



AGENDA

Meeting of the Scotts Valley City Council

Remote Access Only

Date: October 19, 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/87964992497 <i>See information below for how to participate.</i>	The agenda was posted 10-14-2022 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. 2007.12 on September 21, 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 livestreamed to the City of Scotts Valley's YouTube channel: <https://www.youtube.com/channel/UCLNTBScelB4wTfidYHrocWA>

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/87964992497>
- Or One tap mobile:
US: +16699009128,,87964992497# or +16694449171,,87964992497#
- Or Telephone:
Dial (for higher quality, dial a number based on your current location):
US: +1 669 900 9128 or +1 669 444 9171 or +1 346 248 7799 or
+1 719 359 4580 or +1 253 215 8782 or +1 386 347 5053 or +1 564 217 2000 or
+1 646 558 8656 or +1 646 931 3860 or +1 301 715 8592 or +1 309 205 3325 or
+1 312 626 6799

Webinar ID: 879 6499 2497

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 Kirsten Powell, City Attorney Corey Stocker, Assistant to the City Manager Cathie Simonovich, City Clerk

MEETING NOTICE AND AGENDA PACKET MATERIALS

Notice regarding City Council Meetings:

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

Agenda and Agenda Packet Materials:

The City Council agenda and the complete agenda packet are available for review by 5:00 PM the Friday before the Wednesday meeting on the Internet at the City's website: <http://scottsvalley.org/AgendaCenter>.

YouTube livestream:

This meeting will be livestreamed to the City of Scotts Valley's YouTube channel:

<https://www.youtube.com/channel/UCLNTBScelB4wTfidYHrocWA>

This YouTube channel will not accept comments – attendees may comment through the Zoom webinar using the instructions listed above.

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/87964992497>

CALL TO ORDER 6:00 PM

MOMENT OF SILENCE

ROLL CALL

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 10-05-2022
- B. Approve check registers dated 10-06-2022 and 10-13-2022
- C. Approve Resolution No. 2007.13 authorizing the continued use of teleconference meetings, pursuant to Assembly Bill 361

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. Community Grant Program recommendations for fiscal year 2022-2023

2. Code of Conduct for City Council, Commissions, and Boards
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.)

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 to attend and participate at the meeting, please call the City Clerk's office at (831) 440-5600 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a City Council meeting be available in an alternative format consistent with a specific disability, please call the City Clerk's Office. The California State Relay Service (TTY/VCO/HCO to Voice: English 1-800-735-2929, Spanish 1-800-855-3000; or Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.

PROCEDURAL INFORMATION FOR THE PUBLIC

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

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

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

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

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

Unless otherwise determined by the presiding officer of the meeting:

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



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



MINUTES

Meeting of the
Scotts Valley City Council
Date: October 5, 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 Video Conference	The agenda was posted 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
Chris Lamm, Public Works Director/City Engineer
Cathie Simonovich, City Clerk

COMMITTEE REPORTS

CM Timm attended the Pension Subcommittee meeting where they discussed various hypothetical funding scenarios for the 115 Trust. They will come back to the full Council with recommendations at a later date.

CM Dilles attended the Pension Subcommittee meeting and added that the committee is also reviewing what other cities are doing to address reserves.

Mayor Lind attended a couple of Santa Cruz Metropolitan Transit District (METRO) meetings, and they are looking at a company to assist with payroll, which is currently processed by the County.

Date:

Mayor Lind attended the grand opening of the Scotts Valley Performing Arts Theater and gave congratulations to the Theater Guild.

Mayor Lind congratulated Chief Walpole on the success of the Scotts Valley Police Department's annual inspection.

CITY MANAGER REPORT

Traffic: The Police Department has been working closely with Caltrans to try to alleviate the traffic congestion at the beginning of the school day. New legislation that mandates schools to start no earlier than 8:30 AM has resulted in all of the high school students arriving at the same time which has caused significant congestion at the main intersection at Scotts Valley Drive and Granite Creek Road. The lights have been adjusted and this is currently the best we can hope for, given the design of the intersection. Please be patient as we continue to monitor the situation.

Police Department:

- The swearing-in ceremony for Officer Jesse Pidcock will be on October 12, 2022. Officer Pidcock is returning to the Police Department after a long stint in a different career. He recently completed an accelerated refresher academy course.
- Interviews have been held for the last open position at the Police Department.

Public Works Department:

- Installed the second of several new water bottle filling stations and drinking fountains at the public parks
- Released several bid requests/requests for proposals for the following projects:
 - Updating the City's pavement management program
 - Demolishing the old PWD building in order to replace that building, hopefully in Spring 2023
 - On-call janitorial services, to supplement the work that our maintenance staff are able to complete
 - Consulting assistance to develop a Parks and Recreation strategic plan
- Staff met with designers regarding the Siltanen Park irrigation system to move forward with a Capital Improvement Project to replace the irrigation system
- Began the process with the consultants to upgrade the HVAC at City Hall

Halloween: Bring your kids to the Parks and Recreation building on Halloween – the building is decked out and the staff is ready for trick-or-treaters!

PUBLIC COMMENT TIME

CM Timm thanked the Sunrise Rotary for the 3-day bike event which benefits the youth in our county. This event coincides with *Biketober* so please consider participating in the *Biketober* events such as bike workshops, bike to school, and the bike to work

Date:

challenge. More information can be found on the Ecology Action website.
Congratulations to Scotts Valley Police Department for their new Bike Patrol unit!

CONSENT AGENDA

- A. Approve City Council minutes of 09-21-2022
- B. Approve check registers dated 09-22-2022 and 09-29-2022
- C. Approve agreement with Kimley-Horn and Associates, Inc. to prepare the 6th Cycle Housing Element Update

Public Comment was received from Evan Siroky in support of the City entering into an agreement for the housing element.

