



AGENDA

Meeting of the
Scotts Valley City Council
In-Person and Remote Access
Date: May 3, 2023
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/87939299370	The agenda was posted on 4-28-2023 at City Hall, SV Senior Center, SV Public Works and on the Internet at www.scottsvalley.gov .

ELECTED OFFICIALS	CITY STAFF MEMBERS
Jack Dilles, Mayor Randy Johnson, Vice Mayor Donna Lind, Council Member Derek Timm, Council Member Allan Timms, Council Member	Mali LaGoe, City Manager Kirsten Powell, City Attorney Cathie Simonovich, City Clerk Lauren Lambert, Deputy City Clerk

MEETING NOTICE AND AGENDA PACKET MATERIALS
<p>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.</p> <p>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.scottsvalley.gov 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.scottsvalley.gov.</p> <p>Public Participation: The meeting will be available on Zoom and livestreamed to the City of Scotts Valley's YouTube channel: https://www.youtube.com/@cityofscottsvalley For those wishing to participate via Zoom you can join the following ways: Zoom Webinar meeting link: https://us02web.zoom.us/j/87939299370</p>

Or dial one of these numbers: (669) 900-9128 or (669) 444-9171
Webinar ID: 879 3929 9370

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

SPECIAL SET MATTER

Mayor’s proclamation declaring May 6, 2023 Multicultural Fair Day

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 meeting minutes of 04-19-2023
- B. Approve check registers dated 04-20-2023 and 04-27-2023

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. Consider request to display the Pride flag to commemorate Pride Month from June 1st to June 30th, 2023
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) 440-5600 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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City of Scotts Valley Mayor's Proclamation

*Multicultural Fair Day
May 6, 2023*

- WHEREAS,** the Scotts Valley Multicultural Fair is in its second year, growing in size and inviting the entire Scotts Valley community to Skypark to celebrate; and
- WHEREAS,** the Multicultural Fair creates a welcoming environment aimed at broadening our understanding and appreciation for multiculturalism and diversity; and
- WHEREAS,** the group of volunteer parents have a clear vision to build community connection with the unique cultures and traditions present in Scotts Valley and the surrounding areas; and
- WHEREAS,** this event will celebrate cultures from all of the worlds continents through dance and music performances, a global fashion show, and student art; and
- WHEREAS,** food represents an expression of family and community, the fair is proud to bring authentic regional cuisine to share and educate; and
- WHEREAS,** the students, teachers and parents have volunteered thousands of hours to prepare for this celebration and connect Scotts Valley families; and
- WHEREAS,** the City, along with the City's Arts Commission, support City Schools in this cultural event bringing our community together.

NOW, THEREFORE, I, Jack Dilles, Mayor of the City of Scotts Valley, on behalf of the entire City Council, hereby declare May 6, 2023 as Multicultural Fair Day in the City of Scotts Valley.



Jack Dilles

Jack Dilles, Mayor

Signed and sealed this 3rd day of May 2023



MINUTES

Meeting of the
Scotts Valley City Council
In-Person and Remote Access
Date: April 19, 2023
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	The agenda was posted 4-14-23 at City Hall, SV Senior Center, SV Public Works and on the Internet at www.scottsvalley.org .

CALL TO ORDER 6:00 PM

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

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL	
ELECTED OFFICIALS PRESENT: Randy Johnson, Vice Mayor Donna Lind, Council Member Derek Timm, Council Member Allan Timms, Council Member ABSENT: Jack Dilles, Mayor	CITY STAFF MEMBERS PRESENT: Mali LaGoe, City Manager Kirsten Powell, City Attorney Lauren Lambert, Deputy City Clerk Chris Lamm, Public Works Director Taylor Bateman, Community Development Director Stephanie Hill, Administrative Services Director Steve Walpole, Chief of Police Scott Garner, Captain

COMMITTEE REPORTS

Dientes Community Dental presentation - Laura Marcus, Chief Executive Officer

Laura Marcus presented a slide show and answered questions from Council.

