, there are some variations in color, moisture content, and density. Groundwater was not encountered during the course of our field exploration.



ROCK SOLID ENGINEERING, INC.	**LOCATION MAP**	FIGURE
	4303B Scotts Valley Drive, Scotts Valley	1

b. All three borings encountered native soils underlain by Santa Margarita Sandstone. The native soils consisted of an upper layer of approximately 4 feet of loose to very loose black very silty sand. Underlying this layer, the native soils graded into loose very dark yellowish brown silty sand which extended to a depth of approximately 7 to 8 feet below the existing ground surface. The Santa Margarita Sandstone bedrock was encountered at this depth and consisted of medium dense yellowish white silty sandstone. This sandstone was generally fine grained and weakly cemented.

c. Based on our laboratory test results, the native silty sand soil is slightly to moderately compressible under the anticipated loads and slightly to moderately collapsible upon wetting.

d. Complete soil profiles are presented on the Logs of Exploratory Borings and the boring locations are shown on the Boring Location Plan in Appendix A.

4. GEOTECHNICAL HAZARDS

a. Potential geotechnical hazards to man made structures include ground shaking, surface rupture, landsliding, liquefaction, lateral spreading, and differential compaction. The potential for each of these to impact the site is discussed below.

b. Ground shaking caused by earthquakes is a complex phenomenon. Structural damage can result from the transmission of earthquake vibrations from the ground into the structure. The intensity of an earthquake at any given site depends on many variables including, the proximity of the site to the hypocenter, and the characteristics of the underlying soil and/or rock. The subject site is situated at the approximate latitude of 37°02' 50" and longitude -122°01' 14". The project location (latitude and longitude) were used in conjunction with the American Society of Civil Engineers website (Reference 1) to obtain the seismic design parameters presented in **Table 1**. All proposed structures at the subject site shall be designed with the corresponding seismic design parameters in accordance with the 2016 California Building Code (Reference 3).

Table 1: 2016 CBC Seismic Design Criteria

Site Class	Seismic Design Category	Spectral Response Accelerations					
		Ss	S1	SMs	SM1	SDs	SD1
D	D	1.540	0.614	1.540	0.921	1.026	0.614

c. Surface rupture usually occurs along lines of previous faulting. Based on our review of the Faults and Their Potential Hazards in Santa Cruz County map (Reference 8), no faults are shown to cross the property. Therefore, the potential for surface rupture should be considered low.

d. Landslides are generally mass movements of loose rock and soil, both dry and water saturated, and usually gravity driven. Based on our review of the Preliminary Map of Landslide Deposits in Santa Cruz County (Reference 4), no landslides are mapped on the subject parcel. In addition, the subject site slopes only gently, therefore, the potential for landsliding to occur across the site and cause damage to structures should be considered low.

e. Liquefaction, lateral spreading, and differential compaction tend to occur in loose, unconsolidated, noncohesive soils with shallow groundwater. Based on our review of Geology and Liquefaction Potential of Quaternary Deposits in Santa Cruz County, California (Reference 7) the site is mapped as Zone C, moderate potential for liquefaction. However, our field observations indicate that the potential for these hazards to occur should be considered low, due to the presence of relatively dense soils and the lack of a shallow groundwater table.

5. CONCLUSIONS AND RECOMMENDATIONS

5.1 General

a. Based on the results of our investigation, it is our opinion that from the geotechnical standpoint, the subject site will be suitable for the proposed development provided the recommendations presented herein are implemented during grading and construction.

b. It is our opinion that the subject site will be suitable for the support of the proposed structure on a **foundation system composed of conventional, shallow, continuous and pad footings**. Recommendations for this foundation system are provided in Section 5.3, Foundations.

c. Laboratory consolidation test results indicate that the near-surface soils are slightly to moderately compressible under the anticipated loads and slightly to moderately collapsible upon wetting. Site preparation, consisting of over excavation and recompaction of the native subgrade will be required prior to placement of shallow foundations, slabs-on-grade, and pavements. See section 5.2.6 for Preparation of On-Site Soil recommendations.

d. Based on our review of the proposed development plans (Reference 6), the rear of Lots 3 and 4 will be cut and retained. Per OSHA requirements, excavations over 5 feet in depth must be either sloped, shored, or shielded. All excavation shall meet current OSHA standards. It is the responsibility of the contractor to provide the design.

e. At the time we prepared this report, grading and foundation plans had not been finalized. We request an opportunity to review these plans during the design stages to determine if supplemental recommendations will be necessary.

f. The design recommendations of this report must be reviewed during the grading phase when subsurface conditions in the excavations become exposed.

g. **Field observation and testing must be provided by a representative of Rock Solid Engineering, Inc**., to enable them to form an opinion regarding the adequacy of the site preparation, and the extent to which the earthwork is performed in accordance with the geotechnical conditions present, the requirements of the regulating agencies, the project specifications and the recommendations presented in this report. Any earthwork performed in connection with the subject project without the full knowledge of, and not under the direct observation of Rock Solid Engineering, Inc., the Geotechnical Consultant, will render the recommendations of this report invalid.

h. **The Geotechnical Consultant should be notified at least five (5) working days prior to any site clearing or other earthwork operations** on the subject project in order to observe the stripping and disposal of unsuitable materials and to ensure coordination with the grading contractor. During this period, a preconstruction conference should be held on the site to discuss project specifications, observation/testing requirements and responsibilities, and scheduling. This conference should include at least the Grading Contractor, the Architect, and the Geotechnical Consultant.

5.2 Grading

5.2.1 General

All grading and earthwork should be performed in accordance with the recommendations presented herein and the requirements of the regulating agencies.

5.2.2 Site Clearing

a. The initial site clearing should include the removal of the existing residential house, the other structures on the site, and other existing improvements should be completed removed from the site. This removal should include all foundation elements and underground portions of the improvements. Prior to grading, the areas to be developed for structures, pavements and other improvements, should be stripped of any vegetation and cleared of any surface or subsurface obstructions, including any existing foundations, utility lines, basements, septic tanks, pavements, stockpiled fills, and miscellaneous debris.

b. All pipelines encountered during grading should be relocated as necessary to be completely removed from construction areas or be capped and plugged according to applicable code requirements.

c. Any wells encountered shall be capped in accordance with the **City of Scotts Valley and Santa Cruz County** Health Department requirements. The strength of the cap shall be at least equal to the adjacent soil and shall not be located within 5 feet of any structural element.

d. Surface vegetation and organically contaminated topsoil should be removed from areas to be graded. The required depth of stripping will vary with the time of year the work is done and must be observed by the Geotechnical Consultant. It is generally anticipated that the required depth of stripping will be 6 to 12 inches.

e. Holes resulting from the removal of buried obstructions that extend below finished site grades should be backfilled with compacted engineered fill per Section 5.2.5, Fill Placement and Compaction.

5.2.3 Excavating Conditions

a. We anticipate that excavation of the on-site soils may be accomplished with standard earthmoving and trenching equipment.

b. Groundwater was not encountered during the course of our field exploration and is not expected to present a problem during construction.

c. Although not anticipated, any excavations adjacent to existing structures should be reviewed, and recommendations obtained to prevent undermining or distress to these structures.

5.2.4 Fill Material

a. The on-site soils **may** be used as compacted fill.

b. All soils, both on-site and imported, to be used as fill, should contain less than 3% organics and be free of debris and cobbles over 6 inches in maximum dimension.

c. Any imported soil to be used as engineered fill shall meet the following requirements:

(i) free of organics, debris and other deleterious materials
(ii) be granular (sandy) in nature and have sufficient fines to allow for excavation of the foundation trenches.

(iii) free of rock and cobbles in excess of 3 inches
(iv) have an expansion potential not greater than low (EI<20)
(v) have a soluble sulfate content less than 150 ppm

d. Imported fill material should be approved by the Geotechnical Consultant prior to importing. The Geotechnical Consultant should be notified not less than 5 working days in advance of placing any fill or base course material proposed for import. Each proposed source of import material should be sampled, tested and approved by the Geotechnical Consultant prior to delivery of any soils imported for use on the site.

5.2.5 Fill Placement and Compaction

a. Any fill or backfill required should be placed in accordance with the recommendations presented below.

b. Material to be compacted or reworked should be moisture-conditioned or dried to achieve near-optimum conditions, and compacted to achieve the following minimum relative compaction:
(a) All fill and compacted building subgrade: 90%
(b) Upper 6 inches of subgrade in pavement/drive areas: 95%
(c) Baserock and subbase: 95%.

c. The placement moisture content of imported material should be evaluated prior to grading.

d. The relative compaction and required moisture content shall be based on the maximum dry density and optimum moisture content obtained in accordance with ASTM D-1557.

e. The in-place dry density and moisture content of the compacted fill shall be tested in accordance with ASTM D-8167/D8167M-18 or ASTM D-2922/ASTM D-3017.

f. The number and frequency of field tests required will be based on applicable county standards and at the discretion of the Geotechnical Consultant. As a minimum standard every 1 vertical foot of engineered fill placed within a building pad area, and every 2 vertical feet in all other areas shall be tested, unless specified otherwise by a Rock Solid Engineering, Inc. representative.

g. Fill should be compacted by mechanical means in uniform horizontal loose lifts not exceeding 8 inches in thickness.

h. All fill should be placed and all grading performed in accordance with applicable codes and the requirements of the regulating agency.

5.2.6 Preparation of On-Site Soils

a. Laboratory consolidation test results indicate that the near-surface soils are slightly to moderately compressible under the anticipated loads and slightly to moderately collapsible upon wetting. Site preparation, consisting of over excavation and recompaction of the native subgrade will be required prior to placement of shallow foundations, slabs-on-grade, and pavements.

b. The native subgrade beneath **shallow foundations** should be reworked to a depth sufficient to provide a zone of compacted fill extending at least 24 inches below the bottom of all footings.

c. The native subgrade beneath **slabs-on-grade** and **pavements** should be reworked to a depth sufficient to provide a zone of compacted fill extending at least 12 inches below the bottom of the capillary break material and/or aggregate base coarse.

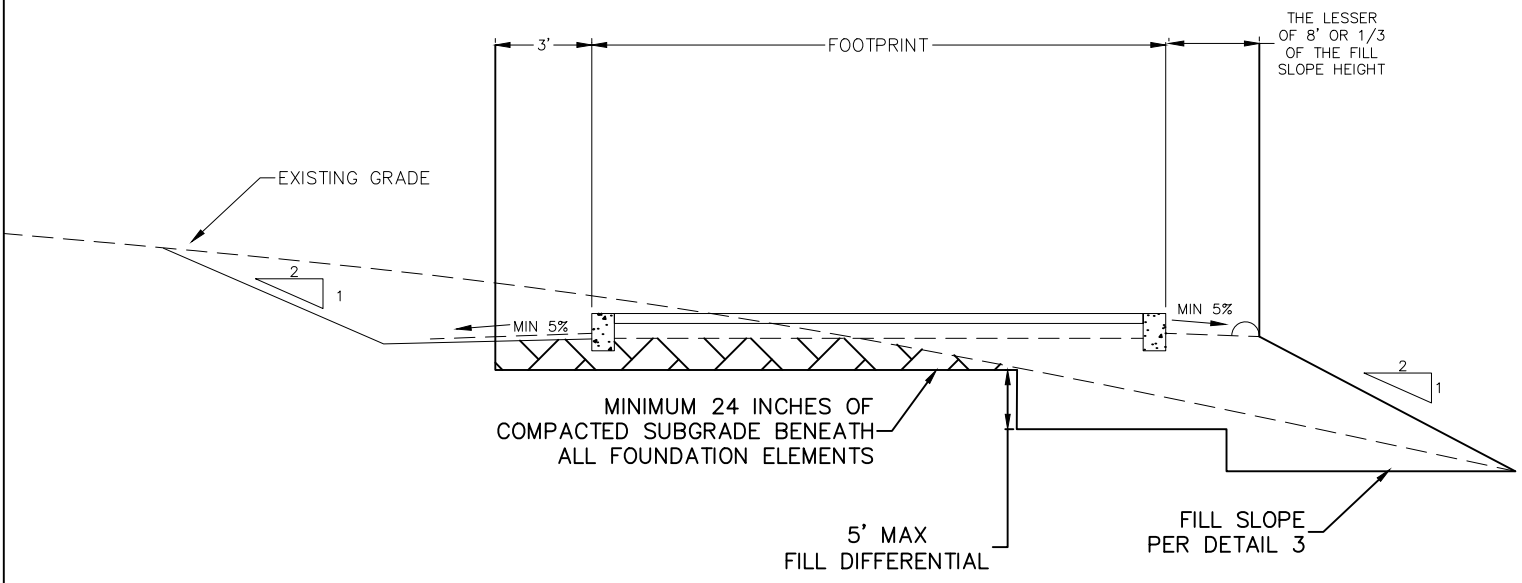
d. Should the proposed residences be founded on a cut/fill transition pad, it is important that all foundation elements be founded on a consistent bearing surface. Therefore the subgrade on the cut portion of the pad shall be overexcavated and recompacted to provide a minimum of 24 inches of compacted subgrade beneath all foundation elements. Please refer to **Figure 2** for Cut/Fill Transition Pad construction.

e. The zone of compacted fill must extend a minimum of 3 feet laterally beyond all shallow foundations. At locations that will be retained, the compaction may be horizontally limited to the cut required for the retaining wall and backdrain.

f. Prior to placing fill, the exposed surface should be scarified to a depth of 6 to 8 inches, moisture conditioned, and compacted.

g. A representative of our firm shall observe the bottom of the excavation once the required depth of overexcavation has been achieved to verify suitability. Prior to replacing the excavated soil, the exposed surface should be scarified to a depth of 6 to 8 inches, moisture conditioned, and compacted.

h. The depths of reworking required are subject to review by the Geotechnical Consultant during grading when subsurface conditions become exposed.



ROCK SOLID ENGINEERING, INC.

CUT/FILL TRANSITION

214

FIGURE 2

5.2.7 Cut and Fill Slopes

a. All fill slopes should be constructed with engineered fill meeting the minimum density requirements of this report and have a gradient no steeper than 2:1 (horizontal to vertical). Fill slopes should not exceed 15 feet in vertical height unless specifically reviewed by the Geotechnical Consultant. Where the vertical height exceeds 15 feet, intermediate benches must be provided. These benches should be at least 6 feet wide and sloped to control surface drainage. A lined ditch should be used on each bench.

b. Fill slopes shall be benched and keyed into the native slopes by providing a base keyway whose minimum width is 10 feet and which is sloped negatively at least 2% back into the slope. The depth of keyways will vary, depending on the materials encountered, but at all locations shall be at least 2 feet into firm material. This keyway should be combined with intermediate benching as required. Refer to **Figure 3** for Typical Key and Bench Detail.

c. Cut slopes shall not exceed a 2:1 (horizontal to vertical) gradient and a 15 foot vertical height unless specifically reviewed by the Geotechnical Consultant. Where the vertical height exceeds l5 feet, intermediate benches must be provided. These benches should be at least 6 feet wide and sloped to control surface drainage. A lined ditch should be used on each bench.

d. If a fill slope is to be placed above a cut slope, the toe of the fill slope should be set back at least 8 feet horizontally from the top of the cut slope. A lateral surface drain should be placed in the area between the cut and fill slopes.

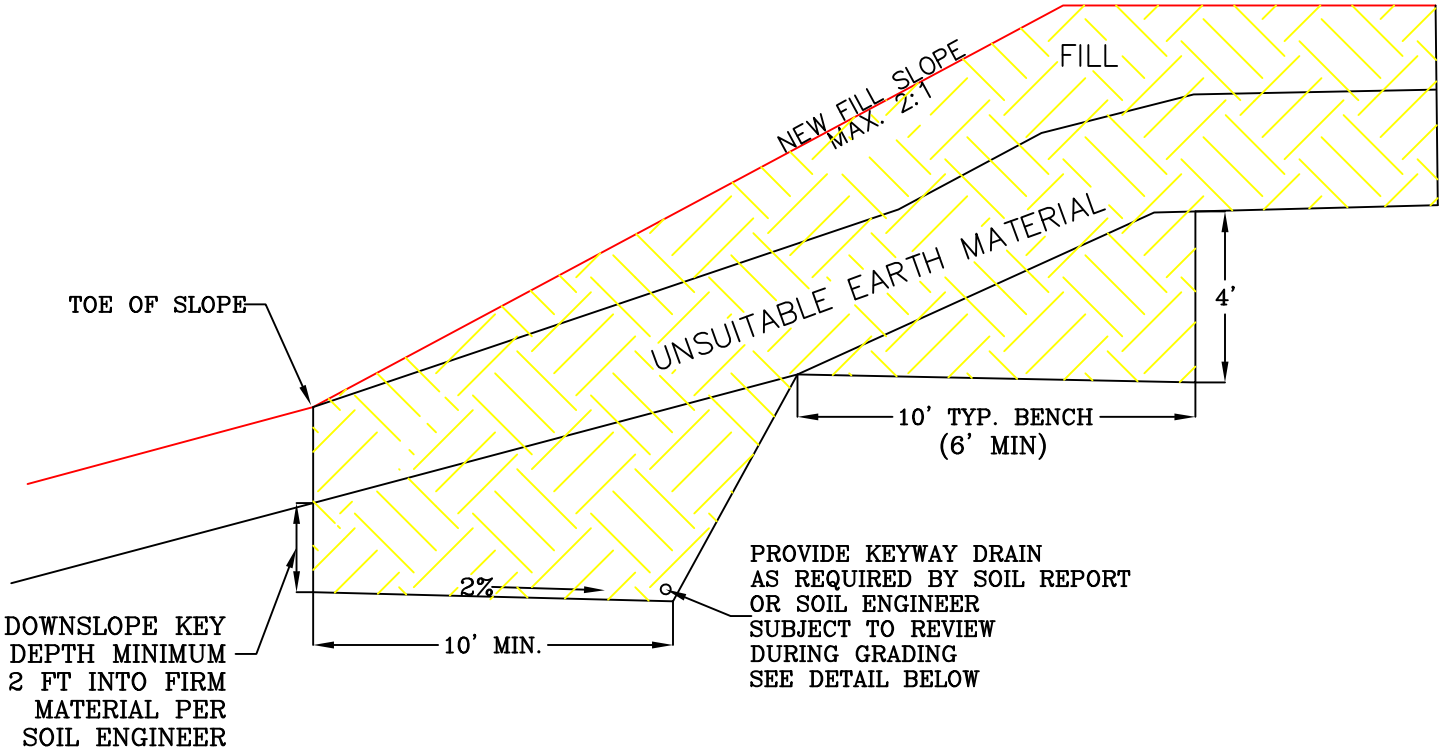
e. The surfaces of all cut and fill slopes should be worked to reduce erosion. This work, as a minimum, should include track rolling of the fill slopes and effective planting of all slopes.

f. Periodic maintenance of slopes may be necessary, as minor sloughing and erosion may take place.

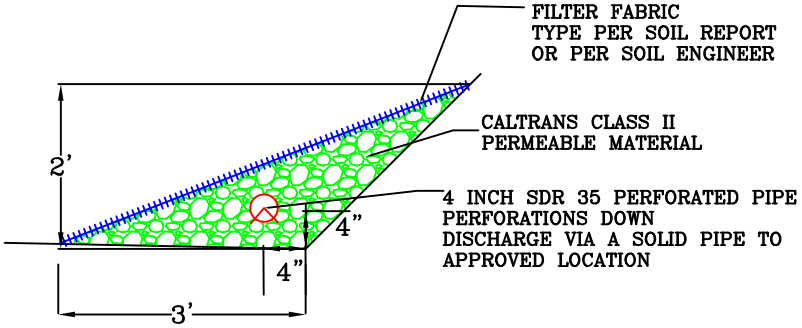
5.2.8 Groundwater Table

Groundwater **was not** encountered during the course of our investigation, and is not expected to interfere with the proposed construction.

FILL SLOPE
OVER NATIVE SOIL



TYPICAL
KEYWAY/BENCH DRAIN



NOTES:

ALL GRADING SHOULD BE IN ACCORDANCE WITH THE LOCAL JURISDICTION REQUIREMENTS AND THE 2016 CALIFORNIA BUILDING CODE.

ALL GRADING SHOULD BE INSPECTED BY THE SOIL ENGINEER. THE ENGINEER MUST APPROVE THE BASE KEYWAY, BENCHING AND COMPACTION.

WHEN NATURAL SLOPE IS LESS THAN 5:1 AND THE MAXIMUM DEPTH OF THE FILL IS LESS THAN 5 FEET, BENCHING IS NOT REQUIRED. HOWEVER, FILL IS NOT TO BE PLACED ON COMPRESSIBLE OR UNSUITABLE MATERIAL.