- D. Approve amendment to the agreement with Avenu Enterprise Solutions, LLC (New Vision) for application hosting and support services for the financial ERP system
- E. Appoint Wayne Thompson to serve on the Cultural Resource Preservation Commission

CONSENT AGENDA APPROVAL WITH NO ALTERATIONS

M/S: Timm/Dilles

To approve the Consent Agenda.

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

REGULAR AGENDA APPROVAL WITH NO ALTERATIONS

M/S: Dilles/Johnson

To approve the Regular Agenda.

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

REGULAR AGENDA

1. Authorization to execute multi-year agreement with Cyber Ascend Technologies for Information Technology managed services

City Manager LaGoe presented this item. Phil Neuman from Cyber Ascend Technologies spoke regarding the company's work with the City of Scotts Valley as the interim IT provider. City Manager LaGoe responded to questions and comments from Council.

Allan Timms, a resident of Scotts Valley, spoke in favor of the City executing an agreement with Cyber Ascend Technologies.

Date:

M/S: Johnson/Dilles

To authorize the City Manager to execute a multi-year agreement with Cyber Ascend Technologies for Information Technology managed services, with the option to extend additional years as needed.

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

2. Future Council agenda items

CM Timm noted that there is an appeal to the case, Grant Park Neighborhood Association vs. the CDPH. The Scotts Valley City Council has been asked to submit comments to the League of California Cities regarding a joint appeal brief. CM Timm requested this as a future agenda item. City Attorney Powell confirmed that this will be a closed session item discussion at an upcoming meeting.

CM Reed requested a future agenda item regarding term limits for Council Members. Support for this future item coming to the Council at a future meeting was received from a majority of the Council.

ADJOURNMENT

The meeting adjourned at 6:52 PM.

Approved: _____
Donna Lind, Mayor

Attest: _____
Cathie Simonovich, City Clerk

AGENDA ITEM B

DATE: 10-19-2022

SCOTTS VALLEY ACCOUNTS PAYABLE
10/06/2022 14:53:09 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.17 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 10622 COMMENT... 06/30/2022 A/P #10

DATA-JE-ID DATA COMMENT

W-10062022-216 06/30/2022 A/P #10

Run Instructions:

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

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
001659	CALIFORNIA BUILDING	125247	10/06/22	543.60	
001659	CALIFORNIA BUILDING	125248	10/06/22	303.62	
001659	CALIFORNIA BUILDING	125249	10/06/22	611.10	
003957	SANTA CRUZ/CITY OF	125250	10/06/22	9,670.04	
	GENERAL CHECKING ACCOUNT			11,128.36	***

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
10/06/2022 14:53:10
GL540R-V08.17 PAGE 2

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				11,128.36

RECORDS PRINTED - 000004

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
10/06/2022 14:53:10
GL060S-V08.17 RECAPPAGE

Check Register

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
----	-----	
010	WASTEWATER OPERATIONS	9,670.04
035	GREEN BUILDING FUNDING	1,458.32
TOTAL ALL FUNDS		11,128.36

BANK RECAP:

BANK	NAME	DISBURSEMENTS
----	-----	
BA	GENERAL CHECKING ACCOUNT	11,128.36
TOTAL ALL BANKS		11,128.36

SCOTTS VALLEY ACCOUNTS PAYABLE
10/06/2022 14:28:51 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.17 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 100622 COMMENT... 10/06/2022 A/P

DATA-JE-ID DATA COMMENT

W-10062022-214 10/06/2022 A/P

Run Instructions:

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

BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
005027	ACE PORTABLE SERVICES	125175	10/06/22	1,500.48
003615	AHRENS/PATRICK	125176	10/06/22	90.00
001219	ALHAMBRA	125177	10/06/22	172.32
001219	ALHAMBRA	125178	10/06/22	106.25
004057	ANDREWS/SELINA	125179	10/06/22	50.00
004029	ARMSTRONG/AMANDA	125180	10/06/22	50.00
000097	AT&T	125181	10/06/22	1,045.13
001928	BATEMAN/TAYLOR	125182	10/06/22	50.00
001373	BAY TREE, LLC	125183	10/06/22	3,620.38
004067	BEERS/OLIVIA	125184	10/06/22	50.00
000437	BRASS KEY LOCKSMITH	125185	10/06/22	120.00
000018	BRINK'S AWARDS & SIGNS	125186	10/06/22	761.54
005037	BUCHANAN/LOGAN	125187	10/06/22	50.00
001566	BUSINESS WITH PLEASURE	125188	10/06/22	50.91
003887	CHEUNG/ATHENA	125189	10/06/22	50.00
005032	CREEKSIDE MINI STORAGE	125190	10/06/22	100.00
.15901	DEPT OF THE CA	125191	10/06/22	2,705.11
003160	DIXON & SON TIRE	125192	10/06/22	510.60
004005	ESTORGA/CASEY	125193	10/06/22	50.00
000202	FEDERAL EXPRESS	125194	10/06/22	40.68
004039	GARNER/SCOTT	125195	10/06/22	68.00
004093	GERA/BEAUJO	125196	10/06/22	135.00
001881	GRAINGER	125197	10/06/22	173.69
003706	GRANADOS/JUSTIN	125198	10/06/22	50.00
004059	HAROS/JOANNA	125199	10/06/22	242.00
003944	HEBARD/TYLER	125200	10/06/22	50.00
003266	INTERGRITY AUTOMOTIVE	125201	10/06/22	880.88
001903	JONES/KIMARIE	125202	10/06/22	50.00
004024	K & D LANDSCAPING, INC.	125203	10/06/22	3,737.05
000238	KENNEDY-JENKS CONSULTANT	125204	10/06/22	5,658.75
001660	KING/KATI	125205	10/06/22	50.00
005005	KRUSEE/RANDALL	125206	10/06/22	50.00
004018	LAMBERT/LAUREN	125207	10/06/22	50.00
004046	LAMM/CHRIS	125208	10/06/22	50.00
005036	LINARTE/PHILLIP	125209	10/06/22	50.00
001673	LINCOLN FINANCIAL GROUP	125210	10/06/22	1,583.18
003995	LIPARI/NICOLAS	125211	10/06/22	18.00
003389	LOCKE/CERINA	125212	10/06/22	50.00
000284	LOGAN & POWELL, LLP	125213	10/06/22	19,631.50
003913	LONG/AMANDA	125214	10/06/22	50.00
001591	MARKELL/ROD	125215	10/06/22	1,974.00
001815	MC GRATH/TRISH	125216	10/06/22	50.00
005007	METOYER/ARTHUR	125217	10/06/22	50.00
000218	MID VALLEY SUPPLY	125218	10/06/22	382.99
003685	MONTEREY BAY ANALYTICAL	125219	10/06/22	1,255.00
003766	ORMONDE/ROBERT	125220	10/06/22	50.00
000101	PACIFIC GAS & ELECTRIC C	125221	10/06/22	48,547.64
004036	PEREZ/ERIC	125222	10/06/22	72.00

BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
	004045 PHILLIP D NEUMAN	125223	10/06/22	35,872.70	
	001097 PRODESSE PROPERTY GROUP	125224	10/06/22	3,523.52	
	003503 PURETEC INDUSTRIAL WATER	125225	10/06/22	293.72	
	005008 RDO EQUIPMENT CO.	125226	10/06/22	399.47	
	003567 ROBERTS/AARON	125227	10/06/22	51.00	
	003559 ROBERTS/MEREDITH	125228	10/06/22	199.32	
	005028 ROBINSON/ALICE	125229	10/06/22	50.00	
	001118 RUTHERFORD/JAYSON	125230	10/06/22	50.00	
	001118 RUTHERFORD/JAYSON	125231	10/06/22	650.00	
	000135 SAN LORENZO VALLEY WATER	125232	10/06/22	45.01	
	001364 SANTA CRUZ COUNTY	125233	10/06/22	32,672.40	
	000128 SCARBOROUGH LUMBER	125234	10/06/22	4,154.49	
	000130 SCOTTS VALLEY FIRE DISTR	125235	10/06/22	9,099.00	
	005034 SILVA/JULIO	125236	10/06/22	50.00	
	004092 SIMONOVICH/CATHIE	125237	10/06/22	50.00	
	002065 SOTO/ART	125238	10/06/22	50.00	
	005019 STOCKER/CORIE	125239	10/06/22	50.00	
	001085 SYCAL ENGINEERING INC	125240	10/06/22	1,527.09	
	003973 THOMAS/TYLER	125241	10/06/22	50.00	
	000153 THOMSON REUTERS-WEST	125242	10/06/22	366.60	
	000151 VISION SERVICE PLAN	125243	10/06/22	1,157.10	
	003145 WAGE WORKS	125244	10/06/22	51.37	
	003576 WEBER,HAYES, & ASSOCIATE	125245	10/06/22	6,634.77	
	005022 WELSH/ELISA	125246	10/06/22	50.00	
	GENERAL CHECKING ACCOUNT			193,280.64	***

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
10/06/2022 14:28:51
GL540R-V08.17 PAGE 3

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BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				193,280.64

RECORDS PRINTED - 000160

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
10/06/2022 14:28:51
GL060S-V08.17 RECAPPAGE

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GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
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001	GENERAL	132,996.08
004	RECREATION	296.54
010	WASTEWATER OPERATIONS	40,886.43
011	TERTIARY TREATMENT PLANT	1,125.00
012	WASTEWATER CAPITAL RESERVE	5,370.00
019	AFFORDABLE HOUSING	1,974.00
023	SVRDA SUCCESSOR AGENCY	7,143.90
028	SENIOR CENTER	1,326.74
050	PINEWOOD EST LNDSCP MAINT DT	1,178.97
077	SKYPARK MAINT ASSESS DIST	29.58
123	COMMUNITY FACILITY CENTER	953.40
TOTAL ALL FUNDS		193,280.64

BANK RECAP:

BANK	NAME	DISBURSEMENTS
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BA	GENERAL CHECKING ACCOUNT	193,280.64
TOTAL ALL BANKS		193,280.64

SCOTTS VALLEY ACCOUNTS PAYABLE
10/13/2022 15:46:48 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.17 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 101322 COMMENT... 10/13/22 A/P

DATA-JE-ID DATA COMMENT

W-10132022-224 10/13/22 A/P

Run Instructions:

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

BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
	003497 ALVAREZ INDUSTRIES, INC	125251	10/13/22	2,156.00
	001670 AT & T	125252	10/13/22	3,366.80
	000614 BATTERIES + BULBS #314	125253	10/13/22	182.49
	001633 CAL-WEST LIGHTING & SIGN	125254	10/13/22	2,321.06
	005009 CALIFORNIA SYMBIOSIS GRO	125255	10/13/22	987.75
	000037 CRYSTAL SPRINGS WATER CO	125256	10/13/22	31.40
	003991 DROZEK/PASCALE	125257	10/13/22	100.00
	004073 DU-ALL SAFETY, LLC	125258	10/13/22	2,550.00
	004005 ESTORGA/CASEY	125259	10/13/22	50.00
	005024 GOOD CITY COMPANY	125260	10/13/22	8,097.50
	001881 GRAINGER	125261	10/13/22	173.69
	004024 K & D LANDSCAPING, INC.	125262	10/13/22	3,653.12
	000066 KING'S PAINT & PAPER	125263	10/13/22	263.09
	000083 MISSION UNIFORM SERVICE	125264	10/13/22	1,405.43
	000098 PALACE BUSINESS SOLUTION	125265	10/13/22	1,188.94
	003977 PECKHAM & MCKENNEY	125266	10/13/22	8,466.66
	004045 PHILLIP D NEUMAN	125267	10/13/22	3,370.27
	000723 PIED PIPER INC./THE	125268	10/13/22	2,516.50
	003967 PITNEY BOWES INC	125269	10/13/22	21.45
	004070 QUAD KNOPF, INC.	125270	10/13/22	22,169.59
	005038 SECURITY SHORING &	125271	10/13/22	2,560.54
	001113 STERICYCLE INC	125272	10/13/22	300.68
	000143 SUMMIT UNIFORMS	125273	10/13/22	869.53
	003757 SWEDBERG ELECTRIC INC.	125274	10/13/22	2,931.00
	001589 TELECOMMUNICATIONS	125275	10/13/22	6,666.24
	000153 THOMSON REUTERS-WEST	125276	10/13/22	366.60
	003548 TORO PETROLEUM CORP	125277	10/13/22	4,461.95
	000146 U.S. POSTMASTER	125278	10/13/22	500.00
	003971 WIZIX TECHNOLOGY GROUP,	125279	10/13/22	14.50
	GENERAL CHECKING ACCOUNT			81,742.78 ***

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
10/13/2022 15:46:48
GL540R-V08.17 PAGE 2

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				81,742.78

RECORDS PRINTED - 000068

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
10/13/2022 15:46:48
GL060S-V08.17 RECAPPAGE

Check Register

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
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001	GENERAL	47,678.56
004	RECREATION	302.81
009	PARKS & REC FACILITIES	7,106.24
010	WASTEWATER OPERATIONS	6,825.18
011	TERTIARY TREATMENT PLANT	2,230.98
028	SENIOR CENTER	684.24
050	PINEWOOD EST LNDSCP MAINT DT	313.00
077	SKYPARK MAINT ASSESS DIST	1,007.00
123	COMMUNITY FACILITY CENTER	531.42
150	GENERAL CAPITAL IMPROVEMENTS	15,063.35
TOTAL ALL FUNDS		81,742.78

BANK RECAP:

BANK	NAME	DISBURSEMENTS
----	-----	
BA	GENERAL CHECKING ACCOUNT	81,742.78
TOTAL ALL BANKS		81,742.78

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

DATE: October 19, 2022

TO: Honorable Mayor and City Council

FROM: Kirsten M. Powell, City Attorney

SUBJECT: CONTINUED VIRTUAL MEETINGS FOR CITY COUNCIL AND APPOINTED BOARDS

SUMMARY OF ISSUE

On October 26, 2021, the City Council passed Resolution No. 2007 authorizing continued virtual meetings and extended those meetings on November 17, 2021, December 15, 2021, January 12, 2022, February 2, 2022, March 2, 2022, March 16, 2022, April 6, 2022, May 4, 2022, June 1, 2022, July 26, 2022, August 30, 2022 and September 21, 2022, by Resolution Nos. 2007.1, 2007.2, 2007.3, 2007.4, 2007.5, 2007.6, 2007.7, 2007.8, 2007.9, 2007.10, 2007.11 and 2007.12. Pursuant to AB 361, legislative bodies may use teleconferencing to conduct public meetings during a proclaimed State of Emergency, as defined under the California Emergency Services Act, if one of the following circumstances apply: (A) State or local officials have imposed or recommended measures to promote social distancing; (B) The legislative body is meeting to determine whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (C) The legislative body has determined that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

At this point, the State of Emergency the Governor proclaimed on March 4, 2020 is still in effect today and the recommended measures to promote social distancing are still in place. Recently with the emergence of the BA.4 and BA.5 variants, cases have increased in the State of California and in Santa Cruz County. Although cases have dropped, a new subvariant has been discovered in Europe and Asia which has increased cases in those areas. Health officers continue to recommend wearing masks indoors.

The City has been working to install technological upgrades to accommodate hybrid meetings so anyone wanting to participate in the meetings would not have to attend in person. However, such installation and necessary training has not yet been completed. As a result, holding public meetings of the City Council or other appointed bodies in person continues to present imminent risks to the health and safety of attendees.

FISCAL IMPACT

There is no fiscal impact associated with continuing virtual meetings.

STAFF RECOMMENDATION

Adopt Resolution No. 2007.13 confirming the need for virtual meetings pursuant to AB 361.

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RESOLUTION NO. 2007.13
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY
AUTHORIZING THE CONTINUED USE OF TELECONFERENCED MEETINGS PURSUANT
TO ASSEMBLY BILL 361

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

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

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

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

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

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

WHEREAS, public health officials are recommending people wear masks indoors; and

WHEREAS, the active cases in Scotts Valley have reportedly reduced; however, there may be significant undercounting of cases due to the prevalence of home testing; and

WHEREAS, the Omicron subvariants BA.4 and BA.5 are continuing to spread and a new subvariant has been discovered in Europe and Asia; and

