



AGENDA

Meeting of the Scotts Valley City Council

REMOTE ACCESS ONLY

Date: April 6, 2022

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/83794447908 <i>See information below for how to participate.</i>	The agenda was posted 4-1-2022 at City Hall and on the Internet at www.scottsvalley.org .

PUBLIC ADVISORY REGARDING COVID-19 AND PUBLIC PARTICIPATION

On September 16, 2021, Governor Newsom signed Assembly Bill 361 ("AB 361"), an urgency measure effective upon adoption, amending the Brown Act to allow legislative bodies to continue teleconferencing during a proclaimed State of Emergency, and either state or local officials have imposed or recommended measures to promote social distancing, or the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees. In accordance with AB 361, the Scotts Valley City Council adopted Resolution No. 2007.6 on March 16, 2022 authorizing the continued use of teleconferenced meetings pursuant to AB 361. Elected Officials and City Staff Members will be participating remotely via videoconference.

Public Participation:

The meeting will be available on Zoom. 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/83794447908>
- 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: 837 9444 7908

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@scottsdale.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
Donna Lind, Mayor Jim Reed, Vice Mayor Jack Dilles, Council Member Randy Johnson, Council Member Derek Timm, Council Member	Mali LaGoe, City Manager Casey Estorga, Administrative Services Director Kirsten Powell, City Attorney Steve Walpole, Chief of Police Taylor Bateman, Community Development Director Chris Lamm, Public Works Director/City Engineer Lauren Lambert, Deputy City Clerk Jayson Rutherford, Captain

CALL TO ORDER 6:00 PM

MOMENT OF SILENCE

ROLL CALL

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 3-16-2022, 3-22-2022
- B. Approve check registers dated 3-18-2022, 3-25-2022, 4-01-2022
- C. Approve Resolution No. 2007.7 authorizing the continued use of teleconferenced meeting pursuant to Assembly Bill 361
- D. Approve Resolution No. 1955.20 Salary Schedules for the following job classifications: Assistant to the City Manager, Senior Civil Engineer, Associate Civil Engineer and Project Manager
- E. Approve the allocation of the City of Scotts Valley's portion of the opioid settlement funding to the County of Santa Cruz for FY 2022/23 and authorize City Manager to enter into an Agreement with the County of Santa Cruz to establish a process for City participation in defining priorities for the use of settlement funds in the region and commitment to provide the City's share of the settlement to the County

ALTERATIONS TO REGULAR AGENDA

Council can remove or add items to the Regular Agenda.

REGULAR AGENDA

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

- 1. Presentation of Scotts Valley Police Department Lexipol Policy #706 – Military Equipment Use. (Captain Jayson Rutherford)
- 2. Future Council agenda items
(This portion of the Regular Agenda allows the Council to determine items to be placed on a future agenda and to choose a date, if so desired.)

ADJOURNMENT

ADA NOTICE

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

PROCEDURAL INFORMATION FOR THE PUBLIC

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

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

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

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

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

Unless otherwise determined by the presiding officer of the meeting:

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



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MINUTES

Meeting of the Scotts Valley City Council

Date: March 16, 2022

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 3-11-2022 at City Hall and on the Internet at www.scottsvally.org .

CALL TO ORDER 6:00 PM

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

MOMENT OF SILENCE

ROLL CALL

ELECTED OFFICIALS PRESENT:

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

CITY STAFF MEMBERS PRESENT:

Mali LaGoe, City Manager
Kirsten Powell, City Attorney
Steve Walpole, Chief of Police
Taylor Bateman, Community Development Director
Casey Estorga, Administrative Services Director
Chris Lamm, Public Works Director/City Engineer
Lauren Lambert, Deputy City Clerk

SPECIAL SET MATTER(S)

- a) Mayor Lind presented a Mayor's Proclamation recognizing Bleeding Disorders Awareness Month – March 2022
- b) Mayor Lind presented a Mayor's Proclamation recognizing March 15, 2022 as Equal Pay Day

COMMITTEE REPORTS

CM Dilles reported he attended a meeting of the Area Agency on Aging Advisory Council and discussed choosing a provider of nutrition services to seniors.

CM Timm reported he attended a meeting of the Association of Monterey Bay Area Governments (AMBAG) and discussed the budgets. AMBAG is still waiting to hear back from the California Department of Housing and Community Development on the Regional Housing Needs allocations and are expecting them to approve the allocations.

CM Timm reported he attended a meeting of the Towncenter Subcommittee and discussed the Innovating Commerce Serving Communities (ICSC) convention that CM Timm and CM Johnson attended. The Towncenter Subcommittee also discussed that shortly they should have a final of the Bob Gibbs Report.

CM Timm reported that the Economic Recovery Committee was recognized for exceptional service and was awarded the Organization of the Year from the Scotts Valley Chamber of Commerce. The award will be presented at the Community Awards Gala on May 6, 2022.

CM Johnson reported he attended the Innovating Commerce Serving Communities (ICSC) convention with CM Timm.

Mayor Lind reported there were several Santa Cruz Metropolitan Transit District (SCMTD) meetings regarding Finance, Personnel and Recruitment. SCMTD has selected a new CEO and it will be announced at the March 25th meeting.

Mayor Lind reported she met with the Arts Council of Santa Cruz County and forwarded some information to City Manager LaGoe and Administrative Services Director Estorga about some opportunities for grants and funding.

Mayor Lind reported she attend the Scotts Valley Chamber Awards presentation and looks forward to the Gala on May 6th.

CITY MANAGER REPORT

1. **City Clerk Interviews:** This week interviews were conducted for the City Clerk position.
2. **Parks Volunteer Day:** The signups to volunteer went out this week through social media. It is posted on the Scotts Valley City Facebook page. The Volunteer Day to clean up the parks will be on April 23, 2022.
3. **Study Session:** The City Council Study Session to discuss the Strategic Plan 2022 will be on Tuesday the 22nd at 5:00 - 7:00 PM in person in the City Council Chambers.

PUBLIC COMMENT TIME

No one came forward.

ALTERATIONS TO CONSENT AGENDA

M/S: Timm/Dilles

To approve the Consent Agenda.

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

CONSENT AGENDA

- A. Approve City Council minutes of 3-02-2022
- B. Approve check registers dated 3-04-2022 and 3-11-2022
- C. Approve Resolution No. 2007.6 authorizing the continued use of teleconferenced meetings pursuant to Assembly Bill 361
- D. Approve second reading and adoption of Ordinance No. 110.7 Amending Sections 10.08.020 and 10.18.020 of Title 10 of The Scotts Valley Municipal Code (SVMC) adding private streets subject to vehicle code enforcement

ALTERATIONS TO REGULAR AGENDA

M/S: Dilles/Johnson

To approve the Regular Agenda.

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

REGULAR AGENDA

- 1. Consider approval of the Scotts Valley Unified School District Mutual Cooperation Agreement for before and after school childcare

Public Works Director Chris Lamm presented the staff report with a PowerPoint and answered questions from Council.

M/S: Timm/Dilles

To approve the Scotts Valley Unified School District Mutual Cooperation Agreement with Scotts Valley Unified School District (SVUSD) in an amount not to exceed \$259,963 and appropriate \$124,885 of unassigned General Fund to meet the agreement obligations for FY 21/22

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

2. Receive Fiscal Year 2020-2021 Annual Comprehensive Financial Report (ACFR) and receive Fiscal Year 2021-2022 Mid-Year Financial Report, including Proposed Budget Amendments. Consider Approval of Resolution No. 630.41.1 amending the FY 2021-22 Annual Budget

Administrative Services Director Casey Estorga presented the staff report with a PowerPoint and answered questions from Council.

Public Comment: Scotts Valley Resident Piret Harmon came forward to ask if on a slide the information was talking about FY 21/22 or FY 22/23.

Administrative Services Director Casey Estorga confirmed it was FY 22/23 budget.

M/S: Dilles/Johnson

***To accept the Annual Comprehensive Financial Report for Fiscal Year 2020-21
Carried 5/0: (AYES: Dilles, Johnson, Lind, Reed, Timm)***

M/S: Dilles/Johnson

To accept the Fiscal Year 2021-22 Mid-Year Financial Report through December 31, 2021

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

M/S: Dilles/Johnson

To approve Resolution No. 630.41.1 amending the Fiscal Year 2021-22 Adopted Budget

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

3. Consider approval of the Housing Element 2021 Annual Progress Report and authorize the submittal of the Annual Progress Report to the Department of Housing and Community Development and State Office of Planning and Research

Contract Planner Jonathan Kwan presented the staff report with a PowerPoint and answered questions from council.

