

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

VOLUME 99, NUMBER 14
MAY 18, 1999

ACTION SUMMARY MINUTES

VOTING KEY: A = Almqvist, 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 - Two people 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 April 27, 1999 and May 4, 1999, as
recommended by the Clerk of the Board
8. ACCEPTED AND FILED notification of continuing
contracts received during the period of May 3, 1999
through May 14, 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

May 18, 1999

9. ADOPTED RESOLUTION NO. 162-99 accepting and appropriating unanticipated revenue in the amount of \$3,500 to support the purchase of a computer projector, as recommended by the Auditor-Controller
10. ACCEPTED the County Administrative Officer's proposed budget for the County of Santa Cruz for fiscal year 1999/00 as the basis for deliberations during the budget hearings: set Wednesday, June 16, 1999 as the date to begin public hearings on the proposed budget: and approved related actions, as recommended by the County Administrative Officer
11. ADOPTED RESOLUTION NO. 163-99 accepting and appropriating unanticipated revenue in the amount of \$43,411 for Building Maintenance Projects, as recommended by the Director of General Services
12. APPROVED user agreement with the City of Santa Cruz for the supply of compressed natural gas for fueling city vehicles; and authorized the General Services Director to sign the agreement, as recommended by the Director of General Services
13. APPROVED plans and specifications for replacing the 26th Avenue Beach Access Stairway; directed the General Services Department to advertise for bids; and set bid opening for Tuesday, June 15, 1999 at 10:45 a.m., as recommended by the Director of General Services
14. APPROVED plans and specifications for the re-roofing project at 1070 Emeline Avenue: directed the General Services Department to advertise for bids; and set bid opening for Tuesday, June 15, 1999 at 10:45 a.m., as recommended by the Director of General Services
15. SCHEDULED public hearing for morning agenda of Tuesday, June 8, 1999 to consider an ordinance amending Chapter 7.92 of the Santa Cruz County Code relating to the Fire Code: and approved related actions, as recommended by the Director of General Services

May 18, 1999

16. AUTHORIZED the Auditor-Controller to distribute excess proceeds from the March 12, 1998 Auction as recommended no less than 90 days following this approval; and directed the County Tax Collector to notify by first class mail, postage prepaid, all claimants of this approval, as recommended by the Treasurer-Tax Collector
17. DENIED claim of Benjamin N. Potkin, M.D., No. 899-119 and referred to County Counsel
18. DENIED claim of Rhodes and Kesling, No. 899-121 and referred to County Counsel
19. DENIED claim of Jed A. Oliver and Penelope M. Oliver, No. 899-122 and referred to County Counsel
20. DENIED claim of Billy Quealy, No. 899-129, and referred to County Counsel
21. ACCEPTED nomination of Jill Gingham as an at-large appointee to the Long Term Care Interagency Commission, as the representative of a caregiver resource center, for a term to expire April 1, 2000, with final appointment to be made May 25, 1999, as recommended by Supervisor Beautz
22. APPROVED appointment of Carl Sprague to the Housing Advisory Commission for a term to expire April 1, 2003, as recommended by Supervisor Campos
23. ACCEPTED AND FILED annual report of the Ambulance Contract Compliance Commission; and approved related actions, as recommended by Chairperson Almqvist
24. DIRECTED County Counsel to consult with Environmental Health and the Agricultural Commissioner relative to the provisions of State law and County policies regulating the storage and frequency of inspections of agricultural hazardous materials; with a report to the Board on or before June 22, 1999, as recommended by Chairperson Almqvist

May 18, 1999

25. SCHEDULED a study session with the Board of Directors and staff of the Pajaro Valley Water Management Agency for Tuesday, May 25, 1999, at 1:30 p.m.; and directed the County Administrative Office to coordinate with Agency staff on the preparation of appropriate materials and presentations, as recommended by Chairperson Almquist
26. APPROVED appointment of Raymon Hoffman to the Historic Resources Commission for a term to expire April 1, 2003, as recommended by Supervisor Campos
27. APPROVED appointment of Carl Johnson to the Disaster Council for a term to expire April 1, 2003, as recommended by Supervisor Campos
28. ACCEPTED AND FILED status report on Census 2000 activities; and directed the County Administrative Officer to return on June 8, 1999, with further information, as recommended by the County Administrative Officer
29. ADOPTED RESOLUTION NO. 164-99 authorizing the District Attorney to reapply to the Office of Criminal Justice Planning for fiscal year 1999/2000 Gang Violence Suppression Program funding, as recommended by the District Attorney
30. AWARDED contract to Watsonville Construction in the amount of \$484,000 for the Bonny Doon Replacement Fire Station; adopted RESOLUTION NO. 165-99 accepting unanticipated revenue in the amount of \$42,540 from Roger Jones Construction for defaulted bid on construction project; adopted RESOLUTION NO. 166-99 accepting unanticipated revenue in the amount of \$13,000 from Public Facility Retrofit for Bonny Doon Replacement Fire Station Program; adopted RESOLUTION NO. 167-99 accepting unanticipated revenue from County Fire Department for Bonny Doon Replacement Fire Station; authorized the Director of General Services to sign the agreement; and approved related actions, as recommended by the Director of General Services

