

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

VOLUME 99, NUMBER 1
JANUARY 12, 1999

ACTION SUMMARY MINUTES

VOTING KEY: A = Almquist, B = Beautz, C = Campos;
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 - 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
WSCAB

6. APPROVED claims as submitted by the Auditor-Controller
7. APPROVED minutes of December 8, 1998 and December 15,
1998, as recommended by the Clerk of the Board
8. ITEM DELETED
9. ACCEPTED AND FILED report on the Treasurer's Cash
Count as of September 23, 1998, as recommended by the
Auditor-Controller
10. APPROVED Lending agreement with the Museum of Art and
History for transmittal of historic artifacts; and
authorized the Chairperson of the Board to sign the
agreement, as recommended by County Counsel

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11. ACCEPTED and approved final completion of the Veterans Memorial Building Reroof: approved final cost of \$147,261; and directed the Clerk of the Board to file the Notice of Completion, as recommended by the Director of General Services
12. ACCEPTED and approved final completion of the Emergency Power Upgrade Probation Center/Juvenile Hall and Medium Security Jail; approved final cost of \$115,105.35; and directed the Clerk of the Board to file the Notice of Completion, as recommended by the Director of General Services
13. ACCEPTED AND FILED report of County Counsel regarding eligibility of persons for appointment to the Board of Directors of the Pajaro Valley Water Management Agency, with an additional directive
14. DENIED claim of Edward and Marlene Avona No. 899-070 and referred to County Counsel
15. DENIED claim of Peter and Jane Murphy No. 899-070B and referred to County Counsel
16. DENIED claim of Jerry and Eloise Lincicum No. 899-070C and referred to County Counsel
17. DENIED claim of Mary Ann Barry Smith No. 899-070D and referred to County Counsel
18. DENIED claim of Jamie Molinar No. 899-070E and referred to County Counsel
19. DENIED claim of Gene and Peggy Benton No. 899-070F and referred to County Counsel
20. DENIED claim of Letitica and Owen Miller No. 899-070G and referred to County Counsel
21. DENIED claim of Benjamin Robert Leguillon No. 899-071 and referred to County Counsel
22. APPROVED agreement in the amount of \$30,000 with Barrios Unidos, Incorporated, for Juvenile Hall Outreach Services: authorized the Chief Probation Officer to sign the agreement on behalf of the County, as recommended by the Chief Probation Officer

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23. APPROVED agreement in the amount of \$60,000 with Pajaro Valley Prevention and Student Assistance, Incorporated, for Juvenile Drug Treatment Court supportive services; authorized the Chief Probation Officer to sign the agreement on behalf of the County, as recommended by the Chief Probation Officer
24. APPROVED AB 818 Property Tax Loan Agreement in the amount of 8565,000 for calendar year 1999; and authorized the Assessor and the County Administrative Officer to make minor administrative changes as may be requested by the State Department of Finance, as recommended by the County Assessor
25. APPROVED plans and specifications for the Polo Grounds Ball Diamonds Fencing Project; directed General Services to advertise for bids; and set bid opening for Tuesday, February 9, 1999 at 10:45 a.m., as recommended by the Director of General Services
26. ADOPTED RESOLUTION NO. 1-99 accepting and appropriating unanticipated revenue in the amount of \$18,650 from the Board of Corrections for Probation Standards and Training for Corrections Program, and approved fixed asset purchase of one personal computer system, as recommended by the Chief Probation Officer
27. DEFERRED TO JANUARY 26, 1999 consideration of report of the County Administrative Office on Welfare Fraud Attorney
28. APPROVED agreement between the County and the City of Watsonville for allocation of space for radio equipment and adjacent land for County's radio tower, at a first year cost of \$1,800; authorized the General Services Director to sign the agreement; and approved related actions, as recommended by the Director of General Services
29. ADOPTED RESOLUTION NO. 2-99 amending salary Resolution No. 279-75 to establish a new class of Sheriff's Community Service Officer, as recommended by the Personnel Director

