



AGENDA

Meeting of the
Scotts Valley City Council
In-Person and Remote Access
Date: November 2, 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	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066 OR Zoom Video Conference https://us02web.zoom.us/j/82815538455	The agenda was posted on 10/28/2022 at City Hall, SV Senior Center, SV Library and on the Internet at www.scottsvally.org .

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 Taylor Bateman, Community Development Director Chris Lamm, Public Works Director Robin Woodman, Building Official Cathie Simonovich, City Clerk Lauren Lambert, Deputy 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 in the City Hall Council Chambers located at 1 Civic Center Drive, Scotts Valley, CA 95066, and via Zoom Webinar remote access.

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: www.scottsvally.org and in the lobby of City Hall at 1 Civic Center Drive, Scotts Valley, CA. Pursuant to Government Code §54957.5, materials related to an agenda item, submitted after distribution of the agenda packet, are available for public inspection in the lobby of City Hall during normal business hours, Monday-Friday, 8am-12 pm and 1-5 pm. In accordance with AB 1344, such documents will be posted on the City's website at www.scottsvally.org.

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:
Zoom Webinar meeting link: <https://us02web.zoom.us/j/82815538455>
Or dial one of these numbers: (669) 900-9128 or (669) 444-9171
Webinar ID: 828 1553 8455

Whether attendance is in-person or remote, you will be given opportunities to provide public comment at the appropriate times throughout the meeting. The time limit is up to 3 minutes for an individual, or 5 minutes for someone who is representing a group of three or more, at the discretion of the Mayor. Please note that this is not a question-and-answer time, but simply a time to provide comments to the Council. 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.

How to comment via in-person attendance:

Please proceed to the public comment podium when the Mayor opens the item for public comment.

How to comment via Zoom Webinar:

Use the webinar attendee option to "raise hand" when the Mayor opens the item for public comment. The Clerk will unmute you when it is your turn. If you have joined via Zoom phone call, dial *9 or your phone to "raise your hand", and the Clerk will unmute you when it is your turn.

CALL TO ORDER 6:00 PM

PLEDGE OF ALLEGIANCE and 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 are intended to be non-controversial and are approved without discussion. Persons wishing to speak on any item may request the item be moved to the Regular Agenda by raising their hand to be recognized by the Mayor. An item will only be moved from the Consent Agenda to the Regular Agenda if a City Council Member requests it to be moved and a majority of the Council agrees.

- A. Approve City Council minutes of 10-19-2022
- B. Approve check registers dated 10-20-2022 and 10-27-2022
- C. Approve letter of support for state authorization to build a Veterans Home in the Monterey Region
- D. Reappoint Eric Taylor to serve on the Cultural Resource Preservation Commission
- E. Award contract for Public Works building demolition and abatement, PW Project No. P22-006
- F. Authorize sanitary sewer connection, APN 056-102-02, 200 Old Coach Road

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. Introduction of Ordinance No. 102.16 amending the building regulations contained in Title 15, Chapter 15.04 of the Scotts Valley Municipal Code and adopting the California Code of Regulations Title 24, 2022 building standards codes and other codes, subject to the specified deletions, amendments, exceptions and additions, and other codes and standards to establish minimum requirements to safeguard public health, safety and general welfare
- 2. Introduction of Ordinance No. 102.17 adding Chapter 15.22 to create an expedited streamlined process of electric vehicle charging stations as required by Government Code Section 65850.7
- 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 in order 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.



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MINUTES

Meeting of the
Scotts Valley City Council
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 Video Conference	The agenda was posted at City Hall and on the Internet at www.scottsvally.org .

CALL TO ORDER 6:00 PM

The City Council meeting was called to order at 6:03 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
Corie Stocker, Assistant to the City Manager
Cathie Simonovich, City Clerk

City Manager LaGoe welcomed the Council Members back to the Council Chambers in order to test the equipment for hybrid meetings. It has been a complicated process to get the equipment installment for hybrid meetings but if things run smoothly with the test, then we will welcome the public to attend in person at the next meeting on November 2nd.

COMMITTEE REPORTS

CM Dilles attended the Monterey Bay Economic Partnership State of the Region conference. Also in attendance was Community Development Director Bateman. A lot of topics were covered including successful responses to COVID, ways to have a sustainable healthy vibrant community, the high cost of housing (90% of Scotts Valley workers live outside of Scotts Valley), broadband funding for underserved communities, and drone technology. They also received a photo presentation of the Monterey Bay area, and presentations from local industries (local banking, community foundations, and health trusts).

CM Dilles attended the Area Agency on Aging committee where they discussed state and federal funding for senior programs. The funds from the Older Americans Recovery and Resiliency Act, previously scheduled to be spent by the end of 2024, now need to be spent by the end of 2023. Through the nutrition infrastructure segment of this act, the City of Scotts Valley is to receive funds for a new refrigerator at the Senior Center. He also noted that one-time monies have been received for programs that benefit seniors living in convalescent and assisted living homes.

CM Timm attended the Town Center Subcommittee and participated in a working lunch, plus a site walk, with Dara Sanders the City's consultant from Good City. The subcommittee also met to review what needs to be done to update the City's Town Center specific plan.

CM Timm attended the Association of Monterey Bay Area Governments (AMBAG) meeting which was the final meeting on the draft Regional Housing Needs Assessment (RHNA) which relates to the housing cycle from 2023 to 2031. This vote was taken on this in January of 2022 and the draft remains unchanged – two jurisdictions appealed, and both appeals were denied. The plan was approved with CM Timm as the lone dissenting vote.

CM Johnson attended the Regional Transportation Commission (RTC) meeting where they heard a presentation on the Central Coast Zero Emissions Vehicle Strategy. They also heard an update on the coastal rail-trail maintenance and funding.

CM Johnson attended the Town Center Subcommittee meeting and found it to be very productive.

Mayor Lind attended the Central Coast roundtable listening session on infrastructure investments where they shared RHNA number challenges, water challenges, and the maintenance and funding of recycled water programs.

Mayor Lind attended a Santa Cruz Metropolitan Transit District (METRO) meeting workshop where they discussed housing and explored options to build housing for drivers and employees (74 homes on Paul Sweet Road, and additional housing on an acre in Watsonville). They received information on the progress of the zero emissions program for buses.

Mayor Lind congratulated Chief Walpole on bringing back Officer Jesse Pidcock to the Police Department.

CITY MANAGER REPORT

State of the City: The State of the City Address is scheduled for October 28, 2022, from 4:00 PM to 6:00 PM at the Scotts Valley Performing Arts Center. This event is coordinated by Dave Hodgins with the Scotts Valley Senior Life Association. The public is welcome to attend.

Bike and Walk to School Day: The Police Department will be supporting the Bike and Walk to School Day on October 27, 2022. There will be a police presence at both Scotts Valley Middle School and Vine Hill Elementary School. Students will be able to safely walk, bike, and make their way to school in some way other than a vehicle.

Public Works Department:

- The Public Works Department has been dealing with a major leak at Skypark which caused the closure of the restrooms and the need to bring in temporary restroom facilities. While the restrooms were closed, the public works staff took the opportunity to resurface the floors with a new epoxy seal. The restrooms at Hocus Pocus Park also received the resurfacing epoxy, and this will be completed in the other parks as well.
- Public Works also has several requests for proposals and request for bids on the website for various projects. We look forward to moving our Capital Improvement Projects (CIPs) forward.
- The public is reminded that if they need to place a report after hours for something that needs to be repaired, please call the Police Department non-emergency number.

Diversity, Equity and Inclusion (DEI) training: All City staff will be completing this training. Half of the staff participated in this training on October 14th, and the other half of the staff will participate on October 21st. The DEI training for City Council Members is scheduled for November 18, 2022.

Library System: Although the SEIU strike impacts the Santa Cruz Library System staffing, the Scotts Valley and Capitola branches remain open with no staffing impact at this point in time. The situation is being closely monitored.

Administrative Services Director: Thank you to Casey Estorga, our outgoing Administrative Services Director for his contributions to the City of Scotts Valley. Thank you for your service, Director Estorga, and best of luck in your future endeavors.

PUBLIC COMMENT TIME

Mathew Hakimi, a Scotts Valley resident, asked the Council to consider closing the Skypark tennis courts at sunset.

APPROVAL OF CONSENT AGENDA WITH NO ALTERATIONS

M/S: Timm/Dilles

To approve the Consent Agenda.

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

CONSENT AGENDA

- A. Approve City Council minutes of 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

APPROVAL OF REGULAR AGENDA WITH NO ALTERATIONS

M/S: Dilles/Johnson

To approve the Regular Agenda.

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

REGULAR AGENDA

- 1. Community Grant Program recommendations for fiscal year 2022-2023

Assistant to the City Manager Stocker presented this item and responded to questions from Council.

Public comment was received from Tracey Weiss from the O'Neil Sea Odyssey program, and from Alma Molina from the Meals on Wheels program (a division of Community Bridges).

M/S: Dilles/Timm

To approve the funding of the top seven organizations' requests, rounding or reducing three organization's awarded amounts to fit within the \$50,000 budget allocation.

Carried 3/2 (AYES: Dilles, Lind, Timm; NOES: Johnson, Reed)

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

City Attorney Powell presented this items and responded to questions and comments from Council. Feedback on the Code of Conduct was incorporated into the document, and this new version was titled *Version 2*. Councilmember Dilles and Vice Mayor Reed offered additional changes to the Code of Conduct which will be considered as amendments at a future date.

Public comment was received from Matthew Hakimi.

M/S: Timm/Johnson

To approve Resolution No. 2019 along with Version 2 of the Code of Conduct.

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

3. Future Council agenda items

No one requested a future agenda item.

ADJOURNMENT

The meeting adjourned at 8:37 PM.

Approved: _____
Donna Lind, Mayor

Attest: _____
Cathie Simonovich, City Clerk

AGENDA ITEM B

DATE: 11-02-2022

SCOTTS VALLEY ACCOUNTS PAYABLE
10/20/2022 17:53:41 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.17 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 102022 COMMENT... 10/20/2022 A/P

DATA-JE-ID DATA COMMENT

W-10202022-286 10/20/2022 A/P

Run Instructions:

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	193231 ACCUSLUDGE	125280	10/20/22	1,049.39	
	000097 AT&T	125281	10/20/22	9.53	
	001427 AT&T MOBILITY	125282	10/20/22	1,114.76	
	001593 BENEDICT DDS/NANNETTE	125283	10/20/22	233.10	
	000021 BOWMAN & WILLIAMS	125284	10/20/22	7,181.75	
	003894 BURKE, WILLIAMS & SORENS	125285	10/20/22	1,032.50	
	001566 BUSINESS WITH PLEASURE	125286	10/20/22	571.54	
	003088 CALIFORNIA COAST UNIFORM	125287	10/20/22	542.92	
	003656 CIVICPLUS	125288	10/20/22	5,151.09	
	002091 COMCAST	125289	10/20/22	323.26	
	002091 COMCAST	125290	10/20/22	169.64	
	003707 DILLES/JACK	125291	10/20/22	58.75	
	004003 DREW DDS/ALLYSON S	125292	10/20/22	364.80	
	001597 ENVIRONMENTAL INNOVATION	125293	10/20/22	9,790.00	
	003706 GRANADOS/JUSTIN	125294	10/20/22	136.00	
	000218 MID VALLEY SUPPLY	125295	10/20/22	716.49	
	000939 NATIONAL COMTEL NETWORK	125296	10/20/22	6.97	
	000101 PACIFIC GAS & ELECTRIC C	125297	10/20/22	104.67	
	000101 PACIFIC GAS & ELECTRIC C	125298	10/20/22	46.31	
	000127 SANTA CRUZ SENTINEL	125299	10/20/22	3,083.90	
	000133 SCOTTS VALLEY SPRINKLER	125300	10/20/22	313.72	
	004081 SVCS CYCLE SPORT	125301	10/20/22	25.00	
	001366 U.S. BANCORP OFFICE	125302	10/20/22	1,300.62	
	004030 U.S. BANK CORPORATE	125303	10/20/22	14,106.70	
	001831 USA BLUE BOOK	125304	10/20/22	552.53	
	001106 VERIZON WIRELESS	125305	10/20/22	925.52	
	003924 VIRTUAL PROJECT MANAGER	125306	10/20/22	1,000.00	
	000154 WINCHESTER AUTO STORES	125307	10/20/22	59.24	
	003971 WIZIX TECHNOLOGY GROUP,	125308	10/20/22	422.70	
	GENERAL CHECKING ACCOUNT			50,393.40	***