May 18, 1999

31. ADOPTED RESOLUTION NO. 168-99 accepting unanticipated revenue in the amount of \$294,950 from Lease Inception for Vehicles Program to recognize the Vehicle Lease Program for the 1998/99 fiscal year; and authorized the Director of General Services to sign the lease agreement, as recommended by the Director of General Services
32. ACCEPTED AND FILED the proposed 1999/00 Capital Improvement Program document; and scheduled study session on the proposed Capital Improvement Program for June 15, 1999, as recommended by the County Administrative Officer
33. ADOPTED RESOLUTION NO. 169-99 supporting the passage of ACA 17; adopted RESOLUTION NO. 170-99 supporting the passage of AB 1194, supporting the return of Educational Revenue Augmentation Funds to local governments, and approved related actions, as recommended by Chairperson Almquist
34. APPROVED appointment of Neil McQueen as the representative of the Surfrider Foundation on the North Coast Beaches Advisory Committee, for a term to expire December 31, 1999, as recommended by Chairperson Almquist
35. ADOPTED RESOLUTION NO. 171-99 urging the closure of Highway 9 in Felton for the "All Out August" street fair, subject to the conditions in the road closure permit; and directed the Public Works Department to issue the permit, as recommended by Supervisor Almquist
36. ADOPTED RESOLUTION NO. 172-99 authorizing the District Attorney to reapply to the Office of Criminal Justice Planning for fiscal year 1999/2000 Anti-Drug Abuse Enforcement Program funding in the amount of \$259,476. and partially waive the requirement for the recovery of indirect costs from the Office of Justice Planning Anti-Drug Abuse Enforcement Program during grant year July 1, 1999 through June 30, 2000, as recommended by the District Attorney

May 18, 1999

37. DIRECTED the County Administrative Office to analyze the 1999/00 budget request by the Community Children's Center for \$7,000 to cover rental costs; and to include in the proposed 1999/00 budget a recommendation providing an appropriate level of assistance, as recommended by Supervisor Wormhoudt
38. APPROVED recommendations regarding Public Defender Conflict of Interest services for the period of July 1, 1999 through June 30, 2002, as recommended by the County Administrative Officer
39. DEFERRED report on the dissolution of the Ambulance Contract Compliance Commission to June 8, 1999, as recommended by the Health Services Agency Administrator
40. ADOPTED RESOLUTION NO. 173-99 accepting and appropriating unanticipated revenue in the amount of \$7,499 in Proposition 10 funds, as recommended by the Health Services Agency Administrator
41. APPROVED contract amendment with Santa Cruz Community Counseling Center in the amount of \$5,360; and approved release of a Request for Proposals for a lo-bed adolescent treatment facility and related services; directed the Health Services Agency to proceed with the process of selection of a provider; and report back to the Board on August 10, 1999, with recommendations, as recommended by the Health Services Agency Administrator
42. ADOPTED RESOLUTION NO. 174-99 setting a public hearing for Tuesday, June 8, 1999 on the proposed benefit assessment/service charges and the proposed 1999/2000 Assessment/Service Charge Report for County Service Area No. 12, Wastewater Management; and approved related actions, as recommended by the Health Services Agency Administrator
43. ACCEPTED AND FILED the updated report on a youth treatment facility for probation youth in the South County; and directed the Health Services Agency to report back with additional information and recommendations at the Health Services Agency budget hearings in June, 1999, as recommended by the Health Services Agency Administrator

May 18, 1999

44. APPROVED the multi-year agreement with CLEW Associates in the amount of \$30,240 to provide for implementation of an automated system for reporting and mapping alcohol and drug involvement in police calls for service; and authorized the Health Services Agency Administrator to sign agreement, as recommended by the Health Services Agency Administrator
45. 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
46. SEE ITEM NO. 88.1, REGULAR AGENDA
47. ADOPTED RESOLUTION NO. 175-99 approving the \$22,973 funding application for the 1999/2000 Dental Disease Prevention Program; and directed the Clerk of the Board to take related actions, as recommended by the Health Services Agency Administrator
48. ADOPTED RESOLUTION NO. 176-99 supporting renewal of the Cooperative Agreement with the State Department of Rehabilitation; authorized the Health Services Agency Administrator to sign the State Standard Agreement; and directed the Clerk of the Board to take related actions, as recommended by the Health Services Agency Administrator
49. ADOPTED RESOLUTION NO. 177-99 accepting and appropriating unanticipated revenue in the amount of \$239,608; and approved transfer of funds in the Job Training Partnership Act (JTPA) Program, as recommended by the Human Resources Agency Administrator
50. APPROVED the Welfare-to-Work Formula Grant Plan Modification; and authorized the Board Chairperson to sign and submit document to the State, as recommended by the Human Resources Agency Administrator

