

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

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VOLUME 2000, NUMBER 23
September 12, 2000

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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 - Thirteen people addressed the Board
5. Additions and Deletions to Regular Agenda

CONSENT AGENDA
ASBCW

6. APPROVED claims as submitted by the Auditor-Controller
7. APPROVED minutes of August 15, 2000 and August 22, 2000 as recommended by the Clerk of the Board
- a. ACCEPTED AND FILED notification of continuing contracts received during the period of August 21, 2000 through September 8, 2000 and approved upon adoption of the 2000/01 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. ADOPTED ORDINANCE NO. 4595 repealing Chapter 2.108 and adding Chapter 2.110 to the Santa Cruz County Code relative to the Workforce Investment Board

10. ACCEPTED AND FILED reports on audits of Transient Occupancy Tax Audits for Chaminade at Santa Cruz and for Seascapc Resort, and directed the Tax Collector to issue refunds or credits to Chaminade for \$1,315 and to Seascapc Resort for \$763, as recommended by the Auditor-Controller
11. APPROVED the issuance of replacement warrant in the amount of \$17.51. as recommended by the Auditor-Controller
12. ADOPTED RESOLUTION NO. 293-2000 ordering the elections called by the school districts, special districts and cities be consolidated with the November 7, 2000 general election, as recommended by the County Clerk
13. REJECTED the claim of David Wayne Sims, No. 001-010, and referred to County Counsel
14. APPROVED the settlement of Swanson v. County of Santa Cruz, Ray Pike and Henry Munoz, Case No. CV 138712, in the amounts of \$94,000 to Eric Swanson and \$16,000 to Douglas C. Kane, Esq., respectively, for a total amount of \$110,000; and authorized the County Auditor to issue checks totaling that amount, as recommended by County Counsel
15. ADOPTED RESOLUTION NO. 294-2000 authorizing the District Attorney's Office to reapply to the Department of Justice for funding for the Spousal Abuser Prosecution Program grant through fiscal year 2000-2001 and approved related actions, as recommended by the District Attorney
16. ADOPTED RESOLUTION NO. 295-2000 authorizing the District Attorney to reapply to the State Department of Insurance for \$67,775.26 in fiscal year 2000-2001 Automobile Insurance Fraud funds and approved related actions, as recommended by the District Attorney
17. APPROVED \$1,500 expenditure from the Domestic Violence Commission Trust Fund, as recommended by the District Attorney

18. ADOPTED RESOLUTION NO. 296-2000 authorizing the District Attorney to reapply to the State Board of Control for **\$202,518** in fiscal year 2000-2001 Crime Victim Compensation Program funds; adopt RESOLUTION NO. 297-2000 accepting unanticipated revenue from State Board of Control for Victim Witness Assistance in the amount of \$13,544; and approved related actions, as recommended by the District Attorney
19. ACCEPTED the project to replace the HVAC and Water Street Holding Cells as completed; approved the final cost of \$18,658 and approved related actions, as recommended by the Director of General Services
20. APPROVED plans and specifications for the Government Center Chiller Repair project; directed the General Services Department to advertise for bids and set the bid opening for 10:45 a.m. on October 24, 2000, as recommended by the Director of General Services
21. SEE ITEM NO. 69.2, REGULAR AGENDA
22. SEE ITEM NO. 69.3, REGULAR AGENDA
23. APPROVED an agreement with the Social Security Administration to report inmate social security numbers and incarceration dates to allow for suspension of Retirement, Survivor, Disability Income and Supplemental Security Income, as recommended by the Sheriff-Coroner
24. APPROVED agreement between the State 14th District Agricultural Association and the Santa Cruz County Sheriff's Office for security services at the 2000 Santa Cruz County Fair; authorized the Sheriff-Coroner to sign the agreement; adopted RESOLUTION NO. 298-2000 accepting \$3,000 in unanticipated revenue, as recommended by the Sheriff-Coroner
25. APPROVED expenditure of funds for in-county training session for the Victim Information and Notification Everyday (VINE), as recommended by the Sheriff-Coroner
26. APPROVED independent contractor agreements with Law Enforcement Psychological Services and Central Coast Polygraph for fiscal year 2000/01, as recommended by the Sheriff Coroner

