

PROCEEDINGS OF THE  
SANTA CRUZ COUNTY  
BOARD OF SUPERVISORS

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VOLUME 2001, NUMBER 13  
MAY 8, 2001

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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;  
( ) = 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  
Nos. 51.1, 51.2, 51.3 and 51.4
4. ORAL COMMUNICATIONS - two people addressed the Board
5. Additions and Deletions to Regular Agenda

CONSENT AGENDA

AWBPC

6. APPROVED claims as submitted by the Auditor-Controller
7. APPROVED minutes of April 24, 2001, as recommended by  
the Clerk of the Board
8. DELETED ITEM
9. ADOPTED ORDINANCE NO. 4618 Amending Chapter 9 of the  
Santa Cruz County Code Relating to Stop Intersections
10. ADOPTED ORDINANCE NO. 4619 Adopting the Santa Cruz  
County Code
11. REJECTED claim of Tjoni Jacobs No. 001-098 and  
referred to County Counsel

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12. ACCEPTED AND FILED report on the Transient Occupancy Tax Audit of Holzman and Daw for the three years ended December 31, 2000 and authorized refund of \$1,201. as recommended by the Auditor-Controller
13. ADOPTED RESOLUTION NO. 162-2001 in support of Assembly Bill 1457 (Keeley) amending the Revenue and Taxation Code by waiving escaped and supplemental property tax assessments that have been levied for a pro rata change in ownership between January 1, 1989 and January 1, 2002, as these assessments have imposed an unfair and inequitable burden on resident-owned mobile home parks; and directed the Clerk of the Board to take related actions, as recommended by the County Assessor
14. APPROVED modifications to the agreement with the law firms of Page, Salisbury, and Dudley, and Wallraff and Gilman to provide conflict of interest defense services through June 30, 2004 and approved related actions, as recommended by the County Administrative Officer
15. ACCEPTED AND FILED report on the implementation activities of the Monterey Bay National Marine Sanctuary Inter-Agency Task Force and approved related actions, as recommended by the County Administrative Officer
16. ACCEPTED AND FILED report on California State Library Grant, the integration of the Law Library and the Public Libraries and the financial status of the Law Library; authorized the Auditor Controller to make cash flow loans to the Law Library during the remainder of the 2000-01 fiscal year; and continued deferring payment of law library's outstanding loan from the County, as recommended by the County Administrative-Officer
17. ACCEPTED report and approved adding a voluntary labeling component regarding MTBE in gasoline to public awareness program, as recommended by County Counsel
18. AUTHORIZED transfer of \$1,640 of Violence Against Women Vertical Prosecution grant appropriations from the Office Supplies line item to Salaries line item, as recommended by the District Attorney

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19. ACCEPTED status report on the development of the County's Standard Operation Procedural Plan and directed the Office of Emergency Services to return on or before October 23, 2001 with an additional report, as recommended by the Director of General Services
20. ACCEPTED project for the Pajaro Dunes Fire Station Emergency Power as completed; approved the final cost of \$54,600; and authorized the Clerk of the Board to file the Notice of Completion, as recommended by the Director of General Services
21. APPROVED contract amendment with Silva Strong Architects extending the contract end date to June 30, 2002, as recommended by the Director of General Services
22. APPROVED contract with JR Zar in the amount of \$19,500 for the 1400 Emeline Emergency Power Upgrade; authorized the Director of General Services to approve change orders and encumber \$1,950 in addition to the contract to cover change order expenditures; and approved related actions, as recommended by the Director of General Services
23. AUTHORIZED the County Office of Emergency Services/County Operational Area to submit subgrant application in the amount of \$51,642.83 for safety equipment as part of the State Domestic Preparedness Program, as recommended by the General Services Director
24. APPROVED independent contractor agreement with Thomas and Means for law enforcement training seminars and authorized the Sheriff-Coroner to sign, as recommended by the Sheriff-Coroner
25. APPROVED Remote Access Network (RAN) Committee Bylaws, as recommended by the Sheriff-Coroner
26. APPROVED appointment of Vicki Dyas to the Disaster Council for a term to expire April 1, 2005, as recommended by Supervisor Almqvist
27. APPROVED appointment of Janice Xaviel to the Alcohol and Drug Abuse Commission for a term to expire April 1, 2005, as recommended by Supervisor Beautz