May 18, 1999

51. ADOPTED RESOLUTION NO. 178-99 accepting unanticipated revenue in the amount of \$26,000 for FY 98/99 and appropriate these funds into the Human Resources Agency budget; and approved related actions, as recommended by the Human Resources Agency Administrator
52. APPROVED the Request for Transfer of Appropriations in the amount of \$408,000 for Child Care Programs, as recommended by the Human Resources Agency Administrator
53. ACCEPTED AND FILED report on the expansion of the South County HRA/HSA Program Space; and directed the Human Resources Agency Administrator to return on June 15, 1999 for approval of a final lease agreement, as recommended by the Human Resources Agency Administrator
54. APPROVED the JTPA contracts with Arbor, Inc., City of Watsonville Enterprise Community, Community Action Board/City of Santa Cruz Parks and Recreation Department, New School (Pajaro Valley Unified School District), Santa Cruz Adult and Community Education and YMCA of the Redwoods; and authorized the Human Resources Agency Administrator to sign the agreements, as recommended by the Human Resources Agency Administrator
55. ADOPTED RESOLUTION NO. 179-99 authorizing an agreement with the State of California to accept \$224,813 in transportation exchange funds and \$100,000 in State matching funds; approved federal Apportionment Exchange Program Agreement; authorized the Chairperson to sign the agreement; and approved related actions, as recommended by the Director of Public Works
56. ADOPTED RESOLUTION NO. 180-99 authorizing an agreement with the State of California to accept federal funding for the right-of-way and preliminary engineering portions of the Bridge Seismic Retrofit Program; approved program supplement in the amounts of \$75,001 and \$32,000; authorized the Director of Public Works to sign the agreement; and approved related actions, as recommended by the Director of Public Works

May 18, 1999

57. ADOPTED RESOLUTION NO. 181-99 approving the proposed filing of grant applications to the Monterey Bay Unified Air Pollution Control District for fiscal year 1999/2000 vehicle registration surcharge fee grant funds; and appointed John Fantham, Director of Public Works, and the Department of Public Works, administrating agency applicant to sign and submit all documents necessary for the completion of the projects, as recommended by the Director of Public Works
58. APPROVED plans, specifications and engineer's estimate and authorized calling for bids for the Trout Gulch Road Improvement Project; set bid opening for Tuesday, June 22, 1999 at 10:45 a.m.; and approved related actions, as recommended by the Director of Public Works
59. APPROVED plans, specifications and engineer's estimate and authorized calling for bids for the Morrell Road/Old Santa Cruz Highway storm damage repair; set bid opening for Tuesday, June 15, 1999 at 10:45 a.m.; and approved related actions, as recommended by the Director of Public Works
60. APPROVED final map of Tract 1410, Alexandria Gardens; authorized the Director of Public Works to sign the subdivision agreement; and approved related actions, as recommended by the Director of Public Works
61. AS THE BOARD OF DIRECTORS OF THE FREEDOM COUNTY SANITATION DISTRICT, APPROVED plans, specifications and engineer's estimate and authorized calling for bids for Casillas Gravity Sewer Main Reconstruction: set bid opening for Tuesday, June 15, 1999 at 10:45 a.m.; and approved related actions, as recommended by the District Engineer
62. ADOPTED RESOLUTION NO. 182-99 approving and accepting terms of contracts for County Service Area No. 36 storm damage repair - Baker Road and Hayward Drive; approved payment of claim; and authorized the Director of Public Works to sign the contract, as recommended by the Director of Public Works

May 18, 1999

63. APPROVED status report on the Buena Vista Landfill Gas Power Project; directed Public Works to continue working with the Monterey Bay Unified Air Pollution Control District to find a solution to the Emission Reduction Credit requirements for the Buena Vista Gas Power Project; and directed Public Works to return on or before August 10, 1999, with a status report on the Buena Vista Landfill Gas Power Project, as recommended by the Director of Public Works
64. APPROVED use of \$678 in savings from the purchase of a pressure washer to purchase a flail mower, as recommended by the Director of Public Works
65. ADOPTED RESOLUTION- NO. 183-99 certifying the county maintained road mileage, and approved related actions, as recommended by the Director of Public Works
66. AUTHORIZED the acceptance of the dedication of a portion of Jose Avenue for street purposes; and adopted RESOLUTION NO. 184-99 accepting Offer of Dedication of Parcel "D", as recommended by the Director of Public Works
67. ACCEPTED low bid of Monterey Peninsula Engineering in the amount of \$141,122 for the El Rancho Drive Storm Damage Repair, and authorized the Director of Public Works to sign, as recommended by the Director of Public Works
68. ADOPTED RESOLUTION NO. 185-99 setting for the morning agenda of Tuesday, June 8, 1999 a public hearing on the proposed 1999/00 Benefit Assessment/Service Charge Rates and on the Benefit Assessment/Service Charge Reports for various County Service Areas; and directed the Clerk of the Board to take related actions, as recommended by the Director of Public Works
69. ITEM DELETED
70. APPROVED road closure for the La Selva Beach Fourth of July Parade; and directed Public Works to issue the parade permit, as recommended by the Director of Public Works