ALL GRADING RECOMMENDATIONS ARE SUBJECT TO REVIEW BY THE SOILS ENGINEER DURING GRADING.

5.2.9 Expansive Soils

Our laboratory testing shows that the expansion index of the near surface soils are equal to 1, this indicates that the expansion potential of the near surface soils should be considered **very low**.

5.2.10 Sulfate Content

The results of our laboratory testing indicate that the soluble sulfate content of the on-site soils likely to come into contact with concrete is below the 150 ppm generally considered to constitute an adverse sulfate condition. **Type II cement** is therefore considered adequate for use in concrete in contact with the on-site soils.

5.2.11 Surface Drainage

a. Pad drainage should be designed to collect and direct surface water away from structures to approved drainage facilities. Where soil is adjacent to foundations, a minimum gradient of **5 percent for a distance of no less than 10 feet** measured perpendicularly from the wall face, should be maintained and drainage should be directed toward approved swales or drainage facilities. If 10 horizontal feet can not be satisfied due to lot lines or physical constraints, the drainage shall be designed in accordance with the requirements of Section 1804.4 of the 2016 California Building Code.

b. Swales and impervious surfaces shall be sloped a minimum of 2 percent towards an approved drainage inlet or discharge point or as specified by the Project Civil Engineer.

c. All roof eaves should be guttered with downspouts provided. The downspouts shall discharge to either splash blocks or solid pipe to carry the storm water away from the structure to reduce the possibility of soil saturation and erosion. It may be necessary to use swales or pipes to direct the runoff to an appropriate drainage system or discharge location.

d. Drainage patterns approved at the time of construction should be maintained throughout the life of the structures. The building and surface drainage facilities must not be altered nor any grading, filling, or excavation conducted in the area without prior review by the Geotechnical Consultant.

e. The surface soils are classified as **moderately erodible**. Therefore, the finished ground surface should be planted with erosion resistant landscaping and ground cover and continually maintained to minimize surface erosion.

f. Irrigation activities at the site should be controlled and reasonable. Planter areas should not be sited adjacent to walls without implementing approved measures to contain irrigation water and prevent it from seeping into walls and under foundations and slabs-on-grade. Large trees should be planted a minimum distance of ½ their mature height away from the foundation.

5.2.12 Utility Trenches

a. Bedding material may consist of sand with SE not less than 20 which may then be jetted, unless local jurisdictional requirements govern.

b. Existing on-site soils may be utilized for trench backfill, provided they are free of organic material and rocks over 6 inches in diameter.

c. If sand is used, a 3 foot concrete plug should be placed in each trench where it passes under the exterior footings.

d. Backfill of all exterior and interior trenches should be placed in thin lifts and mechanically compacted to achieve a relative compaction of not less than 95% in paved areas and 90% in other areas per ASTM D-1557. Care should be taken not to damage utility lines.

e. Utility trenches that are parallel to the sides of a building should be placed so that they do not extend below a line sloping down and away at an inclination of 2:1 (H:V) from the bottom outside edge of all footings.

f. Trenches should be capped with 1.5± feet of impermeable material. Import material must be approved by the Geotechnical Consultant prior to its use.

g. Trenches must be shored as required by the local regulatory agency, the State Of California Division of Industrial Safety Construction Safety Orders, and Federal OSHA requirements.

5.3 Foundations

5.3.1 General

a. It is our opinion that the subject site will be suitable for the support of the proposed structure on a **foundation system composed of conventional, shallow, continuous and pad footings**. These footings should be underlain by a minimum of 24 inches of compacted and engineered material. Please refer to the Section 5.2.6, Preparation of On-site Soils.

b. Isolated (pad) shallow foundations shall not be placed in active wedge of retaining walls as they would be subject to lateral movement. The active wedge extends a distance of 0.5 x height of the wall horizontally from the back of the wall.

c. At the time we prepared this report, grading and foundation plans had not been finalized. We request an opportunity to review these plans during the design stages to determine if supplemental recommendations will be necessary.

5.3.2 Conventional Shallow Foundations

a. Footing widths should be based on the allowable bearing values but not less than 12 inches for 1 story, 15 inches for 2 story and 18 inches for 3 story structures.

b. **The minimum recommended depth of embedment is 18 inches for all footings.** Should local building codes require deeper embedment of the footings or wider footings the codes must apply.

c. Footing excavations must be checked by the Geotechnical Consultant before steel is placed and concrete is poured to insure bedding into proper material. Excavations should be thoroughly wetted down just prior to pouring concrete.

d. The **allowable bearing capacity** shall not exceed:

Continuous footings - 1,800 psf
Square pad footings - 1,800 psf

Please Note: These values were computed assuming a minimum embedment depth of 18 inches for footings underlain by 24 inches of compacted soils.

e. The allowable bearing capacity values above may be increased by one-third in the case of short duration loads, such as those induced by wind or seismic forces.

f. Footings should meet the setback requirements for clearance from ascending/cut slopes (CBC 1808.7) and for foundation setback from descending/fill slopes surface (CBC 1808.7.2).

g. In the event that footings are founded in structural fill consisting of imported soil, the recommended allowable bearing capacity may need to be re-evaluated.

5.4 Settlements

Total and differential settlements beneath foundation elements are expected to be within tolerable limits. Vertical movements are not expected to exceed 1 inch. Differential movements are expected to be within the normal range (½ inch) for the anticipated loads and spacings. These preliminary estimates should be reviewed by the Geotechnical Consultant when foundation plans for the proposed structures become available.

5.5 Retaining Structures

5.5.1 General

a. Retaining walls may be founded on **conventional shallow footings**. Recommendations for this foundation system are provided in Section 5.3, Foundations.

b. For retaining walls that are part of the foundation of the structure, the subgrade shall be compacted in accordance with Section 5.2.6(b).

c. Isolated (pad) shallow foundations shall not be placed in active wedge of retaining walls as they would be subject to lateral movement. The active wedge extends a distance of 0.5 x height of the wall horizontally from the back of the wall.

5.5.2 Lateral Earth Pressures

a. The lateral earth pressures presented in **Table 2** are recommended for the design of retaining structures with a gravel backdrain and backfill soils of expansivity not higher than medium. Should the slope behind the retaining walls be other than level or 2:1 (H:V), supplemental design criteria will be provided for the active earth or at-rest pressures for the particular slope angle.

Table 2: Lateral Earth Pressures			
Type	Soil Profile	Soil Pressure (psf/ft)	
		Unrestrained Wall	Rigidly Supported Wall
Active Pressure	Level 2:1	35 55	- -
At-Rest Pressure	Level 2:1	- -	50 80
Passive Pressure* *Neglect upper 2'	Level 2:1	400 200	200 100

b. The friction factor between rough concrete and the native, near-surface **silty sand** is **0.40**.

c. Where both friction and the passive resistance are utilized for sliding resistance, either of the values indicated should be reduced by one-third.

d. When required by the code, lateral load due to earthquakes may be calculated as $12xH^2$ acting at 0.6H above the base of the wall.

e. These are ultimate values, no factor of safety has been applied.

f. Although not anticipated, pressure due to any surcharge loads from adjacent footings, traffic, etc., should be analyzed separately. Pressures due to these loading configurations can be supplied upon receipt of the appropriate plans and loads.

5.5.3 Backfill

a. Backfill should be placed under engineering control.

b. It is recommended that granular, or relatively low expansivity, backfill be utilized, for a width equal to approximately 1/3 x wall height, and not less than 2 feet, subject to review during construction.

c. The granular backfill should be capped with at least 12 inches of relatively impermeable material.

d. Backfill should be compacted to achieve a minimum 90 percent relative compaction, the compaction standard being obtained in accordance with ASTM D-1557.

e. Precautions should be taken to ensure that heavy compaction equipment is not used immediately adjacent to walls, so as to prevent undue pressures against, and movement of, the walls.

f. The use of water-stops/impermeable barriers and appropriate waterproofing should be considered for any basement construction, and for building walls which retain earth.

5.5.4 Backfill Drainage

a. Backdrains should consist of a minimum 4-inch diameter, perforated, SDR 35 pipe or equivalent, embedded in permeable material meeting the State of California Standard Specification Section 68-2.02F(3), Class 2, or equivalent. A layer of **Mirafi 140N Filter Fabric**, or equivalent, shall be placed over the permeable material and the remaining 12 inches shall be capped with compacted native soil. The pipe should be approximately 4 inches above the trench bottom with a gradient of at least 1% being provided to the pipe and trench bottom, discharging to an approved location. See **Figure 4** for Retaining Wall Backdrain Configuration.

b. Perforations in backdrains are recommended as follows: 3/8-inch diameter, in 2 rows at the ends of a 120 degree arc, at 3-inch centers in each row, staggered between rows, placed downward.

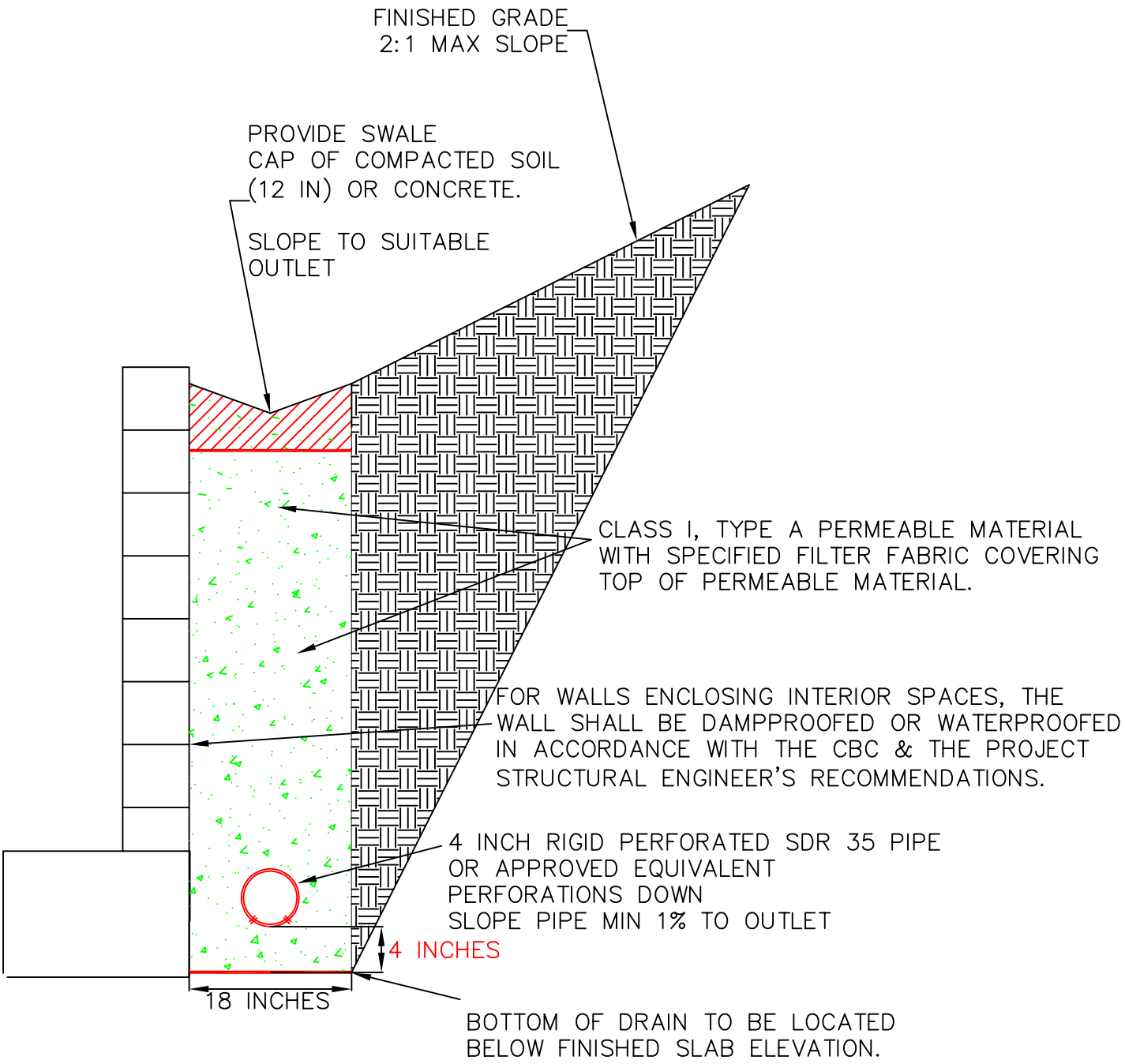
c. Backdrains placed behind retaining walls should be approved by the Geotechnical Consultant prior to the placement of backfill.

d. An unobstructed outlet should be provided at the lower end of each segment of backdrain. The outlet should consist of an unperforated pipe of the same diameter, connected to the perforated pipe and extended to a protected outlet at a lower elevation on a continuous gradient of at least 1%.

e. When terrace retaining walls are proposed, the upper retaining wall should have a backdrain which extends below the elevation of the top of the lower retaining wall backdrain. This will prevent spring effects and seepage between the terraced walls.

5.6 Slabs-on-Grade

a. Concrete floor slabs may be founded on compacted engineered fill per the recommendations in Section 5.2.6. The subgrade should be proof-rolled just prior to construction to provide a firm, relatively unyielding surface, especially if the surface has been loosened by the passage of construction traffic.



ROCK SOLID ENGINEERING, INC.

RETAINING WALL BACKDRAIN CONFIGURATION

FIGURE 4

b. It is important that the subgrade soils be thoroughly saturated for 24 to 48 hours prior to the time the concrete is poured. **For compacted engineered fill with a low expansion potential, the subgrade should be presoaked 4 percentage points above optimum to a depth of 1.0 feet**.

c. The slab-on-grade section should incorporate a minimum 4 inch capillary break consisting of 3/4 inch, clean, crushed rock, or approved equivalent. Class II baserock is not recommended. Structural considerations may govern the thickness of the capillary break.

d. Where moisture sensitive floor coverings are anticipated or vapor transmission may be a problem, a 15 mil waterproof membrane should be placed between the floor slab and the capillary break in order to reduce moisture condensation under the floor coverings.

e. Slab thickness, reinforcement, and doweling should be determined by the Project Structural Engineer, based on the design live and dead loads, including vehicles.

5.7 Pavement Design

The design of the pavement section was beyond our scope of services. The following considerations are imperative for the selected pavement sections to perform effectively:

a. Use only quality materials of the type and minimum thickness specified. All baserock must meet Cal-Trans Standard Specifications for Class II Aggregate Base.

b. The R-Value should be obtained at the conclusion of grading and the design pavement sections reviewed at that time.

c. Compact the base and subgrade uniformly to a minimum relative dry density of 95%.

d. Asphalt concrete should be placed only during periods of fair weather when the ambient air temperature is within prescribed limits.

e. Provide sufficient gradient to prevent ponding of water.

f. Maintenance should be undertaken on a routine basis.

5.8 Exterior Concrete Flatwork

a. Exterior concrete flatwork should be underlain by a minimum of 18 inches of compacted soil material.

b. Concrete flatwork should be divided into as nearly square panels as possible. Frequent joints should be provided to give articulation to the panels. Landscaping and planters adjacent to concrete flatwork should be designed in such a manner as to direct drainage away from concrete areas to approved outlets.

c. It is assumed that concrete flatwork will be subjected only to pedestrian traffic.

6. LIMITATIONS

a. Our investigation was performed in accordance with the usual and current standards of the profession, as they relate to this and similar localities. No other warranty, expressed or implied, is provided as to the conclusions and professional advice presented in this report.

b. The samples taken and tested, and the observations made, are considered to be representative of the site; however, soil and geologic conditions can vary significantly between sample locations.

c. As in most projects, conditions revealed during construction excavation may be at variance with preliminary findings. If this occurs, the changed conditions must be evaluated by the Project Geotechnical Consultant, and revised recommendations be provided as required.

d. This report is issued with the understanding that it is the responsibility of the Owner, or of his Representative, to ensure that the information and recommendations contained herein are brought to the attention of the Architect and Engineer for the project and incorporated into the plans, and that it is ensured that the Contractor and Subcontractors implement such recommendations in the field.

e. This firm does not practice or consult in the field of safety engineering. We do not direct the Contractor's operations, and we are not responsible for other than our own personnel on the site; therefore, the safety of others is the responsibility of the Contractor. The Contractor should notify the Owner if he considers any of the recommended actions presented herein to be unsafe.

f. The findings of this report are considered valid as of the present date. However, changes in the conditions of a site can occur with the passage of time, whether they be due to natural events or to human activities on this or adjacent sites. In addition, changes in applicable or appropriate codes and standards may occur, whether they result from legislation or the broadening of knowledge.

g. Accordingly, this report may become invalidated wholly or partially by changes outside our control. Therefore, this report is subject to review and revision as changed conditions are identified.

REFERENCES

1. American Society of Civil Engineers, ASCE 7 Hazards Report, Site Utilized October 14, 2019. https://www.asce7hazardtool.online/

2. Brabb, E.E., 1989, Geologic Map of Santa Cruz County, California, U.S. Geological Survey Miscellaneous Investigations Series Map I-1905, Scale: 1:62,500.

3. California Building Standards Commission, July 2016, 2016 California Building Code, California Code of Regulations, Title 24, Part 2, Effective January 1, 2017.

4. Cooper-Clark and Associates, 1975, Preliminary Map of Landslide Deposits in Santa Cruz County, California, Santa Cruz County Planning Dept., Scale: 1:62,500.

5. County of Santa Cruz, PublicGISWeb, Site Utilized October 14, 2019. http://gis.co.santa-cruz.ca.us/PublicGISWeb.

6. Craycroft Design, Proposed Development, 4303 B Scotts Valley Drive, Scotts Valley, CA, APN: 022-902-11, Sheets A1.1, A2.1, A2.2, A3.1, and A3.2, Design Date 8/8/19.

7. Dupré, W.R., 1975, Geology and Liquefaction Potential of Quaternary Deposits in Santa Cruz County, California, U.S. Geological Survey Miscellaneous Field Studies Map MF-648, Scale: 1:62,500.

8. Hall, N.T., Sarna-Wojcicki, A.M., and Dupré, W.R., 1974, Faults and their Potential Hazards in Santa Cruz County, California, U.S. Geological Survey Miscellaneous Field Studies Map MF-626, Scale: 1:62,500.

9. Rock Solid Engineering, Inc., Geotechnical Investigation-Design Phase, Proposed New Townhouses Project, 4303 Scotts Valley Drive, Scotts Valley, California, A.P.N. 022-172-73, Project No. 06058, February 26, 2007.

APPENDIX A

FIELD EXPLORATION AND LABORATORY TESTING PROGRAM

- Field Exploration Procedures — Page A-1
- Laboratory Testing Procedures — Page A-2
- Boring Location Plan — Figure A-1
- Key to Logs — Figure A-2
- Logs of Exploratory Borings — Figures A-3 thru A-5
- Summary of Laboratory Test Results — Figure A-6
- Direct Shear Test Results — Figures A-7 & A-8
- Consolidation Test Results — Figures A-9 & A-10

FIELD EXPLORATION PROCEDURES

A-1. Subsurface conditions were previously explored by drilling 3 borings to an approximate depth 21.5 feet below existing grade. The borings were advanced with a truck mounted drill rig equipped with 6 inch solid stem augers. The approximate locations of the borings are shown on the Boring Location Plan, **Figure A-1**. The Key to Logs, **Figure A-2**, gives definitions of the terms used in the Logs of Exploratory Borings. The Logs of Exploratory Borings are presented in **Figures A-3** through **A-5**.

A-2. Drilling of the borings was observed by our Field Geologist who logged the soils and obtained bulk and relatively undisturbed samples for classification and laboratory testing. The soils were classified, based on field observations and laboratory testing, in accordance with Unified Soil Classification System.

A-3. Relatively undisturbed soil samples were obtained by means of a drive sampler. The hammer weight and drop being 140 pounds and 30 inches, respectively. The number of "Blows/Foot"required to drive samplers are indicated on the logs.

A-4. Exploratory borings were located in the field by measuring from known landmarks. The locations, as shown, are therefore within the accuracy of such a measurement.

A-5. Groundwater was not encountered during the course of our field exploration.

LABORATORY TESTING PROCEDURES

A-6. Classification

Soils were classified in accordance with the Unified Soil Classification System. Moisture content and in-situ density determinations were made from relatively undisturbed soil samples. The results are presented in the Logs of Exploratory Borings and in the Summary of Laboratory Test Results, **Figure A-6**.