COMMITTEE REPORTS

CM Lind attended a meeting of the Criminal Justice Council Committee, for which she is the Chair. The Criminal Justice Council has an ADHOC committee working on this year's study focusing on behavioral health needs in our county. The first portion of the study focused on law enforcement and counseling. This year's portion of the study will focus on the courts and jails. An item that came out of the meeting is that the Sheriff's Department reported to have 17 people waiting to determine if they are competent to stand trial, some have been waiting for two years without services.

CM Lind attended the Scotts Valley Chamber of Commerce Awards Gala and presented the Claire Hodgins Beautification Award to the Scotts Valley Community Theater Guild. CM Lind commented on how wonderful the Awards Gala was, and she is thankful that she was able to attend.

CM Timms attended the Area Agency on Aging Advisory Council and reported on the discussions that were addressed during the meeting. One is the intersection between the senior housing needs and the RHNA (Regional Housing Needs Allocation) housing element assessment by tying the lower income properties potentially to the needs of fixed income seniors. There was also a discussion around how METRO might help seniors by providing free fares, for example. CM Timms also reported there is still no resolution for the Live Oak facility. They haven't yet concluded an eviction date and discussions are still ongoing.

CM Johnson attended a Santa Cruz County Regional Transportation Commission (SCCRTC) meeting and reported there is a grant program for electric bikes. CM Johnson also reported there is going to be outreach in the county to get information about the problems residents faced from the storms this past year and how it has affected transportation.

CITY MANAGER REPORT

Public Works: It has been a big week for Recreation, they have been working on the Parks Master Plan. A survey went out on April 14th about what the community wants for the parks, and it has already received 300 responses and we are looking forward to more responses coming in before the survey closes on May 3rd. City Manager LaGoe encourages the community to complete the survey if they haven't already. In addition, there are going to be a couple of public meetings coming up. Next Friday, April 21st from 1:30 PM to 3:30 PM at the Scotts Valley Community Center there is a public meeting about the Parks Master Plan and Saturday, April 22th from 2:00 PM to 4:00 PM in Skypark there will be another place for the public to provide input. The following weekend there is a meeting specifically for the stakeholder groups who utilize our parks. Per the Councils direction, the Parks and Recreation Commission Meeting on April 20th will have a discussion with the community about the pickleball court concerns. The agenda for that meeting has been posted and already public comments are coming in. Any community members who would like to weigh in on the conversation regarding

pickleball at the tennis courts in Skypark, please attend the Parks and Recreation Commission meeting on April 20th.

Storm Cleanup: The damage from the storms continues to surface and Public Works is inventorying all the damage to the roads. The City has received some reports of potholes and concerns of road conditions from residents. The City is inventorying all the concerns and repairing the issues as they have the capacity to. City Manager LaGoe encourages the community to continue to report concerns as they come up to Public Works so the issues can be put on the list. City Manager LaGoe thanked the community for their patience as Public Works makes the repairs to the streets that are necessary after the storms. Staff have continued to meet with FEMA regarding the permanent repairs to both Green Hills Road and Bean Creek Road, which will be an ongoing process.

Scotts Valley Police Department: Last night the police department honored the volunteers of the department. It was the 30th Annual Volunteer Appreciation dinner at Bruno's BBQ. Five Police Volunteers, four Reserve Officers, and two Police Explorers contributed 1,213 volunteer hours to our police department in 2022. City Manager LaGoe thanked the City Council for attending the event to help the City thank those important members of our community who have stepped up to support our police department.

Administrative Services Department: The department continues to be on track with the new software implementation for both our finance system with OpenGov as well as our HR payroll system. The department is already preparing for this current fiscal year's audit work that will begin shortly.