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30. APPROVED contract in the amount of \$107,369 for design services for construction of a replacement facility for the Court Modular Buildings to Kasavan and Associates; and authorized the Director of General Services to sign the agreement and associated documents, as recommended by the Director of General Services
31. ACCEPTED AND FILED annual report of the Animal Nuisance Abatement Appeals Commission, and approved related action, as recommended by Chairperson Beutz
32. ACCEPTED AND FILED annual report of the Assessment Appeals Board, and approved related action, as recommended by Chairperson Beutz
33. ACCEPTED AND FILED annual report of the Energy Commission, and approved related action, as recommended by Chairperson Beutz
34. ACCEPTED AND FILED annual report of the Environmental Health Appeals Commission, and approved related action, as recommended by Chairperson Beutz
35. APPROVED appointment of Ray Belgard as a public member on the Region M Criminal Justice Planning Board, representing Santa Cruz County, as recommended by Chairperson Beutz
36. ACCEPTED nominations of Michael Barsi and Thomas Dwyer for reappointment as at-large members of the Board of Law Library Trustees, for calendar year 1999, with final appointment to be made January 26, 1999, as recommended by Chairperson Beutz
37. SEE ITEM NO. 75.1, REGULAR AGENDA
- 37.1 APPROVED reappointment of Dale Skillicorn to the Planning Commission for a term to expire January 6, 2003, as recommended by Supervisor Campos
38. APPROVED purchase of a storage/cargo container for Redwoods Program at Graham Hill Probation Center; and approved transfer of funds in the amount of \$3,500 from the Redwood Program services and supplies to fixed assets, as recommended by the Health Services Agency Administrator

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39. ACCEPTED AND FILED report regarding fire services integration into the County Emergency Medical Services system, including a report back on November 16, 1999 with an annual report on progress made in fire service integration, and at budget hearings with an interim report, as recommended by the Health Services Agency Administrator
40. AUTHORIZED the Health Services Agency Administrator to sign State Revenue Agreement related to the acceptance of the Medi-Cal Outreach Grant award: adopted RESOLUTION NO. 3-99 accepting and appropriating unanticipated grant revenue in the amount of \$92,775; and approved related actions, as recommended by the Health Services Agency Administrator
41. ADOPTED RESOLUTION NO. 4-99 accepting and appropriating \$34,274 in revenue for Children's Medical Services program and approved transfer of funds in the amount of \$36,749; authorized the creation of three positions and referred to County Personnel for classification, as recommended by the Health Services Agency Administrator
42. ACCEPTED AND FILED report on the need to continue the state of local emergency relative to the transmission of HIV through contaminated needles, as recommended by the Health Services Agency Administrator
43. AUTHORIZED the deletion of a vacant 0.8 full-time equivalent Public Health Nurse II position and the addition of one full-time equivalent Program Coordinator position in the Disease Control unit and referred to County Personnel for classification, as recommended by the Health Services Agency Administrator
44. ADOPTED RESOLUTION NO. 5-99 accepting and appropriating unanticipated revenue in the amount of \$12,500 into Family Relations, Index 392400; and authorized the Human Resources Agency Administrator to sign the contract with United Way of Santa Cruz County for an amount not to exceed \$25,000 to provide staffing services to the Children's Network, as recommended by the Human Resources Agency Administrator

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45. APPROVED \$79,854 in Child Care Fees Loans to increase or prevent the loss of licensed child care slots; authorized the Human Resources Agency Administrator to sign standard loan documents with the borrowers on behalf of the County; and approved related actions, as recommended by the Human Resources Agency Administrator
46. ADOPTED RESOLUTION NO. 6-99 authorizing execution of Agreement No. G3AP-8063 in the amount of \$131,206 for Child Development Services with the California Department of Education to provide child care services; adopted RESOLUTION NO. 7-99 authorizing execution of Agreement No. F2AP-8050 in the amount of \$238,140 for Child Development Services with the California Department of Education to provide child care services; adopted RESOLUTION NO. 8-99 authorizing execution of an Amendment to Agreement No. GAPP-8060 in the amount of \$703,253 for Child Development Services with the California Department of Education to provide child care services; adopted RESOLUTION NO. 9-99 authorizing execution of Amendment to Agreement No. G2AP-8047 in the amount of \$563,775 for Child Development Services with the California Department of Education to provide child care services; adopted RESOLUTION NO. 10-99 authorizing execution of Amendment to Agreement No. F3AP-8065 in the amount of \$85,928 for Child Development Services with the California Department of Education to provide child care services; adopted RESOLUTION NO. 11-99 authorizing execution of Amendment to Agreement No. FAPP-8055 in the amount of \$700,724 for Child Development Services with the California Department of Education to provide child care services; and authorized the Human Resources Agency Administrator to sign the agreements, as recommended by the Human Resources Agency Administrator
47. DEFERRED proposed route concept for Capitola Road between Seventh Avenue and Thirtieth Avenue to January 26, 1999, as recommended by the Director of Public Works