A-7. Direct Shear

Direct shear strength tests were performed on representative samples of the on-site soils in accordance with laboratory test standard ASTM D 3080-98. Samples were relatively undisturbed, or remolded as specified. To simulate possible adverse field conditions, the samples were saturated prior to testing unless otherwise noted. A saturating device was used which permitted the samples to absorb moisture while preventing volume change. The direct shear test results are presented in **Figures A-7 and A-8**.

A-8. Consolidation

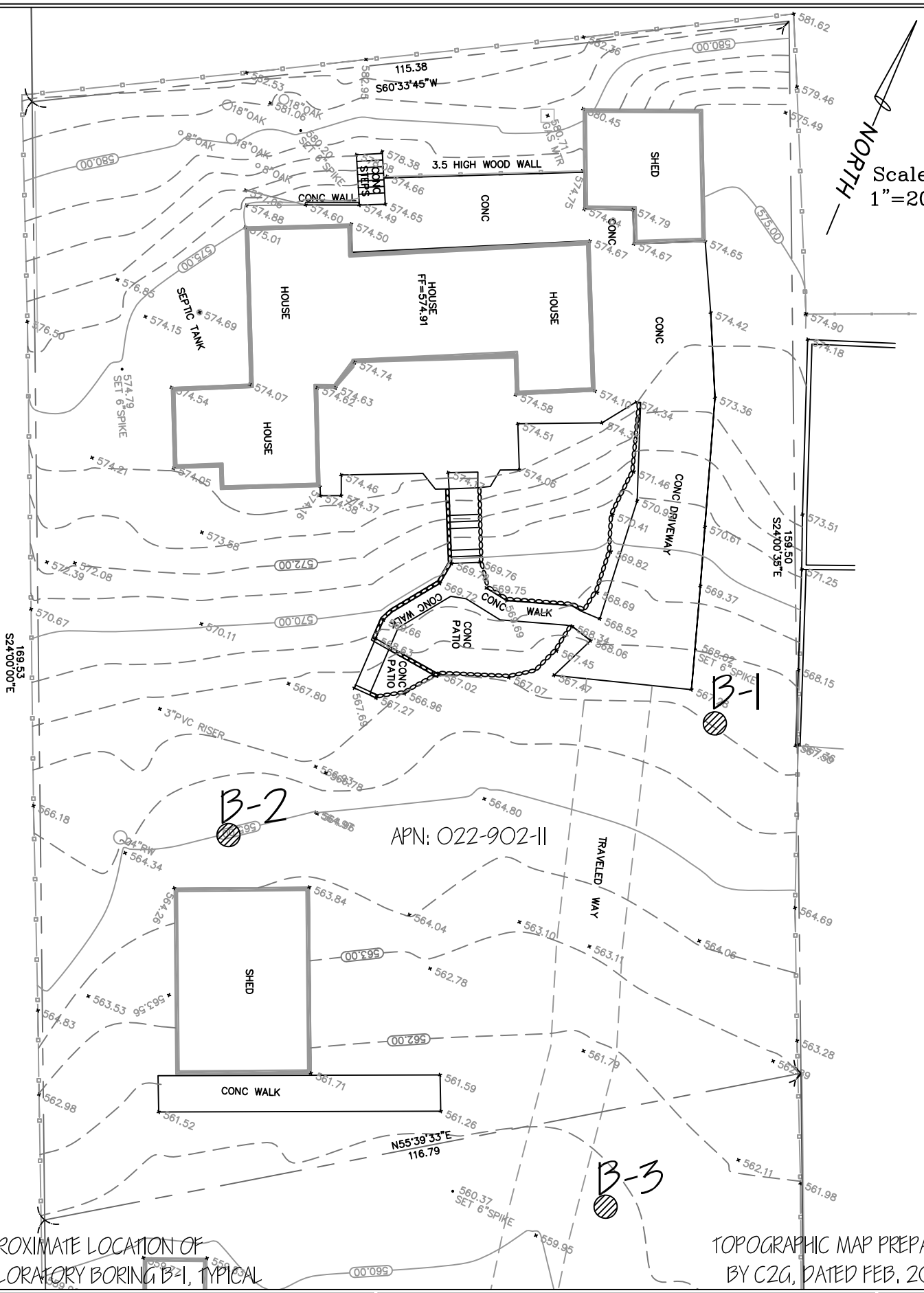
Consolidation tests were performed on representative, relatively undisturbed samples of the underlying soils to determine compressibility characteristics. The samples were saturated during the tests to simulate possible adverse field conditions. The test results are presented in **Figures A-9 and A-10**.

A-9. Expansion Index

Expansion tests were performed on representative, remolded samples of the on-site soils in accordance with laboratory test standard ASTM D 4829-11. The test results are presented in **Figure A-6**.

A-10. Soluble Sulfates

The soluble sulfate content was determined for samples considered representative of the on-site soils likely to come in contact with concrete in accordance with test method California 417. The test results are presented in **Figure A-6**.



B-1 APPROXIMATE LOCATION OF EXPLORATORY BORING B-1, TYPICAL

TOPOGRAPHIC MAP PREPARED BY C2G, DATED FEB. 2007

ROCK SOLID ENGINEERING, INC.

BORING LOCATION PLAN

4303B SCOTTS VALLEY DRIVE
SCOTTS VALLEY, CALIFORNIA

231

FIGURE A-1

KEY TO LOGS

UNIFIED SOIL CLASSIFICATION SYSTEM				
PRIMARY DIVISIONS			GROUP SYMBOL	SECONDARY DIVISIONS
COARSE GRAINED SOILS More than half of the material is larger than the No. 200 sieve	GRAVELS More than half of the coarse fraction is larger than the No. 4 sieve	CLEAN GRAVELS (Less than 5% fines)	GW	Well graded gravels, gravel-sand mixtures, little or no fines
			GP	Poorly graded gravels, gravel-sand mixtures, little or no fines
		GRAVEL WITH FINES	GM	Silty gravels, gravel-sand-silt mixtures, non-plastic fines
			GC	Clayey gravels, gravel-sand-clay mixtures, plastic fines
	SANDS More than half of the coarse fraction is smaller than the No. 4 sieve	CLEAN SANDS (Less than 5% fines)	SW	Well graded sands, gravelly sands, little or no fines
			SP	Poorly graded sands, gravelly sands, little or no fines
		SAND WITH FINES	SM	Silty sands, sand-silt mixtures, non-plastic fines
			SC	Clayey sands, sand-clay mixtures, plastic fines
FINE GRAINED SOILS More than half of the material is smaller than the No. 200 sieve	SILTS AND CLAYS Liquid limit less than 50		ML	Inorganic silts and very fine sands, silty or clayey fine sands or clayey silts with slight plasticity
			CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays
			OL	Organic silts and organic silty clays of low plasticity
	SILTS AND CLAYS Liquid limit greater than 50		MH	Inorganic silts, micaceous or diatomacaceous fine sandy or silty soils, elastic silts
			CH	Inorganic clays of high plasticity, fat clays
			OH	Organic clays of medium to high plasticity, organic silts
HIGHLY ORGANIC SOILS			Pt	Peat and other highly organic soils

GRAIN SIZE LIMITS

SILT AND CLAY	SAND			GRAVEL		COBBLES	BOULDERS
	FINE	MEDIUM	COARSE	FINE	COARSE		
No. 200	No. 40	No. 10	No. 4	3/4 in.	3 in.	12 in.	

US STANDARD SIEVE SIZE

RELATIVE DENSITY	
SAND AND GRAVEL	BLOWS/FT*
VERY LOOSE	0 - 4
LOOSE	4 - 10
MEDIUM DENSE	10 - 30
DENSE	30 - 50
VERY DENSE	OVER 50

CONSISTENCY	
SILT AND CLAY	BLOWS/FT*
VERY SOFT	0 - 2
SOFT	2 - 4
FIRM	4 - 8
STIFF	8 - 16
VERY STIFF	16 - 32
HARD	OVER 32

MOISTURE CONDITION
DRY
DAMP
MOIST
WET

* Number of blows of 140 pound hammer falling 30 inches to drive a 2 inch O.D. (1 3/8 inch I.D.) split spoon (ASTM D-1586).

LOG OF EXPLORATORY BORING

Project No.:	06058	Boring:	B1
Project:	4303 Scotts Valley Drive	Location:	eastern edge of property
	Scotts Valley, California	Elevation:	~567'
Date:	January 9, 2007	Method of Drilling:	Truck Mounted Drill Rig, 6in. Solid Stem
Logged By:	DSG		Auger, 140lb. Safety Hammer

2" DIA Sample | 2.5" DIA Sample | Bulk Sample | Terzaghi Split Spoon Sample | Static Water Table

Depth (ft.)	Soil Type	Undisturbed	Bulk	Description	Blows	Dry Density (pcf)	Moisture Content (%)	Wet Density (pcf)	Direct Shear c (psf)	Direct Shear φ °	Miscellaneous Laboratory Testing
				NATIVE							
	SM			Black Silty SAND, fine grained, slightly moist, non-plastic, loose	10	102.7	7.8	110.8	230	37	Chem.
5				Very dark yellowish brown Silty SAND, fine grained, slightly moist, non-plastic, loose	12	105.6	7.4	113.5			
				increased drilling resistence at 7 ft. onwards							
	(SM)			**SANTA MARGARITA SANDSTONE**							
10				Yellowish white SANDSTONE, weakly cemented, slightly moist, medium dense	36	114.6	7.9	123.7			
15				material consistent	28		9.5				
20				material consistent	45		7.4				
				Boring Terminated @ 21.5 ft. Groundwater Not Encountered. Boring Backfilled With Cuttings.							
25											

ROCK SOLID ENGINEERING, INC.

FIGURE A-3

LOG OF EXPLORATORY BORING

Project No.:	06058	Boring:	B2
Project:	4303 Scotts Valley Drive	Location:	west central area of the property
	Scotts Valley, California	Elevation:	~565'
Date:	January 9, 2007	Method of Drilling:	Truck Mounted Drill Rig, 6in. Solid Stem
Logged By:	DSG		Auger, 140lb. Safety Hammer

2" DIA Sample | 2.5" DIA Sample | Bulk Sample | Terzaghi Split Spoon Sample | Static Water Table

Depth (ft.)	Soil Type	Undisturbed	Bulk	Description	Blows	Dry Density (pcf)	Moisture Content (%)	Wet Density (pcf)	Direct Shear c (psf)	Direct Shear φ °	Miscellaneous Laboratory Testing
				NATIVE, forest duff and organic debris							
	SM	☒	☒	Black very Silty SAND, fine grained, slightly moist, non-plastic, slightly moist, non-plastic, loose	9	99.5	8.0	107.4			Consol.
5		☒	☒	Very dark brown Silty SAND, fine grained, slightly moist, non-plastic, loose	11	106.4	8.4	115.3	110	41	
				increased drilling resistence at 7 ft. onwards							
	(SM)			**SANTA MARGARITA SANDSTONE**							
10		☒	☒	Yellowish white Silty SANDSTONE, fine grained, weakly cemented, slightly moist, non-plastic, medium dense, non-plastic	47		3.4				
15		▯		material consistent	23		4.8				
20		▯		material consistent, dense	45		6.0				
				Boring Terminated @ 21.5 ft. Groundwater Not Encountered. Boring Backfilled With Cuttings.							
25											

ROCK SOLID ENGINEERING, INC.

FIGURE A-4

LOG OF EXPLORATORY BORING

Project No.:	06058	Boring:	B-3
Project:	4303 Scotts Valley Drive	Location:	southeast area of property
	Scotts Valley, California	Elevation:	~561'
Date:	January 9, 2007	Method of Drilling:	Truck Mounted Drill Rig, 6in. Solid Stem
Logged By:	DSG		Auger, 140lb. Safety Hammer

2" DIA Sample | 2.5" DIA Sample | Bulk Sample | Terzaghi Split Spoon Sample | Static Water Table

Depth (ft.)	Soil Type	Undisturbed	Bulk	Description	Blows	Dry Density (pcf)	Moisture Content (%)	Wet Density (pcf)	Direct Shear c (psf)	Direct Shear φ °	Miscellaneous Laboratory Testing
	GP			Grey 3/4" diameter GRAVEL							
	SM			**NATIVE**							
				Black very Silty SAND, fine grained, slightly moist, non-plastic, loose	10	102.8	6.7	109.6			Chem.
5				Dark yellowish brown Silty SAND, fine grained, slightly moist, non-plastic, loose	18	105.8	4.8	110.8			Consol.
				increased drilling resistence at 8 ft. onwards							
	(SM)			**SANTA MARGARITA SANDSTONE**							
10				Yellowish white Silty SANDSTONE, fine grained, weakly cemented, slightly moist, non-plastic, medium dense	30	114.3	8.5	124.0			
15				material consistent	40		9.9				
20				material consistent	37		6.6				
				Boring Terminated @ 21.5 ft. Groundwater Not Encountered. Boring Backfilled With Cuttings.							
25											

ROCK SOLID ENGINEERING, INC.

FIGURE A-5

SUMMARY OF LABORATORY TEST RESULTS

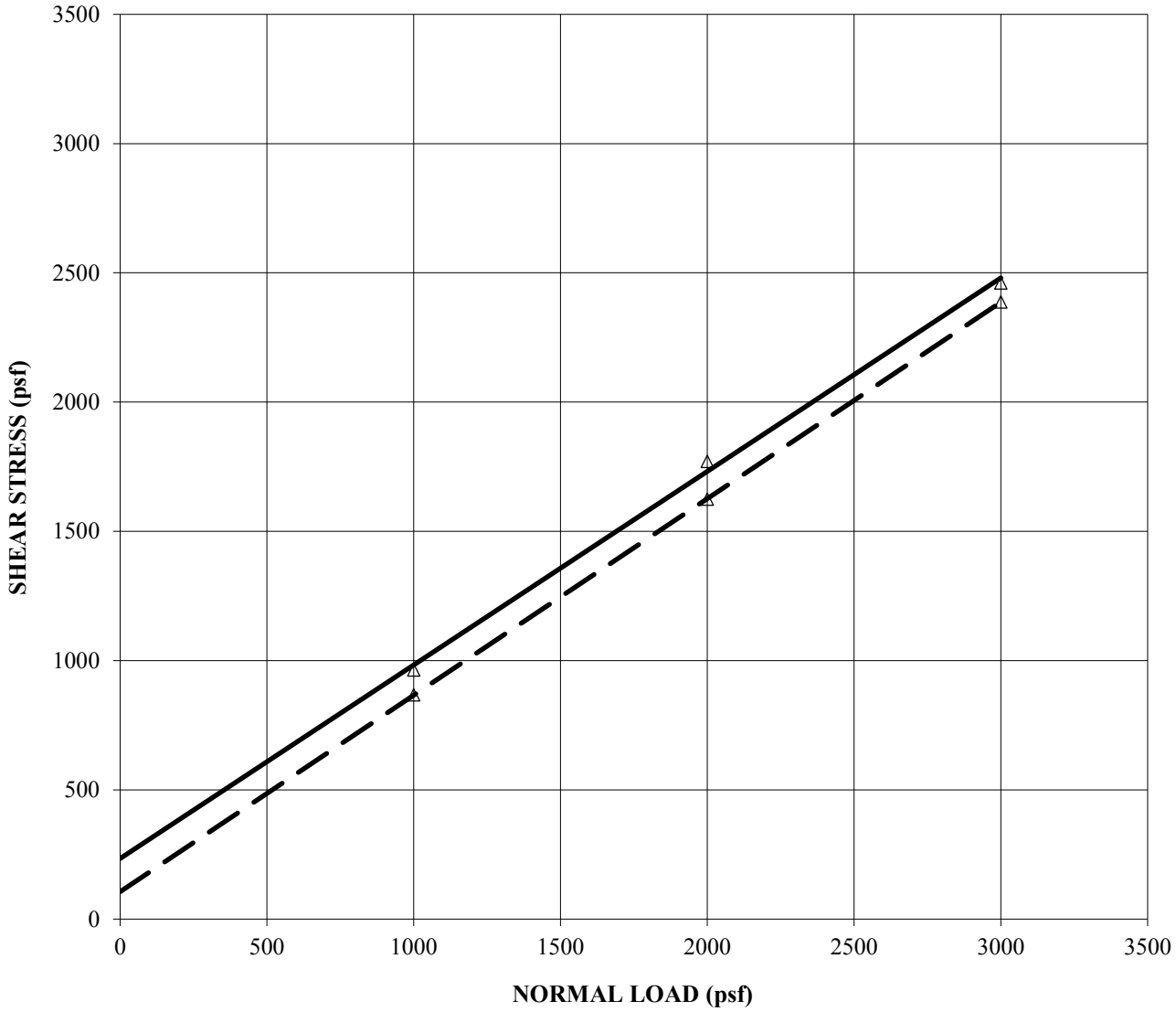
BORING	DEPTH	SOIL TYPE	IN-SITU			DIRECT SHEAR		GRAIN SIZE (%)				EXPANSION INDEX	SOLUBLE SULFATES (ppm)
			DRY DENSITY (pcf)	MOISTURE CONTENT (%)	WET DENSITY (pcf)	COHESION (psf) (PEAK)	FRICTION ANGLE (PEAK)	GRAVEL	SAND	SILT	CLAY		
B1	2.0	SM	102.7	7.8	110.8	230	37						42
B1	5.0	SM	105.6	7.4	113.5								
B1	10.0	(SM)	114.6	7.9	123.7								
B1	15.0	(SM)		9.5									
B1	20.0	(SM)		7.4									
B2	2.0	SM	99.5	8.0	107.4								
B2	5.0	SM	106.4	8.4	115.3	110	41						
B2	10.0	(SM)		3.4									
B2	15.0	(SM)		4.8									
B2	20.0	(SM)		6.0									
B3	2.0	SM	102.8	6.7	109.6								38
B3	5.0	SM	105.8	4.8	110.8								
B3	10.0	(SM)	114.3	8.5	124.0								
B3	15.0	(SM)		9.9									
B3	20.0	(SM)		6.6									
Bulk	0-1	SM										1	

ROCK SOLID ENGINEERING, INC.