Public Comment: Affordable Housing Now representative Tim Willoughby came forward to make comments on the number of units that are included in affordable housing.

M/S: Dilles/Timm

To authorize the submittal of the 2021 Annual Progress Report (APR) to the Department of Housing and Community Development (HCD) and State Office of Planning and Research (OPR)

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

4. 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.)

None.

ADJOURNMENT

The meeting adjourned at 7:36 p.m.

Approved: _____
Donna Lind, Mayor

Attest: _____
Lauren Lambert, Deputy City Clerk



MINUTES

Special Study Session of the Scotts Valley City Council

Date: March 22, 2022

Time: 5:00 PM

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066	The agenda was posted 3-18-2022 at City Hall and on the Internet at www.scottsvally.org .

CALL TO ORDER 5:00 PM

The meeting was called to order at 5:03 p.m.

MOMENT OF SILENCE

ROLL CALL

ELECTED OFFICIALS PRESENT:
Donna Lind, Mayor
Jim Reed, Vice Mayor
Jack Dilles, Council Member
Randy Johnson, Council Member
Derek Timm, Council Member

CITY STAFF MEMBERS PRESENT:
Mali LaGoe, City Manager
Kirsten Powell, City Attorney
Steve Walpole, Chief of Police
Taylor Bateman, Community Development Director
Casey Estorga, Administrative Services Director
Chris Lamm, Public Works Director/City Engineer
Lauren Lambert, Deputy City Clerk

PUBLIC COMMENT TIME

No one came forward.

SPECIAL SET MATTER

1. Study Session: Strategic Plan 2022

City Manager LaGoe presented the written staff report along with a PowerPoint and answered questions from Council.

ADJOURNMENT

The meeting adjourned at 7:15 p.m.

Approved: _____
Donna Lind, Mayor

Attest: _____
Lauren Lambert, Deputy City Clerk

AGENDA ITEM B
DATE: 04-06-2022

SCOTTS VALLEY ACCOUNTS PAYABLE
03/18/2022 13:01:22 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.17 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 031822 COMMENT... 03/18/22 A/P

DATA-JE-ID DATA COMMENT

W-03182022-669 03/18/22 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				
	003342 ACCENT CLEAN & SWEEP INC	123613	03/18/22	2,335.30	
	003497 ALVAREZ INDUSTRIES, INC	123614	03/18/22	451.00	
	000097 AT&T	123615	03/18/22	33.97	
	000614 BATTERIES + BULBS #314	123616	03/18/22	122.93	
	001954 BMI	123617	03/18/22	391.00	
	000021 BOWMAN & WILLIAMS	123618	03/18/22	9,065.00	
	003982 BROWN/FORREST	123619	03/18/22	68.00	
	003714 CAPITOLA/CITY OF	123620	03/18/22	17,638.86	
	004078 CHRIS WILSON PLUMBING &	123621	03/18/22	7,448.34	
	002091 COMCAST	123622	03/18/22	323.25	
	002091 COMCAST	123623	03/18/22	169.63	
	002091 COMCAST	123624	03/18/22	331.33	
	003043 CSG CONSULTANTS, INC	123625	03/18/22	109,213.61	
	000389 DASSEL'S PETROLEUM INC	123626	03/18/22	5,501.69	
	001362 DUNCAN AUTO TECH	123627	03/18/22	99.46	
	000054 EWING IRRIGATION PRODUCT	123628	03/18/22	440.46	
	001881 GRAINGER	123629	03/18/22	358.33	
	004023 HOUSEKEYS, INC.	123630	03/18/22	10,000.00	
	003969 HULME PROFESSIONAL	123631	03/18/22	1,100.00	
	004041 INTERWEST CONSULTING GRO	123632	03/18/22	7,607.50	
	001973 JOHNSON/RANDY	123633	03/18/22	60.99	
	003292 KIMLEY-HORN & ASSOCIATES	123634	03/18/22	38,267.81	
	003914 LAND TRUST OF SANTA CRUZ	123635	03/18/22	20,000.00	
	003389 LOCKE/CERINA	123636	03/18/22	35.90	
	003913 LONG/AMANDA	123637	03/18/22	178.40	
	003942 M-GROUP	123638	03/18/22	29,522.50	
	003756 MICHAEL BAKER INTERNATIO	123639	03/18/22	13,687.70	
	003171 MICHALAK/GENE	123640	03/18/22	125.00	
	000101 PACIFIC GAS & ELECTRIC C	123641	03/18/22	191.17	
	000101 PACIFIC GAS & ELECTRIC C	123642	03/18/22	174.52	
	003572 REGIONAL GOVERNMENT SERV	123643	03/18/22	8,496.00	
	004038 SIGNET TESTING LABORATOR	123644	03/18/22	1,119.25	
	003928 SOUTH BAY REGIONAL PUBLI	123645	03/18/22	210.00	
	002053 STEPFORD	123646	03/18/22	1,127.50	
	003973 THOMAS/TYLER	123647	03/18/22	456.50	
	001106 VERIZON WIRELESS	123648	03/18/22	942.23	
	003924 VIRTUAL PROJECT MANAGER	123649	03/18/22	1,000.00	
	003971 WIZIX TECHNOLOGY GROUP,	123650	03/18/22	790.20	
	001625 YOSHIDA DDS/NOREEN	123651	03/18/22	200.00	
	GENERAL CHECKING ACCOUNT			289,285.33	***

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				289,285.33

RECORDS PRINTED - 000070

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
----	-----	
001	GENERAL	225,089.98
002	RECYCLING/ENVIRONMENTAL	2,335.30
004	RECREATION	195.00
010	WASTEWATER OPERATIONS	542.94
019	AFFORDABLE HOUSING	10,000.00
025	GENERAL TRUST	38,267.81
028	SENIOR CENTER	169.63
088	LIBRARY FACILITIES-MEAS "S"	1,119.25
112	DENTAL INS INTERNAL SERV	1,934.90
123	COMMUNITY FACILITY CENTER	565.52
150	GENERAL CAPITAL IMPROVEMENTS	9,065.00
TOTAL ALL FUNDS		289,285.33

BANK RECAP:

BANK	NAME	DISBURSEMENTS
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BA	GENERAL CHECKING ACCOUNT	289,285.33
TOTAL ALL BANKS		289,285.33

SCOTTS VALLEY ACCOUNTS PAYABLE
03/25/2022 11:08:20 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.17 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 032522 COMMENT... 03/25/2022 A/P

