



AGENDA

Meeting of the
Scotts Valley City Council
REMOTE ACCESS ONLY

Date: April 20, 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/87957205663 <i>See information below for how to participate.</i>	The agenda was posted 04-15-2022 at City Hall and on the Internet at www.scottsvally.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. 2007.7 on April 6, 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 and broadcast through Community Television of Santa Cruz on Channel 25 and via their website at the following link: <https://communitytv.org/watch/> (be sure to click on Channel 25). For those wishing to participate via Zoom you can join the following ways:

- Join from a PC, Mac, iPad, iPhone or Android device:
Please click this URL to join. <https://us02web.zoom.us/j/87957205663>
- 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: 879 5720 5663

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

How to comment via Zoom:

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

How to comment via email:

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

ELECTED OFFICIALS	CITY STAFF MEMBERS
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 Cathie Simonovich, City Clerk Lauren Lambert, Deputy City Clerk Jayson Rutherford, Captain

MEETING NOTICE AND AGENDA PACKET MATERIALS

Notice regarding City Council Meetings:

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

Agenda and Agenda Packet Materials:

The City Council agenda and the complete agenda packet are available for review by 5:00 pm the Friday before the Wednesday meeting on the Internet at the City's website: <http://scottsvalley.org/AgendaCenter>. Due to COVID-19, City Hall is closed to the public therefore, the agenda is only available for viewing online.

Televised Meetings:

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

Zoom Meetings/Webinars:

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

<https://us02web.zoom.us/j/87957205663>

CALL TO ORDER 6:00 PM**MOMENT OF SILENCE****ROLL CALL****PUBLIC HEARING**

1. First reading of Ordinance No. 200, Scotts Valley Police Department Lexipol Policy #706 – Military Equipment Use
(Captain Jayson Rutherford)
 - Open public hearing
 - Close public hearing

COMMITTEE REPORTS

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

CITY MANAGER REPORT**PUBLIC COMMENT TIME**

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

ALTERATIONS TO CONSENT AGENDA

Council can remove or add items to the Consent Agenda.

CONSENT AGENDA

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

- A. Approve City Council minutes of 04-06-2022, 04-07-2022
- B. Approve check registers dated 04-15-2022

- C. Approve the City Manager to negotiate and execute three-year on-call Professional Service Agreements with multiple consulting firms in the Public Works Department in a form acceptable to the City Attorney
- D. Approve Resolution No. 1895.25, to approve the final map located at 1440 Multiversity Campus, 800 Bethany Drive, Scotts Valley, CA 95066, APN'S 023-021-01 to -04 and -17; 023-022-01 to -05; 023-031-20 to -26; 023-033-06, -07 and -08
- E. Approve Resolution No. 630.42, adopting Guiding Budget Principles and Budget Calendar for use in preparing the FY 2022-2023 Annual Budget

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. Approve Resolution No. 2013 to award \$250,000 in Community Development Block Grant Coronavirus (CBDG-CV) Funding to Eligible Scotts Valley Businesses (Administrative Services Director Casey Estorga)
- 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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City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: April 20, 2022

TO: Honorable Mayor and City Council

FROM: Jayson Rutherford, Captain

APPROVED: Mali LaGoe, City Manager

SUBJECT: **CONDUCT PUBLIC HEARING AND HOLD FIRST READING 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

Staff recommends the City Council conducts a Public Hearing and holds the first reading of the Scotts Valley Police Department Lexipol Policy #706 – Military Equipment.

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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



MINUTES

Meeting of the Scotts Valley City Council

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	The agenda was posted 4-01-2022 at City Hall and on the Internet at www.scottsvalley.org .

CALL TO ORDER 6:00 PM

The City Council meeting was called to order at 6:01 pm.

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
Jayson Rutherford, Captain

COMMITTEE REPORTS

CM Dilles reported he filled in for CM Johnson at a Santa Cruz County Regional Transportation Commission (SCCRTC) policy workshop. The SCCRTC approved an agreement for an engineering firm to prepare a San Lorenzo Valley Schools Complex Circulation Access Study.

CM Dilles reported he accompanied Carol Childers, who delivers Meals on Wheels meals, to deliver meals to homes where seniors reside in Scotts Valley.

CM Dilles attended a League Legislative Bulletin Webinar and shared his thoughts on a few bills that he found interesting.

CM Dilles attended a Webinar on Housing Element Enforcement and reported the state now has an enforcement program that is monitoring cities for the state mandates in housing elements, and will enforce the mandates through the Attorney Generals Office. It is a complaint-based system and the state has the ability to review any action or inaction related to housing elements. If the housing element is noncompliant, affordable housing projects can not be denied and the state could act. The state now allows private parties to sue cities if the housing element in that city is insufficient and a housing proposal was put forth.

CM Dilles attended the Santa Margarita Groundwater Agency meeting and reported they approved the Annual Report for the Santa Margarita Ground Water Agency for 2021.

CM Timm reported he attended the Economic Recovery Subcommittee meetings and met with staff from Small Business Development Center (SBDC) to get more guidance on some of the businesses would applied for the CBDG Grants to make sure that as many businesses as possible are able to qualify to be in the pool for the CBDG grant program.

CM Timm attended the Association of Monterey Bay Area Governments (AMBAG) meeting and reported the AMBAG meeting on April 13th is when they should hear back from California Development of Housing and Community Development on the housing numbers and get ready for the housing element.

CM Johnson reported that with the CBDG Grants, a lot of it is dictated by the state who has rules and mandates about ratings that they will have to abide by when making decisions.

Mayor Lind attended several different Santa Cruz Metropolitan Transit District (SCMTD) meetings and participated in the Finance and Budget meetings. SCMTD is actively hiring for anyone interested in a job with Metro and can go to <https://www.scmttd.com/en/> for more information.

Mayor Lind also attended the Santa Margarita Groundwater Agency meeting with CM Dilles and appreciated the work that was done for the Annual Report.

Mayor Lind also attended the D.A.R.E. Graduations at Vine Hill, Brook Knoll, and Baymonte Schools and appreciated all the work that Chief Walpole, SRO Patrick Ahrens and the department did for to keep the D.A.R.E. programs going.

CITY MANAGER REPORT

1. **Vine Hill Modular:** With spring break happening this week the demo of the Vine Hill modular is underway. It will make room for the new modular building that will be installed this summer for the fall programming.
2. **Scotts Valley Theater Guild:** City Manager LaGoe had a tour of the theatre project on April 6, 2022 and was able to meet the people who are leading the effort to get the project done. It was great to be able to see the progress that has been done so far.
3. **Study Session:** April 7, 2022 the City Council will be meeting to continue their Study Session on the Strategic Plan for 2022 at the City Council Chambers from 3:00 PM – 5:00 PM. This is a public meeting.
4. **Regional Wastewater Management:** Public Works Director Chris Lamm and City Manager LaGoe participated in a meeting last week regarding Regional Wastewater Management and looking a regional approach to wastewater and water supply.

PUBLIC COMMENT TIME

Scotts Valley Resident Victor Alejandro came forward to talk about the strong relationship that has been built with the Scotts Valley Chamber of Commerce and in the Scotts Valley Times April addition there is a recognition for The Scotts Valley Economic Recovery Task Force won the Organization of the year and wanted to congratulate everyone involved. The Scotts Valley Chamber of Commerce is part of the Silicon Valley Coalition which is 18 chambers of commerce, and they have a meeting tomorrow.

Scotts Valley Resident Amee Sawheny came forward about some negative experiences their family has dealt with in the Scotts Valley school system. Amee Sawheny posed a question to City Council about how they can contribute to furthering diversity, equity, inclusion and belonging in our community? (Please see attached note for full comment from Amee Sawheny)

Scotts Valley Resident Robert Aldana came forward to echo what Amee Sawheny stated about his experiences within the Scotts Valley community dealing with racial issues.

ALTERATIONS TO CONSENT AGENDA

CM Dilles would like to move Item E to the regular Agenda.

M/S: Timm/Dilles

To approve the Consent Agenda with moving Item E to the regular agenda.

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

CONSENT AGENDA

- 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

ALTERATIONS TO REGULAR AGENDA

M/S: Timm/Dilles

To approve the Regular Agenda as amended.

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

REGULAR AGENDA

1. To 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.

City Manager LaGoe answered questions from Council.

Eric Riera, County Behavior Health Director, answered questions from Council.

M/S: Dilles/Johnson

To 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.

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

2. Presentation of Scotts Valley Police Department Lexipol Policy #706 – Military Equipment Use.

Captain Jayson Rutherford presented the written staff report along with a PowerPoint and answered questions from council.

3. Future Council agenda items
(This portion of the Regular Agenda allows the Council to determine items to be placed on a future agenda and to choose a date, if so desired.)

None.

City Attorney Powell announced the City Council will be meeting in closed session regarding three matters. The first will be pursuant to Government Code 54956.9 to confer with legal counsel regarding a liability claim filed by Ryan Hinn. The second will be pursuant to Government Code 54956.9 to confer with legal counsel regarding a liability claim filed on behalf of Kathryn Grifo, Grant Dickie and Scott Dickie. The third will be pursuant to Government Code 54957 (b) (1) to confer with legal counsel regarding public employment position title City Manager.

ADJOURNMENT

The meeting adjourned at 7:01 p.m.

Approved: _____
Donna Lind, Mayor

Attest: _____
Lauren Lambert, Deputy City Clerk

Dear Mayor Lind, members of the City Council, and all those here who work for our community.:

Thank you all so much for your service. I appreciate you all very much.

My name is Ameer Sawhney. I'm an Urgent Care physician at Palo Alto Medical Foundation here in our county, and my husband Neil Sawhney is a Cardiologist also at PAMF and Dominican Hospital. We have lived in Scotts Valley for almost 9 years now with our 2 children. While we have loved living in this community and had some great experiences and made some lifelong friends here, it is important to bring to light that we have also had some negative experiences, that need to be acknowledged and addressed, and that a fair number of your other constituents in Scotts Valley have had similar experiences.

A few years back, one of our children was racially bullied in the Scotts Valley school system. Our child was repeatedly called a slave, taunted with the N-word, and told to go back to India. We were appalled by the lack of action after this occurred. Unfortunately the students who did the bullying did not experience any substantial consequences, and therefore the bullying actually got worse. The last 2 years have been incredibly painful for our child, and our family, and I wish that on no one. We know that often children learn these poor values at home, and therefore the issue is not only in the schools, but also in the general Scotts Valley community. Recently, as we all know, sadly- another child in our community was racially bullied and ultimately took his own life, as again no significant consequences occurred for the bullies despite the family asking the school for help on multiple occasions. This awful occurrence has given me courage to finally speak out about our own painful experience.

During the Covid lockdown, I saw some very ugly racist conversations online on the My Scotts Valley Facebook page, as well as in other forums, and I was appalled. I started communicating with other minority Scotts Valley families as well as others who felt this behavior was awful, but sadly not unusual. There is now a social media page called Scotts Valley Families for Social Justice with over 200 members, as well as a community DEI group. I have now met many others with similar stories of unacceptable behavior, and have had private discussions with those who feel Scotts Valley- more than other nearby areas- is NOT a place that generally welcomes minorities or diverse communities. I have found that the Scotts Valley schools have been rated by students as least welcoming, and this does jive with what I have heard from other parents in the community. I have also attended marches and listened to story after story of others in the Scotts Valley community who had experienced racism over many years, even before we moved here. This is not only a problem in the schools, but very much an issue involving the whole community.