Wi-Fi: Skypark and the Scotts Valley Community Center now have public Wi-Fi available to use. There will be a splash screen that will pop up which users will have to agree to use the Wi-Fi responsibly and appropriately.

PUBLIC COMMENT TIME

CM Johnson read a resolution from the Santa Cruz County Regional Transportation Commission (SCCRTC) honoring Public Works crews and recognizing their efforts to respond to the recent storm events.

Gary Richard Arnold spoke about his irritation with local government and with how information is reported to the public.

James Ewing Whitman, commented on how he appreciates the time allotted to the public to be able to comment for three minutes at City Council Meetings. Mr. Whitman also complimented the Maintenance staff of the City of Scotts Valley for all they do.

David Alrich, spoke about the Housing Element, he is a supporter of affordable housing and a strong supporter of local jurisdictional control. Mr. Alrich expressed his concerns

with how developers look at their own interest over the community's well-being. Mr. Alrich also spoke on concerns about having a consultant with no personal stake or understanding of the community and believes they could lead us to overcommit to numbers.

CM Timms reminded the public that the Multicultural Fair is on May 6th at Skypark.

ALTERATIONS TO CONSENT AGENDA

M/S: Timm/Timms

To approve the Consent Agenda.

Carried 4/0/1 (AYES: Johnson, Lind, Timm, Timms ABSENT: Dilles)

CONSENT AGENDA

- A. Approve special closed session meeting minutes of 04-05-2023, joint special meeting minutes of 04-05-2023, and regular meeting minutes of 04-05-2023
- B. Approve check registers dated 04-06-2023 and 04-12-2023
- C. Adopt resolution approving Senior Center Organization Bylaws update
- D. Adopt resolution approving the annual review of the City of Scotts Valley Investment Policy

REGULAR AGENDA

- 1. Future Council agenda items

None

ADJOURNMENT

The meeting adjourned at 6:44 P.M.

Approved: _____
Jack Dilles, Mayor

Attest: _____
Lauren Lambert, Deputy City Clerk

AGENDA ITEM B
DATE: 05-03-2023

SCOTTS VALLEY ACCOUNTS PAYABLE
04/20/2023 18:24:57 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.19 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 042023 COMMENT... 04/20/23 A/P

DATA-JE-ID DATA COMMENT

W-04202023-710 04/20/23 A/P

Run Instructions:

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003342	ACCENT CLEAN & SWEEP INC	126611	04/20/23	2,739.00
005027	ACE PORTABLE SERVICES	126612	04/20/23	1,500.48
005090	AET.	126613	04/20/23	1,550.00
001219	ALHAMBRA	126614	04/20/23	286.97
000563	APPI	126615	04/20/23	722.12
000097	AT&T	126616	04/20/23	158.77
003746	AVENU HOLDINGS, LLC	126617	04/20/23	4,220.50
003893	BADAWI & ASSOCIATES	126618	04/20/23	1,973.50
005043	BAKER TILLY US, LLP	126619	04/20/23	2,380.00
001593	BENEDICT DDS/NANNETTE	126620	04/20/23	387.00
000021	BOWMAN & WILLIAMS	126621	04/20/23	2,656.50
001566	BUSINESS WITH PLEASURE	126622	04/20/23	26.34
002091	COMCAST	126623	04/20/23	323.27
005070	COMCAST	126624	04/20/23	626.52
000037	CRYSTAL SPRINGS WATER CO	126625	04/20/23	31.50
005047	CUMMING MANGEMENT GROUP,	126626	04/20/23	14,556.25
000389	DASSEL'S PETROLEUM INC	126627	04/20/23	35.35
005076	DREW DENTAL CORP	126628	04/20/23	190.00
000426	ENTENMANN-ROVIN CO	126629	04/20/23	265.94
005024	GOOD CITY COMPANY	126630	04/20/23	550.00
000895	GRANITE CONSTRUCTION CO	126631	04/20/23	231.92
.15946	JACE WATERMAN	126632	04/20/23	300.00
005089	JIM MYERS & SONS, INC.	126633	04/20/23	44,246.25
005005	KRUSEE/RANDALL	126634	04/20/23	172.45
003914	LAND TRUST OF SANTA CRUZ	126635	04/20/23	20,000.00
001950	LEWIS TREE SERVICE INC	126636	04/20/23	3,396.87
000078	LLOYD'S TIRE SERVICE INC	126637	04/20/23	2,019.75
000284	LOGAN & POWELL, LLP	126638	04/20/23	12,300.00
003913	LONG/AMANDA	126639	04/20/23	120.80
000218	MID VALLEY SUPPLY	126640	04/20/23	1,092.94
001418	MONTEREY REGIONAL	126641	04/20/23	7,542.80
000939	NATIONAL COMTEL NETWORK	126642	04/20/23	16.12
003493	NHA ADVISORS	126643	04/20/23	1,408.33
000101	PACIFIC GAS & ELECTRIC C	126644	04/20/23	209.04
000101	PACIFIC GAS & ELECTRIC C	126645	04/20/23	335.46
003912	PETTY CASH - AMANDA LONG	126646	04/20/23	166.33
000723	PIED PIPER INC./THE	126647	04/20/23	2,672.00
001615	PIONEER AMERICAS LLC 107	126648	04/20/23	4,960.53
001917	PURE VALLEY WATER, INC	126649	04/20/23	336.23
000134	S.V. WATER DISTRICT	126650	04/20/23	5,339.10
001894	S.V. WATER DISTRICT - BU	126651	04/20/23	25.63
001823	SANTA CRUZ CO ENVIRONMEN	126652	04/20/23	393.00
000319	SCOTTS VALLEY CAR WASH	126653	04/20/23	79.93
000133	SCOTTS VALLEY SPRINKLER	126654	04/20/23	397.17
003783	STATE WATER RESOURCES CO	126655	04/20/23	125.00
000143	SUMMIT UNIFORMS	126656	04/20/23	4,028.30
001366	U.S. BANCORP OFFICE	126657	04/20/23	1,300.62
000146	U.S. POSTMASTER	126658	04/20/23	1,000.00

Check Register

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BA	GENERAL CHECKING ACCOUNT				
001106	VERIZON WIRELESS	126659	04/20/23	177.08	
003971	WIZIX TECHNOLOGY GROUP,	126660	04/20/23	399.97	
	GENERAL CHECKING ACCOUNT			149,973.63	***

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
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RECORDS PRINTED - 000099

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
001	GENERAL	66,791.10
002	RECYCLING/ENVIRONMENTAL	2,739.00
004	RECREATION	1,130.05
010	WASTEWATER OPERATIONS	13,637.32
011	TERTIARY TREATMENT PLANT	2,480.27
012	WASTEWATER CAPITAL RESERVE	44,246.25
027	POLICE FACILITY BUILDING	1,225.00
028	SENIOR CENTER	1,115.32
077	SKYPARK MAINT ASSESS DIST	129.40
112	DENTAL INS INTERNAL SERV	870.25
123	COMMUNITY FACILITY CENTER	487.08
150	GENERAL CAPITAL IMPROVEMENTS	5,044.00
155	TRANSPORTATION FUNDS-MEAS D	9,675.00
306	SUPL LAW ENFORCEMENT SRVS	403.59
TOTAL ALL FUNDS		149,973.63

BANK RECAP:

BANK	NAME	DISBURSEMENTS
BA	GENERAL CHECKING ACCOUNT	149,973.63
TOTAL ALL BANKS		149,973.63

SCOTTS VALLEY ACCOUNTS PAYABLE
04/27/2023 17:11:36 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.19 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 042723 COMMENT... 04/27/2023 A/P

DATA-JE-ID DATA COMMENT

W-04272023-725 04/27/2023 A/P

Run Instructions:

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BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
000644	ALLEGRI ELECTRIC/PHIL	126661	04/27/23	5,572.00
001670	AT & T	126662	04/27/23	474.06
004048	BADGE FRAME, INC.	126663	04/27/23	37.00
005092	BEHAVIOR ANALYTIX	126664	04/27/23	1,200.00
004083	BRIGHTVIEW LANDSCAPE	126665	04/27/23	4,166.50
001659	CALIFORNIA BUILDING	126666	04/27/23	476.00
001659	CALIFORNIA BUILDING	126667	04/27/23	132.00
001659	CALIFORNIA BUILDING	126668	04/27/23	395.00
005076	DREW DENTAL CORP	126669	04/27/23	104.80
004073	DU-ALL SAFETY, LLC	126670	04/27/23	1,800.00
000426	ENTENMANN-ROVIN CO	126671	04/27/23	1,840.00
000202	FEDERAL EXPRESS	126672	04/27/23	339.99
001831	HD SUPPLY, INC.	126673	04/27/23	790.49
002000	INTERNATIONAL CONFERENCE	126674	04/27/23	125.00
003976	INTRADO LIFE & SAFETY	126675	04/27/23	2,431.59
003292	KIMLEY-HORN & ASSOCIATES	126676	04/27/23	60,081.13
001950	LEWIS TREE SERVICE INC	126677	04/27/23	5,154.80
003403	MAR-KEN INTERNATIONAL PO	126678	04/27/23	260.00
000323	NBS GOVERNMENT FINANCE G	126679	04/27/23	965.00
003649	NORCAL MEDTAC	126680	04/27/23	1,273.00
001872	NORTH CENTRAL LABORATORI	126681	04/27/23	803.52
003165	PHENOVA, INC	126682	04/27/23	350.07
001857	PHOENIX GROUP	126683	04/27/23	363.03
000723	PIED PIPER INC./THE	126684	04/27/23	4,900.00
003503	PURETEC INDUSTRIAL WATER	126685	04/27/23	174.24
004070	QUAD KNOFF, INC.	126686	04/27/23	210.45
005069	QUINN COMPANY	126687	04/27/23	4,230.17
005028	ROBINSON/ALICE	126688	04/27/23	467.95
000135	SAN LORENZO VALLEY WATER	126689	04/27/23	45.01
001823	SANTA CRUZ CO ENVIRONMEN	126690	04/27/23	888.00
001823	SANTA CRUZ CO ENVIRONMEN	126691	04/27/23	888.00
001364	SANTA CRUZ COUNTY	126692	04/27/23	10,890.80
001875	SANTA CRUZ COUNTY	126693	04/27/23	804.99
000805	SHAPE INC.	126694	04/27/23	31,067.49
000228	SOIL CONTROL LAB	126695	04/27/23	612.00
003757	SWEDBERG ELECTRIC INC.	126696	04/27/23	4,740.00
001085	SYCAL ENGINEERING INC	126697	04/27/23	3,690.51
001370	ZELLER APPRAISAL SERVICE	126698	04/27/23	4,500.00
	GENERAL CHECKING ACCOUNT			157,244.59

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				157,244.59

RECORDS PRINTED - 000050

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
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001	GENERAL	111,069.07
004	RECREATION	167.95
010	WASTEWATER OPERATIONS	10,044.52
011	TERTIARY TREATMENT PLANT	3,277.31
012	WASTEWATER CAPITAL RESERVE	31,067.49
028	SENIOR CENTER	300.00
035	GREEN BUILDING FUNDING	1,003.00
112	DENTAL INS INTERNAL SERV	104.80
268	PROP 68-PARKS/WATER BOND ACT	210.45
TOTAL ALL FUNDS		157,244.59

BANK RECAP:

BANK	NAME	DISBURSEMENTS
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BA	GENERAL CHECKING ACCOUNT	157,244.59
TOTAL ALL BANKS		157,244.59

City of Scotts Valley STAFF REPORT

DATE: May 3, 2023

TO: Honorable Mayor and City Council

FROM: Mali LaGoe, City Manager

SUBJECT: **CONSIDER REQUEST TO DISPLAY THE PRIDE FLAG TO
COMMEMORATE PRIDE MONTH FROM JUNE 1ST TO JUNE
30TH, 2023**

SUMMARY OF ISSUE

On June 1, 2022 the City Council adopted a Policy on Display of Flags to allow the display of government and commemorative flags. The policy prohibits third-party requests for commemorative flag displays and only allows for the display of commemorative flags when the request is brought forth by a member of the City Council to place the consideration of a specific commemorative flag on a future agenda. The decision to display the commemorative flag must then be authorized by a majority vote of the City Council at a duly noticed regular or special City Council meeting, as an expression of the City Council's official sentiments. On March 15th 2023, Councilmember Timm requested a future agenda item to consider flying the Pride flag during the month of June 2023, commonly known as Pride Month.

Per the City's Policy, any commemorative flag being considered must be consistent with the current City Council recognized goals and priorities and City strategic plan. The Pride flag, in representing the diversity of the LGBTQ community, is consistent with Council's Strategic Goal of *Maintaining the Quality of Life of Scotts Valley Residents* whereas Strategy 3 under that goal is to "Support a sense of community through gatherings, activities, inclusivity and arts." Further in February 2023, the City Council adopted its goals for Fiscal Year 23/24 which includes a goal to *Support cultural events, arts and projects that celebrate Scotts Valley.*

FISCAL IMPACT

As the City already owns a Pride flag, there is no fiscal impact to approving flying the flag for the month of June 2023.

STAFF RECOMMENDATION

It is recommended that the Council consider approval to display the Pride flag from June 1st to June 30th, 2023 to commemorate Pride Month, as requested by Councilmember Timm at the March 15th Council meeting.

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RESOLUTION NO. 2014

ADOPTING A CITY OF SCOTTS VALLEY POLICY ON DISPLAY OF FLAGS

WHEREAS, the City of Scotts Valley currently displays, as required by existing law, the United States Flag and the State of California Flag; and

WHEREAS, the City of Scotts Valley does not have a formal policy regarding the display of flags; and

WHEREAS, the City Council desires to establish a policy that provides guidance and standards for the indoor and outdoor display of flags at City of Scotts Valley owned properties; and

WHEREAS, in adopting this Policy on Display of Flags, the City Council declares that flags and flagpoles owned or maintained by the City of Scotts Valley are not intended to serve as a forum for free expression by the public, but rather as a nonpublic forum for the display of flags outlined in the Policy on Display of Flags, as an expression of the City Council's official sentiments (government speech).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Scotts Valley approves the Policy on Display of Flags, attached and incorporated hereto as Exhibit A.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 1st day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved:

DocuSigned by:
Donna Lind
AB62A4DD878C47C...

Donna Lind, Mayor

Attest:

DocuSigned by:
Cathie Simonovich
00BDB2B26C07422...

Cathie Simonovich, City Clerk

EXHIBIT A

CITY OF SCOTTS VALLEY POLICY ON DISPLAY OF FLAGS

The Scotts Valley City Council (hereinafter “City Council”) desires to establish a “Policy on Display of Flags at City Facilities” (hereinafter “Policy”). In adopting this Policy, the City Council declares that the City of Scott Valley’s flagpoles are not intended to serve as a forum for free expression of the public, but rather for the display of Federal, State, and City of Scotts Valley flags, and any “commemorative flag” as may be authorized by this Policy and the City Council as an expression of the City Council’s official sentiments.

