

PROCEEDINGS OF THE
SANTA CRUZ COUNTY
BOARD OF SUPERVISORS

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VOLUME 2001, NUMBER 19
AUGUST 7, 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;
() = abstain; // = absent

1. **A** 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. 78.1, 78.2, 78.3 and 78.4
4. ORAL COMMUNICATIONS - Ten 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 June 19, 2001, June 26, 2001 and
Budget hearings of June 18, 19, 20, 21, 22 and June
26, 2001, as recommended by the Clerk of the Board
8. ACCEPTED AND FILED notification of continuing
contracts received during the period of June 25, 2001
through August 3, 2001 and approved upon adoption of
the 2001/02 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. APPROVED the reading by Title of all ordinances considered for adoption that may appear on this agenda and further waived detailed reading of said ordinances, as recommended by County Counsel
10. APPROVED Independent Contractor Agreement between Tri-County Legal Services and the Department of Child Support Services for a not-to-exceed amount of \$25,000 for the service of legal documents and authorized the Director of the Department of Child Support Services to sign on behalf of the County of Santa Cruz, as recommended by the Director of Child Support Services
11. ADOPTED RESOLUTION NO. 314-2001 providing for zero property tax exchange for LAFCO #879 - Haas Drive Reorganization, as recommended by the County Administrative Officer
12. APPROVED contract with Leslie Stone Associates in the amount of \$100,000 for Phase Two of the Sanctuary Scenic Trail Design Project; authorized the Public Works Director to sign the contract; adopted RESOLUTION NO. 315-2001 accepting and appropriating unanticipated Transportation Enhancement Act grant funds and other funds; and approved related actions, as recommended by the County Administrative Officer
13. ACCEPTED AND FILED report on the assignment of County vehicles and approved related actions, as recommended by the County Administrative Officer
14. SEE ITEM NO. 90.1, REGULAR AGENDA
15. ACCEPTED AND FILED report regarding Water Service Connection Policy for Unincorporated Area Served by City of Watsonville, as recommended by County Counsel
16. ADOPTED RESOLUTION NO. 316-2001 accepting unanticipated revenue in the amount of \$8,500 from the Supplemental Law Enforcement Grant Fund to acquire a Forensic Recovery of Evidence Device (F.R.E.D.), as recommended by the District Attorney
17. APPROVED plans and specifications for the Main Jail Entrance Walk and Stair Project; directed the General Services Department to advertise for bids; and set the bid opening for September 11, 2001 at 10:45 a.m., as recommended by the Director of General services

18. APPROVED amendment to contract with Bustichi Construction Company for the remodel of the Sheriff's Main Jail and Rountree Lane facilities project for \$941; accepted the Main Jail and Rountree Lane facilities remodel project as completed; approved the final cost of \$98,488; and authorized the Clerk of the Board to take related actions, as recommended by the Director of General Services
19. ACCEPTED the Main Jail Security Upgrade Project as completed; approved final cost of \$592,726; and authorized the Clerk of the Board to take related actions, as recommended by the Director of General Services
20. ACCEPTED AND FILED report on Internet and Intranet Projects for 2001-02 and directed Information Services to return on the last meeting of January 2002 with a further update; with an additional direction that the Board be provided with Quarterly Reports on the status of the projects
21. APPROVED transfer of funds in the amount of \$38,800; approved contract for the purchase and implementation of an on-line employment application system; and authorized the County Administrative Officer to sign, as recommended by the Personnel Director
22. ADOPTED RESOLUTION NO. 317-2001 authorizing the Chief Probation Officer to sign agreement with the State of California Department of Youth Authority for Diagnostic and Treatment Services and approved related actions, as recommended by the Chief Probation Officer
23. APPROVED agreements related to the Crime Prevention Act of 2000 and Juvenile Accountability and Incentive Block Grant Program, as recommended by the Chief Probation Officer
24. APPROVED revenue agreement with the State 14th District Agricultural Association in the amount of \$11,000 for security services at the 2001 Santa Cruz County Fair; authorized the Sheriff's Office to sign the agreement; and adopted RESOLUTION NO. 318-2001 accepting and appropriating \$3,500 in unanticipated revenue, as recommended by the Sheriff-Coroner