So my question to you- is what can you all contribute as a City Council to furthering Diversity, Equity, Inclusion, and Belonging in our community? I don't know if this work is on your list of priorities, but I'm here to tell you this work needs to be done, and the time for it to happen is now. I appreciate that there has recently been some training at the school district and that there have been listening sessions. This seems to be a start, but it also is not enough, and I hope it's not just lip service. I would like to know whether the City Council and its staff have undergone similar diversity and inclusion trainings? If not, does the City have any plans this year to conduct training for members of the City Council and staff? I would also like to know what other potential initiatives or programs the City might explore to promote inclusivity in our community. I also feel the City Council needs to check in with the school district to ensure that bullying policies are actually being improved and consequences are enforced. As concerned community members of Scotts Valley who feel Diversity, Equity, Inclusion, and Belonging work needs to be done, my husband and I would be happy to lend our support or resources in any way we can, so please keep us in mind if help is needed.

I realize there will be no response to my requests at this time, but I'd like to ask to revisit this topic as an agenda item at a future City Council meeting, where myself and other concerned community members can come back and follow-up on progress. I'll be sending this statement also via email tonight, and would appreciate it being included in tonight's meeting minutes.

Thank you all so much for your time, and again- I appreciate you all so much.
Ameer Sawhney



MINUTES

Special Closed Session Meeting of the Scotts Valley City Council

Date: April 6, 2022

Time: 6:30 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 4-01-2022 at City Hall and on the Internet at www.scottsvalley.org .

ROLL CALL	
ELECTED OFFICIALS PRESENT: Donna Line, 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

CALL TO ORDER	6:30 PM
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The City Council meeting was called to order at 7:03 pm.

CONVENE TO CLOSED SESSION

CLOSED SESSION SUBJECT(S)

The City Council convened to closed session at 7:03 p.m. to discuss the following items:

- (1) Pursuant to Government Code Section 54956.9, the City Council met in closed session to confer with the legal counsel regarding a liability claim filed by Ryan Hinn.
- (2) Pursuant to Government Code Section 54956.9, the City Council met in closed session to confer with the legal counsel regarding a liability claim filed on behalf of Kathryn Grifo, Grant Dickie, and Scott Dickie.

- (3) Pursuant to Government Code Section 54957 (b) (1), the City Council met in closed session to confer with the legal counsel regarding public employment position title City Manager

RECONVENE TO OPEN SESSION

The City Council reconvened to open session at 9:52 p.m.

REPORT ON ACTION TAKE DURING CLOSED SESSION

Mayor Lind reported that the City Council voted unanimously to approve the claim filed by Ryan Hinn.

Mayor Lind reported that the City Council voted unanimously to deny the claim filed on behalf of Kathryn Grifo, Grant Dickie, and Scott Dickie and refer the claim to MBASIA for resolution.

Mayor Lind announced there was nothing else to report.

ADJOURNMENT

The meeting adjourned at 9:54 p.m.

Approved: _____
Donna Lind, Mayor

Attest: _____
Lauren Lambert, Deputy City Clerk



MINUTES

Special Study Session of the Scotts Valley City Council

Date: April 7, 2022

Time: 3:00 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 4-05-2022 at City Hall and on the Internet at www.scottsvally.org .

CALL TO ORDER 3:00 PM

The meeting was called to order at 3:06 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
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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 5:22 p.m.

Approved: _____
Donna Lind, Mayor

Attest: _____
Lauren Lambert, Deputy City Clerk

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Report Selection:

RUN GROUP... 041522 COMMENT... 04/15/2022 A/P

DATA-JE-ID DATA COMMENT

W-04152022-715 04/15/2022 A/P

Run Instructions:

Jobq	Banner	Copies	Form	Printer	Hold	Space	LPI	Lines	CPI	CP	SP	RT
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BANK	VENDOR	CHECK#	DATE	AMOUNT
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004088	ADAMS POOL SOLUTIONS	123767	04/15/22	10,000.00
003497	ALVAREZ INDUSTRIES, INC	123768	04/15/22	381.00
002004	AMERICAN CHEMICAL SOCIET	123769	04/15/22	175.00
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000097	AT&T	123771	04/15/22	171.61
003643	AUNT LALI'S	123772	04/15/22	724.50
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003893	BADAWI & ASSOCIATES	123774	04/15/22	1,973.50
.15858	BARBARA LANSLOWNE	123775	04/15/22	500.00
000614	BATTERIES + BULBS #314	123776	04/15/22	31.34
001593	BENEDICT DDS/NANETTE	123777	04/15/22	366.40
002091	COMCAST	123778	04/15/22	323.25
002091	COMCAST	123779	04/15/22	331.03
000037	CRYSTAL SPRINGS WATER CO	123780	04/15/22	39.90
000037	CRYSTAL SPRINGS WATER CO	123781	04/15/22	83.50
001896	D & G SANITATION	123782	04/15/22	981.86
.15859	DANA SCHLAGHECK	123783	04/15/22	35.00
000389	DASSEL'S PETROLEUM INC	123784	04/15/22	5,747.03
000207	DEPARTMENT OF JUSTICE	123785	04/15/22	130.00
003160	DIXON & SON TIRE	123786	04/15/22	891.18
001362	DUNCAN AUTO TECH	123787	04/15/22	107.07
001597	ENVIRONMENTAL INNOVATION	123788	04/15/22	7,875.82
.15860	FASTRAK VIOLATION PROCES	123789	04/15/22	1.60
.15861	FASTRAK VIOLATION PROCES	123790	04/15/22	1.00
000202	FEDERAL EXPRESS	123791	04/15/22	113.64
003253	FIRST ALARM	123792	04/15/22	849.66
001881	GRAINGER	123793	04/15/22	197.69
003944	HEBARD/TYLER	123794	04/15/22	238.50
003980	HUTCHISON/TREVOR	123795	04/15/22	619.53
004024	K & D LANDSCAPING, INC.	123796	04/15/22	1,439.72
000238	KENNEDY-JENKS CONSULTANT	123797	04/15/22	11,707.50
000078	LLOYD'S TIRE SERVICE INC	123798	04/15/22	757.36
000284	LOGAN & POWELL, LLP	123799	04/15/22	17,550.00
003565	MANAGEMENT PARTNERS	123800	04/15/22	300.00
001389	MATIASEVICH, JR/ROBERT N	123801	04/15/22	344.00
000195	MESITI-MILLER ENGINEERIN	123802	04/15/22	2,600.50
001787	MICHAEL WADE PETRINI	123803	04/15/22	250.00
000218	MID VALLEY SUPPLY	123804	04/15/22	699.33
003684	MILES CHEMICAL COMPANY, I	123805	04/15/22	2,790.46
003685	MONTEREY BAY ANALYTICAL	123806	04/15/22	511.00
004089	MONTEREY ENVIRONMENTAL	123807	04/15/22	43,000.00
001418	MONTEREY REGIONAL	123808	04/15/22	2,971.47
003212	MUNICIPAL MAINTENANCE EQ	123809	04/15/22	6,510.00
000939	NATIONAL COMTEL NETWORK	123810	04/15/22	16.99
001872	NORTH CENTRAL LABORATORI	123811	04/15/22	319.84

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	004036 PEREZ/ERIC	123814	04/15/22	51.00	
	003912 PETTY CASH - AMANDA LONG	123815	04/15/22	174.00	
	004045 PHILLIP D NEUMAN	123816	04/15/22	15,054.64	
	003117 PRIORITY 1 PUBLIC SAFETY	123817	04/15/22	10,711.22	
	003613 PRO SQUAD	123818	04/15/22	60.08	
	003503 PURETEC INDUSTRIAL WATER	123819	04/15/22	157.25	
	000060 RYAN C. WITWTER, DDS	123820	04/15/22	349.60	
	001894 S.V. WATER DISTRICT - BU	123821	04/15/22	46.96	
	004090 SAM DAVID	123822	04/15/22	1,550.00	
	000135 SAN LORENZO VALLEY WATER	123823	04/15/22	45.01	
	001939 SANTA CRUZ COUNTY SHERIF	123824	04/15/22	427.08	
	003367 SANTA CRUZ LIVE SCAN, IN	123825	04/15/22	270.00	
	003658 SANTA CRUZ OCCUPATIONAL	123826	04/15/22	91.00	
	000127 SANTA CRUZ SENTINEL	123827	04/15/22	1,456.00	
	000133 SCOTTS VALLEY SPRINKLER	123828	04/15/22	31.82	
	000425 SERPENTIX CONVEYOR CORP	123829	04/15/22	1,011.15	
	003783 STATE WATER RESOURCES CO	123830	04/15/22	125.00	
	001113 STERICYCLE INC	123831	04/15/22	644.85	
	000143 SUMMIT UNIFORMS	123832	04/15/22	3,080.00	
	001085 SYCAL ENGINEERING INC	123833	04/15/22	5,016.13	
	001589 TELECOMMUNICATIONS	123834	04/15/22	6,666.24	
	.15862 THOMAS CATERINA	123835	04/15/22	500.00	
	004087 TIRECHOICE AUTO SERVICE	123836	04/15/22	2,355.72	
	003548 TORO PETROLEUM CORP	123837	04/15/22	11,129.68	
	003908 TRANSUNION RISK & ALTERN	123838	04/15/22	75.00	
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	004030 U.S. BANK CORPORATE	123840	04/15/22	22,471.79	
	000146 U.S. POSTMASTER	123841	04/15/22	500.00	
	004032 URETSKY SECURITY	123842	04/15/22	1,300.00	
	001106 VERIZON WIRELESS	123843	04/15/22	1,135.74	
	003924 VIRTUAL PROJECT MANAGER	123844	04/15/22	1,000.00	
	003145 WAGE WORKS	123845	04/15/22	75.00	
	000766 WATSONVILLE/CITY OF	123846	04/15/22	210.00	
	003576 WEBER,HAYES, & ASSOCIATE	123847	04/15/22	7,754.21	
	000154 WINCHESTER AUTO STORES	123848	04/15/22	6.11	
	003947 4X4 AND MORE	123849	04/15/22	65.38	
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FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
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001	GENERAL	113,093.75
002	RECYCLING/ENVIRONMENTAL	6,107.63
004	RECREATION	45,033.95
010	WASTEWATER OPERATIONS	62,069.92
011	TERTIARY TREATMENT PLANT	7,856.80
012	WASTEWATER CAPITAL RESERVE	2,682.50
015	TTP - DISTRICT RESERVE FUND	9,025.00
028	SENIOR CENTER	2,082.69
050	PINEWOOD EST LNDSCP MAINT DT	10.51
077	SKYPARK MAINT ASSESS DIST	31.53
088	LIBRARY FACILITIES-MEAS "S"	180.00
112	DENTAL INS INTERNAL SERV	1,298.50
123	COMMUNITY FACILITY CENTER	513.90
150	GENERAL CAPITAL IMPROVEMENTS	18,069.50
155	TRANSPORTATION FUNDS-MEAS D	2,420.50
306	SUPPL LAW ENFORCEMENT SRVS	10,711.22
312	POLICE - BUDGET ACT OF 2016	2,625.15
TOTAL ALL FUNDS		283,813.05

BANK RECAP:

BANK	NAME	DISBURSEMENTS
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BA	GENERAL CHECKING ACCOUNT	283,813.05
TOTAL ALL BANKS		283,813.05

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: April 20, 2022

TO: Honorable Mayor and City Council

FROM: Chris Lamm, Public Works Director / City Engineer

APPROVED: Mali LaGoe, City Manager

**SUBJECT: APPROVAL OF ON-CALL PROFESSIONAL SERVICE
AGREEMENTS WITH MULTIPLE CONSULTING FIRMS IN THE
PUBLIC WORKS DEPARTMENT**

SUMMARY OF ISSUE

The public works department is responsible for planning, building, and maintaining the City's infrastructure. The department is comprised of engineering, maintenance, wastewater, and recreation divisions managing projects per the City's capital improvement program (CIP) and development service needs. Such projects may include design, master planning, development permit review, utility upgrades, building and park maintenance, and street and sidewalk repairs. Currently, public works projects are overseen by staff engineers and supplemented with contract consulting services as technical need or staffing resources require.