FIGURE A-6

BORING:	B1		COHESION	FRICTION
DEPTH (ft):	2.0		(psf)	ANGLE
SOIL TYPE (USCS):	SM	PEAK	230	37
		RESIDUAL	100	37

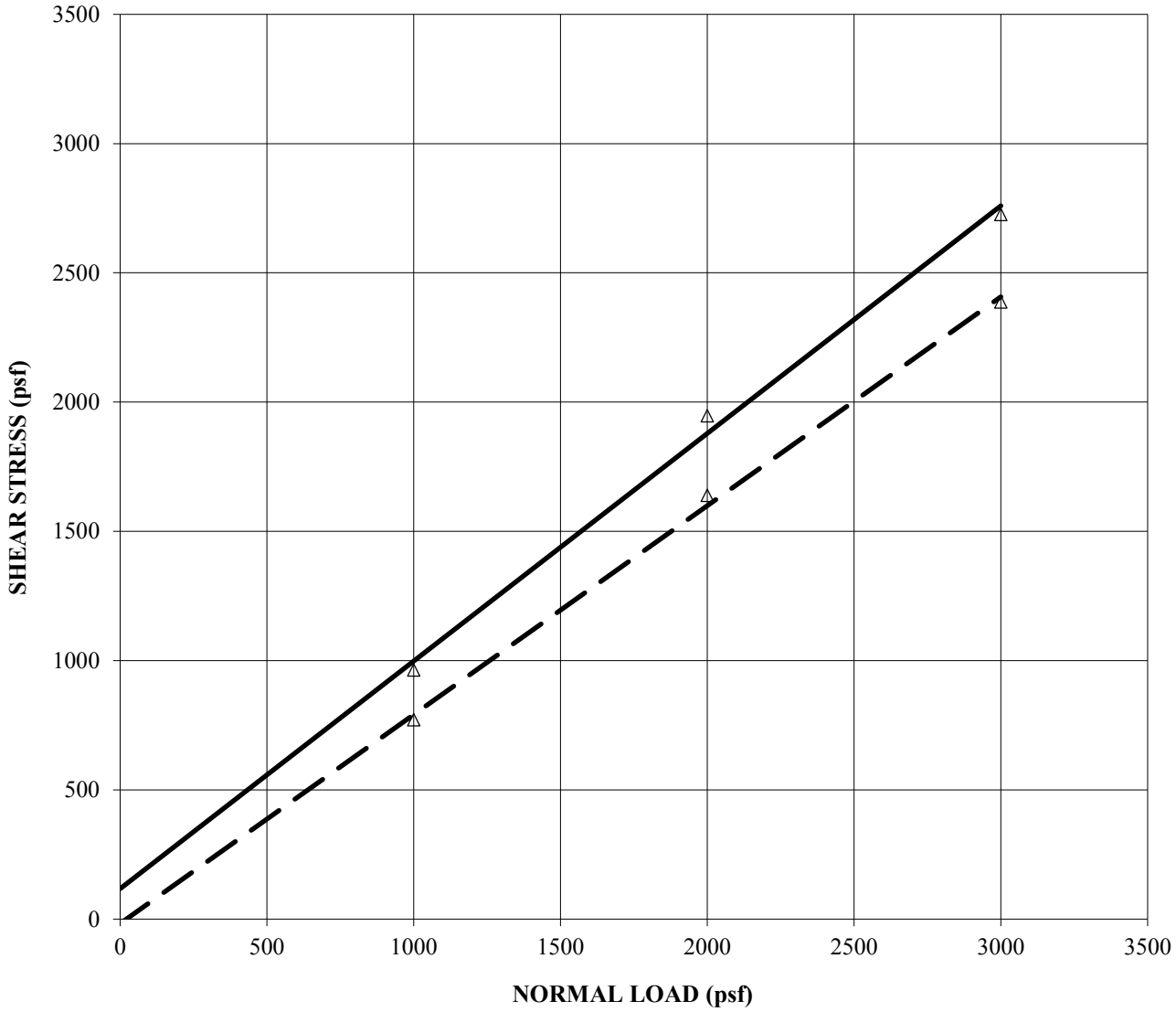
TEST SAMPLE TYPE:	FIELD MOISTURE:	7.8%
IN-SITU (SATURATED)	SATURATED MOIST:	24.7%



ROCK SOLID ENGINEERING, INC.	DIRECT SHEAR TEST RESULTS	FIGURE
	4303B Scotts Valley Drive, Scotts Valley, California	A-7

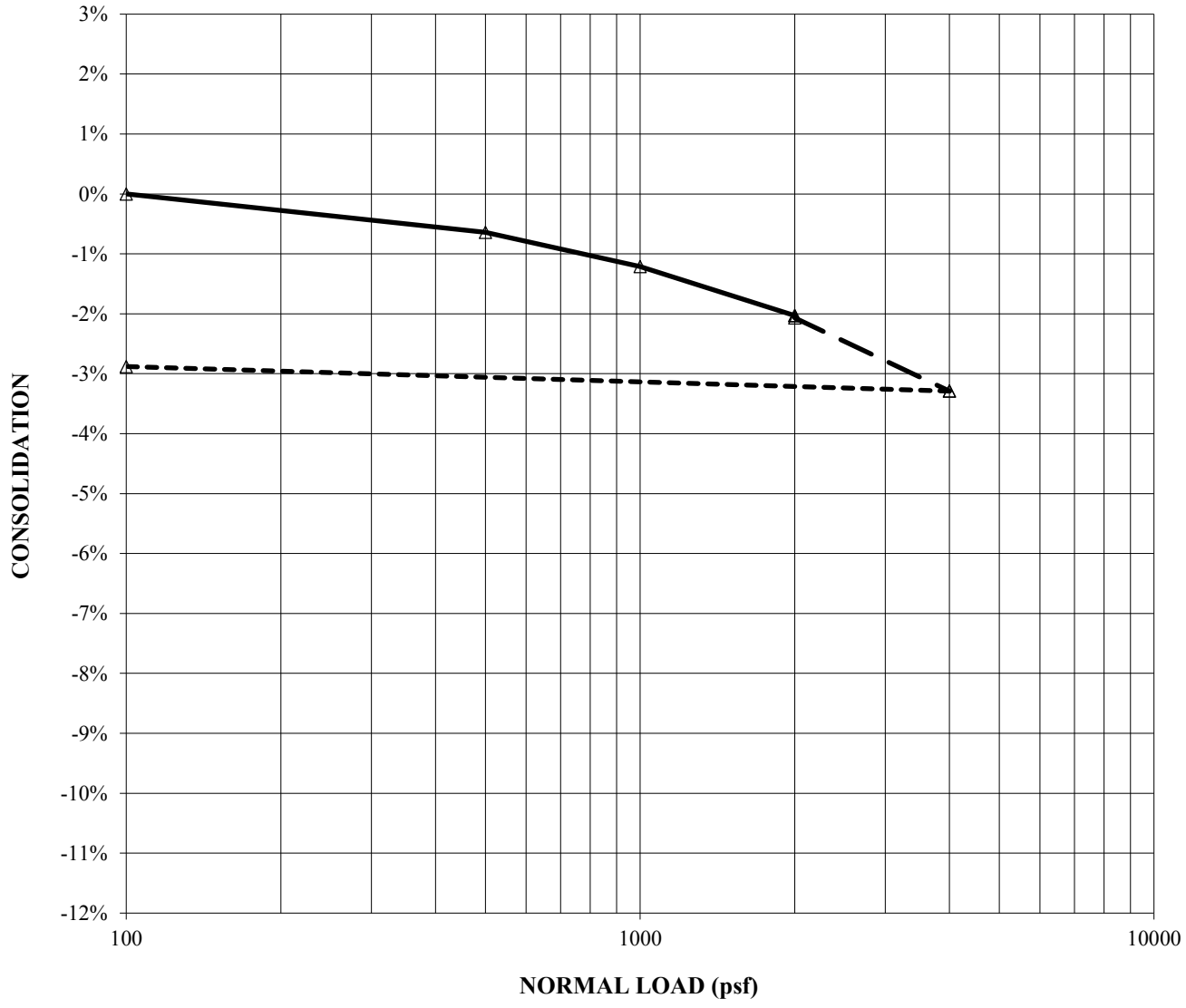
BORING:	B2		COHESION	FRICTION
DEPTH (ft):	5.0		(psf)	ANGLE
SOIL TYPE (USCS):	SM	PEAK	110	41
		RESIDUAL	0	39

TEST SAMPLE TYPE:	FIELD MOISTURE:	8.4%
IN-SITU (SATURATED)	SATURATED MOIST:	23.9%



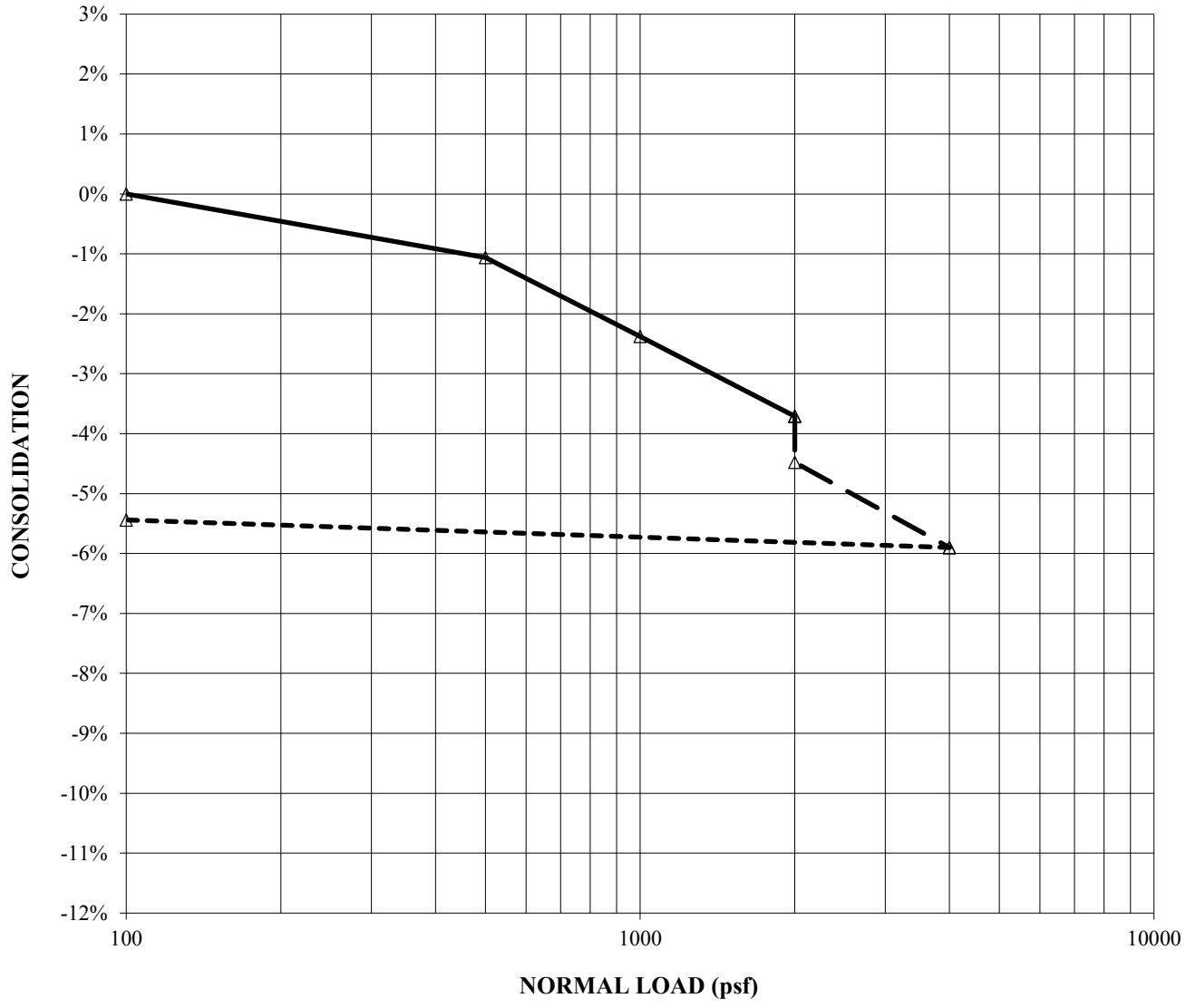
ROCK SOLID ENGINEERING, INC.	DIRECT SHEAR TEST RESULTS	FIGURE
	4303B Scotts Valley Drive, Scotts Valley, California	A-8

BORING:	B2	FIELD MOISTURE	
DEPTH (ft):	2.0	SATURATED	
SOIL TYPE (USCS):	SM	REBOUND	
SEATING WEIGHT:	220 psf	FIELD MOISTURE:	8.0%
		SATURATED MOIST:	24.6%



ROCK SOLID ENGINEERING, INC.	**CONSOLIDATION TEST RESULTS**	FIGURE
	4303B Scotts Valley Drive, Scotts Valley, California	A-9

BORING:	B3	FIELD MOISTURE	
DEPTH (ft):	5.0	SATURATED	
SOIL TYPE (USCS):	SM	REBOUND	
SEATING WEIGHT:	220 psf	FIELD MOISTURE:	4.8%
		SATURATED MOIST:	21.4%



ROCK SOLID ENGINEERING, INC.	**CONSOLIDATION TEST RESULTS**	FIGURE
	4303B Scotts Valley Drive, Scotts Valley, California	A-10

Stormwater Control Plan
for
4303 Scotts Valley Drive MLD



07/28/2020

Rick Hochler

prepared by:

Cornerstone Civil

Ryan Haley, PE
(831)346-5446

Table of Contents

I. Setting 3

I.A. Project Location and Description 3
I.B. Existing Site Features and Conditions 3
I.C. Opportunities and Constraints for Stormwater Control 3
I.D. Optimization of Site Layout 4
I.D.1. Preservation of natural drainage features 4
I.D.2. Setbacks from creeks, wetlands, and riparian habitats 4
I.D.3. Minimization of imperviousness 4
I.E. Use of Permeable Pavements 4
I.F. Dispersal of Runoff to Pervious Areas 4
I.G. Stormwater Control Measures 4
I.H. Alternative Compliance Measures 4

II. Documentation of Drainage Design 4

II.A. Descriptions of each Drainage Management Area 4
II.A.1. Table of Drainage Management Areas 5
II.A.2. Drainage Management Area Descriptions 5
II.B. Tabulation and Sizing Calculations 5
II.B.1. Information Summary for BMP Facility Design 5
II.B.2. Areas Draining to Bioretention Facilities (Tier 2 Projects) 6

III. Source Control Measures 6

III.A. Site activities and potential sources of pollutants 6
III.B. Source Control Table 6
III.C. Ownership and Responsibility for Maintenance in Perpetuity 6
III.D. Summary of Maintenance Requirements for Each Stormwater Facility 6

IV. Certifications 7

Project Data

A completed project data form is included in Attachment A.

Table 1. Project Data

Project Name/Number	4303 Scotts Valley Dr MLD
Application Submittal Date	
Project Location	4303 Scotts Valley Drive
Project Phase No.	N/A
Project Type and Description	Construction of two (2) new residences and an attached garage to an existing residence. Construction of a shared access road, retaining walls, and a fire truck turnaround
Project Tier	2

I. Setting

I.A. Project Location and Description

The parcel is located at 4303 Scotts Valley Drive. The project will be the subdivision of three parcels; one existing residence is to remain and two new residences will be constructed.

I.B. Existing Site Features and Conditions

The site is currently developed with a house and a concrete driveway. Access to the parcel exists through a 24' wide PUE and Right-of-way easement on a neighboring parcel. The terrain is sloping at an average of 15% towards the neighboring parcel to the south.

I.C. Opportunities and Constraints for Stormwater Control

This development design relies on the infrastructure of the neighboring parcel. There are currently design plans for this parcel which include stub outs for water, sewer and stormwater utilities. Construction of the site will require these utilities to be in place per the current design.

The two new residences, new garage and adjacent grades will flow to the new storm drain pipe provided by the neighboring development. There is a fire department turnaround placed near the entrance of the property that will be constructed of porous pavers for a retention system. On the south side of the property there is a landscaped area that will serve as a bioretention facility. These two water quality treatment measures will be used as a hybrid system to mitigate all new impervious areas. Both facilities will include an overflow pipe with will tie into the storm drain stubout from the neighboring development.

I.D. Optimization of Site Layout

The site currently flows to the east. The design has utilized this pattern and included two water quality treatment facilities at the lowest point of the site.

I.D.1. Preservation of natural drainage features

This site is being largely covered with impervious area. The slope at the far eastern portion of the site will remain untouched.

I.D.2. Setbacks from creeks, wetlands, and riparian habitats

N/A

I.D.3. Minimization of imperviousness

The roadway is designed to be a minimum width as required by the fire department. The only other impervious is that created by the construction of the new house.

I.E. Use of Permeable Pavements

The fire department turnaround will be constructed of a porous material

I.F. Dispersal of Runoff to Pervious Areas

Most of the proposed buildings will outlet the roof drainage to landscaping. There are a few instances where this is not feasible.

I.G. Stormwater Control Measures

Tier 2 –Water Quality Treatment Facility

One bioretention treatment facility and one porous paver retention facility.

Tier 3 –Runoff Retention Facility N/A

Tier 4 – Flow Control Facility N/A

I.H. Alternative Compliance Measures

If applicable provide BMP infeasibility documentation in an Appendix.

II. Documentation of Drainage Design

II.A. Descriptions of each Drainage Management Area

A Drainage Management Area Plan is included in Attachment B to accompany the descriptions herein.

II.A.1. Table of Drainage Management Areas

DMA Name	Surface Type	Area (square feet)
DMA 1	Asphalt and Building roof	1,585 SF
DMA 2	Asphalt and Building Roof	6,506 SF

II.A.2. Drainage Management Area Descriptions

DMA 1, totaling 1,585 square feet, drains The structures of proposed lot 1 and the parking areas for the lot. DMA 1 drains to SCM 1 which is a bioretention facility 70 SF in plan area.

DMA 2, totaling 6,506 square feet, drains the shared access road, the roof drainage for lot 2 and the new garage on lot 3 and the parking areas for lots 2 and 3. DMA 2 drains to SCM 2, a retention system 1,140 SF in plan area.

II.B. Tabulation and Sizing Calculations

II.B.1. Information Summary for BMP Facility Design

Total Project Area (Square Feet)	18,916 SF
Design Storm Depth	2.0
Applicable Requirements	Tier 2

Design calculations are included in Attachment C. Design Calculations include Hydrologic Calculations, Stormwater BMP Facility Sizing, and Hydraulic Calculations.

II.B.2. Areas Draining to Bioretention Facilities (Tier 2 Projects)

DMA Name	DMA Area (square feet)	Post-project surface type	DMA Runoff factor	DMA Area × runoff factor	SCM Name		
DM A-1	1585	Asph/bldg	1	3658	SCM Rough Sizing factor	Minimum SCM Size	Proposed SCM Size
Total>					0.04	64	70

See attached calculation for retention system sizing.

III. Source Control Measures

III.A. Site activities and potential sources of pollutants

III.B. Source Control Table

Potential source of runoff pollutants	Permanent source control BMPs	Operational source control BMPs
Storm drain inlets	Marked "No dumping flows to bay"	Maintenance of marking
Interior Parking	Plans state that interior drains will be plumbed to sanitary sewer.	

III.C. Ownership and Responsibility for Maintenance in Perpetuity

"The applicant accepts responsibility for the operation and maintenance of stormwater treatment and flow control facilities for the life of the project. Any future change or alteration, or the failure to maintain any feature described herein can result in penalties including but not limited to fines, property liens, and other actions for enforcement of a civil judgment."

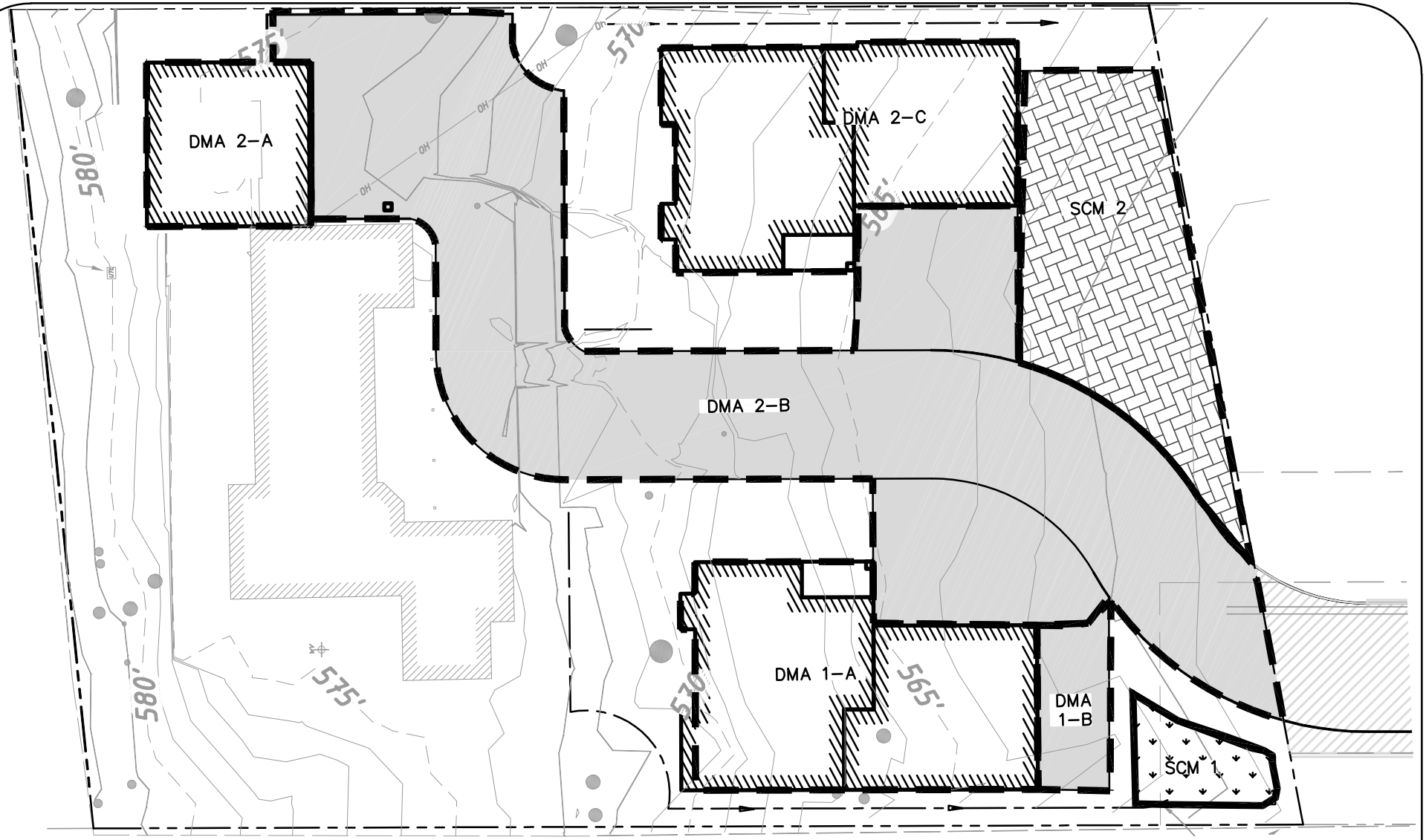
III.D. Summary of Maintenance Requirements for Each Stormwater Facility

ITEM	INTERVAL	INSPECTION	REPAIR
GRASS LINED SWALES	ANNUAL	1. OBSTRUCTIVE VEGETATION 2.	1. REPAIR STRUCTURAL

		ACCUMULATION OF TRASH AND DEBRIS	DEFICIENCIES 2. REMOVE TRASH AND DEBRIS
INLETS	ANNUAL	1. "NO DUMING..." MARKING 2. ACCUMULATED TRASH AND DEBRIS 3. ACCUMULATED SEDIMENT	1. REPLACE/CLEAN MARKINGS 2. REMOVE TRASH AND DEBRIS 3 REMOVE SEDIMENT
BIO-RETENTION FACILITIES	ANNUAL	1. ACCUMULATED TRASH OR DEBRIS 2. EXCESSIVE/ INVASE PLANTS 3. CLOGGED SUBDRAIN	1. REMOVE TRASH 2. REMOVE/MOW AND REPLACE PLANTS 3. CLEAN THROUGH OVERFLOW STRUCTURE.