May 18, 1999

71. APPROVED road closure for the Twenty-Seventh Annual Wharf-to-Wharf Race for July 25, 1999; and directed the Public Works Department to issue the race permit, as recommended by the Director of Public Works
72. APPROVED road closure for the Aptos Fourth of July Parade; and directed Public Works to issue the parade permit, as recommended by the Director of Public Works
73. ACCEPTED the gift of Redwood Stumps from Lone Star Industries for use in the San Vicente Creek Fishery Restoration Project; and directed the Chairperson of the Board to send a letter expressing the County's appreciation for the gift to Lone Star Industries, as recommended by the Planning Director
74. APPROVED expenditure from County Fish and Game Commission budget to fund various projects, as recommended by the Planning Director
75. SCHEDULED public hearing for the morning agenda of June 8, 1999 to consider the annual progress report on Measure C implementation, as recommended by the Planning Director
76. ACCEPTED AND FILED report on South County Permit Center; adopted RESOLUTION NO. 186-99 accepting and appropriating unanticipated revenue in the amount of \$69,737; and approved related actions, including a report back on or before August 3, 1999, as recommended by the Planning Director
77. DEFERRED progress report on Soquel Creek Water District issues to June 15, 1999, as recommended by the Planning Director
78. ADOPTED RESOLUTION NO. 187-99 supporting the passage of Senate Bill 574, relating to financing of mobile home park conversions, and approved related actions, as recommended by the Redevelopment Agency Administrator

May 18, 1999

79. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, APPROVED plans and specifications for the Jose Avenue Park Development Project; directed the General Services Department to advertise for bids; and set bid opening for Tuesday, June 15, 1999 at 10:45 a.m. as recommended by the Director of General Services
80. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, APPROVED contract in the amount of \$189,200 with Bellinger Foster Steinmetz for Anna Jean Cummings Park Design Services; authorized the Redevelopment Agency Administrator to sign the contract on behalf of the county; adopted RESOLUTION NO. 188-99 accepting unanticipated revenue in the amount of \$120,000 from Capital Projects Bond Proceeds, as recommended by the Redevelopment Agency Administrator
- 81 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, ALLOCATED \$425,000 for the Soquel Drive Bridge Replacement Project; adopted RESOLUTION NO. 189-99 accepting unanticipated revenue in the amount of \$50,000 from Capital Project Bond Proceeds Reserves, as recommended by the Redevelopment Agency Administrator
- 82 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, ACCEPTED the proposed 1999-2000 Redevelopment Agency Budget; scheduled a public hearing for 1:30 p.m. on June 18, 1999; and approved related actions, as recommended by the Redevelopment Agency Executive Director
- 83 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, DENIED claim of Rhodes and Kesling, No. 899-121 and referred to County Counsel

May 18, 1999

84. 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.: Bazar v. County of Santa Cruz (Santa Cruz Superior Court Case Number 134334); Weaver v. County (WCAB SAL 82518); Barnhill v. County (WCAB SAL 75837); People v. Gonzales, (Santa Cruz Superior Court Case No. S7-09119); Appeal of Buena Vista Soil Management Project, Coastal Commission No. A-3-SC0-98-096 and Buena Vista Community Association v. County of Santa Cruz (Santa Cruz County Case No. 134742)
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 of Supervisors authorized County Counsel to file an appeal in the case of People v. Gonzales (Santa Cruz Superior Court Case No. S7-09119) involving the exoneration of a bail bond (BSWCA)
- 84.1 ADOPTED RESOLUTION NO. 190-99 setting Tuesday, June 8, 1999, during the morning agenda. as the date for a public hearing on the proposed Assessment Rates, and Assessment Rate Report for Mosquito Abatement/Vector Control, County Service Area No. 53; and approved related actions, as recommended by the Agricultural Commissioner

REGULAR AGENDA

85. APPROVED at-large reappointment of Francie Newfield to the Long Term Care Interagency Commission (in the category of "person with demonstrated interest in the area of Organic Brain Syndrome"), for a term to expire April 1, 2002

WBSCA

May 18, 1999

86. Public hearing held on the proposed increased assessment rates for County Service Area Nos. 13 (Zone B, Lower Hutchinson Road); 18 (Whitehouse Canyon); 34 (Larsen Road); 36 (Forest Glen, Baker Road Zone); 43 (Bonito Encino) and 55 (Riverdale Park, Zone B); closed public hearing; and directed Public Works to return on June 8, 1999 with the tabulation of the ballots

SCBWA

87. AS THE BOARD OF DIRECTORS OF THE DAVENPORT COUNTY SANITATION DISTRICT, public hearing held to consider adoption of an ordinance amending District Code Title 4, Chapter 4.08, Article III, Section 4.08.160 through 4.08.180, for sewer service charges; closed public hearing; read title and waived detailed reading of complete ordinance; adopted ORDINANCE NO. 53 amending District Code Title 4, Chapter 4.08, Article III, Sections 4.08.160 through 4.08.180 Sewer Service Charges