DATA-JE-ID DATA COMMENT

W-03252022-684 03/25/2022 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			
	003919 ACCO ENGINEERED SYSTEMS	123652	03/25/22	1,372.18
	003597 ADAMS ASHBY GROUP, INC	123653	03/25/22	312.50
	001219 ALHAMBRA	123654	03/25/22	169.81
	001219 ALHAMBRA	123655	03/25/22	97.47
	.15853 AMERICAN RIVER COLLEGE	123656	03/25/22	272.00
	003436 APPLIED CONCEPTS, INC	123657	03/25/22	1,029.71
	001670 AT &T	123658	03/25/22	307.40
	000097 AT&T	123659	03/25/22	128.11
	000614 BATTERIES + BULBS #314	123660	03/25/22	116.79
	001216 C & N TRACTORS	123661	03/25/22	36.49
	001633 CAL-WEST LIGHTING & SIGN	123662	03/25/22	4,033.21
	001553 CARD SHARK INC/THE	123663	03/25/22	1,983.18
	004080 CARL V. PRIMAVERA, D.D.S	123664	03/25/22	220.80
	000773 CENTRAL COAST LANDSCAPE	123665	03/25/22	766.00
	001051 COASTAL EVERGREEN CORP	123666	03/25/22	1,285.00
	001546 CRAIG/ROBERT J	123667	03/25/22	600.00
	000054 EWING IRRIGATION PRODUCT	123668	03/25/22	320.12
	004039 GARNER/SCOTT	123669	03/25/22	904.00
	000801 HINDERLITER, DE LLAMAS &	123670	03/25/22	300.00
	004041 INTERWEST CONSULTING GRO	123671	03/25/22	6,630.00
	004079 KARNO/JENNIFER	123672	03/25/22	3,350.42
	001660 KING/KATI	123673	03/25/22	93.91
	001372 KURATOMI DDS/REED K	123674	03/25/22	474.40
	000078 LLOYD'S TIRE SERVICE INC	123675	03/25/22	1,210.15
	003685 MONTEREY BAY ANALYTICAL	123676	03/25/22	65.00
	000323 NBS GOVERNMENT FINANCE G	123677	03/25/22	6,727.07
	001872 NORTH CENTRAL LABORATORI	123678	03/25/22	369.23
	001615 OLIN CORP-CHLOR ALKALI	123679	03/25/22	2,542.47
	004045 PHILLIP D NEUMAN	123680	03/25/22	2,818.00
	001857 PHOENIX GROUP	123681	03/25/22	367.13
	003117 PRIORITY 1 PUBLIC SAFETY	123682	03/25/22	600.00
	001894 S.V. WATER DISTRICT - BU	123683	03/25/22	73.66
	001544 SANTA CRUZ COUNTY CONFER	123684	03/25/22	19,963.15
	000319 SCOTTS VALLEY CAR WASH	123685	03/25/22	169.85
	000133 SCOTTS VALLEY SPRINKLER	123686	03/25/22	24.12
	000228 SOIL CONTROL LAB	123687	03/25/22	408.00
	002053 STEPFORD	123688	03/25/22	607.50
	001844 STERLING WATER TECHNOLOG	123689	03/25/22	2,376.00
	004020 STOEBERL/NICHOLAS	123690	03/25/22	21.00
	000882 SUPERIOR ALARM COMPANY	123691	03/25/22	79.50
	004081 SVCS CYCLE SPORT	123692	03/25/22	12,160.00
	001085 SYCAL ENGINEERING INC	123693	03/25/22	2,095.94
	000646 UNDERGROUND SERVICE ALER	123694	03/25/22	779.74
	001831 USA BLUE BOOK	123695	03/25/22	265.85
	001106 VERIZON WIRELESS	123696	03/25/22	276.94
	GENERAL CHECKING ACCOUNT			78,803.80 ***

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
03/25/2022 11:08:20
GL540R-V08.17 PAGE 2

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				78,803.80

RECORDS PRINTED - 000063

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
03/25/2022 11:08:20
GL060S-V08.17 RECAPPAGE

Check Register

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
----	-----	
001	GENERAL	60,006.35
004	RECREATION	79.50
010	WASTEWATER OPERATIONS	8,619.92
011	TERTIARY TREATMENT PLANT	2,867.24
023	SVRDA SUCCESSOR AGENCY	1,934.94
050	PINEWOOD EST LNDSCP MAINT DT	766.00
090	SV DRIVE A REDEMPTION	2,930.65
112	DENTAL INS INTERNAL SERV	1,599.20
TOTAL ALL FUNDS		78,803.80

BANK RECAP:

BANK	NAME	DISBURSEMENTS
----	-----	
BA	GENERAL CHECKING ACCOUNT	78,803.80
TOTAL ALL BANKS		78,803.80

SCOTTS VALLEY ACCOUNTS PAYABLE
04/01/2022 14:29:11 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.17 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 040122 COMMENT... 04/01/2022 A/P

DATA-JE-ID DATA COMMENT

W-04012022-710 04/01/2022 A/P

Run Instructions:

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

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
000041	ACC BUSINESS	123698	04/01/22	1,789.61
003919	ACCO ENGINEERED SYSTEMS	123699	04/01/22	330.00
001405	AFLAC-FLEX ONE	123700	04/01/22	1,416.18
004057	ANDREWS/SELINA	123701	04/01/22	50.00
004029	ARMSTRONG/AMANDA	123702	04/01/22	50.00
001670	AT & T	123703	04/01/22	179.10
000097	AT&T	123704	04/01/22	878.43
003746	AVENU HOLDINGS, LLC	123705	04/01/22	2,029.09
004035	BABCOCK/COLTON	123706	04/01/22	50.00
001928	BATEMAN/TAYLOR	123707	04/01/22	50.00
001373	BAY TREE, LLC	123708	04/01/22	3,620.38
004067	BEERS/OLIVIA	123709	04/01/22	50.00
001066	BEHAVIORAL HEALTH CARE I	123710	04/01/22	226.00
001391	BIXBY DDS/LINDY	123711	04/01/22	139.00
003170	BOGARD CONSTRUCTION INC	123712	04/01/22	4,000.00
004083	BRIGHTVIEW LANDSCAPE	123713	04/01/22	7,180.08
000018	BRINK'S AWARDS & SIGNS	123714	04/01/22	27.31
003894	BURKE, WILLIAMS & SORENS	123715	04/01/22	2,529.00
001566	BUSINESS WITH PLEASURE	123716	04/01/22	901.83
000756	CENTRAL HOME SUPPLY	123717	04/01/22	296.13
003887	CHEUNG/ATHENA	123718	04/01/22	50.00
002091	COMCAST	123719	04/01/22	148.31
000975	DEAN/MICHAEL R.	123720	04/01/22	50.00
001362	DUNCAN AUTO TECH	123721	04/01/22	1,677.51
000191	EMPLOYMENT DEV. DEPT.	123722	04/01/22	144.96
004005	ESTORGA/CASEY	123723	04/01/22	232.00
000582	FERRARA/TRACY A.	123724	04/01/22	942.00
003253	FIRST ALARM	123725	04/01/22	123.15
001881	GRAINGER	123726	04/01/22	640.95
003706	GRANADOS/JUSTIN	123727	04/01/22	50.00
001817	GROUP 4	123728	04/01/22	27,257.36
004084	HANSON ASSOCIATES ASSET	123729	04/01/22	3,901.52
004059	HAROS/JOANNA	123730	04/01/22	50.00
003944	HEBARD/TYLER	123731	04/01/22	50.00
003980	HUTCHISON/TREVOR	123732	04/01/22	432.82
003737	J. GARDNER & ASSOCIATES	123733	04/01/22	378.88
001903	JONES/KIMARIE	123734	04/01/22	92.12
001660	KING/KATI	123735	04/01/22	50.00
000077	LADD'S TOWING INC	123736	04/01/22	180.00
004018	LAMBERT/LAUREN	123737	04/01/22	50.00
004046	LAMM/CHRIS	123738	04/01/22	50.00
003761	LEDGER/CHASE	123739	04/01/22	50.00
003389	LOCKE/CERINA	123740	04/01/22	50.00
003913	LONG/AMANDA	123741	04/01/22	50.00
001591	MARKELL/ROD	123742	04/01/22	1,974.00
001815	MC GRATH/TRISH	123743	04/01/22	50.00
000218	MID VALLEY SUPPLY	123744	04/01/22	235.20
003766	ORMONDE/ROBERT	123745	04/01/22	709.24

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
	000102 PITNEY BOWES GLOBAL	123746	04/01/22	550.98	
	001097 PRODESSE PROPERTY GROUP	123747	04/01/22	3,523.52	
	004082 PYRO SPECTACULARS NORTH,	123748	04/01/22	11,250.00	
	000463 RALEY'S	123749	04/01/22	80.74	
	.15856 ROTARY CLUB OF SCOTTS VA	123750	04/01/22	500.00	
	001118 RUTHERFORD/JAYSON	123751	04/01/22	50.00	
	000134 S.V. WATER DISTRICT	123752	04/01/22	3,745.40	
	001364 SANTA CRUZ COUNTY	123753	04/01/22	10,166.20	
	003658 SANTA CRUZ OCCUPATIONAL	123754	04/01/22	130.00	
	000128 SCARBOROUGH LUMBER	123755	04/01/22	1,519.37	
	002065 SOTO/ART	123756	04/01/22	50.00	
	004026 STEELE-FREITAS/SETH	123757	04/01/22	50.00	
	003973 THOMAS/TYLER	123758	04/01/22	50.00	
	.15855 TRACI PISCIOTTA	123759	04/01/22	500.00	
	000151 VISION SERVICE PLAN	123760	04/01/22	997.50	
	003145 WAGE WORKS	123761	04/01/22	50.00	
	003971 WIZIX TECHNOLOGY GROUP,	123762	04/01/22	748.46	
	004085 WOODMAN/ROBIN	123763	04/01/22	28.33	
	GENERAL CHECKING ACCOUNT			99,452.66	***

