

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

VOLUME 2001, NUMBER 11
APRIL 24, 2001

ACTION SUMMARY MINUTES

VOTING KEY: A = Almquist. B = Beautz, C = Campos;
P = Pirie, W = Wormhoudt; first initial indicates maker
of motion, second initial indicates the "second"; upper
case letter = "yes" vote; lower case letter = "no" vote;
0 = 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, See Item
No. 54.1
4. ORAL COMMUNICATIONS - Six people addressed the Board
5. Additions and Deletions to Regular Agenda

CONSENT AGENDA
WBPAC

6. APPROVED claims as submitted by the Auditor-Controller
7. DELETED ITEM
8. DELETED ITEM
9. SEE ITEM NO. 64.3. REGULAR AGENDA
10. ADOPTED revisions to the Santa Cruz County Energy
Commission bylaws and adopted ORDINANCE NO. 4616
amending Section 2.54 to the Santa Cruz County Code
Relating to the Energy Commission
11. REJECTED claim of Guy Grable, No. 001-055C and
referred to County Counsel

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12. REJECTED claim of Kathryn E. Shaw, No. 001-094, Amended, and referred to County Counsel
13. SEE ITEM NO. 64.4, REGULAR AGENDA
14. ACCEPTED AND FILED statement of count of money in treasury at December 18, 2000, as recommended by the Auditor-Controller
15. ACCEPTED AND FILED Comprehensive Annual Financial Report and Single Audit Report for the fiscal year ended June 30, 2000, as recommended by the Auditor-Controller
16. ADOPTED RESOLUTION NO. 127-2001 accepting and appropriating unanticipated revenue in the amount of \$48,000; authorized the purchase of two mid-size station wagons at a total cost not-to-exceed \$48,000 for the Department of Child Support Services, as recommended by the Director of Child Support Services
17. SCHEDULED a public hearing, pursuant to Section 14.01.312 of the Santa Cruz County Code, on Tuesday May 8, 2001, on the afternoon agenda at 1:30 p.m. regarding the appeal filed by Richard Beale Land Use Planning, Incorporated, on behalf of Atherton Place Development LLC; with an additional direction to change the time of public hearing to 7:30 p.m. instead of 1:30 p.m.
18. ACCEPTED AND FILED report on the completion of the Santa Cruz County Code Volume I and Volume II hard copy version and the on-line format for Internet access, as recommended by the Clerk of the Board and the County Administrative Officer
19. ACCEPTED AND FILED status report on Law Library financing issues and directed the County Administrative Officer to report back on May 8, 2001 with a further report on financing issues and discussions between the Law Library and the Santa Cruz City/County Library system, as recommended by the County Administrative Officer
20. ADOPTED RESOLUTION NO. 128-2001 appropriating unanticipated revenue in the amount of \$239,000 and approved an increase in the Rutan and Tucker contract amount for 2000-01 of \$239,000, as recommended by the County Administrative Officer



21. DEFERRED consideration of policies requiring environmentally-certified wood in County contracting to return on or before June 12, 2001 with a report, as recommended by the County Administrative Officer
22. SEE ITEM NO. 64.1, REGULAR AGENDA
23. APPROVED Energy Assistance Programs Outreach Plan developed by the Human Resources Agency and Health Services Agency; and approved related actions, including a report back on or before the second meeting in August and at budget hearings 2001/2002, as recommended by the County Administrative Officer
24. APPROVED the addition of 2.0 Attorney I/II/III/IV positions in the Office of the County Counsel dedicated to Child Welfare Services, as recommended by the Human Resources Agency Administrator and County Counsel
25. DEFERRED consideration of all documents to effect the transfer of the County Service Area (CSA) 54 water system to Santa Cruz Mountains Summit West and directed County Counsel, the Auditor-Controller and the Public Works Department to return on or before May 22, 2001 with the executed Memorandum of Transfer and related documents for consideration, as recommended by County Counsel
26. APPROVED the lease purchase of seven vehicles by the Fleet Services Division of General Services through the Cal Lease Public Funding Corporation and authorized the General Services Department to sign the contract documents, as recommended by the Director of General Services
27. ADOPTED RESOLUTION NO. 129-2001 accepting and appropriating \$8,800 into the Plant Budget; authorized the transfers of appropriations in the amounts of \$39,200 and \$8,800; awarded contract to George H. Wilson, Incorporated in an amount not-to-exceed \$47,317 for the 1080 Emeline pre-cooling project; and approved related actions, as recommended by the Director of General Services
28. ACCEPTED the Treasurer's Cash Report and the Investment Transaction Report for the month of March 2001, as recommended by the Treasurer-Tax Collector