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
10/20/2022 17:53:41
GL540R-V08.17 PAGE 2

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				50,393.40

RECORDS PRINTED - 000087

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
10/20/2022 17:53:41
GL060S-V08.17 RECAPPAGE

Check Register

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
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001	GENERAL	29,750.24
002	RECYCLING/ENVIRONMENTAL	7,865.00
004	RECREATION	466.81
010	WASTEWATER OPERATIONS	3,425.46
011	TERTIARY TREATMENT PLANT	276.26
028	SENIOR CENTER	169.64
112	DENTAL INS INTERNAL SERV	733.90
123	COMMUNITY FACILITY CENTER	46.31
150	GENERAL CAPITAL IMPROVEMENTS	7,497.04
306	SUPL LAW ENFORCEMENT SRVS	162.74
TOTAL ALL FUNDS		50,393.40

BANK RECAP:

BANK	NAME	DISBURSEMENTS
----	-----	
BA	GENERAL CHECKING ACCOUNT	50,393.40
TOTAL ALL BANKS		50,393.40

SCOTTS VALLEY ACCOUNTS PAYABLE
10/27/2022 13:04:00 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.17 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 102722 COMMENT... 10/27/2022 A/P

DATA-JE-ID DATA COMMENT

W-10272022-295 10/27/2022 A/P

Run Instructions:

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BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
	000182 A SIGN ASAP	125309	10/27/22	725.03	
	001631 ART CLEANERS	125310	10/27/22	2,026.33	
	001670 AT &T	125311	10/27/22	487.40	
	000097 AT&T	125312	10/27/22	33.97	
	000614 BATTERIES + BULBS #314	125313	10/27/22	215.61	
	005039 BAY SPORTS PHOTOGRAPHY,	125314	10/27/22	900.00	
	003170 BOGARD CONSTRUCTION INC	125315	10/27/22	3,000.00	
	004083 BRIGHTVIEW LANDSCAPE	125316	10/27/22	4,166.50	
	000018 BRINK'S AWARDS & SIGNS	125317	10/27/22	71.01	
	001566 BUSINESS WITH PLEASURE	125318	10/27/22	216.43	
	003088 CALIFORNIA COAST UNIFORM	125319	10/27/22	102.39	
	003787 CARMEL AREA WASTEWATER D	125320	10/27/22	6,201.00	
	005030 CLAIRE LAUGHLIN CONSULTI	125321	10/27/22	14,000.00	
	002091 COMCAST	125322	10/27/22	51.99	
	000037 CRYSTAL SPRINGS WATER CO	125323	10/27/22	48.00	
	000057 HACH COMPANY	125324	10/27/22	433.71	
	004024 K & D LANDSCAPING, INC.	125325	10/27/22	3,660.29	
	001243 LIEBERT CASSIDY WHITMORE	125326	10/27/22	773.50	
	001418 MONTEREY REGIONAL	125327	10/27/22	4,346.40	
	000939 NATIONAL COMTEL NETWORK	125328	10/27/22	17.68	
	001872 NORTH CENTRAL LABORATORI	125329	10/27/22	446.25	
	000723 PIED PIPER INC./THE	125330	10/27/22	81.50	
	001615 PIONEER AMERICAS LLC 107	125331	10/27/22	2,347.51	
	003503 PURETEC INDUSTRIAL WATER	125332	10/27/22	157.25	
	000134 S.V. WATER DISTRICT	125333	10/27/22	6,646.59	
	001894 S.V. WATER DISTRICT - BU	125334	10/27/22	124.32	
	001885 SANTA CRUZ BIOTECHNOLOGY	125335	10/27/22	324.75	
	000319 SCOTTS VALLEY CAR WASH	125336	10/27/22	409.68	
	003928 SOUTH BAY REGIONAL PUBLI	125337	10/27/22	476.00	
	003581 SUEZ TREATMENT SOLUTIONS	125338	10/27/22	2,148.92	
	003062 SUN RIDGE SYSTEMS INC	125339	10/27/22	26,675.00	
	001106 VERIZON WIRELESS	125340	10/27/22	179.75	
	000154 WINCHESTER AUTO STORES	125341	10/27/22	65.74	
	GENERAL CHECKING ACCOUNT			81,560.50	***

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
10/27/2022 13:04:00
GL540R-V08.17 PAGE 2

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				81,560.50

RECORDS PRINTED - 000049

SCOTTS VALLEY ACCOUNTS PAYABLE
CITY OF SCOTTS VALLEY
10/27/2022 13:04:00
GL060S-V08.17 RECAPPAGE

Check Register

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
----	-----	
001	GENERAL	57,408.89
004	RECREATION	138.85
010	WASTEWATER OPERATIONS	15,662.48
011	TERTIARY TREATMENT PLANT	2,248.21
028	SENIOR CENTER	129.74
077	SKYPARK MAINT ASSESS DIST	2,697.37
088	LIBRARY FACILITIES-MEAS "S"	3,000.00
123	COMMUNITY FACILITY CENTER	274.96
TOTAL ALL FUNDS		81,560.50

BANK RECAP:

BANK	NAME	DISBURSEMENTS
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BA	GENERAL CHECKING ACCOUNT	81,560.50
TOTAL ALL BANKS		81,560.50

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: November 2, 2022

TO: Honorable Mayor and City Council

FROM: Mali LaGoe, City Manager

**SUBJECT: LETTER OF SUPPORT FOR STATE AUTHORIZATION TO
BUILD A VETERANS HOME IN THE MONTEREY COUNTY
REGION**

SUMMARY OF ISSUE

Currently, there is a shortage of Veterans Homes capacity leading to extended wait times for veterans to access earned and much needed services. Often, veterans in need of Skilled Nursing and Memory Care must wait years before they get admitted. If veterans are unable to access Veteran Home services timely, they will have to seek other options, potentially out of the state, or even risk becoming homeless. The construction of a new Veterans Home in Monterey County would help to alleviate the long wait times and keep our Veterans closer to home. Current wait times for these services are:

- Yountville: 5 years wait time for admittance.
- West Los Angeles: 2 years wait time for admittance.
- Fresno: 4 years wait time for admittance.
- Redding: 5 years wait time for admittance.

The construction of a new Veteran's Home will lower or eliminate wait times for admittance into the CalVET Veterans Homes for services including combined skilled nursing & memory care services. Adding an additional Veterans Home will increase the number of homes to 9 in the state.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

It is recommended that the City Council approve the letter to support Monterey County's request for authorizing legislation allowing a Veteran's Home to be built in the region.

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CITY OF SCOTTS VALLEY

1 Civic Center Drive • Scotts Valley • California • 95066
Phone (831) 440-5600 • Facsimile (831) 438-2793 • www.scottsvally.gov

November 2, 2022

The Honorable Dianne Feinstein
331 Hart Senate Office Building
Washington, DC 20510

The Honorable Jimmy Panetta
406 Cannon House Office Building
Washington, DC 20515

The Honorable Alex Padilla
112 Hart Senate Office Building
Washington, DC 20510

The Honorable Anna Caballero
12th Senate District
1021 O Street, Rm 7620
Sacramento, CA 95814

The Honorable John Laird
17th Senate District
1021 O Street, Rm 8720
Sacramento, CA 95814

The Honorable Robert Rivas
30th Assembly District
1021 O Street, Rm 5110
Sacramento, CA 95814

The Honorable Mark Stone
29th Assembly District
1021 O Street, Rm 5740
Sacramento, CA 95814

Re: Support for a Veteran's Home in Monterey County

Dear Monterey Bay Region Federal and State Legislators:

On behalf of the City of Scotts Valley, we are writing to support Monterey County's request for authorizing legislation allowing a Veteran's Home to be built in the region.

Currently, there are extended wait times to access the established Veterans Homes in the State for much needed services. If Veterans are unable to access Veteran Home services timely, they will have to seek other options, potentially out of the State of California or even risk becoming homeless. For Veterans in need of Skilled Nursing and Memory Care must wait years before they get admitted. The construction of a new Veterans Home in Monterey County would help to alleviate the long wait times and keep our Veterans in the State. Current wait times for these services are:

- Yountville: 5 years wait time for admittance.
- West Los Angeles: 2 years wait time for admittance.
- Fresno: 4 years wait time for admittance.
- Redding: 5 years wait time for admittance.

California is losing veterans at an alarming rate – much faster than the next 2 largest veteran population states (Texas and Florida). We owe all we have to the veterans of this Nation, and it is our joint obligation to do all we can to care for those who have selflessly served for the freedoms we have today. Currently California Veterans receive more than 8 Billion in Federal

VA Compensation and Pension Payments. In addition, many receive Post 9/11 GI Bill, Chapter 33 Education Benefits and DoD Retirements. If Veterans leave the state so will the need for Veteran Serving organizations that create high paying jobs with the Federal VA, State, Counties, Private Sector and Non-Profits that serve our Veterans. Veterans positively impact the California Ecosystem.

The construction of a new Veteran's Home will lower or eliminate wait times for admittance into the CalVET Veterans Homes for services including combined skilled nursing & memory care services. Adding an additional Veterans Home will increase the number of homes to 9 in the state. Homes are available to Disabled and Aged Veterans as well as spouses. This home will provide much needed care to our states heroes and decrease the risk of these veterans becoming homelessness. In addition, the location in Monterey County, will provide an attractive geographical location with a rich Military History and current Military presence. Residents of the Veterans Home would have easy access to the Major General William H. Gourley VA-DoD Outpatient Clinic, Commissary's, Post Exchanges, Military Gyms and other Military / Veteran accessible facilities. There are a large variety of beaches, walking / bike trails and County / State / National parks that will promote outdoor activity.

Additionally, Monterey County is interested in contributing land for a new CalVET Veterans Home and Federal Grants are available for 65% of construction costs of the new Veteran Home. For these reasons, we support the Monterey County's request for State authorization to build a Veteran's Home in the region. Should you have any questions, please feel free to contact Mali LaGoe, City Manager, City of Scotts Valley.

Sincerely,

Mayor Donna Lind

Vice Mayor Jim Reed

Council Member Jack Dilles

Council Member Randy Johnson

Council Member Derek Timm



CAL-VET VETERAN HOMES INFORMATION

Currently, there are extended wait times to access Veterans Homes for much-needed services. If Veterans are unable to access Veteran Home services timely, they will have to seek other options, potentially out of the State of California or even risk becoming homeless.

- CalVet has eight (8) Veterans Homes that offer affordable long-term care to Veterans who are age 55+, eligible spouses and domestic partners are eligible to apply for admission.

- Services range from independent living programs with minimal support to 24/7 skilled nursing and dementia care for veterans with significant clinical needs.

- Age requirements are waived for disabled and homeless veterans needing long term care.



CALVET
VETERANS HOMES

California has the largest Veteran population in the U.S. - over 1.6 mil.

- 19,876 in Monterey County plus thousands of active and reserve military members,
- 24,001 in San Mateo
- 55,902 in Santa Clara County
- 9,726 in Santa Cruz County
- 17,370 in San Luis Obispo County
- 2,476 in San Benito County
- 129,351 collectively.