On-call agreements are an efficient tool for providing technical staff support and shorten the time needed to identify vetted/qualified firms while adhering to City purchasing policies. This enables the City to more quickly respond to needs by utilizing these consulting firms' services on an as-needed basis for a specific activity. These services are temporary, and obtained only for the length of time needed to complete the tasks. On-call agreements that involve professional services only provide a list of qualified and vetted consulting firms. Once an on-call agreement is in place with the listed firms, staff interacts with these firms on an as-needed basis to find the most appropriate level of expertise and knowledge to carry out a specific task.

The on-call agreement includes the same language as the City's standard services contract and requires the consultant to provide proof of insurance and to indemnify and hold the City harmless for the work performed. The agreements will be for three years with an option to extend yearly for up to two additional years.

On February 4, 2022 the City issued a request for qualifications (RFQ) for on-call arborist services, architectural, landscape architectural, civil engineering, project management, MEP engineering, construction inspection, general municipal engineering, materials testing, and transportation engineering services to develop a list of firms to award on call agreements. On February 25, 2022, the City received 27 submittals in response to the RFQ:

On-Call Service	Proposals Received
Architectural	1
Civil Engineering	10
Landscape Architecture	2
Project Management	4
Mechanical, Electrical, Plumbing Engineering	0
Construction Inspection / Material Testing	3
Municipal Engineering	2
Transportation Engineering	2
Arborist Services	3
Total Proposal Received	27

Table 1: Proposals

Staff reviewed and ranked proposals by type of on-call service. Upon review, staff identified firms that would best provide the range of specialties for each on-call service. Proposers were chosen based on a number of selection criteria including qualifications, key personnel, fee structure, reference projects, availability to complete work, along with other factors. Staff recommends entering into agreements with the 20 firms for the variety of services. Some firms proposed on multiple categories and will be awarded multiple on-call agreements for different types of service. See Table 2 below for the selected firms in each category and types of services that can be provided.

On-Call Service	Firm(s) Selected	Types of services (Illustrative)
Architectural	AET	- Preparation of conceptual design drawings - Master planning and feasibility studies - Historic building preservation and restoration - Space needs studies / interior design - Architectural design drawings and specifications - Public meeting presentations - Building permitting assistance - Construction administration services
Civil Engineering	- Bowman & Williams - MME - Freyer & Laureta, Inc. - Ifland Engineers, Inc.	- Master planning - Compliance reporting with state or federal guidelines - Land surveying services - Prepare mapping documents - Civil design - Civil construction drawings and specifications - Construction administration services
Landscape Architecture	- Kimley Horn - QK, Inc.	- Preparation of conceptual design drawings - Master planning and feasibility studies - Compliance report with state or federal guidelines - Historic landscape preservation and restoration - Landscape design drawings and specifications - Public meeting presentations - Construction administration services
Project Management	- Bogard Construction - Cumming - CSG Consultants	- Assist in review of construction documents - Construction administration

		• Scheduling • Cost Estimating
Construction Inspection / Material Testing	• Shums Coda Associates • CSG Consultants • Achievement Engineering Corp.	• Assist in review of construction documents • Construction administration • Inspection services for construction projects • Material Testing for construction projects • Special inspection services
Municipal Engineering	• CSG Consultants • QK, Inc.	• Plan check for construction documents • Building/encroachment permit assistance • Construction and project management duties • Staff augmentation support • Grant Assistance
Transportation Engineering	• Sandis • Kimley Horn	• Traffic studies- review and preparation • Warrant Studies • Preparation of Transportation and Traffic Engineering plans and specifications • Preparation and review of traffic control plans • Traffic engineering design
Arborist Services	• Nigel Belton, Consulting Arborist • Ecological Concerns, Inc. • BioMaAS	• Certified Arborist Reports • Tree Protection Requirements • Replacement tree selection / recommendations

Table 2: Selected Firms

Once a specific firm from the list is identified for a task, the City will solicit scope, schedule and cost information about the task(s) requested and establishes a purchase order for a not-to-exceed amount from a funding source as included in either the annual operating or approved CIP budget.

FISCAL IMPACT

The authorization of these on-call agreements would not result in a direct expenditure of City resources. Tasks would be assigned through the on-call agreements to meet the needs and demands identified for each future fiscal year through the adoption of the annual budget and capital improvement program.

The contract amount for services would be identified for each project, depending on the scope of work/services, the number and type of professionals/technicians used, and the level of community engagement needed. The costs of these services are budgeted in the program or capital project for which the services are needed. No additional appropriations are being requested at this time.

STAFF RECOMMENDATION

Staff recommends that the City Council authorize the city manager to negotiate and execute three-year on-call agreements in a form acceptable to the City Attorney with multiple consulting firms, listed in table 2 for; on-call arborist services, architectural, landscape architectural, civil engineering, project management, construction inspection, general municipal engineering, materials testing, and transportation engineering services with options to extend the agreements on a yearly basis for up to two additional years; and authorize the execution of purchase orders under the on-call agreements up to the budgeted amount.

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: April 20, 2022

TO: Honorable Mayor and City Council

FROM: Chris Lamm, Public Works Director / City Engineer

APPROVED: Mali LaGoe, City Manager

SUBJECT: **APPROVAL FOR A SUBDIVISION TO RECONFIGURE 23 EXISTING PARCELS INTO 18 PARCELS, PART OF THE 1440 MULTIVERSITY CAMPUS, LOCATED AT 800 BETHANY DRIVE, APN'S 023-021-01 TO -04 AND -17; 023-022-01 TO -05; 023-031-20 TO -26; 023-033-06, -07 AND -08; 023-041-25, -26 AND-27; AND 023-072-01**

SUMMARY OF ISSUE

On October 15, 2014, the City Council approved the redevelopment of the existing Bethany University campus into an educational learning center for the 1440 Multiversity. To complete the entitlement process, 1440 is proposing to realign the parcels and buildings that comprise the 1440 Multiversity campus.

The project proposes a Land Division to reconfigure and merge 23 existing parcels into 18 parcels. The site is zoned P/QP Public/Quasi Public General Plan and Zoning District, is 17.38-acres in size. Upon completion of this Land Division, 10 new parcels would be created, and eight existing parcels will remain the same. No development is proposed and all required improvements such as roads, utilities, grading, and public access were completed in 2018.

On December 1, 2021, the City Council approved a tentative map and conditions of approval including a requirement to submit a final map in conformance with the California Government Code, Section 66410 et seq, and with the City Subdivision Ordinance. Staff has reviewed the proposed final map and finds it to be technically correct and consistent with the tentative map and that all applicable final map conditions of approval have been substantially satisfied or mechanisms are in place to ensure their completion.

FISCAL IMPACT

There is no fiscal impact to the General Fund. Approximately \$17,284.80 was collected from the applicant to cover the intake process and applicable City costs for Surveyor, Planning and Department of Public Works Final Map.

STAFF RECOMMENDATION

It is recommended that Council approve Resolution No.1895.25, approving the final map located at 800 Bethany Drive, APN'S 023-021-01 TO -04 and -17; 023-022-01 TO -05; 023-031-20 TO -26; 023-033-06, -07 AND -08

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Exhibit A 02-14-2022 Final Map.....	5

RESOLUTION NO. 1895.25

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVAL FOR A SUBDIVISION TO RECONFIGURE 23 EXISTING PARCELS INTO 18 PARCELS, PART OF THE 1440 MULTIVERSITY CAMPUS, LOCATED AT 800 BETHANY DRIVE, APN'S 023-021-01 TO -04 AND -17; 023-022-01 TO -05; 023-031-20 TO -26; 023-033-06, -07 AND -08; 023-041-25, -26 AND-27; AND 023-072-01

WHEREAS, On October 15, 2014, the City Council approved the redevelopment of the existing Bethany University campus into an educational learning center for the 1440 Multiversity. To complete the entitlement process, 1440 is proposing to realign the parcels and buildings that comprise the 1440 Multiversity campus, and

WHEREAS, the project proposes a Land Division to reconfigure and merge 23 existing parcels into 18 parcels. The site is zoned P/QP Public/Quasi Public General Plan and Zoning District, is 17.38-acres in size. Upon completion of this Land Division, 10 new parcels would be created, and eight existing parcels will remain the same. No development is proposed and all required improvements such as roads, utilities, grading, and public access were completed in 2018, and

WHEREAS, On December 1, 2021, the City Council approved a Tentative Map for the 1440 Multiversity development and conditions of approval, including a requirement to submit a parcel map in conformance with the California Government Code, Section 66410 et seq, and with the City Subdivision Ordinance; and

WHEREAS, staff has reviewed the proposed Final Map and finds it to be technically correct and consistent with the Tentative Map and that all applicable Final Map conditions of approval have been substantially satisfied; and

WHEREAS, the City has determined that the Final Map is statutorily exempt from the California Environmental Quality Act (CEQA) Statutory Exemptions, Title 14 of the California Code of Regulations Section 15268(b)(3) Ministerial Projects, approval of final subdivision maps.

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

1. The location and configuration of the lots to be created by the Subdivision substantially comply with the previously approved Tentative Map; and
2. The Final Map is categorically exempt from the California Environmental Quality Act (CEQA), Statutory Exemptions, Title 14 of the California Code of Regulations Section 15268(b)(3) Ministerial Projects, approval of final subdivision maps; and

3. The City Council of the City of Scotts Valley, pursuant to Government Code Section 66458, hereby approves the Final Map for the Subdivision, a copy of which is hereby attached as Exhibit A and made part of this Resolution.

The above and foregoing Resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 20th day of April 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Donna Lind, Mayor

Attest: _____
Lauren Lambert, Deputy City Clerk

STATEMENT OF OWNER

I HEREBY STATE THAT I AM THE OWNER OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO, THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP AND THAT I AM THE ONLY PERSON NECESSARY TO SIGN SAID MAP PURSUANT TO PROVISION OF SECTION 66436(A) OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA, AND I CONSENT TO THE PREPARATION AND RECORDATION, OF SAID MAP AND SAID SUBDIVISION AS SHOWN WITHIN THE DISTINCT BORDER LINES.

I HEREBY IRREVOCABLY OFFER FOR DEDICATION TO THE PUBLIC, DRAINAGE EASEMENTS AS DELINEATED HEREIN.

I ALSO HEREBY STATE THAT STRIPS OF LAND DESIGNATED AS DRAINAGE EASEMENTS SHALL REMAIN FREE AND CLEAR OF BUILDINGS OR STRUCTURES OF ANY KIND.

1440 DEVCO LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

KENNETH BAKER – MANAGER

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA } ss
COUNTY OF _____

ON _____,
BEFORE ME, _____, A NOTARY PUBLIC,
PERSONALLY APPEARED _____,

WHO
PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE, TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT, THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

COUNTY OF NOTARY'S
PRINCIPAL PLACE OF BUSINESS

NOTARY COMMISSION NUMBER AND
EXPIRATION DATE

NOTARY NAME

NOTARY SIGNATURE

STATEMENT OF AUDITOR-CONTROLLER

I HEREBY CERTIFY THAT THERE ARE NO LIENS FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES AGAINST THE LAND INCLUDED IN THE WITHIN SUBDIVISION OR AGAINST ANY PART THEREOF EXCEPT TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES WHICH ARE NOT YET PAYABLE, AND WHICH IT IS HEREBY ESTIMATED WILL NOT EXCEED THE SUM OF \$ _____ FOR THE YEAR 20____-20____, AND THAT SAID LAND OR PORTION THEREOF IS SUBJECT TO SPECIAL ASSESSMENTS IN SPECIAL ASSESSMENT DISTRICTS AS FOLLOWS, TO WIT:

NAME, NUMBER OR DESIGNATION OF DISTRICT	TOTAL OUTSTANDING PRINCIPAL AND INTEREST TO MATURITY	FINAL MATURITY DATE
---	--	---------------------

AND THAT THIS CERTIFICATE DOES NOT INCLUDE ANY ASSESSMENT DISTRICT THE BONDS OF WHICH HAVE NOT YET BECOME A LIEN AGAINST SAID LAND OR ANY PART THEREOF.