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29. APPROVED and adopted the Santa Cruz County 2001 Investment Policy, as recommended by the Treasurer-Tax Collector
30. DIRECTED the Chairman to write to Interior Secretary Norton indicating the Board's support for the California Coastal National Monument and directed the Chairman to write the four City Councils to urge them to similarly support the Monument, as recommended by Supervisor Wormhoudt
31. ADOPTED RESOLUTION NO. 130-2001 indicating support for the actions taken by the Santa Cruz County Regional Transportation Commission to improve the Highway 1 corridor, including expansion of lanes, as recommended by Supervisors Beautz and Campos

wBPAC
32. APPROVED appointment of Giovanna Morelli to the Alcohol and Drug Abuse Commission for a term to expire April 1, 2005, as recommended by Supervisor Pirie
33. ACCEPTED nomination of Robert T. Phillips for appointment to the Long Term Care Interagency Commission, as an at-large representative over the age of 55, for a term to expire April 1, 2004, with final appointment to be made May 1, 2001, as recommended by Supervisor Wormhoudt
34. APPROVED appointment of Lynn Harrison to the Domestic Violence Commission as the representative of the Health Services Agency, effective May 1, 2001, as recommended by Chairman Campos
35. APPROVED appointment of Maria Isabel Vargas to the Domestic Violence Commission as a representative of Women's Crisis Support-Defensa de Mujeres, as recommended by Chairman Campos
36. ADOPTED RESOLUTION NO. 131-2001 supporting the passage of Senate Bill 1069, relative to plastics recycling and approved related actions, as recommended by Chairman Campos

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37. ADOPTED RESOLUTION NO. 132-2001 supporting Senate Bill 465 regarding the powers of the Santa Cruz County Regional Transportation Commission, and urging amendments to increase the size of the Commission by two additional seats and approved related actions, as recommended by Chairman Campos
38. ADOPTED RESOLUTION NO. 133-2001 urging passage of Senate Bill 691, regarding payment of public agency defense costs relative to mobile home rent stabilization ordinances, and approved related actions, as recommended by Chairman Campos
- 38.1 ADOPTED RESOLUTION NO. 134-2001 supporting Worthy Wage Day, as recommended by Supervisor Pirie
39. ACCEPTED AND FILED report on emergency medical care services; adopted RESOLUTION NO. 135-2001 supporting Senate Bill 254 (Dunn), Assembly Bill 686 (Hertzberg/Thomson), and Assembly Bill 687 (Thomson/Hertzberg) related to the emergency care system, as recommended by the Health Services Agency Administrator
40. AUTHORIZED the Health Services Agency's Alcohol and Drug Program Administrator to sign the agreement reimbursing the County for staff assistance to develop Friday Night Live Partnership services, as recommended by the Health Services Agency Administrator
41. APPROVED amendment to contract with Janus of Santa Cruz to provide an additional \$122,284 of funding for alcohol and drug treatment services for CalWORKS participants and Medi-Cal recipients, as recommended by the Health Services Agency Administrator
42. APPROVED application for continuation funding in the amount of \$93,868 for the Housing Opportunities for People with AIDS (HOPWA) program; approved HIV Consortium agreements for HOPWA funded services, effective July 1, 2001 with the Santa Cruz AIDS Project in the amount of \$76,297 and the Community Action Board in the amount of \$11,000; and approved related actions, as recommended by the Health Services Agency Administrator