Veteran Home	Types of care	Possible Wait Time as of March 2022	Distance from Monterey (Approx. Miles)
Yountville	Ind. Living / Asst. Living / SNF / Mem. Care	5+ Years	164
Barstow	SNF	1 year	344
Chula Vista	Ind. Living / Asst. Living / SNF	1 year	441
Lancaster	Asst. Living	1 year	290
Ventura	Asst. Living	1 year	265
West LA	Asst. Living / SNF / Mem. Care	3 years	307
Fresno	Asst. Living / SNF / Mem. Care	5 years	145
Redding	Asst. Living / SNF / Mem. Care	6 years	336

VA published it's federal Asset and Infrastructure Review (AIR) on March 10th, 2022 which stated that "...long-term support services, such as nursing home care, is projected to increase by nearly 50% in relative value..."



28% Increase in Need

The Veterans Integrated Services Networks (VISN 21/22) reported in the 2022 AIR that 8 Health Care Markets Covering all of California show that the average demand for long term care is projected to increase 28% from 2019 to 2019



In Cal-Vet's 2020 Veteran Home Master Plan, 37% of all waitlisted disabled Veterans were already considered between 70% - 100% disabled and waiting entry into a Vet Home.

The need is clear. That's why we're asking to add a ninth (9th) Veteran Home in beautiful Monterey County to support our nation's heroes living in California by drastically reducing wait times, providing close proximity to VA health care and several other veteran services, while keeping our veterans from possibly becoming homeless.

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: November 2, 2022

TO: Honorable Mayor and City Council

FROM: Cathie Simonovich, City Clerk

APPROVED: Mali LaGoe, City Manager

**SUBJECT: REAPPOINTMENT OF ERIC TAYLOR TO CULTURAL
RESOURCE PRESERVATION COMMISSION**

SUMMARY OF ISSUE

Reappointments to the Cultural Resource Preservation Commission are to take place every four years. The Cultural Resource Preservation Commission is comprised of the five members of the Planning Commission and two at-large members – one member who represents the Historical Society and one member who represents the Archeological Society. Eric Taylor is a member of the Historical Society and is seeking reappointment to the Cultural Resource Preservation Commission.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

It is recommended that the City Council reappoint Eric Taylor to serve on the Cultural Resource Preservation Commission, with an effective date of November 2, 2022.

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Application for Cultural Resource Preservation Commission.....	2



City of Scotts Valley

Application for Appointment to Serve on a City Advisory Body

Advisory Body you are applying for:

- | | | |
|--|--|---|
| ☐ Planning Commission | ☐ Arts Commission | ☐ Senior Center Board |
| ☐ Parks & Recreation Commission | ☐ Board of Appeals | ☐ Code Enforcement Appeals Board |
| ☐ ADA Accessibility Committee | ☐ Parks & Recreation Advocates | ☐ Mobile Home Park Rent Review |
| | ☒ Cultural Resource Preservation | |

Contact Information

Name	ERIC TAYLOR		
Street Address	[REDACTED]		
City / ST/ ZIP Code	SCOTTS VALLEY, CA 95066		
Phone - Primary	[REDACTED]	☐ Cell	☐ Work ☒ Home
Phone - Secondary	[REDACTED]	☐ Cell	☐ Work ☐ Home
E-Mail Address	[REDACTED]		

Background Information*

Years residing in Scotts Valley	77 years
Employer	Retired military, CARPENTER
Occupation/Profession	CONSTRUCTION INDUSTRY, MILITARY
Education	1968 UCLA, BA, Command General Staff College

*If you are appointed to a city commission or board, you may be required to file a Statement of Economic Interests (FPPC Form 700). The Form 700 is a State-mandated public document disclosing certain business, property and investment holdings which might conflict with the member's decisions. The City Clerk's Office will supply the Form 700 upon appointment.

Summarize your interests, education, and/or experience as they relate to this position.

HAVE HISTORICAL KNOWLEDGE OF CALIFORNIA HISTORY AND LOCAL HISTORY OF SANTA CRUZ COUNTY.
HAVE WRITTEN ARTICLES ON THE HISTORY OF SCOTTS VALLEY AND EARLY CALIFORNIA PUBLISHED IN SCOTTS VALLEY TIMES 2000-2002
HAVE ATTENDED LOCAL SCHOOLS, PARTICIPATED IN LOCAL SCOUTING PROGRAMS, WORKED LOCAL JOBS AT SANTA'S VILLAGE, SCARBORO MILLS, LOCAL RESTAURANTS AND PARTICIPATED IN CIVIL DEFENSE AND GROUND OBSERVATION CORPS PROGRAMS DURING THE COLLEGE YEARS

Explain how you believe you can contribute toward the effectiveness of this position.

With extensive background and knowledge of the community history I can help the city council to encourage public knowledge, understanding and appreciation of the city's past. Thus, we can foster civic pride and promote the enjoyment and use of our cultural resources. I can identify and help resolve conflicts between the preservation of cultural resources and alternate land use.

Summarize your participation in civic or community activities.

Scotts Valley Historical Society member
Cultural Resource ^{Preservation} Commissioner since Feb 1999.
VFW MEMBER 10110 APTOS SINCE 2009

How did you hear about this vacancy?

Appointed Cultural Resource Preservation Commissioner
FEB 17, 1999

APPLICANT SIGNATURE

DATE

x Cec Taylor

SEPT 30, 2012

Return application:

For more information, contact:

OFFICE USE ONLY - DATE RECEIVED

By email to:

City Clerk's Office

RECEIVED
OCT 25 2022

CITY OF SCOTTS VALLEY



CITY OF SCOTTS VALLEY

ONE CIVIC CENTER DRIVE • SCOTTS VALLEY, CALIFORNIA 95066 • PHONE (831) 438-2324 • FAX (831) 438-2793

February 18, 1999

Eric Taylor
[REDACTED]

Scotts Valley, CA 95066

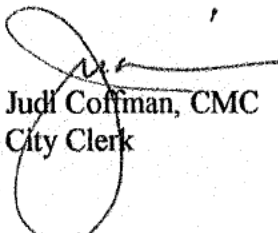
Dear Mr. Taylor:

On behalf of the Scotts Valley City Council, it is my pleasure to officially advise you of your appointment to the Cultural Resource Preservation Commission for a term through February 2003. The City Council ratified your appointment at their February 17 meeting.

Laura Kuhn, Community Development Director, is staff liaison to the Commission and will be contacting you shortly for orientation. If you have any questions, please feel free to contact her.

We wish to express appreciation to you for accepting this appointment and look forward to working with you in this capacity for the continued betterment of the City.

Sincerely yours,


Judi Coffman, CMC
City Clerk

JC:j

c: Laura Kuhn

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: November 2, 2022

TO: Honorable Mayor and City Council

FROM: Phillip Linarte, Senior Civil Engineer

REVIEWED: Chris Lamm, Public Works Director/City Engineer

APPROVED: Mali LaGoe, City Manager

SUBJECT: **CITY OF SCOTTS VALLEY PUBLIC WORKS BUILDING
DEMOLITION AND ABATEMENT, PW PROJECT NO. P22-006
CONTRACT AWARD**

SUMMARY OF ISSUE

Through the Capital Improvement Program, the City allocated funds to address the aging infrastructure of the existing Public Works Building. The Public works building consists of modulars constructed in the late 1970s and purchased/moved by the City in FY 1988/1989. The modulars routinely need major maintenance such as siding/skirting replacement, ceiling/roof repairs, light covers, flooring, doors, and water leak damage inside walls and to sub flooring. As the modulars are beyond their useful life and require replacement, the Public Works Building Demolition and Abatement Project will be the first phase of the project to update the Public Works facilities at the maintenance yard on Lundy Lane.

The City issued a call for bids for the City of Scotts Valley Public Works Building Demolition and Abatement Project on September 29th, 2022. The project was bid on a unit price basis, allowing the contractor to bid from drawings, technical documents, and a pre-bid meeting to provide competitive pricing for each item of demolition. The low bidder would be determined on a comparison of unit costs prices for different types of work to be performed.

Public Works received the following bids:

Randazzo Enterprises, Inc.	\$54,000
Central Valley Environmental	\$57,850
Garrison Demo & Eng., Inc.	\$69,050
Penkor Wrecking	\$73,600
Demolition Svc. & Grad., Inc.	\$78,355
Coastwide Env. Tech., Inc.	\$82,000
Unlimited Environmental, Inc.	\$97,900
MAG Engineering	\$104,652
Galeb Paving, Inc.	\$170,555

Public Works staff received nine bids on Thursday, October 27th, 2022. The lowest bidder, Randazzo Enterprises, Inc., was found to be both responsive and responsible.

Staff reviewed the bid and took into consideration the size of company, estimated cost to perform the work, and previous work performed for the City of Scotts Valley. The contractor has been performing demolition and wrecking services since 1969. In addition to demolition, Randazzo Enterprises, Inc. also performs services in land clearing, asbestos, and hazardous material management making them sufficiently qualified to perform the required work.

Upon award, staff will begin coordinating work to be performed as the anticipated project schedule is from December 5th, 2022 through December 22nd, 2022.

Environmental Review

The project is categorically exempt under Section 15302 (b) – Class 2, Replacement or Reconstruction, of the California Environmental Quality Act Guidelines

FISCAL IMPACT

The project is included within the Adopted Fiscal Year 2022-23 Capital Improvement Program, CIP-46, and is funded with \$1,250,000 of American Rescue Plan Act (ARPA) Funds.

There is no additional impact on the general fund.

STAFF RECOMMENDATION

Staff recommends that the City Council award the contract to Randazzo Enterprises, Inc. in the amount of \$54,000.00 and authorization of expenditure up to \$62,100 (15% Contingency) for the City of Scotts Valley Public Works Building Demolition and Abatement and authorize the City Manager to execute the agreement in a form acceptable to the City Attorney

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PROPOSAL

**To: CITY OF SCOTTS VALLEY,
COUNTY OF SANTA CRUZ,
STATE OF CALIFORNIA
(herein called Owner)**

for the construction of

Public Works Project No. P22-006
City of Scotts Valley Public Works building Demolition and Abatement

NAME OF BIDDER Randazzo Enterprises, Inc.

BUSINESS P.O. BOX N/A

CITY, STATE, ZIP _____

BUSINESS STREET ADDRESS 13550 Blackie Rd.
(Please include even if P.O. Box used)

CITY, STATE, ZIP Castroville, CA 95012

TELEPHONE NO: AREA CODE (831) 633-4420

FAX NO: AREA CODE (831) 633-4588

CONTRACTOR LICENSE NO. 471926

DIR CONTRACTOR REGISTRATION NO. 1000000845

PROPOSED SCHEDULE OF WORK: Demo start 12/5 and finish ~~12/10~~ 12/22 ^{JB}

1. Pursuant to and in compliance with your Notice to Bidders and the contract documents relating to the construction of City of Scotts Valley Public Works building Demolition and Abateincluding Addenda Nos. 01, 02, _____, _____ the undersigned bidder, having become thoroughly familiar with the terms and conditions of the contract documents and with the local conditions affecting the performance and costs of the work at the place where the work is to be done, and having fully inspected the site in all particulars, hereby proposes and agrees to perform fully the work within the time stated

City of Scotts Valley Public Works building Demolition and Abatement
Proposal

P-1

in strict accordance with the contract documents (including the furnishing of any and all labor and materials) and do all the work required to construct and to complete said work in accordance with the contract documents.

2. It is understood that Owner reserves the right to reject this bid, but that this bid shall remain open and contractor shall not request that the bid be withdrawn for a period of sixty (60) days from the date prescribed for its opening.
3. Attached hereto and incorporated herein is the complete and entire list of subcontractors to be employed by the undersigned in the performance of the work.
4. If written notice of the acceptance of this bid is mailed or delivered personally to the undersigned within sixty (60) days after the date set for the opening of this bid, or at any time thereafter before it is withdrawn, the undersigned bidder shall execute and deliver the contract documents to Owner in accordance with this bid as accepted, and will also furnish and deliver to Owner the Performance Bond, Labor and Material person's Bond as specified and proof of insurance coverage as required in the General Conditions, all within ten (10) days after personal delivery or after deposit in the mails, of the notifications of acceptance of this bid. The above-mentioned bonds shall be satisfactory to and on the forms approved by Owner.
5. Notice of acceptance or request for additional information may be addressed to the undersigned at the address set forth below.
6. The undersigned declares that this bid is not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation; that the bid is genuine and not collusive or sham; that the undersigned has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid and has not directly or indirectly colluded or agreed with any bidder or anyone else to put in a sham bid or to refrain from bidding; that the undersigned has not directly or indirectly sought by agreement, communications or conference with anyone to fix said bid price or the bid price of any other bidder, or to fix any overhead, profit or cost element of such bid price or of that of any other bidder, or to secure any advantage against the City of Scotts Valley or anyone interested in the proposed contract; that the only persons or parties interested in this bid as principals are those named herein; that all statements contained in this bid are true; that the undersigned has not directly or indirectly submitted under sign's bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any other persons, partnership, corporation or association except to such person or persons as have a direct financial interest in bidder's general business; and that the undersigned has not accepted any bid from any subcontractor or material person through any bid depository, the By-Laws, Rules or Regulations of which prohibit or prevent the undersigned from considering any bid from any subcontractor or material person, which is not processed through said bid depository, or which may prevent any subcontractor or material person, which is not processed through said bid depository, or which may prevent any subcontractor or material person from bidding to any general

contractor who does not use the facilities of or accept bids from or through such bid depository.

7. Bids are to be submitted for the entire work. The amount of the bid for comparison purposes will be the total of all items. The bidder shall set forth for each unit basis item of work a unit price and a total for the item, and for each lump sum item a total for the item, all in clearly legible figures in the respective spaces provided for that purpose. In the case of unit basis items, the amount set forth under the "Item Total" column shall be the product of the unit price bid and the estimated quantity for the item. In case of discrepancy between the unit price and the total set forth for a unit basis item, the unit price shall prevail, except as provided in (a) or (b), as follows:
 - (a) If the amount set forth as a unit price is unreadable or otherwise unclear, or is omitted, or is the same as the amount as the entry in the item total column, then the amount set forth in the item total column for the item shall prevail and shall be divided by the estimated quantity for the item and the price thus obtained shall be the unit price;
 - (b) (Decimal Errors) If the product of the entered unit price and the estimated quantity is exactly off by a factor of ten, one hundred, etc., or one-tenth, or one-hundredth, etc. from the entered total, the discrepancy will be resolved by using the entered unit price or item total, whichever most closely approximates percentage wise the unit price or item total in the *CITY OF SCOTTS VALLEY's* Final Estimate of cost.

If both the unit price and the item total are unreadable or otherwise unclear, or are omitted, the bid may be deemed irregular. Likewise, if the item total for a lump sum item is unreadable or otherwise unclear, or is omitted, the bid may be deemed irregular unless the project being bid has only a single item and a clear, readable total bid is provided.

Symbols such as commas and dollar signs will be ignored and have no mathematical significance in establishing any unit price or item total or lump sums. Written unit prices, item totals and lump sums will be interpreted according to the number of digits and, if applicable, decimal placement. Cents symbols also have no significance in establishing any unit price or item total since all figures are assumed to be expressed in dollars and/or decimal fractions of a dollar. Bids on lump sum items shall be item totals only; if any unit price for a lump sum item is included in a bid and it differs from the item total, the items total shall prevail.

8. The undersigned certifies that the contract documents have been thoroughly read and understood and that, except as may be specifically noted and contained in addenda, there are no discrepancies or misunderstandings as to the meaning, purpose or intent of any provision in the contract documents or as to the interpretation of the same. The undersigned hereby incorporates by reference, the same as though set out in full, all provisions of the Notice to Bidders and Information for Bidders published by Owner and pertaining to the work described in this bid.

9. The undersigned has included with its bid submittal a proposed schedule of work, subject to modification by the Public Works Director, that identifies key project milestones and requirements including irrigation system repair; hydro-seeding; and watering, weeding and mowing schedules.

The foregoing provisions for the resolution of specific irregularities cannot be so comprehensive as to cover every omission, inconsistency, error or other irregularity which may occur in a bid. Any situation not specifically provided for will be determined in the discretion of the *CITY OF SCOTTS VALLEY*, and that discretion will be exercised in the manner deemed by the *CITY OF SCOTTS VALLEY* to best protect the public interest in the prompt and economical completion of the work. The decision of the *CITY OF SCOTTS VALLEY* respecting the amount of a bid, or the existence or treatment of an irregularity in a bid, shall be final.

Accompanying this bid is bidder's bond (insert words "cash", "cashier's check", "certified check" or "bidder's bond" as the case may be), in an amount equal to at least ten percent (10%) of the total of the bid.

The names of all persons interested in the foregoing bid as principals are as follows:

IMPORTANT NOTICE: If bidder or other interested person is corporation, give legal name of corporation, state where incorporated and names of the president and secretary thereof; if a partnership, give name of the firm, also names of all individual co-partners composing firm; if bidder or other interested person is an individual, give first and last names in full.

Randazzo Enterprises, Inc. Incorporated July 2, 1979 in California

Mark Randazzo, President

Jona Bussey, Secretary



NOTE: If bidder is a corporation, the legal name of the corporation shall be set forth above, together with the signature of the officer or officers authorized to sign contracts on behalf of the corporation; if bidder is a co-partnership, the name of the firm shall be set forth above, together with the signatures of the partner or partners authorized to sign contracts in behalf of the co-partnership; and if bidder is an individual, said bidder's signature shall be placed above.

CITY OF SCOTTS VALLEY

CONTRACTOR'S BID AND BID PRICE SCHEDULE

Public Works Project No. P22-006

City of Scotts Valley Public Works Building Demolition and Abatement

All of the proposal items below shall include all labor, materials, tools, equipment, and incidental costs for each item complete, in place, in accordance with the Scope of Work, Standard Specifications and Standard Plans, and for the Project Special Provisions and Project Plans.

1. UNIT PRICE SCHEDULE

ITEM	SPEC. SECTION	DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL COST
1	11	MOBILIZATION/DEMOBILIZATION	1	LS	\$2,000.00	\$2,000.00
2	12	REMOVE ANY IDENTIFIED ASBESTOS MATERIALS AND UNIVERSAL WASTES FROM THE STRUCTURE	1	LS	\$10,000.00	\$10,000.00
3	12	REMOVE ALL STRUCTURES AS IDENTIFIED ON DEMOLITION PLAN (SHEET C1.0). LINE ITEM TO INCLUDE COST OF DEMOLISHING AND REMOVAL OF STRUCTURE AND APPURTENANCES INCLUDING DECKS, RAMPS, AND SIDEWALKS.	1	LS	\$35,700.00	\$35,700.00
4	12	ALL UTILITY WORK INCLUDING DISCONNECTION, CAPPING, AND DEMOLITION	1	LS	\$200.00	\$200.00
5	19	GRADING/LEVELING PAD FOR RELOCATION OF BUILDINGS 1 & 2	1	LS	\$500.00	\$500.00
6	16	REMOVE TREE AND/OR TREE STUMP	1	LS	\$200.00	\$200.00
7	12	50 CY DEBRIS BOX - LOADING AND OFFHAUL OF SITE DEBRIS, SEPARATE OF BUILDING MATERIAL	2	EA	\$1,800.00	\$3,600.00
8	12	REMOVE AND DISPOSAL OF TRAFFIC CABINETS	12	EA	\$150.00	\$1,800.00
SUBTOTAL						\$54,000.00

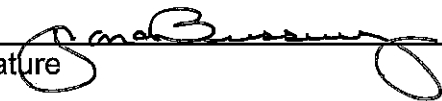
PROJECTS BASE BID TOTAL (IN NUMBERS) Projects 0.1-2: \$54,000.00

PROJECTS BASE BID TOTAL (IN WORDS) Projects 0.1-2:

FIFTY FOUR THOUSAND DOLLARS

City of Scotts Valley Public Works building Demolition and Abatement
Proposal

P-5

Signature 

Jona Bussey
Printed Name

Secretary
Title

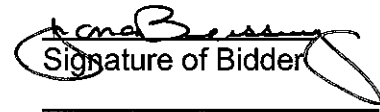
(IMPORTANT NOTICE: If bidder is a corporation, the legal name of the corporation shall be set forth above, together with the signature of the officer or officers authorized to sign contracts on behalf of the corporation; if bidder is a co-partnership, the name of the firm shall be set forth above, together with the signatures of the partner or partners authorized to sign contracts on behalf of the co-partnership; and if bidder is an individual, said bidder's signature shall be placed above.)

ADDENDA ACKNOWLEDGEMENT

The undersigned acknowledges receipt of Addendum number 01 through 02 inclusively.

Date: October 20, 2022

Jona Bussey, Secretary
(Type or Print name):


Signature of Bidder

SUBCONTRACTORS LISTING

The Bidder shall list the name and address of each subcontractor to whom the Bidder proposes to subcontract portions of the work, as required by the provisions in Section 2-1.10, "Subcontractor List" of the Standard Specifications and Section 2-1.01, "General," of the Special Provisions.

NOTE: No contractor or subcontractor may work on a public works project unless registered with the Department of Industrial Relations pursuant to section 1725.5 of the Labor Code, subject to limited legal exceptions under Labor Code section 1771.1.

NAME	LOCATION OF BUSINESS	LICENSE NO.	CONTRACTOR REGISTRATION NO.	PORTION OR TYPE OF WORK
PARC Environmental, LLC	2864 E. Dorothy Ave., Fresno, CA 93706	501913	1000002856	Abatement

PUBLIC CONTRACT CODE SECTION 10162 QUESTIONNAIRE

In conformance with Public Contract Code Section 10162, the Bidder shall complete, under penalty of perjury, the following questionnaire:

Has the bidder, any officer of the bidder, or any employee of the bidder who has a proprietary interest in the bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?

Yes _____ No X

If the answer is yes, explain the circumstances in the following space.

PUBLIC CONTRACT CODE 10232 STATEMENT

In conformance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the Contractor within the immediately preceding two year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board.

Note: The above Statement and Questionnaire are part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement and Questionnaire.

Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

PUBLIC CONTRACT CODE SECTION 10285.1 STATEMENT

In conformance with Public Contract Code Section 10285.1 (Chapter 376, Stats. 1985), the bidder hereby declares under penalty of perjury under the laws of the State of California that the bidder has _____, has not X been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or Federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Public Contract Code Section 1101, with any public entity, as defined in Public Contract Code Section 1100, including the Regents of the University of California or the Trustees of the California State University. The term "bidder" is understood to include any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

Note: The bidder must place a check mark after "has" or "has not" in one of the blank spaces provided. The above Statement is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

NONCOLLUSION AFFIDAVIT
(Title 23 United States Code Section 112 and
Public Contract Code Section 7106)

Type text here

to the

CITY OF SCOTTS VALLEY
DEPARTMENT OF PUBLIC WORKS

In conformance with Title 23 United States Code Section 112 and Public Contract Code 7106 the bidder declares that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Note: The above Noncollusion Affidavit is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Noncollusion Affidavit.

Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

CITY OF SCOTTS VALLEY

BIDDER'S BOND

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, Randazzo Enterprises, Inc.

_____ as **PRINCIPAL**,
and Merchant Bonding Company as **SURETY**, are held

and firmly bound unto the CITY OF SCOTTS VALLEY, State of California, hereinafter called CITY, in the penal sum of TEN PERCENT (10%) OF THE TOTAL AMOUNT OF THE BID of the Principal above named, submitted by said Principal to CITY, for the work described below for the payment of which sum in lawful money of the United States, will and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. In no case shall the liability of the surety exceed the sum of

Ten Percent of the Bid Dollars (\$ 10%).

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted the above-mentioned bid to CITY for certain construction specifically described as follows for which bids are to be opened at Scotts Valley, California on October 20, 21²⁰²² for the construction of the

Public Works Project No. P22-006

City of Scots Valley Public Works building Demolition and Abatement

NOW, THEREFORE, if the aforesaid Principal shall not withdraw said bid within the period specified therein after the opening of the same, or, if no period be specified, within sixty (60) days after said opening, and shall within the period specified therefore, or, if no period be specified therefore, within ten (10) days after the prescribed forms are presented to aforesaid Principal for signature, enter into a written contract with CITY, in the prescribed form in accordance with the bid as accepted, and file the two bonds with CITY, one to guarantee faithful performance and the other to guarantee payment for labor and materials, as required by law, then this obligation shall be null and void; otherwise, it shall be and remain in full force and virtue.

In the event suit is brought upon said bond by CITY, and judgment is recovered, the Surety shall pay all costs incurred by CITY in such suit, including a reasonable attorney's fees to be fixed by the Court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 12th day of October, 21²⁰²²

City of Scotts Valley Public Works building Demolition and Abatement
Proposal

P-12

MERCHANTS
BONDING COMPANY™
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,
Anthony F Angelicola; Terrence T Casey

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

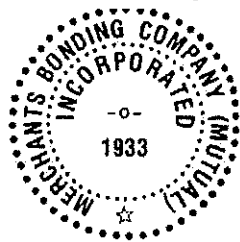
"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 11th day of February, 2020.

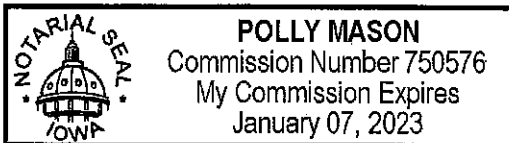


MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 11th day of February, 2020, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Polly Mason
Notary Public

(Expiration of notary's commission
does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this _____ day of _____, 2020.



William Warner Jr.
Secretary

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

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 }
County of San Francisco }

On October 12, 2022, before me, D. Tschaplizki, Notary Public,
personally appeared Anthony F. Angelicola

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 State of California that the foregoing paragraph is true and correct.



PLACE NOTARY SEAL ABOVE

WITNESS my hand and official seal.

SIGNATURE

D. Tschaplizki
SIGNATURE OF NOTARY PUBLIC

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of attached document

Title or type of document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other than Named Above: _____

ACKNOWLEDGMENT

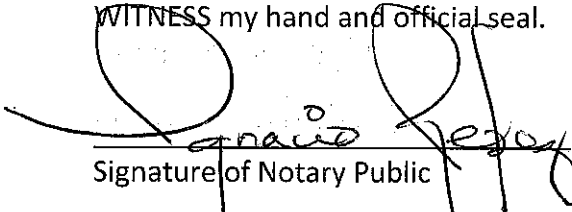
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

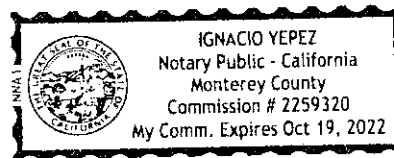
STATE OF CALIFORNIA
COUNTY OF MONTEREY

On October 19, 2022, before me, IGNACIO YEPEZ, Notary Public, personally appeared JONA MARIE BUSSEY 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 acknowledge to me that ~~he~~/~~she~~/~~they~~ executed the same in ~~his~~/~~her~~/~~their~~ authorized capacity ~~(ies)~~, and that by ~~his~~/~~her~~/~~their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Signature of Notary Public



My commission Expires: October 19, 2022
Notary Registration Number 2259320

Notary Phone: (831) 633-2143
County of Principal Place of Business: Monterey

(seal)

(seal)

Address: _____
6700 Westown Parkway, West Des Moines, Iowa 50266-7754

Randazzo Enterprises, Inc.

 Principal

Merchants Bonding Company


Anthony F. Angelicola Surety
Attorney-In-Fact

(NOTE: Signature of those executing for the Surety shall be properly acknowledged, and accompanied by a Certificate of acknowledgment.)

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: November 2, 2022

TO: Honorable Mayor and City Council

FROM: Christ Lamm, Public Works Director/City Engineer

APPROVED: Mali LaGoe, City Manager

SUBJECT: **CONSIDERATION OF SANITARY SEWER CONNECTION REQUEST; APN 056-102-02, 200 OLD COACH ROAD**

SUMMARY OF ISSUE

On February 19, 2014, the City Council adopted Resolution No. 1660.3 (Attachment 1), a policy for the consideration of sewer hookups for properties located outside the City limits. The policy provides that requests for sewer hookups will be reviewed and approved by the City Council on a case-by-case basis for connection to the sewer system through an extraterritorial service agreement

The property owner at 200 Old Coach Road (APN 056-102-02) is requesting to connect to the City's sanitary sewer system. Pursuant to the policy, the following criteria must be met to allow a sewer hookup outside of the City limits:

- There must be adequate capacity in the sewer treatment system to accommodate the additional hook up.
- Property must be located within the City's sphere of influence.
- If hook ups are allowed, the applicable fair share assessment for sewer capacity and hook up fee shall be paid.
- Prior to sewer connection, written approval from LAFCO is received in accordance with Government Code Section 56133.

There is adequate capacity in the sewer treatment system to accommodate this hook up. The property is located within the City's sphere of influence. The applicant has agreed to pay his fair share assessment. On January 5, 2022 the LAFCO Commission approved the consideration of an extraterritorial service agreement involving the City of Scotts Valley (Attachment 2).

FISCAL IMPACT

The City will receive \$7,385 in wastewater connection fees to be deposited into the Wastewater Fund. There is no General Fund impact.

STAFF RECOMMENDATION

Staff recommends City Council approve Resolution No. 1660.5 authorizing the connection of APN 056-102.02 to the City's sanitary sewer system.

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RESOLUTION NO. 1660.3

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SCOTTS VALLEY AMENDING THE POLICY
FOR THE CONSIDERATION OF SEWER HOOK UPS FOR
PROPERTIES LOCATED OUTSIDE OF THE CITY LIMITS BUT WITHIN
THE CITY'S SPHERE OF INFLUENCE**

WHEREAS, the City of Scotts Valley approved a Wastewater Facilities Master Plan and an Environmental Impact Report for the Plan pursuant to Resolution No. 705 dated May 16, 1979; and

WHEREAS, the Plan analyzed the impacts of wastewater facilities within the City limits, within the City's sphere of influence and beyond (the "Study Area"); and

WHEREAS, a map of the Study Area is attached hereto; and

WHEREAS, the Plan determined there was adequate capacity to serve properties in the Study Area; and

WHEREAS, on August 4, 1999, the City Council adopted a policy for the consideration of sewer hook ups for properties outside of the City limits; and

WHEREAS, the policy provides that certain criteria must be met in order for properties outside the City limits to hook up to the City's sewer system; and

WHEREAS, one of the criteria under the policy was that only vacant properties contiguous to the City boundaries could hook up to the City's sewer system; and

WHEREAS, it has been determined that it is appropriate to consider allowing vacant parcels within the City's sphere of influence to hook up to the City's sewer system if the other criteria can be met; and

WHEREAS, the City Council desires to amend the policy to allow hook ups on vacant parcels within the City's sphere of influence.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY OF THE CITY OF SCOTTS VALLEY AS FOLLOWS:

SECTION 1: All requests for hook ups outside the City limits but within the City's sphere of influence shall be reviewed and approved by the City Council on a case by case basis. The Council shall consider the following criteria in reaching its decision. Unless all of the following criteria are met, a hook up shall not be allowed:

- A. There must be adequate capacity in the sewer treatment system to accommodate the additional hook up.
- B. The property must be located within the City's sphere of influence.
- C. If hook ups are allowed, the applicable fair share assessment for sewer capacity and hook up fee shall be paid.
- D. Prior to sewer connection, written approval from LAFCO is received in accordance with Government Code Section 56133.

The foregoing resolution was passed and adopted at a regular City Council meeting held on the 19th day of February, 2014, by the following vote:

AYES: AGUILAR, BUSTICHI, JOHNSON, LIND, REED

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

Approved:



Jim Reed, Mayor

Attest: 

Tracy A. Ferrara, City Clerk

SCOTTS VALLEY STUDY AREA

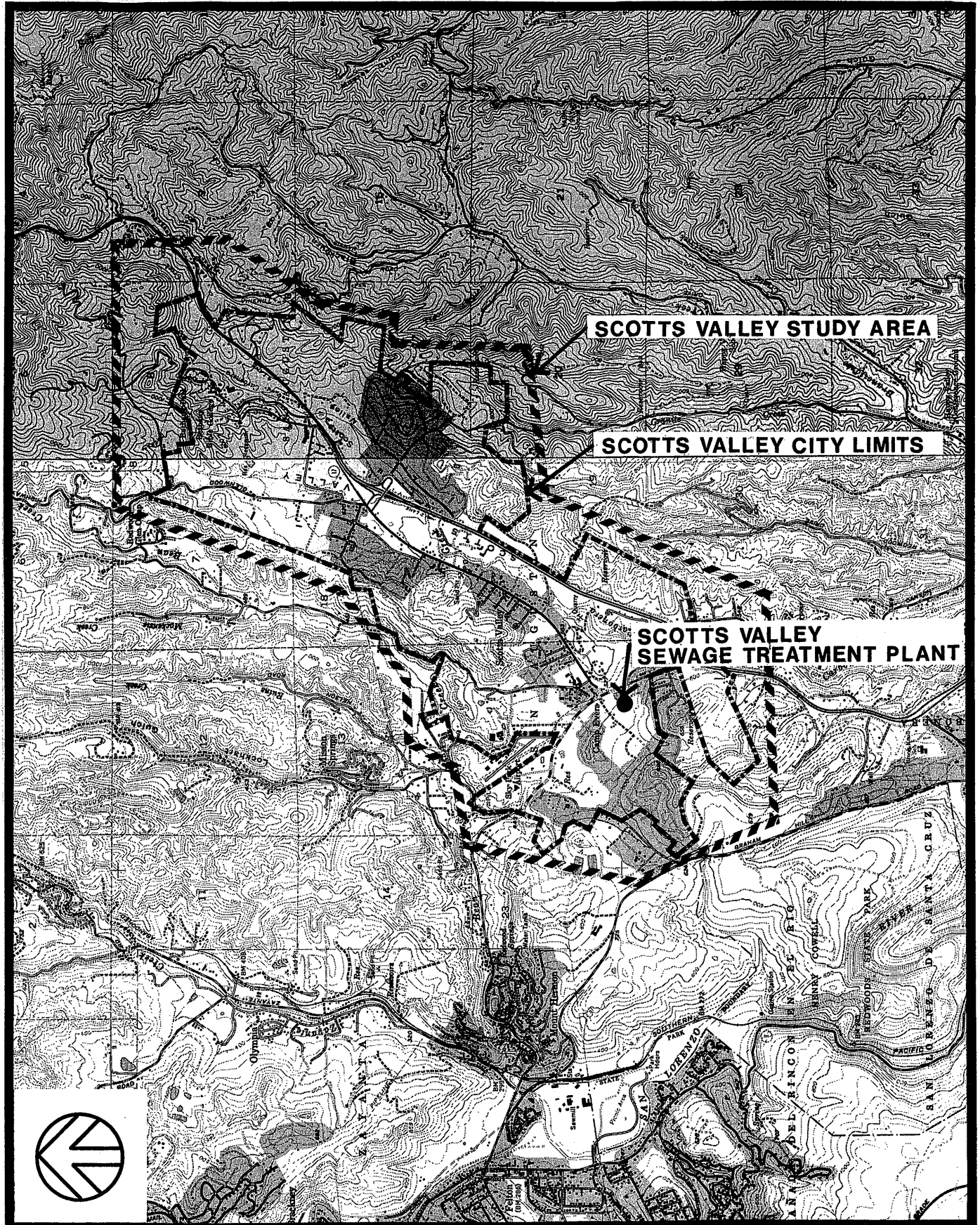


FIGURE III-1



**LOCAL AGENCY FORMATION COMMISSION
OF SANTA CRUZ COUNTY**

ADOPTED MINUTES

LAFCO REGULAR MEETING AGENDA

Wednesday, January 5, 2022

Start Time - 9:05 a.m.