DATED: _____
AUDITOR-CONTROLLER OF THE COUNTY OF SANTA CRUZ

BY: _____
DEPUTY

CERTIFICATE OF CLERK OF BOARD

THE CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ DOES HEREBY CERTIFY THAT ALL CERTIFICATES AND SECURITIES REQUIRED UNDER THE PROVISIONS OF SECTIONS 66492 AND 66493 OF THE GOVERNMENT CODE HAVE BEEN DULY FILED AND DEPOSITS HAVE BEEN DULY MADE. PURSUANT TO THE AUTHORITY DELEGATED TO ME BY SAID BOARD, I HEREBY APPROVE SAID CERTIFICATES AND SECURITIES ON BEHALF OF THE COUNTY OF SANTA CRUZ.

CLERK OF THE BOARD OF SUPERVISORS

BY: _____
DEPUTY CLERK

DATE: _____

CERTIFICATE OF CITY CLERK

IT IS HEREBY ORDERED THAT TRACT 1613 BE, AND THE SAME IS HEREBY APPROVED, THAT ALL THE STREETS SHOWN ON THE MAP AND "(PARCEL DEDICATION(S))" NOT BE ACCEPTED AT THIS TIME, THOUGH THE CITY'S RIGHTS TO ACCEPT SUCH DEDICATION IN THE FUTURE IS EXPRESSLY RESERVED AND EASEMENTS FOR PUBLIC DRAINAGE SHOWN HEREON BE ACCEPTED.

I CERTIFY THAT THE FOREGOING WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AT A MEETING HELD ON THE _____ DAY OF _____, 2022.

TRACY FERRARA, CITY CLERK AND EX-OFFICIO CLERK
OF THE CITY COUNCIL OF CITY OF SCOTTS VALLEY,
STATE OF CALIFORNIA

BY: _____
DEPUTY CLERK

DATE: _____

CERTIFICATE OF RECORDER

SERIAL NUMBER: _____

FILED THIS _____ DAY OF _____, _____, AT _____ M, IN VOLUME OF MAPS, AT PAGE _____, AT THE REQUEST OF _____

SIGNED: _____
SEAN SALDAVIA, COUNTY RECORDER

BY: _____
DEPUTY

STATEMENT OF SURVEYOR

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF 1440 DEVCO LLC ON DECEMBER 2, 2021. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER, AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 2, 2022, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

GARY R. IFLAND, LS 7367



STATEMENT OF CITY ENGINEER

I HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP AND THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF. ALL PROVISIONS OF THE SUBDIVISION MAP ACT, SECTION 66442(a)(1)(2)(3), AND THE CITY OF SCOTTS VALLEY SUBDIVISION ORDINANCE APPLICABLE AT THE TIME OF APPROVAL HAVE BEEN COMPLIED WITH.

DATED: _____

CHRIS LAMM, CITY ENGINEER,
CITY OF SCOTTS VALLEY
RCE NO. 82461

STATEMENT OF CITY SURVEYOR

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP PURSUANT TO THE SUBDIVISION MAP ACT, SECTION 66442(a)(4), AND I AM SATISFIED THAT IT IS TECHNICALLY CORRECT.

DATED: _____

ROBERT J. CRAIG, CITY SURVEYOR
CITY OF SCOTTS VALLEY, STATE OF CALIFORNIA
PLS NO. 5418

TRACT NUMBER 1613

1440 MULTIVERSITY

SITUATE IN THE CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, BEING THE LANDS OF 1440 DEVCO LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AS DESCRIBED IN THE FOLLOWING: 2014-0020976 (PORTION OF PARCEL I, PARCEL IV, PARCEL X, AND PARCEL XIX), 2017-0015964 AND 2020-0001950, BEING PORTIONS OF BETHANY PARK, AS RECORDED IN VOLUME 28 OF MAPS AT PAGE 71, SANTA CRUZ COUNTY RECORDS

APN'S 023-021-17, 023-022-01 THRU 05, 023-031-20 & 26, 023-033-06 THRU 08, 023-041-25 THRU 27, 023-072-01

DATE: JANUARY, 2022

SCALE: N/A



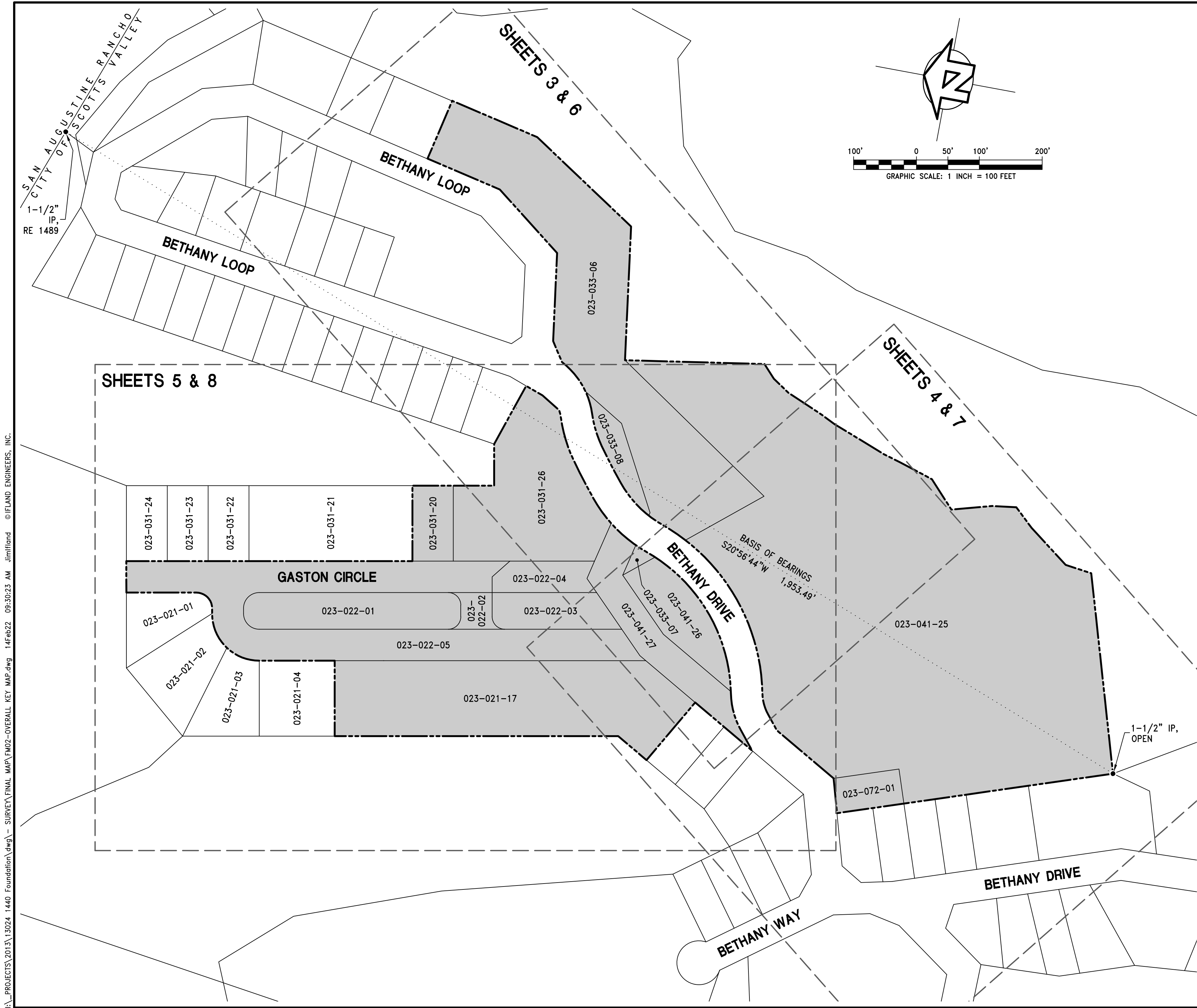
IFLAND
ENGINEERS

5300 SOQUEL AVE, SUITE 101
SANTA CRUZ, CA 95062
TEL (831) 426-5313
www.iflandengineers.com

CIVIL ENGINEERING ■ LAND PLANNING ■ STRUCTURAL DESIGN

SHEET NO. 1 OF 9 SHEETS

JOB NUMBER 13024



LEGEND

- MONUMENT FOUND, AS NOTED
- IP IRON PIPE
- INDICATES THE BOUNDARIES OF THE LAND TO BE RESUBDIVIDED BY THIS MAP
- INDICATES BASIS OF BEARINGS TIE LINE BETWEEN FOUND MONUMENTS
- [Shaded Area] INDICATES EXISTING PARCELS TO BE RECONFIGURED
- 000-000-00 INDICATES EXISTING PARCEL NUMBER

THE TOTAL AREA OF LAND BEING RESUBDIVIDED BY THIS MAP IS 13.80± ACRES / 600,974 SQUARE FEET

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALCULATED TIE BETWEEN FOUND 1-1/2" IRON PIPES, AS SHOWN ON 28 M 71.

BEARING: S 20°56'44" W DISTANCE: 1,953.49'

TRACT NUMBER 1613

1440 MULTIVERSITY

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DATE: JANUARY, 2022 SCALE: 1"=100'



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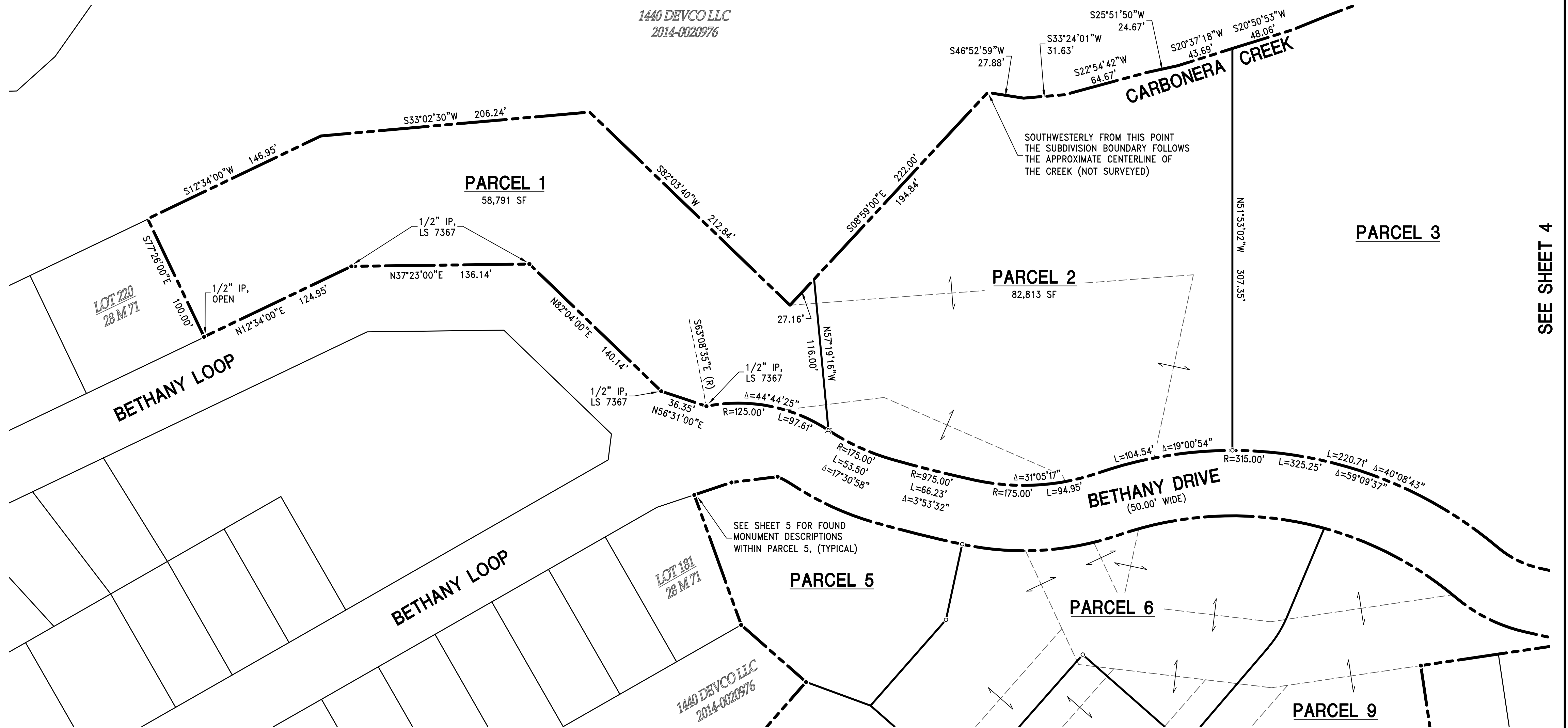
CIVIL ENGINEERING ■ LAND PLANNING ■ STRUCTURAL DESIGN

SHEET NO. 2 OF 9 SHEETS JOB NUMBER 13024

I:\PROJECTS\2013\13024 1440 Foundation\dwg - SURVEY\FINAL MAP\FM02-OVERALL KEY MAP.dwg 14Feb22 09:30:23 AM Jimiland © IFLAND ENGINEERS, INC.