BSWCA

88. Public hearing held to consider adoption of an ordinance amending Chapter 12.10 of the County Code to adopted the 1997 Uniform Building Code, 1997 Uniform Mechanical Code, 1997 Uniform Plumbing Code, and the 1996 National Electrical Code, as amended by Title 24 of the California Code of Regulations; closed public hearing; read title and waived detailed reading of complete ordinance; approved ordinance "in concept" to return May 25, 1999 for final adoption

BSWCA

- 88.1 APPROVED agreement with Monterey County for emergency medical administrative services; and authorized the Health Services Agency Administrator to sign the agreement; with an additional directive that the Health Services Agency Administrator report back to the Board in August, 1999 on the progress of the contract with Monterey County

BWSCA

May 18, 1999

89. CONSIDERED report and recommendations on the Buena Vista Soil Management Project; the Board of Supervisors gave conceptual approval of its intention to use the Watsonville site rather than the Rocha site for landfill soil storage; directed County Counsel to return on May 25, 1999 to advise the Board whether the pending lawsuit had been satisfactorily disposed of, and that if it had at that point, the Board would authorize staff to enter into negotiations with the City of Watsonville for the temporary storage of excavated soils from the county landfill onto the city landfill property; and that those negotiations include a consideration of the storage of city landfill soil on the county landfill side at some future period when that might be useful to the city for its expansion purposes; and directed staff to report back within a month of commencing those negotiations on the progress of negotiations, the perimeters of the issues under discussion, and a proposed timeline for completing negotiations and beginning on the approval process

WBSCA

May 18, 1999

90. Presentation made by the students of Santa Cruz Gardens Elementary School; presented proclamation honoring Yolanda Gutierrez Miller
- BCSWA
91. Bid opening held regarding Village Fair Antiques Renovation; the Board took no action
92. CONSIDERED ordinance amending the time limitations for the Live Oak-Soquel Redevelopment Project Area consistent with Assembly Bill 1342;
- (1) read title and waived detailed reading of complete ordinance;
- (2) approved ordinance "in concept" to return May 25, 1999 for final adoption; accepted and filed report; and directed the Clerk of the Board to file Notice of Exemption
- (1) BASWC
- (2) BCSWA
93. Public hearing held to consider a proposal for an amendment to Agricultural Buffer Determination 96-0025 and a Map Correction to Minor Land Division 96-0501 to expand the building envelopes and reduce agricultural buffer setbacks. Property located on the south side of Mello View Lane, Pajaro Valley Planning Area. Application No. 98-0836; Assessor's Parcel Nos. 050-391-01, 02, 03 and 04; Applicant: Hamilton Swift Land Use and Development Consultants; Owners: Henry J. and Helen A. Mello;
- closed public hearing: approved the determination that the project is Categorical Exempt from the California Environmental Quality Act; and approved Application No. 98-0836 based on the findings and subject to the conditions of approval, to include an amendment to Agricultural Buffer Determination 96-0025 and a Map Correction to Minor Land Division 96-0501
- SCBwA
94. Presented report regarding long term operation of Felton and South County permit centers

May 18, 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 June 8, 1999

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

**VOLUME 99, NUMBER 15
MAY 25, 1999**

ACTION SUMMARY MINUTES

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- 1. All Supervisors present
Mment of Silence and Pledge of Allegiance
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- 4. ORAL COMMUNICATIONS - Two Persons 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
BSWCA**

- 6. APPROVED claims as submitted by the Auditor-Controller
- 7. ITEM DELETED

May 25, 1999

00 19

- a. **ITEM DELETED**
9. **ADOPTED ORDINANCE NO. 4545 amending the Live Oak/Soquel Redevelopment Plan to conform to AB 1342 Redevelopment Law Changes**
10. **ADOPTED ORDINANCE NO. 4546 amending various chapters to the Santa Cruz County Code relating to the Superior Court**
11. **DEFERRED TO JUNE 8, 1999 consideration to adopt an ordinance amending Chapter 12.10 of the Santa Cruz County Code relating to the adoption of the 1997 Uniform Building Code, 1997 Uniform Mechanical Code, 1997 Uniform Plumbing Code, and the 1996 National Electrical Code, as amended by Title 24, of the California Code of Regulations**
12. **DENIED claim of Richard E. Kitch No. 899-125 and referred to County Counsel**
13. **DENIED claim of Jasmine Rhea West/Ramon and Anna West No. 899-126 and referred to County Counsel**
14. **DENIED claim of Zeida Casillas No. 899-131 and referred to County Counsel**
15. **DENIED claim of Janice G. Joyce No. 899-134 and referred to County Counsel**
16. **ADOPTED RESOLUTION NO. 191-99 amending Salary Resolution No. 279-75 to establish a new class of Substance Abuse Program Manager, delete the class of Seasonal Produce Inspector, and retitle two classes in Parks, Open Space and Cultural Services, as recommended by the Personnel Director**
17. **SEE ITEM NO. 62.1, REGULAR AGENDA**

May 25, 1999

- 18. **ADOPTED** schedule for 1999/00 Budget Hearings and directed the Clerk of the Board to take related actions, as recommended by the County Administrative Officer
- 19. **APPROVED** request by the Sheriff-Coroner to obtain surplus properties being distributed by the Federal Government, as recommended by the Sheriff-Coroner
- 20. **APPROVED** legislative office space lease agreement in the amount of \$595.12 per month and authorized the Director of General Services to sign the agreement, as recommended by the Director of General Services
- 21. **ADOPTED RESOLUTION NO. 192-99** accepting and appropriating unanticipated revenue in the amount of \$12,000 into General Services Fleet Operations budget for Maintenance Mobile Equipment, as recommended by the Director of General Services
- 22. **APPROVED** specifications for the Emeline Parking Lot Reseal project; directed the General Services Department to advertise for bids; and set bid opening for Tuesday, August 3, 1999 at 10:45 a.m., as recommended by the Director of General Services
- 23. **DECLARED** items to be surplus and directed the General Services Department Purchasing Division to arrange for their disposition, as recommended by the Director of General Services
- 24. **ADOPTED RESOLUTION NO. 193-99** authorizing the sale of 1999/2000 tax and revenue anticipation notes, not-to-exceed \$60 million, as recommended by the Auditor-Controller

May 25, 1999

25. **APPROVED** transfer of funds from General Contingencies in the amount of \$50,000 for costs of court appointed defense counsel and related investigative expenses in the death penalty cases of **People v. James Erwin Dotson** and **People v. Kimberly Labore**, as recommended by the County Administrative Officer

BSwCA

26. **APPROVED** appointment of Virginia Larios to the Civil Service Commission for a term to expire December 31, 2003, as recommended by Supervisor Campos

27. **APPROVED** appointment of Renee Shepard as the County representative to the South Ridge Oversight Committee, and approved the appointment of Rachel Lather as her alternate, as recommended by Supervisor Almquist

28. **APPROVED** appointment of Don Allegri as the representative of the Multipurpose Senior Services Program on the Long Term Care Interagency Commission, for a term to expire April 1, 2000, as recommended by Chairperson Almquist

May 25, 1999

29. **ADOPTED RESOLUTION NO. 194-99** approving the proposed filing of a grant application to the Monterey Bay Unified Air Pollution Control District; and authorized the Director of General Services to take related actions, as recommended by the Director of General Services
30. **SEE ITEM NO. 57.1, REGULAR AGENDA**
31. **ADOPTED RESOLUTION NO. 195-99** amending Salary Resolution No. 279-75 to implement various employee compensation actions; adopted **RESOLUTION NO. 196-99** amending Resolution No. 247-76 to amend the Personnel Regulations, as recommended by the Personnel Director
32. **ADOPTED RESOLUTION NO. 197-99** determining Disability Retirement status of Safety employee, as recommended by the Personnel Director
33. **ACCEPTED AND FILED** report and update on Health Services Agency reorganization of mental health and substance abuse administrative services; and approved related actions, as recommended by the Health Services Agency Administrator
34. **ACCEPTED** report on the formation of an advisory group for septic disclosure, as recommended by the Health Services Agency Administrator
35. **SEE ITEM NO. 62.2, REGULAR AGENDA**
36. **APPROVED** revenue agreement between the Housing Authority of the County of Santa Cruz and the Human Resources Agency, providing \$19,642 to Families in Transition for case management services, and authorized the Human Resources Agency Administrator to sign the agreement, as recommended by the Human Resources Agency Administrator

May 25, 1999

37. **AUTHORIZED** the Human Resources Agency Administrator to sign agreements with the Cabrillo Community College District and the University of California Santa Cruz Extension to provide staff development training, as recommended by the Human Resources Agency Administrator
38. **AUTHORIZED** the Human Resources Agency Administrator to sign the agreement with GTL, Inc., dba Link to Life, and the amendment to the agreement with Lawrence M Friedman for services to MSSP clients, as recommended by the Human Resources Agency Administrator
39. **SEE ITEM NO. 62.3, REGULAR AGENDA**
40. **ACCEPTED AND FILED** report on the performance of the Community Programs that were monitored in fiscal year 1998/99, as recommended by the Human Resources Agency Administrator
41. **ADOPTED RESOLUTION NO. 198-99** approving the grant applications for the California Department of Fish and Game regarding Technical Training for Implementing Erosion Control Best Management Practices and Santa Cruz County Road-Related Erosion Prevention Planning Project; and approved related actions, as recommended by the Director of Public Works
42. **APPROVED** proposed plan line for Brommer Street between Seventh Avenue and Seventeenth Avenue; and directed Public Works staff to include the plan line in the Master Plan Line file, as recommended by the Director of Public Works
43. **APPROVED** independent contractor agreement with Buckland and Taylor, Ltd, for construction support services for the Conference Drive, Bear Creek Road and Mt. Hermon Road Bridge seismic retrofit project in a not-to-exceed amount of \$35,057; and authorized the Director of Public Works to sign the contract, as recommended by the Director of Public Works

May 25, 1999

44. **APPROVED** independent contractor agreement with Buckland and Taylor, Ltd, for engineering design services for the Soquel Drive Bridge Replacement for a not-to-exceed cost of \$449,524.53; adopted **RESOLUTION NO. 199-99** accepting and appropriating unanticipated revenue in the amount of \$18,400 from the Federal Emergency Management Agency; and authorized the Director of Public Works to sign the agreement, as recommended by the Director of Public Works
45. **APPROVED** plans, specifications and engineer's estimate and authorized calling for bids for Laurel Road Storm Damage Repair Project; set bid opening for Tuesday, June 22, 1999 at 10:45 a.m; and approved related actions, as recommended by the Director of Public Works
46. **APPROVED** amendments to agreements with D & M Consulting Engineers, Incorporated, for the Roy Wilson Yard groundwater monitoring and stockpiled soil investigation and remediation; and authorized the Director of Public Works to sign the agreements, as recommended by the Director of Public Works
47. **AUTHORIZED** submittal of a Certified Local Government Grant application to the State Office of Historic Preservation to request a \$10,000 grant to perform a study on incentives for historic preservation, as recommended by the Planning Director
48. **AUTHORIZED** the Planning Department to submit a Livable Communities Public Access Grant; authorized the Chairperson to sign the letter of support; and directed the Planning Department to report back with an implementation plan for the GIS Internet application upon award of grant, as recommended by the Planning Director, County Assessor and the Information Services Director

May 25, 1999

49. **SCHEDULED** public hearing for June 15, 1999 for the afternoon agenda beginning at 1:30 p.m to consider the recommendation of the Planning Commission on a proposal to demolish two commercial buildings and 11 residential units and replace with a 76 unit affordable multiple dwelling group, to include a community center/laundry room, playground and soccer field. Requires a Residential Development Permit, a Grading Permit, approval of a Parking Program, a Density Bonus and a Development Concession to reduce the required 20' front yard setback to 14' and an exception to the County Design Criteria. The project is located on the northeast side of Freedom Boulevard (1934-1944 Freedom Boulevard). At the north terminus of Stewart and Quinn Avenues. Application No. 97-0857, as recommended by the Planning Director

50. **SCHEDULED** public hearing for Tuesday, August 3, 1999 for the afternoon agenda beginning at 1:30 p.m to consider the proposal to remove the Open Space Easement from APN's: 105-451-03, 05, 06 and 07 and retain APN: 105-041-14 in the Open Space Easement. Requires an Open Space Contract amendment. The property is located on the southeast side of a 40 foot right-of-way approximately 600 feet east from Larsen Road and about two miles north of the intersection of Larsen Road and Trout Gulch Road, Aptos, as recommended by the Planning Director

51. **APPROVED** agreement for document conversion services with California State Computer Store for an amount not-to-exceed \$75,000, as recommended by the Planning Director

52. **DEFERRED** report regarding design review waiver procedures to June 8, 1999, as recommended by the Planning Director

May 25, 1999

53. **AMENDED** existing agreement with First Alarm Security and Patrol to provide additional parking fee collection and stationary guard services in the amount of \$2,025 for the fiscal year 1998/99 for a new contract total of \$42,841; and approved related actions, as recommended by the Director of Parks, Open Space and Cultural Services
54. **AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, APPROVED** funding of \$7,500 toward the Regional Economic Cluster Analysis and Action Plan and approved related actions, as recommended by the Redevelopment Agency Administrator
55. **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.: Bazar v. County of Santa Cruz (Santa Cruz Superior Court Case No. 134334); Appeal of Buena Vista Soil Management Project, California Coastal Commission No. A-3-SC0-98-096 and Buena Vista Community Association v. County of Santa Cruz (Santa Cruz County Case No. 134742); Arreola v. Monterey County et al. (Monterey County Superior Court Case No. 105611)
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
REPORT OF COUNTY COUNSEL - No report given
- 55.1 **ADOPTED RESOLUTION NO. Z00-99** in support of Senate Bill 500 relating to the reauthorization of comprehensive clinical family planning services for low income men and women; and approved related actions, as recommended by Supervisor Beautz

May 25, 1'999

REGULAR AGENDA

- 56. **CONSIDERED** adoption of a local hire ordinance to encourage the hiring of local workers on capital construction projects;
 - (1) read title and waived detailed reading of complete ordinance;
 - (2) approved ordinance "in concept", as amended, to return June 8, 1999 for further consideration; with an additional directive that an ordinance applying to the Redevelopment Agency return on the closest possible date

- (1) BSWCA
- (2) WCBSA

- 57. **APPROVED** at-large appointment of Jill Ginghamer to the Long Term Care Commission (representative of a Caregiver Resource Center), for a term to expire April 1, 2000

BCSWA

- 57.1 **APPROVED** recommendation that the Polo Grounds County Park retain its historical name, but that the new fields at the west end of the park be named "The Monte Family Fields," and that any sign that is erected also include recognition of the Aptos Soccer Club, Aptos Little League, Granite Construction Company, and Far West Design and Landscaping; with an additional directive that the Park Naming policy return to the Board for review and that the Parks and Recreation Commission review the policy and provide its recommendations to the Board at that time

SBWCA

- 58. **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**

May 25, 1999

59. **CONSIDERED** report and recommendations on the Buena Vista Soil Management Project; directed Public Works to initiate engineering, permit applications, and environmental review for development of the Buena Vista Landfill Soil Management Project on the Watsonville City Landfill Expansion site; authorized Public Works to enter into formal negotiations with the City of Watsonville for use of its landfill expansion site for the Buena Vista Landfill Soil Management Project; directed Public Works to advise the California Coastal Commission that the County is now formally considering placement of the Buena Vista Landfill Soil Management Project on the Watsonville City Landfill Expansion site, as recommended by the California Coastal Commission at its December 8, 1998 hearing on the matter; requested that no hearing be set for Appeal No. A-3-98-96, while the County is pursuing the Watsonville Landfill site alternative; and the Board of Supervisors declared its intention to pursue the development of soil management capacity at the Watsonville City Landfill rather than on the Rocha site

CBSWA

60. **Public hearing held to consider a proposal to rezone APN: 095-271-01 from the Special Use (SU) zone district to the Timber Production (TP) zone district. Requires a rezoning. The property is located on the east side of Highway 17 approximately 2,000 feet north of Jarvis Road. Application No. 98-0461; APN: 095-271-02; Applicant: William Mbores; closed public hearing; continued matter to June 8, 1999; and directed staff to return with further information regarding view shed and general plan policies**

BVSCA

May 25, 1999

61. **CONSIDERED** report of the Planning Commission's review of the General Plan/Local Coastal Program Land Use Plan designation and zoning on APN: 038-081-36 (McGregor/Sea Ridge Drives); continued to August 10, 1999 the McGregor discussion with the intent to adopt an interim ordinance prohibiting uses which may be in conflict with the Seacliff Town Plan currently under way; directed staff to return on August 10, 1999 with a resolution of intent to rezone the McGregor Parcel to Visitor Accommodation (VA); directed the Planning Department to include the Seacliff Town Plan or Community Plan in the 1999-2000 Work Program, and further directed to return with processes and timelines for developing park sites

SWBCA

May 25, 1999

62. **CONSIDERED** proposed ordinance amending Chapter 13.32 of the County Code relating to the Mobile Home Rent Adjustment Ordinance and report regarding the interpretation and constitutionality of provisions indexing net operating income at 50% of the increase in the Consumer Price Index;
- (1) read title and waived detailed reading of complete ordinance;
 - (2) approved ordinance "in concept" to return June 8, 1999 for final adoption and directed the Clerk of the Board to publish a summary of the ordinance; accepted the Memorandum from Kenneth K. Baar entitled "Considerations in Selecting an Indexing Ratio under Maintenance of Net Operating Income Standards" and approved his findings concerning the constitutionality of indexing net operating income at 50% of the increase in the Consumer Price Index; approved interpretation of the provisions of subdivision (g) of Section 13.32.040, that inflation should not be considered an unusual factor justifying CPI adjustment greater than 50%; directed Public Works to report on June 8, 1999 regarding various types of road repair; directed the Mobile Home Commission to study the issue of subletting; with an additional directive that the District Attorney report back during Budget Hearings regarding possible improper manipulation of who gets approved for mobile home sales
- (1) BWSCA
 - (2) BWSCA

- 62.1 **APPROVED** agreement in the amount of \$140,000 with Collaborative Economics, Inc. to perform an economic cluster analysis and action plan; authorized the County Administrative Officer and the Human Resources Agency Administrator to sign the agreement; and directed the Human Resources Agency to return at Budget Hearings with the accounting detail, as recommended by the County Administrative Officer

SWBCA

May 25, 1999

- 62.2 **CONTINUED TO JUNE 8, 1999** consideration to accept report on the formation of a technical advisory committee for onsite sewage disposal, with an additional directive that County Counsel report back with what options are available to the Board to form a Technical Advisory Committee and be observant of the open meeting law

WBSCA

- 62.3 **APPROVED** transfer of funds within the Human Resources Agency; and adopted **RESOLUTION NO. 201-99** accepting and appropriating unanticipated revenue in the amount of \$352,000 into the Categorical Aids budget, as recommended by the Human Resources Agency Administrator

BWSCA

63. **CONTINUED TO JUNE 8, 1999** at 7:30 p.m joint study session with the Pajaro Valley Water Management Agency Board of Directors

CBSWA