IV. Certifications

The preliminary design of stormwater treatment facilities and other stormwater pollution control measures in this plan are in accordance with the current edition of the City of Scotts Valley Stormwater Technical Guide.



CORNERSTONE CIVIL
Land Development Engineering
2528 Charlene Lane
Santa Cruz, CA
(831) 346-5446

DRAINAGE MANAGEMENT AREA MAP

FOR
4303 SCOTTS VALLEY DRIVE
APTOS, CA
APN: 022–902–11

DATE: JULY 28, 2020

REGISTERED PROFESSIONAL ENGINEER
RYAN P. HALEY
NO. 80,236
CIVIL
STATE OF CALIFORNIA

SUMMARY

DMA 1–A = 1,342 SF
DMA 1–B = 243 SF
1,585 SF

DMA 2–A = 529 SF
DMA 2–B = 4,625 SF
DMA 2–C = 1,352 SF
6,506 SF

SCM1
1585 * 0.04
= 64 SF REQ'D

SCM2
6506 SF TO
RETAIN THE
85TH% STORM

Central Coast Region Stormwater Control Measure Sizing Calculator

Version: 2/26/2014

1. Project Information

Project name:	Hochler MLD
Project location:	4303 Scotts Valley Drive
Tier 2/Tier 3:	Tier 2 - Treatment
Design rainfall depth (in):	2.0
Total project area (ft2):	18969
Total new impervious area (ft2):	6052
Total replaced impervious in a USA (ft2):	2039
Total replaced impervious not in a USA (ft2):	0
Total pervious/landscape area (ft2):	7147

2. DMA Characterization

Name	DMA Type	Area (ft2)	Surface Type	New, Replaced?	Connection
DMA 1	Drains to SCM	1585	Concrete or asphalt	New	SCM-1

DMA Summary Area C	
Total project impervious area (ft2):	1585
New impervious area (ft2):	1585
Replaced impervious within a USA (ft2):	0
Replaced impervious not in a USA (ft2):	0
Total pervious/landscape area (ft2):	0

3. SCM Characterization

Name	SCM Type	Safety Factor	SCM Soil Type	Infilt. Rate (in/hr)	Area (ft2)
SCM-1	Bioretention	1	HSG A/B	0.75	150

4. Run SBUH Model

5. SCM Minimum Sizing Requirements

SCM Name	Mininum SCM Area (ft2)		
SCM-1	63		

6. Self-Retaining Area Sizing Checks

Self-Retaining DMA Name	Self-Retaining DMA Area (ft2)	Tributary DMA Name	Tributary DMA Area (ft2)	Tributary / SRA Area Ratio

Version: 1.00

Multi-Family, Commercial, and Others - Project Data Form

Project Name: Hochler MLD
Application/Permit No: N/A
APN: 022-902-11
Address: 4303 Scotts Valley Drive

A. Development Type:

New Development ☑
Redevelopment/Remodel ☐

B. Impervious & Pervious Data:

Pre development

Impervious =	3,766	SF

Post development

Existing Impervious to Remain =	0	SF
Replaced Impervious =	2,039	SF
New Impervious =	6,052	SF
Total =	8,091	SF
Reduced Impervious Area Credit=	0	SF
Combined New & Replaced Impervious =	**8,091**	SF
Net Impervious Area =	**8,091**	SF

Note: Net Impervious Area = (Replaced Impervious Area + New Impervious Area) - Reduced Impervious Area Credit

C. Performance Tier (Automatically determined from calculations above)

(≥2,500 SF of new and replaced; <5,000 SF of net Impervious) Tier 1 =	
(≥5,000 SF of net impervious; <15,000 SF of new and replaced) Tier 2 =	**x**
(≥15,000 but <22,500 SF of new and replaced impervious area) Tier 3 =	
(≥22,500 SF new and replaced) Tier 4 =	

D. BMP Requirements

WMZ= 9 (Enter Watershed Management Zone **1, 2, 3, 5,** or **9**: see map on 2nd page)

WMZ	Tier 1 - BMP & Runoff Reduction	Tier 2 - Water Quality	Tier 3 - Runoff Retention	Tier 4 - Peak Management
9	Required	Required	-	-

E. Reporting Requirements

Tier	Simple Stormwater Control Plan	Stormwater Control Plan	Operation & Maintenance Plan	Maintenance Agreement
2	-	Required	Required	Required

Notes:

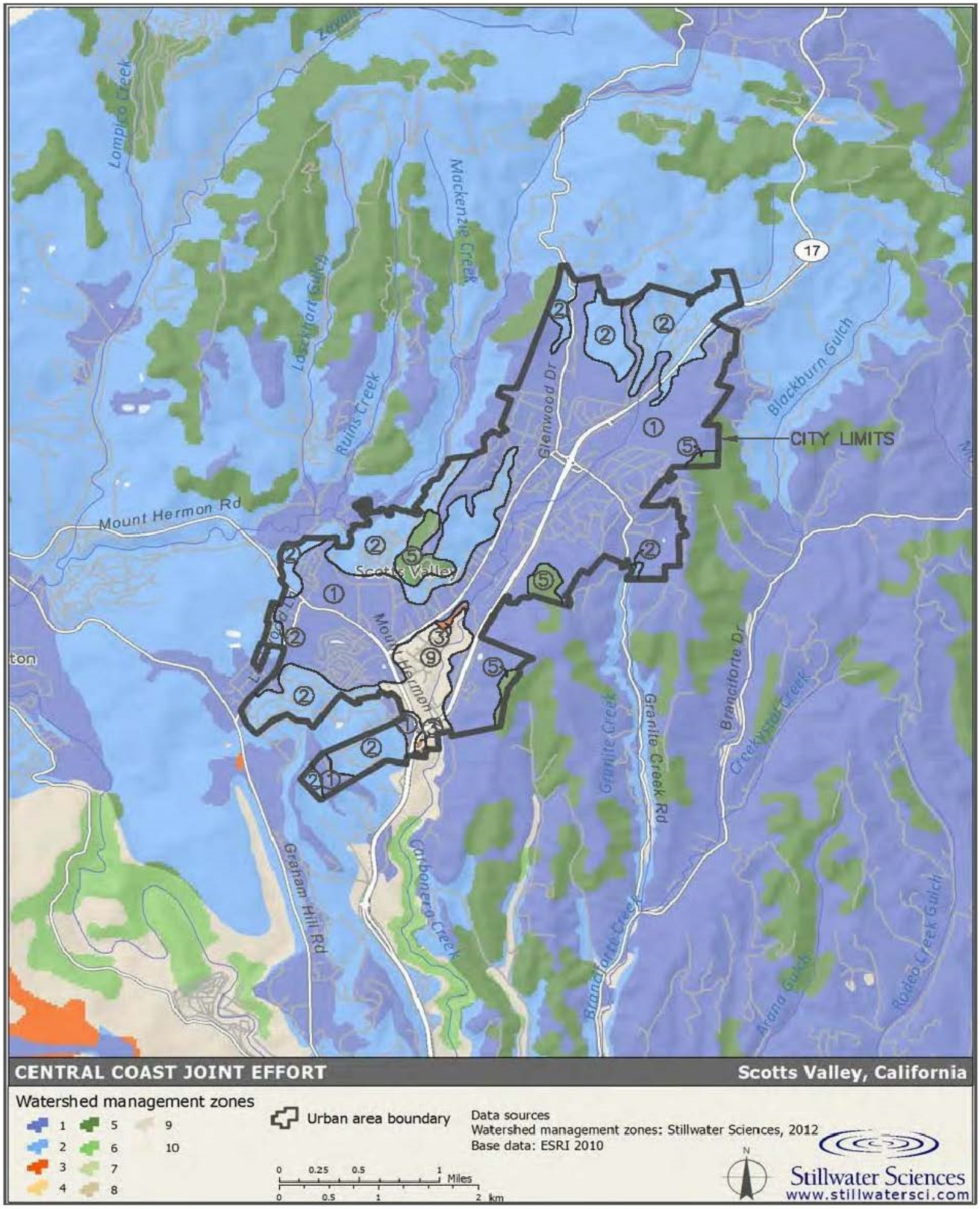
1. Tier 3 or 4 projects that require "Optimize Infiltration" shall design stormwater management facility to provide infiltration as the first priority method of mitigation. Compliance for the retention of the remaining volume must be achieved via storage, rainwater harvesting and/or evapotranspiration.

2. Where optimize infiltration is not required, compliance must be achieved via storage, rainwater harvesting, infiltration, and/or evapotranspiration.

3. 85th Percentile 24-hour rainfall depth = 1.5” and 95th Percentile 24-hour rainfall depth = 2.6”

F. Watershed Management Zone Map

Note: If the project cannot accuately be located on the map below, use the Google-Earth WMZ file available on the City's website.



DRAINAGE CALCULATIONS

Rick Hochler
4303 Scotts Valley Drive
Scotts Valley, CA
APN: 022-172-73

Retention System Sizing Calculation

Scotts Valley Stormwater Post Construction Requirements.
Chapter 4 - 1 Retain 85TH percentile Storm 24 hr event

Rainfall Intensity =	1.5	in/24-hr	RWQCB
Runoff Coefficient =	0.9	(Impervious)	
Tributary Area =	6506	SF	See attached map
Retention Area =	1140	SF	
Soil Conductivity K_{SAT} =	55	µm/s	
=	7.79526	in/hr	

Infiltration through paver area = KSAT * Plan Area * (0.75 Efficiency Factor)

$$= \frac{7.79526 * 1140 * 0.75}{12 \text{ (in/ft)}}$$

= 555 CF/Hr

Total flow to paver area (24 hr. 85TH Percentile Storm) = C * i * A

$$= \frac{0.9 * 1.5 * 6506}{12 \text{ (in/ft)}}$$

= 732 CF/24-Hr
= 30 CF/Hr

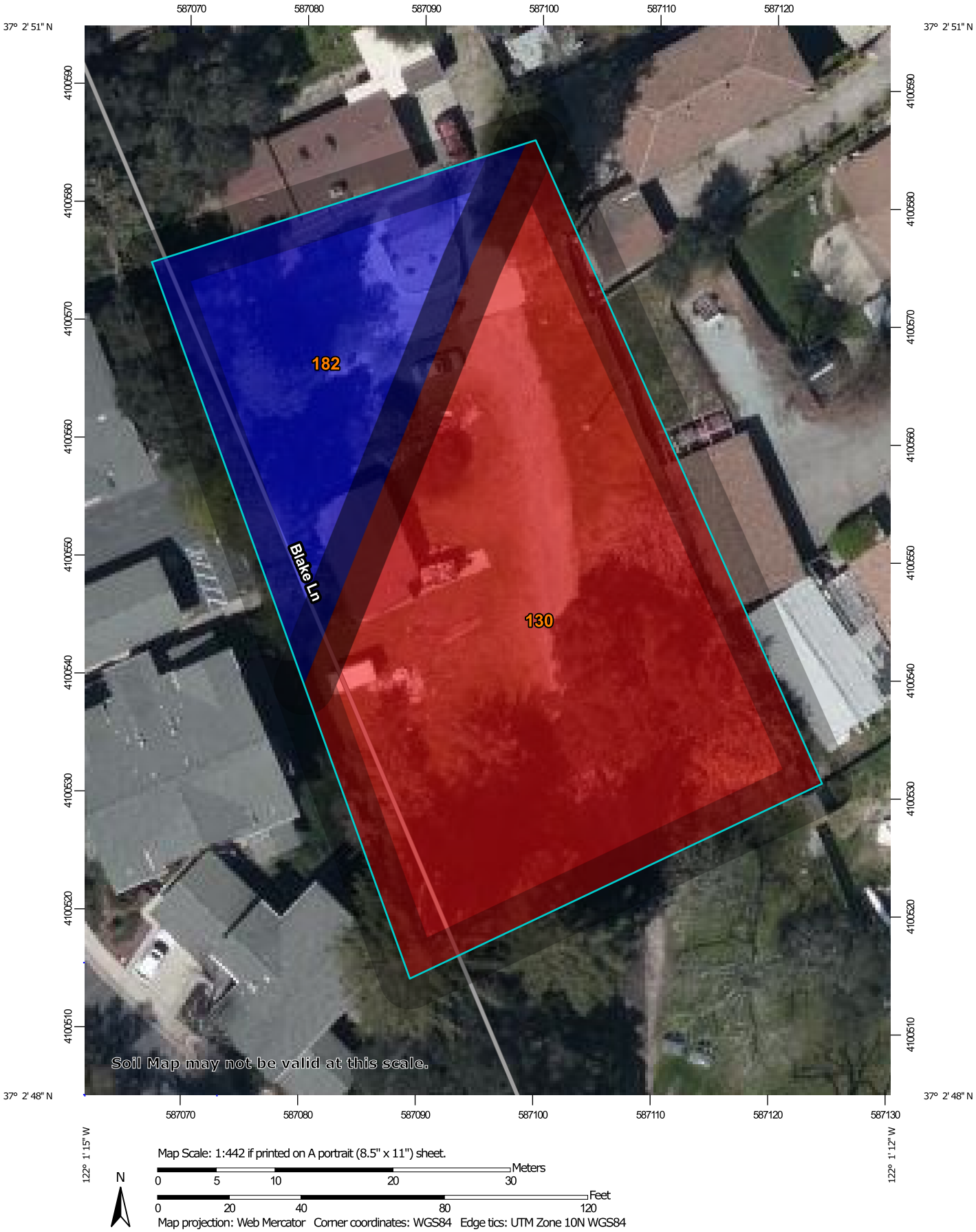
Calculate Delta Flow

= Q - $Q_{INFILTRATION}$
= 30 - 555
= -525 CF/Hr. **

** Negative value indicates that the porous paver area will infiltrat stormwater at a much greater rate than the 85TH percentile storm will create.

The permeable material layer will be just deep enough to allow for perforated pipe sub-drains

Saturated Hydraulic Conductivity (Ksat)—Santa Cruz County, California
(Hochler MLD)



MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Rating Polygons

<= 55.0000

> 55.0000 and <= 92.0000

Not rated or not available

Soil Rating Lines

<= 55.0000

> 55.0000 and <= 92.0000

Not rated or not available

Soil Rating Points

<= 55.0000

> 55.0000 and <= 92.0000

Not rated or not available

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Santa Cruz County, California
Survey Area Data: Version 13, Sep 16, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 16, 2019—Apr 7, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Saturated Hydraulic Conductivity (Ksat)

Map unit symbol	Map unit name	Rating (micrometers per second)	Acres in AOI	Percent of AOI
130	Elder sandy loam, 2 to 9 percent slopes, MLRA 14	55.0000	0.4	72.3%
182	Zayante coarse sand, 5 to 30 percent slopes	92.0000	0.2	27.7%
Totals for Area of Interest			**0.6**	**100.0%**

Description

Saturated hydraulic conductivity (Ksat) refers to the ease with which pores in a saturated soil transmit water. The estimates are expressed in terms of micrometers per second. They are based on soil characteristics observed in the field, particularly structure, porosity, and texture. Saturated hydraulic conductivity is considered in the design of soil drainage systems and septic tank absorption fields.

For each soil layer, this attribute is actually recorded as three separate values in the database. A low value and a high value indicate the range of this attribute for the soil component. A "representative" value indicates the expected value of this attribute for the component. For this soil property, only the representative value is used.

The numeric Ksat values have been grouped according to standard Ksat class limits.

Rating Options

Units of Measure: micrometers per second

Aggregation Method: Dominant Component

Component Percent Cutoff: None Specified

Tie-break Rule: Fastest

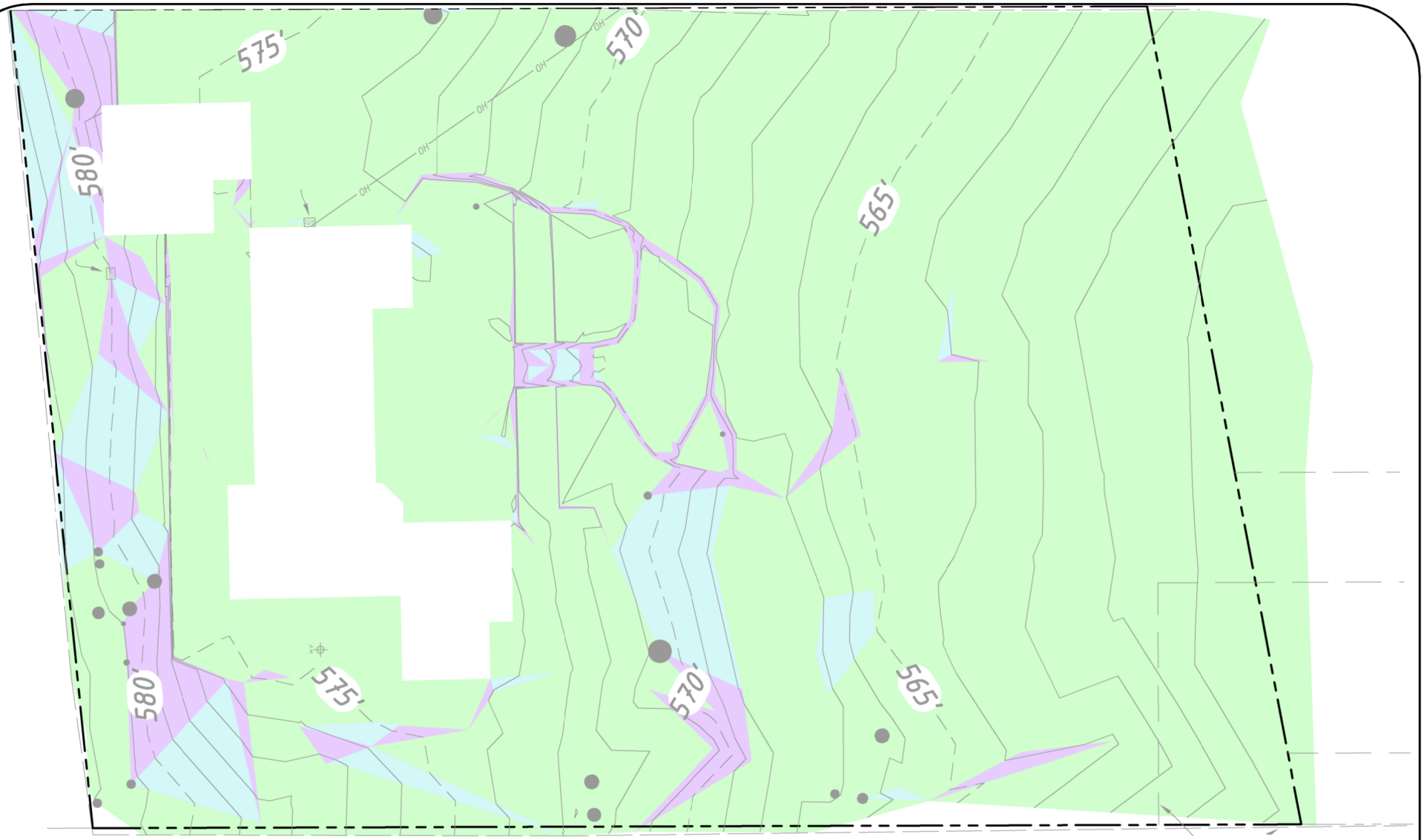
Interpret Nulls as Zero: No

Layer Options (Horizon Aggregation Method): Depth Range (Weighted Average)

Top Depth: 24

Bottom Depth: 48

Units of Measure: Inches



LEGEND

	0% to 25%	15,950 SF
	25% to 30%	1,270 SF
	30% +	1,100 SF
	STRUCTURE (0%)	1728 SF

CORNERSTONE CIVIL
Land Development Engineering
2528 Charlene Lane
Santa Cruz, CA
(831) 346-5446

DRAINAGE MANAGEMENT AREA MAP

FOR RICK HOCHLER
4303 SCOTTS VALLEY DRIVE
APTOS, CA
APN: 022-902-11

DATE: DECEMBER 06, 2019

REGISTERED PROFESSIONAL ENGINEER
RYAN P. HALEY
NO. 80,236
CIVIL
STATE OF CALIFORNIA

AGENDA ITEM 5
DATE: 6-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Tina Friend, City Manager

SUBJECT: **PUBLIC HEARING TO CONSIDER WASTEWATER RATES FOR FY 2021/22 THROUGH FY 2025/26**

SUMMARY OF ISSUE

The City of Scotts Valley (City) operates a Wastewater Reclamation Facility (WRF) consisting of a wastewater treatment plant and recycled water plant. The WRF processes 800,000 to 1,000,000 gallons of wastewater each day, serving over 12,000 residents and businesses in the greater Scotts Valley area. The wastewater is treated to standards to make the effluent water safe for discharge to the ocean and for recycled water use in public parks, school facilities and landscaping across Scotts Valley.