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43. APPROVED contract with El Pajaro Community Development Corporation in the amount of \$150,000 for a collaborative youth development project and authorized the Human Resources Agency Administrator to sign the contract on behalf of the County, as recommended by the Human Resources Agency Administrator
44. APPROVED final map of Tract 1423, Santos Subdivision; authorized the Director of Public Works to sign the Subdivision Agreement; and approved related action, as recommended by the Director of Public Works
45. APPROVED independent contractor agreement with James P. Allen and Associates effective July 1, 2000 for consulting and inspection services for the Pruning and Cabling Project for Monterey Cypress Trees in a not-to-exceed amount of \$15,000; authorized the Director of Public Works to sign the agreement on behalf of the County; and approved payment of outstanding invoices in the amount of \$8,770, as recommended by the Director of Public Works
46. ADOPTED RESOLUTION NO. 136-2001 for right-of-way acquisition for the Capitola Road Improvement project; made related findings; authorized the Director of Public Works to sign the contract; and approved payment of claim, as recommended by the Director of Public Works
47. DELETED ITEM
48. ADOPTED RESOLUTION NO. 137-2001 for right-of-way acquisition for the Soquel Drive Bridge at Aptos Creek Seismic Retrofit project; authorized the Director of Public Works to sign the contracts on behalf of the County; and approved payment of claim, as recommended by the Director of Public Works
49. ADOPTED RESOLUTION NO. 138-2001 approving the filing of a grant application in the amount of \$282,500 for the Pedestrian Safety Program funds for a pedestrian walkway along Sims Road from Graham Hill Road to Brook Knoll Drive, as recommended by the Director of Public Works

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50. APPROVED final map of Tract 1427, The Grove; authorized the Director of Public Works to sign the Subdivision agreement; and directed Clerk of the Board to take related actions, as recommended by the Director of Public Works
51. ADOPTED RESOLUTION NO. 139-2001 approving and accepting the Grant Deed from the Redevelopment Agency of the County of Santa Cruz for the Capitola Road Improvement project; and made related findings, as recommended by the Director of Public Works
52. SEE ITEM NO. 64.2. REGULAR AGENDA
53. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, APPROVED financing in the amount of \$1,000 for acquisition of necessary right-of-way or easements for the Capitola Road Improvement project: approved dedication of Agency properties needed for construction: and approved related actions, as recommended by the Redevelopment Agency Administrator

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54. 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. City of San Jose, et al., Santa Clara Superior Court No. CV 7944209
Case Name/No.: County of Santa Cruz v. E.A. Hathaway and Company et al. Santa Cruz County Superior Court Case No. CV 138598
LIABILITY CLAIMS
Claimant(s): Anita Carrillo, Claim #900-147
CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Property street address (APN if no street address): APN 102-213-17
Negotiating parties (not agents): Tom Burns
CONFERENCE WITH LABOR NEGOTIATOR
Agency negotiator: Personnel Director
Employee organization: All
REPORT OF COUNTY COUNSEL- No report given
- 54.1 APPROVED reappointment of Maria Castro to the Latino Affairs Commission, as the at-large representative of the City of Santa Cruz, for a term to expire April 1, 2005, as recommended by Chairman Campos

REGULAR AGENDA

55. Presentation made by the County Women's Commission regarding a Position Statement prepared by counselors of Cabrillo, Gavilan, Hartnell and Monterey Peninsula Community Colleges with regard to Welfare-to-Work: requested the Chair of the Board forward the recommendations from the Counselors Position Statement, and a letter to Governor Davis, Senator McPherson, Assemblymember Keeley and Assemblymember Simon Salinas and Congressional delegates indicating that the Board of Supervisors endorses the Counselors Position Statement and requesting that every effort be made to change the TANF rules to allow people to stay in school for education

WABPC

56. Special presentation made
57. CONSIDERED adoption of resolution in support of Assembly Bill 1075 to provide safe staffing ratios for nursing homes, and endorsing the campaign to "Fix California Nursing Homes Now!";
- (1) adopted RESOLUTION NO. 140-2001 Supporting the Passage of Assembly Bill 1075 to Provide Safe Staffing Ratios for Nursing Homes, and further Endorsing the Campaign to "Fix California Nursing Homes Now!";
- (2) directed the Clerk of the Board to distribute the resolution as indicated;
- (3) and directed the County Administrative Officer to place the Bill in the legislative tracking system

BAPWC

58. Public hearing held to consider establishment of the annual parking maintenance and operating charges for the Soquel Village Parking and Business Improvement Area for the 2001-2002 fiscal year: closed public hearing: and adopted RESOLUTION NO. 141-2001 Establishing Annual Parking Operation and Maintenance Charges for the Soquel Village Parking and Business Improvement Area for Fiscal Year 2001-2002