25. DEFERRED the Sheriff's request for contract award recommendation for a ~~Viv~~less Data Communications System to November 6, 2001, as recommended by the Sheriff-Coroner
26. APPROVED transfer of \$5.055 from the property sales deposit trust fund to the general fund, as recommended by the Treasurer-Tax Collector
27. ACCEPTED Treasurer's monthly cash report and transaction report for the period ending June 30, 2001, as recommended by the Treasurer-Tax Collector
28. ACCEPTED nomination of Jason Hajduk-Dorworth for appointment as an at-large member of the Emergency Medical Care Commission, as a representative of field care providers, for a term to expire April 1, 2003, with final appointment to be made August 14, 2001, as recommended by Supervisor Almquist
29. APPROVED appointment of Virginia Johnson to the Energy Commission for a term to expire April 1, 2005, as recommended by Supervisor Almquist
30. APPROVED appointment of Jay R. Averill to the Housing Advisory Commission for a term to expire April 1, 2005, as recommended by Supervisor Almquist
31. APPROVED appointment of Niels Roy Nielsen to the Mobile Home Commission for a term to expire April 1, 2005, as recommended by Supervisor Almquist
32. APPROVED appointment of Anna M. Boken to the Housing Advisory Commission for a term to expire April 1, 2005, as recommended by Supervisor Pirie
33. ACCEPTED nomination of Glenn W. Strong for appointment to the Building and Fire Code Appeals Board, as an at-large appointee experienced in construction, for a term to be staggered by lot, with final appointment to be made August 14, 2001, as recommended by Supervisor Pirie
34. ACCEPTED nomination of Julie Lambert for appointment to the Workforce Investment Board, as an at-large representative of business, for a term to expire June 30, 2004, with final appointment to be made August 14, 2001, as recommended by Supervisor Campos

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35. APPROVED appointment of Maureen M. Malone to the Public Health Commission for a term to expire April 1, 2003, as recommended by Supervisor Campos
36. ACCEPTED notification of two at-large vacancies and one alternate at-large vacancy, on the Assessment Appeals Board, with nominations for appointment to be received on August 21, 2001, and final appointments to be made August 28, 2001, as recommended by Chairman Campos
37. ACCEPTED notification of an at-large vacancy on the Housing Authority Board of Commissioners, with nominations for appointment to be received on August 21, 2001, and final appointment to be made August 28, 2001, as recommended by Chairman Campos
38. APPROVED appointment of Paula Pelot to the Deferred Compensation Advisory Commission, as recommended by Chairman Campos
39. ACCEPTED AND FILED report on the need to continue the state of local emergency relative to the transmission of HIV through contaminated needles, as recommended by the Health Services Agency Administrator
40. DEFERRED report on the Mental Health Plan actuarial and trend analyses to October 16, 2001, as recommended by the Health Services Agency Administrator
41. APPROVED amendment to the agreement with Watsonville Hospital Corporation, Incorporated for hospital services effective July 1, 2001 and authorized the Health Services Agency Administrator to sign, as recommended by the Health Services Agency Administrator
42. APPROVED sublease agreement with Homeless Community Resource Center in the amount of \$9,600 for space at 115 Coral Street, Santa Cruz and authorized the Health Services Agency Administrator to sign, as recommended by the Health Services Agency Administrator
43. ACCEPTED AND FILED report and directed the County Administrative Officer to issue an ambulance operator's license to American Medical Response West for fiscal year 2001-2002, as recommended by the Health Services Agency Administrator

