

**PROCEEDINGS OF THE
SANTA CRUZ COUNTY
BOARD OF SUPERVISORS**

VOLUME 98, NUMBER 10
APRIL 14, 1998

ACTION SUMMARY-MINUTES

VOTING KEY: A = Almquist, B = Beautz, R = Belgard;
S = Symons, W = Wormhoudt; first initial indicates maker
of motion, second initial indicates the "second": upper
case letter = "yes" vote; lower case letter = "no" vote;
() = abstain; // = absent

1. All Supervisors present
Moment of Silence and Pledge of Allegiance
2. Consideration of Late Additions to the Agenda
3. Additions and Deletions to Consent Agenda
4. ORAL COMMUNICATIONS - No one addressed the Board (An
Oral Communications sign-in sheet will be filed with
Written Correspondence for the Board's next meeting.)
5. Additions and Deletions to Regular Agenda

CONSENT AGENDA
WRSAB

6. APPROVED claims as submitted by the Auditor-Controller
7. APPROVED minutes of March 17 and March 24, 1998, as
submitted by the Clerk of the Board
8. DELETED ITEM
9. ACCEPTED AND FILED Treasurer's Monthly Cash Report
for period ending February 28, 1998, as recommended by
the Treasurer-Tax Collector
10. APPROVED second amendment to lease for 420 and 440 May
Avenue in Santa Cruz between Bei-Scott Company and the
County of Santa Cruz; authorized the District Attorney
to sign the lease on behalf of the County; and
approved related actions. including a report back on
June 2, 1998, as recommended by the District Attorney

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11. ADOPTED RESOLUTION NO. 102-98 authorizing the Chief Probation Officer to apply to the Office of Criminal Justice Planning for funds to support the Broad-Based, Apprehension, Suppression, Treatment and Alternatives Grant Program (B.A.S.T.A.) for fiscal year 1998/99, as recommended by the Chief Probation Officer
12. ADOPTED RESOLUTION NO. 103-98 accepting and appropriating unanticipated revenue in the amount of \$81,500 from Title IV-E to Care of Court Ward budget and specified facility improvements, as recommended by the Chief Probation Officer
13. RATIFIED the emergency purchase and installation of an air conditioning unit in the amount of \$3,100 and approved a realignment of fixed asset appropriations within the Information Services/Telecommunications budget, as recommended by the Information Services Director
14. DENIED claim of Robert Morton No. 798-092 and referred to County Counsel
15. DENIED application to file a late claim on behalf of Scott McCann No. 798-110 and referred to County Counsel, with an additional directive
16. DENIED claim of Aleph (Allie) Estes No. 798-111, amended, and referred to County Counsel
17. ADOPTED RESOLUTION NO. 104-98 confirming the continuation of a state of emergency for Santa Cruz County, as recommended by the Deputy Director of Emergency Services
18. AUTHORIZED out-of-state travel for one General Services Department maintenance staff to attend a detention equipment training class in Illinois on August 25 through 27, 1998, as recommended by the Director of General Services
19. APPROVED plans and specifications for the Sheriff's Records Area HVAC Upgrade and directed the General Services Department to advertise for bids and set bid opening for Tuesday, May 19, 1998 at 10:45 a.m.; and approved amendment to Energy Resources Associates, Incorporated, contract to extend the term to the end of the Sheriff's Records Area HVAC Upgrade, as recommended by the Director of General Services