WRF operations and equipment repair and replacement is funded exclusively with customer fees paid according to the effective wastewater rates. In the past nearly 25 years of operation, the City raised rates only four times, while the cost of operations and equipment grew annually. As a result, customer fees collected fell below the true cost of operating the utility and the City deferred maintenance and equipment replacement due to lack of adequate funds. The City last updated wastewater rates on July 1, 2019. The rates were not changed in FY 2020/21 due to the COVID-19 pandemic. The long deferral of investment has led to a backlog of capital investment and those needs are now significant and critical.

The City is anticipating investment in the wastewater collection and treatment system in the next five years totaling over $7 million. In addition, the City is estimating a placeholder amount of up to $20 million for investment in new technologies for the treatment plant that may be required subject to the completion of the wastewater system master planning effort beginning summer/fall of 2021.

On April 7, 2021, the Scotts Valley City Council received a presentation on a multi-year wastewater rate model developed by Bartle Wells Associates (BWA). BWA's updated wastewater rate model incorporated the preliminary Wastewater Enterprise Funds operational budget estimates for the FY 2021/22 budget, and the projected capital improvement projects. Upon review of the draft rate model and project financing options, Council directed staff to issue a public hearing rate notice for a five-year rate model consisting of a 9% increase in each of the five years.

On April 27, 2021, a Proposition 218 compliant public notice was sent to all 3,525 property owners on record with the Santa Cruz County Assessor's Office. The notice outlined reasons for the proposed increase and included instructions on how to file a protest. As of June 11, 2021, the City received two valid signed, written protests and four that were deficient and therefore invalid. The City Council would be precluded from implementing the proposed rates if more than a majority (50% plus one) of the property owners filed a protest. Staff will update the final written protest count at the time of the public hearing.

The proposed rate increases for FY 2021/22 through FY 2025/26 are summarized in the tables below and are also attached to this report. The tables provide the existing and proposed rates for residential and commercial users.

Year	**Current**	**1**	**2**	**3**	**4**	**5**
Fiscal Year (FY)	**2020/21**	**2021/22**	**2022/23**	**2023/24**	**2024/25**	**2025/26**
Rate Adoption Date	7/1/2022	7/1/2021	7/1/2022	7/1/2023	7/1/2024	7/1/2025
Rate increase		***9.0%***	***9.0%***	***9.0%***	***9.0%***	***9.0%***
Single Family Residence						
Flat Monthly Fee	$46.49	$50.67	$55.23	$60.21	$65.62	$71.53
(Low- Income)	$40.91	$44.59	$48.61	$52.98	$57.75	$62.95
Multi-family Residential						
Flat Monthly Fee	$32.56	$35.49	$38.68	$42.17	$45.96	$50.10
(Low-Income)	$28.65	$31.23	$34.04	$37.10	$40.44	$44.08
Mobile Home						
Flat Monthly Fee	$31.02	$33.81	$36.85	$40.17	$43.79	$47.73
(Low-Income)	$27.29	$29.75	$32.42	$35.34	$38.52	$41.99
Commerical and Industrial						
Monthly Minimum Fee	$46.49	$50.67	$55.23	$60.21	$65.62	$71.53
Charge per 100gal – by Strength Factor						
Low	$0.83	$0.90	$0.99	$1.07	$1.17	$1.28
Medium	$1.11	$1.21	$1.32	$1.44	$1.57	$1.71
High	$1.42	$1.55	$1.69	$1.84	$2.00	$2.18

April readings for Tax-Roll customers and mid December to mid Febuary for Direct Billing Customers
See Commercial Classifications Based on Strength attachment for more details

The rate changes for residential properties would be submitted to the County for inclusion in the property tax bills that would be sent to property owners in early September 2021. Commercial rates would be implemented and bills sent to commercial rate payers starting with the September billing, with rates going into effect retroactive to July 1, 2021.

FISCAL IMPACT

City Council approval of the five-year wastewater rate increase as proposed at tonight's meeting will initiate a 9% rate increase each of the next five years beginning with the current year increases going into effect on July 1, 2021. Increased revenues will enable the City to advance necessary capital investment to maintain wastewater treatment operations and replace and repair equipment.

STAFF RECOMMENDATION

It is recommended that Council approve Resolution No. 1198.73, authorizing the proposed rate increases for FY 2021/22 to FY 2025/26.

TABLE OF CONTENTS PAGE

Resolution No. 1198.73 with Exhibit A 4
Wastewater Rate Study and Model for FY 2021/22 through FY 2025/26..... 7

RESOLUTION NO. 1198.73

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY ESTABLISHING NEW WASTEWATER RATES FOR FISCAL YEARS 2021/22, 2022/23, 2023/24, 2024/25 AND 2025/26

WHEREAS, on April 7, 2021 the City Council reviewed a wastewater rate model prepared by Bartle Wells Associates that indicated wastewater rate increases required of commercial and residential customers to provide the necessary funding for wastewater collection and treatment operations, to allow for proper maintenance and replacement of existing utility infrastructure, and to provide adequate reserves for emergency through FY 2025/26; and

WHEREAS, the City Council provided direction to publish a public hearing notice to propose wastewater rate increases of 9% per year starting on July 1, 2021 for FY 2021/22, and on July 1 each fiscal year for 2022/23, 2023/24, 2024/25 and 2025/26; and

WHEREAS, a public hearing notice compliant with the provisions of Proposition 218 was issued on April 27, 2021 to each property owner of record that receives wastewater services by the City that provided information regarding the need for the increases, the date and time of the public hearing, and ways that property owners could learn more information about the rate increases and protest the increases if they so chose; and

WHEREAS, on June 16, 2021, the City Council held a public hearing to consider establishing new wastewater rates for Fiscal Years 2021/22, 2022/23, 2023/24, 2024/25 and 2025/26; and

WHEREAS, testimony was received regarding the proposed wastewater rates and the public hearing was concluded; and

WHEREAS, the total number of protests received from property owners was less than a majority of property owners that would otherwise prohibit the City Council from proceeding with the proposed rate increases; and

WHEREAS, the attached Exhibit A incorporates the proposed wastewater rates for FY 2021/22, 2022/23, 2023/24, 2024/25 and 2025/26.

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

1. That the attached Exhibit A shall become the City of Scotts Valley's new wastewater service charges to be incorporated into the Master Fees and Service Charges Schedule for fiscal years 2021/22, 2022/23, 2023/24, 2024/25 and 2025/26; and

2. That the City Council finds that the increase is necessary to fund operating expenses; purchase supplies, equipment, and materials; sustain emergency reserves; and advance capital projects necessary to maintain services within the existing service area; and

3. This proceeding is exempt from the requirements of the California Environmental Quality Act.

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 16th day of June, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Derek Timm, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

EXHIBIT A
City of Scotts Valley - Wastewater Rates

Year	**Current**	**1**	**2**	**3**	**4**	**5**
Fiscal Year (FY)	**2020/21**	**2021/22**	**2022/23**	**2023/24**	**2024/25**	**2025/26**
Rate Adoption Date	7/1/2022	7/1/2021	7/1/2022	7/1/2023	7/1/2024	7/1/2025
Rate increase		***9.0%***	***9.0%***	***9.0%***	***9.0%***	***9.0%***
Single Family Residence						
Flat Monthly Fee	$46.49	$50.67	$55.23	$60.21	$65.62	$71.53
(Low- Income)	$40.91	$44.59	$48.61	$52.98	$57.75	$62.95
Multi-family Residential						
Flat Monthly Fee	$32.56	$35.49	$38.68	$42.17	$45.96	$50.10
(Low-Income)	$28.65	$31.23	$34.04	$37.10	$40.44	$44.08
Mobile Home						
Flat Monthly Fee	$31.02	$33.81	$36.85	$40.17	$43.79	$47.73
(Low-Income)	$27.29	$29.75	$32.42	$35.34	$38.52	$41.99
Commerical and Industrial						
Monthly Minimum Fee	$46.49	$50.67	$55.23	$60.21	$65.62	$71.53
Charge per 100gal - With Strength Factor						
Low	$0.83	$0.90	$0.99	$1.07	$1.17	$1.28
Medium	$1.11	$1.21	$1.32	$1.44	$1.57	$1.71
High	$1.42	$1.55	$1.69	$1.84	$2.00	$2.18

April readings for Tax-Roll customers and mid December to mid Febuary for Direct Billing Customers
See Commercial Classifications Based on Strength attachment for more details

BARTLE WELLS ASSOCIATES
INDEPENDENT PUBLIC FINANCE ADVISORS

2625 Alcatraz Ave, #602
Berkeley, CA 94705
Tel 510 653 3399
www.bartlewells.com

May 7, 2021

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

Re: 2021 Wastewater Rate Study Update

Bartle Wells Associates is pleased to submit the attached 2021 Wastewater Rate Study Update following the 2017 Wastewater Financial Plan and Rate Study completed by our firm. The updated rate study reflects the latest wastewater revenue and expenditures, develops long-term financial projections for the wastewater enterprise, and calculates wastewater rates that equitably recover the cost of providing service over the next five years.

Before this study, BWA conducted the 2017 Water Rate Study and recommended three years of 15% annual increases from FY 2019-20 through FY 2021-22. The City last adjusted its wastewater rates in FY 2019-20, and, primarily due to the COVID-19 pandemic, has not adopted any wastewater rate increases in almost two years. The wastewater utility is currently experiencing an operating deficit and faces over $28 million in planned capital improvement projects over the next 10 years. Annual wastewater rate increases are needed to restore financial sustainability.

BWA worked closely with City Staff to refine operations and capital expenditure projections over the next 10 years. We used this projection to develop proposed rates that establish financial sustainability in the wastewater fund over the next five years. BWA proposes that the City increase rates 9% each year for the next 5 years. A summary of proposed rates is provided below.

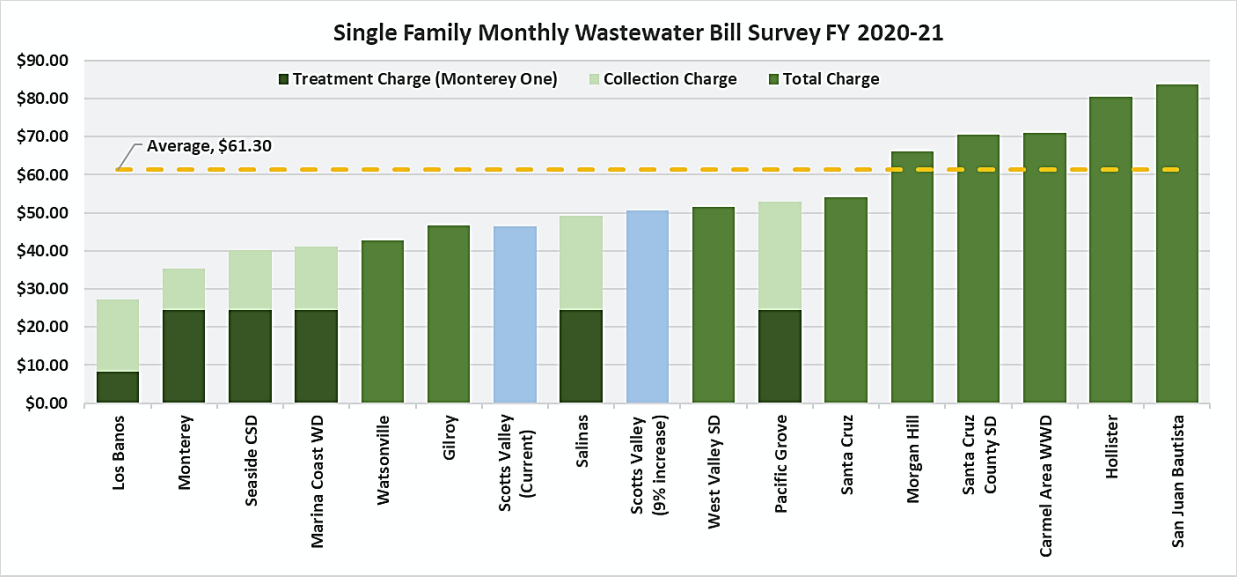
Year	**Current**	**1**	**2**	**3**	**4**	**5**
Fiscal Year (FY)	**2020/21**	**2021/22**	**2022/23**	**2023/24**	**2024/25**	**2025/26**
Rate Adoption Date	7/1/2022	7/1/2021	7/1/2022	7/1/2023	7/1/2024	7/1/2025
Rate increase		***9.0%***	***9.0%***	***9.0%***	***9.0%***	***9.0%***
Single Family Residence						
Flat Monthly Fee	$46.49	$50.67	$55.23	$60.21	$65.62	$71.53
(Low- Income)	$40.91	$44.59	$48.61	$52.98	$57.75	$62.95
Multi-family Residential						
Flat Monthly Fee	$32.56	$35.49	$38.68	$42.17	$45.96	$50.10
(Low-Income)	$28.65	$31.23	$34.04	$37.10	$40.44	$44.08
Mobile Home						
Flat Monthly Fee	$31.02	$33.81	$36.85	$40.17	$43.79	$47.73
(Low-Income)	$27.29	$29.75	$32.42	$35.34	$38.52	$41.99
Commerical and Industrial						
Monthly Minimum Fee	$46.49	$50.67	$55.23	$60.21	$65.62	$71.53
Charge per 100gal – by Strength Factor						
Low	$0.83	$0.90	$0.99	$1.07	$1.17	$1.28
Medium	$1.11	$1.21	$1.32	$1.44	$1.57	$1.71
High	$1.42	$1.55	$1.69	$1.84	$2.00	$2.18

April readings for Tax-Roll customers and mid December to mid Febuary for Direct Billing Customers
See Commercial Classifications Based on Strength attachment for more details

Key elements of the recommended rates include:

a) complete funding of annual wastewater operations and capital expenses,
b) phased-in rates based on flexible payment terms on proposed debt financing for capital projects (estimated using 5 to 6-year bank loans at 4% interest)
c) at least 110% debt service coverage as required on proposed financing, and
d) minimum wastewater fund balance targets met within 5 years (6 months annual operating expenses + $1 million emergency capital reserve)

BWA also conducted a survey of single-family monthly wastewater bills in the surrounding community. Scotts Valley's wastewater rates are among the lowest in the area. The proposed rates will remain below the area average of $61.30 in fiscal year (FY) 2021-2022.



Please find our detailed findings in the calculation tables below. We have enjoyed working with the City and welcome any questions or feedback.

Sincerely,

BARTLE WELLS ASSOCIATES

Doug Dove, CIPM
Principal

Abigail Seaman
Consultant

City of Scotts Valley

2021 Wastewater Rate Study Update

Final Tables

BARTLE WELLS ASSOCIATES
INDEPENDENT PUBLIC FINANCE ADVISORS

Table 1

City of Scotts Valley - Wastewater Rate Study Current Rates & Prior Recommendation	Current 2020-21	*2016 BWA Reccomendation* *2020-21*	 *2021-22*
		15.0%	***15.0%***
Residential Rates			
Single-family Residential			
Flat Monthly Fee	$46.49	*$53.47*	*$61.49*
(Low- Income)	$40.91	*$47.05*	*$54.11*
Multi-family Residential			
Flat Monthly Fee	$32.56	*$37.45*	*$43.06*
(Low-Income)	$28.65	*$32.95*	*$37.89*
Mobile Home			
Flat Monthly Fee	$31.02	*$35.68*	*$41.03*
(Low-Income)	$27.29	*$31.39*	*$36.10*
Commercial & Industrial Rates			
Commerical and Industrial			
Monthly Minimum Fee	$46.49	*$53.47*	*$61.49*
Charge per 100gal - With Strength Factor			
-Low Strength: Schools, Banks	$0.83	*$0.96*	*$1.11*
-Medium Strength: Offices, Hospitals	$1.11	*$1.28*	*$1.47*
-High Strength: Restaurants, Bakeries	$1.42	*$1.64*	*$1.89*

April readings for Tax-Roll customers and mid December to mid Febuary for Direct Billing

Table 2
City of Scotts Valley - Wastewater Rate Study
Current Fund Balance

	7/1/2020
Wastewater Operations	$2,444,863
Tertiary Operating	($123,004)
Wastewater Capital Reserve	$416,440
Wastewater Equipment Replacement	$122,457
TTP District Reserve	$28,353
Beginning Wastewater Reserve Fund	**$2,889,109**
50% Operating Costs	$1,269,299
Emergency Capital Replacement	$1,000,000
Total Emergency Reserve Fund Target	**$2,269,299**

Table 3
City of Scotts Valley - Wastewater Rate Study
Estimated Annual Wastewater Revenues- From Current Service Charges

	Current Accounts	Dwelling Units**	Total Demand	Revenue Current Rate	Fixed	Volumetric	Low-Income Discount
Single-family Residential:							
Flat Monthly Fee	2,249	2,249		$46.49	$1,254,672		
			2,331				
(Low- Income)	82	82		$40.91	$40,255		*$5,490.72*
Multi-family Residential:							
Flat Monthly Fee	660	1,320		$32.56	$515,750		
			1,361				
(Low-Income)	35	41		$28.65	$14,096		*$1,923.72*
Mobile Home:							
Flat Monthly Fee	170	719		$31.02	$267,641		
			768				
(Low-Income)	48	49		$27.29	$16,047		*$2,193.24*
Total Residential	**3,244**	**4,460**	**4,460**		**$2,108,461**		***$9,607.68***
	Current		Consumption				
Commercial and Industrial:							
Monthly Minimum Fee Users	281			$46.49	$156,764		
Charge users*	240		614,222	$1.11		$681,786	
Total Commercial	281					$838,551	
Total Wastewater Charges						**$2,947,012**	

*Rate based on two months data collection from Mid December to Mid February
*Contain directly billed accounts to Finance Department

Table 4
City of Scotts Valley - Wastewater Rate Study
2019/20 Operating Revenue Fund 10

	2017/18 Actual	2018/19 Actual	2019/20 Projected	2020/21 Budget
Revenue				
Sewer Service Fees	$2,128,732	$2,513,648	$2,915,832	$2,900,000
Penalties for Deliquences	$1,643	$1,456	$3,540	$3,500
Subtotal - Service Charges	**$2,130,375**	**$2,515,104**	**$2,919,372**	**$2,903,500**
Investment Earnings				
Other Revenue	$2,700	$3,458	$4,717	$5,000
State Grants	$12,500	$0	$0	$0
Subtotal - Other Revenues	**$15,200**	**$3,458**	**$4,717**	**$5,000**
Total - Wastewater Operations Fund 10	**$2,145,575**	**$2,518,562**	**$2,924,089**	**$2,908,500**