WHEREAS, on October 26, 2021, the City Council of the City of Scotts Valley passed Resolution No. 2007 to continue the use of virtual meetings and confirmed the need for virtual meetings on November 17, 2021, with passage of Resolution No. 2007.1, on December 15, 2021, with the passage of Resolution No. 2007.2, on January 12, 2022, with the passage of Resolution No. 2007.3, on February 2, 2022, with the passage of Resolution No. 2007.4, with the passage of Resolution No. 2007.5 on March 2, 2022, with the passage of Resolution No. 2007.6 on March 16, 2022, with the passage of Resolution No. 2007.7 on April 6, 2022, with the passage of Resolution No. 2007.8 on May 4, 2022, with the passage of Resolution No. 2007.9 on June 1, 2022, with the passage of Resolution No. 2007.10 on July 26, 2022, with

the passage of Resolution No. 2007.11 on August 30, 2022, and with the passage of Resolution 2007.12 on September 21, 2022; and

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

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

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

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

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

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

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

The above and foregoing Resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 19th day of October, 2022 by the following vote:

AYES:

NOES

ABSENT:

ABSTAIN:

Approved: _____
Donna Lind, Mayor

Attest: _____
Cathie Simonovich, City Clerk

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: October 19, 2022

TO: Honorable Mayor and City Council

FROM: Corie Stocker, Assistant to the City Manager

APPROVED BY: Mali LaGoe, City Manager

SUBJECT: **FY 22-23 COMMUNITY GRANT PROGRAM RECOMMENDATIONS**

SUMMARY OF ISSUE

On August 3rd, 2022 staff presented the FY 22-23 Community Grant Program Request for Proposal (RFP) and scoring criteria to City Council. The criteria and RFP were created to allow for a formal process to award community grants. Historically, the City has provided small grants to community benefit organizations that serve Scotts Valley. This year the City Council has allocated \$50,000 in the budget to be awarded through community grants and in the RFP indicated the City's intent to fund between 5-10 organizations at \$5,000 and \$15,000 each.

The RFP was issued the morning of August 10th and remained open until September 7th at 5pm. The City received 25 proposals, with the total requested amount over \$200,000. There was an array of organizations requesting funding, such as youth services, mental health services, food delivery, senior services, and many others. After collecting all proposals, the City Manager created the Application Review Committee, selecting two internal staff members and two external community members to assist in the scoring and review process.

Within the posted RFP was the scoring criteria that the Committee used to score the proposals. The scoring criteria had three main sections: a baseline qualification screening, content criteria (40 points) and financial criteria (25 points). Proposals were required to provide information on how they supported two of the City's Strategic Plan goals: Maintaining the Quality of Life for Residents and Economic Development. The City also emphasized an interest in filling funding gaps left by state or federal funding sources and one-time costs or capital infrastructure. Proposals did not need to score perfectly in each criteria category, they just needed the highest collective score, averaged over the four committee members.

The Committee members independently reviewed all 25 proposals and scored them based on the scoring criteria. Once all independent scores were submitted, the Committee met to discuss the scores and finalize recommendations for City Council. After thoughtful discussion, seven organizations with the highest average scores were selected with a total ask of just over \$50,000. Considering the discussion, budget, and scores, the Committee provided a primary recommendation and an alternative recommendation to offer to City Council.

AGENDA ITEM 1
DATE: 10-19-2022

Primary Recommendation:

The review committee recommends funding a majority of the top seven organizations' requests, rounding or reducing three organization's awarded amounts to fit within the \$50,000 budget allocation.

Organization Name	Funding Requested	Funding Recommendation
Boys and Girls Club Santa Cruz County	\$15,000	\$15,000
Community Bridges - Meals on Wheels	\$6,500	\$5,000
Family Service Agency of the Central Coast	\$5,000	\$5,000
Grey Bears	\$6,000	\$6,000
O'Neill Sea Odyssey	\$10,604	\$10,500
Scotts Valley Educational Foundation	\$10,000	\$5,000
United Way of Santa Cruz County (YAN)	\$3,500	\$3,500
Total:	\$56,604	\$50,000

Alternative Recommendation:

The alternative recommendation is to fully fund the top seven organizations' requests by increasing the General Fund allocation by \$6,604 over the current \$50,000 budget. This recommendation would fund each organization to their full proposal amount, with a total awarded amount of \$56,604.

Organization Name	Funding Requested	Funding Recommendation
Boys and Girls Club Santa Cruz County	\$15,000	\$15,000
Community Bridges - Meals on Wheels	\$6,500	\$6,500
Family Service Agency of the Central Coast	\$5,000	\$5,000
Grey Bears	\$6,000	\$6,000
O'Neill Sea Odyssey	\$10,604	\$10,604
Scotts Valley Educational Foundation	\$10,000	\$10,000
United Way of Santa Cruz County (YAN)	\$3,500	\$3,500
Total:	\$56,604	\$56,604

Once the organizations and funding amounts are finalized, contracts will be executed with each organization including insurance, reporting requirements, and the specific documentation required for payment issuance.

FISCAL IMPACT

There is no fiscal impact to the General Fund associated with the primary Community Grant Request for Proposals recommendation. The funding amount of \$50,000 is included in the FY 2022-23 budget. However, if City Council chooses to adopt the alternative recommendation, the General Fund will be impacted by \$6,604 above the originally budgeted amount. This alternative allows the City to fund all seven recommended proposals fully.

STAFF RECOMMENDATION

It is recommended that the City Council approve the primary or alternate recommendation outlined above and authorize the City Manager to execute contracts with the grant awardees in a form acceptable to the City Attorney.

City of Scotts Valley
INTEROFFICE MEMORANDUM

DATE: October 19, 2022
TO: Honorable Mayor and City Council
FROM: Kirsten Powell, City Attorney
SUBJECT: **CODE OF CONDUCT**

SUMMARY OF ISSUE

The City of Scotts Valley does not currently have an official Code of Conduct. A Code of Conduct, can help facilitate collaboration and serve as a framework for decorum between individual members and the elected body as a whole. A Code of Conduct can also encourage the highest standards of behavior by City of Scotts Valley elected and appointed officials; make implicit norms of leadership and communication explicit; and provide an ongoing source of guidance to City officials in their day-to-day service to the City.