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20. ACCEPTED status report on the local emergency management plan development and directed the General Services Department - Emergency Services Division to return with a further report on or before August 25, 1998, as recommended by the Director of General Services
21. APPROVED Independent Contractor Agreement with Energy Research Associates, Incorporated, in the amount of \$13,400 for engineering services for upgrading the emergency power system for the Blaine Street Detention Facility; authorized the Deputy Director of General Services to sign the agreement; and directed the General Services Department to return on or before June 9, 1998 with a recommendation for project implementation, as recommended by the Director of General Services
22. APPROVED plans and specifications for the Emergency Power Upgrade Project at the Probation Center/Juvenile Hall and Medium Security Jail; directed the General Services Department to advertise for bids and set bid opening for Tuesday, May 19, 1998; and approved related actions, as recommended by the Director of General Services
23. SEE ITEM NO. 76.1, REGULAR AGENDA
24. ADOPTED RESOLUTION NO. 105-98 authorizing the District Attorney to reapply to the Office of Criminal Justice Planning for funds during fiscal year 1998/99 for a Child Abuser Vertical Prosecution Program; adopted RESOLUTION NO. 106-98 authorizing the District Attorney to reapply to the Office of Criminal Justice Planning for funds during fiscal year 1998-9 for a Gang Violence Suppression Program; and waive the requirement for the recovery of indirect costs, with an additional directive

April 14, 1998

25. ACCEPTED AND FILED report of the County Administrative Officer on problem situations with cable providers; directed the County Administrative Officer and Special Counsel to report on the two transfers of ownership associated with the sale of Sonic Cable TV to Charter Communications Properties, LLC, on April 21, 1998; and accepted proposal of Metro Utility Communications Group for consulting services; authorized the County Administrative Officer to negotiate and sign the appropriate agreement; and authorized Metro Utility Communication Group to proceed with Phase I of their proposal, as recommended by the County Administrative Officer
26. ACCEPTED nominations of various persons for appointment to the Job Training Task Force, as representatives of the agencies indicated, for terms to expire September 30, 1999, with final appointments to be made April 21, 1998, as recommended by the County Administrative Officer
27. APPROVED appointment of Jenn Goulart, Christopher Ham, Jill Bates, and Delores "Dee" O'Brien, Ph.D., to the Local Child Care Planning Council for terms of office to be determined by lot, as recommended by Chairperson Beautz
28. ACCEPTED nomination of Michael F. Schmidt as an at-large appointee to the Private Industry Council, as a representative of private industry, for a term to expire June 30, 2001, with final appointment to be made April 21, 1998, as recommended by Supervisor Symons
29. ACCEPTED notification of at-large vacancy on the Domestic Violence Commission, in the category of representative of the gay/lesbian/bisexual community, with nominations to be received on April 28, 1998, and final appointment to be made May 5, 1998, as recommended by Chairperson Beautz
30. ACCEPTED notification of at-large vacancy on the Managed Medical Care Commission, in the category of physician or representative of a physician business or professional entity, with nominations to be received on April 28, 1998, and final appointment to be made May 5, 1998, as recommended by Chairperson Beautz

April 14, 1998

31. ACCEPTED nomination of Jean Jardine as an at-large appointee to the Long Term Care Interagency Commission, in the category of "person with demonstrated interest in the area of nursing home care." for a term to expire April 1, 2002, with final appointment to be made April 21, 1998, as recommended by Supervisor Symons
32. APPROVED appointment of Harvey Neiblum to the Seniors Commission for a term to expire April 1, 2001, as recommended by Supervisor Almqvist
33. APPROVED appointment of Steven C. Lind to the Ambulance Contract Compliance Commission for a term to expire April 1, 2001, as recommended by Supervisor Almqvist
34. APPROVED appointment of Supervisor Almqvist as the Board's representative to the County Court Planning Team, as recommended by Chairperson Beautz
35. ACCEPTED AND FILED annual report of the Energy Commission, and approved related action, as recommended by Chairperson Beautz
36. DELETED ITEM
37. ACCEPTED AND FILED annual report of the Private Industry Council, and approved related actions, as recommended by Chairperson Beautz
38. ACCEPTED AND FILED annual report of the Hazardous Materials Appeals Commission, as recommended by Chairperson Beautz
39. SEE ITEM NO. 69.1, REGULAR AGENDA
40. DIRECTED the Public Works Department to waive fees at the Ben Lomond Transfer Station for loads of French Broom only, from Saturday, April 25, 1998 through Sunday, May 3, 1998, as recommended by Supervisor A l m q u i s t
41. ACCEPTED nomination of Leslie Andrews as an at-large appointee to the Private Industry Council, as a representative of private industry, for a term to expire June 30, 2001, with final appointment to be made April 21, 1998, as recommended by Supervisor Beautz