SEE SHEET 4

1440 DEVCO LLC
2014-0020976



SEE SHEET 5 FOR FOUND
MONUMENT DESCRIPTIONS
WITHIN PARCEL 5, (TYPICAL)

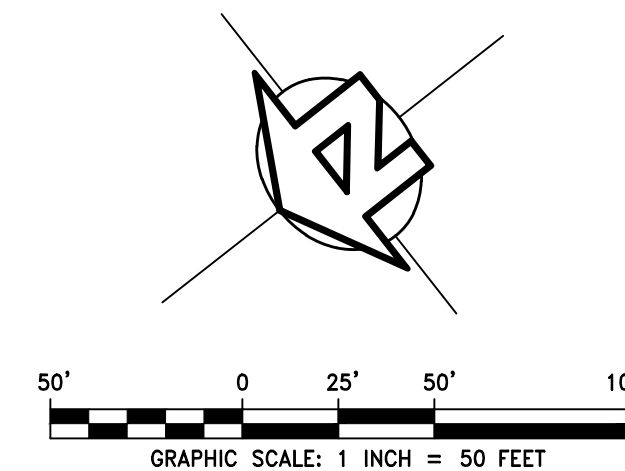
1440 DEVCO LLC
2014-0020976

LEGEND

- | | | | |
|-----|--|-----|---|
| IP | IRON PIPE | --- | INDICATES THE BOUNDARIES OF THE LAND TO BE RESUBDIVIDED BY THIS MAP |
| • | MONUMENT FOUND, AS NOTED | --- | INDICATES NEW PARCEL LINE |
| ○ | SET 1/2"x30" GALVANIZED IP, TAGGED LS 7367, UNLESS OTHERWISE NOTED | --- | INDICATES EXISTING PARCEL LINE TO BE REMOVED |
| ✕ | SET LEAD PLUG & TAG, TAGGED LS 7367, UNLESS OTHERWISE NOTED | --- | INDICATES EXISTING PARCEL LINE TO REMAIN |
| (R) | RADIAL BEARING | | |
- ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF
- THE TOTAL AREA OF LAND BEING RESUBDIVIDED BY THIS MAP IS
13.80± ACRES / 600,974 SQUARE FEET

BASIS OF BEARINGS

SEE SHEET 2



SEE SHEET 5

TRACT NUMBER 1613

1440 MULTIVERSITY

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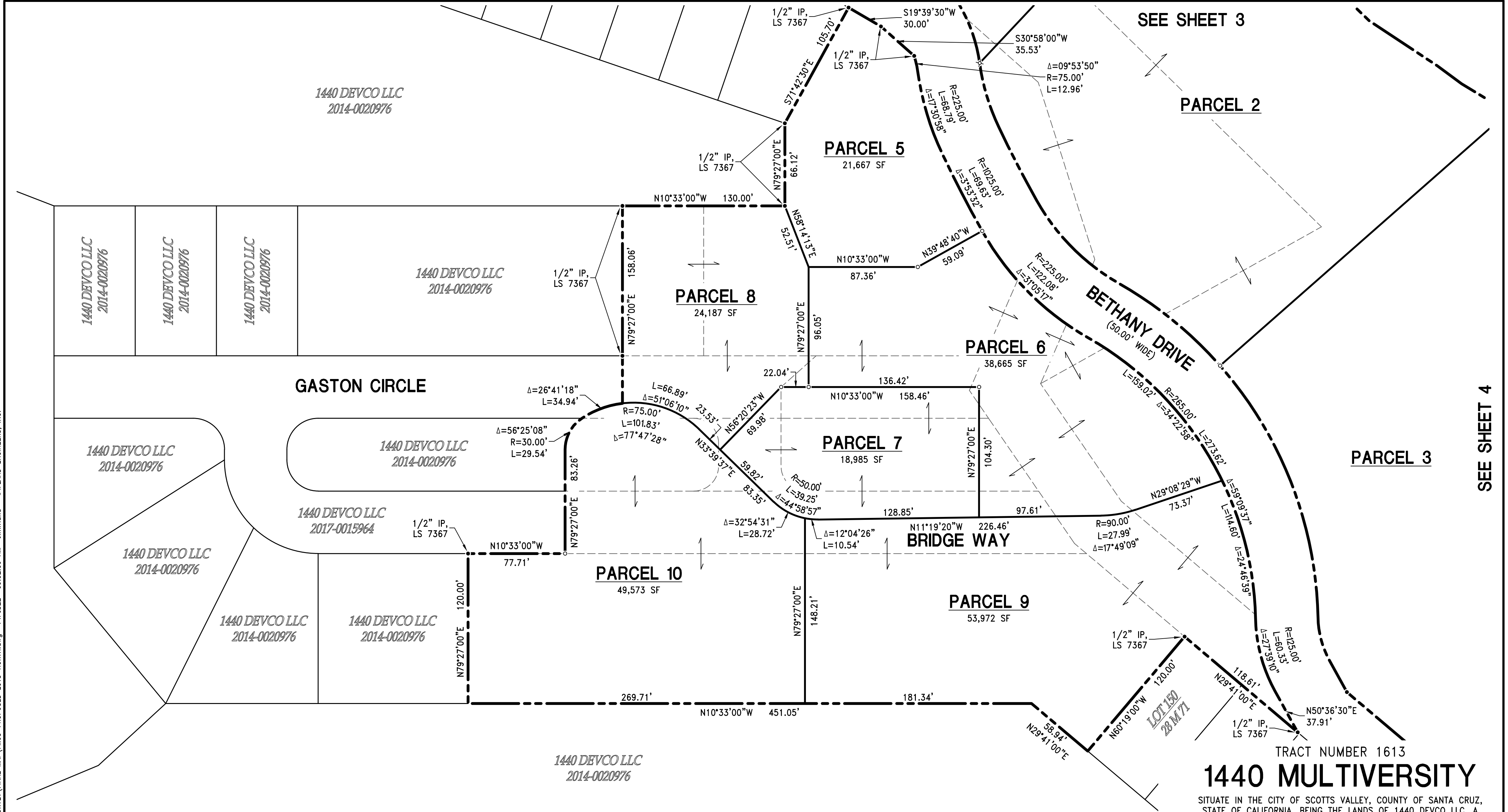
DATE: JANUARY, 2022

SCALE: 1"=50'



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CIVIL ENGINEERING ■ LAND PLANNING ■ STRUCTURAL DESIGN
SHEET NO. 3 OF 9 SHEETS
JOB NUMBER 13024

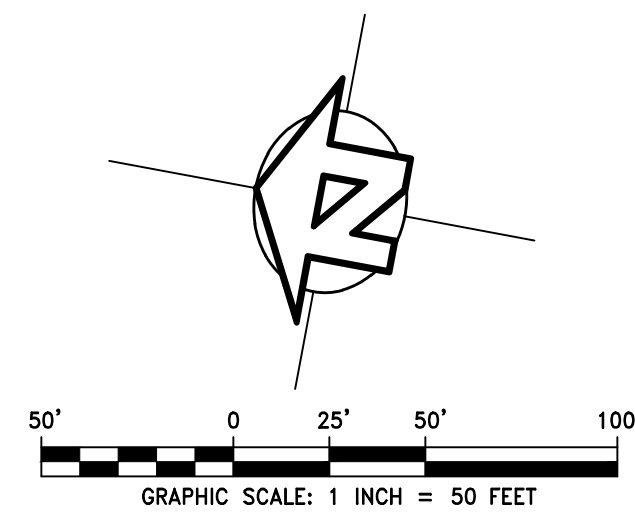


LEGEND

- IP IRON PIPE
 - MONUMENT FOUND, AS NOTED
 - SET 1/2"x30" GALVANIZED IP, TAGGED LS 7367, UNLESS OTHERWISE NOTED
 - SET LEAD PLUG & TAG, TAGGED LS 7367, UNLESS OTHERWISE NOTED
- INDICATES THE BOUNDARIES OF THE LAND TO BE RESUBDIVIDED BY THIS MAP
- INDICATES NEW PARCEL LINE
- INDICATES EXISTING PARCEL LINE TO BE REMOVED
- INDICATES EXISTING PARCEL LINE TO REMAIN
- ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF
- THE TOTAL AREA OF LAND BEING RESUBDIVIDED BY THIS MAP IS 13.80± ACRES / 600,974 SQUARE FEET

BASIS OF BEARINGS

SEE SHEET 2



1440 MULTIVERSITY

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DATE: JANUARY, 2022

SCALE: 1"=50'



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CIVIL ENGINEERING ■ LAND PLANNING ■ STRUCTURAL DESIGN
SHEET NO. 5 OF 9 SHEETS JOB NUMBER 13024