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				99,452.66

RECORDS PRINTED - 000144

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
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001	GENERAL	50,910.36
004	RECREATION	1,397.87
010	WASTEWATER OPERATIONS	4,022.10
019	AFFORDABLE HOUSING	1,974.00
023	SVRDA SUCCESSOR AGENCY	7,143.90
028	SENIOR CENTER	648.02
077	SKYPARK MAINT ASSESS DIST	152.03
088	LIBRARY FACILITIES-MEAS "S"	31,257.36
112	DENTAL INS INTERNAL SERV	1,263.00
123	COMMUNITY FACILITY CENTER	305.14
312	POLICE - BUDGET ACT OF 2016	378.88
TOTAL ALL FUNDS		99,452.66

BANK RECAP:

BANK	NAME	DISBURSEMENTS
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BA	GENERAL CHECKING ACCOUNT	99,452.66
TOTAL ALL BANKS		99,452.66

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: April 6, 2022

TO: Honorable Mayor and City Council

FROM: Kirsten M. Powell, City Attorney

SUBJECT: CONTINUED VIRTUAL MEETINGS FOR CITY COUNCIL AND APPOINTED BOARDS

SUMMARY OF ISSUE

On October 26, 2021, the City Council passed Resolution No. 2007 authorizing continued virtual meetings and extended those meetings on November 17, 2021, December 15, 2021, January 12, 2022, February 2, 2022, March 2, 2022 and March 16, 2022, by Resolution Nos. 2007.1, 2007.2, 2007.3, 2007.4, 2007.5 and 2007.6. Pursuant to AB 361, legislative bodies may use teleconferencing to conduct public meetings during a proclaimed State of Emergency, as defined under the California Emergency Services Act, if one of the following circumstances apply: (A) State or local officials have imposed or recommended measures to promote social distancing; (B) The legislative body is meeting to determine whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (C) The legislative body has determined that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

At this point, the State of Emergency the Governor proclaimed on March 4, 2020 is still in effect today and the recommended measures to promote social distancing are still in place. Although the infection rates are beginning to decrease, the threat continues. Although the spread of the Omicron variant has waned, a subvariant of Omicron has recently been identified which is spreading.

The City currently does not have the technological capabilities to hold hybrid meetings so anyone wanting to participate in the meetings would have to attend in person. As a result, holding public meetings of the City Council or other appointed bodies in person continues to present imminent risks to the health and safety of attendees.

FISCAL IMPACT

There is no fiscal impact associated with continuing virtual meetings.

STAFF RECOMMENDATION

Adopt Resolution No. 2007.7 confirming the need for virtual meetings pursuant to AB 361.

TABLE OF CONTENTS

PAGE

Resolution No. 2007.7	2
-----------------------------	---

RESOLUTION NO. 2007.7
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY
AUTHORIZING THE CONTINUED USE OF TELECONFERENCED MEETINGS
PURSUANT TO ASSEMBLY BILL 361

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency, pursuant to the Emergency Services Act, in response to the COVID-19 pandemic; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended certain requirements of Government Code section 54950 *et seq.*, the Ralph M. Brown Act ("Brown Act"), in order to allow local legislative bodies to conduct meetings telephonically or electronically without a physical meeting place; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, providing that the provision suspending the Brown Act requirements in Executive Order N-29-20 would remain in effect through September 30, 2021, at which point the suspension would expire; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 ("AB 361"), an urgency measure effective upon adoption, amending the Brown Act to allow legislative bodies to continue teleconferencing during a proclaimed State of Emergency, and either state or local officials have imposed or recommended measures to promote social distancing, or the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees;

WHEREAS, the State of Emergency proclaimed by the Governor on March 4, 2020, remains in effect; and

WHEREAS, state and local officials have imposed and/or recommended measures to promote social distancing; and

WHEREAS, people who are fully vaccinated are currently not required to wear masks indoors but those who are not fully vaccinated must continue to wear masks; and

WHEREAS, although the Omicron variant appears to be waning, a new subvariant has been identified which is rapidly spreading and may be more contagious than the Omicron variant; and

WHEREAS, on October 26, 2021, the City Council of the City of Scotts Valley passed Resolution No. 2007 to continue the use of virtual meetings and confirmed the need for virtual meetings on November 17, 2021, with passage of Resolution No. 2007.1, on December 15, 2021, with the passage of Resolution No. 2007.2, on January 12, 2022, with the passage of Resolution No. 2007.3, on February 2, 2022, with the passage of Resolution No. 2007.4, with the passage of Resolution No. 2007.5 on March 2, 2022, and with the passage of Resolution No. 2007.6 on March 16, 2022; and

WHEREAS, the City Council of the City of Scotts Valley hereby finds and determines that the above conditions continue to create an imminent risk to the health and safety of attendees should they be required to attend meetings in person in a shared indoor public meeting space; and

WHEREAS, the City Council wishes to authorize remote meetings as set forth in this Resolution.

NOW THEREFORE, be it resolved by the City Council of the City of Scotts Valley as follows:

A. The City hereby acknowledges the Governor of the State of California's Proclamation of State of Emergency related to the COVID-19 pandemic remains in effect; and

B. The City finds that due to the continued threat of COVID-19 transmission in the community, holding in person meetings for the City Council and other appointed bodies of the City of Scotts Valley would present imminent risks to the health or safety of attendees.

C. The City Council and other appointed bodies of the City of Scotts Valley are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

D. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) thirty days from the adoption of this Resolution, or (ii) such time the City Council adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the City Council and the appointed bodies of the City of Scotts Valley may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

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 6th day of April, 2022 by the following vote:

AYES:

NOES

ABSENT:

ABSTAIN:

Approved: _____
Donna Lind, Mayor

Attest: _____
Lauren Lambert, Deputy City Clerk

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: April 6, 2022

TO: Honorable Mayor and City Council

FROM: Casey Estorga, Administrative Services Director

SUBJECT: **APPROVE SALARY SCHEDULES FOR THE FOLLOWING JOB CLASSIFICATIONS: Assistant to the City Manager, Senior Civil Engineer, Associate Civil Engineer, and Project Manager**

SUMMARY OF ISSUE

As the City of Scotts Valley emerges from the COVID-19 pandemic, which has shown greater economic stability than once anticipated, City staff have continued to develop operational plans for Fiscal Year 2021-22 while also preparing for the operational needs and service responsibilities into the future. At the same time, the labor market continues to make some positions difficult to find qualified candidates. As a result, City staff are recommending that the City Council approves salary schedules for these four positions to allow the City to open competitive recruitments for all four, with the hopes that the City will successfully fill two of these positions as we approach Fiscal Year 2022-23; one in the City Manager's office and the second in Public Works.

The recommended changes include introducing a salary schedule for three new positions, Assistant to the City Manager, Senior Civil Engineer, and Project Manager, and amending an existing salary schedule, for Associate Civil Engineer, based on a study of comparable agencies and to concurrently accommodate internal compaction considerations. The proposed salary schedule for each respective position is shown below:

ASSISTANT TO THE CITY MANAGER

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Recommended	\$7,803	\$8,193	\$8,603	\$9,033	\$9,485	\$9,959	\$10,457

SENIOR CIVIL ENGINEER

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Recommended	\$8,417	\$8,838	\$9,280	\$9,744	\$10,231	\$10,742	\$11,280

ASSOCIATE CIVIL ENGINEER

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Recommended	\$6,814	\$7,154	\$7,511	\$7,887	\$8,282	\$8,696	\$9,131

PROJECT MANAGER

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Recommended	\$6,814	\$7,154	\$7,511	\$7,887	\$8,282	\$8,696	\$9,131

Establishing salary schedules for these positions, and thus creating a chance for the City to open competitive recruitments, will allow the City to embark on numerous projects, including capital projects, that staff historically could not undertake due to various capacity and/or general staffing limitations. This includes projects authorized in the FY 2021-22 Amended Budget and projects that will be recommended in the FY 2022-23 Proposed Budget.

The Assistant to the City Manager will report to the City Manager and will be part of the Management and Confidential Employee group.

The Senior Civil Engineer will report to the Public Works Director and will be part of the Mid-Management Association.

