

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

VOLUME 99, NUMBER 2
JANUARY 26, 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;
O = 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
WBSCA

6. APPROVED claims as submitted by the Auditor-Controller
7. APPROVED minutes of January 12, 1999, as submitted by
the Clerk of the Board
8. ACCEPTED AND FILED notification of continuing
contracts received during the period of January 11,
1999 through January 22, 1999 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

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9. ACCEPTED Treasurer's Monthly Cash Report for period ending November 30, 1998, as recommended by the Treasurer-Tax Collector
10. APPROVED transfer of funds in the amount of \$11,000 for the installation of a dynamometer. as recommended by the Agricultural Commissioner, Sealer of Weights and Measures
11. ADOPTED ORDINANCE NO. 4531 amending Sections 5.16.060, 5.16.070 and 5.16.220 of the Santa Cruz County Code relating to the Regulation of Cardrooms
12. DEFERRED consideration of a report on the space needs of the District Attorney's Office to March 23, 1999, as recommended by the Director of General Services
13. AUTHORIZED County Fire/Fire Marshall to sign the 1998/99 Matching Fund Grant Program agreements in the amount of \$9,975.21 for fire service equipment and approved related actions, as recommended by the Director of General Services
14. APPROVED lease agreement for legislative office space: authorized the General Services Director to sign the agreement: and approved related actions, as recommended by the Director of General Services
15. APPROVED transfer of funds in the amount of \$69,098 and adopted RESOLUTION NO. 22-99 accepting and appropriating unanticipated revenue in the amount of \$10,000 for the completion of various building maintenance projects, as recommended by the County Administrative Officer
16. APPROVED an agreement with Free Radical Enterprises for digital imaging consultant services, in the amount of \$7,050; and approved transfer of funds, as recommended by the Sheriff-Coroner
17. APPROVED grant award agreement with the Monterey Bay Unified Air Pollution Control District in the amount of \$4,320, for the purchase of two electrically powered police bicycles; adopted RESOLUTION NO. 23-99 accepting and appropriating unanticipated revenue in the amount of \$4,320 for Motor Vehicle Emissions Reduction: and authorized the Sheriff to sign the agreement, as recommended by the-Sheriff-Coroner

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18. ADOPTED RESOLUTION NO. 24-99 accepting and appropriating unanticipated revenue in the amount of \$6,898.81, related to the completion of the 1996 Federal Bureau of Justice Assistance Block Grant, as recommended by the Sheriff-Coroner
19. APPROVED a three-year agreement with the Santa Cruz City Unified School District for a School Resource Officer in the amount of \$34,757; approved a three-year agreement with the Pajaro Valley Unified School District for a School Resource Officer in the amount of \$48,125; and authorized the Sheriff-Coroner to implement the agreements, as recommended by the Sheriff-Coroner
20. ADOPTED ORDINANCE NO. 4532 amending Chapter 9 of the Santa Cruz County Code relating to stop intersections in the Aptos area
21. ACCEPTED AND FILED report of the County Administrative Office on Welfare Fraud Attorney, including a report back at Budget Hearings on the matter of reauthorizing the Welfare Fraud position, as recommended by the County Administrative Officer
22. ADOPTED RESOLUTION NO. 25-99 approving application to the Office of Criminal Justice Planning for Violence Against Women-Probation Specialized Unit Program, as recommended by the Chief Probation Officer
23. DENIED claim of Daniel Jensen No. 899-075 and referred to County Counsel
24. DENIED claim of Otto Biscevic No. 899-073 and referred to County Counsel
25. ACCEPTED AND FILED report on audit of the Sheriff's Inmate Welfare Fund for the fiscal years ended June 30, 1996 and 1997, as recommended by the Auditor-Controller
26. APPROVED specifications for the parking lot repair and reseal project: set bid opening for Tuesday, February 23, 1999 at 10:45 a.m.; directed General Services to advertise for bids; and approved related actions, as recommended by the Director of General Services