1. ROLL CALL

Chair Justin Cummings called the meeting of the Local Agency Formation Commission of Santa Cruz County (LAFCO) to order at 9:05 a.m. and welcomed everyone in attendance. He asked staff to conduct roll call.

The following Commissioners were present:

- Chair Justin Cummings
- Vice-Chair Rachél Lather
- Commissioner Jim Anderson
- Commissioner Roger Anderson
- Commissioner Ryan Coonerty
- Commissioner Francisco Estrada
- Commissioner Zach Friend
- Alternate Commissioner Ed Banks
- Alternate Commissioner Yvette Brooks
- Alternate Commissioner John Hunt

The following LAFCO staff members were present:

- Executive Officer Joe Serrano
- Legal Counsel, Joshua Nelson

2. EXECUTIVE OFFICER'S MESSAGE

2a. Virtual meeting Process

Executive Officer Joe Serrano announced that the Commission Meeting is being conducted virtually through the Zoom Webinar platform and participation by Commissioners and staff are from remote locations. Members of the public will have access to the meeting by phone or online. Mr. Serrano anticipates conducting the next LAFCO meetings remotely in accordance with the Governor's Executive Orders and the

newly enacted law under Assembly Bill 361, which allows local agencies to conduct virtual meetings during a state of an emergency.

2b. Countywide Park & Recreation Report Update

Executive Officer Joe Serrano informed the Commission that two subject agencies have taken action based on the recommendations found in LAFCO's 2021 Countywide Park & Recreation Service and Sphere Review. Mr. Serrano indicated that the Opal Cliffs Recreation District submitted an application in October 2021 to dissolve the district and concurrently annex the dissolved area into County Service Area 11 (County Parks). He also noted that the Alba Park & Recreation District submitted a strategic plan in December 2021 to address all the issues outlined in the LAFCO report.

2c. Countywide Fire Report Update

Executive Officer Joe Serrano informed the Commission that during the last few months staff has been presenting the findings from LAFCO's 2021 Countywide Fire Protection Service and Sphere Review to each fire agency. Mr. Serrano noted that this was an opportunity to discuss the report with the districts' board members, staff, and constituents. He also reminded the Commission that LAFCO is expecting each fire agency to develop an annexation plan to address their existing sphere boundaries.

2d. Welcome New Legal Counsel

Executive Officer Joe Serrano welcomed Joshua Nelson as LAFCO's new legal counsel. Mr. Nelson is an attorney from Best, Best, & Krieger (BBK). Mr. Serrano reminded the Commission that BBK was selected after an extensive request for proposal process.

3. ADOPTION OF MINUTES

Chair Justin Cummings requested public comments on the draft minutes. **Executive Officer Joe Serrano** noted no public comments were received. **Chair Justin Cummings** closed public comments.

Chair Justin Cummings called for the approval of the draft minutes. **Commissioner Jim Anderson** motioned for approval of the November 3rd Meeting Minutes and **Commissioner Zach Friend** seconded the motion.

Chair Justin Cummings called for a roll call vote on the approval of the draft minutes with no changes. **Executive Officer Joe Serrano** conducted a roll call vote on the item.

MOTION: Jim Anderson

SECOND: Zach Friend

FOR: Jim Anderson, Roger Anderson, Ryan Coonerty, Justin Cummings, Francisco Estrada, Zach Friend, and Rachél Lather.

AGAINST: None

ABSTAIN: None

MOTION PASSED: 7-0

4. ORAL COMMUNICATIONS

Chair Justin Cummings requested public comments on any non-agenda items. **Executive Officer Joe Serrano** indicated that there was one request to address the Commission. **Chair Justin Cummings** opened the floor for comments.

Fire Chief John Walbridge, Central Fire District, thanked LAFCO staff for their assistance in evaluating the agency's qualifications for the District Transparency Award. Chief Walbridge noted that this award is granted by the Special District Leadership Foundation to local agencies that operate a robust and transparent website.

Executive Officer Joe Serrano indicated that there were no other requests to address the Commission. **Chair Justin Cummings** closed public comments and moved on to the next agenda item.

5. PUBLIC HEARINGS

Chair Justin Cummings indicated that there was one public hearing item for Commission consideration today.

5a. "Ervin/Old Coach Road Extraterritorial Service Agreement" with the City of Scotts Valley (LAFCO Project No. DA 21-16)

Chair Justin Cummings requested staff to provide a presentation on the proposed extraterritorial service agreement involving a single parcel and the City of Scotts Valley.

Executive Officer Joe Serrano indicated that the proposal was submitted by landowner petition and involved a single parcel encompassing less than half an acre. The purpose of the proposal is to address a failing septic system. The City informed LAFCO that it was willing and capable of providing sewer service to the property. The proposal meets the legal criteria under Government Code Section 56133 regarding health and safety issues and the requirements under the Commission's Extraterritorial Service Agreement Policy. LAFCO staff recommends approval of the proposal.

Chair Justin Cummings requested public comments on the proposal. **Executive Officer Joe Serrano** indicated that there was one request to address the Commission.

Chair Justin Cummings called for Commission comments on the proposal.

Marina George indicated that she was representing the landowners of the subject parcel and wanted to reiterate that the single parcel is less than half an acre. Ms. George also noted that she would be happy to answer any questions.

Executive Officer Joe Serrano indicated that there were no other requests to address the Commission. **Chair Justin Cummings** closed public comments and opened the floor for Commission discussion.

Commissioner Jim Anderson asked whether the current septic system is standard or an engineered system. **Marina George** indicated that the septic system is standard.

Chair Justin Cummings called for the approval of the proposed extraterritorial service agreement. **Vice Chair Rachél Lather** motioned for the approval based on staff's recommendation and **Commissioner Jim Anderson** seconded the motion.

Chair Justin Cummings noted no further Commission discussion and called for a roll call vote on motion based on staff's recommendation: **Adopt the draft resolution (No. 2022-01) approving the extraterritorial service agreement involving the City of Scots Valley.**

Executive Officer Joe Serrano conducted a roll call vote on the item.

MOTION: Rachél Lather
SECOND: Jim Anderson
FOR: Jim Anderson, Roger Anderson, Ryan Coonerty, Justin Cummings, Francisco Estrada, Zach Friend, and Rachél Lather.
AGAINST: None
ABSTAIN: None

MOTION PASSED: 7-0

6. OTHER BUSINESS

Chair Justin Cummings indicated that there are five business items for Commission consideration today.

6a. Continuation of Remote Meetings

Chair Justin Cummings requested staff to provide a presentation on the requirements to continue remote meetings under Assembly Bill 361.

Executive Officer Joe Serrano noted that the Commission adopted a resolution in November 2021 to continue remote meetings in accordance with the guidelines under AB 361, which acts as a temporary waiver of the Brown Act's in-person attendance requirements. Mr. Serrano explained that in order to continue to qualify for AB 361's waiver of in-person meeting requirements, the Commission is required to renew the findings outlined in the resolution adopted back in November. He indicated that based on the new statewide mask mandate, coupled with the rise in COVID cases, staff is recommending that the Commission ratify the existing resolution (No. 2021-19) to continue the use of remote meetings for the next LAFCO Meeting which is scheduled for February 9, 2022.

Chair Justin Cummings requested public comments on this item. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission.

Chair Justin Cummings closed public comments.

Chair Justin Cummings called for Commission comments on the remote meeting requirements. **Chair Justin Cummings** noted no Commission discussion and called for a roll call vote on motion based on staff's recommendation: **Ratify the existing resolution (No. 2021-19) approving the continuation of remote meetings under AB 361.**

Executive Officer Joe Serrano conducted a roll call vote on the item.

MOTION: Rachél Lather
SECOND: Jim Anderson
FOR: Jim Anderson, Roger Anderson, Ryan Coonerty, Justin Cummings, Francisco Estrada, Zach Friend, and Rachél Lather.
AGAINST: None
ABSTAIN: None

MOTION PASSED: 7-0

6b. Appoint New Chair and Vice-Chair

Chair Justin Cummings requested staff to provide a presentation on the process to appoint a Chair and Vice-Chair for the 2022 calendar year.

Executive Officer Joe Serrano explained that in accordance with the Commission's Meeting Rules Policy, the Commission appoints a new Chair and Vice-Chair in January of each year. Mr. Serrano noted that the new officers terms' will begin on February 9, 2022 and end on February 1, 2023. He indicated that there is no rule of succession or rotation, however, the acting Vice-Chair has historically been elected as the new Chair. Staff is recommending that the Commission appoint a new Chair and Vice-Chair.

Chair Justin Cummings requested public comments on the update. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission. **Chair Justin Cummings** closed public comments.

Chair Justin Cummings called for Commission comments on the appointment process.

Commissioner Jim Anderson nominates **Vice-Chair Rachél Lather** as the new LAFCO Chair and **Commissioner Roger Anderson** seconds the motion.

Commissioner Zach Friend nominates **Commissioner Yvette Brooks** as the new LAFCO Vice-Chair and **Chair Justin Cummings** seconds the motion.

Chair Justin Cummings noted no further Commission discussion and called for a roll call vote on two nominations: **Appoint Commissioners Rachél Lather and Yvette Brooks as LAFCO's new Chair and Vice-Chair, respectively.**

Executive Officer Joe Serrano conducted a roll call vote on the item.

MOTION: Jim Anderson; Zach Friend
SECOND: Roger Anderson; Justin Cummings
FOR: Jim Anderson, Roger Anderson, Ryan Coonerty, Justin Cummings, Francisco Estrada, Zach Friend, and Rachél Lather.
AGAINST: None
ABSTAIN: None

MOTION PASSED: 7-0

6c. Appoint New Personnel Committee

Chair Justin Cummings requested staff to provide a presentation on the selection process for LAFCO's Personnel Committee.

Executive Officer Joe Serrano explained that the role of the committee is to address administrative matters, including staff's performance evaluations. Mr. Serrano noted that the Commission typically appoints at least two Commissioners to be on the Personnel Committee in accordance with LAFCO's Personnel Committee Policy. Staff is recommending that the Commission appoint Commissioners Roger Anderson, Justin Cummings, and Rachél Lather to the Personnel Committee for the 2022 calendar year.

Chair Justin Cummings requested public comments on the update. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission. **Chair Justin Cummings** closed public comments.

Chair Justin Cummings called for Commission comments on the appointment process.

Commissioner Jim Anderson asked if a three-member committee will be a new practice going forward. **Executive Officer Joe Serrano** noted that historically the Personnel Committee has only two members, however, because Commissioner Justin Cummings will be termed out in May 2022, having a third member will ensure that the committee has at least two members throughout the entire year.

Chair Justin Cummings noted no further Commission discussion and called for a roll call vote on motion based on staff's recommendation: **Appoint Commissioners Roger Anderson, Justin Cummings, and Rachél Lather to the Personnel Committee for the 2022 calendar year.**

Executive Officer Joe Serrano conducted a roll call vote on the item.

MOTION: Jim Anderson
SECOND: Justin Cummings
FOR: Jim Anderson, Roger Anderson, Ryan Coonerty, Justin Cummings, Francisco Estrada, Zach Friend, and Rachél Lather.
AGAINST: None
ABSTAIN: None

MOTION PASSED: 7-0

6d. UCSC LRDP Update

Chair Justin Cummings requested staff to provide a presentation on the lawsuit between the City of Santa Cruz and the University of California, Santa Cruz.

Executive Officer Joe Serrano indicated that staff continues to monitor the ongoing lawsuit. Mr. Serrano noted that it is unknown when the lawsuit will be resolved. He suggested that the Commission consider forming an ad-hoc committee in the near future to help staff develop an action plan, if needed, when the court ruling is made. He reminded the Commission that this is an informational item and no action is required at this time.