The proposed Code of Conduct provides guidelines for the City Council and the City Commissions and Boards during meetings and during their interactions with each other and City staff. The provisions are not intended to limit the legal authority of the City Council, or the Commissions and Boards; rather it is intended to reinforce the expectation that elected and appointed officials are expected to treat each other, staff, and the general public with dignity, respect and fairness. It is expected that all elected and appointed members will adhere to the Code of Conduct and that violations of the Code of Conduct may result in some consequence. The Code of Conduct will be signed by newly elected and appointed officials and reacknowledged annually to ensure a continued awareness of the expectations.

When preparing this policy, City staff reviewed for reference the policies of the following cities: City of Santa Cruz, City of Capitola, City of Belmont, City of Alameda, City of Nevada City and Town of Los Gatos. Staff also reviewed best practices from the League of California Cities.

FISCAL IMPACT

None

STAFF RECOMMENDATION

Approve Resolution No. 2019 which is a Resolution of the City Council of the City of Scotts Valley adopting a Code of Conduct for the City Council, City Commissions and City Boards.

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RESOLUTION NO. 2019

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SCOTTS VALLEY ADOPTING A CODE OF CONDUCT FOR THE CITY
COUNCIL, CITY COMMISSIONS AND CITY BOARDS**

WHEREAS, currently, the City of Scotts Valley does not have a Code of Conduct for the City Council, the City Commissions and City Boards; and

WHEREAS, adopting a Code of Conduct Policy will ensure all elected and appointed officials, while exercising their duties of office, perform in a manner that will instill public confidence and trust in the fair operation and integrity of City government; and

WHEREAS, the Code of Conduct will ensure that the City Council, City Commissions and City Boards continue to operate fairly and respectfully with each other and with members of City staff to ensure the highest standards of respect and integrity; and

WHEREAS, this Code of Conduct is intended to encourage the highest standards of behavior by City of Scotts Valley elected and appointed officials; make implicit norms of leadership and communication explicit; and provide an ongoing source of guidance to City officials in their day-to-day service to the City; and

WHEREAS, it is expected that all elected and appointed members will adhere to the Code of Conduct and that violations of the Code of Conduct may result in some consequence as outlined in the policy.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the City Council of the City of Scotts Valley hereby approves a Code of Conduct for the City Council, City Commissions and City Boards, a copy of which is attached hereto as Exhibit A.

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 19th day of October, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Donna Lind, Mayor

Attest: _____
Cathie Simonovich, City Clerk

CITY OF SCOTTS VALLEY CODE OF CONDUCT

I. Preamble

The legal responsibilities of the Scotts Valley City Council and Scotts Valley Commissions and Boards (collectively referred to as “Commissions”) are set forth by applicable state and federal laws. This Policy is written with the assumption that Council Members and Commissioners, through training, are aware of their legal and ethical responsibilities as elected and appointed officials.

II. Form of Government

The City of Scotts Valley operates under a Council-Manager form of government as prescribed by California Government Code Section 34851 and Scotts Valley Municipal Code Chapter 2.04. Accordingly, members of the Council are elected at-large, provide legislative direction, set City policy, and ultimately answer to the public. The City Manager serves as the City’s chief administrative officer and is responsible for directing the day-to-day operations of the City and implementing policy direction. City Commissioners are appointed by the City Council.

III. City Council Roles and Responsibilities

The role of the City Council is to act as a legislative and quasi-judicial body. Through its legislative and policy authority, the Council is responsible for assessing and achieving the community’s desire for its present and future and for establishing policy direction to achieve its desired outcomes. All members of the City Council, including those who serve as Mayor and Vice Mayor, have equal votes. Members of the City Council fulfill their role and responsibilities through the relationships they have with each other and the public. City Council Members should approach their work, each other, and the public in a manner that reflects ethical behavior, honesty and integrity. The commitment of City Council Members to their work is characterized by open constructive communication, innovation, and creative problem solving.

IV. Mayoral and Vice Mayoral Roles, Responsibilities, Relationships

The following outlines some of the key roles, responsibilities, and relationships as they relate to the positions of Mayor and Vice Mayor:

Mayor

A. The Mayor is the presiding officer of the City Council. In this capacity, the Mayor is responsible for developing Council agendas in cooperation with the City Manager and leading Council meetings.

B. The title of Mayor carries with it the responsibility of communicating with the City Council, City Manager, and members of the public. In this capacity, the Mayor serves as the City “spokesperson” representing the Council in official and ceremonial occasions.

C. As the official City spokesperson, the Mayor performs special duties consistent with the Mayoral office, including, but not limited to: signing of documents on behalf of the

City, issuing proclamations, serving as the official voting delegate for various municipal advocacy groups, and delivering the State of the City Address at his or her discretion. The City Council will determine any additional authority or duties that the Mayor shall perform.

D. Special duties consistent with the Mayoral office may be delegated to the Vice Mayor or any other member of the City Council.

Vice Mayor

A. In the Mayor's absence, the Vice Mayor shall perform the formal duties of the Mayor.

B. When the Vice Mayor performs the duties of the Mayor in his/ her absence, the Vice Mayor also carries the responsibility of communicating with the City Manager, City Council, and members of the public.

V. City Commissioner Roles and Responsibilities.

The role of the Commissioners is outlined in the applicable City law or policy. All Commissioners, even the Chairperson and Vice Chairperson, have equal votes. Commissioners fulfill their role and responsibilities through the relationships they have with each other and the public. City Commissioners should approach their work, each other, and the public in a manner that reflects ethical behavior, honesty and integrity. The commitment of City Commissioners to their work is characterized by open constructive communication, innovation, and creative problem solving.