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44. APPROVED agreements with New Life Community Services for \$74,149, the Camp Recovery Center for \$28,658 and Sobriety Works for \$31,869 for Proposition 36 alcohol and drug services: authorized the Health Services Agency Administrator to sign the agreements; and authorized the Auditor-Controller to make advance payments for September 2001 on various contracts for Proposition 36 related services, as recommended by the Health Services Agency Administrator
45. AUTHORIZED the submission of funding application to the California Office of Traffic Safety for the Comprehensive Countywide Bike, Pedestrian, and Occupant Protection Education Program in the amount of \$234,882, as recommended by the Health Services Agency Administrator
46. DEFERRED report on the Adult Day Health Care Facility lease in Watsonville to October 23, 2001, as recommended by the Health Services Agency Administrator

47. ADOPTED RESOLUTION NO. 319-2001 authorizing execution of agreement No. FAPP-1067 in the amount of \$733,877 with the California Department of Education regarding subsidized child care services for families in our community; adopted RESOLUTION NO. 320-2001 authorizing execution of agreement No. GAPP-1068 in the amount of \$763,503 with the California Department of Education regarding subsidized child care services for families in our community; adopted RESOLUTION NO. 321-2001 authorizing execution of agreement No. G2AP-1062 in the amount of \$298,747 with the California Department of Education regarding subsidized child care services for families in our community; adopted RESOLUTION NO. 322-2001 authorizing execution of agreement No. F2AP-1063 in the amount of \$1,046,933 with the California Department of Education regarding subsidized child care services for families in our community; adopted RESOLUTION NO. 323-2001 authorizing execution of agreement No. F3TO-1068 in the amount of \$469,120 with the California Department of Education regarding subsidized child care services for families in our community; adopted RESOLUTION NO. 324-2001 authorizing execution of agreement No. G3TO-1068 in the amount of \$366,836 with the California Department of Education regarding subsidized child care services for families in our community; authorized the Human Resources Agency Administrator to sign the agreements and approved related actions, as recommended by the Human Resources Agency Administrator
48. SEE ITEM NO. 79.1, REGULAR AGENDA
49. ACCEPTED grant for Santa Cruz County Stream Habitat Outreach Program and approved related actions, as recommended by the Planning Director
50. ACCEPTED low bid from J.C. Randolph, Incorporated in the amount of \$362,237.72 for the Valencia Road Bridge Seismic Retrofit Project; authorized the award of contract; and authorized the Director of Public Works to sign contract, as recommended by the Director of Public Works

51. APPROVED Program Supplements to the County-State Agreement providing federal and/or state funding reimbursement for the Soquel Drive at Aptos Creek Bridge and Valencia Road Bridge Seismic Retrofit Projects; adopted RESOLUTION NO. 325-2001 authorizing execution of agreements; and approved related actions, as recommended by the Director of Public Works
52. APPROVED request for proposals for advertisement for the Seacliff Village Streetscape Plan and State Park Drive Improvement Project design planning and engineering design services, as recommended by the Director of Public Works
53. ACCEPTED the improvement and approved the final cost in the amount of \$210,327.19 for the 2000/2001 Slurry Seal Project Various Locations and authorized the Clerk of the Board to file the Notice of Completion, as recommended by the Director of Public Works
54. APPROVED independent contractor agreement with the Valley Women's Club to provide drop-off recycling services in the San Lorenzo Valley for a not-to-exceed amount of \$40,000 and authorized the Director of Public Works to sign the contract, as recommended by the Director of Public Works
55. APPROVED independent contractor agreement with Community Action Board for supervision of Youth Community Services Program in the amount of \$69,892; authorized the Director of Public Works to sign the agreement, as recommended by the Director of Public Works
56. ADOPTED RESOLUTION NO. 326-2001 accepting unanticipated revenue from the State of California Department of Transportation for the Soquel Drive at Aptos Creek, Bridge Seismic Retrofit Project: accepted the low bid from Agee Construction in the amount of \$1,265,851.10; authorized award of contract; and authorized the Director of Public Works to sign the contract, as recommended by the Director of Public Works
57. AUTHORIZED payment of invoices from Ray Dulany Trucking for chip seal rock deliveries dated May 20, 2001 through June 4, 2001, as recommended by the Director of Public Works