*2020/21 Amended Budget

Table 5
City of Scotts Valley - Wastewater Rate Study
Other Revenues

Total Other Revenues	2017/18 Actual	2018/19 Actual	2019/20 Projected	2020/21 Budget
Fund 11: Tertiary Treatment Plant				
SV Water Department Reimbursements	$125,007	$97,126	$133,627	$110,000
Transfers from Fund 10	$0	$0	$0	$110,000
Total Fund 11	**$125,007**	**$97,126**	**$133,627**	**$220,000**
Fund 12: Capital Reserve				
Investment Earnings	$10,186	$21,941	$13,240	$12,500
Impact Fee - Recurring	$318,981	$225,624	$41,605	$50,000
Impact Fee - Significant				
Subtotal Capital Reserve	**$329,167**	**$247,565**	**$54,845**	**$62,500**
Fund 14: Wastewater Equipment Replace				
Investment Earnings	$7,644	$14,154	$2,483	$5,000
Fund 15- TTP -District Reserve Fund				
Investment Earnings	$158	$381	$450	$400
Other Revenue	$5,123	$1,406	$3,972	$5,000
Subtotal District Reserve Fund	**$5,281**	**$1,787**	**$4,422**	**$5,400**
Total Other Revenue	**$467,099**	**$360,632**	**$195,377**	**$182,900**

Table 6
City of Scotts Valley - Wastewater Rate Study
2016/17 Operating Expenses Fund 10

		2018/19 Actual	2019/20 Proj. Actual	2020/21 Budget
Salaries & Benefits		$342,778	$305,094	625,791
102	Salaries/Wages - Holiday	$20,324	$23,996	$0
103	Salaries/Wages - Sick Leave	$20,755	$12,903	$0
104	Salaries/Wages - Vacation	$29,410	$19,691	$0
108	Salaries/Wages - C/T Taken	$4,041	$38,629	$0
109	Salaries/Wages - Overtime	$34,543	$42,679	$30,000
110	Salaries/Wages - Covid-19	$0	$4,567	$0
203	Fica	$34,504	$34,624	$52,310
204	Retirement	$443,384	$177,782	$220,380
205	Group Insurance	$171,632	$147,121	$191,659
206	Workers' Compensation	$28,025	$33,295	$30,614
208	Uniform Allowance	$10,514	$5,786	$12,000
301	Office Expense	$3,810	$5,269	$4,000
302	Special Department Expense	$143,703	$170,907	$150,000
303	Small Tools & Supplies	$12,714	$8,383	$12,000
305	Advertising	$585	$0	$0
306	Communications	$7,921	$9,712	$9,000
307	Utilities	$351,257	$316,680	$365,000
308	Rent & Lease Expense	$8,110	$2,709	$0
310	Recruitment	$384	$1,451	$0
312	Professional/Specialized Svc	$717	$0	$0
313	Other Contractual Services	$82,860	$162,075	$130,000
314	Insurance & Surety Bonds	$48,122	$4,420	$0
315	Memberships & Dues	$1,522	$973	$3,000
316	Travel/Conferences/Meetings	$1,506	$308	$5,000
320	Laboratory	$47,508	$58,735	$65,000
322	Training & Education	$4,799	$7,086	$8,000
349	Miscellaneous	$3,550	$333	$0
401	Maint Of Bldgs/Struct/Grnds	$8,302	$8,117	$8,000
402	Maint & Operation Of Eqmt	$87,858	$202,251	$100,000
403	Maint & Operation Of Vehicle	$20,506	$38,320	$25,000
708	Cost Allocation	$224,799	$266,376	$270,000
904	Improvements O/T Bldgs-Other	$12,469	$0	$0
905	Machinery & Eqmt - Other	$20,462	$46,487	$0
907	Engineering	$0	$0	$0
912	Safety Equipment	$0	$0	$0
915	Other Equipment	$2,953	$0	$0
999	Interfund Transfer Out	$130,029	$170,779	$157,044
	General Fund Cost Allocation			
	Total	**$2,366,355**	**$2,327,537**	**$2,473,798**
Fixed Assets				
910	Office Equipment & Furniture			$57,800
90	Office Equipment & Furniture			$7,000
	Total			**$64,800**
Total Operating Expenditures		**$2,366,355**	**$2,327,537**	**$2,538,598**

Table 7
City of Scotts Valley - Wastewater Rate Study
Other Expenses

Total Other Expenses	**2018/19 Actual**	**2019/20 Proj. Actual**	**2020/21 Budget**
Fund 11: Tertiary Treatment Plant			
Salaries/Wages - Regular	$15,442	$4,797	$28,000
Salaries/Wages - Overtime	$1,280	$1,055	$1,500
Fica	$1,276	$447	$2,257
Retirement	$5,975	$4,571	$8,198
Group Insurance	$0	$0	$0
Special Department Expense	$46,392	$77,475	$55,000
Small Tools & Supplies	$210	$937	$300
Utilities	$69,362	$53,441	$62,000
Insurance & Surety Bonds	$5,794	$0	$5,000
Laboratory	$10,384	$20,223	$18,000
Maint & Operation Of Eqmt	$14,055	$56,461	$25,000
Machinery & Equipment	$6,751	$0	$0
Total	**$176,922**	**$219,406**	**$205,255**
Fund 12: Capital Reserve			
Office Expense	$2,191	$969	$2,000
Rights-Of-Way	$0	$0	$0
Machinery & Equipment	$62,998	$299,995	$212,151
Engineering	$132,964	$30,409	$213,757
Vehicles	$33,150	$0	$0
Office Equip & Furniture	$5,000	$0	$0
Total	**$236,302**	**$331,373**	**$427,908**
Fund 14: Wastewater Equipment Replace			
Office Expense	$1,200	$212	$0
Total	**$1,200**	**$212**	**$0**
Fund 15- TTP -District Reserve fund			
Office Expense	$22	$38	$0
Total	**$22**	**$38**	**$0**
Total Other Expenses	**$414,446**	**$551,029**	**$633,163**

Table 8
City of Scotts Valley - Wastewater Rate Study

10-Year Capital Improvement Plan & Proposed Funding

Rate Study Projection Year	1	2	3	4	5	6	7	8	9	10	Total
Fiscal Year	**FY 2022**	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**	**FY 2027**	**FY 2028**	**FY 2029**	**FY 2030**	**FY 2031**	
Capital Improvement Projects											
Master Plan for Plant and Sewer System	$50,000	$100,000	$50,000								**$200,000**
Treatment System Projects											
PLC Upgrades	40,000										**$40,000**
Clarifier Super Structure Replacement	150,000	150,000	150,000								**$450,000**
Aeration System Upgrade	250,000	750,000									**$1,000,000**
Storm Water LID	100,000	100,000	100,000								**$300,000**
Vactor Truck		250,000									**$250,000**
Dump Truck	110,000										**$110,000**
Replace Pumps	-	110,000	110,000								**$220,000**
Bar Screen #2	250,000										**$250,000**
Upgrade Tertiary	50,000	100,000	100,000	100,000	50,000						**$400,000**
Replace Pumps				200,000	200,000						**$400,000**
Facility Maintenance			100,000								**$100,000**
Facility Vehicle, F150			55,000								**$55,000**
New Technology, i.e. membranes											
Phase 1						5,000,000					**$5,000,000**
Phase 2								5,000,000			**$5,000,000**
Phase 3										10,000,000	**$10,000,000**
Collection System Projects											**$0**
Lift Stations	420,000	530,000	160,000	260,000	330,000						**$1,700,000**
Pipeline Upgrades	200,000	50,000	430,000	260,000	290,000						**$1,230,000**
Inspection & Monitoring Programs	100,000	100,000	100,000	100,000	100,000						**$500,000**
Placeholder Projects through 2027	*$ (325,000)*		*$ 125,000*	*$ 200,000*		*200,000*	*200,000*	*200,000*	*200,000*	*200,000*	***$1,000,000***
Total CIP	**$1,395,000**	**$2,240,000**	**$1,480,000**	**$1,120,000**	**$970,000**	**$5,200,000**	**$200,000**	**$5,200,000**	**$200,000**	**$10,200,000**	**$28,205,000**

Rate Study Projection Year	1	2	3	4	5	6	7	8	9	10	Total
Fiscal Year	**2021/22**	**2022/23**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**	**2028/29**	**2029/30**	**2030/31**	
Proposed CIP Funding											
Pay go Funded	$1,395,000	($2,260,000)	$1,480,000	$1,120,000	$970,000	$200,000	$200,000	$200,000	$200,000	$200,000	**$3,705,000**
Grant Funding	0	0	0	0	0	0	0	0	0	0	**0**
Debt Funded		$4,500,000				5,000,000		5,000,000		10,000,000	24,500,000
Total CIP Funding	**$1,395,000**	**$2,240,000**	**$1,480,000**	**$1,120,000**	**$970,000**	**$5,200,000**	**$200,000**	**$5,200,000**	**$200,000**	**$10,200,000**	**$28,205,000**

Table 9
City of Scotts Valley - Wastewater Rate Study

Proposed Debt Detail

Proposed CIP Financing

Debt Service Payment Calculations	Principal	Issuance Year	Term	Interest Rate	Annual Payment*
Rate Study Projection Years 1-5					
Proposed Debt	$4,500,000	FY 2022/23	5 years	4.00%	**$1,002,000**
CIP Expenditures FY 2022/23 - 2024/25					
Projection Years 6-10					
New Technology Loans					
Bank Loan - Phase 1	$5,000,000	FY 2026/27	20 years	4.00%	**$366,000**
Bank Loan - Phase 2	$5,000,000	FY 2028/29	20 years	4.00%	**$366,000**
Bank Loan - Phase 3	$10,000,000	FY 2030/31	20 years	4.00%	**$731,000**

*Payments begin the year following issuance

Debt Service Payment Projection

Rate Study Projection Year	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**
	2021/22	**2022/23**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**	**2028/29**	**2029/30**	**2030/31**
Bank Loan 2			$180,000	$1,002,000	$1,002,000	$1,002,000	$1,002,000	$1,002,000		
New Tech Loans										
Phase 1							$366,000	$366,000	$366,000	$366,000
Phase 2									$366,000	$366,000
Total Debt Service	$0	$0	$180,000	$1,002,000	$1,002,000	**$1,002,000**	**$1,368,000**	**$1,368,000**	**$732,000**	**$732,000**

Table 10

City of Scotts Valley - Wastewater Rate Study

Wastewater Cashflow Projection, Proposed Rate Increases

Year			1	2	3	4	5	6	7	8	9	10
					Rate Study					Future Projection		
Fiscal Year (FY)		**2020/21**	**2021/22**	**2022/23**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**	**2028/29**	**2029/30**	**2030/31**
Rate Adoption Date		7/1/2022	7/1/2021	7/1/2022	7/1/2023	7/1/2024	7/1/2025	7/1/2026	7/1/2027	7/1/2028	7/1/2029	7/1/2030
Rate increase			***9%***	***9%***	***9%***	***9%***	***9%***	*4%*	*4%*	*3%*	*3%*	*3%*
Growth rate			*0%*	*0%*	*0%*	*0%*	*0%*	*0%*	*0%*	*0%*	*0%*	*0%*
Projected SFR Monthly Bill (Flat)		$46.49	$50.68	$55.24	$60.21	$65.63	$71.54	$74.40	$77.37	$79.69	$82.08	$84.55
Opening Balance		**$2,889,109**	**$2,859,520**	**$1,957,986**	**$4,901,197**	**$4,136,424**	**$3,146,120**	**$2,569,131**	**$2,831,806**	**$2,801,448**	**$2,799,242**	**$3,461,412**
Operating Revenues												
Sewer Fees		$2,900,000	$3,161,000	$3,445,490	$3,755,584	$4,093,587	$4,462,009	$4,640,490	$4,826,109	$4,970,893	$5,120,020	$5,273,620
Other Revenue	0%	8,500	8,500	8,500	8,500	8,500	8,500	8,500	8,500	8,500	8,500	8,500
Total Operating Revenues		**$2,908,500**	**$3,169,500**	**$3,453,990**	**$3,764,084**	**$4,102,087**	**$4,470,509**	**$4,648,990**	**$4,834,609**	**$4,979,393**	**$5,128,520**	**$5,282,120**
Other Revenues												
Fund 11	3%	$110,000	$113,300	$116,699	$120,200	$123,806	$127,520	$131,346	$135,286	$139,345	$143,525	$147,831
Fund 12	0%	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500
Fund 14	0%	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Fund 15	0%	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400
Total Other Revenues		**$182,900**	**$186,200**	**$189,599**	**$193,100**	**$196,706**	**$200,420**	**$204,246**	**$208,186**	**$212,245**	**$216,425**	**$220,731**
Bank Loan Proceeds				$4,500,000				$5,000,000		$5,000,000		$10,000,000
Total Revenues		**$3,091,400**	**$3,355,700**	**$8,143,589**	**$3,957,184**	**$4,298,793**	**$4,670,930**	**$9,853,236**	**$5,042,796**	**$10,191,637**	**$5,344,945**	**$15,502,851**
Fund 10 Operating Expenses												
Salaries and Benefits	4%	1,162,754	1,252,800	1,302,912	1,355,028	1,409,230	1,465,599	1,524,223	1,585,192	1,648,599	1,714,543	1,783,125
Other Expenditures	3%	1,375,844	1,452,119	1,495,683	1,540,553	1,586,770	1,634,373	1,683,404	1,733,906	1,785,924	1,839,501	1,894,686
Budgetary Savings	2%	(50,772)	(54,098)	(55,972)	(57,912)	(59,920)	(61,999)	(64,153)	(66,382)	(68,690)	(71,081)	(73,556)
Total Fund 10		2,487,826	2,650,821	2,742,623	2,837,670	2,936,080	3,037,972	3,143,474	3,252,716	3,365,832	3,482,964	3,604,255
Other Operating Expenses												
Fund 11	3%	$205,255	$211,413	$217,755	$224,288	$231,016	$237,947	$245,085	$252,438	$260,011	$267,811	$275,846
Fund 12*	3%	427,908										
Fund 14	3%	0										
Fund 15	3%	0										
Total Other O&M		$633,163	$211,413	$217,755	$224,288	$231,016	$237,947	$245,085	$252,438	$260,011	$267,811	$275,846
Total Operating Expenses		**$3,120,989**	**$2,862,234**	**$2,960,378**	**$3,061,958**	**$3,167,096**	**$3,275,919**	**$3,388,560**	**$3,505,154**	**$3,625,843**	**$3,750,775**	**$3,880,101**
CIP & Debt Service												
CIP Pay-go			$1,395,000	$2,240,000	$1,480,000	$1,120,000	$970,000	$5,200,000	$200,000	$5,200,000	$200,000	$10,200,000
CIP Debt Finance												
Debt Service			-	-	180,000	1,002,000	1,002,000	1,002,000	$1,368,000	$1,368,000	$732,000	$732,000
Total CIP & Debt Service		**$0**	**$1,395,000**	**$2,240,000**	**$1,660,000**	**$2,122,000**	**$1,972,000**	**$6,202,000**	**$1,568,000**	**$6,568,000**	**$932,000**	**$10,932,000**
Total Expenses		**$3,120,989**	**$4,257,234**	**$5,200,378**	**$4,721,958**	**$5,289,096**	**$5,247,919**	**$9,590,560**	**$5,073,154**	**$10,193,843**	**$4,682,775**	**$14,812,101**
Net Operating Revenues		($212,489)	$307,266	$493,612	$702,126	$934,991	$1,194,590	$1,260,430	$1,329,456	$1,353,549	$1,377,745	$1,402,019
Net Annual Revenues		**($29,589)**	**($901,534)**	**$2,943,211**	**($764,774)**	**($990,303)**	**($576,990)**	**$262,676**	**($30,358)**	**($2,206)**	**$662,170**	**$690,750**
Closing Balance		**$2,859,520**	**$1,957,986**	**$4,901,197**	**$4,136,424**	**$3,146,120**	**$2,569,131**	**2,831,806**	**2,801,448**	**2,799,242**	**3,461,412**	**4,152,162**
50% Operating Expenditures		1,269,299	1,325,410	1,371,312	1,418,835	1,468,040	1,518,986	1,571,737	1,626,358	1,682,916	1,741,482	1,802,128
Emergency Capital Replacement		1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Total Reserve Target		**$2,269,299**	**$2,325,410**	**$2,371,312**	**$2,418,835**	**$2,468,040**	**$2,518,986**	**2,571,737**	**2,626,358**	**2,682,916**	**2,741,482**	**2,802,128**
Ratio to Reserve Target		**1.26**	**0.84**	**2.07**	**1.71**	**1.27**	**1.02**	**1.10**	**1.07**	**1.04**	**1.26**	**1.48**
Debt Service Coverage Ratio						**6.29**	**1.39**	**1.46**	**1.53**	**1.14**	**1.17**	**2.22**

**Fund 12 expenditures projected using CIP*

Table 10-S
City of Scotts Valley - Wastewater Rate Study
Cash Flow Summary

Year		**1**	**2**	**3**	**4**	**5**
				Rate Study		
Fiscal Year (FY)	**2020/21**	**2021/22**	**2022/23**	**2023/24**	**2024/25**	**2025/26**
Rate Adoption Date	Current	7/1/2021	7/1/2022	7/1/2023	7/1/2024	7/1/2025
Wastewater Cashflow Projection, Proposed Rate Increases						
Rate increase		***9%***	***9%***	***9%***	***9%***	***9%***
Projected SFR Monthly Bill (Flat)	$46.49	$50.68	$55.24	$60.21	$65.63	$71.54
Bank Loan Proceeds	-	-	4,500,000	-	-	-
Total Debt Service	-	-	-	180,000	1,002,000	1,002,000
Closing Balance	**$2,859,520**	**$1,957,986**	**$4,901,197**	**$4,136,424**	**$3,146,120**	**$2,569,131**
Ratio to Reserve Target	**1.26**	**0.84**	**2.07**	**1.71**	**1.27**	**1.02**
Debt Service Coverage Ratio	**-**	**-**	**-**	**-**	**6.29**	**1.39**

Table 11
Scotts Valley - Wastewater Rate Study

Proposed Wastewater Rate Summary (Scenario 3)

Year	**Current**	**1**	**2**	**3**	**4**	**5**
Fiscal Year (FY)	**2020/21**	**2021/22**	**2022/23**	**2023/24**	**2024/25**	**2025/26**
Rate Adoption Date	7/1/2022	7/1/2021	7/1/2022	7/1/2023	7/1/2024	7/1/2025
Rate increase		***9.0%***	***9.0%***	***9.0%***	***9.0%***	***9.0%***
Single Family Residence						
Flat Monthly Fee	$46.49	$50.67	$55.23	$60.21	$65.62	$71.53
(Low- Income)	$40.91	$44.59	$48.61	$52.98	$57.75	$62.95
Multi-family Residential						
Flat Monthly Fee	$32.56	$35.49	$38.68	$42.17	$45.96	$50.10
(Low-Income)	$28.65	$31.23	$34.04	$37.10	$40.44	$44.08
Mobile Home						
Flat Monthly Fee	$31.02	$33.81	$36.85	$40.17	$43.79	$47.73
(Low-Income)	$27.29	$29.75	$32.42	$35.34	$38.52	$41.99
Commerical and Industrial						
Monthly Minimum Fee	$46.49	$50.67	$55.23	$60.21	$65.62	$71.53
Charge per 100gal - With Strength Factor						
Low	$0.83	$0.90	$0.99	$1.07	$1.17	$1.28
Medium	$1.11	$1.21	$1.32	$1.44	$1.57	$1.71
High	$1.42	$1.55	$1.69	$1.84	$2.00	$2.18