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27. APPROVED appointment of Barbara Joy Templeton to the Mental Health Advisory Board for a term to expire April 1, 2001, as recommended by Supervisor Beautz
28. DIRECTED the County Administrative Officer to return to the Board with revision procedures for Conditions, Covenants and Restrictions to anti-discrimination laws for home owner associations, as recommended by Supervisor Symons
29. SEE ITEM NO. 69.4. REGULAR AGENDA
30. APPROVED appointment of Kenneth Peter McLean to the Commission on Disabilities for a term to expire April 1, 2001, as recommended by Supervisor Almqvist
31. APPROVED appointment of Supervisor Beautz to serve on the Association of Monterey Bay Area Government's technical committee to advise the Association of Monterey Bay Area Governments Board of Directors with regard to the preparation of a Regional Housing Needs Plan, and appoint Supervisor Campos as the alternate designee, as recommended by Chair Wormhoudt
32. SEE ITEM NO. 69.1. REGULAR AGENDA
33. APPROVED process for making appointments to the Santa Cruz County Resource Conservation District Board of Directors, including the necessary timeline; and directed the Clerk of the Board to post a notice of vacancies, as outlined, as recommended by Chair Wormhoudt
34. APPROVED appointment of Simon Dangzalan to the Mental Health Advisory Board for a term to expire April 1, 2002, as recommended by Supervisor Wormhoudt
35. ACCEPTED nomination of Charles R. Downey as an at-large appointee to the Long Term Care Interagency Commission, in the category of "over age 55" for a term to expire April 1, 2004, with final appointment to be made September 19, 2000, as recommended by Supervisor Wormhoudt
36. ACCEPTED AND FILED report on Fenix Services, as recommended by the Health Services Agency Administrator

37. APPROVED master agreements for Pharmacist and Senior Pharmacist and approved related actions, as recommended by the Health Services Agency Administrator
38. 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
39. ACCEPTED AND FILED report on Hepatitis C; adopted RESOLUTION NO. 299-2000 supporting SB 1256; and directed the Board Chair to convey that support to local legislators, as recommended by the Health Services Agency Administrator
40. ADOPTED RESOLUTION NO. 300-2000 accepting and appropriating \$94,633 for HIV Early Intervention Program; authorized creation of a new 0.50 FTE Health Educator position; and approved fixed asset purchases in the amount of \$3,600, as recommended by the Health Services Agency Administrator
41. ACCEPTED AND FILED report on the Housing Scholarship Program, as recommended by the Human Resources Agency Administrator
42. ACCEPTED AND FILED report on Community Program's responses to corrective actions, as recommended by the Human Resources Agency Administrator
43. APPROVED the augmented Community Programs agreements for fiscal year 2000/01, and authorized the Human Resources Agency Administrator to sign the agreement on behalf of the County, as recommended by the Human Resources Agency Administrator
44. ADOPTED RESOLUTION NO. 301-2000 accepting unanticipated revenue in the amount of \$574,527 and appropriate the funds, as recommended by the Human Resources Agency Administrator

45. ADOPTED RESOLUTION NO. 302-2000 accepting and appropriating unanticipated revenue in the amount of \$75,920 for a contract with the Pajaro Valley Unified School District to support continuation and enhancement of the after school program for low-income students in the Freedom Elementary School area, as recommended by the Human Resources Agency Administrator
46. APPROVED a contract with the Valley Resource Center in the amount of \$30,000 for family resource center services, as recommended by the Human Resources Agency Administrator
47. SCHEDULED public hearing for September 26, 2000, on the morning agenda, to consider the adoption of the 2001 Annual Population Growth Goal, as recommended by the Planning Director
48. SCHEDULED a public hearing for October 3, 2000, on the afternoon agenda, to consider the proposal to rezone Assessors Parcel Numbers 106-181-08, 107-41-02 and 107-051-32 from the Special Use zone district to the Timber Production zone district, as recommended by the Planning Director
49. APPROVED independent contractor agreement with Paul Howard to conduct multi-family housing recycling assistance for the not-to-exceed amount of \$8,800, and authorized the Director of Public Works to sign the agreement on behalf of the County; directed Public Works to report back on March 20, 2001, with results of the multi-family outreach pilot program; and by consensus, the Board requested that the flier regarding recycling procedures be resubmitted for further review
50. ACCEPTED AND FILED report on the 30th, 32nd, and 33rd Avenue Storm Drain, Sanitary Sewer, and Sidewalk Improvement Project; directed Public Works to return to the Board with a report on the Coastal Commission's actions on or before November 7, 2000, as recommended by the Director of Public Works