58. ADOPTED RESOLUTION NO. 327-2001 for right-of-way acquisition for the Irwin Way Slipout Repair project and approved payment of claim, as recommended by the Director of Public Works
59. ADOPTED RESOLUTION NO. 328-2001 for right-of-way acquisition for the Holohan Road Bikeway and Road Overlay project and approved payment of claim, as recommended by the Director of Public Works
60. RATIFIED Contract Change Order No. 2 in the amount of \$34,587.64 for the 30th, 32nd, and 33rd Avenue Storm Drain, Sanitary Sewer, and Sidewalk Improvement Project, as recommended by the Director of Public Works
61. APPROVED the re-connection of the City of Santa Cruz Water Department's water treatment plant to the Graham Hill Road sewer main, as recommended by the Director of Public Works
62. ADOPTED RESOLUTION NO. 329-2001 for right-of-way acquisition for the Gross Road Improvement Project and approved payment of claim, as recommended by the Director of Public Works
63. ADOPTED RESOLUTION NO. 330-2001 for right-of-way acquisition for the Highland Way Erosion Control Project and approved payment of claim, as recommended by the Director of Public Works
64. APPROVED Program Supplement to the County-State Agreement providing federal funding reimbursement for Capitola Road Improvements, Soquel Avenue to Thirtieth Avenue: adopted RESOLUTION NO. 331-2001 authorizing the agreement; and approved related actions, as recommended by the Director of Public Works
65. APPROVED plans, specifications and engineer's estimate for the Pineridge CSA No. 24 Road Repair Project, Phase 2, Pineridge County Service Area No. 24 (District 3); authorized calling for bids; set bid opening for 10:45 a.m. on September 11, 2001; and approved related actions, as recommended by the Director of Public Works

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66. AUTHORIZED the installation of one residential street light on South Drive, off Buena Vista Drive, as recommended by the Director of Public Works
67. ACCEPTED improvement and approved final cost in the amount of \$857,835.45 for 2000/2001 County Wide Pavement Digout project and authorized the Clerk of the Board to file the Notice of Completion, as recommended by the Director of Public Works
68. ACCEPTED improvement and approved final cost in the amount of \$82,482.52 for the Irwin Way Storm Damage Repair project and take related action, as recommended by the Director of Public Works
69. ACCEPTED improvement and approved final cost in the amount of \$227,272.50 for the Hazel Del1 Road Storm Damage Repair project and authorized the Clerk of the Board to file the Notice of Completion, as recommended by the Director of Public Works
70. ADOPTED RESOLUTION NO. 332-2001 approving the installation of two road bumps on Muriel Drive, as recommended by the Director of Public Works
71. APPROVED amendment to agreement with Republic Electric, for traffic signal and highway safety lighting maintenance, extending term of contract to June 30, 2002 and authorized the Director of Public Works to sign the agreement, as recommended by the Director of Public Works
72. SEE ITEM NO. 90.2, REGULAR AGENDA
73. APPROVED amendment to agreement with J. Muller International for the Kings Creek Road Bridge Reconstruction Project by extending term of contract to June 30, 2002 and increasing amount by \$13,600 to a not-to-exceed amount of \$102,537; and authorized the ~~D~~irector of Public Works to sign the agreement, as recommended by the Director of Public Works

