AGENDA

Meeting of the
Scotts Valley City Council
REMOTE ACCESS ONLY
Date: April 20, 2022
Time: 6:00 PM

CONTACT INFORMATION  MEETING LOCATION  POSTING

| City of Scotts Valley | Zoom Videoconference | The agenda was posted 04-15-2022 at City Hall and on the Internet at www.scottsvalley.org. |
| 1 Civic Center Drive | [https://us02web.zoom.us/j/87957205663](https://us02web.zoom.us/j/87957205663) | |
| Scotts Valley, CA 95066 | See information below for how to participate. | |
| (831) 440-5600 | | |

PUBLIC ADVISORY REGARDING COVID-19 AND PUBLIC PARTICIPATION

On September 16, 2021, Governor Newsom signed Assembly Bill 361 ("AB 361"), an urgency measure effective upon adoption, amending the Brown Act to allow legislative bodies to continue teleconferencing during a proclaimed State of Emergency, and either state or local officials have imposed or recommended measures to promote social distancing, or the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees. In accordance with AB 361, the Scotts Valley City Council adopted Resolution No. 2007.7 on April 6, 2022 authorizing the continued use of teleconferenced meetings pursuant to AB 361. Elected Officials and City Staff Members will be participating remotely via videoconference.

Public Participation:
The meeting will be available on Zoom and broadcast through Community Television of Santa Cruz on Channel 25 and via their website at the following link: [https://communitytv.org/watch/](https://communitytv.org/watch/) (be sure to click on Channel 25). For those wishing to participate via Zoom you can join the following ways:

- Join from a PC, Mac, iPad, iPhone or Android device:
  Please click this URL to join. [https://us02web.zoom.us/j/87957205663](https://us02web.zoom.us/j/87957205663)

- Or iPhone one-tap:
  +16699009128,,88999122100# US (San Jose)
  +12532158782,,88999122100# US (Tacoma)

- Or join by phone:
  Dial (for higher quality, dial a number based on your current location):
  US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 879 5720 5663
You will be given opportunities to provide public comment at the appropriate times throughout the meeting via Zoom. If you are participating via dial-up only, use *9 to raise your hand at the requested time.

How to comment via Zoom:

1. At the appropriate times during the meeting for public comment, on items not on the agenda, and on specific agenda items, the Mayor will announce that public comment will be accepted. Our usual time limits of 3 minutes per individual, or 5 minutes for an individual who is representing a group of three or more, will apply. Please note that per our standard practice, this is not a question and answer time, but simply a time for you to provide your comments to the Council.

2. There is an option on Zoom to raise your hand. Please click on this option when the Mayor announces that public comment will be taken. Zoom places people in line automatically. If you are participating via dial-up, you can raise your hand at the appropriate time by pressing *9. When it is your turn, the City Clerk will unmute you, and you will be able to make your comments based on the above time frames. Once your time is up, you will once again be muted and the next person in line will be given their opportunity to speak.

How to comment via email:

1. Members of the public may provide public comment by sending comments to the City Clerk via email at cityhall@scottsvalley.org.

2. Additional materials and emails must be received by 5:30 pm the day of the meeting and will be distributed to agenda recipients prior to the meeting.

3. Emails received after 5:30 pm the day of the meeting will not be included in the record.

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**ELECTED OFFICIALS**

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

**CITY STAFF MEMBERS**

- Mali LaGoe, City Manager
- Casey Estorga, Administrative Services Director
- Kirsten Powell, City Attorney
- Steve Walpole, Chief of Police
- Taylor Bateman, Community Development Director
- Chris Lamm, Public Works Director
- Cathie Simonovich, City Clerk
- Lauren Lambert, Deputy City Clerk
- Jayson Rutherford, Captain

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**MEETING NOTICE AND AGENDA PACKET MATERIALS**

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

**Agenda and Agenda Packet Materials:**
The City Council agenda and the complete agenda packet are available for review by 5:00 pm the Friday before the Wednesday meeting on the Internet at the City’s website: [http://scottsvalley.org/AgendaCenter](http://scottsvalley.org/AgendaCenter). Due to COVID-19, City Hall is closed to the public therefore, the agenda is only available for viewing online.

**Televised Meetings:**
City Council meetings are cablecast “Live” on Community Television of Santa Cruz County on Comcast Channel 25 and are also available livestream on the Community TV website at the following link: [https://communitytv.org/watch/](https://communitytv.org/watch/)
CALL TO ORDER 6:00 PM

MOMENT OF SILENCE

ROLL CALL

PUBLIC HEARING

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

COMMITTEE REPORTS

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

CITY MANAGER REPORT

PUBLIC COMMENT TIME

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

ALTERATIONS TO CONSENT AGENDA

Council can remove or add items to the Consent Agenda.

CONSENT AGENDA

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

A. Approve City Council minutes of 04-06-2022, 04-07-2022

B. Approve check registers dated 04-15-2022
C. Approve the City Manager to negotiate and execute three-year on-call Professional Service Agreements with multiple consulting firms in the Public Works Department in a form acceptable to the City Attorney

D. Approve Resolution No. 1895.25, to approve the final map located at 1440 Multiversity Campus, 800 Bethany Drive, Scotts Valley, CA 95066, APN’S 023-021-01 to -04 and -17; 023-022-01 to -05; 023-031-20 to -26; 023-033-06, -07 and -08

E. Approve Resolution No. 630.42, adopting Guiding Budget Principles and Budget Calendar for use in preparing the FY 2022-2023 Annual Budget

ALTERATIONS TO REGULAR AGENDA
Council can remove or add items to the Regular Agenda.

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

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

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

ADJOURNMENT

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

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

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

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

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

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

Unless otherwise determined by the presiding officer of the meeting:

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

❖❖❖❖❖❖❖❖
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SUMMARY OF ISSUES

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

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

The Scotts Valley Police Department (“SVPD”) did not purchase any military equipment from the State of California Department of General Services (DGS) or receive any military equipment from the Defense Logistics Agency Law Enforcement Support Program (formerly 1033).
Items deemed to be “military equipment” by AB 481 are used as a component of overall best practices for LEAs throughout the country. These tools have been tested in the field, and are used by LEAs to enhance citizen safety and officer safety. Loss of these items would jeopardize the welfare of citizens and SVPD officers.

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

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

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

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

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

**AB 481 – Specialized Firearms**

SVPD currently issues two different manufacturers of AR-15 0.223 caliber rifles covered under SVPD Policy #306.3.3.

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

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

There is demonstrated need for officers to carry the patrol rifle on duty as they are generally the first personnel to arrive on the scene of a critical and dynamic incident. Officers are trained to immediately move toward and engage armed subjects in deadly force situations.
The patrol rifle has multiple advantages over the traditional handgun. A patrol rifle can deliver controlled firepower in excess of 100 yards with accurate target hits. Rifle ammunition has a greater range than handgun ammunition and can penetrate soft body armor. Additionally, the rifle allows officers to create a greater distance between themselves and individuals. The increased distance provides more time for officers to react and decide the best outcome for the situation.

**AB 481 – Kinetic Energy Weapons**

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

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

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

**Next Steps**

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

**FISCAL IMPACT**

There are no costs associated with this policy.

**STAFF RECOMMENDATION**

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

**TABLE OF CONTENTS**

<table>
<thead>
<tr>
<th>Ordinance No. 200</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>..........................................................</td>
<td>4</td>
</tr>
</tbody>
</table>
ORDINANCE NO. 200

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

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

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

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

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

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

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

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

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

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

SECTION 2. That a new Chapter 9.22 is added to Title 9 of the Scotts Valley Municipal Code to read as follows:
CHAPTER 9.22 - MILITARY EQUIPMENT USE POLICY.

Section 9.22.010- Findings and Purpose

Sec. 9.22.010 – Findings and Purpose.

(a) The City Council has made the following determinations:
   (1) The military equipment inventoried and presented to the City Council is
       necessary because there is no reasonable alternative that can achieve the same
       objective of officer and civilian safety; and
   (2) The Military Equipment Use Policy ("Policy") will safeguard the public’s
       welfare, safety, civil rights, and civil liberties; and
   (3) The military equipment identified in the Military Equipment Use Policy is
       reasonably cost effective compared to available alternatives that can achieve the
       same objective of Officer and civilian safety; and
   (4) Prior military equipment use complied with the applicable Equipment
       Use Policy (which included equipment now defined as military equipment) that was
       in effect at the time, or if prior uses did not comply with the accompanying Military
       Equipment Use Policy, corrective action has been taken to remedy nonconforming
       uses and ensure future compliance.

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

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

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

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

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

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

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase or
portion of this Ordinance is for any reason held invalid or unconstitutional by any court of
competent jurisdiction such portion shall be deemed a separate, distinct and independent provision of such Ordinance and shall not affect the validity of the remaining portions thereof.

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

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

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

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:______________________________________
Donna R. Lind, Mayor

ATTEST:__________________________________________
Lauren Lambert, Deputy City Clerk

APPROVED
AS TO FORM:____________________________________
Kirsten Powell, City Attorney
The City Council meeting was called to order at 6:01 pm.

MOMENT OF SILENCE

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

CM Dilles reported he accompanied Carol Childers, who delivers Meals on Wheels meals, to deliver meals to homes where seniors reside in Scotts Valley.
CM Dilles attended a League Legislative Bulletin Webinar and shared his thoughts on a few bills that he found interesting.

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

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

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

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

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

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

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

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

1. **Vine Hill Modular:** With spring break happening this week the demo of the Vine Hill modular is underway. It will make room for the new modular building that will be installed this summer for the fall programing.

2. **Scotts Valley Theater Guild:** City Manager LaGoe had a tour of the theatre project on April 6, 2022 and was able to meet the people who are leading the effort to get the project done. It was great to be able to see the progress that has been done so far.

3. **Study Session:** April 7, 2022 the City Council will be meeting to continue their Study Session on the Strategic Plan for 2022 at the City Council Chambers from 3:00 PM – 5:00 PM. This is a public meeting.

4. **Regional Wastewater Management:** Public Works Director Chris Lamm and City Manager LaGoe participated in a meeting last week regarding Regional Wastewater Management and looking a regional approach to wastewater and water supply.

PUBLIC COMMENT TIME

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

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

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

ALTERATIONS TO CONSENT AGENDA

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

*M/S: Timm/Dilles*

*To approve the Consent Agenda with moving Item E to the regular agenda.*
Carried 5/0 (AYES: Dilles, Johnson, Lind, Reed, Timm)

CONSENT AGENDA

A. Approve City Council minutes 3-16-2022, 3-22-2022
B. Approve check registers dated 3-18-2022, 3-25-2022, 4-01-2022
C. Approve Resolution No. 2007.7 authorizing the continued use of teleconferenced meeting pursuant to Assembly Bill 361
D. Approve Resolution No. 1955.20 Salary Schedules for the following job classifications: Assistant to the City Manager, Senior Civil Engineer, Associate Civil Engineer and Project Manager

ALTERATIONS TO REGULAR AGENDA

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

REGULAR AGENDA

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

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

M/S: Dilles/Johnson
To Approve the allocation of the City of Scotts Valley’s portion of the opioid settlement funding to the County of Santa Cruz for FY 2022/23 and authorize City Manager to enter into an Agreement with the County of Santa Cruz to establish a process for City participation in defining priorities for the use of settlement funds in the region and commitment to provide the City’s share of the settlement to the County.
Carried 5/0: (AYES: Dilles, Johnson, Lind, Reed, Timm)
2. Presentation of Scotts Valley Police Department Lexipol Policy #706 – Military Equipment Use.

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

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

   None.

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

**ADJOURNMENT**

The meeting adjourned at 7:01 p.m.

Approved: _____________________________
Donna Lind, Mayor

Attest: ___________________________
Lauren Lambert, Deputy City Clerk
Dear Mayor Lind, members of the City Council, and all those here who work for our community:

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

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

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

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

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

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

Thank you all so much for your time, and again- I appreciate you all so much.
Amee Sawhney
M I N U T E S

Special Closed Session Meeting of the Scotts Valley City Council

Date: April 6, 2022
Time: 6:30 PM

CONTACT INFORMATION
City of Scotts Valley
1 Civic Center Drive
Scotts Valley, CA 95066
(831) 440-5600

MEETING LOCATION
Zoom Videoconference

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

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

CITY STAFF MEMBERS PRESENT:
Mali LaGoe, City Manager
Kirsten Powell, City Attorney

CALL TO ORDER 6:30 PM

The City Council meeting was called to order at 7:03 pm.

CONVENE TO CLOSED SESSION

CLOSED SESSION SUBJECT(S)

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

(1) Pursuant to Government Code Section 54956.9, the City Council met in closed session to confer with the legal counsel regarding a liability claim filed by Ryan Hinn.

(2) Pursuant to Government Code Section 54956.9, the City Council met in closed session to confer with the legal counsel regarding a liability claim filed on behalf of Kathryn Grifo, Grant Dickie, and Scott Dickie.
Pursuant to Government Code Section 54957 (b) (1), the City Council met in closed session to confer with the legal counsel regarding public employment position title City Manager

RECONVENE TO OPEN SESSION

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

REPORT ON ACTION TAKE DURING CLOSED SESSION

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

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

Mayor Lind announced there was nothing else to report.

ADJOURNMENT

The meeting adjourned at 9:54 p.m.

Approved: _____________________________
Donna Lind, Mayor

Attest: __________________________
Lauren Lambert, Deputy City Clerk
MINUTES

Special Study Session of the Scotts Valley City Council

Date: April 7, 2022
Time: 3:00 PM

CONTACT INFORMATION

City of Scotts Valley
1 Civic Center Drive
Scotts Valley, CA 95066
(831) 440-5600

MEETING LOCATION
City Council Chambers
1 Civic Center Drive
Scotts Valley, CA 95066

POSTING
The agenda was posted 4-05-2022 at City Hall and on the Internet at www.scottsvally.org.

CALL TO ORDER 3:00 PM

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

MOMENT OF SILENCE

ROLL CALL

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

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

PUBLIC COMMENT TIME

No one came forward.

SPECIAL SET MATTER

1. Study Session: Strategic Plan 2022

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

The meeting adjourned at 5:22 p.m.

Approved: _____________________________

Donna Lind, Mayor

Attest: _____________________________

Lauren Lambert, Deputy City Clerk
Report Selection:

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

DATA-JE-ID  DATA COMMENT

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

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<td>WASTEWATER CAPITAL RESERVE</td>
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<td>015</td>
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<td><strong>TOTAL ALL BANKS</strong></td>
<td><strong>283,813.05</strong></td>
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City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE:        April 20, 2022
TO:          Honorable Mayor and City Council
FROM:        Chris Lamm, Public Works Director / City Engineer
APPROVED:    Mali LaGoe, City Manager
SUBJECT:     APPROVAL OF ON-CALL PROFESSIONAL SERVICE AGREEMENTS WITH MULTIPLE CONSULTING FIRMS IN THE PUBLIC WORKS DEPARTMENT

SUMMARY OF ISSUE

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

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

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

On February 4, 2022 the City issued a request for qualifications (RFQ) for on-call arborist services, architectural, landscape architectural, civil engineering, project management, MEP engineering, construction inspection, general municipal engineering, materials testing, and transportation engineering services to develop a list of firms to award on call agreements. On February 25, 2022, the City received 27 submittals in response to the RFQ:
AGENDA ITEM C
DATE: 04-20-2022

Proposals Received

<table>
<thead>
<tr>
<th>On-Call Service</th>
<th>Proposals Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Architectural</td>
<td>1</td>
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<tr>
<td>Civil Engineering</td>
<td>10</td>
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<tr>
<td>Landscape Architecture</td>
<td>2</td>
</tr>
<tr>
<td>Project Management</td>
<td>4</td>
</tr>
<tr>
<td>Mechanical, Electrical, Plumbing</td>
<td>0</td>
</tr>
<tr>
<td>Engineering</td>
<td></td>
</tr>
<tr>
<td>Construction Inspection / Material</td>
<td>3</td>
</tr>
<tr>
<td>Testing</td>
<td></td>
</tr>
<tr>
<td>Municipal Engineering</td>
<td>2</td>
</tr>
<tr>
<td>Transportation Engineering</td>
<td>2</td>
</tr>
<tr>
<td>Arborist Services</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total Proposal Received</strong></td>
<td><strong>27</strong></td>
</tr>
</tbody>
</table>

Table 1: Proposals

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

<table>
<thead>
<tr>
<th>On-Call Service</th>
<th>Firm(s) Selected</th>
<th>Types of services (Illustrative)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Architectural</td>
<td>AET</td>
<td>• Preparation of conceptual design drawings</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Master planning and feasibility studies</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Historic building preservation and restoration</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Space needs studies / interior design</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Architectural design drawings and specifications</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Public meeting presentations</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Building permitting assistance</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Construction administration services</td>
</tr>
<tr>
<td>Civil Engineering</td>
<td>Bowman &amp; Williams</td>
<td>• Master planning</td>
</tr>
<tr>
<td></td>
<td>MME</td>
<td>• Compliance reporting with state or federal guidelines</td>
</tr>
<tr>
<td></td>
<td>Freyer &amp; Laureta, Inc.</td>
<td>• Land surveying services</td>
</tr>
<tr>
<td></td>
<td>Ifland Engineers, Inc.</td>
<td>• Prepare mapping documents</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Civil design</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Civil construction drawings and specifications</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Construction administration services</td>
</tr>
<tr>
<td>Landscape Architecture</td>
<td>Kimley Horn</td>
<td>• Preparation of conceptual design drawings</td>
</tr>
<tr>
<td></td>
<td>QK, Inc.</td>
<td>• Master planning and feasibility studies</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Compliance report with state or federal guidelines</td>
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<tr>
<td></td>
<td></td>
<td>• Historic landscape preservation and restoration</td>
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<tr>
<td></td>
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<td>• Landscape design drawings and specifications</td>
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<td></td>
<td></td>
<td>• Public meeting presentations</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Construction administration services</td>
</tr>
<tr>
<td>Project Management</td>
<td>Bogard Construction</td>
<td>• Assist in review of construction documents</td>
</tr>
<tr>
<td></td>
<td>Cumming</td>
<td>• Construction administration</td>
</tr>
<tr>
<td></td>
<td>CSG Consultants</td>
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</tbody>
</table>
Once a specific firm from the list is identified for a task, the City will solicit scope, schedule and cost information about the task(s) requested and establishes a purchase order for a not-to-exceed amount from a funding source as included in either the annual operating or approved CIP budget.

**FISCAL IMPACT**

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

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

**STAFF RECOMMENDATION**

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

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

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

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

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

STAFF RECOMMENDATION

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

TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Table of Contents</th>
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<tr>
<td>Resolution No. 1895.25</td>
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<tr>
<td>Exhibit A 02-14-2022 Final Map</td>
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RESOLUTION NO. 1895.25

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

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

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

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

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

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

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

1. The location and configuration of the lots to be created by the Subdivision
   substantially comply with the previously approved Tentative Map; and

2. The Final Map is categorically exempt from the California Environmental Quality
   Act (CEQA), Statutory Exemptions, Title 14 of the California Code of
   Regulations Section 15268(b)(3) Ministerial Projects, approval of final
   subdivision maps; and
3. The City Council of the City of Scotts Valley, pursuant to Government Code Section 66458, hereby approves the Final Map for the Subdivision, a copy of which is hereby attached as Exhibit A and made part of this Resolution.

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

AYES: ____________________________________________

NOES: ____________________________________________

ABSENT: __________________________________________

ABSTAIN: __________________________________________

Approved: __________________________
Donna Lind, Mayor

Attest: __________________________
Lauren Lambert, Deputy City Clerk
LEGEND

- MONUMENT FOUND, AS NOTED
- IRON PIPE
- INDICATES THE BOUNDARIES OF THE LAND TO BE RESUBDIVIDED BY THIS MAP
- INDICATES BLANKS OF BEARINGS TO LINE BETWEEN FOUND MONUMENTS
- INDICATES EXISTING PARCELS TO BE RECONFIGURED
- 000-000-00 INDICATES EXISTING PARCEL NUMBER

THE TOTAL AREA OF LAND BEING RESUBDIVIDED BY THIS MAP IS
13,804 ACRES / 600,874 SQUARE FEET

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALCULATED TRUE
BEARINGS BETWEEN FOUND 1-1/2" IRON PIPES, AS SHOWN ON 28 & 71.
BEARING: 52°38'44" W DISTANCE: 1,953.49'

TRACT NUMBER 1613
1440 MULTIVERSITY
SITUATED IN THE CITY OF SCOTTS VALLEY, COUNTY OF SANTA CRUZ,
STATE OF CALIFORNIA, BEING THE LANDS OF 1440 MULTICO LLC, A
CALIFORNIA LIMITED LIABILITY COMPANY, AS DESCRIBED IN THE
FOLLOWING: 2014-0038196 PARCEL 1, PARCEL 2, PARCEL 3, PARCEL 4,
PARCEL 5, AND PARCEL 6, 2017-0015984 AND 2020-0021952,
BEING PARCELS OF BETHANY PARK, AS RECORDED IN VOLUME 28 OF
MAPS AT PAGE 71, SANTA CRUZ COUNTY RECORDS.
APN’S 023-001-11, 023-001-06 THRU 023-001-07 AT 26, 023-033-09 THRU 023-041-25 THRU 27, 023-072-01
DATE: JANUARY, 2022
SCALE: 1"=100'

LAND ENGINEERING
- LAND PLANNING | STRUCTURAL DESIGN
SHEET NO. 2 OF 9 SHEETS
JOB NUMBER: 33024
1440 MULTIVERSITY
TRACT NUMBER 1613

SITUS IN THE CITY OF SCOTT VALLEY, COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, BEING THE LANDS OF 1440 DEYCO LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AS DESCRIBED IN THE FOLLOWING: 2014-001987 PORTION OF PARCEL 1, PARCEL 5, PARCEL 6, PARCEL 7, PORTION OF BETHANY PARK, AS RECORDED IN VOLUME 38 OF MAPS AT PAGE 11, SANTA CRUZ COUNTY RECORDS.

DATE: JANUARY 2023
SCALE: 1"=100'

APN'S: 023-020-11, 023-020-03 THRU DBL 023-020-20 & 21, 023-020-22 THRU DBL 023-020-25 THRU DBL 023-020-01

TERRAIN ENGINEERING • LAND PLANNING • STRUCTURAL DESIGN
SANTA CRUZ, CA 95060 TEL: 831-429-5613 www.TerrainEngineering.com

SHEET NO. 3 OF 9 SHEETS JOB NUMBER 12024
SUMMARY OF ISSUE

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

Guiding Budget Principles for Fiscal Year 2022-23

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

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

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

Best budgeting practices that have been compiled by several national and state
associations suggest that a good budget process incorporate a long-term perspective, establish linkages to broad organizational goals, and focus budget decisions on results and outcomes.

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

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

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

**Budget Calendar for Fiscal Year 2022-23**

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

**FISCAL IMPACT**

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

**STAFF RECOMMENDATION**

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

**TABLE OF CONTENTS**

<table>
<thead>
<tr>
<th>TABLE OF CONTENTS</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution 630.42</td>
<td>3</td>
</tr>
<tr>
<td>Guiding Budget Principles</td>
<td>4</td>
</tr>
<tr>
<td>Budget Calendar</td>
<td>8</td>
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</table>
RESOLUTION NO. 630.42

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

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

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

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

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

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

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

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

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

AYES:
NOES:
ABSENT:
ABSTAIN:

Approved: __________________________
Donna Lind, Mayor

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

**Budgeting Policies**

1. Budget development will be guided by a long-term financial plan proposed by the City Manager and adopted by the City Council and should include considerations such as the cost of deferred maintenance and unfunded liabilities.

2. The budget must be balanced. Specifically, revenue must be equal to or greater than expenses. The total expenses of a department in the new fiscal year will be their expenses from the current fiscal year as modified by MOU changes and minor increases in services and supplies to the extent resources allow. All departments are expected to review their sources of revenue for correctness and validity. All departments are expected to evaluate the impact of uncertainties to revenues from COVID-19 and adjust expenditures accordingly.

3. There will be no unfunded positions included in the budget or staffing resolution. Vacancy Review will be utilized to create budget flexibility in case of loss of revenue, and to ensure the need exists for filling positions. All positions will be reviewed. Any new positions will consider: new revenue for the position to cover the cost of the position and indirect and overhead costs; the need for the position to meet Council Goals; and a reasonable expectation that there will be an ongoing funding stream for any new position.

4. The 2022-23 budget will only use reserve funds for emergency and one-time expenditures or for purposes that the reserve is designated to fund. Every effort will be used to preserve reserve funds at designated levels.

5. The City Manager is authorized to approve administrative adjustments to the adopted budget or reallocate appropriations among departments or divisions within a fund, as long as those changes do not significantly impact policy or affect budgeted year-end fund balances. Any revisions that increase total appropriations in any given fund must be approved by the City Council.
Reserve Policies

6. General Fund reserves should be maintained at a minimum of 17% (or two months) of annual operating expenditures, with a target reserve goal of 30% (three months) of annual operating expenditures, and in no event should be planned to fall below 10% in any year in the long-range forecast beyond the first year.

7. Funding assignments in the General Fund will be used to plan for current and future needs including pension contributions, facility planning, IT infrastructure, economic development activities, economic uncertainty, and general purpose. These assignments reflect the Council’s goals and intent to plan for future investments but are not restricted to their assigned use and can be modified as needed to meet the City’s needs.

8. Recreation Enterprise Fund reserves have no established minimum reserve, but are expected to be fully supported by the General Fund through fund transfers where necessary to the extent that recreation program revenues and facility rental charges are insufficient to cover operating costs.

9. Wastewater Operations Enterprise Fund should maintain a minimum of 50% (or six months) of annual operating expenditures to meet cash flow needs, plus a $1 million emergency reserve for seismic/catastrophic events, both of which would be incorporated in the Wastewater rate model to plan for future wastewater service rates.

Ongoing Resources and Operations

10. Every effort will be made to restore the level of service provided pre-pandemic, understanding that this will require some departments and programs to reorganize, partner with contracted vendors, and/or invest in time-saving technology.

11. Ongoing expenditures should be supported by ongoing revenues.

12. The City will seek to avoid dependence on temporary or unstable revenues to fund mainstream municipal services where possible.

13. Charges for services should maximize recovery of the full cost of related services, including direct operating costs, and other indirect costs such as capital and overhead costs. Recreation services will seek to fully recover costs where possible.

Use of One-Time (Windfall) Resources

14. One-time revenues will not be used for ongoing expenditures on a continuous basis.

15. Unpredictable revenues, such as those derived from the sale of surplus land assets or inventory, will be treated as one-time revenue and will not be used to support ongoing expenses.
EXHIBIT A

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

Capital Projects

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

18. Investment in technology will be continued.

Fiscal Sustainability Planning

19. To the extent that the long-range financial forecast indicates a structural gap between projected annual revenues and expenditures, the City will update its existing fiscal sustainability plan or develop and implement a new fiscal sustainability plan to ensure General Fund reserves stay within the reserve policies established by the City Council.

20. Any structural gap in a long-term financial forecast will be addressed in such a way that it is eliminated no later than the final year of the long-range financial forecast (not to exceed 10 years).

21. Service level reductions will be implemented if other strategies are not possible or cannot be achieved in a timely fashion.

22. There will be a high level of fiscal discipline by the Department Heads, Budget Subcommittee, City Manager and City Council. Every effort will be made to maximize City assets, achieve a high level of funding for employee retirement promises, evaluate cost per service item and develop and maintain contracts with vendors within Scotts Valley.

Debt Management

23. Debt will not be used to support ongoing operations.

24. Capital leases may be used as a mid-term borrowing arrangement for fleet, equipment, and technology uses to the extent that the imputed interest rate in any such capital lease is competitive with existing long-term borrowing rates, considers potential maintenance cost savings for assets under the capital lease, and that such costs are incorporated into the long-range financial forecast.

25. Long-term borrowing (three years or more) for capital facilities will be considered as an appropriate method of financial facilities that benefit more than one generation of users and to the extent that existing reserves or other one-time resources are not available.
Other Matters

26. The Wastewater Enterprise fund shall reflect the true cost of operation, including direct and indirect costs of services provided by the General Fund, and be self-reliant upon fees and/or use rates paid by ratepayers.

27. Private development of residential, commercial and/or industrial properties shall pay its fair share of capital improvements that are necessary to serve the development and should not be subsidized by public funds.

28. If the City contributes funds to Non-Profit or Community Partners for other than the purchase of services, it will give priority to one-time initiatives (as opposed to operational subsidies), and to those who demonstrate collaboration with other Community Partners. Funding will be adjusted based upon discretionary revenues available as with other City departments. Loans and advances will not be considered unless extraordinary events occur and must be secured.
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**Budget Subcommittee:**
- April 12: Budget Policies, Fee Schedule, and CIP Intro
- April 24: Police, Finance, & Admin Operational Budgets, 5-10 Year Financial Projections

**City Council:**
- April 19: Adopt Budget Policies and Budget Calendar

**Staff:**
- Publish agenda for 4/20 City Council meeting
- Publish Public Hearing Notice for 5/4 City Council meeting
- Publish agenda for 5/4 City Council meeting
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<td><strong>Budget Subcommittee:</strong> Public Works, IT, Community Development Operational Budgets</td>
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<td>Staff: Publish agenda for 5/18 City Council meeting and 5/19 Parks &amp; Rec Commission</td>
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<td><strong>City Council:</strong> Draft 5-Year CIP Presented for Feedback</td>
<td><strong>Parks &amp; Rec Commission:</strong> Review CIP</td>
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<td>Staff: Publish Public Hearing Notice for 6/1 Council Meeting w/ full draft of FY22-23 Annual Budget/CIP</td>
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<td>Staff: Publish Agenda for 6/1 Council Meeting w/ full draft of FY22-23 Annual Budget/CIP</td>
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<td>City Council: Review of FY 2022-23 Annual Budget &amp; 5-Year CIP – PUBLIC HEARING</td>
<td>Staff: Publish Agenda for 7/9 Planning Commission Meeting</td>
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<td>Planning Commission: Review CIP for General Plan Consistency</td>
<td>Staff: Publish Agenda for 7/15 Council Meeting with final draft of FY 2022-23 Annual Budget and CIP</td>
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<td>City Council: Adoption of FY 2022-23 Annual Budget &amp; 5-Year CIP (on Consent Agenda)</td>
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<td>Independence Day Celebration</td>
<td>4th of July Holiday</td>
<td>New Fee Schedule implemented after required 60-day window</td>
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SUMMARY OF ISSUE

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

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

The City’s Economic Recovery Subcommittee was created to respond to the dynamic needs of Scotts Valley businesses during the COVID-19 pandemic and is comprised of two City Councilmembers, representatives from the Scotts Valley Chamber of Commerce, and City staff. Additionally, as part of the small business grant program, the City engaged regional experts to help with different elements of the small business grant process, including the Adams Ashby group as the City’s CDBG consultant and the Santa Cruz branch of the Northern California Small Business Development Center (SBDC) to facilitate the grant application and underwriting processes. Notably, HCD required the City to partner with an experienced third party, in this case SBDC, to independently perform the underwriting evaluation as part of the grant eligibility processes.
The small business grant program was designed to offset negative impacts of the COVID-19 pandemic, including the shelter-in-place order, and to assist businesses with financial recovery. The program guidelines identified eligible uses of CDBG-CV funding and included the use of funds to offset a business’s mortgage, rent, and/or utility costs between April 2020 and December 2021. Program guidelines were adopted with the intention of helping as many businesses as possible with the available funding. The application period was opened in January 2022 and included a Town Hall meeting to discuss the grant requirements and application process.

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

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

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

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

<table>
<thead>
<tr>
<th>Scotts Valley Business Name</th>
<th>Grant Award Amount</th>
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<tbody>
<tr>
<td>Building Kidz</td>
<td>$50,000</td>
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<tr>
<td>Faust Salon</td>
<td>$50,000</td>
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<tr>
<td>Hillside Cleaners</td>
<td>$7,500</td>
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<tr>
<td>Idlewild Tattoo Parlour</td>
<td>$5,000</td>
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<tr>
<td>Irish Eyes Beauty</td>
<td>$12,500</td>
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<tr>
<td>Limelight Home Staging</td>
<td>$15,000</td>
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<tr>
<td>Scotts Valley Veterinary Clinic</td>
<td>$50,000</td>
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<tr>
<td>The Redwood Sandwich Co.</td>
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<tr>
<td>Togo’s</td>
<td>$10,000</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$250,000</strong></td>
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As a condition of receiving the grant funds, each business will have to sign an agreement and provide all necessary supporting documentation to legitimize costs related to eligible mortgage, rent, and/or utility expenses. Additionally, when applicable, businesses will also be required to provide documented proof that funds were used to retain employees earning low or moderate incomes.

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

**FISCAL IMPACT**

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

**STAFF RECOMMENDATION**

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

**TABLE OF CONTENTS**

Resolution 2013 .................................................................4
RESOLUTION NO. 2013

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

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

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

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

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

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

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

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<td>$10,000</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$250,000</strong></td>
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The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a meeting held on the 20th day of April, 2022 by the following vote:

AYES: 
NOES: 
ABSENT: 
ABSTAIN: 

Approved: __________________________
Donna Lind, Mayor

Attest: __________________________
Lauren Lambert, Deputy
City Clerk