January 12, 1999

48. APPROVED agreements with two property owners to grant right-of-way to the County in exchange for the construction of Capitola Road Frontage Improvements; authorized the Chairperson to sign the agreement; and directed the Clerk of the Board to take related actions, as recommended by the Director of Public Works
49. ADOPTED RESOLUTION NO. 12-99 authorizing the Department of Public Works to submit an application for the 1998/99 and 1999/2000 Bicycle Lane Account Program, as recommended by the Director of Public Works
50. ADOPTED RESOLUTION NO. 13-99 of intention to amend the boundary of Underground Utility District 14B - Portola Drive Underground Utility District; set public hearing at 9:15 a.m. on February 2, 1999, pursuant to County Code Section 9.74.030 (B) to consider amending the boundary of Underground Utility District 14B, Portola Drive; and approved related actions, as recommended by the Director of Public Works
51. ACCEPTED improvements and approved final cost for various storm damage repairs on Eureka Canyon Road and Litchfield Lane; and directed the Clerk of the Board to file the Notice of Completion, as recommended by the Director of Public Works
52. ADOPTED ORDINANCE NO. 4530 amending Chapter 5.46 of the Santa Cruz County Code regarding environmentally acceptable packaging materials
53. ACCEPTED the improvements and approved the final cost for the Hutchinson Road Pavement Repair Project, County Service Area No. 13; and directed the Clerk of the Board to file the Notice of Completion, as recommended by the Director of Public Works
54. ACCEPTED the improvements and approved the final cost for the Viewpoint Drive Overlay Project, County Service Area No. 25; and directed the Clerk of the Board to file the Notice of Completion, as recommended by the Director of Public Works
55. SEE ITEM NO. 75.2, REGULAR AGENDA

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56. ADOPTED RESOLUTION NO. 14-99, as amended, extending the term of the Santa Cruz County Integrated Waste Management Local Task Force to January 12, 2001 with an additional directive
57. AS THE BOARD OF DIRECTORS OF THE DAVENPORT COUNTY SANITATION DISTRICT, ADOPTED RESOLUTION NO. 15-99 establishing a dedicated source of revenue to repay the State Revolving Fund; and adopted RESOLUTION NO. 16-99 establishing a capital reserve fund for the Davenport Oldtown Sewer Reconstruction Project, as recommended by the District Engineer
58. ADOPTED RESOLUTION NO. 17-99 accepting the Pedestrian Walkway Easement for Harper Court Pedestrian Bridge offer of dedication; and directed the Clerk of the Board to take related actions, as recommended by the Director of Public Works
59. ADOPTED RESOLUTION NO. 18-99 accepting and appropriating unanticipated revenue in the amount of \$6,000 from Granite Rock Company for the purpose of conducting required biotic monitoring at Quail Hollow Quarry, as recommended by the Planning Director
60. APPROVED use of the Parks Department extra help appropriations to fund an additional .75 Park Maintenance Worker I/II who will be assigned to the Simpkins Family Swim Center; and approved transfer of funds, as recommended by the Director of Parks, Open Space and Cultural Services
61. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, AUTHORIZED the Redevelopment Agency Administrator to enter into an agreement with the Housing Authority for administration of a Security Deposit/Last Month's Rent Guarantee Program; and approved related actions, with an additional directive

January 12, 1999

62. 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.: Big Creek Lumber Company, et al. v. County of Santa Cruz, et al. (Santa Cruz Superior Court Case No. 134816); Arreola, et al. v. County of Monterey, et al. (Santa Cruz Superior Court Case No. 105611); 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.

CONFERENCE WITH LABOR NEGOTIATOR

Agency negotiator: Personnel Director

All Employee Organizations

REPORT OF COUNTY COUNSEL - The Board approved hiring the Law Firm of Shute, Mihly and Weinberger to defend the County in the case of Big Creek Lumber Company, et al. v. County of Santa Cruz, et al. (Santa Cruz Superior Court Case No. 134816) (BSWCA); The Board approved settlement in the case of Massey v. County of Santa Cruz, et al. (Santa Cruz Superior Court Case No. 133049) the settlement involves payment by the County in the amount of \$75,000 to Plaintiffs Massey in exchange for release and dismissal of all cross-complaints and other potential claims (BSWCA)

- 62.1 APPROVED the purchase of a flatcar bridge in the amount of \$16,000; and approved transfer of funds for the use of \$10,00 of equipment replacement reserve fund balance, \$3,000 from Felton Yard Improvements and \$3,000 from other equipment 1998/99 budget savings, as recommended by the Director of Public Works

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REGULAR AGENDA

63. CONSIDERED selection of 1999 Chairperson and Vice Chairperson; approved recommendations of Supervisor Beautz, and selected Supervisor Almquist as Chairperson and Supervisor Symons as Vice Chairperson