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51. ACCEPTED the improvement and approved the final cost for the Braemoor Drive Road Repair Project, County Service Area No. 47 (3rd District); and approved related actions, as recommended by the Director of Public Works
52. ITEM DELETED
53. APPROVED road closures and sixth Annual Monte Foundation Fireworks Show; and approved related actions, as recommended by the Director of Public Works
54. APPROVED the agreement with the Volunteer Centers of Santa Cruz County for Graffiti Removal and Abatement Services for a not-to-exceed total cost of \$64,000; authorized the Director of Public Works to sign the agreement; and take related action, as recommended by the Director of Public Works
55. DECLARED John Deere 401 tractor as surplus and removed it from the Department Public Works' inventory; transferred asset to the Parks, Open Space & Cultural Services Department; and approved payment of \$500 to Public Works, as recommended by the Director of Public Works
56. AUTHORIZED the Director of Public Works to submit an application for federal assistance/environmental education grant to the Environmental Protection Agency in the amount of \$5,000 for vermi composting public education; approved amendment to agreement with Karin Grobe in the increased amount of \$13,055 for a not-to-exceed amount of \$74,055 to provide for consultant labor for the vermi composting education project; and authorized the Director of Public Works to sign the agreement on behalf of the County, as recommended by the Director of Public Works

57. ADOPTED RESOLUTION NO. 303-2000 authorizing an agreement with the State of California to accept federal funding for construction of the Soquel' Drive Roadway Improvement Project at Cabrillo College; approved Program Supplement in the amount of \$750,000; authorized the Director of Public Works to sign the agreement; authorized payment to Cabrillo College in the amount of \$750,000 upon receipt of federal funds; and approved related actions, as recommended by the Director of Public Works
58. APPROVED request to Pacific Gas and Electric Company to include funding for individual property owners in conjunction with all future applicable underground utility projects in the County of Santa Cruz and approved related actions, as recommended by the Director of Public Works
59. ACCEPTED the low bid of Cimarron Construction for storm damage repair projects on Hazel Dell Road in the amount of \$200,920; Reber Construction on Granite Creek Road in the amount of \$165,413.76; J. Randolph, Inc.. on North Rodeo Gulch Road in the amount of \$2171460.16; and Reber Construction on Swanton Road in the amount of \$298,361.13; authorized transfer of reserve revenues; authorized award of contracts; and authorized the Director of Public Works to sign the contracts, as recommended by the Director of Public Works
60. DEFERRED report on the draft lease with the City of Watsonville for management of the Watsonville Veterans Memorial Building to October 17, 2000, as recommended by the Director of Parks, Open Space and Cultural Services
61. By consensus, the Board of Supervisors, CONTINUED TO SEPTEMBER 19, 2000 consideration to accept and file report on the use of the Live Oak Community Room: approve the Small Room rate of \$18 for the first two hours and \$9 per hour thereafter for a 1/4 of the room during the week to facilitate increased use by small Community and Non-profit Groups; and take related actions

62. AS THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY, AUTHORIZED the Agency Administrator to negotiate and sign an amendment to the Vista Verde Financing Agreement to increase funding in an amount up to \$215,000; and approved related actions, as recommended by the Redevelopment Agency Administrator
63. 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.: County of Santa Cruz v. Camali. Santa Cruz County Superior Court No. 133906
PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
CONFERENCE WITH LABOR NEGOTIATOR
Agency negotiator: Personnel Director
All Employee organizations
REPORT OF COUNTY COUNSEL - The Board of Supervisors approved settlement in the case of County of Santa Cruz v. Camali Corporation (Santa Cruz County Superior Court No. 133906) in the amount of \$8,000 with the condition that Camali Corporation dispose of the subject UPS unit; the Board of Supervisors also authorized County Counsel to dismiss the law suit with prejudice once the settlement agreement has been executed; and the Board of Supervisors further ratified the County's participation and it's cost for participation in the mediation process under Thornton Kontz, Esq. in the amount of \$400 (BSCAW)

REGULAR AGENDA

64. Public hearing held to approve the appointment of Thomas L. Bolich as Road Commissioner and consider adoption of resolution appointing Thomas L. Bolich to the position of Road Commissioner:
closed public hearing; adopted RESOLUTION NO. 304-2000 Appointing Thomas L. Bolich to the Position of Road Commissioner

SCBAW

65. Public hearing held to consider adoption of Resolution Amending the Boundary of Underground Utility District 17, in Davenport:
closed public hearing; adopted RESOLUTION NO. 305-2000 Amending the Boundary of Underground Utility District, District No. 17, Davenport