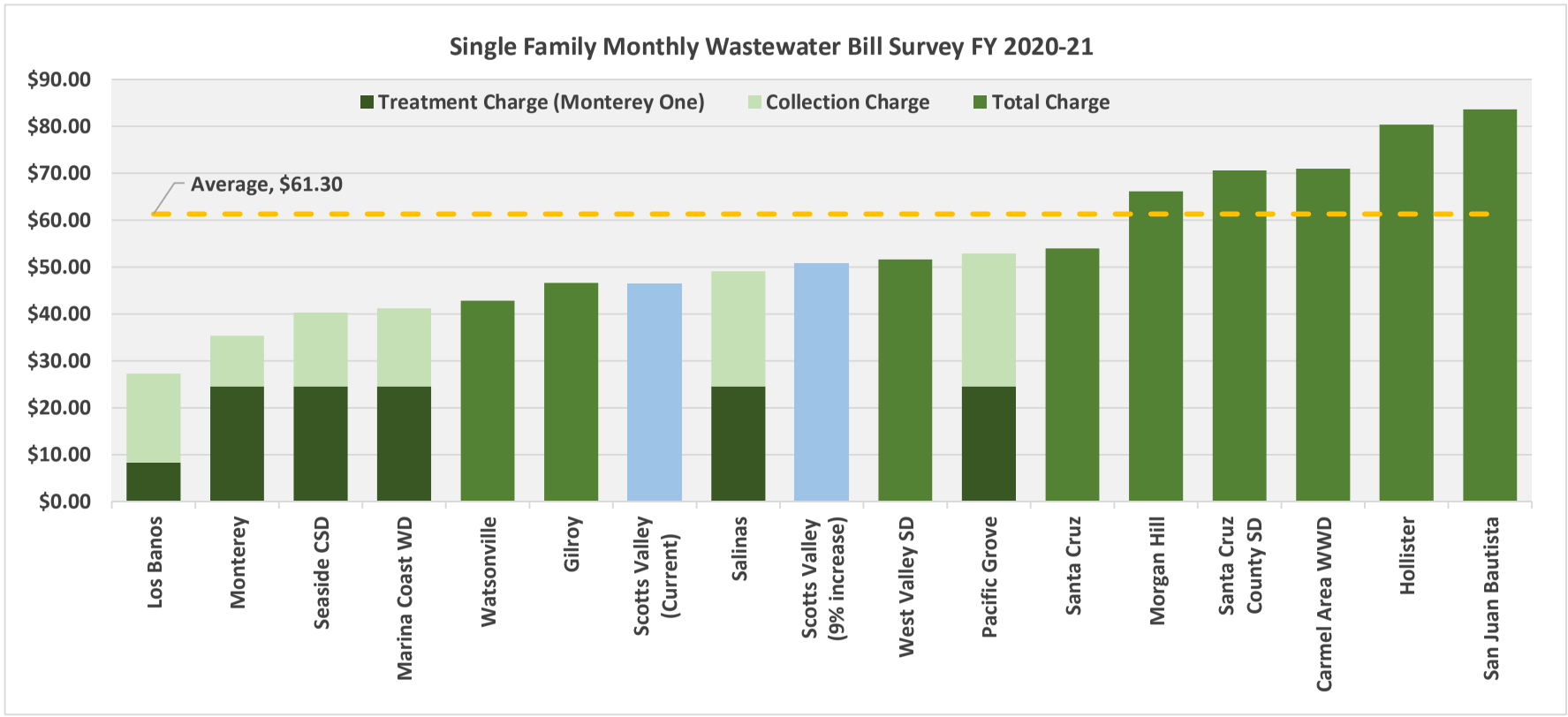
April readings for Tax-Roll customers and mid December to mid Febuary for Direct Billing Customers
See Commercial Classifications Based on Strength attachment for more details

Table 12
Scotts Valley
User Classifications - Low, Medium/Domestic, and High Strength Dischargers

Low Strength	Banks & Financial Institutions
	Barber Shops/Hair Salons (hair cutting only)
	Post Offices/Government
	Retail Stores
	Libraries
	Schools
	Churches, Halls & Lodges
Medium/Commercial/ Domestic Strength	Appliance Repair
	Beauty Shops (hair cutting w/additional treatments)
	Dry Cleaners
	Nail Salons
	Pet Groomers
	Commercial Laundromats
	Bars & Taverns
	Tasting Rooms
	Breweries (with Pretreatment)
	Hospitals - General, Convalescent & Veterinarian
	Hotels, Motels, B&Bs, and Vacation Rentals
	Offices - Business and Professional
	Offices - Medical/Dental
	Pools with Restrooms (Clubhouse)
	Theaters
	Warehouses
	Car Washes
	High Tech Medical Manufacturing
	Light Manufacturing/Industrial
	Gym or Health Club
	Machine Shops
	Service Stations, Garages, Auto Repair Shops
	Mini Marts - W/O Dish Washer or Garbage Disposal
	Mini Mart with Gas Pumps - W/O Dish Washer or Garbage Disposal
	Spa with Various Beauty Treatments
	Parking Garages
High Strength	Restaurants
	Coffee Shops
	Ice Cream Parlors
	Catering
	Eatery
	Bakeries
	Butcher Shops
	Fish Market/Shop
	Markets - with Dish Washer or Garbage Disposal
	Markets - with Bakeries or Butcher Shops
	Mini Marts - with Dish Washer or Garbage Disposal
	Breweries (without Pretreatment)
	Wineries
	Market
	Dairies (milk producers, yogurt, ice cream maker)
	Specialty Foods Manufacturing (e.g., cheese or olive oil maker)

Source: Developed using State Water Resources Control Board's Revenue Program Guidelines for Wastewater Agencies

Figure 1
Scotts Valley
Wastewater Rate Survey



AGENDA ITEM 6
DATE: 6-16-2021

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and City Council

FROM: Casey Estorga, Administrative Services Director

PREPARED BY: Steve Toler, Management Partners

APPROVED: Tina Friend, City Manager

SUBJECT: **POLICY DIRECTION ON USE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS**

SUMMARY OF ISSUE

On March 11, 2021, President Biden signed the American Rescue Plan Act (ARPA) into law. The $1.9 trillion federal stimulus package provides economic relief to individuals, businesses and state and local governments to assist in the economic recovery of the nation's economy. Within ARPA, the Coronavirus State and Local Fiscal Recovery Fund ("Local Recovery Fund") provides $350 billion for states, municipalities, tribes and territories, including $130 billion for local governments split evenly between municipalities and counties. The US Treasury Department ("Treasury") is the federal agency responsible for overseeing the distribution of the funds and the regulation of their use.

Projected Funding, Timing and Application Status

The bill provides for the allocation of municipality funds between what are considered metropolitan cities (those over 50,000 in population) and "non-entitlement" cities. Scotts Valley is considered a "non-entitlement" city. Treasury issued its calculation of the allocation amounts to non-entitlement agencies. Scotts Valley is expected to receive $2,812,524, payable in two equal payments ("tranches") of approximately $1.4 million twelve months apart. The City could receive the first tranche of funds as early as the end of this month, but will likely not be received until July 2021.

The City has performed the preliminary steps in preparation for application of the funds through the California Department of Finance (DOF). The DOF application portal will be opened in the next few days, which will allow the City to receive its first tranche.

Treasury Regulations on Use of Funds

On May 10, 2021, Treasury issued its Interim Final Rule ("IFR") that implements the provisions of the Local Recovery Fund. The regulations provide guidance and direction

on the appropriate use of the funds and clarify provisions within the legislation for local administrators to follow in administration of the funds. Treasury indicates that the intent of the legislation is to provide agencies "broad flexibility to decide how best to use this funding to meet the needs of their communities."

There are four primary uses of funds that were provided in the legislation:

1. **Public Health and Economic Impacts** – to respond to the COVID-19 pandemic public health emergency. These uses range from mitigation efforts in curbing the spread of the pandemic to uses that address the economic harms to workers, households, small businesses, impacted industries and the public sector;
2. **Premium Pay to Essential Workers** – to respond to workers performing essential work during the pandemic that were/are provide support to workers bearing the greatest health risks because of their service in critical infrastructure sectors. This includes premium pay to such workers of private industry (e.g., grocery stores, health care workers) and local governments subject to a cap of $13 per hour above regular wages;
3. **Revenue Losses** – to provide local government services to the extent of reduction in revenue due to the pandemic based on prescribed calculation with baseline revenues from the fiscal year prior to the start of the pandemic (FY 2018-19 for the City); and
4. **Infrastructure Investment** – to make investments in broadband infrastructure, or water and/or wastewater regulations consistent with EPA Clean Water regulations (which allows for investment in stormwater infrastructure).

The City has analyzed the provisions in the IFR for the use of these funds and has identified the most probable potential uses that would be appropriate, presented in the following table.

Use Category	Non-City Uses	City Uses
1. Public Health and Economic Impacts	• Loans/grants to small businesses and/or nonprofits adversely impacted by the pandemic	• Restoration of City staffing to pre-pandemic levels (i.e., fill positions that were laid off and/or unfilled and frozen due to the pandemic)
2. Premium Pay to Essential Workers	• N/A	• N/A
3. Revenue Losses[1]	• N/A	• Maintenance of infrastructure (e.g., streets, parks, facilities) • Pay-go funding for infrastructure improvements • Public safety costs • Cybersecurity improvements

1 Use is limited to the extent of revenue losses incurred based on the calculation criteria provided in the IFR. See separate section on this.

Use Category	Non-City Uses	City Uses
4. Infrastructure Investment	• Water infrastructure investment (handled by Scotts Valley Water District)	• Tertiary water treatment and distribution • Wastewater collection system • Wastewater treatment plant and discharge • Stormwater collection and mitigation efforts • Broadband infrastructure for unserved and/or underserved properties[2]

In all cases, the funds must be used by December 31, 2024. There are some exceptions relative to capital projects that are committed by that date and fully expended not later than December 31, 2026.

Ineligible Uses

ARPA specifically identified two uses of the funds that would be deemed ineligible, which was further clarified in the IFR:

1. **Pension funds** – funds may not be deposited into pension funds (e.g., CalPERS advance discretionary payments, set-asides in a Section 115 Trust, etc); and
2. **Defer tax enactment** – states and municipalities are prohibited from using the funds to offset, either directly or indirectly, a tax cut made since March 3, 2021.

The IFR further clarified that funds cannot be used in payment of any indebtedness or judgement/settlement agreement against the agency. The intent was that funds would be used to stimulate the economy through services, employment, fiscal relief and/or infrastructure investment. Paydown of existing debt obligations is not within the intent of the legislation, and is thus a prohibited use of the funds.

Revenue Loss Calculation

The City's financial consultant has prepared an analysis of the revenue losses based on the IFRs. Treasury has defined "general revenue sources" under the definition used by the Census Bureau's Annual Survey of State and Local Government Finances. The definition requires the analysis of all revenues collected by the agency and generated from its underlying economy, but that exclude utility revenues debt issuance proceeds. Under the broadest interpretation of this definition, general revenues would include all City revenue sources except for wastewater rates, proceeds from the issuance of the 2019 lease revenue bonds, and other one-time funds or reimbursements such as CARES Act revenues or grants.

Revenue loss is then calculated based on baseline revenues from the fiscal year prior to the start of the pandemic. In the City's case, that is FY 2018-19. The IFR indicates that revenue loss is then calculated assuming that pre-pandemic revenues would have grown

2 The IFR defines underserved as less than 25 Mbps download and 3Mbps upload speeds. The City believes that all properties within City limits have accessibility to internet speeds greater than the IFR definition.

at the higher of either 1) the actual growth of City revenues from FY 2015-16 to FY 2018-19, or 2) 4.1% (based on the average growth of government revenues nationwide).

The analysis, summarized in the following table, indicates that the City suffered sufficient "general revenue losses" to justify use of the funds to backfill costs associated with or maintenance of City infrastructure; public safety and/or cybersecurity.

Funds	FY 2019 (Baseline)	FY 2020 (Actual)	FY 2021 (Projected)	FY 2022 (Projected)	FY 2023 (Projected)
General Fund	$12,711,300	$11,519,600	$13,693,700	$13,985,000	$ 15,381,200
General CIP Fund	312,100	343,100	64,100	65,600	67,200
Recreation Fund	1,092,500	710,200	13,200	327,700	874,200
Special Revenue – DIF Funds	1,037,900	140,200	185,400	190,100	194,800
Special Revenue – Non-DIF Funds	1,934,100	1,933,900	2,699,100	4,730,900	1,515,400
Total Projected Revenues	**$17,087,900**	**$14,647,000**	**$16,655,500**	**$19,299,300**	**$ 18,032,800**
"Counterfactual" Revenue Projects (using Average annualized growth from FY 2016 to 2019)	**Calculated Growth Rate: 12.26%**	**$20,324,200**	**$22,815,500**	**$25,612,100**	**$ 28,751,600**
Lost Revenues – Average Annualized Growth	**N/A**	**($5,677,200)**	**($6,160,000)**	**($6,312,800)**	**($10,718,800)**
Allocation Remaining Using Average Annualized Growth Rate	**$2,812,524**	**$ -**	**$ -**	**$ -**	**N/A**
"Counterfactual" Revenue Projects (using Treasury default 4.1% growth factor)	**Default Growth Rate: 4.1%**	**$18,149,500**	**$18,893,700**	**$19,668,300**	**$20,474,700**
Lost Revenues – Default Growth Rate	**N/A**	**($3,502,500)**	**($2,238,200)**	**($ 369,000)**	**($2,441,900)**
Allocation Remaining Using Default Growth Rate	**$2,812,524**	**$ -**	**$ -**	**$ -**	**N/A**

Whether the City's actual growth rate or the default growth rate is used, the City had sufficient revenue losses in FY 2019-20 alone to justify the full use of the City's anticipated allocation of ARPA funds.

Policy Recommendation

There are two categories within the legislation and Treasury's IFRs that staff believes the City Council should consider for use of the ARPA funds that would provide much needed relief to the City's General Fund.

1. **Public Health and Economic Impacts** – the proposed FY 2021-22 Annual Budget scheduled for adoption at this meeting proposes the **restoration of services and staffing to pre-pandemic levels**. The total cost of the restoration of frozen police and building staff positions is estimated to be approximately $700,000 on an annual basis. Over the course of three years, this would exhaust at least 75% of the ARPA funds if used for this one purpose.
2. **Revenue Losses** - the City's General Fund has suffered significant revenue losses as a result of the pandemic. The pandemic recession is expected to have a continued impact on General Fund revenues until full recovery is expected in FY 2023-24. As the above analysis indicated, the City has demonstrated significant revenue losses that would justify the use of funds for these purposes. As indicated in the IFR, there are three specific areas that would be appropriate for the City's use of these funds:
    a. ***Pay-go Funding for City Infrastructure*** – one of the most pressing needs of the City is to replace the existing Public Works corporation yard facility. The Public Works Facility Improvements CIP Project (CIP #46), which is expected to cost **$805,000**, is currently scheduled for FY 2022-23 due to lack of available funding resources. It is intended to be funded through a transfer of funds resulting from payment of the RDA loan receivable. Through the availability of ARPA funds, the City can use these funds to advance the replacement of the Public Works facility in FY 2021-22, thereby eliminating the need for the General Fund to transfer those funds from the repayment of the RDA loan when they are received in FY 2022-23.
    b. ***Maintenance of City Infrastructure*** – the IFR allows for the use of ARPA funds to pay for maintenance of city infrastructure. The General Fund currently incurs costs associated with streets repair (outside of those costs funded through Gas Tax, Measure D and other funds), parks and building maintenance. The annual cost of these three divisions paid for from General Fund resources totals **$1,071,000 per year**.
    c. ***Public Safety*** – the legislation allows for ARPA funds to be used to pay for public safety (police and/or fire) costs. The City's police department budget in the General Fund for FY 2021-22 totals **$5,354,000**.

In light of these facts, staff recommends that the City Council give strong consideration to using ARPA funds for the following:

- **Revenue Losses as permitted in the Treasure IFR** for the following:
    - ***Public Works Facility Improvements*** – advance the capital project for improvement to the Public Works facility at the corporation yard for FY 2021-22 and, thereby, eliminating the associated transfer to the General CIP Fund planned for FY 2022-23; and

- ***Maintenance of City Infrastructure*** – apply funds to reimburse the City's investment in maintenance of City streets, parks and buildings borne in the General Fund; and
- ***Public Safety (Police) Services*** – apply residual funds to maintain and pay for public safety services as provided by the Scotts Valley Police Department.

These investments of one-time ARPA funds will allow the General Fund to restore services to the community and otherwise free up resources that would have been depleted without these one-time revenue sources. Application of the funds in these proposed uses will provide a simple method in justifying and substantiating the use of funds based on the provisions in the Treasury's IFR. Moreover, advancing the improvements to the Public Works facility one year earlier than planned will allow for the City to mitigate financial and hazard risks associated with the continued use of the facilities and will allow for investment in facility improvements that will minimize future maintenance costs.

Staff will implement the Council's policy decision by depositing the ARPA proceeds into a separate Special Revenue Fund (in order to maintain the nature of the funds as special revenues required for specific use), and then transfer sufficient funds to the appropriate fund that bears the costs associated with the chosen use.

It should be noted that the community has availability to a significant amount of ARPA resources that are already dedicated outside of the Local Recovery Fund for such purposes as small business grants, nonprofit funding, homelessness/affordable housing grants, transportation grants, and individual assistance to those impacted by unemployment and/or houselessness during the pandemic.

All of these recommended alternatives above are consistent with the City's FY 2021-22 guiding budget principles adopted by the City Council in February 2021 as these one-time resources would be used to offset revenue losses from recessions and/or used for one-time expenditures.

FISCAL IMPACT

The fiscal impact based on staff's recommendations would amend the adopted FY 2021-22 budget by increasing Special Revenue (Non-Development Impact Fee) resources by $1,406,000, transferring an estimated $805,000 to the General CIP Fund for purposes of funding the Public Works Facilities Improvement CIP Project #46 in FY 2021-22, and transferring the balance of funds to the General Fund to pay for maintenance of streets, parks and building maintenance costs and public safety.

STAFF RECOMMENDATION

Staff recommends that the City Council approve the attached resolution for the use of ARPA funds to support the recommended uses discussed herein.

TABLE OF CONTENTS **PAGE**

Resolution 1999 regarding the Receipt and Use of the Coronavirus State and Local Fiscal Recovery Funds from the American Rescue Plan Act of 2021..... 8

RESOLUTION NO. 1999

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY REGARDING THE RECEIPT AND USE OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS FROM THE AMERICAN RESCUE PLAN ACT OF 2021

WHEREAS, on March 11, 2021, President Biden signed into law HR 1319, the American Rescue Plan Act of 2021 ("ARPA"), which provides financial assistance to individuals, businesses, and state and local government agencies to assist in the economic recovery from the COVID-19 pandemic; and

WHEREAS, ARPA includes a provision entitled "Coronavirus State and Local Fiscal Recovery Funds" ("LRF") that includes $350 billion in funding for state and local governments of which $65 billion is dedicated to local government agencies; and

WHEREAS, the provisions in LRF provide flexibility for each government to meet local needs in four areas: 1) supporting public response to and economic impacts from the pandemic; 2) provide premium pay for essential workers; 3) replace lost public sector revenues; and 4) invest in water, wastewater and broadband infrastructure; and

WHEREAS, the City of Scotts Valley (the "City") is classified as a non-entitlement unit agency within the provisions of LRF and has been informed that its allocation is expected to be $2,812,524 divided in two equal payments (tranches) of $1,406,262 with the first payment anticipated in July 2021; and

WHEREAS, the City will take the necessary steps to promptly file for receipt of the LRF funds through the California Department of Finance; and

WHEREAS, the US Treasury Department ("Treasury") is responsible for administration and distribution of LRF funds and issued its Interim Final Rule (31CFR Part 35, RIN 1505-AC77) ("IFR") on May 10, 2021 that establishes the provisions for the use of the LRF funds; and

WHEREAS, based on the City's review of the IFR, the City is eligible to use the LRF funds to either: 1) restore positions frozen as a result of the pandemic recession starting in its FY 2021-22 budget; and/or 2) offset the revenue losses incurred as a result from the pandemic and use those funds for purposes of funding maintenance and pay-go funding of infrastructure and public safety (police) costs; and

WHEREAS, the City has calculated its revenue losses resulting from the pandemic in accordance with the IFR and has determined that it has suffered revenue losses sufficient to justify the use of all LRF funds as reimbursement of revenue losses incurred.

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

1. The City Manager, or her designee, is authorized to apply for and receive the City's allocation of LRF funds from the California Department of Finance.

2. The LRF funds received from Treasury shall be deposited into a Special Revenue Fund for tracking use of said funds in accordance with the provisions of ARPA and the IFR.

3. The City shall use the funds up to the amount of revenue losses demonstrated in accordance with the IFR as follows:
    a. Provide pay-go funding of City infrastructure in the form of constructing Public Works Facilities Improvements as provided in CIP #46 in the City's Five-Year Capital Improvement and Purchase Plan for FY 2021-22 to 2025-26 in FY 2021-22.
    b. Provide funding of maintenance of City infrastructure in the form of General Fund costs associated with maintenance of streets, parks and building maintenance for FY 2021-22 and 2022-23; and
    c. Provision of public safety services incurred in the General Fund in FY 2021-22 and 2022-23.

4. Any remaining funds shall be used to offset costs associated with restoring municipal services reduced as part of the pandemic recession in accordance with the IFR.

5. The FY 2021-22 budget shall be amended to incorporate the following:
    a. Revenues of $1,406,262 in a new Special Revenue Fund entitled "ARPA – Coronavirus Local Relief Funds" (ARPA Special Revenue Fund).
    b. Transfer from the ARPA Special Revenue Fund to the General CIP Fund (#150) in an amount approximating $805,000 to fully fund the Public Works Facilities Improvement Capital Project (CIP #46) in FY 2021-22 which shall be appropriated as such in the General CIP Fund.
    c. Transfer of the remaining funds, approximating $601,262, from the ARPA Special Revenue Fund to the General Fund (#001) based on use of funds in accordance with the uses outlined above.

* *

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 16th day of June, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Derek Timm, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk