

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

VOLUME 98, NUMBER 31  
DECEMBER 8, 1998

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ACTION SUMMARY MINUTES

VOTING KEY: A = Almqvist, 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. Supervisor Wormhoudt present only for Closed  
Litigation, 69.1. 69.3 and 69.4  
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 - One person 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  
ARS/W/B

6. APPROVED claims as submitted by the Auditor-Controller
7. APPROVED minutes of November 24, 1998, as recommended  
by the Clerk of the Board
8. ACCEPTED AND FILED notification of continuing  
contracts received during the period of November 23,  
1998 through December 4, 1998 and approved upon  
adoption of the 1998/99 continuing agreements list to  
comply with Section 300 of the County's Procedures  
Manual, Title 1, as recommended by the Clerk of the  
Board



December 8, 1998

9. DEFERRED report on Golden Torch Trailer Park until December 15, 1998, as recommended by the County Administrative Officer
10. DENIED application to file late claim on behalf of William Lawrence No. 899-051 and referred to County Counsel
11. DENIED claim of Armando Villalobos Farfan, Jr., No. 899-059 and referred to County Counsel
12. DENIED claim of Kathleen Erin Kelley No. 899-060 and referred to County Counsel
13. DENIED claim of Pacific Bell No. 899-062 and referred to County Counsel
14. DENIED claim of Benjamin Tumbaga No. 899-063 and referred to County Counsel
15. DENIED claim of Nancy Clark No. 899-065 and referred to County Counsel
16. DENIED claim of Edward Chavez No. 899-067 and referred to County Counsel
17. DENIED claim of Ed Chavez No. 899-067, amended, and referred to County Counsel
18. DENIED claim of Margie Campos No. 899-068 and referred to County Counsel
19. ACCEPTED the Statement of Vote for the November 3, 1998 Consolidated General Election, as recommended by the County Clerk
20. APPROVED plans and specifications for the replacement of Automatic Doors at 701 Ocean Street and 1080 Emeline Street; set bid opening for Tuesday, January 12, 1999 at 10:45 a.m.; and approved related actions, as recommended by the Director of General Services
21. ADOPTED RESOLUTION NO. 442-98 accepting and appropriating unanticipated revenue from the State Board of Corrections for Juvenile Crime Enforcement and Accountability Challenge Grant (Planning Grant) Program, as recommended by the Chief Probation Officer

December 8, 1998

22. ACCEPTED AND FILED report on the State-County Tax Administration Program; adopted RESOLUTION NO. 443-98 accepting and appropriating unanticipated revenue in the amount of \$75,421; and approved independent services contract with Appleby and Company, Incorporated, in the amount of \$42,921 to provide an electronic document system, as recommended by the Assessor
23. APPROVED Proposition 172 Maintenance of Effort calculation for 1998/99 and directed the County Administrative Office to sign and forward the 1998/99 certification to the Auditor-Controller, as recommended by the County Administrative Officer
24. ADOPTED RESOLUTION NO. 444-98 amending salary Resolution No. 279-75 to implement various salary, classification and title change actions, as recommended by the Personnel Director
25. ACCEPTED notification of two vacancies on the Board of Law Library Trustees, with nominations for appointment to be received on January 12, 1999, and final appointments to be made January 26, 1999, as recommended by Chairperson Beautz
26. ITEM DELETED
27. APPROVED appointment of Ruth De Pue to the Mobilehome Commission for a term to expire April 1, 2001, as recommended by Supervisor Almquist
28. ACCEPTED nomination of Michelle Hinkle and Michael W. Keogh for reappointment as at-large representatives to the Santa Cruz Metropolitan Transit District Board of Directors, for terms to expire December 31, 2002, with final appointment to be made December 15, 1998, as recommended by Supervisor Almquist
29. DIRECTED the Department of Public Works to allocate and expend the time and staff commitment necessary to apply for possible funding sources for improvements to the Highway 9 corridor identified in the Ben Lomond Town Plan; and approved related actions, as recommended by Supervisor Almquist

December 8, 1998

30. ADOPTED RESOLUTION NO. 445-98 Denying Without Prejudice the Application of Charter Communications Inc., Kelso Investment Associates, V. LP and its Affiliates, Charter House Group International (collectively "Charter") for a Transfer of Control to Paul G. Allen of the Franchise Granted by the County and Setting Forth the Grounds and Reasons Therefor; and authorized the County Administrative Officer and Special Counsel to take such actions as are necessary to protect subscribers from an unauthorized transfer of the franchise granted to Charter Communications on May 19, 1998 during the Board of Supervisors holiday recess, as recommended by the County Administrative Officer
31. APPROVED modifications to County Procedures Manual, as recommended by the County Administrative Officer
32. APPROVED revised submittal to the Santa Cruz Regional Transportation Commission for the County's Applications for STP/CMAQ Funding; adopted RESOLUTION NO. 446-98 amending Resolution No. 402-98 approving applications certifying local funding share and recommended priority for submittal to the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program Project, as recommended by the County Administrative Officer
33. SEE ITEM NO. 69.1. REGULAR AGENDA
34. SEE ITEM NO. 69.4. REGULAR AGENDA
35. ACCEPTED report and directed General Services to return on or before January 12, 1999, with recommendations on a contract for design services for construction of a replacement facility for Court Modular Buildings, as recommended by the Director of General Services
36. APPROVED submittal to the State of \$11,214 PATH Grant and \$71,261 Block Grant application for services to the mentally ill; and directed the Clerk of the Board to take related actions, as recommended by the Health Services Agency Administrator

December 8, 1998

37. APPROVED amendment to agreement between the State of California and the County of Santa Cruz for the jointly funded State Route 1 and State Park Drive Signalization and Safety Lighting Project: approved transfer of funds in the amount of \$9,000 from County Service Area 9, Freedom Boulevard and Corralitos Boulevard Signalization Project to County Service Area 9, State Route 1 and State Park Drive Signalization and Safety Lighting Project; adopted RESOLUTION NO. 447-98 authorizing the execution of the Amendment to Agreement: and directed the Clerk of the Board to take related actions, as recommended by the Director of Public Works
38. AUTHORIZED the addition of 16 street lights installed at Tract 1334, Diamond Estates, to the inventory of the Residential Lighting District, County Service Area No. 9, and approved related actions, as recommended by the Director of Public Works
39. ACCEPTED improvements and approved final cost for Soquel Drive Storm Damage Repair Project and directed the Clerk of the Board to file the Notice of Completion, as recommended by the Director of Public Works
40. ADOPTED RESOLUTION NO. 448-98 authorizing the Chairperson to sign an agreement for Federal Apportionment Program for 1997/98 Exchange and State Match Programs in the total of \$367,914; and approved related actions, as recommended by the Director of Public Works
41. ADOPTED RESOLUTION NO. 449-98 accepting unanticipated revenue in the amount of \$20,000 from the Aptos Roadside Improvement Fund for reconstruction of curb, gutter and sidewalk on Soquel Drive at Twin Palms Drive, as recommended by the Director of Public Works
42. APPROVED amendment to the Independent Contractor Agreement No. 71653 with Anderson Pacific Engineering by increasing the not-to-exceed amount to \$265,565 for the San Andreas Road Repair at Manresa Beach State Park: and authorized the Director of Public Works to sign the contract amendment on behalf of the County, as recommended by the Director of Public Works

December 8, 1998

43. RATIFIED list of Storm Damage, Road Resurfacing and Rehabilitation Projects which Public Works has provided for the Santa Cruz Regional Transportation Commission for State Augmentation Funding consideration; directed Public Works to report back on or before March 2, 1999 on the outcome of funding submittal, as recommended by the Director of Public Works
44. AUTHORIZED extension of the Limited Term Accountant III Position through June 30, 1999, as recommended by the Director of Public Works
45. ADOPTED RESOLUTION NO. 450-98 accepting and appropriating unanticipated revenue in the amount of \$20,000; approved a limited term appointment of a Recreation Coordinator-Teens in the Parks Department, as recommended by the Director of Parks, Open Space and Cultural Services
46. ADOPTED RESOLUTION NO. 451-98 authorizing the Cultural Council of Santa Cruz County to execute the 1999-00 State/Local Partnership Grant Application, as recommended by the Director of Parks, Open Space and Cultural Services
47. APPROVED the 1998/1999 Public Art Plan as presented by the Arts Commission, as recommended by the Director of Parks, Open Space and Cultural Services
48. SEE ITEM NO. 61.1, REGULAR AGENDA
49. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, AWARDED contract to Henry Van Siclen Construction in the amount of \$28,605 for the 1985A Chanticleer Avenue Renovation Project; and approved related actions, as recommended by the Director of General Services and the Redevelopment Agency Administrator
50. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, APPROVED agreement with Mercy Housing California in the amount of \$67,407.50 for work related to McIntosh Mobile Home Park; and approved related actions, as recommended by the Redevelopment Agency Administrator

December 8, 1998

51. AS THE BOARD OF SUPERVISORS AND REDEVELOPMENT AGENCY, SCHEDULED a closed personnel and litigation session as follows:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Case Name/No.: Arreola v. County of Monterey et al. (Monterey Superior Court Case No. 105661); Bazar v. County of Santa Cruz (Santa Cruz Superior Court Case No. 134334); Rhodes and Kesling, Inc. v. Redevelopment Agency of the County of Santa Cruz (Superior Court Case No. 134712); CAT Partnership, et al. v. County of Santa Cruz (Santa Cruz Superior Court Appellate No. H016374); Group W Cable, Inc. v. City of Santa Cruz and County of Santa Cruz, (U. S. District Court No. C-84-7546)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation was considered pursuant to subdivision (b) of Government Code Section 54956.9 for two potential cases.

Initiation of litigation was considered pursuant to subdivision (c) of Government Code Section 54956.9 for one potential case

CONFERENCE WITH LABOR NEGOTIATOR

Agency negotiator: Personnel Director

Employee organization: All Employee Organizations

REPORT OF COUNTY COUNSEL - No report given

- 51.1 APPROVED purchase of an air compressor in the amount of \$3,500 for the Brommer Maintenance Yard, as recommended by the Director of Public Works

December 8, 1998

- 51.2 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 8, APPROVED Contract Change Order No. 1 in the amount of \$17,000 for the San Lorenzo River at Spring Creek Streambank Protection Project: authorized the District Engineer to sign the Change Order; adopted RESOLUTION NO. 452-98 accepting unanticipated revenue from Natural Resources Conservation Services in the amount of \$73,743; adopted RESOLUTION NO. 453-98 accepting unanticipated revenue from State Office of Emergency Services in the amount of \$34,656; approved transfer of funds in the amount of \$12,763; and approved related actions, as recommended by the District Engineer

REGULAR AGENDA

52. CONTINUED Public hearing to establish the 1999 Growth Goal: closed public hearing; adopted RESOLUTION NO. 454-98. as amended, to adopt the 1999 Growth Goal of .75% for 1999; and certified the Environmental Determination with an additional directive to permit carryovers only for the year of 1999 (affordable units will get a preference in having permits allocated to them if a permit is available before a market rate permit)

ABS/W/r

53. CONTINUED TO DECEMBER 15, 1998 consideration of the recommendation of the Agricultural Advisory Commission and additional reports from County Counsel and Planning Department regarding a proposed Right-to-Farm Ordinance

RAS/W/B



December 8, 1998

54. Jurisdictional hearing held to consider the Planning Commission's decision to grant a variance to floor area ratio regulations in association with Coastal Zone Permit No. 97-0622; a proposal to demolish an existing garage and to construct a two-story, single-family dwelling with a garage below constituting a three-story dwelling on property located at 413 Beach Drive, Aptos; Application No. 997-0622; APN: 043-105-07; Owner: Norma Odenwaller; Applicant: Tracy Robert Johnson;  
approved recommendations in letter of Planning Director dated November 18, 1998 to deny jurisdiction of this appeal of Coastal Development Permit No. 97-0622, based on the fact that the appellant has not established sufficient grounds for the Board to take jurisdiction for further review

AS/W/RB

55. CONSIDERED the Auditor-Controller's Office Quarterly Financial Update for First Fiscal Quarter 1998-99;' accepted and filed the Auditor-Controller's Quarterly Financial Update

RAS/W/B

56. CONTINUED TO DECEMBER 15, 1998 consideration of the report on the status of the Care of Court Wards budget

ARS/W/B

57. SEE ITEM NO. 69.3, REGULAR AGENDA

December 8, 1998

58. CONTINUED public hearing to consider proposed General Plan/LCP amendments and Ordinance amendments regarding residential nonconforming uses and general nonconforming use provisions; adopted RESOLUTION NO. 455-98 amending the County of Santa Cruz Local Coastal Program Implementation Program; adopted ORDINANCE 4525, as amended, amending various sections of the Santa Cruz County Code; certified the Environmental Determination; and directed Planning staff to submit ordinance amendments to the California Coastal Commission for certification as part of the next round of 1998; with additional directive to add language to Section 2.12.3, Residential Uses in Commercial Designations, of the General Plan/LCP to read: "limit residential uses to densities which allow good site design that meets the standards of Chapter 13.11 of the County Code..."; and further directed to add language to Section 13.10.260 (b) 6 Reconstruction, and Section 13.10.700-R, Reconstruction, of the Ordinance that reads: "The Planning Director may require that a termite inspector, registered engineer or other professional(s) acceptable to the Planning Director be retained at the applicant's expense to certify that portions of the structure, which the plans show as proposed not to be structurally repaired or altered are in fact structurally sound and that it will not be necessary to repair or alter such portions of the structure during the course of construction

ARS/W/B

59. ITEM DELETED

60. SEE ITEM NO. 69.2, REGULAR AGENDA

61. RESCHEDULED to January 12, 1999 at 10:45 a.m. bid opening to provide, install and connect 2,000 gallon three-compartment Kitchen Grease Interceptor for the County of Santa Cruz Residential Care Facility located at 126 Front Street, Santa Cruz

SA/W/RB

December 8, 1998

- 61.1 CONSIDERED report regarding the property located at the corner of McGregor and Sea Ridge Drives;
- (1) Deferred to January-26, 1999 consideration of report regarding the property located at the corner of McGregor and Sea Ridge Drives;
  - (2) Reconsidered item;
  - (3) Continued to December 15, 1998 consideration of report regarding the property located at the corner of McGregor and Sea Ridge Drives;
- (1) AS/W/RB
  - (2) SB/W/RA
  - (3) AS/W/RB

- 62 Public hearing held to consider a proposal to enter various parcels in the Bonny Doon and North Coast planning areas into Williamson Act Contracts. The properties are located adjacent to both sides of State Route One beginning at Laguna Creek extending north of Molino Creek to a pumping station, but excluding the RMC Lone Star cement plant and the community of Davenport. Application No. 98-0605. Applicant: The Trust for Public Land; Owner: Coast Dairies and Land, Co. ;  
closed public hearing; recognized that the subject properties meet the Williamson Act criteria for prime agricultural land; approved the determination that the project is Categoricaly Exempt from the California Environmental Quality Act; approved Application No. 98-0605, to enter the subject properties into Williamson Act Contracts; and directed the Chairperson of the Board of Supervisors to sign the Land Conservation Contract, as amended

RAS/W/B

December 8, 1998

63. Public hearing held to consider the proposal to rezone Assessor's Parcel Number 086-041-46 from Residential Agriculture zone district to the Timber Production zone district. Requires a rezoning. The property is located on the south side of Foxglove Lane (1425 Foxglove Lane) about 1 and 1/4 miles west of the intersection of Foxglove Lane and China Grade Road. Application No.: 98-0227; APN: 086-041-46; Owner and Applicant: Rochelle (Armbrust) Kelly; closed public hearing; approved the determination that the project is statutorily exempt from the California Environmental Quality Act; and adopted ORDINANCE NO. 4526 amending Chapter 13.10 of the Santa Cruz County Code changing property from one zone district to another

ARS/W/B

December 8, 1998

64. Public hearing held to consider a proposal to demolish 43 barrack-style farm labor housing units and to construct 43 replacement farm labor housing units, including the demolition of incidental laundry/storage multipurpose meeting rooms to be replaced with new community building with office and managers quarters, construction of a 36 foot high water storage tank, encroachment into the Agricultural Buffer, and encroachment into a Riparian Buffer and Agricultural Buffer Setback. Requires an Amendment to Use Permit No. 2342-U, a Residential Development Permit, a Coastal Zone Permit, and preliminary Grading Approval. Property located on the southwest side of San Andreas Road (295 San Andreas Road), about 1 mile northwest of Beach Drive. Receiver: John Richardson; Applicant: Mid-Peninsula Housing Coalition; APN: 052-191-06; closed public hearing; approved the determination that the project is categorically exempt from the California Environmental Quality Act; and approved Application No. 98-0722 based on the Findings and subject to the Conditions of Approval; with additional direction to have the applicant apply for a Riparian Variance for the removal of vegetation; allow a metal fence on the north side of the property until some future time that there is chemical use on the adjacent property; and require a bus stop shelter to meet the standards of the School District, with the condition that if Transit bus service is provided in the future, the bus stop shelter will meet the requirements of the Transit District

SR/W/AB

65. CONTINUED TO DECEMBER 15, 1998 consideration of report on Latino Equity

AS/W/RB

December 8, 1998

66. CONSIDERED an urgency ordinance adding Chapter 2.45 to the Santa Cruz County Code relating to the establishment of the Children's and Families First Commission as provided for in State Proposition 10, the California Children's and Families First Act of 1998, and taking related actions:
- (1) read title and waived detailed reading of complete ordinance;
  - (2) approved ordinance "in concept" to return December 15, 1998 for final adoption; directed the Auditor-Controller to establish and maintain the Children and Families First Trust fund to receive funds pursuant to the Proposition 10 Initiative; directed the Health Services Agency Administrator to report back to the Board on January 26, 1999 with recommendations concerning the County's representation and the overall composition of the 5-member Commission, to initiate the application and appointment process for the Commission, and to provide any further updates on the implementation of the California Children and Families First Act; and accepted and filed the report
- (1) RS/W/AB  
(2) RS/W/AB
67. CONSIDERED report concerning Santa Cruz County Health Options and wheelchair repair procedures, and taking related actions:  
accepted and filed report; with an additional directive that the Health Services Agency return February 2, 1999 with a progress report regarding achievements made by the Managed Medical Care Commission and Santa Cruz County Health Options with local wheelchair vendors

RS/W/AB

December 8, 1998

68. CONSIDERED report on High Risk Adolescent Drug Treatment Services and resolution accepting and appropriating a total of \$69,220 in unanticipated revenue from State funds to support high risk adolescent drug treatment services and taking related actions, and direct the Health Services Agency Administrator to report back on January 26, 1999 with a status report and program update; accepted and filed report; adopted RESOLUTION NO. 456-98 accepting and appropriating a total of \$69,220 in unanticipated revenue from State funds to support high risk adolescent drug treatment services; and directed the Task Force to continue its work and develop budget recommendations for the other services not addressed in these recommendations for fiscal year 1999-2000 and provide an update on implementation of services funded in this report on January 26, 1999

RS/W/AB

69. CONTINUED TO DECEMBER 15, 1998 consideration of an ordinance prohibiting Timber Harvesting within Riparian Corridors not in the Coastal Zone

AS/W/RB

- 69.1 APPROVED the 1999 Legislative Program, as amended, and directed the County Administrative Officer to forward the program to our State and Federal Representatives and to our State and Federal Associations for their consideration

AWSRB with Supervisor Belgard voting "no" on the issues of timber harvesting and agricultural land preservation

- 69.2 Public hearing held to consider adoption of a resolution amending the Unified Fee Schedule: closed public hearing; adopted RESOLUTION NO. 457-98 revising the Unified Fee Schedule: with additional directive to the Parks Director to return on January 26, 1999 with definition on the last minute rental rate regarding the Simpkins Family Swim Center

AS/W/r(Supervisor Belgard votes "yes" only on the amendments of the Sheriff's Office)B

December 8, 1998

69.3 CONSIDERED report regarding Welfare Fraud Special Investigations Unit; accepted and filed report: with an additional directive that the Human Resources Agency return in February 1999 with a report on fraud programs that the Human Resources Agency uses other than income match

WASrB

69.4 DEFERRED request of the District Attorney to add one FTE Attorney Position for the prosecution of public assistance fraud cases to December 15, 1998; directed the County Administrative Office to provide a complete analysis of this mid-year budget request at that time

WASRB

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 January 12, 1999



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

VOLUME 98, NUMBER 32  
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ACTION SUMMARY MINUTES

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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 - one person 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  
WSRAB

6. APPROVED claims as submitted by the Auditor-Controller
7. ITEM DELETED
8. ACCEPTED AND FILED notification of continuing  
contracts received during the period of December 7,  
1998 through December 11, 1998 and approved upon  
adoption of the 1998/99 continuing agreements list to  
comply with Section 300 of the County's Procedures  
Manual, Title 1, as recommended by the Clerk of the  
Board
9. DENIED claim of Robert G. Tanner No. 899-064 and  
referred to County Counsel

December 15, 1998

10. DENIED claim of Luis Daniel Rosales No. 899-066 and referred to County Counsel
11. ACCEPTED Treasurer's Monthly Cash Report for period ending October 31, 1998, as recommended by the Treasurer-Tax Collector
12. AWARDED contract to D & S Painting, Incorporated, in the amount of \$11,500 for the Exterior Waterproofing at Water Street Jail Project; and approved related actions, as recommended by the Director of General Services
13. AWARDED contract to Roger D. Jones Construction in the amount of \$12,243 for the Roof Hoist at 1400 Emeline Avenue Project; and approved related actions, as recommended by the Director of General Services
14. ACCEPTED and approved final completion of construction project at the Warehouse at 100 Rountree Lane; approved final cost of \$350,310; and directed the Clerk of the Board to file the Notice of Completion, as recommended by the Director of General Services
15. ACCEPTED status report on emergency management plan development and directed the General Services Department to return on or before April 13, 1999, as recommended by the Director of General Services
16. DIRECTED the Chairperson to send a letter to the Judicial Council of California approving the submittal of the Court-Appointed Special Advocate (CASA) Grant Proposal in the amount of \$35,000, as recommended by the Executive Officer and Clerk of the Superior Court
17. APPROVED and authorized the Sheriff-Coroner to sign the hold harmless agreement between the County/Sheriff's Office in order to allow the Sheriff's Office to use the Seaside Company property as a training site on January 13 and 27, 1999, as recommended by the Sheriff-Coroner
18. APPROVED gross pay adjustment for employee who missed a step advance, as recommended by the Personnel Director

December 15, 1998

19. ADOPTED RESOLUTION NO. 458-98 determining Disability Retirement status of Safety employee, as recommended by the Personnel Director
20. AUTHORIZED the Health Services Agency Administrator to sign an agreement with the Center for Applied Local Research to add \$27,500 for Drug Court program evaluation services; authorized the Superior Court, in conjunction with the Health Services Agency Alcohol and Drug Program, to negotiate an agreement effective December 15, 1998 with the Santa Cruz Community Counseling Center - ALTO Counseling Center in the amount of \$101,481 for Drug Court treatment services; adopted RESOLUTION NO. 459-98 accepting and appropriating unanticipated revenue in the amount of \$100,001 into the Health Services Agency Alcohol and Drug Program budget, with additional directive
21. ADOPTED ORDINANCE NO. 4527 adding Chapter 2.45 to the Santa Cruz County Code establishing the Children and Families First Commission
22. APPROVED Transportation Development Act Demonstration Program funds application in the amount of \$20,000 for additional support facilities for bicycle commuters; and authorized the Director of General Services to sign the application request, as recommended by the Director of General Services
23. APPROVED recommendations relative to the allocation of funding- for six-county coho salmon restoration efforts, as outlined, as recommended by Supervisor Almqvist
24. ACCEPTED proposed ordinances for staff review from the autonomous fire protection districts of Aptos/La Selva, Ben Lomond, Boulder Creek, Branciforte, Central, Felton, Pajaro Valley, Scotts Valley and Zayante; and directed General Services and County Fire staff to transmit any written comments regarding the fire districts respective ordinances to them no later than January 15, 1999, as recommended by the Director of General Services

December 15, 1998

020

25. ACCEPTED status report on CNG Refueling Facility Coalition projects; authorized the County Administrative Officer to sign the related agreements on behalf of the County and the Director of General Services to sign as the County Representative to the Coalition; and directed the General Services Department to report back on February 2, 1999, as recommended by the Director of General Services
26. ADOPTED RESOLUTION NO. 460-98 establishing a 2 percent interest rate on tenant's rental security deposits effective January 1, 1999; and approved related actions, as recommended by the County Administrative Officer
27. APPROVED an agreement in the amount of \$9,975 with Boone and Low Architects for completion of plans and specifications for the Work Release Building at 261/263 Water Street; and authorized the Sheriff-Coroner to sign the agreement and any necessary contract documents, as recommended by the Sheriff-Coroner
28. ACCEPTED AND FILED report on the need to continue the state of local emergency relative to transmission of HIV through contaminated needles, as recommended by the Health Services Agency Administrator
29. AUTHORIZED the Health Services Agency to submit a multi-year renewal application for AIDS Case Management Program funds in the approximate amount of \$113,400, as recommended by the Health Services Agency Administrator
30. DEFERRED the Packard Health Care Outreach Coalition contract approvals until February 9, 1999, as recommended by the Human Resources Agency Administrator
31. ADOPTED RESOLUTION NO. 461-98 accepting and appropriating unanticipated revenue in the amount of \$653,275 of State and federal funds for job training services, as recommended by the Human Resources Agency Administrator

32. ADOPTED RESOLUTION NO. 462-98 accepting and appropriating unanticipated revenue in the amount of \$306,467 from the State for children's services, as recommended by the Human Resources Agency Administrator
33. SEE ITEM NO. 66.3, REGULAR AGENDA
34. ITEM DELETED
35. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 8, ADOPTED RESOLUTION NO. 463-98 accepting and appropriating unanticipated revenue in the amount of \$15,240 from the Federal Emergency Management Agency; adopted RESOLUTION NO. 464-98 accepting and appropriating unanticipated revenue in the amount of \$36,105 from the State Office of Emergency Services for the Fernwood Avenue Homes Streambank Protection Project; approved Contract Change Order No. 1 in the amount of \$94,202.50; authorized the Chairperson to sign the Change Order; and approved related actions, as recommended by the District Engineer
36. SEE ITEM NO. 66.5, REGULAR AGENDA
37. CONTINUED TO JANUARY 12, 1999 consideration to approve proposed route concept for Capitola Road between Seventh Avenue and Thirtieth Avenue; and direct Public Works and Redevelopment staff to initiate a community input process and report back to the Board on or before May 4, 1999 with any additional recommendations

December 15, 1998

38. APPROVED agreement with CH2M Hill for solid waste consultant engineering services in the amount of \$173,015; authorized the Director of Public Works to sign the agreement; and approved related actions, as recommended by the Director of Public Works
39. SEE ITEM NO. 66.4, REGULAR AGENDA
40. AUTHORIZED the Director of Public Works to release a portion of the Faithful Performance Security submitted for Tract 1306, Heather Terrace (Capitola Road), in accordance with Exhibit "A", as recommended by the Director of Public Works
41. AUTHORIZED the Director of Public Works to release a portion of the Faithful Performance Security submitted for Tract 1373, Harborview (Capitola Road), in accordance with Exhibit "A". as recommended by the Director of Public Works
42. AUTHORIZED the Director of Public Works to sign the subdivision agreement between Harbor Vista Partnership and the County of Santa Cruz for a two-year extension at Tract 1348, Harbor Vista; and approved related actions, as recommended by the Director of Public Works
43. APPROVED the host customer agreement for traffic signal upgrades and authorized the Director of Public Works to sign the agreement, whereby the County would receive a refund of \$51,495; directed Public Works to return the annual payments to the structures and improvement funds of County Service Area No. 9, Highway Safety Account, as recommended by the Director of Public Works
44. ADOPTED RESOLUTION NO. 465-98 initiating proceedings for the formation of the Corralitos Geologic Hazard Abatement District; adopted RESOLUTION NO. 466-98 initiating proceedings for the formation of the Mid-County Geologic Hazard Abatement District; and adopted RESOLUTION NO. 467-98 initiating proceedings for the formation of the Heartwood Hill Geologic Hazard Abatement District; scheduled public hearings on January 12, 1999 at 9:00 a.m. or thereafter to consider the formation of these districts; and approved related actions, as recommended by the Planning Director

45. ADOPTED RESOLUTION NO. 468-98 accepting and appropriating unanticipated revenue in the amount of \$1,256,501 for the Felton Grove Project; adopted RESOLUTION NO. 469-98 canceling estimated revenue and appropriations; and adopted RESOLUTION NO. 470-98 accepting and appropriating unanticipated revenue in the amount of \$95,616 for the Federal Emergency Management Agency Hazard Mitigation Program; and approved related actions, as recommended by the Planning Director
46. SEE ITEM NO. 66.1, REGULAR AGENDA
47. ADOPTED ORDINANCE NO. 4528 correcting interim Ordinance No. 4523 extending the interim ordinance to create the Farmland Security Combining District, as recommended by the Planning Director
48. APPROVED amendment to agreement with the Housing Authority for the Brace for the Quake Hazard Mitigation Grant Program; and authorized the County Administrative Officer to sign the agreement, as recommended by the Planning Director
49. ADOPTED RESOLUTION NO. 471-98 extending the term of the North Coast Beaches Advisory Committee to December 31, 1999; and reappointed the current North Coast Beaches Advisory Committee with a term to expire December 31, 1999, as recommended by the Director of Parks, Open Space and Cultural Services

December 15, 1998

50. DEFERRED report on the negotiations with the City of Santa Cruz regarding the Loudon Nelson Community Center until January 26, 1999, as recommended by the Director of Parks, Open Space and Cultural Services
51. ACCEPTED completion of the installation of the "Vessel Fence Line" at the Simpkins Family Swim Center and authorized the Director of County Parks to approve the final payment, as recommended by the Director of Parks, Open Space and Cultural Services
52. AS THE BOARD OF DIRECTORS FOR THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, APPROVED Change Order No. 41 for the Simpkins Family Swim Center Project in the amount of \$16,784; and approved related actions, as recommended by the Redevelopment Agency Administrator



December 15, 1998

53. AS THE BOARD OF SUPERVISORS AND REDEVELOPMENT AGENCY SCHEDULED a closed personnel and litigation session as follows:
- CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
 Case Name/No.: State of California, ex rel. Stull v. Bank of America (San Francisco Superior Court Case No. 968-484); People and County of Santa Cruz v. Greene, Trustee (Santa Cruz Superior Court Case No. 134416); Citizens for Responsible North Coast Planning v. County (Santa Cruz Superior Court Case No. CV 134747); California Alliance for Resource Conservation v. County (Santa Cruz Superior Court Case No. CB 134748); Appeal of Buena Vista Soil Management Project (Coastal Commission Case No. A-3-SCO-98-096); Bazar v. County of Santa Cruz (Santa Cruz Superior Court Case No. 134334)
- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
 Initiation of litigation was considered pursuant to subdivision (c) of Government Code Section 54956.9 for one potential case.
- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
 Significant exposure to litigation was considered pursuant to subdivision (b) of Government Code Section 54956.9 for one potential case.
- REPORT OF COUNTY COUNSEL - The Board approved a settlement in the case of State of California, ex rel. Stull v. Bank of America (San Francisco Superior Court Case No. 968-484) in which the county will receive payments for handling bond funds (SWRAB); The Board approved initiation of litigation regarding Health and Safety Code Violations and Use Permit Violations in regard to the Golden Torch Travel Trailer Park (SWRAB)
- 53.1 APPROVED appointment of Thomas D. McClellan to the Alcoholism and Drug Abuse Commission for a term to expire April 1, 1999, as recommended by Supervisor Wormhoudt
- 53.2 APPROVED plans and specifications for the Bonny Doon Replacement Fire Station project; set bid opening for Tuesday, January 26, 1999 at 10:45 a.m.; and approved related actions. as recommended by the Director of General Services
- 53.3 SEE ITEM NO. 66.2, REGULAR AGENDA

December 15, 1998

- 53.4 APPROVED contract amendments with the California Department of Fish and Game for the Scott Creek Stream Enhancement Grant: adopted RESOLUTION NO. 472-98 accepting and appropriating unanticipated revenue in the amount of \$11,500; and approved related actions, as recommended by the Planning Director
- 53.5 SEE ITEM NO. 66.6. REGULAR AGENDA
- 53.6 APPROVED contract with Fenix Services for community-based detention alternatives to juveniles in the amount of \$205,500, as recommended by the Chief Probation Officer

REGULAR AGENDA

- 54 APPROVED at-large reappointments of Michelle Hinkle and Michael Keogh to the Santa Cruz Metropolitan Transit District Board of Directors, for terms to expire December 31, 2002
- ASWRB
- 55 Continued consideration concerning the recommendation of the Agricultural Advisory Commission and additional reports from County Counsel and Planning Department regarding a proposed Right-to-Farm ordinance: directed Planning staff to return with a proposal to combine the relevant aspects of the model Right-to-Farm ordinance with the Agricultural Land Preservation Ordinance; that the definitions of nuisance contained on the model ordinance be made consistent with State law; and that an analysis be done of any inconsistencies with the General Plan or zoning ordinance that would need to be dealt with in some way
- WASrB
56. Presentation made honoring Supervisor Ray Belgard

December 15, 1998

57. Public hearing held to consider the Planning Commission's recommendation regarding a General Plan amendment to delete a portion of the Scenic Road Designation from Casserly and Mt. Madonna Roads; closed public hearing; adopted RESOLUTION NO. 473-98 adopting a General Plan Amendment to Policy 5.10.10 deleting a portion of the Scenic Corridor designation on Casserly and Mount Madonna Roads

RSwAB

58. Presentation made honoring Diana Ray

59. CONSIDERED report regarding the property located at the corner of McGregor and Sea Ridge Drives: accepted and filed report; and referred matter to the Planning Commission to study the existing zoning and to consider appropriateness of rezoning it to VA (Visitor Accommodation) or other appropriate zone district

SAWRB

60. Continued consideration of report on status of the Care of Court Wards budget; ADOPTED RESOLUTION NO. 474-98 accepting and appropriating unanticipated revenue in the amount of \$35,000 from Federal Government Reimbursement for Title IV-E program; approved transfer of funds of \$70,000 salary savings from Probation Index 574000 to Care of Court Wards Index 577000; and directed the Chief of Probation to return on January 26, 1999 with a full report discussing the status of the Care of Court Wards budget

ASwRB

December 15, 1998

61. Continued consideration of report on Latino Equity; accepted and filed report; the Board expressed it's intention that it wants to make the final decision on Latino Equity allocations as it goes on all other community programs; and directed the County Administrative Officer to return to the Board on or before February 2, 1999 with an outline of how they would work with the community and the current Latino Equity Committee in order to present to the Board a staff recommendation on Latino Equity for consideration at budget hearings

WASRB

62. CONTINUED TO JANUARY 12, 1999 consideration of proposed ordinance amending Chapter 2.40 relating to the Affirmative Action Commission, Chapter 3.04 (Section 3.04.040) relating to discrimination, and Chapter 2.46 (Section 2.46.070) relating to merit principles

SRWAB

- 62.1 CONTINUED TO JANUARY 12, 1999 consideration of recommendation regarding request of the District Attorney to add one FTE Attorney position for the prosecution of public assistance fraud cases

AWSrB

December 15, 1998

- 62.2 CONSIDERED adoption of an ordinance amending the Second Unit Ordinance which would establish a two-year pilot program in Pajaro Valley and Salsipuedes planning areas; referred issue to the Planning Director; directed the Planning Director to submit proposed changes for staff analysis, environmental review and appropriate Planning Commission review; with an additional directive to the Planning Director to return to the Board with a recommendation in conjunction with the 1999 Work Program

RASwb

63. Public hearing held to consider a proposal to convert properties from Williamson Act Contracts to Farmland Security Zone Contracts. Properties are located throughout South Santa Cruz County and include APN's: 052-231-34 (Southeast corner of Beach Drive and Thurwachter Road); 106-211-13, -21 and 22 (195 Raptor Road); 110-101-05, -06 (140 Peckham Road); 110-102-04 (286 Thompson Road); and 110-121-12 (Northeast side of Thompson Road, about .8 miles north of the intersection with Carlton Road); closed public hearing; approved the conversion from the Agricultural Preserve Contracts to the Farmland Security Contracts; authorized the Chair to sign the Contracts on behalf of the County; with an additional directive to delete APNs: 106-211-21 and 106-211-22 from the Conversion Contract

RWSAB

64. Public hearing held to consider a proposal to amend Coastal Permits 91-0211 and 96-0547 by relocating and modifying the size of a walkway and vista point required by the conditions of these permits. Property located on the west side of Seaview Drive (452 Seaview Drive), at the intersection of Baldwin Drive and Seaview Drive in the Aptos Planning Area. Owner/Applicant: Kenneth and Fern Frost; Application No. 98-0806; APN: 043-112-14; closed public hearing; adopted Findings and Conditions; and approved Application No. 98-0806 for an Amendment to Coastal Permit No. 91-0211

SRWAB

December 15, 1998

65. CONSIDERED report on the development of Forest Practice Rules changes and the status of the Forest Practice Rules approved by the Board of Forestry; deferred consideration of the proposed Forest Practice Rules to January 12, 1999; and directed Planning staff and County Counsel to provide a report and recommendations regarding the implementation of the Forest Practice Rules approved in 1998 by the Board of Forestry

AWsrB

66. Continued consideration of adoption of an ordinance prohibiting Timber Harvesting within Riparian Corridors not in the Coastal Zone; adopted ORDINANCE NO. 4529 adding Section 13.10.695 to the Santa Cruz County Code Relating to Locational Criteria for Timber Harvesting (Alternate Version); and approved the filing of Notice of Exemption for the Ordinance as a Class 7 and Class 8 categorical exemption under CEQA

AWsrB

- 66.1 CONSIDERED report on changes to submittal requirements and processing procedures for development projects subject to Design Review;
- (1) motion made to approve recommendations in letter of Planning Director dated December 4, 1998;
  - (2) motion made to amend the main motion to direct Planning staff to immediately begin requesting from applicants, the materials specified by the "Submittal Requirements: Design Review," form. These items shall be deemed the minimum submittal requirements for a project to be deemed complete for processing; require the recordation of permit conditions in the Office of the County Recorder, following project approval; require that any changes to approved projects be returned to the decision-making body in the form of a hearing setting letter and placed on such body's Consent Agenda for appropriate consideration and action; require that the final Conditions of Approval be included on all construction plans. A complete set of plans including the final Conditions of Approval shall be provided by the project sponsor prior to issuance of building permits; direct the Planning Director and the Director of Public Works to continue working together to improve coordination and condition compliance relative to tentative and final land division review and approvals; with an additional directive to direct the Planning Director to meet with local businesses to determine the effectiveness of the actions and return to the Board with any recommendations for Board consideration; passed main motion, as amended

- (1) WBSrA
- (2) SARWB

- 66.2 DIRECTED Planning staff to immediately include a number of new requirements for future development applications, as outlined, as recommended by Supervisors Beautz and Symons

SWRAB

66. 3 ACCEPTED AND FILED status report on the Buena Vista Landfill Gas Power Project; approved conceptual development of the Buena Vista Landfill Gas Power Project as a public/private venture with Brown, Vence and Associates, Incorporated, and directed Public Works to return on or before February 2, 1999, with final report and staff presentation, and all agreements and financial plans necessary to commence with final development of the Buena Vista Landfill Gas Power Project, with an additional direction for Public Works to discuss the option of structuring the project agreement with Brown, Vence and Associates, Incorporated, for a five year period rather than a ten year period with the option at year five of either assuming control of the project or extending the agreement with BVA for an additional term

ASWRB

66. 4 ADOPTED RESOLUTION NO. 475-98 accepting and appropriating unanticipated revenue in the amount of \$50,000 from the California Integrated Waste Management Board; approved independent contractor's agreement with Brown, Vence and Associates in the amount of \$149,203 for Phase 1 of the preparation of a Waste Characterization Study and authorized the Director of Public Works to sign the agreement; authorized the Director of Public Works to waive disposal fees for users of the County disposal facilities whose loads are selected for sampling for the Study; and directed the Clerk of the Board to take related actions, as recommended by the Director of Public Works

ASWRB

66. 5 CONTINUED TO JANUARY 12, 1999 consideration to approve proposed revisions to the County of Santa Cruz Design Criteria

AWSRB



December 15, 1998

66.6 AUTHORIZED the County Administrative Officer and Special Counsel to take such actions as are necessary to protect cable subscribers in the cable service area served by Charter Communications during the Board of Supervisors holiday recess including: initiating litigation; and approving a transfer agreement subject to certain conditions, which would be submitted to the Board at its first meeting in January 1999, as recommended by the County Administrative Officer

AWSRB

Approved: \_\_\_\_\_  
Chair, Board of Supervisors

Attest: \_\_\_\_\_  
Clerk of the Board

D a t e : \_\_\_\_\_

NOTE: This set of Board of Supervisors Minutes is scheduled to be approved by the Board on January 12, 1999