The Associate Civil Engineer is currently in the Mid-Management Association and will report to the Senior Civil Engineer.

The Project Manager will report to the Public Works Director and will be part of the Mid-Management Association.

Staff's recommendation to update salaries for a collection of Public Works positions will provide flexibility for the City Manager and Public Works Director when conducting recruitments to fill one new position in Public Works. This will ensure the City attracts the best candidate across these levels, including by developing a team with skillsets that complement each other while meeting the City's dynamic need for services.

Once the salary schedules are approved by the City Council, the City Manager will finalize job descriptions for each position and direct staff to immediately commence recruitments.

FISCAL IMPACT

Costs for these positions have been included in the FY 2021-22 Amended Budget. Future costs will be included in subsequent budgets, subject to consideration and approval by the City Council during the annual budget process.

STAFF RECOMMENDATION

It is recommended that the City Council approve Resolution No. 1955.20 approving the Salary Schedules for the positions of Assistant to the City Manager, Senior Civil Engineer, Associate Civil Engineer, and Project Manager.

TABLE OF CONTENTS

PAGE

Resolution No. 1955.20.....	3
-----------------------------	---

002

RESOLUTION NO. 1955.20

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING THE SALARY SCHEDULE FOR THE ASSISTANT TO THE CITY MANAGER; AND SENIOR CIVIL ENGINEER; AND ASSOCIATE CIVIL ENGINEER; AND PROJECT MANAGER JOB CLASSIFICATIONS

WHEREAS, the economic impacts of the COVID-19 pandemic have steadied and City staff have analyzed the organization's and community's evolving needs; and

WHEREAS, staff have identified the Assistant to the City Manager, Senior Civil Engineer, Associate Civil Engineer, and Project Manager as key positions to lead special projects and capital projects in the current Fiscal Year and in the future; and

WHEREAS, approving the salary schedule for these positions will provide the City Manager and Public Works director with staff to respond to the community's needs; and

WHEREAS, an amendment to the salary schedule for these positions is in the best interest of the City to recruit and retain top-tier talent; and

WHEREAS, City Council approval is needed to amend a Salary Schedule.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Scotts Valley that the Salary Schedule for the Assistant to the City Manager, Senior Civil Engineer, Associate Civil Engineer, and Project Manager is hereby approved as follows:

ASSISTANT TO THE CITY MANAGER

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Recommended	\$7,803	\$8,193	\$8,603	\$9,033	\$9,485	\$9,959	\$10,457

SENIOR CIVIL ENGINEER

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Recommended	\$8,417	\$8,838	\$9,280	\$9,744	\$10,231	\$10,742	\$11,280

ASSOCIATE CIVIL ENGINEER

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Recommended	\$6,814	\$7,154	\$7,511	\$7,887	\$8,282	\$8,696	\$9,131

PROJECT MANAGER

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Recommended	\$6,814	\$7,154	\$7,511	\$7,887	\$8,282	\$8,696	\$9,131

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a meeting held on the 6th day of April, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____

Donna Lind,
Mayor

Attest: _____

Lauren Lambert,
Deputy City Clerk

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: April 6, 2022

TO: Honorable Mayor and City Council

FROM: Mali LaGoe, City Manager

SUBJECT: Allocation of Opioid Settlement Funding

SUMMARY OF ISSUE

States and cities across the United States brought litigation against the three largest pharmaceutical distributors of opioid painkillers, Amerisource Bergen, Cardinal Health, and McKesson (the “Distributors”), and the opioid painkiller manufacturer, Janssen (owned by Johnson & Johnson) (“Janssen”), which has resulted in two proposed settlements totaling approximately \$26 billion dollars.

Scotts Valley has opted into the settlements, thereby releasing its claims against the Distributors and Janssen, in order to receive up to approximately \$13,500 per year for eighteen years.

Funds must be spent on activities to abate the impacts of the opioid crisis, such as providing matching funds for operating costs for substance use disorder (SUD) facilities, creating new or expanded SUD treatment infrastructure, addressing the needs of communities of color and vulnerable populations that are disproportionately impacted by SUD, preventing addiction in vulnerable youth, and dispensing Narcan.

The City can either allow the funds to be used by the County of Santa Cruz or elect to use the funds itself subject to reporting requirements to the state.

The proposed settlement totaling approximately \$26 billion dollars is broken into two separate settlement agreements: (1) the Distributors Deal (Attachment 1); and (2) the Janssen Deal (Attachment 2.) The Distributors will pay approximately \$21 billion over 18 years and Janssen will pay approximately \$5 billion over 7 years.

California will receive up to approximately \$2.263 billion.

California counties and cities have been allocated approximately \$1,924,335,062, which is 85% of the total amount allocated to California. The City of Scotts Valley has been allocated up to \$243,476. This total amount will be disbursed over 18 years, an average of approximately \$13,500 per year.

To better understand options for the use of the settlement funding, staff met with representatives from Santa Cruz County Behavioral Health. Given the structure of the settlement agreements, the majority of the funding in the agreements will be allocated to the County, and Behavioral Health staff emphasized the value of

pooling the funding to best address substance abuse issues regionally.

The County also proposed that cities that allocate their portion of the settlement funding to the County could enter an Agreement that called for stakeholder input about funding priorities. Under the agreement the City would participate in the stakeholder process to establish priorities and allocation of settlement funds. Under the proposed Agreement, City may elect to directly receive settlement funding in future years, provided City staff first meets with the County to discuss any concerns about the process or use of the Settlement Funds.

Further, County staff discussed how utilizing their structure could allow more of the funding to be matched with Federal Medicare dollars.

Given the amount of money the City of Scotts Valley is eligible to receive, the proposed Agreement with the County, Behavioral Health staff expertise in substance-use disorder services, and the onerous reporting requirements associated with directly receiving the funding, staff recommends the City's portion of the settlement funding be directed to the County to provide enhanced services regionally, including within the City of Scotts Valley.

FISCAL IMPACT

The Settlements allocate up to \$243,476 to the City, disbursed over 18 years resulting in an average of approximately \$13,500 per year. This level of funding is unlikely to offset costs associated with establishing Scotts Valley-specific programs to address impacts of the opioid crisis. The recommended action will have no direct fiscal impact other than a limited amount of staff time to participate in the Countywide Stakeholder group described in the Agreement.

STAFF RECOMENDATION

Authorize the allocation of the City of Scotts Valley's portion of opioid settlement funding to the County of Santa Cruz for FY 2022/23, and authorize the City Manager to enter into an Agreement with the County of Santa Cruz to establish a process for City participation in defining priorities for the use of settlement funds in the region and a commitment to provide the City's share of the settlement to the County.

TABLE OF CONTENTS

PAGE

Agreement Among the County of Santa Cruz and the Cities of Santa Cruz, Scotts Valley, Capitola and Watsonville for the Use of Opioid Settlement Funds.....	3
--	---

**AGREEMENT AMONG THE COUNTY OF SANTA CRUZ
AND THE CITIES OF SANTA CRUZ, SCOTTS VALLEY,
CAPITOLA AND WATSONVILLE FOR THE USE OF
OPIOID SETTLEMENT FUNDS**

WHEREAS, in the United States last year, over 100,000 people died because of an opioid addiction, representing a twenty-five (25) percent increase over the prior year.

WHEREAS, the CITIES OF SANTA CRUZ, WATSONVILLE, SCOTTS VALLEY AND CAPITOLA (together “CITIES” and individually “CITY”) and the COUNTY OF SANTA CRUZ (“COUNTY”) have been significantly impacted by the opioid epidemic through residents suffering from addiction and loss of life, and high demands for substance use disorder services in which the COUNTY has invested significant funding to support.

WHEREAS, CITIES and COUNTY have a mutual interest in best supporting the needs of individuals who would benefit from timely access to evidence based substance use disorder treatment.

WHEREAS, in 2017, multiple public agencies sued distributors AmerisourceBergen, Cardinal Health and McKesson and manufacturer Janssen Pharma, alleging damages caused by years of opioid marketing, sales, and overprescribing in their respective communities. Several of the lawsuits were consolidated in *In re: National Prescription Opiate Litigation* (U.S.D.C. Case No. 1:17-CV-2804). The parties settled in July 21, 2021. Pursuant to the settlement agreement (Settlement Agreement), the manufacturer and distributors have agreed to provide funding (Settlement Funds) to states to support ongoing treatment and services for individuals with a substance use disorder.