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27. ADOPTED ORDINANCE NO. 4533 amending Chapter 2.40 of the Santa Cruz County Code, relating to the Affirmative Action Commission; adopted ORDINANCE NO. 4534 amending Chapter 3.04 of the Santa Cruz County Code, relating to Discrimination; and adopted ORDINANCE NO. 4535 amending Chapter 2.46 of the Santa Cruz County Code, relating to Merit Principles
28. ADOPTED RESOLUTION NO. 26-99 approving application to the Office of Criminal Justice Planning for Juvenile Accountability Incentive Block Grant Funds in the amount of \$88,814 to provide enhancements in the juvenile records management system, as recommended by the Chief Probation Officer
29. ACCEPTED AND FILED report on Water Resources Management, including a report back on March 23, 1999, with an additional directive
30. APPROVED request of Attorney Tom Wallraff for compensation at the rate of \$95 per hour in the special circumstance case of People v. Gabriel Adam Banes pursuant to the terms of the County's Public Defender conflict of interest contract as authorized by the Superior Court, as recommended by the County Administrative Officer
31. ACCEPTED notification of at-large vacancy on the Long Term Care Interagency Commission, in the category of "person with demonstrated interest in the area of nursing home care," with nominations for appointment to be received on February 9, 1999, and final appointment to be made February 23, 1999, as recommended by Chairperson Almqvist
32. ACCEPTED nomination of Celeste Graham as an alternate at-large representative on the Building and Fire Code Appeals Board, for a term to expire April 1, 2001, with final appointment to be made February 2, 1999, as recommended by Supervisor Beautz
33. APPROVED a pointment of Don Hutchison to the Alcohol and Drug Abuse Commission for a term to expire April 1, 2001, as recommended by Supervisor Beautz

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34. ACCEPTED notification of at-large vacancy on the Private Industry Council, for a representative of secondary education, with nominations for appointment to be received February 9, 1999, and final appointment to be made February 23, 1999, as recommended by Chairperson Almquist
35. APPROVED reappointment of Denise Holbert to the Planning Commission, and Marilyn Hummel as the alternate to the Planning Commission, for terms to expire January 6, 2003, as recommended by Supervisor Wormhoudt
36. ACCEPTED notification of at-large vacancy on the Hazardous Materials Advisory Commission, for a representative of Health Care Providers, with nominations for appointment to be received on February 9, 1999, and final appointment to be made February 23, 1999, as recommended by Chairperson Almquist
37. ACCEPTED AND FILED Annual Report of the Arts Commission, and approved related actions, as recommended by Chairperson Almquist
38. ACCEPTED AND FILED Annual Report of the Parks and Recreation Commission and approved related actions, as recommended by Chairperson Almquist
39. APPROVED appointment of members of the Board of Supervisors to various agencies, committees and commissions for calendar year 1999, and directed the Clerk of the Board to take related actions, as recommended by Chairperson Almquist
40. SEE ITEM NO. 77.1, REGULAR AGENDA
41. ACCEPTED AND FILED report on costs associated with the 1998 November election and alternatives for staffing future elections, and approved related actions, as recommended by the County Clerk-Recorder
42. ADOPTED RESOLUTION NO. 27-99 authorizing the District Attorney to apply to the Office of Criminal Justice Planning for \$105,110 in Violence Against Women Vertical Prosecution Program grant funds for the period of March 1, 1999 through February 28, 2000; and approved transfer of funds within the District Attorney's budget, as recommended by the Acting District Attorney