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42. ADOPTED RESOLUTION NO. 107-98 supporting the passage of Assembly Bill 2510, relating to disaster assistance funding, and approved related actions, as recommended by Chairperson Beautz
43. ADOPTED RESOLUTION NO. 108-92 authorizing the Sheriff-Coroner to apply to the Office of Criminal Justice Planning for funds to support the Broad-Based, Apprehension, Suppression, Treatment and Alternative Grant Program (B.A.S.T.A.) for fiscal year 1998/99, as recommended by the Sheriff-Coroner
44. ADOPTED RESOLUTION NO. 109-98 opposing the passage of SB 2001; adopted RESOLUTION NO. 110-98 opposing the passage of SB 1998; adopted RESOLUTION NO. 111-98 opposing the passage of SB 1723 and AB 1776, concerning realignment and vehicle license fee funding to localities, as recommended by the County Administrative Officer
- 44.1 ACCEPTED nomination of Don Masik as an at-large appointee to the Private Industry Council, as a representative of private industry, for a term to expire June 30, 2001, with final appointment to be made April 28, 1998, as recommended by Supervisor Almquist
45. APPROVED various grant related and funded out-of-state travel for Children's Mental Health staff and Family Partnership parents, as recommended by the Health Services Agency Administrator
46. APPROVED three year agreement with the Valley Resource Center to allow claiming for Medical Administrative Activities, as recommended by the Health Services Agency Administrator
47. ACCEPTED AND FILED report regarding hospital issues with the ambulance contract and schedule a further report on November 3, 1998, as recommended by the Health Services Agency Administrator
48. ADOPTED RESOLUTION NO. 112-98 accepting and appropriating unanticipated revenue in the amount of \$14,687 into Social Services; approved transfer of funds; and authorized the Human Resources Agency to sign the agreement with SolutionsWest to provide staff development training consultation, as recommended by the Human Resources Agency Administrator

April 14, 1998

49. APPROVED proposed One-Stop Career Center Technology Grant Application and authorized the Chairperson to sign the application; adopted RESOLUTION NO. 113-98 appointing the Human Resources Agency as fiscal agent and grant administrator for One-Stop Career Center System funds; and authorized the Human Resources Agency to take related actions, as recommended by the Human Resources Agency Administrator
50. DEFERRED recommendation regarding In-Home Supportive Services contract award report to April 28, 1998, as recommended by the Human Resources Agency Administrator
51. ACCEPTED AND FILED report on human services legislation; adopted RESOLUTION NO. 114-98 supporting the passage of SB 1428; adopted RESOLUTION NO. 115-98 supporting the passage of AB 2634; adopted RESOLUTION NO. 116-98 supporting the passage of SB 2030; adopted RESOLUTION NO. 117-98 supporting the passage of AB 2463; adopted RESOLUTION NO. 118-98 supporting the passage of AB 2454; adopted RESOLUTION NO. 119-98 supporting the passage of AB 2773; adopted RESOLUTION NO. 120-98 supporting the passage of AB 2031; adopted RESOLUTION NO. 121-98 supporting the passage of SB 2177; adopted RESOLUTION NO. 122-98 supporting the passage of SB 2188; adopted RESOLUTION NO. 123-98 supporting the passage of SB 2199; and approved related actions, as recommended by the Human Resources Agency Administrator
52. ACCEPTED AND FILED report on the Seniors Council/Area Agency on Aging; and directed the Human Resources Agency, in conjunction with the Auditor-Controller, County Administrative Office, and County Counsel to report back on June 2, 1998 regarding the progress of efforts to identify further avenues of administrative appeal, as recommended by the Human Resources Agency Administrator
53. ACCEPTED AND FILED report on Highland Way Earthquake and Storm Damage Road Repair Status of Appeals, directed Public Works to return with a further report on or before June 16, 1998, and approved related actions, as recommended by the Director of Public Works

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April 14, 1998

54. ADOPTED RESOLUTION NO. 124-98 accepting and appropriating unanticipated revenue in the amount of \$3,000 from the Sand Dollar Beach Homeowners Association: approved transfer of \$10,000 from Structures and Improvements to the Sand Dollar Beach Stairway project; approved low bid of Carvalho Construction in the amount of \$33,038 for the Sand Dollar Beach Stairway Replacement Project: and approved related actions, as recommended by the Director of Public Works
55. APPROVED plans, specifications and engineer's estimate for Jose Avenue Improvements, Capitola Road to Rodriquez Street: set bid opening for Tuesday, May 5, 1998 at 10:45 a.m.; and directed the Clerk of the Board to take related actions, as recommended by the Director of Public Works
56. ACCEPTED improvements and approved the final cost for the Rio Del Mar Boulevard at Soquel Drive Signalization Project and approved related actions, as recommended by the Director of Public Works
57. ADOPTED RESOLUTION NO. 125-98 approving the proposed filing of grant applications to the Monterey Bay Unified Air Pollution Control District for various projects and approved related actions, as recommended by the Director of Public Works
58. SEE ITEM NO. 76.2, REGULAR AGENDA
59. APPROVED amendments to agreements from Terratech, Incorporated, and AN/EN, Incorporated, for Roy Wilson Yard Groundwater Monitoring and Stockpiled Soil Remediation and authorized the Director of Public Works to sign the agreements, as recommended by the Director of Public Works
60. ADOPTED RESOLUTION NO. 126-98 approving and accepting terms and conditions of contract for cleanup costs associated with Treetop Drive Wheelchair Ramps Improvement Project: and approved related actions, as recommended by the Director of Public Works

April 14, 1998

61. ADOPTED RESOLUTION NO. 127-98 approving and accepting terms and conditions of contract for right-of-way acquisitions - Valencia Road Culvert Replacement Project; authorized the Director of Public Works to sign the contracts; and approved payment of claims, as recommended by the Director of Public Works
62. ADOPTED RESOLUTION NO. 128-98 authorizing the placement of two road bumps on West Walnut Street in Soquel. as recommended by the Director of Public Works
63. APPROVED amendment to agreement with Waste Management of Santa Cruz County providing for minor language corrections and changes; authorized the Director of Public Works to sign the amendment; approved Waste Management's proposed Annual Cleanup Program, supplement County spring and fall cleanup weeks, and directed Public Works to oversee implementation of the program beginning in the spring of 1998, with an additional directive
64. APPROVED grant agreement between the County and the State of California to fund \$80,000 in repairs and enhancements to Greyhound Rock Coastal Access; adopted RESOLUTION NO. 129-98 accepting unanticipated revenue in the amount of \$80,000 into the Structures and Improvements for Greyhound Rock account; and authorized the Director of County Parks to sign the grant agreement on behalf of the County, as recommended by the Director of Parks, Open Space and Cultural Services
65. SCHEDULED public hearing for Tuesday, May 5, 1998 on the morning agenda to consider master plan for Jose Avenue Park, as recommended by the Redevelopment Agency Administrator
66. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, APPROVED transfer of funds from salaries to fixed assets to allow for purchase of personal computers, as recommended by the Redevelopment Agency Administrator
67. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, APPROVED contract amendment with Tri-B, Incorporated, in the amount of \$15,000 for the Simpkins Family Swim Center Project, as recommended by the Redevelopment Agency Administrator

April 14, 1998

68. AS THE BOARD OF SUPERVISORS AND REDEVELOPMENT AGENCY SCHEDULED a closed personnel and litigation session as follows:
 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
 Significant exposure to litigation to be considered pursuant to subdivision (b) of Government Code Section 54956.9 for one potential case.
 REPORT OF COUNTY COUNSEL - No report given
- 68.1 CONTINUED TO AUGUST 4, 1998 and directed County Counsel, in consultation with the Health Services Agency, to return with recommendations which would prohibit the advertising of tobacco products within a fixed distance of any public or private school, day care center, preschool, bus stop, child care facility, playground, park, recreation center, youth camp or any other identifiable facility where minors are known to congregate, and take related actions, with an additional directive

REGULAR AGENDA

69. CONSIDERED adoption of an ordinance pertaining to the prohibition of discrimination;
 (1) read title and waived detailed reading of complete ordinance;
 (2) adopted ordinance "in concept" to return April 28, 1998 for final adoption
- (1) RWSAB
 (2) WASrB
- 69.1 CONTINUED TO BUDGET HEARINGS request for \$21,800 from the Aptos Chamber of Commerce for the Aptos Visitors Center, with an additional directive that the County Administrative Officer contact the Conference and Visitors Council and express issues discussed by the Board, and further requested that the Conference and Visitors Council and Aptos Chamber of Commerce work together to explore the possibility of funding through a grant agreement
- SRwaB

April 14, 1998

70. Public hearing held to consider the Planning Commission's recommendation regarding a General Plan amendment to reinstate APN's: 102-171-08, -09, -10, -11, -13 and -14 (Soquel San Jose Road) into the Urban Services Line, to amend their Land Use designation from Suburban Residential to Residential - Urban Very Low Density and to rezone APN's: 102-171-08, -09, -10, -11 and -13 from the "RA" (Residential Agricultural) to the "R-1-20" (Single-family Residential, 20,000 sq. ft. per dwelling) and APN: 102-171-14 from the "RA-0" (Residential Agricultural, Open Space Easement Contract) to the "R-1-20-0" (Single-family Residential, 20,000 sq. ft. per dwelling unit, Open Space Contract); closed public hearing: adopted RESOLUTION NO. 130-98 amending the 1994 General Plan land use plan by reinstating APN's 102-171--8, -09, -10, -11, -13 and -14 into the urban services line and amending the land use designation of these parcels from suburban residential to residential - urban very low density: read title and waived detailed reading of complete ordinance and adopted ORDINANCE NO. 4498 amending Chapter 13.10 of the Santa Cruz County Code changing properties from one (or several) zone district(s) to another (or others)

RWSAB

71. Public hearing held to consider the Planning Commission's recommendation regarding a General Plan and Zoning Amendment to redesignate APN: 041-011-07 (Mattison Lane in the Second District) from the Community Commercial Land Use designation with a zoning of C-1 (Neighborhood Commercial) to the Residential Urban Low Density designation with a zoning of R-1-6 (Single-family Residential with 6,000 sq. ft. per dwelling unit); closed public hearing; adopted RESOLUTION NO. 131-98 amending the 1994 General Plan land use plan by removing the "community commercial" designation and adding the "residential - urban low density" designation for APN: 041-011-07; read title and waived detailed reading of complete ordinance and adopted ORDINANCE NO. 4499 amending Chapter 13.10 of the Santa Cruz County Code changing properties from one (or several) zone district(s) to another (or others)

WASRB

April 14, 1998

- 72 Public hearing held to consider adoption of a resolution establishing service charges for the 1998/99 fiscal year for County Service Area No. 5, Sand Dollar Beach;
closed public hearing: adopted RESOLUTION NO. 132-98 establishing service charges for the 1998/99 fiscal year for County Service Area No. 5. Sand Dollar Beach

WSRAB

- 73 APPROVED at-large appointment of Larry Friedman to the Long Term Care Interagency Commission, for a term to expire April 1, 2002

WSRAB

- 74 APPROVED at-large reappointments of Lenore Wilkerson, Alice Ritchie, Thorn Onan, Vicki West, and Elizabeth Sparks to the Long Term Care Interagency Commission. for terms to expire April 1, 2002

SRWAB

- 75 APPROVED at-large appointment of Patty Damron to the North Coast Beaches Advisory Committee (in the category of North Coast resident or representative who lives in or owns property in Davenport Landing or Coast Road residential area), for a term to expire December 31, 1998

WSRAB

76. APPROVED at-large reappointment of Karen Martin to the Environmental Health Appeals Commission, for a term to expire April 1, 2002

RWSAB

76. 1 ACCEPTED status report on the Loma Prieta fire station replacement project and directed General Services to return with a contract on April 28, 1998

WRSAB

April 14, 1998

- 76.2 APPROVED agreement with CH2M Hill for Solid Waste Consultant Engineering Services at a cost of \$254,268, as amended; authorized the Director of Public Works to sign the agreement; and directed the Clerk of the Board to take related actions

RWSAB

77. RECEIVED bids regarding Quail Hollow Ranch House Remodel, Phase I and referred to Public Works to return on or before May 5, 1998

RASWB

78. CONSIDERED report from Planning, Environmental Health Services and Public Works regarding Water Resources Monitoring:
- (1) directed that the draft report dated April 10, 1998 be returned to the Water Advisory Commission for comments and return to the Board on June 2, 1998 with recommendations and also with a comparison of the projects outlined in the various drafts of the reports as well as cost estimates and timelines for any recommended projects; further directed Planning staff to return during Budget Hearings with some sort of proposal for funding strategies that might include interagency participation for whatever Board-adopted direction there is for a strategic plan; and directed County Counsel to return on June 2, 1998 with an analysis of the legal authorities of the County relative to water management;
 - (2) reconsidered this item;
 - (3) changed return date from June 2, 1998 to June 9, 1998

- (1) WAsrB
- (2) WRSAB
- (3) WRSAB

April 14, 1998

79. CONTINUED consideration of proposed amendments to the Water Well Ordinance - Supplemental Report;
- (1) deferred consideration of the supplemental report and the proposed amendments to Water Well Ordinance to June 2, 1998;
 - (2) reconsidered this item;
 - (3) changed deferral date from June 2, 1998 to June 9, 1998

- (1) RWSAB
- (2) WASRB
- (3) WSRAB

80. CONSIDERED report on a study session held by the Planning Commission to consider the application of General Plan Policy 5.8.2 relating to land division and density requirements in Primary Groundwater Recharge areas:
- referred item back to the Planning Department to return with the Work Program and the Board will decide on its relative priority at that time

WSRAB

April 14, 1998

81. CONSIDERED criteria and process for conducting the Level V public hearing reviews to determine if parcels zoned special use (SU) without timber resource designation should be considered as having a timber resource designation for the purpose of timber harvesting;
- (1) accepted and filed report;
 - (2) adopted RESOLUTION NO. 134-98, as amended, adopting a criteria review checklist and a procedure for determination of General Plan consistency for timber harvesting in areas of the Special Use (SU) Zone district that do not have a timber resources land use designation;
 - (3) adopted RESOLUTION NO. 135-98, as amended, revising the Unified Fee Schedule;
 - (4) requested the Chairperson of the Board to write a letter to Assembly Member Keeley transmitting the requested legislative actions as discussed in this letter;
 - (5) with an additional directive to Planning staff that when this item returns on June 2, 1998, any additional recommendations for consideration in the Keeley bill be brought back to the Board at that time;
 - (6) and further directed Planning staff to have all materials available May 21, 1998 for the June 2, 1998 hearing;
- (1) WBSrA
 - (2) ASwRb
 - (3) ABWsr
 - (4) WBSrA
 - (5) WBSrA
 - (6) WBSrA

April 14, 1998

Approved: _____
Chair. Board of Supervisors

Attest: _____
Clerk of the Board

Date: _____

NOTE: This set of Board of Supervisors Minutes is scheduled to
be approved by the Board on April 28, 1998