28. APPROVED appointment of Gina Fiallos, M.S.W., to the Long Term Care Interagency Commission, as an at-large appointee representing a regional center for the developmentally disabled, for a term to expire April 1, 2004, as recommended by Chairman Campos
29. APPROVED changes to categories of representation for County appointees to the Child Care Planning Council, as outlined, and ratified the list of current County appointees, including categories of representation and terms of office, as recommended by Chairman Campos
30. ACCEPTED AND FILED report on the need to continue the state of local emergency relative to the transmissions of HIV through contaminated needles, as recommended by the Health Services Agency Administrator
31. SEE ITEM NO. 54.2. REGULAR AGENDA
32. APPROVED agreement with El Pajaro Community Development Corporation for a CalWORKs Welfare-to-Work microenterprise program in the amount of \$115,000; and authorized the Human Resources Agency Administrator to sign the contract on behalf of the County, as recommended by the Human Resources Agency Administrator
33. DEFERRED final report on the Farmworker Health and Housing Survey Needs Assessment to June 5, 2001, as recommended by the Human Resources Agency Administrator
34. DIRECTED the Human Resources Agency to return on June 12, 2001 for approval of an agreement to conduct a study on Facility and Infrastructure needs of community agencies, as recommended by the Human Resources Agency Administrator
35. SCHEDULED public hearing for June 5, 2001 on the morning agenda at 9:00 a.m. or thereafter to consider the Planning Commission's recommendation regarding an amendment to an area of the Paradise Park Planned Unit Development known as the Castle Property, as recommended by the Planning Director

36. SCHEDULED public hearing on May 22, 2001 on the afternoon agenda at 1:30 pm. or thereafter to consider the Pajaro Lane Affordable Housing Project. Application 00-0767 on APNs: 048-041-46 and -47 to construct 99 affordable housing units, including a residential development permit, a minor land division, approval of a tentative subdivision map, roadway and roadside exceptions, a riparian exception, design review, a 25% density bonus and accompanying affordability incentives, including approval of a parking program and approval of an exception to allow a portion of two apartment buildings to be three stories in height, as recommended by the Planning Director
37. ACCEPTED AND FILED report on the Neighborhood Commercial (C-1) Zone District and preliminarily approved ordinance amending the Neighborhood Commercial (C-1) Zone District Use Charts; and directed Planning to process the amendments to the Zoning ordinance to incorporate the proposed amendments to the Commercial Uses Chart
38. DEFERRED report on Seacliff Village Plan until May 22, 2001, as recommended by the Planning Director
39. ACCEPTED the low bid of Granite Construction Company in the amount of \$5,656,658 for the 2000/2001 Pavement Management Overlay Project; authorized the Director of Public Works to sign the contract; and adopted RESOLUTION NO. 163-2001 accepting unanticipated revenue in the amount of \$1,719,345.65 from Assembly Bill 2928 Transportation Finance, as recommended by the Director of Public Works
40. ACCEPTED the low bid of Graham Construction, Incorporated in the amount of \$321,173.16 for the 2000/2001 Pavement Management Slurry Seal Project and authorized award of contract; and authorized the Director of Public Works to sign the contract, as recommended by the Director of Public Works
41. DEFERRED consideration of construction and demolition material recycling operations for the Buena Vista Landfill on or before June 12, 2001, as recommended by the Director of Public Works

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42. APPROVED the road closure for the Aptos 4th of July Parade and directed Public Works to issue the parade permit, as recommended by the Director of Public Works
43. APPROVED the 4th of July beach access road closures and directed the Public Works Department to provide and assist the California Highway Patrol and Sheriff's office with road closure barricades and detour signs, as recommended by the Director of Public Works
44. APPROVED the road closure and La Selva Beach 4th of July Parade and directed Public Works to issue the parade permit, as recommended by the Director of Public Works
45. APPROVED the plans, specifications, and engineer's estimate for the Capitola Road Improvements, Soquel Avenue to Thirtieth Avenue; authorized calling for bids; set bid opening at 10:45 am. on June 5, 2001; and approved related actions, as recommended by the Director of Public Works
46. APPROVED contract with URS Corporation in the amount of \$642,207.16 for construction management services for the seismic retrofit and bridge replacement program, as recommended by the Director of Public Works
47. APPROVED road closures and race for the Twenty-Ninth Annual Wharf-to-Wharf Race for July 22, 2001 and directed the Public Works Department to issue the race permit, as recommended by the Director of Public Works
48. ACCEPTED transfer of funds to offset the increased utility and service costs for this fiscal year; with an additional directive that Parks, Open Space and Cultural Services return during budget hearings with a plan to reduce energy cost in the next fiscal year
49. DEFERRED recommendations from the Parks Commission regarding Proposition 12 Funds until Budget Hearings, as recommended by the Director of Parks, Open Space and Cultural Services