ACBSW

66. Public hearings held to consider Federal Bureau of Justice Assistance (BJA) Local Law Enforcement Block Grant and State Supplemental Law Enforcement Services Fund:
closed public hearings; approved various financial actions and additional fixed assets related to 2000-01 Bureau of Justice Assistant funds as requested by the Sheriff-Coroner; adopted RESOLUTION NO. 306-2000 Canceling Estimated Revenues and Appropriations in the amount of \$3,334; adopted RESOLUTION NO. 307-2000 accepting and appropriating funds from State Supplemental Law Enforcement Services for Detention Bureau's program in the amount of \$92,750; adopted RESOLUTION NO. 308-2000 from State Supplemental Trust Fund for Supplemental Law Enforcement program in the amount of \$69,563; and authorized the extension of the limited-term positions of Inspector I/II and Legal Secretary I/II in the District Attorney-Criminal Prosecutions Index 272100 through September 30, 2001

ACBSW

September 12, 2000

67. Public hearing to consider adoption of amendments to County Code Chapter 7.38 Sewage Disposal, a Coastal implementing ordinance and related General Plan Policy 5.5.5;
 closed public hearing; approved Negative Declaration and Notice of Determination that the proposed amendment of County Code Chapter 7.38, Sewage Disposal and related General Plan Policy 5.5.5 will not have a significant effect on the environment; adopted RESOLUTION NO. 309-2000 Adopting Amendments of Chapter 7.38 of the Santa Cruz County Code Regarding Sewage Disposal and Related General Plan Policy 5.5.5; adopted ORDINANCE NO. 4596 Amending Sections of Chapter 7.38, Sewage Disposal, Relating to Parcel Size, Easements, Leachfield Depth, Nonstandard System Maintenance, and Other Minor Changes; with additional direction to staff to report back on September 19, 2000 on how long it will take to amend the Felton Town Plan

ASBCW

68. CONSIDERED adoption of Ordinance amending subdivisions (a) and (c) of Section 2.52.020 and deleting subdivision (c) of Section 2.52.030 of the Santa Cruz County Code relating to membership on the Emergency Medical Care Commission;
- (1) read title and waived detailed reading of complete ordinance;
- (2) adopted ordinance "in concept: to return on September 19, 2000 for final adoption

(1) ABSCW
 (2) CBSAW

69. CONSIDERED adoption of Ordinance amending subdivision (b) of Section 17.10.034 of the Santa Cruz County Code to update the affordable housing In-Lieu Fee Schedule; read title and waived detailed reading of complete ordinance; adopted ordinance "in concept" to return on September 26, 2000 for final adoption; with additional direction to staff to return at the second meeting in January 2001 with an updated activity on the in-lieu fees

ABSCW

September 12, 2000

- 69.1 ADOPTED RESOLUTION NO. 310-2000 opposing the passage of Proposition 38 on the November 7, 2000 ballot, as recommended by Chair Wormhoudt

ABSCW

- 69.2 ACCEPTED the annual itemized report of revenues and expenditures for the Inmate Welfare Fund; with additional direction to report back on October 17, 2000 with a report that indicates what the actual mark-up of commissary items and the comparison to mark-up on items from various venues in the community; include information on telephone charges and profit per call, as well as expected expenditures in the expansion program for this year and next

BASCW

- 69.3 ACCEPTED report on the current inmate programs offered at the Sheriff's Blaine Street Women's Minimum Security Facility. as recommended by the Sheriff-Coroner

ABSCW

- 69.4 CONTINUED public hearing to consider proposed ordinance repealing Chapter 7.72 of the County Code and reenacting it as new Chapter 7.77 and adding Chapter 7.72, the proposed County Metering Ordinance which was scheduled for September 19, 2000 until September 26, 2000 at 7:30 p.m., as recommended by Supervisor Symons

ASBCW

- 70 RECEIVED bids regarding North Coast Beaches Project Phase 1, Scott Creek Beach and referred to Parks, Open Space and Cultural Services and General Services, with direction to return on or before September 26, 2000 with a recommendation on awarding of bid

BSCAW

September 12, 2000

- 71. RECEIVED bids regarding Watsonville Veterans Building Painting Project No. 00C1-004 and referred to Parks, Open Space and Cultural Services and General Services, with direction to return on or before September 26, 2000 with a recommendation on awarding of bid

BCSAW

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 September 26, 2000