LEGEND

INDICATES PROPOSED EASEMENT, AS NOTED

INDICATES EXISTING PARCEL LINE TO REMAIN

INDICATES NEW PARCEL LINE

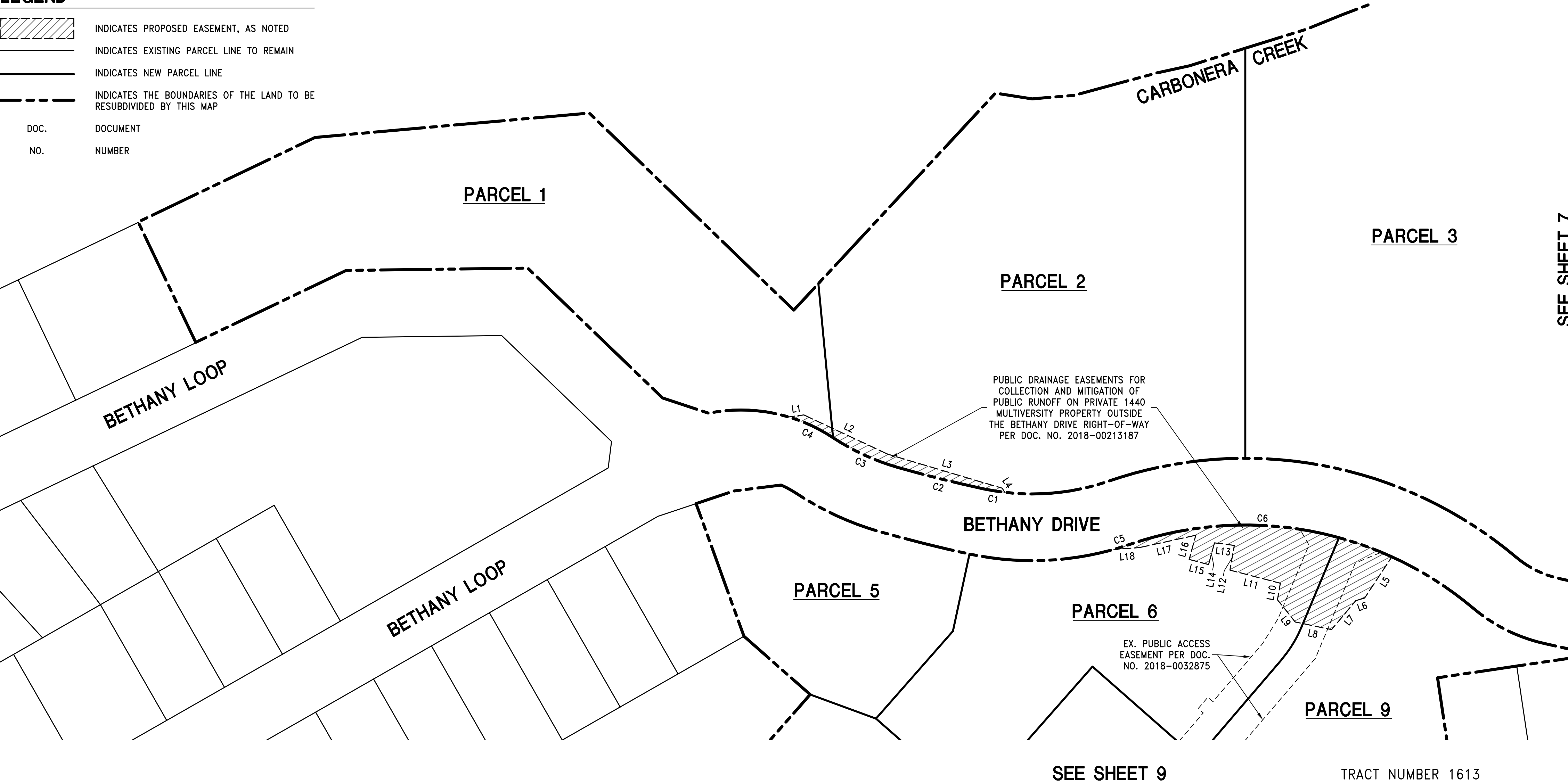
INDICATES THE BOUNDARIES OF THE LAND TO BE RESUBDIVIDED BY THIS MAP

DOC.

DOCUMENT

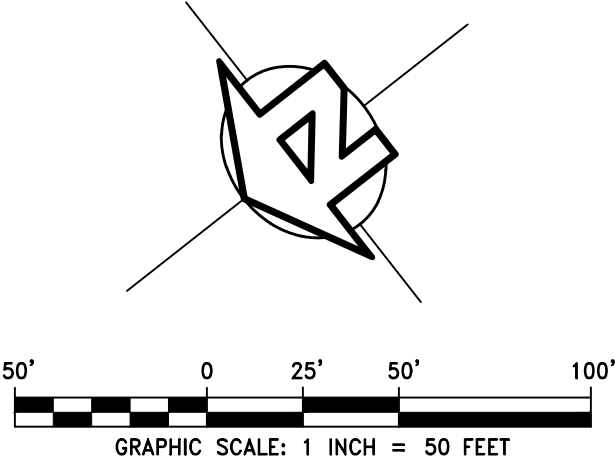
NO.

NUMBER



LINE TABLE								
LINE #	LENGTH	BEARING	LINE #	LENGTH	BEARING	LINE #	LENGTH	BEARING
L1	11.62'	S30°58'00"W	L7	28.26'	N11°54'32"W	L13	14.98'	N45°41'46"E
L2	69.34'	S63°12'21"W	L8	27.80'	N49°58'46"E	L14	16.86'	N36°29'19"W
L3	89.48'	S54°41'14"W	L9	21.33'	N89°27'32"E	L15	15.00'	N52°46'04"E
L4	3.63'	N84°00'39"W	L10	12.55'	S41°54'09"E	L16	18.84'	S36°29'19"E
L5	37.00'	N18°26'31"W	L11	39.06'	N52°46'04"E	L17	43.17'	N25°43'44"E
L6	6.97'	N21°01'42"E	L12	18.76'	S41°46'03"E	L18	19.29'	N34°07'07"E

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	16.22'	175.00'	5°18'36"
C2	66.23'	975.00'	3°53'32"
C3	53.50'	175.00'	17°30'58"
C4	36.97'	125.00'	16°56'40"
C5	12.71'	225.00'	3°14'15"
C6	201.20'	265.00'	43°30'03"



TRACT NUMBER 1613

1440 MULTIVERSITY

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DATE: JANUARY, 2022

SCALE: 1"=50'

IFLAND ENGINEERS

CIVIL ENGINEERING ■ LAND PLANNING ■ STRUCTURAL DESIGN

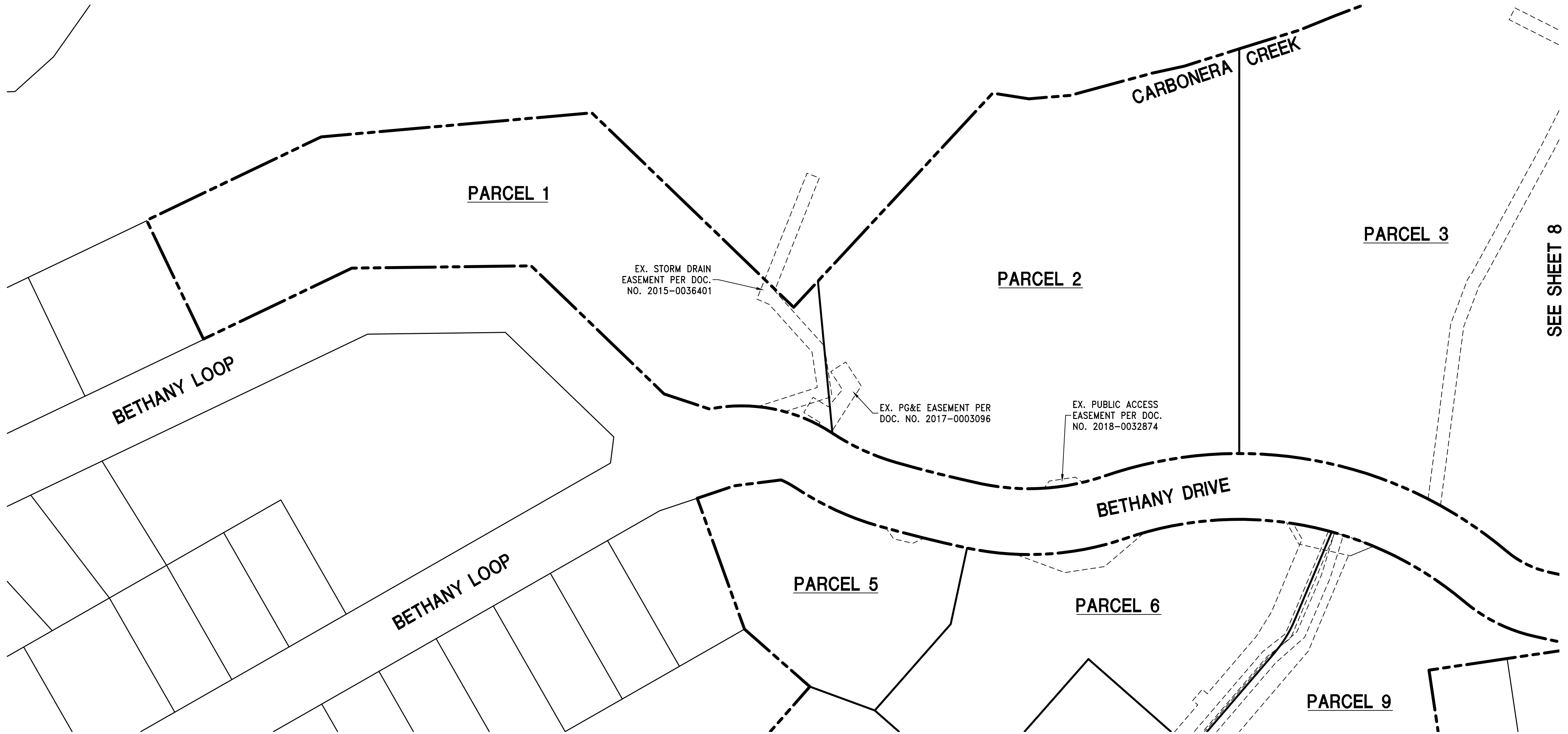
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SHEET NO. 6 OF 9 SHEETS

JOB NUMBER 13024

I:\PROJECTS\2013\13024 1440 Foundation\dwg - SURVEY\FINAL MAP\FM06-PROPOSED EASEMENTS-ALL.dwg 14Feb22 09:33:22 AM JimIfland © IFLAND ENGINEERS, INC.

I:\PROJECTS\2013\13024 1440 Foundation\dwg\ - SURVEY\FINAL MAP\FM07-EXISTING EASEMENTS-EAST.dwg 14Feb22 09:34:09 AM JimIfland ©IFLAND ENGINEERS, INC.

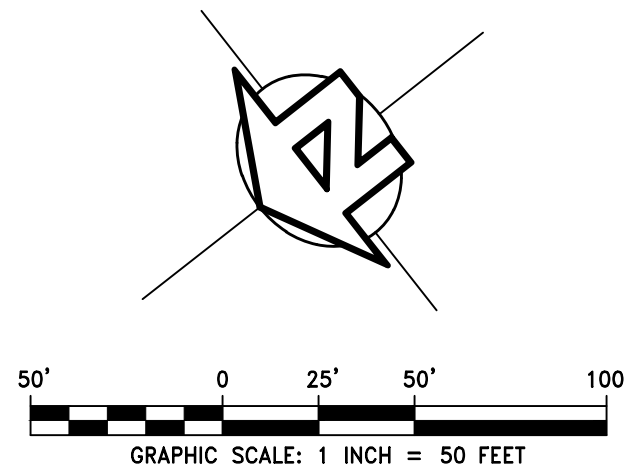


SEE SHEET 8

SEE SHEET 9

LEGEND

DOC.	DOCUMENT
EX.	EXISTING
NO.	NUMBER
PG&E	PACIFIC GAS & ELECTRIC
—————	INDICATES EXISTING PARCEL LINE TO REMAIN
-----	INDICATES EXISTING EASEMENT, AS NOTED
—————	INDICATES NEW PARCEL LINE
-----	INDICATES THE BOUNDARIES OF THE LAND TO BE RESUBDIVIDED BY THIS MAP



TRACT NUMBER 1613

1440 MULTIVERSITY

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DATE: JANUARY, 2022

SCALE: 1"=50'

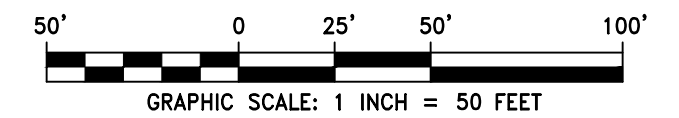
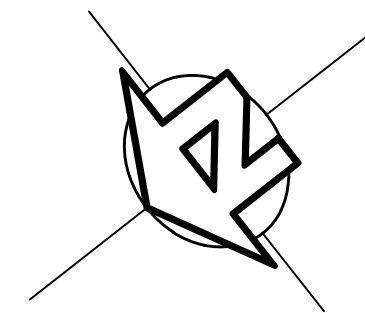