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74. ADOPTED RESOLUTION NO. 333-2001 of intention to purchase real property at 303 Water Street and scheduled a public hearing on August 28, 2001 during the morning agenda at 9:00 a.m. or thereafter to consider the purchase of real property the price of which is over \$25,000, as recommended by the Director of Public Works
75. ACCEPTED the low bid from J.C. Randolph, Incorporated in the amount of \$303,772.50 for the East Zayante Road and Upper East Zayante Road, Storm Damage Repair project: authorized award of contract: and authorized the Director of Public Works to sign contract, as recommended by the Director of Public Works
76. ADOPTED RESOLUTION NO. 334-2001 accepting unanticipated revenue from the Monterey Bay Unified Air Pollution Control District in the amount of \$130,000; approved independent contractor agreement with Ecology Action of Santa Cruz for the Electric Bike Commuter Incentive Program: and authorized the Director of Public Works to sign the agreement on behalf of the County, as recommended by the Director of Public Works
77. ACCEPTED the Pinto Lake Improvement Program as completed: approved final cost in the amount of \$205,279; and authorized the Clerk of the Board to take related action, as recommended by the Director of Parks, Open Space and Cultural Services

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78. 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.: Big Creek Lumber Company, et al, and Central Coast Forest Association, et al. v. County of Santa Cruz, Santa Cruz County Superior Court Case No. CV 134816
 Case Name/No.: Aalfs v. County of Santa Cruz, Santa Cruz County Superior Court Case No. CV 137457
 Case Name/No.: Parodi/Sumner, et al. v. County of Santa Cruz, Santa Cruz County Superior Court Case No. CV 137784
 Case Name/No.: In re PG&E, United States Bankruptcy Court, San Francisco Division, Case No. 01-30923 DM (Chapter 11)
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
 Significant exposure to litigation was considered pursuant to subdivision (b) of Government Code Section 54956.9 for four potential cases
REPORT OF COUNTY COUNSEL - the Board of Supervisors approved the receipt of \$33,300.44 from Pacific Gas and Electric as payment in full of the penalties and costs owed for the late payment of the April 10, 2001 installment of taxes
- BPWAC
- 78.1 APPROVED appointment of Jane W. Borg to the Historic Resources Commission for a term to expire April 1, 2001, as recommended by Supervisor Campos
- 78.2 CONTINUED TO AUGUST 28, 2001 consideration to approve amended agreement with American Medical Response West, Incorporated for emergency ambulance advanced life support transport services
- 78.3 DIRECTED the County Administrative Officer to develop a plan to address the specific concerns of the latino community-based organizations that applied for Latino Equity funding in fiscal year 2001-02, clarify the County's intentions relative to future latino Equity funding, provide the Board with a proposed plan on or before September 25, 2001; with additional directives that the County Administrative Officer provide a status report on Latino Equity and identify agencies receiving money through Latino Equity and the amounts they received

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78.4 ACCEPTED request of the County Administrative Officer to add late item to the consent agenda, by two-thirds vote of the Board of Supervisor members present at the meeting, finding that a need to take action to avoid injury or detriment to the public or employees arose subsequent to the printed agenda being posted and added a late item to the consent agenda as follows: scheduled a public hearing on August 21, 2001 at 1:30 p.m. to consider a proposal to rezone assessor's parcel number 079-421-01 (formerly APN 079-121-12) located on the Northwest side of Roberts Road, about 1 mile up Roberts Road from the intersection of Roberts Road and Love Creek Roads, Ben Lomond, from the Special Use ("SU") to the Timber Production ("TP") Zone District

AWBPC

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REGULAR AGENDA

79. AS THE BOARD OF DIRECTORS OF THE FREEDOM COUNTY SANITATION DISTRICT, public hearing held on the 2001/2002 Freedom County Sanitation District Sewer Service Charge Report; closed public hearing; adopted RESOLUTION NO. 335-2001 Overruling Protests and Confirming the Report on Sewer Service Charges for Fiscal Year 2001/2002 on Property within the Freedom County Sanitation District