I. **Purpose**

- A. The purpose of this Policy is to establish clear guidance from the City Council regarding the indoor and outdoor display of flags at City of Scotts Valley (hereinafter “City”) facilities.
- B. In adopting this Policy, the City Council declares that flagpoles owned or maintained by the City are not intended to serve as a forum for free expression by the public. Rather, such flagpoles are a non-public forum for the display of Federal, State, and City of Scotts Valley flags, and any commemorative flag (as defined by section II(C)(1) below), as authorized by the City Council and this Policy as an expression of the City Council's official sentiments (government speech).
- C. The City will not display a commemorative flag based on a request from a third party, nor will the City use its flagpoles to sponsor the expression of a third party.

II. **Policy**

- A. Conformance with Federal and State Regulations. Flags shall be displayed in accordance with all Federal and State statutes and regulations, including, but not limited to, United States Code, Title 4, Chapter 1, et seq., and California Government Code sections 430 et seq., as may be amended from time to time, and this Policy.
- B. For all City owned properties (including parks), other than the Civic Center, located at One Civic Center Drive, Scotts Valley. If there is an outside flagpole, the United States Flag may be displayed and the State of California Flag may be displayed, as described in section II(A) above. If flags are displayed indoors, those flags are limited to the United States Flag and State of California Flag. Commemorative flags may not be displayed.

If such City owned property is leased and/or licensed to a third party, that third party shall not be bound by this Policy, but must comply with any Federal, State, or local laws related to display of flags.

C. Civic Center, located at One Civic Center Drive, Scotts Valley. Regarding the flagpole outside of City Hall, the United States Flag shall be displayed and the State of California Flag shall be displayed, as described in section II(A) above, as well as a “commemorative flag” (as defined by section II(C)(1)). If flags are displayed indoors of the Civic Center, those flags are limited to the United States Flag and State of California Flag.

1. Commemorative Flag

- a. As expression of the City’s official government speech, the City Council may authorize the display of a “commemorative flag” to be displayed below any other flags on the Civic Center flagpole, located at City Hall. Only commemorative flags that comply with this Policy may be displayed.
- b. A commemorative flag is any flag that is consistent with this Policy and not the United States Flag or State of California Flag.
- c. The City Council shall only consider a request to display such a commemorative flag if the request is made by a member of the City Council to place the discussion on the agenda for a regular or special City Council meeting. Requests to display a commemorative flag by members of the public will not be considered.
- d. A majority of the City Council must agree to display the commemorative flag as part of an official City Council action at a duly noticed, Ralph M. Brown Act compliant, regular or special City Council meeting.
- e. Commemorative flags shall be displayed for a period of time that is reasonable or customary for the subject that is to be commemorated, but no longer than thirty-one (31) continuous days.
- f. If any other flag is displayed at half-staff, the commemorative flag will also be displayed at half-staff, height limits permitting.
- g. A commemorative flag will only be considered by the City Council if it is commonly identified with, and consistent with, the current City Council recognized goals and priorities and City strategic plan. The following are not allowed as commemorative flags and will not be considered by the City Council:
 - i. Flags of a particular religious movement or creed, to avoid the

appearance of City government endorsing religion or a particular religious movement or creed;

ii. Flags of a political party, to avoid the appearance of City government endorsing a political party; and

iii. Flags advocating a certain outcome in an election.

h. Any approved commemorative flag will be obtained by the City.

III. **Procedures**

A. Consistent with section II(A), no other flag shall be placed above the United States Flag and no other flag shall be larger than the United States Flag.

B. Flags should be hoisted briskly and lowered ceremoniously. The United States Flag should be hoisted first and lowered last.

C. Flags shall be displayed during operating hours on all days on which the City is open for business, and on national and state holidays. Flags may be displayed twenty-four (24) hours a day as long as they are illuminated during darkness.

D. Flags shall not be displayed during inclement weather, unless all- weather flags are used and are illuminated during darkness.

E. When flags are displayed on a single pole, the order from top to bottom shall be: the United States Flag, the California State Flag, and if displayed and allowed by this Policy, the commemorative flag.