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CIVIL ENGINEERING ■ LAND PLANNING ■ STRUCTURAL DESIGN
SHEET NO. 7 OF 9 SHEETS JOB NUMBER 13024

LEGEND

DOC.	DOCUMENT
EX.	EXISTING
NO.	NUMBER
PG&E	PACIFIC GAS & ELECTRIC COMPANY
_____	INDICATES EXISTING PARCEL LINE TO REMAIN
-----	INDICATES EXISTING EASEMENT, AS NOTED
=====	INDICATES NEW PARCEL LINE
___ _ _ _ _	INDICATES THE BOUNDARIES OF THE LAND TO BE RESUBDIVIDED BY THIS MAP



TRACT NUMBER 1613

1440 MULTIVERSITY

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DATE: JANUARY, 2022

SCALE: 1"=50'



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CIVIL ENGINEERING ■ LAND PLANNING ■ STRUCTURAL DESIGN
SHEET NO. 8 OF 9 SHEETS JOB NUMBER 13024

SEE SHEET 7

SEE SHEET 9

012

SEE SHEET 7

PARCEL 2

PARCEL 5

EX. PUBLIC ACCESS
EASEMENT PER DOC.
NO. 2018-0032874

EX. PUBLIC ACCESS
EASEMENT PER DOC. NO.
2018-0032874

PARCEL 6

BETHANY DRIVE

PARCEL 8

PARCEL 7

EX. SVWD EASEMENT
PER DOC. NO.
2017-0005680

EX. PUBLIC ACCESS
EASEMENT PER DOC.
NO. 2018-0032875

EX. PUBLIC ACCESS
EASEMENT PER DOC.
NO. 2018-0032874

PARCEL 3

SEE SHEET 8

BRIDGE WAY

PARCEL 9

PARCEL 10

GASTON CIRCLE

EX. SVWD EASEMENT
PER DOC. NO.
2017-0005680

EX. PG&E
EASEMENT PER
DOC. NO.
2017-0002783

EX. PG&E
EASEMENT PER
DOC. NO.
2017-0002783

TRACT NUMBER 1613

1440 MULTIVERSITY

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DATE: JANUARY, 2022

SCALE: 1"=50'

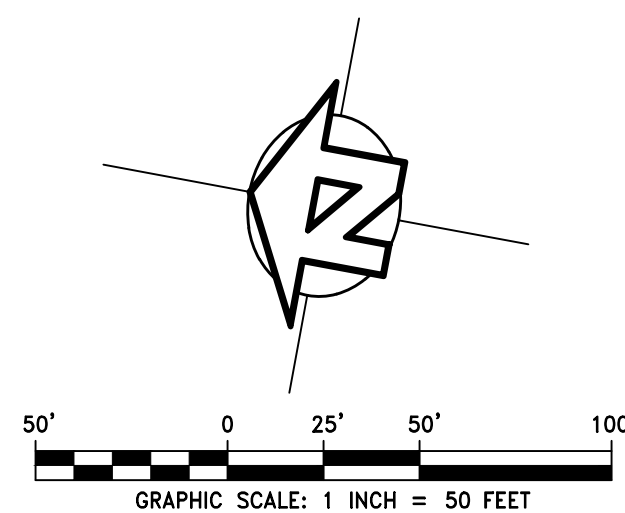


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CIVIL ENGINEERING ■ LAND PLANNING ■ STRUCTURAL DESIGN
SHEET NO. 9 OF 9 SHEETS JOB NUMBER 13024

LEGEND

DOC.	DOCUMENT
EX.	EXISTING
NO.	NUMBER
PG&E	PACIFIC GAS & ELECTRIC COMPANY
SVWD	SCOTTS VALLEY WATER DISTRICT
————	INDICATES EXISTING PARCEL LINE TO REMAIN
-----	INDICATES EXISTING EASEMENT, AS NOTED
————	INDICATES NEW PARCEL LINE
-----	INDICATES THE BOUNDARIES OF THE LAND TO BE RESUBDIVIDED BY THIS MAP



City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: April 20, 2022

TO: Honorable Mayor and City Council

FROM: Casey Estorga, Administrative Services Director

APPROVED: Mali LaGoe, City Manager

SUBJECT: **ADOPT GUIDING BUDGET PRINCIPLES AND BUDGET
CALENDAR FOR FISCAL YEAR 2022-23**

SUMMARY OF ISSUE

Every year, the City Council provides direction to the City Manager regarding the preparation of the annual budget for the succeeding year, a good practice used by local governments to guide staff's preparation of the annual budget, and as a basis for evaluating budget proposals included in the proposed budget. Staff recommends that the City Council review a series of proposed Guiding Budget Principles that will serve as a basis for preparing the annual budget and its evaluation when it is brought before the City Council at the budget public hearing in June.

Guiding Budget Principles for Fiscal Year 2022-23

The City has adopted several fiscal policies over the years that provide guidance and policy direction in the City's administration of its finances. These fiscal policies include such matters as reserve policies, budget management and administration, and investment management.

Best practices used by other local governments include the adoption of budget principles that, consistent with existing fiscal policies, help focus a governing board and staff on the preparation of a budget. Such principles should be consistent with the agency's strategic plans and priorities while also striving to provide guidance towards the overall long-term fiscal health of the organization.

The City's annual budget process is one of the more important policy activities the City undertakes, as it addresses how the City intends to allocate scarce resources to the programs and services that it provides to the community. The budget is an integral part of the City's strategic planning and management functions, and ultimately reflects the mission and values of the organization.

Best budgeting practices that have been compiled by several national and state

associations suggest that a good budget process incorporate a long-term perspective, establish linkages to broad organizational goals, and focus budget decisions on results and outcomes.

The decisions that will need to be made by staff, through the City Manager, and ultimately the City Council with respect to policy direction, are best governed through a set of budget principles upon which every annual budget should be prepared.

Staff has developed a set of budget principles for City Council consideration as staff begins preparation of the FY 2022-23 annual budget. These budget principles incorporate several key elements that staff believes are consistent with the City's priorities and policy direction, consistent with the City's implementation of its Fiscal Sustainability Plan over the past several years, existing fiscal policies, and will provide focused direction for staff and, ultimately, City Council consideration in adopting the budget.

Attached to this staff report is the draft Proposed Guiding Budget Principles for FY 2022-23 Annual Budget and long-range financial planning. Upon receiving approval and/or direction from Council, staff will use the adopted budget principles and budget calendar to guide budget proposals that will be incorporated into the proposed FY 2022-23 Budget document that is presented to the City Council for review and approval.

Budget Calendar for Fiscal Year 2022-23

The attached calendar summarized important milestones for presenting each deliverable as part of the Fiscal Year 2022-23 budget process, including meetings with the City Council, the City's Budget Subcommittee, and meetings with advisory bodies like the Parks & Recreation Commission and Planning Commission.

FISCAL IMPACT

There is no fiscal impact as a result of accepting the attached report and providing direction to the City Manager for the preparation of the FY 2022-23 Annual Budget.

STAFF RECOMMENDATION

Staff recommends the City Council approve a Resolution No. 630.42 Adopting Guiding Budget Principles and Budget Calendar for use in preparing the FY 2022-23 Annual Budget

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RESOLUTION NO. 630.42

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY
ADOPTING GUIDING BUDGET PRINCIPLES AND BUDGET CALENDAR
FOR FISCAL YEAR 2022-23**

WHEREAS, the City of Scotts Valley is developing the annual budget for FY 2022-23, with Guiding Budget Principles and Budget Calendar being integral resources fundamental to the annual budget development process; and

WHEREAS, adoption of the annual budget is an integral part of the City's strategic planning and management functions, as it assigns scarce resources to the programs and services provided to the community and ultimately reflects the mission and values of the organization as well as ensuring the long-term fiscal sustainability of City operations; and

WHEREAS, to anchor good financial planning, focus budget preparation, support fiscal sustainability and linkage to organizational goals, a set of guiding budget principles were prepared, drawn from state and national best practices; and

WHEREAS, the Guiding Budget Principles provide principles for numerous policy areas including the following: budgeting, fund balance/reserves, fiscal sustainability planning, ongoing resources and operations, use of one-time resources, capital project budgeting, debt management, and other financial matters; and

WHEREAS, such principles are consistent with the City's strategic plans and priorities and will support the long-term health of the organization.

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

The City Council of the City of Scotts Valley hereby adopts the attached FY 2022-23 Guiding Budget Principles and Budget Calendar to be used in preparation of the City's annual budget.

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 20th day of April, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Donna Lind, Mayor

Attest: _____
Lauren Lambert, Deputy
City Clerk

EXHIBIT A

City of Scotts Valley Proposed Guiding Budget Principles for FY 2022/23 Annual Budget

It is recommended that the City Council establish a set of budget principles to guide current and future policy makers and staff to ensure the long-term financial sustainability of the City. The budget principles that are listed below are presented as a starting point for consideration and reflect best practices of other local agencies throughout California and the United States. The set that is ultimately approved by Council may result in new or updated Council policy.

Budgeting Policies

1. Budget development will be guided by a long-term financial plan proposed by the City Manager and adopted by the City Council and should include considerations such as the cost of deferred maintenance and unfunded liabilities.
2. The budget must be balanced. Specifically, revenue must be equal to or greater than expenses. The total expenses of a department in the new fiscal year will be their expenses from the current fiscal year as modified by MOU changes and minor increases in services and supplies to the extent resources allow. All departments are expected to review their sources of revenue for correctness and validity. All departments are expected to evaluate the impact of uncertainties to revenues from COVID-19 and adjust expenditures accordingly.
3. There will be no unfunded positions included in the budget or staffing resolution. Vacancy Review will be utilized to create budget flexibility in case of loss of revenue, and to ensure the need exists for filling positions. All positions will be reviewed. Any new positions will consider: new revenue for the position to cover the cost of the position and indirect and overhead costs; the need for the position to meet Council Goals; and a reasonable expectation that there will be an ongoing funding stream for any new position.
4. The 2022-23 budget will only use reserve funds for emergency and one-time expenditures or for purposes that the reserve is designated to fund. Every effort will be used to preserve reserve funds at designated levels.
5. The City Manager is authorized to approve administrative adjustments to the adopted budget or reallocate appropriations among departments or divisions within a fund, as long as those changes do not significantly impact policy or affect budgeted year-end fund balances. Any revisions that increase total appropriations in any given fund must be approved by the City Council.

EXHIBIT A

Reserve Policies

6. General Fund reserves should be maintained at a minimum of 17% (or two months) of annual operating expenditures, with a target reserve goal of 30% (three months) of annual operating expenditures, and in no event should be planned to fall below 10% in any year in the long-range forecast beyond the first year.
7. Funding assignments in the General Fund will be used to plan for current and future needs including pension contributions, facility planning, IT infrastructure, economic development activities, economic uncertainty, and general purpose. These assignments reflect the Council's goals and intent to plan for future investments but are not restricted to their assigned use and can be modified as needed to meet the City's needs.
8. Recreation Enterprise Fund reserves have no established minimum reserve, but are expected to be fully supported by the General Fund through fund transfers where necessary to the extent that recreation program revenues and facility rental charges are insufficient to cover operating costs.
9. Wastewater Operations Enterprise Fund should maintain a minimum of 50% (or six months) of annual operating expenditures to meet cash flow needs, plus a \$1 million emergency reserve for seismic/catastrophic events, both of which would be incorporated in the Wastewater rate model to plan for future wastewater service rates.

Ongoing Resources and Operations

10. Every effort will be made to restore the level of service provided pre-pandemic, understanding that this will require some departments and programs to reorganize, partner with contracted vendors, and/or invest in time-saving technology.
11. Ongoing expenditures should be supported by ongoing revenues.
12. The City will seek to avoid dependence on temporary or unstable revenues to fund mainstream municipal services where possible.
13. Charges for services should maximize recovery of the full cost of related services, including direct operating costs, and other indirect costs such as capital and overhead costs. Recreation services will seek to fully recover costs where possible.