BWPAC

59. APPROVED appointment of Roger E. McKowan to the Long Term Care Interagency Commission, as an at-large representative in the category "Younger Functionally Impaired Adult Age 18-55, for a term to expire April 1, 2002

ABPWC

60. APPROVED appointment of Tricia Pastor for reappointment to the Children and Youth Commission, as an at-large representative of Providers, for a term to expire April 1, 2005

AWBPC

61. APPROVED reappointment of Angelee Dion and Celeste Graham to the Building Appeals Board, as at-large alternate representative, as outlined, for terms to expire April 1, 2005

ABPWC

62. Presentation made recognizing volunteers with the Volunteer Initiative Program

63. RECEIVED bids regarding 1400 Emeline Emergency Power Upgrade Project and referred to the General Services Department to return on or before May 22, 2001 with a recommendation on awarding of the bid

WPBAC

64. RECEIVED bids regarding Seismic retrofit of the Swanton Road, Forest Hill Drive and East Zayante Road Bridges and referred to Public Works to return on or before May 22, 2001 with a recommendation on awarding of the bid

WPBAC

- 64.1 accepted and filed report on the efforts to reduce or
- (1) eliminate MTBE in gasoline in Santa Cruz County;
 - (2) accepted and filed letters from the Hazardous Materials Advisory Commission and the Water Advisory Commission supporting the Board's efforts to reduce or eliminate MTBE in gasoline in Santa Cruz County;
 - (3) directed the County Administrative Office, in conjunction with General Services, Public Works, and Environmental Health to develop a survey to local gasoline stations requesting information on the availability of MTBE-free gasoline and to develop a public awareness program;
 - (4) indicated Board's intent that the County will use MTBE-free gasoline for the County's fleet, directed General Services and Public Works to review the options for securing the best rate for the gasoline and report back to the Board at budget hearings on this matter;
 - (5) requested the Chair of the Board send a letter to other jurisdictions within the County and other counties within the State advising them of the County's actions to eliminate MTBE-oxygenated gasoline from use in the County fleet and encouraging them to adopt a similar policy; with an additional direction to include UCSC and large companies that have large vehicle fleets;
 - (6) requested the Chair of the Board to write to our federal legislators in support of California's request for a federal waiver to eliminate the requirement for the addition of oxygenates in all gasoline supplies in California; with an additional direction to also write to President Bush and the Federal Environmental Protection Agency
 - (7) directed the Planning Department to work with the Hazardous Materials Advisory Commission and the Water Advisory Commission regarding issues related to evaluation and clean-up of MTBE releases, aquifer and well-head protection programs, and the protection of recharge zones and production well areas and provide a follow-up report to the Board on or before August 21, 2001; with an additional direction to include in the report back information on what steps are available to us to urge or require the cities and regulatory agencies to move more aggressively to enforce clean-ups: and

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- (8) with additional directions that a letter be sent to the suppliers and gas companies informing them of the Board's concerns on this issue and County Counsel report back on May 8, 2001 on whether the Board has the power to mandate some kind of consumer orientated label for application to gas pumps

PBWAC

- 64.2 APPROVED agreement with the City of Watsonville for lease of space in the County-owned Watsonville Veterans Memorial Building; authorized the Director of County Parks to sign the lease; and directed County Parks to return on or before June 26, 2001 with an amendment to the lease for additional space; with an additional direction that the lease be amended to reflect that the 5 year lease options will be on terms mutually agreeable to both parties

PBWAC

- 64.3 CONTINUED TO MAY 22, 2001 consideration to adopt ordinance Repealing and Reenacting Chapter 9.54 to the Santa Cruz County Code Relating to Motorized Bicycles and Motorized Scooters; including a report on May 8, 2001 in the closed litigation session

AWBPC

- 64.4 APPROVED agreement with the California Department of Food and Agriculture in the amount of \$11,328 for a Weed Management plan; authorized the Agricultural Commissioner to sign the agreement; adopted RESOLUTION NO. 142-2001 accepting and appropriating unanticipated revenue in the amount of \$6,573 for 2000-01 expenses related to weed management activities, as recommended by the Agricultural Commissioner

ABPWC

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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 May 8, 2001