WHEREAS, pursuant to the Settlement Agreement, COUNTY and CITIES are entitled to a portion of the Settlement Funds. Initially, all Settlement Funds allocated to the State will be distributed to COUNTY. If CITIES take no action, COUNTY retains the Settlement Funds. If a CITY wants to receive its portion of the Settlement Funds, it must elect to do so each year by following the procedures dictated by the Settlement Administrator. The Settlement Funds must be used for services described in Exhibit E to the Settlement Agreement, “List of Opioid Remediation Uses,” or any additional priority areas added by the California Department of Healthcare Services (DHSC). A true and correct copy of Exhibit E to the Settlement Agreement is attached hereto.

WHEREAS, the State of California has established five (5) key priority areas for the use of the Settlement Funds:

1. The provision of matching funds or operating costs for substance use disorder facilities within the Behavioral Health Continuum Infrastructure Program;
2. Creating new or expanded substance use disorder (SUD) treatment infrastructure;
3. Addressing the needs of communities of color and vulnerable populations (including sheltered and unsheltered homeless populations) that are disproportionately impacted by SUD;

4. Diversion of people with SUD from the justice system into treatment, including by providing training and resources to first and early responders and implementing best practices for outreach, diversion and deflection, employability, restorative justice, and harm reduction; and
5. Interventions to prevent drug addiction in vulnerable youth.

WHEREAS, COUNTY has encouraged CITIES to allow their portions of the Settlement Funds to remain with the COUNTY in order to have a greater collective impact and to support the needs of all residents of the County who struggle with substance use. This will support treatment interventions in all geographic areas of the County in accordance with the terms and conditions of the Settlement Agreement.

WHEREAS, the first payment under the Settlement Agreement is anticipated to be made in April of 2022.

NOW, THEREFORE, CITIES and COUNTY agree as follows:

COUNTY OBLIGATIONS

1. COUNTY will utilize all Settlement Funds allocated to the COUNTY directly or allowed to remain with the COUNTY by any CITY (County Funds) in accordance with the terms and conditions of the Settlement Agreement. COUNTY will also adhere to all reporting requirements required by the Settlement Agreement or Settlement Administrator for all County Funds.
2. COUNTY will establish a Stakeholder Group to provide input about how to prioritize the use of County Funds including COUNTY's allocation consistent with the terms and conditions of the Settlement Agreement.
3. COUNTY will ensure that each CITY that leaves all or a portion of the Settlement Funds allocated to that CITY with the COUNTY will have a representative on the Stakeholder Group. The Stakeholder Group will work with COUNTY in establishing multi-year priorities for funding based on the terms and conditions of the Settlement Agreement, and local priorities and needs identified by CITIES.
4. COUNTY will prioritize the use of County Funds as a match for federal matching funds through the Drug Medi-Cal Organized Delivery System waiver to maximize the use of County Funds.
5. COUNTY will work with the Human Services Department (HSD) to explore utilizing the existing Collective of Results and Evidence-based Investments (CORE) funding process to solicit proposals and award contracts for substance use disorder services described in the Settlement Agreement. The next round of CORE begins in 2024. If, for any reason, the established CORE funding process cannot be utilized, COUNTY will establish an alternate process to solicit proposals and award contracts. In either event, COUNTY will ensure that Stakeholder Group input will include consumers and family members, providers of services and elected officials.

6. COUNTY will recommend to Stakeholder Group a multi-year approach to funding based on projected settlement payments and to allow for funded projects to demonstrate their effectiveness over several years.
7. COUNTY will recommend to Stakeholder Group that all proposals selected for funding be required to provide outcomes data to demonstrate the effectiveness of programming supported through this funding process.

CITY OBLIGATIONS

1. CITIES will have the opportunity to designate a lead representative to join the Stakeholder Group.
2. This Agreement does not obligate any CITY to leave any Settlement Funds allocated to the CITY with the COUNTY. Any CITY is permitted to request all or a portion of the Settlement Funds allocated to that CITY, pursuant to the procedures in the Settlement Agreement. In January of any year in which a CITY intends to request its portion of the Settlement Funds for that year, CITY will meet and confer with COUNTY for the purpose of responding to any concerns about the process or the use of the Settlement Funds.
3. In the event that a CITY determines that it is going to retain its portion of the Settlement Funds, that CITY will assume responsibility for the contracting and reporting process under the terms and conditions of the Settlement Agreement.

TERM

The term of this Agreement shall be from February 2022 to January 2027 and will automatically renew thereafter until the final disbursement of the Settlement Funds. However, COUNTY or CITIES have the option of terminating this Agreement at any time by giving all parties to this Agreement thirty (30) days written notice. Any individual CITY may terminate its participation in this Agreement by providing thirty (30) days written notice.

INDEMNIFICATION FOR DAMAGES

To the fullest extent permitted by applicable law, CITIES and COUNTY shall exonerate, indemnify, defend, and hold harmless one another (including, without limitation, its officers, agents, employees and volunteers) from and against any and all claims, demands, losses, damages, defense costs, or liability of any kind or nature which any party to this Agreement may sustain or incur or which may be imposed upon it as a result of, arising out of, or in any manner connected with this Agreement, excepting any liability arising out of the sole negligence of an indemnifying party. Such indemnification includes any damage to the person(s), or property(ies) of any party to this Agreement and third persons.

MISCELLANEOUS

This Agreement, along with any attachments, is the full and complete integration of the parties' agreement forming the basis for this Agreement. The parties agree that this Agreement supersedes any previous written or oral agreements among the parties, and any modifications to this Agreement must be made in a written document signed by all parties. The unenforceability, invalidity, or illegality of any provision(s) of this Agreement shall not render the other provisions unenforceable, invalid or illegal. Waiver by any party of any portion of this Agreement shall not constitute a waiver of any other portion thereof. Any arbitration, mediation, or litigation arising out of this Agreement shall occur in the County of Santa Cruz. This Agreement shall be governed by, and interpreted in accordance with, California law.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year written below.

[Signatures on Following Page]

CITY OF SANTA CRUZ

By: _____
SIGNED

PRINTED

CITY OF WATSONVILLE

By: _____
SIGNED

PRINTED

CITY OF CAPITOLA

By: _____
SIGNED

PRINTED

APPROVED AS TO FORM:

Office of the City Attorney - Watsonville

Office of the City Attorney - Santa Cruz

Office of the City Attorney - Capitola

Office of the City Attorney - Scotts Valley

COUNTY OF SANTA CRUZ

By: _____
SIGNED

PRINTED

CITY OF SCOTTS VALLEY

By: _____
SIGNED

PRINTED

APPROVED AS TO INSURANCE:

Risk Management-County

APPROVED AS TO FORM:

Office of the County Counsel

EXHIBIT E

List of Opioid Remediation Uses

Schedule A Core Strategies

States and Qualifying Block Grantees shall choose from among the abatement strategies listed in Schedule B. However, priority shall be given to the following core abatement strategies (“*Core Strategies*”).¹

A. NALOXONE OR OTHER FDA-APPROVED DRUG TO REVERSE OPIOID OVERDOSES

1. Expand training for first responders, schools, community support groups and families; and
2. Increase distribution to individuals who are uninsured or whose insurance does not cover the needed service.

B. MEDICATION-ASSISTED TREATMENT (“MAT”) DISTRIBUTION AND OTHER OPIOID-RELATED TREATMENT

1. Increase distribution of MAT to individuals who are uninsured or whose insurance does not cover the needed service;
2. Provide education to school-based and youth-focused programs that discourage or prevent misuse;
3. Provide MAT education and awareness training to healthcare providers, EMTs, law enforcement, and other first responders; and
4. Provide treatment and recovery support services such as residential and inpatient treatment, intensive outpatient treatment, outpatient therapy or counseling, and recovery housing that allow or integrate medication and with other support services.

¹ As used in this Schedule A, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs.

C. PREGNANT & POSTPARTUM WOMEN

1. Expand Screening, Brief Intervention, and Referral to Treatment (“*SBIRT*”) services to non-Medicaid eligible or uninsured pregnant women;
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for women with co-occurring Opioid Use Disorder (“*OUD*”) and other Substance Use Disorder (“*SUD*”) / Mental Health disorders for uninsured individuals for up to 12 months postpartum; and
3. Provide comprehensive wrap-around services to individuals with OUD, including housing, transportation, job placement/training, and childcare.