Use of One-Time (Windfall) Resources

14. One-time revenues will not be used for ongoing expenditures on a continuous basis.
15. Unpredictable revenues, such as those derived from the sale of surplus land assets or inventory, will be treated as one-time revenue and will not be used to support ongoing expenses.

EXHIBIT A

16. One-time resources may only be used to support one-time expenses such as capital investments or to replenish reserves.

Capital Projects

17. When capital projects are considered, all associated costs - including annual operating expenses, debt services, and any additional future costs - will be identified in order to properly assess future financial impacts.
18. Investment in technology will be continued.

Fiscal Sustainability Planning

19. To the extent that the long-range financial forecast indicates a structural gap between projected annual revenues and expenditures, the City will update its existing fiscal sustainability plan or develop and implement a new fiscal sustainability plan to ensure General Fund reserves stay within the reserve policies established by the City Council.
20. Any structural gap in a long-term financial forecast will be addressed in such a way that it is eliminated no later than the final year of the long-range financial forecast (not to exceed 10 years).
21. Service level reductions will be implemented if other strategies are not possible or cannot be achieved in a timely fashion.
22. There will be a high level of fiscal discipline by the Department Heads, Budget Subcommittee, City Manager and City Council. Every effort will be made to maximize City assets, achieve a high level of funding for employee retirement promises, evaluate cost per service item and develop and maintain contracts with vendors within Scotts Valley.

Debt Management

23. Debt will not be used to support ongoing operations.
24. Capital leases may be used as a mid-term borrowing arrangement for fleet, equipment, and technology uses to the extent that the imputed interest rate in any such capital lease is competitive with existing long-term borrowing rates, considers potential maintenance cost savings for assets under the capital lease, and that such costs are incorporated into the long-range financial forecast.
25. Long-term borrowing (three years or more) for capital facilities will be considered as an appropriate method of financial facilities that benefit more than one generation of users and to the extent that existing reserves or other one-time resources are not available.

EXHIBIT A

Other Matters

26. The Wastewater Enterprise fund shall reflect the true cost of operation, including direct and indirect costs of services provided by the General Fund, and be self-reliant upon fees and/or use rates paid by ratepayers.
27. Private development of residential, commercial and/or industrial properties shall pay its fair share of capital improvements that are necessary to serve the development and should not be subsidized by public funds.
28. If the City contributes funds to Non-Profit or Community Partners for other than the purchase of services, it will give priority to one-time initiatives (as opposed to operational subsidies), and to those who demonstrate collaboration with other Community Partners. Funding will be adjusted based upon discretionary revenues available as with other City departments. Loans and advances will not be considered unless extraordinary events occur and must be secured.

April

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
10	11	12 Budget Subcommittee: Budget Policies, Fee Schedule, and CIP Intro	13	14	15 Staff: Publish agenda for 4/20 City Council meeting	16
17	18	19	20 City Council: Adopt Budget Policies and Budget Calendar	21	22 Staff: Publish Public Hearing Notice for 5/4 City Council meeting Fee Schedule	23
24	25 Budget Subcommittee: Police, Finance, & Admin Operational Budgets, 5-10 Year Financial Projections	26	27	28	29 Staff: Publish agenda for 5/4 City Council meeting Fee Schedule	30

May

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4 City Council: Adopt Fee Schedule PUBLIC HEARING	5	6	7
8	9 Budget Subcommittee: Public Works, IT, Community Development Operational Budgets	10	11	12	13 Staff: Publish agenda for 5/18 City Council meeting and 5/19 Parks & Rec Commission	14
15	16	17	18 City Council: Draft 5-Year CIP Presented for Feedback	19 Parks & Rec Commission: Review CIP	20 Staff: Publish Public Hearing Notice for 6/1 Council Meeting w/ full draft of FY22-23 Annual Budget/CIP	21
22	23	24	25	26	27 Staff: Publish Agenda for 6/1 Council Meeting w/ full draft of FY22-23 Annual Budget/CIP	28
29	30 Memorial Day Holiday	31				

June

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 City Council: Review of FY 2022-23 Annual Budget & 5-Year CIP – PUBLIC HEARING	2	3 Staff: Publish Agenda for 7/9 Planning Commission Meeting	4
5	6	7	8	9 Planning Commission: Review CIP for General Plan Consistency	10 Staff: Publish Agenda for 7/15 Council Meeting with final draft of FY 2022-23 Annual Budget and CIP	11
12	13	14	15 City Council: Adoption of FY 2022-23 Annual Budget & 5-Year CIP (on Consent Agenda)	16	17	18
19	20 Juneteenth Holiday	21	22	23	24	25
26	27	28	29	30	July 1	July 2
July 3 Independence Day Celebration	July 4 4th of July Holiday	July 5 New Fee Schedule implemented after required 60-day window				

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: April 20, 2022

TO: Honorable Mayor and City Council

FROM: Casey Estorga, Administrative Services Director

APPROVED: Mali LaGoe, City Manager

SUBJECT: **AWARD \$250,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS (CDBG-CV) FUNDING TO ELIGIBLE SCOTTS VALLEY BUSINESSES**

SUMMARY OF ISSUE

In March 2020, the United States Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act in response to the impacts of the COVID-19 pandemic. Through the CARES Act, the City of Scotts Valley was awarded roughly \$395,000 in Community Development Block Grant Coronavirus (CDBG-CV) funding as provided to the City by the California Department of Housing and Community Development (HCD). Then, in April 2021, the City Council approved a Resolution and spending plan that included assigning a portion of the CDBG-CV funds in support of the Boys and Girls Club's childcare services while also dedicating \$250,000 in CDBG-CV funding for grants to eligible Scotts Valley businesses.

As a result of the City Council's adopted spending plan, and as approved by HCD, the City's Economic Recovery Subcommittee undertook the role of administering the small business grant program, including by designing program guidelines that aligned with all CDBG-CV and/or CARES Act rules.

The City's Economic Recovery Subcommittee was created to respond to the dynamic needs of Scotts Valley businesses during the COVID-19 pandemic and is comprised of two City Councilmembers, representatives from the Scotts Valley Chamber of Commerce, and City staff. Additionally, as part of the small business grant program, the City engaged regional experts to help with different elements of the small business grant process, including the Adams Ashby group as the City's CDBG consultant and the Santa Cruz branch of the Northern California Small Business Development Center (SBDC) to facilitate the grant application and underwriting processes. Notably, HCD required the City to partner with an experienced third party, in this case SBDC, to independently perform the underwriting evaluation as part of the grant eligibility processes.

The small business grant program was designed to offset negative impacts of the COVID-19 pandemic, including the shelter-in-place order, and to assist businesses with financial recovery. The program guidelines identified eligible uses of CDBG-CV funding and included the use of funds to offset a business's mortgage, rent, and/or utility costs between April 2020 and December 2021. Program guidelines were adopted with the intention of helping as many businesses as possible with the available funding. The application period was opened in January 2022 and included a Town Hall meeting to discuss the grant requirements and application process.

The funding source included strict eligibility criteria, with an aim to support businesses that were owned by, or employed, individuals earning a low or moderate income as defined by CDBG-CV criteria. Other eligibility criteria included a business having a brick-and-mortar physical presence within the Scotts Valley city limits (home-based businesses were not eligible), business having fewer than 25 full time equivalent (FTE) employees, a business could not receive duplicate benefits (i.e. could not double-dip), and a business must in good standing with the City, including with a current business license and no outstanding liens or municipal code violations.

More than 60 businesses expressed interest in the grant program. Then, through the extensive application and underwriting process, the Subcommittee identified nine businesses that were eligible to receive grants under the CDBG-CV criteria. Some reasons why businesses were deemed ineligible included because of incomplete applications, not being located within Scotts Valley city limits, a business not receiving a satisfactory rating during the underwriting process, and/or a business owner or their employees not meeting CDBG's low or moderate income requirements.

The nine eligible businesses were then evaluated using the Scoring Matrix that was published in January 2022 as part of the original grant application. As required by the CDBG-CV funding source, the Scoring Matrix provided a weighted scoring structure, where businesses with the highest number of employees and businesses with the most significant lost in revenue being eligible for the highest scores.

As a result of this application, evaluation, and scoring processes, the Economic Recovery Subcommittee is recommending the City Council approve CDBG-CV small business grant awards as follows:

Scotts Valley Business Name	Grant Award Amount
Building Kidz	\$50,000
Faust Salon	\$50,000
Hillside Cleaners	\$7,500
Idlewild Tattoo Parlour	\$5,000
Irish Eyes Beauty	\$12,500
Limelight Home Staging	\$15,000
Scotts Valley Veterinary Clinic	\$50,000
The Redwood Sandwich Co.	\$50,000
Togo's	\$10,000
TOTAL	\$250,000

As a condition of receiving the grant funds, each business will have to sign an agreement and provide all necessary supporting documentation to legitimize costs related to eligible mortgage, rent, and/or utility expenses. Additionally, when applicable, businesses will also be required to provide documented proof that funds were used to retain employees earning low or moderate incomes.

Additionally, while these CDBG-CV grants will help some small businesses in Scotts Valley, the Economic Recovery Subcommittee has also recognized that the strict rules of the grant program had a limited reach throughout the business community. Further, the Subcommittee recognized that Scotts Valley businesses will need additional support from the City as the regional economy continues to recover from the economic impacts of the COVID-19 pandemic. This may come in many ways, including exploring new/different financial support through state, federal, or other funding sources, and/or through partnerships with private corporations, non-profits, and/or academic institutions.

FISCAL IMPACT

There is no fiscal impact as a result of the City Council making the recommended \$250,000 in grant awards to Scotts Valley small businesses. Funding for these grants has been included in the FY 2021-22 Amended Budget and costs for the grant awards will be fully covered by the CARES Act/CDBG-CV funding source.

STAFF RECOMMENDATION

It is recommended that the City Council approves the Economic Recovery Subcommittee's recommendation and awards \$250,000 in small business grants as prescribed in the matrix above.

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RESOLUTION NO. 2013

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AWARDING \$250,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS (CDBG-CV) FUNDING TO ELIGIBLE SCOTTS VALLEY BUSINESSES

WHEREAS, in March 2020 the United States Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act, with the City of Scotts Valley being awarded funding through the California Department of Housing and Community Development (HCD) as part of Community Development Block Grant Coronavirus (CDBG-CV) program to support local small business needs as a result of the COVID-19 pandemic; and

WHEREAS, the City Council created a HCD-approved small business grant program to award \$250,000 in funding to Scotts Valley small businesses; and

WHEREAS, the City held an open and competitive application process, including by utilizing a CDBG consultant and local small business expert, the Small Business Development Center (SBDC), to facilitate the eligibility and application process; and

WHEREAS, the City's Economic Recovery Subcommittee reviewed all eligible businesses and utilized a HCD-approved Scoring Matrix to prioritize awards to eligible businesses based on the documented negative financial impacts of the COVID-19 pandemic and the total number of employees earning an income at low to moderate levels as defined by CDBG; and

WHEREAS, City Council approval is needed to award funds to eligible businesses.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Scotts Valley that \$250,000 in CDBG-CV small business grants are awarded to eligible local small businesses in the manner described below:

Scotts Valley Business Name	Grant Award Amount
Building Kidz	\$50,000
Faust Salon	\$50,000
Hillside Cleaners	\$7,500
Idlewild Tattoo Parlour	\$5,000
Irish Eyes Beauty	\$12,500
Limelight Home Staging	\$15,000
Scotts Valley Veterinary Clinic	\$50,000
The Redwood Sandwich Co.	\$50,000
Togo's	\$10,000
TOTAL	\$250,000

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 20th day of April, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Donna Lind, Mayor

Attest: _____
Lauren Lambert, Deputy
City Clerk