WCSBA

64. CONSIDERED selection process for position of District Attorney;
- (1) approved appointment process proposed by Supervisor Beautz with the following modifications: (a) that the written applications would be due no later than 5:00 p.m. on January 25, 1999; (b) scheduled an afternoon and an evening meeting for February 9, 1999 to allow discussions and questions from the applicants: (c) that the Board of Supervisors would make an appointment on February 16, 1999 and that the deliberations would begin at 1:30 p.m.; (d) Chair Almquist to return with a suggested format for the meeting of February 9th; and revised the questionnaire regarding Item No. 17. end of paragraph, change Question 17 to Question 16; Item No. 21, eliminate the words summoned, and taken into custody: Item No. 37, at the beginning, add the words "If you wish to address allegations that....."
- (2) reconsidered item;
- (3) changed deliberation and decision making session from February 16, 1999 to Thursday, February 11, 1999 to begin at 1:30 p.m. and continue with an evening session if needed

- (1) WBSA
(2) SWBCA
(3) WBSA

65. Public hearing held to consider formation of the Corralitos Geologic Hazard Abatement District; closed public hearing: adopted RESOLUTION NO. 19-99 Ordering the Formation of the Corralitos Geologic Hazard Abatement District

BSWCA

January 12, 1999

66. Public hearing held to consider formation of the Mid-County Geologic Hazard Abatement District: closed public hearing; adopted RESOLUTION NO. 20-99 Ordering the formation of the Mid-County Geologic Hazard Abatement District

WASBC

67. CONTINUED TO MARCH 9, 1999 public hearing to consider formation of the Heartwood Hill Geologic Hazard Abatement District

WBSCA

68. CONSIDERED proposed ordinance amending Chapter 2.40 relating to the Affirmative Action Commission, Chapter 3.04 (Section 3.04.040) relating to Discrimination, Chapter 2.46 (Section 2.46.070) relating to Merit Principles; and adoption of resolution amending the County Procedures Manual, Title I Section 300, County Personnel Regulations 190-193 and Civil Rules Section xv;
- (1) read title and waived detailed reading of complete ordinances;
- (2) approved ordinances "in concept" to return January 26, 1999 for final adoption; and adopted RESOLUTION NO. 21-99 amending County Personnel Regulations, Civil Service Rules, and County Procedures Manual

(1) BWSCA

(2) WBSCA

69. CONTINUED TO JANUARY 26, 1999 consideration of the proposed Forest Practice Rules Changes for submittal to the California Board of Forestry for processing in 1999

WBSCA

70. RECEIVED bids regarding the installation of a kitchen grease interceptor at the Residential Care Facility located at 126 Front Street, Santa Cruz and referred to General Services to return with a recommendation on or before February 2, 1999

SWBCA

January 12, 1999

71. RECEIVED bids regarding the installation of automatic doors at 701 Ocean Street and 1080 Emeline Avenue and referred to General Services to return with a recommendation on or before February 2, 1999

WBCA

72. CONSIDERED proposed revisions to the County of Santa Cruz Design Criteria:
approved the proposed revisions to the County of Santa Cruz Design Criteria

BWCA

73. CONSIDERED adoption of an ordinance amending Chapter 9 of the Santa Cruz County Code relating to stop intersections;
- (1) read title and waived detailed reading of complete ordinance;
 - (2) approved ordinance "in concept" to return on January 26, 1999 for final adoption

(1) WBCA

(2) SWCA

74. CONTINUED TO MAY 25, 1999 consideration of a report on an analysis of Special Use "SU" District parcels to determine a minimum parcel size for timber harvesting

WBCA

75. CONSIDERED adoption of an ordinance amending Chapter 5.16 of the Santa Cruz County Code relating to the regulation of cardrooms;
- (1) read title and waived detailed reading of complete ordinance;
 - (2) approved ordinance "in concept" to return on January 26, 1999 for final adoption

(1) WBCA

(2) BWCA

January 12, 1999

75.1 APPROVED Request for Proposals for Public Defender Conflict of Interest Services commencing July 1, 1999 through June 30, 2002; and directed the County Administrative Office to return with a review and recommendations on March 23, 1999 and final contract approval on April 13, 1999, as recommended by the County Administrative Officer

BWSCA

75.2 CONTINUED TO FEBRUARY 2, 1999, consideration to adopt resolution for vacating the storm drain easement at 2800 Rosedale Avenue in Soquel; adopt resolution approving quit claim and authorize the Chairperson to sign the deed; approve payment to the County in the amount of \$500 in exchange for the summary vacation and quit claim; and take related actions

BWSCA

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 26, 1999