Chair Justin Cummings requested public comments on the update. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission. **Chair Justin Cummings** closed public comments.

Chair Justin Cummings called for Commission comments on this item.

Commissioner Roger Anderson asked if there is a timeline for the case. **Executive Officer Joe Serrano** noted staff is not aware of the lawsuit's timeframe. Mr. Serrano indicated that staff will be working with LAFCO's legal counsel to determine the lawsuit's schedule.

Chair Justin Cummings asked if the formation of an ad-hoc committee would require Commission action. **Executive Officer Joe Serrano** confirmed that the formation of an ad-hoc committee would require Commission's approval. Mr. Serrano noted that the Commission may consider creating the committee at a future LAFCO meeting.

Chair Justin Cummings noted no additional comments or questions from the Commission and moved to the next item since no Commission action was required.

6e. Regular and Alternate City Member Election Process

Chair Justin Cummings requested staff to provide a presentation on the upcoming election process for the city member seats on LAFCO.

Executive Officer Joe Serrano indicated that two city seats on LAFCO will become vacant in May 2022. Mr. Serrano noted that the City Selection Committee is tasked to appoint city representatives on LAFCO when a vacancy occurs. He explained that historically the four cities rotate staggered, four-year terms on LAFCO to ensure equal representation on the Commission. Assuming the City Selection Committee continues this rotation practice, the Cities of Capitola and Watsonville will be seated on LAFCO as the two voting members starting May 2022. The City of Scotts Valley will also be appointed as the new alternate member and the City of Santa Cruz will rotate out.

Chair Justin Cummings requested public comments on the update. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission. **Chair Justin Cummings** closed public comments.

Chair Justin Cummings called for Commission comments on the election process.

Chair Justin Cummings noted no additional comments or questions from the Commission and moved to the next item since no Commission action was required.

7. WRITTEN CORRESPONDENCE

Chair Justin Cummings inquired whether there was any written correspondence submitted to LAFCO. **Executive Officer Joe Serrano** indicated that CALAFCO shared its 2022 event calendar. Mr. Serrano also mentioned that CALAFCO may hire a new Executive Director by February 2022. **Chair Justin Cummings** moved to the next item since no Commission action was required.

8. PRESS ARTICLES

Chair Justin Cummings requested staff to provide a presentation on the press articles. **Executive Officer Joe Serrano** indicated that this item highlights LAFCO-related articles recently circulated in local newspapers. **Chair Justin Cummings** moved to the next item since no Commission action was required.

9. COMMISSIONERS' BUSINESS

Chair Justin Cummings inquired whether any Commissioner would like to share any information. There were no comments. **Chair Justin Cummings** moved to the next item since no Commission action was required.

10. CLOSED SESSION

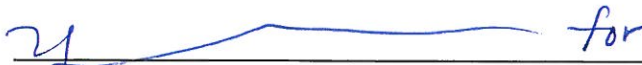
Chair Justin Cummings indicated that a closed session will be held to cover the performance evaluation of LAFCO staff. **Executive Officer Joe Serrano** noted that LAFCO's legal counsel will host the closed session in a separate remote meeting and requested that the Commission reconvene to the regular LAFCO meeting once the closed session is over.

11. ANNOUNCEMENTS FROM CLOSED SESSION

Legal Counsel Joshua Nelson noted that there was no reportable action.

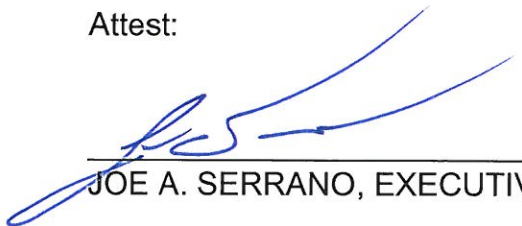
12. ADJOURNMENT

Chair Justin Cummings thanked the Commission for allowing him to be the Chair for the past year and adjourned the Regular Commission Meeting at 10:35 a.m. to the next regular LAFCO meeting scheduled for Wednesday, February 9, 2022 at 9:00 a.m.



RACHEL LATHER, CHAIRPERSON

Attest:



JOE A. SERRANO, EXECUTIVE OFFICER

RESOLUTION NO. 1660.5

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AUTHORIZING THE CONNECTION OF APN 056-102-02 TO THE CITY'S SANITARY SEWER SYSTEM

WHEREAS, on February 19, 2014 the City Council adopted Resolution No. 1660.3, allowing for the consideration of sewer hooks for properties located outside the City limits; and

WHEREAS, the adopted policy sets criteria to be reviewed on a case by case basis for approval by the City Council including:

- There must be adequate capacity in the sewer treatment system to accommodate the additional hook up.
- Property must be located within the City's sphere of influence.
- If hook ups are allowed, the applicable fair share assessment for sewer capacity and hook up fee shall be paid.
- Prior to sewer connection, written approval from the Santa Cruz County Local Agency Formation Commission (LAFCO) is received in accordance with Government Code Section 56133; and

WHEREAS, the property owner of APN 056-102-02 has requested to connect to the City's sanitary sewer system; and

WHEREAS, staff have reviewed the request and find it to meet the criteria established; and

WHEREAS, on January 5, 2022, the LAFCO approved the consideration of an extraterritorial service agreement involving the City of Scotts Valley.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley that the connection of APN 056-102-02 to the City's sanitary sewer system is hereby authorized through an extraterritorial service agreement.

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 2nd day of November 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: November 2, 2022
TO: Honorable Mayor and City Council
FROM: Robin Woodman, Building Official
APPROVED: Mali LaGoe, City Manager

SUBJECT: INTRODUCTION OF ORDINANCE NO. 102.16 AMENDING THE BUILDING REGULATIONS CONTAINED IN TITLE 15, CHAPTER 15.04 OF THE SCOTTS VALLEY MUNICIPAL CODE AND ADOPTING THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2022 BUILDING STANDARDS CODES AND OTHER CODES, SUBJECT TO THE SPECIFIED DELETIONS, AMENDMENTS, EXCEPTIONS AND ADDITIONS, AND OTHER CODES AND STANDARDS TO ESTABLISH MINIMUM REQUIREMENTS TO SAFEGUARD PUBLIC HEALTH, SAFETY AND GENERAL WELFARE

SUMMARY OF ISSUE

Every three (3) years, the building, plumbing, mechanical, electrical and other building codes are updated to include the most current construction and engineering principles and practices. Under the purview of the California Building Standards Commission, the newly revised California Building Standards Codes are published for required local adoption. This process is to assure that the latest construction, engineering and life safety techniques become standard practice throughout the State. The mandatory effective date of the 2022 Building Standards is January 1, 2023.

Amendments to the City's building regulations (Title 15 of the Municipal Code) are proposed in an effort to recognize the adoption of the State Building Standards Codes and other codes and standards used by the City of Scotts Valley to promote health, life and safety as it relates to building construction. The City is permitted to adopt amendments to these building standards provided the amendments are based on findings that these amendments are necessary due to local climatic, topographic or geological conditions. The proposed amendments are listed in the attached ordinance. Any amendments cannot be less restrictive than the provisions of the CBSC.

The Building Codes proposed for adoption with amendments as applicable include the following:

- 2022 California Building Code

- 2022 California Residential Code
- 2022 California Green Building Standards Code
- 2022 California Plumbing Code
- 2022 California Mechanical Code
- 2022 California Electrical Code
- 2022 California Administrative Code
- 2022 California Referenced Standards Code
- 2022 California Energy Code
- 2018 International Property Maintenance Code

Overall, the proposed ordinance provides for adoption of the mandatory State codes, while maintaining consistency with the intent of our local standards. Although there are no significant changes from the 2019 California Building Codes, the following are notable:

- a. The 2022 Codes provide for a 1-year expiration date on building permits. However, due to City concerns of outdated construction requirements and extended construction periods, the amendments retain the 180-day expiration period.
- b. Swimming Pool Safety Act - This law is mandatory, not optional for local adoption. To align with the CBC, Chapter 31, Appendix AX section numbers were reformatted to reflect the numbering used in HSC 115920 through 115929.

FISCAL IMPACT

The City will be required to purchase new building code books in the amount of approximately \$1,500.

RECOMMENDATION

It is recommended that the City Council adopt the 2022 California Code of Regulations Title 24 Building Standards Codes and amend Title 15.04 (Building Regulations) of the SVMC as listed below:

Introduce for first reading Ordinance No. 102.16, An Ordinance Of The City Council Of The City Of Scotts Valley Amending The Building Regulations Contained In Title 15, Chapter 15.04 Of The Scotts Valley Municipal Code And Adopting The California Code Of Regulations Title 24, 2022 Building Standards Codes And Other Codes, Subject To The Specified Deletions, Amendments, Exceptions And Additions, And Other Codes And Standards To Establish Minimum Requirements To Safeguard Public Health, Safety And General Welfare.

ATTACHMENTS

PAGE

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ORDINANCE NO. 102.16

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SCOTTS VALLEY AMENDING THE BUILDING REGULATIONS
CONTAINED IN TITLE 15, CHAPTER 15.04 OF THE
SCOTTS VALLEY MUNICIPAL CODE AND ADOPTING THE
CALIFORNIA CODE OF REGULATIONS TITLE 24,
2022 BUILDING STANDARDS CODES AND OTHER CODES, SUBJECT TO THE
SPECIFIED DELETIONS, AMENDMENTS, EXCEPTIONS AND ADDITIONS, AND
OTHER CODES AND STANDARDS TO
ESTABLISH MINIMUM REQUIREMENTS TO SAFEGUARD
PUBLIC HEALTH, SAFETY AND GENERAL WELFARE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY
AS FOLLOWS:**

WHEREAS, approximately every three years, new model building code standards are reviewed, modified and approved by the California Building Standard Commission, and thenceforth mandated for local jurisdiction enforcement within 180 days of publication.

WHEREAS, pursuant to Sections 17922, 17958, 17958.5 and 17958.7 of the California Health and Safety Code, the City of Scotts Valley may make changes to the California Building Standards Code or the other regulations thereafter adopted upon making findings based local geologic, topographic and climatic conditions.

WHEREAS, the following local geologic and climatic conditions necessitate modifications to the California Building Standards Code as detailed in Section 15.04.070 of the Scotts Valley Municipal Code:

1. Geological I - The region is located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants.
2. Geological II - The region is located in an area of high seismic activities as indicated by United State Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of flexibility of materials and/or building systems has been a contributing factor to damages that reduced the protection of the life-safety of building occupants and increased the cost of rehabilitation of structures.

3. Climatic I - The region is within a climate zone that requires compliance with energy efficiency standards for building construction. The amendment will add to energy efficiency and safety by utilizing the most current nationally recognized standards.

WHEREAS, the finding of necessity as set forth in Section 18941.5 (a) of the California Building Code and 17958.5 of Title 18 (Health and Safety Code) California Code of Regulations for the code amendments listed in Scotts Valley Municipal Code Section 15.04.070 is hereby made.

NOW THEREFORE, BASED UPON THE FOREGOING AND ALL EVIDENCE SUBMITTED TO IT, BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY 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. Section 15.04.060 of Chapter 15.04, Title 15 is hereby amended to read as follows:

“15.04.060 Adoption of Codes

For the purpose of establishing proper regulations for building construction and for installation of mechanical, plumbing and electrical systems, the following codes or portions thereof hereinafter set forth are adopted and incorporated in this chapter by reference and made a part hereof as though fully set forth, without further publication or posting thereof:

A. California Code of Regulations (hereinafter referred to as “CCR”) Title 24, Part 2, Volumes 1 and 2, the ~~2019~~2022 California Building Code, including Appendix C, H, I, J except as modified herein (hereinafter referred to as “CBC”).