AWBPC

- 79.1 Accepted and filed report on the 4% augmentation approved by the Board in the budget hearings; adopted proposed contract language, amended as follows: under B) Purpose of the Special Purpose Budget Augmentation- "The purpose of this special budget augmentation is to increase the wages of the lowest paid employees of the Contractor. In order to receive the funds, the Contractor ~~will~~ describe the method to be used in Exhibit A: ; directed the Human Resources Agency Administrator, Health Services Agency Administrator and the County Parks Director to enter into contract amendments, as provided in Attachment 2, as amended, and deleting the section on benefits; and further directed that should a Contractor propose to increase an employee wage which is already more than \$14 per hour, the request shall be brought before the Board for consideration and recommendation

PABWC

80. AS THE BOARD OF DIRECTORS OF THE DAVENPORT COUNTY SANITATION DISTRICT, public hearing held on the 2001/2002 Davenport County Sanitation District Sewer and Water Charge Report; closed public hearing; adopted RESOLUTION NO. 336-2001 Overruling Protests and Confirming the Report on Water and Sewer Service Charges for Fiscal Year 2001/2002 on Property within the Davenport County Sanitation District

WBPAC

81. Public hearing held on the proposed rates and assessment rates and Assessment Rate Report for County Service Area 9E, Streetscape Maintenance; closed public hearing; adopted RESOLUTION NO. 337-2001 Establishing Benefit Assessment/Service Charges for the 2001/2002 Fiscal Year for County Service Area No. 9E, Streetscape Maintenance; and adopted RESOLUTION NO. 338-2001 Confirming Assessment/Service Charge Report for the 2001/2002 Fiscal Year for County Service Area No. 9E, Streetscape Maintenance

ABPWC

82. Public hearing held to consider Service Report for County Service Area (CSA) #11 for 2001-2002 fiscal year; closed public hearing; adopted RESOLUTION NO. 339-2001 Confirming Service Charge Report for the 2001/2002 Fiscal Year for Park and Recreation County Service Area No. 11

PABWC

83. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY PUBLIC FINANCING AUTHORITY, public hearing held to consider adoption of a resolution Authorizing the issuance of not-to-exceed \$7,000,000 in refunding bonds for Consolidated Emergency Communications Center; closed public hearing; adopted RESOLUTION NO. 340-2001 Authorizing the Issuance of not-to-exceed \$7,000,000 Principal amount of 2001 Lease Revenue Refunding Bonds (Consolidated Emergency Communications Center Project), Authorizing and Directing Execution of a Form of an Indenture of Trust, a Lease Agreement, an Escrow Agreement, and Official Statement, Authorizing the Sale of Bonds Pursuant to Public Sale, and Providing other Matters Properly Relating Thereto

WABPC

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84. Public hearing held to consider extending an interim ordinance regarding ~~wireless~~ communication facilities; closed public hearing; adopted ORDINANCE NO. 4631 of the County of Santa Cruz Establishing Interim Zoning Regulations Regarding ~~Wireless~~ Communication Facilities; with additional directives that County Counsel return on September 25, 2001 with a written opinion on the County's purview regarding Federal Legislation relating to health and safety issues and the cumulative impact of the co-location of cell towers

WABPC

85. CONSIDERED adoption of ordinance amending Chapter 12.10.070 of the Santa Cruz County Code relating to Parking Lot Alterations; approved ordinance "in concept" to return August 14, 2001 for final adoption

WABPC

86. RECEIVED bids regarding ~~VA~~ Palo Alto to ~~VA~~ Compana Stairway Rehabilitation Project Aptos Seascape County Service Area No. 3 (District 2) and referred to the Public Works Department to return on or before August 14, 2001 with a recommendation on awarding of the bid

BAPWC

87. RECEIVED bids regarding Lomond Terrace Road Improvement Project, Phase 2 Lomond Terrace, County Service Area No. 28, (District 5) and referred to the Public Works Department to return on or before August 14, 2001 with a recommendation on awarding of the bid

AWBPC

88. RECEIVED bids regarding Juvenile Hall Renovation and Expansion Project and referred to the General Services Department to return on or before August 28, 2001 with a recommendation on awarding of the bid

ABPWC