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43. ADOPTED RESOLUTION NO. 28-99 accepting and appropriating unanticipated revenue in the amount of \$2,800 from the State Commission on Peace Officer Standards and Training; approved purchase of one computer based multimedia training system in an amount not-to-exceed \$2,800; and approved transfer of funds within the District Attorney's budget in the amount of \$4,000 for one laptop computer and associated equipment for the Child Abduction Recovery Unit, as recommended by the Acting District Attorney
44. AUTHORIZED the addition of one limited term .5 full time equivalent Clerk I position to provide clerical support for the Victim/Witness Assistance Program; authorized the purchase of one personal computer system for the Victim/Witness Assistance Program; and approved transfer of funds in the amount of \$4606.56. as recommended by the Acting District Attorney
- 44.1 SEE ITEM NO. 77.2, REGULAR AGENDA
45. ACCEPTED AND FILED report on a possible community sewage disposal project for the Greater Pasatiempo Area and authorized Public Works, County Counsel, and Environmental Health to solicit outside legal services for the project, with a further report to be provided not later than April 13, 1999, as recommended by the Health Services Agency Administrator and the Director of Public Works
46. ACCEPTED AND FILED report and directed the Adolescent Drug Task Force to continue its work and report back on February 23, 1999, as recommended by the Health Services Agency Administrator
47. APPROVED request for transfer or revision of budget appropriations and/or funds to allow sufficient appropriations for Mental Health and Substance Abuse CalWORKs contracts: adopted RESOLUTION NO. 29-99 accepting and appropriating unanticipated revenue in the amount of \$160,837; approved amendments to the 1998/99 agreements; and authorized the Health Services Agency Administrator to sign the agreements, as recommended by the Health Services Agency Administrator

January 26, 1999

48. APPROVED appointment of Charles Moody, Administrator of the Health Services Agency and Cecilia Espinola, Administrator of the Human Resources Agency as County-employee members of the Children and Families First Commission; accepted notification of two at-large vacancies on the Commission with nominations for appointment to be received on February 9, 1999 and final appointments to be made on February 23, 1999; and directed the Health Services Agency Administrator to report back on February 23, 1999 with a preliminary plan for providing staffing and support for the Commission and report on any additional developments, as recommended by the Health Services Agency Administrator
49. APPROVED agreement with Devereaux, Texas, Treatment Network in the amount of \$26,352 for specialized adolescent mental health residential treatment services, effective November 23, 1998 and continuing through June 30, 1999; authorized the Health Services Administrator to sign the agreement, as recommended by the Health Services Agency Administrator
50. ACCEPTED AND FILED report on Health Services Agency organizational model for mental health and alcohol and drug services; directed the Health Services Agency to report back on April 13, 1999, regarding personnel changes related to the reorganization; authorized addition and deletion of one full-time position; and approved related actions, as recommended by the Health Services Agency Administrator
51. AUTHORIZED the Chairperson to send a letter to the California State Department of Social Services supporting the Second Harvest Food Bank funding request for \$48,000 for equipment needed to expand the Emergency Food Assistance Program and Food for Children Program pursuant to Assembly Bill 2782, as recommended by the Human Resources Agency Administrator
52. APPROVED ARBOR lease in the Watsonville Career Center to facilitate the provision of On the Job Training services; authorized the Human Resources Agency Administrator to sign the lease; and approved related actions, as recommended by the Human Resources Agency Administrator

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53. ADOPTED RESOLUTION NO. 30-99 accepting and appropriating unanticipated revenue from the State in the total amount of \$436,676; approved transfer of the Governor's Welfare-to-Work grant funds from obligation reserve and mental health/substance abuse funds to professional and special accounts; approved contracts for job retention services with Food and Nutrition in the amount of \$312,718, Santa Cruz Community Counseling Center in the amount of \$86,667, Community Action Board in the amount of \$57,500, and Employment Development Department in the amount of \$50,470 (retroactive to January 1, 1999); authorized the Human Resources Agency Administrator to sign the contracts; and approved the addition of a full-time equivalent limited-term Senior Employment Training Specialist position in JTPA, effective through September 30, 2000, as recommended by the Human Resources Agency Administrator
54. APPROVED schedules for the 1999/2000 benefit assessment and service charge approval process; and directed Public Works and the County Administrative Office to schedule budget hearings for County Service Areas for Friday, June 18, 1999, as recommended by the Director of Public Works
55. APPROVED independent contractor agreement with Nicholson Petroleum Maintenance in the amount of \$7,000 for maintenance services at Public Works fueling facilities, and authorized the Director of Public Works to sign the contract, as recommended by the Director of Public Works
56. APPROVED independent contractor agreements with Sustainable Quality Awards for expanding its environmental awards program for a not-to-exceed amount of \$5,000, and Karen Grobe for food waste diversion project for \$4,000, and authorized the Director of Public Works to sign the agreements, as recommended by the Director of Public Works
57. RATIFIED contract Change Order No. 1 for \$24,000 and Change Order No. 2 for \$8,400 for the San Vicente Creek Streambank Protection Project, as recommended by the Director of Public Works

January 26, 1999

58. DIRECTED the Public Works Department to report back on or before August 17, 1999 with recommendations for an Emergency Watershed Protection Program local match policy, with an additional directive
59. ACCEPTED improvement for the Beach Road Pavement Rehabilitation; approved final cost of \$147,826; authorized the Clerk of the Board to file to Notice of Completion; approved related actions, as recommended by the Director of Public Works
60. AUTHORIZED submittal of a proposal to conduct a research and demonstration project on beneficial uses of uncomposted municipal green waste mulch for landscaping, as recommended by the Director of Public Works
61. APPROVED proposed route concept for Capitola Road between Seventh Avenue and Thirtieth Avenue; directed Public Works and Redevelopment staff to initiate a community input process for Capitola Road; and report back to the Board on or before June 8, 1999, with recommendations, as recommended by the Director of Public Works
62. AUTHORIZED the Planning Department to submit a grant application to the Community Foundation of Santa Cruz County in the amount of \$10,000 to fund a feasibility study to assess appropriate uses and ownership/management options for the Castro Adobe, in an effort to best preserve this designated historic resource; and approved related actions, as recommended by the Planning Director
63. SCHEDULED public hearing for Tuesday, February 23, 1999 at 1:30 p.m. or thereafter to consider a proposal for road abandonment of the County's interest in Summit Road, Pine Avenue, Prospect Avenue, Forest Road and a portion of Conference Drive in the Mount Hermon Park, as recommended by the Planning Director
64. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ACCEPTED AND FILED report on Siting Artificial Recharge Locations Discussed at the Santa Margarita Groundwater Basin Advisory Committee; and approved related actions, as recommended by the Planning Director

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65. APPROVED modification of rental policy for County Parks Department operated community centers to provide for "last minute" rentals, as recommended by the Director of Parks, Open Space and Cultural Services
66. AUTHORIZED the Chairperson to sign an agreement terminating the Joint Powers Agreement between the County of Santa Cruz and the City of Santa Cruz for management of the Loudon Nelson Community Center and providing for the purchase of the County's interest in Loudon Nelson Community Center by the City of Santa Cruz for the amount of \$200,000 payable in five annual installments, as recommended by the Director of Parks, Open Space and Cultural Services
67. ACCEPTED AND FILED Annual Financial Report of the Santa Cruz County Redevelopment Agency for the fiscal year ended June 30, 1998, as recommended by the Redevelopment Agency Administrator
68. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, APPROVED AND FILED 1999 Annual Continuing Rental Agreement List, as recommended by the Redevelopment Agency Administrator
69. 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.: California Alliance for Resource Conservation v. County of Santa Cruz (Santa Cruz Superior Court No. 13474); County v. Kraft, et al.
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 - No report given
- 69.1 APPROVED addendum to agreement with Shute, Mihaly and Weinberger to provide legal services in the case of Big Creek Lumber Company, et al. v. County of Santa Cruz, et al., as recommended by County Counsel
- 69.2 APPROVED appointment of Bruce Oneto as the alternate to Supervisor Almquist on the Santa Margarita Advisory Committee for calendar year 1999, as recommended by Supervisor Almquist
- 69.3 SEE ITEM NO. 79.1, REGULAR AGENDA

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REGULAR AGENDA

70. APPROVED reappointment of Michael Barsi and Thomas Dwyer to the Board of Law Library Trustees to serve during calendar year 1999

BSWCA

71. The Board of Supervisors recessed in order to permit the Board of Directors of the County of Santa Cruz Flood Control and Water Conservation District, Zone 5, to convene and carry out its regularly scheduled meeting

72. The Board of Supervisors recessed in order to permit the Board of Directors of the County of Santa Cruz Flood Control and Water Conservation District, Zone 7, to convene and carry out its regularly scheduled meeting

73. Hearing held for eminent domain action on the slide repair project at 28500 Highland Way; closed hearing; adopted RESOLUTION NO. 31-99 authorizing County Counsel to institute eminent domain proceedings; and directed the Clerk of the Board to take related actions

WCBSA

74. ITEM DELETED

75. ITEM DELETED

76. CONSIDERED suggested procedures for conduct of District Attorney hearing and final selection process: adopted the ground rules proposed by Chairperson Almquist for the conduct of the public hearing scheduled to begin at 1:30 p.m. on February 9, 1999, and for the selection of the District Attorney during the deliberations scheduled on February 11, 1999; with an additional directive that the questions submitted to the Board by the Bar Associations be sent to all candidates and that the order in which candidates address the Board be determined by random drawing rather than alphabetically

WBSCA

January 26, 1999

77. CONSIDERED report of the Auditor-Controller on indirect and direct costs for District Attorney grant applications: accepted and filed report; directed the County Administrative Office to work with the District Attorney's Office on the implementation of the Auditor's recommendations: with an additional directive that the County Administrative Office work with the Auditor on developing a written policy on the recovery of indirect costs for grant-funded programs

WBSA

- 77.1 ACCEPTED AND FILED report of the County Administrative Office for use in deliberations on the matter of the Juvenile Hall renovation and expansion which will be presented on February 23, 1999.; and approved request of the Probation Officer for a transfer of \$180,000 from General Contingencies to the Wards of the Court Budget and associated increases in contracts and encumbrances, with an additional directive

WBSA

- 77.2 ADOPTED RESOLUTION NO. 32-99 authorizing the District Attorney to apply to the State Office of Criminal Justice Planning (OCJP) for Drug Endangered Children Response Team Program grant in the amount of \$225,000 for grant year November 1, 1998 to October 31, 1999; adopted RESOLUTION NO. 33-99 accepting and appropriating unanticipated revenue in the amount of \$17,236 from OCJP for criminal prosecution: and adopted RESOLUTION NO. 34-99 accepting and appropriating unanticipated revenue in the amount of \$43,091 from OCJP for criminal prosecution; and approved transfer of funds in the amount of \$15,693; with an additional directive to terminate the program and reassign personnel as quickly as possible and recoup the money from the State to pay for incurred expenses

WBCSA

78. RECEIVED bids regarding Bonny Doon Replacement Fire Station Project and referred to General Services to return with a recommendation on or before February 23, 1999

WSBCA

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79. RECEIVED bids regarding the Sunset Beach Water Main Extension Project and referred to Public Works to return with a recommendation on or before March 2, 1999

BWSCA

- 79.1 CONTINUED TO FEBRUARY 9, 1999 consideration to adopt resolution for vacating the storm drain easement at 2800 Rosedale Avenue, Soquel; adopt resolution approving quit claim and authorize the Chairperson of the Board of Supervisors to sign the deed; approve payment for sum of \$500 to the County of Santa Cruz; and direct the Clerk of the Board to take related actions

BWSCA

80. Continued consideration of proposed Forest Practice Rules Changes for submittal to the California Board of Forestry for processing in 1999; directed Staff to resubmit the October 1998 proposed Forest Practice Rules to the Board of Forestry, including the 1999 amendments to proposed Forest Practice Rules regarding road standards Rule 926.17 and Rule 926.15, as amended, deleting the words "for more than 100 feet"; further directed Staff to report on February 2, 1999 regarding the Board of Forestry's terms of office

BASWC

January 26, 1999

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 February 9, 1999