VI. Chairperson and Vice Chairperson Roles, Responsibilities and Relationships

Chairperson

A. The Chairperson of any City Commission is the presiding officer of the Commission.

B. The title of Chairperson carries with it the responsibility of communicating with the City Council, City staff liaison, and members of the public.

C. Special duties consistent with the Chairperson position may be delegated to the Vice Chairperson or any other member of the City Commission.

Vice Chairperson

A. In the Chairperson's absence, the Vice Chairperson shall perform the formal duties of the Chairperson.

B. When the Vice Chairperson performs the duties of the Chairperson in his/ her absence, the Vice Chairperson also carries the responsibility of communicating with the City Commission, City staff liaison, and members of the public.

VII. Conduct in Public Meetings

To ensure the highest standards of respect and integrity during public meetings, Council Members and Commissioners should:

- A. Use formal titles. The Council should refer to one another formally during Council meetings such as Mayor, Vice Mayor or Council Member or Mr., Mrs., or Ms., followed by the individual's last name. The Commissioners should refer to one another formally during Commission meetings such as Chairperson/Chair, Vice Chairperson/Vice Chair or Commissioner or Mr., Mrs., or Ms., followed by the individual's last name.
- B. Practice civility and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of free democracy in action. During public discussions, Council Members and Commissioners should be respectful of others and diverse opinions and allow for the debate of issues.
- C. Honor the role of the presiding officer in maintaining order and equity. Respect the Mayor/Chairperson's efforts to focus discussion on current agenda items.
- D. Council and Commission decisions should be reserved until all applicable information has been presented.
- E. Conduct during public hearings. During public testimony, Council Members and Commissioners should refrain from engaging the speaker in dialogue. Speakers at public meetings will be asked to provide their full name. This information is optional but not required. For purposes of clarification, Council Members or Commissioners may ask the speaker questions. Council and Commission comment and discussion should commence upon the conclusion of all public testimony. Council Members and Commissioners have no obligation to answer any questions posed by speakers during public testimony.

VIII. Council and Commission Relationship with City Staff

The City Council has adopted a Council- Manager form of government. The City Manager's powers and duties are outlined in the Scotts Valley Municipal Code Chapter 2.04.

Council Conduct and Communication with City Staff

To enhance its working relationship with staff, Council should be mindful of the support and resources needed to accomplish Council goals. When communicating and working with staff, Council should follow these guidelines:

- A. Council Members should treat staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. As with Council colleagues, practice civility and decorum in all interactions with City staff.
- B. Council Members should direct questions about policy, budget, or professional opinion to the City Manager, City Attorney or Department Directors. Council Members

can direct questions and inquiries to any staff for information that is readily available to the general public or easily retrievable by staff.

C. The City Manager and staff are responsible for implementing City policy and/or Council action. The processing of Council policy and decisions takes place with the City Manager and staff. Council should not direct policy/ program administrative functions and implementation; rather it should provide policy guidance to the City Manager.

D. Council Members should attempt to communicate questions, corrections, and/or clarifications about reports requiring official action to staff prior to Council meetings. Early feedback will enable staff to address Council questions and incorporate minor corrections or changes to a Council report, resulting in a more efficient Council meeting discussion; however, this does not preclude Council Members from asking questions at Council Meetings.

E. Council Members should not direct the City Manager to initiate any action, change a course of action, or prepare any report without the approval of Council. The City Manager's responsibility is to advise on resources available and required for a particular course of action as it relates to the direction of the majority of the Council.

F. Council Members should not attend department staff meetings unless requested by the City Manager.

G. All Council Members should have the same information with which to make decisions. Information requested by one Council Member will be shared with all members of the Council.

H. Concerns related to the behavior or work of a City employee should be directed to the City Manager. Council Members should not reprimand employees.

I. Per California Government Code Sections 3201-3209, Council Members should not solicit financial contributions from City staff or use promises or threats regarding future employment. Although City staff may, as private citizens with constitutional rights, support political candidates, such activities cannot take place during work hours, at the workplace, or in uniform.

Commissioner Conduct and Communication with City Staff

A. Commissioners should treat staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. As with Commission colleagues, practice civility and decorum in all interactions with City staff.

B. Commissioners should direct all questions to the City staff liaison.

C. Commissioners should attempt to communicate questions, corrections, and/or clarifications about reports requiring official action to staff prior to Commission meetings. Early feedback will enable staff to address Commission questions and

incorporate minor corrections or changes to a Commission report, resulting in a more efficient Commission meeting discussion; however, this does not preclude Commissioners from asking questions at Commission Meetings.

D. Concerns related to the behavior or work of a City employee should be directed to the City staff liaison. In the event the concern relates to the behavior or work of the City staff liaison, concerns should be directed to the City Manager. Commissioners should not reprimand employees.

IX. Communication with the Public and other Council Members or Commissioners

The Public has a reasonable expectation that it may engage its Council Members or Commissioners on matters of community concern. In response, Council Members or Commissioners may express a preliminary opinion on issues or projects raised. Any such preliminary statement shall not constitute a prejudgment or create a presumption of bias on any issue or a project. In addition, Council Members and Commissioners may from time to time express opinions regarding broad policy matters which may be in conflict with currently adopted Council policies. Such statements are permissible if clearly characterized as personal opinion or policy change objectives.