D. EXPANDING TREATMENT FOR NEONATAL ABSTINENCE SYNDROME (“*NAS*”)

1. Expand comprehensive evidence-based and recovery support for NAS babies;
2. Expand services for better continuum of care with infant-need dyad; and
3. Expand long-term treatment and services for medical monitoring of NAS babies and their families.

E. EXPANSION OF WARM HAND-OFF PROGRAMS AND RECOVERY SERVICES

1. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments;
2. Expand warm hand-off services to transition to recovery services;
3. Broaden scope of recovery services to include co-occurring SUD or mental health conditions;
4. Provide comprehensive wrap-around services to individuals in recovery, including housing, transportation, job placement/training, and childcare; and
5. Hire additional social workers or other behavioral health workers to facilitate expansions above.

F. TREATMENT FOR INCARCERATED POPULATION

1. Provide evidence-based treatment and recovery support, including MAT for persons with OUD and co-occurring SUD/MH disorders within and transitioning out of the criminal justice system; and
2. Increase funding for jails to provide treatment to inmates with OUD.

G. PREVENTION PROGRAMS

1. Funding for media campaigns to prevent opioid use (similar to the FDA's "Real Cost" campaign to prevent youth from misusing tobacco);
2. Funding for evidence-based prevention programs in schools;
3. Funding for medical provider education and outreach regarding best prescribing practices for opioids consistent with the 2016 CDC guidelines, including providers at hospitals (academic detailing);
4. Funding for community drug disposal programs; and
5. Funding and training for first responders to participate in pre-arrest diversion programs, post-overdose response teams, or similar strategies that connect at-risk individuals to behavioral health services and supports.

H. EXPANDING SYRINGE SERVICE PROGRAMS

1. Provide comprehensive syringe services programs with more wrap-around services, including linkage to OUD treatment, access to sterile syringes and linkage to care and treatment of infectious diseases.

I. EVIDENCE-BASED DATA COLLECTION AND RESEARCH ANALYZING THE EFFECTIVENESS OF THE ABATEMENT STRATEGIES WITHIN THE STATE

Schedule B Approved Uses

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

PART ONE: TREATMENT

A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder (“*OUD*”) and any co-occurring Substance Use Disorder or Mental Health (“*SUD/MH*”) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:²

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment (“*MAT*”) approved by the U.S. Food and Drug Administration.
2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine (“*ASAM*”) continuum of care for OUD and any co-occurring SUD/MH conditions.
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (“*OTPs*”) to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
6. Provide treatment of trauma for individuals with OUD (*e.g.*, violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (*e.g.*, surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.

² As used in this Schedule B, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs.

8. Provide training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.
10. Offer fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Offer scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SUD/MH or mental health conditions, including, but not limited to, training, scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.
12. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 (“*DATA 2000*”) to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
13. Disseminate web-based training curricula, such as the American Academy of Addiction Psychiatry’s Provider Clinical Support Service–Opioids web-based training curriculum and motivational interviewing.
14. Develop and disseminate new curricula, such as the American Academy of Addiction Psychiatry’s Provider Clinical Support Service for Medication–Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the programs or strategies that:

1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.
3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.

4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.
5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
11. Provide training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.
14. Create and/or support recovery high schools.
15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

**C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED
(CONNECTIONS TO CARE)**

Provide connections to care for people who have—or are at risk of developing—OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
2. Fund SBIRT programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments.
6. Provide training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically appropriate follow-up care through a bridge clinic or similar approach.
8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
11. Expand warm hand-off services to transition to recovery services.
12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
13. Develop and support best practices on addressing OUD in the workplace.
14. Support assistance programs for health care providers with OUD.

15. Engage non-profits and the faith community as a system to support outreach for treatment.
16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

D. ADDRESS THE NEEDS OF CRIMINAL JUSTICE-INVOLVED PERSONS

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
 1. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (“*PAARP*”);
 2. Active outreach strategies such as the Drug Abuse Response Team (“*DART*”) model;
 3. “Naloxone Plus” strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
 4. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (“*LEAD*”) model;
 5. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or
 6. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise.
2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions.
4. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.

5. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison or have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
6. Support critical time interventions (“CTP”), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal abstinence syndrome (“NAS”), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support evidence-based or evidence-informed treatment, including MAT, recovery services and supports, and prevention services for pregnant women—or women who could become pregnant—who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for uninsured women with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.
3. Provide training for obstetricians or other healthcare personnel who work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
4. Expand comprehensive evidence-based treatment and recovery support for NAS babies; expand services for better continuum of care with infant-need dyad; and expand long-term treatment and services for medical monitoring of NAS babies and their families.
5. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with NAS get referred to appropriate services and receive a plan of safe care.

6. Provide child and family supports for parenting women with OUD and any co-occurring SUD/MH conditions.
7. Provide enhanced family support and child care services for parents with OUD and any co-occurring SUD/MH conditions.
8. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
9. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including, but not limited to, parent skills training.
10. Provide support for Children’s Services—Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding medical provider education and outreach regarding best prescribing practices for opioids consistent with the Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).
2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Providing Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
5. Supporting enhancements or improvements to Prescription Drug Monitoring Programs (“PDMPs”), including, but not limited to, improvements that:
 1. Increase the number of prescribers using PDMPs;
 2. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or

3. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.
6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation’s Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
7. Increasing electronic prescribing to prevent diversion or forgery.
8. Educating dispensers on appropriate opioid dispensing.

G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding media campaigns to prevent opioid misuse.
2. Corrective advertising or affirmative public education campaigns based on evidence.
3. Public education relating to drug disposal.
4. Drug take-back disposal or destruction programs.
5. Funding community anti-drug coalitions that engage in drug prevention efforts.
6. Supporting community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction—including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (“SAMHSA”).
7. Engaging non-profits and faith-based communities as systems to support prevention.
8. Funding evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.

10. Create or support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health workers or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or another drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Increased availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.
2. Public health entities providing free naloxone to anyone in the community.
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
4. Enabling school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
5. Expanding, improving, or developing data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.
7. Public education relating to immunity and Good Samaritan laws.
8. Educating first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.

10. Expanding access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
11. Supporting mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
12. Providing training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.
13. Supporting screening for fentanyl in routine clinical toxicology testing.

PART THREE: OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items in section C, D and H relating to first responders, support the following:

1. Education of law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
2. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, coordination, facilitations, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Statewide, regional, local or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment intervention services, and to support training and technical assistance and other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
2. A dashboard to (a) share reports, recommendations, or plans to spend opioid settlement funds; (b) to show how opioid settlement funds have been spent; (c) to report program or strategy outcomes; or (d) to track, share or visualize key opioid- or health-related indicators and supports as identified through collaborative statewide, regional, local or community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing

overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.

4. Provide resources to staff government oversight and management of opioid abatement programs.

K. TRAINING

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, those that:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (*e.g.*, health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

Support opioid abatement research that may include, but is not limited to, the following:

1. Monitoring, surveillance, data collection and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.
3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.
4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.
5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (*e.g.*, Hawaii HOPE and Dakota 24/7).

7. Epidemiological surveillance of OUD-related behaviors in critical populations, including individuals entering the criminal justice system, including, but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring (“*ADAM*”) system.
8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
9. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: April 6, 2022

TO: Honorable Mayor and City Council

FROM: Jayson Rutherford, Captain

APPROVED: Mali LaGoe, City Manager

SUBJECT: **PRESENTATION OF SCOTTS VALLEY POLICE DEPARTMENT
LEXIPOL POLICY #706 – MILITARY EQUIPMENT USE.**

SUMMARY OF ISSUES

California Assembly Bill 481, codified in Government Code sections 7070 through 7075 requires a law enforcement agency (LEA) to obtain approval from the applicable governing body, via adoption of a “military equipment” use policy by ordinance, prior to the LEA funding, acquiring, or using military equipment. In accordance with Government Code section 7071(b), the policy must be presented to the City Council 30 days before consideration of the ordinance. A copy of the policy, Military Equipment Policy – Scotts Valley Police Lexipol Policy #706, is attached to this report as Exhibit A (the “Policy”).