B. CCR Title 24, Part 2.5, The ~~2019~~ 2022 California Residential Code, including Appendix H, J and AX, except as modified herein (hereinafter referred to as “CRC”).

C. CCR Title 24, Part 3, The 2022 California Electrical Code, except as modified herein (hereinafter referred to as “CEC”).

D. CCR Title 24, Part 4, The 2022 California Mechanical Code, including Appendices B, C and D, except as modified herein (hereinafter referred to as “CMC”).

E. CCR Title 24, Part 5, The 2022 California Plumbing Code, including Appendices A, B, D, H, I and K except as modified herein (hereinafter referred to as “CPC”).

F. CCR Title 24, Part 10, The 2022 California Existing Building Code,

Appendix Chapter A1, except as modified herein.

G. CCR Title 24, Part 11, The 2022 California Green Standards Code, except as modified herein (Refer to Scotts Valley Municipal Code Chapter 17.51, Green Building Regulations).

H. CCR Title 24, Part 1, The 2022 California Administrative Code except as modified herein (hereinafter referred to as "CAC").

I. CCR Title 24, Part 12, The 2022 California Referenced Standards Code except as modified herein (hereinafter referred to as "CRSC").

J. CCR Title 24, Part 6, The 2022 California Energy Code except as modified herein.

K. The International Property Maintenance Code (hereinafter referred to as "IPMC"), 2018 edition, as published by the International Code Council."

SECTION 3. Section 15.04.070 of Chapter 15.04, Title 15 is hereby amended to read as follows:

"15.04.070 - Amendments to the 2016 California Code of Regulations Title 24.

The following sections of the codes as adopted in Section 15.04.060 are hereby modified as follows:

- A. CBC Section 105.2. Buildings 2—Work exempt from permit is modified as follows: Fences not over eight feet as specified in Title 17, Chapter 17.46, Section 17.46.110
- B. CBC Section 105.5.1 [Permit] Expiration
Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.
- C. Add sentence to CBC Section 1.8.8.1, CRC Section 1.8.8.1 and CBC Section 113: Refer to Scotts Valley Municipal Code (hereinafter referred to as "SVMC") Chapter 15.04.120, Board of Appeals.
- D. Add sentence to CBC Section 1804: Refer to SVMC Chapter 15.06, Excavation, Grading, Erosion and Sediment Control Regulations.
- E. CBC Section 110.3.1, insert second paragraph to read as follows: A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

F. CRC R105.5 shall be amended to read:

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

G. CRC Section R109.1.1, insert second paragraph to read as follows: A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

H. CRC Table R301.2(1) shall be populated with the following criteria as established by the City of Scotts Valley, using criteria published in the CRC where applicable: Ground Snow load = 0, Wind Design/Speed (mph) = 110, Wind Design/Topographic Effects = No, Seismic Design Category = D2, Subject To Damage From/Weathering = Negligible, Subject To Damage From/Frost line depth = 12 inches below undisturbed soil, Subject To Damage From/Termite = Very Heavy, Winter Design Temp = 40 degrees Fahrenheit, Ice Barrier Underlayment Required = No, Flood Hazards = FIRM 3/2/2006 (Panels 219D, 238D, 329D, 331D, 332D, 333D, 334D, 351D), Air Freezing Index = 0, Mean Annual Temp = 55 degrees Fahrenheit.

I. CRC Table R602.10.4 Delete Methods LIB, GB and PCP.

J. CRC Appendix AX, Swimming Pool Safety Act Amend Section 115922 to read:

Except as provided in Section 115925, when a building permit is issued for the construction of a new swimming pool or spa or the remodeling of an existing swimming pool or spa at a private single-family home, the respective swimming pool or spas shall be equipped with a pool barrier which complies with Section 115923, and at least one of the following 6 features:

(1) Removable mesh fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.

(2) An approved safety pool cover, as defined in subdivision (d) of Section 115921.

(3) Exit alarms on the private single-family home's doors that provide direct access to the swimming pool or spa. The exit alarm may

cause either an alarm noise or a verbal warning, such as a repeating notification that “the door to the pool is open.”

(4) A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor on the private single-family home’s doors providing direct access to the swimming pool or spa.

(5) An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 “Standard Safety Specification for Residential Pool Alarms,” which includes surface motion, pressure, sonar, laser, and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature.

(6) Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME).

K. The following modifications are made to the CMC:

Section 104.4.3 is deleted and replaced with the following:

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 104.4.3.1 is Deleted

L. The following modification is made to the CPCode.

Section 104.4.3 is deleted and replaced with the following:

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 104.4.3.1 is Deleted”

SECTION 4. 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 5. 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 6. 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. Res. 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 7. EFFECTIVE DATE. This Ordinance shall take effect thirty days after the date of its adoption. Prior to the expiration of fifteen days from the date of adoption, this Ordinance shall be published in at least three (3) public places.

This Ordinance is herein introduced on the 2nd day of November, 2022, and passed and anticipated to be adopted on the 16th day of November, 2022, at a duly held meeting of the City Council of the City of Scotts Valley by the following votes:

Approved: _____

Donna Lind, Mayor

Attest: _____

Cathie Simonovich, City Clerk

Approved as to Form:

Kirsten Powell, City Attorney

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

DATE: November 2, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Robin Woodman, Building Official

APPROVED: Mali LaGoe, City Manager

SUBJECT: Introduce An Ordinance Adding Chapter 15.22 to Create an Expedited Streamlined Process of Electric Vehicle Charging Stations as Required by Government Code Section 65850.7

SUMMARY OF ISSUE

In 2015, the State of California adopted Assembly Bill 1236 (2015, Chiu, Codified as Government Code Section 65850.7), which requires local jurisdictions with a population less than 200,000 residents to adopt an ordinance to create an expedited, streamlined permitting process for electric vehicle charging stations. In 2021, AB 970 (McCarty, 2021, codified in Government Code Section 65850.71) expanded on AB 1236. All cities and counties, including charter cities, in California are required to comply with AB 1236 and AB 970. AB 970 shall become operative on January 1, 2023 for every city, county, or city and county with fewer than 200,000 residents. Jurisdictions are required by AB 1236 to limit EVCS project review to health and safety requirements. AB 970 adds specific binding timelines to that review period based on the size of the project and clarifies parking requirements.

An electric vehicle charging station is any level of electric vehicle supply equipment station which deliver electricity from a source outside an electric vehicle into a plug-in electric vehicle. AB 1236 may refer to the recommendations in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Governor's Office of Planning and Research.

BACKGROUND

Assembly Bill 1236, which amended Government Code Section 65850.7 to require jurisdictions with a population less than 200,000 residents to establish procedures for expedited, streamlined processes for permitting of electric vehicle charging stations. The amendments to Section 65850.7 include the requirement for a jurisdiction to adopt an ordinance for the expedited, streamlined process on or before September 30, 2017. The ordinance shall include the requirement that a jurisdiction adopt a checklist of requirements with which a permit application for an electric vehicle charging station will be eligible for expedited review. Although the City did not adopt such an ordinance at that time, it has been complying with the requirements of state law.

This process includes the establishment of a checklist containing objective requirements for the installation of an electric vehicle charging station and a process for electronic submittal of permit applications. The content of the checklist requires the permit applicant to check the features of the existing electrical service such as rating in amperes, system voltage, connected or calculated load, spare capacity in amperes, voltage and ampere rating of the electric vehicle supply equipment, circuit rating of the electric vehicle supply equipment, location of the electric vehicle supply equipment, if ventilation is/ or is not required, and clearances of the charging equipment to comply with all applicable building and fire safety laws. The checklist also assists the applicant in confirming that the location of the electric vehicle supply equipment will comply with any vehicle clearance requirements in the City’s Zoning Code. Section 65850.7 requires that the City’s checklist may be based on the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” of the “Zero-Emission Vehicles in California: Community Readiness Guidebook” of the Governor’s Office of Planning and Research.

AB 970 requires that an application to install an electric vehicle charging station be deemed complete if, either 5 business days or 10 business days after the application was submitted, depending on the number of electric vehicle charging stations proposed in the application, the City has not deemed the application to be incomplete or issued a written correction notice detailing all deficiencies in the application. The bill requires an application to be deemed approved if 20 business days or 40 business days after the application was deemed complete, depending on the number of electric vehicle charging stations proposed in the application, if not action is taken on the application.

Assembly Bill 1236 (2015) also clarifies that a jurisdiction shall not condition approval of a permit for an electric vehicle charging station based on the approval of an association as defined in California Civil Code Section 4080.

FISCAL IMPACT

There is no fiscal impact to the City as a result of the recommended action.

STAFF RECOMMENDATION

Introduce Ordinance No. 102.17, and waive the reading thereof.

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ORDINANCE NO. 102.17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY SETTING FORTH PROCEDURES FOR EXPEDITING PERMITTING PROCESSING FOR ELECTRIC VEHICLE CHARGING SYSTEMS

WHEREAS, the State of California and the City of Scotts Valley has consistently promoted and encouraged the use of fuel-efficient electric vehicles; and

WHEREAS, in 2015, the State of California adopted Assembly Bill 1236, which requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging systems; and

WHEREAS, in 2021, the State of California adopted Assembly Bill 970, which builds on the streamlining process of Assembly Bill 1236 and adds specific binding timelines to that review period based on the size of the project and clarifies parking requirements; and

WHEREAS, creation of an expedited, streamlined permitting process for electric vehicle charging stations would facilitate convenient charging of electric vehicles and help reduce the City's / County's reliance on environmentally damaging fossil fuels; 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 15.22 is added to Title 15 of the Scotts Valley Municipal Code to read as follows:

"CHAPTER 15.22- ELECTRICAL VEHICLE CHARGING STATIONS

Section 15.22.010- Findings and Purpose

Section 15.22.020- Definitions

Section 15.22.030- Expedited Permitting Process

Section 15.22.040- Permit Application Process

Section 15.22.050- Technical Review

Section 15.22.060- Electric Vehicle Charging Station Installation Requirements

Section 15.22.010 – Findings and Purpose.

The purpose of this Chapter is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations. This Chapter is also purposed to comply with California Government Code Section 65850.7.

Section 15.22.020 Definitions.

(a) “Electric vehicle charging station” or “charging station” means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this Chapter, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

(b) “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(c) “Electronic submittal” means the utilization of one or more of the following:

- i. Electronic mail or email.
- ii. The internet.
- iii. Facsimile.

Section 15.22.030 Expedited Permitting Process.

Consistent with Government Code Section 65850.7, the Building Official shall implement an expedited, streamlined permitting process for electric vehicle charging stations, and adopt a checklist of all requirements with which electric vehicle charging stations shall comply with in order to be eligible for expedited review. The expedited, streamlined permitting process and checklist may refer to the recommendations contained in the most current version of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” of the “Zero-Emission Vehicles in California: Community Readiness Guidebook” as published by the Governor’s Office of Planning and Research. The City’s adopted checklist shall be published on the City’s website.

Section 15.22.040. Permit Application Processing.

(a) Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impact to public health and safety and building occupants. Verification

by the applicant includes, but is not limited to: electrical system capacity and loads; electrical system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment and vehicle parking.

(b) A permit application that satisfies the information requirements in the City's adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the City adopted checklist, and is consistent with all applicable laws and health and safety standards, the Building Official shall, consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

(c) Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentations. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

Section 15.22.050. Technical Review.

(a) It is the intent of this Ordinance to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Building Official's authority to address higher priority life-safety situations. If the Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in this Chapter, the City may require the applicant to apply for a use permit.

(b) In the technical review of a charging station, consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

Section 15.22.060. Electric Vehicle Charging Station Installation Requirements.

(a) Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National

Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission or a Municipal Electric Utility Company regarding safety and reliability.

(b) Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.

(c) Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.

(d) Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements."

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 November 2, 2022, and passed and adopted on November 16, 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: _____
Cathie Simonovich, City Clerk

APPROVED
AS TO FORM: _____
Kirsten Powell, City Attorney