X. Enforcement

A. Purpose

The Code of Conduct Policy establishes guiding principles for appropriate conduct and behavior and sets forth the expectations of Council Members and Commissioners. The purpose of the policy language is to establish a process and procedure that:

1. Allows the public, City Council, Commissioners and City employees to report Code of Conduct policy violations or other misconduct.
2. Provides guidelines to evaluate Code of Conduct policy violations or other misconduct and implement appropriate disciplinary action when necessary.

B. Procedures

1. Reporting of Complaints

The following section outlines the process for reporting Council Member or Commissioner Code of Conduct Policy violations or other misconduct:

- a. Complaints made by members of the public, a Commissioner, the City Manager, and City Attorney should be reported to the Mayor. If a complaint involves the Mayor, it should be reported to the Vice Mayor.
- b. Complaints made by Council Members should be reported to the City Manager or City Attorney to adhere to Brown Act requirements.
- c. Complaints made by City employees should be reported to the City Manager, who will direct them to the Mayor or Vice Mayor.

2. Evaluation of Complaints Alleging Violations

Upon report of a written complaint, the City Manager and City Attorney will join the Mayor or Vice Mayor as an evaluation committee to determine the validity of the complaint and, if appropriate, an initial course of action as discussed below. If the City Manager or City Attorney is the complainant, the longest serving uninvolved Council Member will replace the City Manager or City Attorney on the evaluation committee. Within seventy-two (72) hours of receipt of the complaint by the Mayor or Vice Mayor, the Council Member or Commissioner in question shall be notified of the reported complaint by the Mayor or his/ her designee. The notification shall include a copy of the written complaint and supporting documentation, if any, the identity of the complainant and nature of the complaint.

3. Unsubstantiated or Minor Violations

If the majority of the Committee agrees that the reported violation is without substance, no further action will be taken. If the reported violation is deemed valid but minor in nature, the Mayor or Vice Mayor shall counsel and, if appropriate, admonish the Council Member or Commissioner privately to resolve the matter. Admonishment is considered to be a reproof or warning directed to a Council Member or Commissioner about a particular type of behavior that violates City policy.

4. Allegations of Major Violations

If the reported violation is considered to be serious in nature, the matter shall be referred to outside legal counsel selected by the Committee for the purpose of conducting an initial interview with the subject Council Member or Commissioner. The outside counsel shall report his/ her initial findings back to the Committee. If the Committee then determines that an investigation is warranted, the Committee shall direct the outside legal counsel to conduct an investigation. The investigation process would include, but is not limited to, the ascertainment of facts relevant to the complaint through interviews and the examination of any documented materials.

5. Report of Findings

At the conclusion of the investigation, outside legal counsel shall report back to the Committee in writing. The report shall either (1) recommend that the Council Member or Commissioner be exonerated based on a finding that the investigation did not reveal evidence of a serious violation of the Code of Conduct, or (2) recommend disciplinary proceedings based on findings that one or more provisions of the Code of Conduct or other City policies have been violated. In the latter event, the report shall specify the provisions violated along with the facts and evidence supporting each finding. The Committee shall review the report and its recommendations. If the consensus of the Committee is to accept the report and recommendations, the Committee shall implement the recommendations. Where the recommendation is exoneration, no further action shall be taken. Where the recommendation is to initiate disciplinary proceedings, the matter shall be referred to the City Council. Where there is no consensus of the Committee regarding the recommendations, the matter shall be

referred to the City Council. The subject Council Member or Commissioner shall be notified in writing of the Committee's decision within 72 hours. Where the decision is to refer the matter to the City Council, a copy of the full report, including documents relied on by the investigator shall be provided with the notification, and a copy of both shall be provided to the whole City Council.

6. Proceedings

Investigative findings and recommended proceedings and disciplinary action that are brought forward to City Council as a result of a significant policy violation shall be considered at a public hearing. The public hearing should be set far enough in advance to allow the Council Member or Commissioner in question reasonably sufficient time to prepare a response. Investigative findings shall be presented to the City Council at a public hearing. The rules of evidence do not apply to the public hearing. It shall not be conducted as an adversarial proceeding.

C. Disciplinary Action

1. Considerations in Determining Disciplinary Action

Disciplinary action may be imposed by Council upon Council Members or Commissioners who have violated the Code of Conduct Policy. Disciplinary action or sanctions are considered when a serious violation of City policy has occurred by a Council Member or Commissioner. In determining the type of sanction imposed, the following factors may be considered:

- a. Nature of the violation
- b. Prior violations by the same individual
- c. Other factors which bear upon the seriousness of the violation

2. Types of Sanctions

At the discretion of the Council, sanctions may be imposed for violating the Code of Conduct or engaging in other misconduct. These actions may be applied individually or in combination. They include, but are not limited to:

- a. Public Admonishment – A reproof or warning directed to a Council Member or Commissioner about a particular type of behavior that violates City policy.
- b. Revocation of Special Privileges – A revocation of a Council Member's Council Committee assignments, including standing and ad hoc committees, regional boards and commissions, and community-generated board/ committee appointments. Other revocations may include temporary suspension of official travel, conference participation, and ceremonial titles.
- c. Censure – A formal statement or resolution by the Council officially reprimanding a Council Member or Commissioner.

d. Removal from Commission- Commissioners may be removed from the Commission by a majority vote of the City Council.

X. IMPLEMENTATION

As an expression of standards of conduct for Council Members and Commissioners expected by the City, the City of Scotts Valley Code of Conduct is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, ethical standards shall be included in any meetings with candidates for City Council and newly elected and appointed officials. Members entering office shall sign a statement affirming they have read and understood the City of Scotts Valley Code of Conduct and reaffirm that understanding each year.

I affirm that I have read and that I understand, the City of Scotts Valley Code of Conduct Policy.

Signature _____ Date: _____

Position: _____