In order to approve the Policy, the City Council must determine (A) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety; (B) The proposed military equipment use policy will safeguard the public’s welfare, safety, civil rights, and civil liberties; (C) If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety; and (D) Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

The Scotts Valley Police Department (“SVPD”) did not purchase any military equipment from the State of California Department of General Services (DGS) or receive any military equipment from the Defense Logistics Agency Law Enforcement Support Program (formerly 1033).

Items deemed to be “military equipment” by AB 481 are used as a component of overall best practices for LEAs throughout the country. These tools have been tested in the field, and are used by LEAs to enhance citizen safety and officer safety. Loss of these items would jeopardize the welfare of citizens and SVPD officers.

The term “military equipment”, as used in AB 481, in fact does not necessarily indicate equipment that has been used by the military. Pursuant to AB 481, items deemed to be “military equipment” include, but are not limited to, unmanned aerial or ground vehicles, armored vehicles, command and control vehicles, pepper balls, less lethal shotguns, less lethal 40mm projectile launchers, long range acoustic devices, firearms categorized as assault weapons and rifles, and flashbangs.

SVPD is committed to using the most up to date tools and equipment to safeguard the citizens of Scotts Valley. Although very few items deemed to be “military equipment” by AB 481 are in fact employed by SVPD, Council is asked to approve Policy 706 in its entirety due to potential future equipment acquisitions and temporary department use of allied agency equipment.

SVPD Officers are trained on all department issued equipment before utilizing the equipment in the field. Officers receiving the equipment undergo training on the nomenclature, functionality, and risks associated with the use of the equipment. Furthermore, officers are required to requalify annually.

Officers must comply with mandated training as regulated by Federal, State and Local statutes. Most of the training is managed and administered by the California Commission on Peace Officer Standards and Training (POST), which sets minimum training standard for California law enforcement officers.

The following is a summary of the equipment the SVPD currently utilizes that is subject to AB 481:

AB 481 – Specialized Firearms

SVPD currently issues two different manufacturers of AR-15 .223 caliber rifles covered under SVPD Policy #306.3.3.

- Colt LE6920 AR-15 Tactical Carbine
- Bushmaster XM-E2S AR-15 Tactical Carbine

Officers issued a department patrol rifle must successfully complete a 16 hour POST Certified Basic Patrol Rifle Operator’s course and successfully complete the Department rifle qualification course. Officers are required to requalify annually.

There is demonstrated need for officers to carry the patrol rifle on duty as they are generally the first personnel to arrive on the scene of a critical and dynamic incident. Officers are trained to immediately move toward and engage armed subjects in deadly force situations.

The patrol rifle has multiple advantages over the traditional handgun. A patrol rifle can deliver controlled firepower in excess of 100 yards with accurate target hits. Rifle ammunition has a greater range than handgun ammunition and can penetrate soft body armor. Additionally, the rifle allows officers to create a greater distance between themselves and individuals. The increased distance provides more time for officers to react and decide the best outcome for the situation.

AB 481 – Kinetic Energy Weapons

SVPD currently issues Remington 870 shotguns converted to Less Lethal only capability and firing Safariland 12g Drag Stabilized Bean Bag Round, as covered under SVPD Policy #303.9.

Officers utilizing a Less Lethal shotgun must successfully complete department training consisting of policy review, written test, and qualification course. Officers are required to requalify annually.

There is a demonstrated need for officers to carry the less lethal shotgun on duty as it gives officers an additional use of force option that is less likely to cause great bodily injuries or be lethal.

Next Steps

The City Council will hold a public hearing to consider the Ordinance adopt the Policy on April 20, 2022. Final adoption of the Ordinance will be considered on May 18, 2022. If the Ordinance is adopted, SVPD will prepare an Annual Report to include the use of military equipment, any complaints received, any internal audits or other information about violations of the Military Equipment Use policy.

FISCAL IMPACT

There are no costs associated with this policy.

STAFF RECOMMENDATION

It is recommended that City Council receive the Scotts Valley Police Department Lexipol Policy #706 – Military Equipment.

TABLE OF CONTENTS

PAGE

Ordinance No. 200	4
-------------------------	---

ORDINANCE NO. 200

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AMENDING TITLE 9 OF THE SCOTTS VALLEY MUNICIPAL CODE BY ADDING CHAPTER 9.22, USE OF MILITARY EQUIPMENT BY THE POLICE DEPARTMENT

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481, relating to the use of military equipment by law enforcement agencies; and

WHEREAS, Assembly Bill 481 (AB 481), codified at California Government Code sections 7070 through 7075, requires law enforcement agencies to obtain approval of the applicable governing body, by an ordinance adopting a “military equipment” use policy at a regular meeting held pursuant to open meeting laws prior to taking certain actions relating to the funding, acquisition, or use of “military equipment”. The term “military equipment” is defined in California Government Code Section 7070; and

WHEREAS, AB 481 allows the City Council to approve the funding, acquisition, or use of military equipment, within its jurisdiction only if it makes specified determinations; and

WHEREAS, the proposed military equipment use policy is found within Scotts Valley Police Department Lexipol Policy Manual, General Order 706. The policy was published on February 16, 2022 and displayed on the Scotts Valley Police Department website on March 10, 2022 is being presented to the City Council on April 6, 2022. A copy of the policy is attached hereto as Exhibit A; and

WHEREAS, the Scotts Valley Police Department Policy 706 meets the requirements of California Government Code 7070; and

WHEREAS, this ordinance adds to the Municipal Code to affirm Scotts Valley Police Department Policy 706 and authorize the use of “military equipment” by the members of the Scotts Valley Police Department as described in Policy 706; and

WHEREAS, in the enactment of this ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq. and found this activity is not a “project” as defined by California Environmental Quality Act (CEQA) because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

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

SECTION 1. The foregoing facts are adopted as findings of the City Council as though set forth in fully within the body of this ordinance.

SECTION 2. That a new Chapter 9.22 is added to Title 9 of the Scotts Valley Municipal Code to read as follows:

“CHAPTER 9.22 - MILITARY EQUIPMENT USE POLICY.

Section 9.22.010- Findings and Purpose

Sec. 9.22.010 – Findings and Purpose.

(a) The City Council has made the following determinations:

(1) The military equipment inventoried and presented to the City Council is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety; and

(2) The Military Equipment Use Policy (“Policy”) will safeguard the public’s welfare, safety, civil rights, and civil liberties; and

(3) The military equipment identified in the Military Equipment Use Policy is reasonably cost effective compared to available alternatives that can achieve the same objective of Officer and civilian safety; and

(4) Prior military equipment use complied with the applicable Equipment Use Policy (which included equipment now defined as military equipment) that was in effect at the time, or if prior uses did not comply with the accompanying Military Equipment Use Policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

(b) The Police Department has submitted a proposed Policy to the City Council and has made those documents available on the Police Department’s website for at least 30 days prior to the public hearing concerning the military equipment at issue.

(c) The Policy was considered by the City Council as an agenda item in an open session of a regular meeting, noticed in accordance with the Ralph M. Brown Act, at which public comment was permitted.

(d) The Policy shall be made publicly available on the Police Department’s website for as long as the military equipment is available for use.

(e) The Police Department shall submit an annual military equipment report to the City Council, containing the information required in Government Code Section 7072, and the City Council shall determine whether each type of military equipment identified in that report has complied with the standards for approval set forth in (a)(1)-(4) above.

(f) The City Council shall review this ordinance, and vote on whether to renew it, on an annual basis at a regular meeting, in accordance with Government Code Section 7071(e)(2)

(g) The City Council approves the use of the Policy and finds that it satisfies the requirements of Government Code Section 7070(d).”

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of

competent jurisdiction such portion shall be deemed a separate, distinct and independent provision of such Ordinance and shall not affect the validity of the remaining portions thereof.

SECTION 4. REPEALS CONFLICTING ORDINANCES. All other ordinances of the City of Scotts Valley or provisions of the Scotts Valley Municipal Code which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

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

SECTION 6. EFFECTIVE DATE. The above and foregoing ordinance was introduced for a first reading on April 20, 2022, and passed and adopted on May 18, 2022, at a duly held meeting of the City Council of the City of Scotts Valley by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED: _____
Donna R. Lind, Mayor

ATTEST: _____
Lauren Lambert, Deputy City Clerk

APPROVED
AS TO FORM: _____
Kirsten Powell, City Attorney