- 50. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, ACCEPTED AND FILED status report on the Pajaro Lane Affordable Housing Project and adopted RESOLUTION NO. 164-2001 supporting tax credit financing for the project, as recommended by the Redevelopment Agency Administrator
  
- 51. 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. E. A. Hathaway and Company, et al. Santa Cruz County Superior Court Case No. CV 138598  
 Case Name/No.: International Union of Operating Engineers Local 3. AFL-CIO, v. County of Santa Cruz. et al. Santa Cruz Superior Court No. 140620
  - 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
  - PERSONNEL SESSION - County Counsel
  - CONFERENCE WITH LABOR NEGOTIATOR  
 Agency negotiator: Personnel Director  
 Employee organization: All
  - REPORT OF COUNTY COUNSEL- No report given
  
- 51.1 APPROVED amendment to the contract in the amount of \$3,692 for courier services to the Felton and Aptos Permit Center, as recommended by the Planning Director
  
- 51.2 ADOPTED RESOLUTION NO. 165-2001 in support of funding for the acquisition of Curran Ranch. as recommended by Supervisor Wormhoudt
  
- 51.3 SCHEDULED the May 22, 2001 public meeting on the Redistricting of Supervisorial boundaries to occur during the Board's regular scheduled agenda at 9:00 a.m. or thereafter, as recommended by the County Administrative Officer
  
- 51.4 ACCEPTED report and directed the Board Chairperson to send letters to California Public Utilities Commission President Loretta Lynch and Governor Davis supporting a cap on rate increases for essential government facilities, as recommended by the Director of General Services

REGULAR AGENDA

52. Presentation of Proclamation declaring the week of May 20-26, 2001 as Emergency Medical Services Week and encouraged the community to observe this week with appropriate programs, ceremonies, and activities
  
53. Public hearing held to consider protests, if any, to the proposed drainage benefit assessment fees and sewer services charges for County Service Area No. 57, Graham Hill (5th District);  
closed public hearing: accepted the certification of the results of the County Service Area No. 57, Graham Hill election and directed the Director of Public Works to retain the ballot for at least six months following the certification; adopted RESOLUTION NO. 166-2001 authorizing and levying an assessment for drainage system operations and maintenance for County Service Area No. 57, Graham Hill for the 2001/02 fiscal year and each year following; and adopted RESOLUTION NO. 167-2001 establishing sewer service charge for County Service Area No. 57, Graham Hill for the 2001/02 fiscal year and each year following

PABWC

54. AS THE BOARD OF DIRECTORS OF THE DAVENPORT SANITATION DISTRICT, CONDUCTED public hearing to consider adoption of ordinance amending District Code Title 3, Chapter 3.08, Article III, Sections 3.08.160 through 3.08.180 establishing water service charges for 2001/2002;  
closed public hearing: adopted ORDINANCE NO. 55 amending District Code Title 3, Chapter 3.08, Article III, Sections 3.08.160 through 3.08.180 establishing water service charges for 2001/2002

WPBAC



- 54.1 CONSIDERED preliminary review of a wireless communication facilities ordinance and continued public hearing to consider Application Nos. 99-0828, 00-0319 and 00-0352 (to construct wireless communication facilities including towers and accessory buildings);
- (1) continued to June 12, 2001 consideration of the proposed ordinance: referred Celia Scott's letter, public comments and Board Member comments made today to staff and asked that staff return with responses to those comments and any proposed changes to the ordinance and that in addition staff evaluate the feasibility of creating a countywide plan, perhaps with financial participation from providers, to determine the best plan to locate or co-locate facilities that would therefore facilitate easy approval of cell towers in the future if they meet performance standards;
  - (2) continued to May 22, 2001 consideration of Application Nos. 99-0828, 00-0319 and 00-0352 and directed County Counsel to report back on the status of the applications and further directed County Counsel to communicate with the applicant about their willingness to sign into a stipulation for a further deferral of consideration of the applications

- (1) WBPAC
- (2) ABPWC

- 54.2 APPROVED amendments to agreements for \$48,408 with the Santa Cruz Community Counseling Center, \$6,600 with the Ombudsman Advocate program and \$9,500 with Desert Hills, to provide mental health services, as recommended by the Health Services Agency Administrator

BWPAC

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55. Public hearing held to consider appeal filed by Richard Beal Land Use Planning on behalf of Atherton Place Development LLC regarding Application No. 98-0148;  
continued to June 5, 2001 public hearing to consider appeal filed by Richard Beal Land Use Planning on behalf of Atherton Place Development LLC regarding Application No. 98-0148, with an additional direction that the hearing be held at 1:30 P.M.

PBWAC

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 5, 2001