

PROCEEDINGS OF THE
SANTA CRUZ COUNTY
BOARD OF SUPERVISORS

0001

VOLUME 2001, NUMBER 27
OCTOBER 16, 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. 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. 32.1
4. ORAL COMMUNICATIONS - Three people addressed the Board
5. Additions and Deletions to Regular Agenda

CONSENT AGENDA
WABPC

6. APPROVED claims as submitted by the Auditor-Controller
7. CONTINUED TO OCTOBER 23, 2001 consideration of
approval of minutes of September 25, 2001 and October
2, 2001
8. ACCEPTED AND FILED notification of continuing
contracts received during the period of September 27,
2001 through October 10, 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

October 16, 2001

0002

- 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 REJECTED the claim of Bill Rogers, No. 102-029 and referred to County Counsel
- 11 ADOPTED RESOLUTION NO. 391-2001 accepting and appropriating unanticipated revenue in the amount of \$10,000 from tax administration loan funds to acquire a server to support electronic document management and approved related actions, as recommended by the Assessor
- 12 ACCEPTED AND FILED Quarterly Child Support Services report, as recommended by the Director of Child Support Services
- 13 ADOPTED RESOLUTION NO. 392-2001 accepting and appropriating unanticipated revenue from the State Department of Child Support Services in the amount of \$204,755 for child support activities and approved related actions, as recommended by the Director of Child Support Services
14. APPROVED extension of County/Court Memorandum of Understanding (MOU) until November 6, 2001 and directed the County Administrative Officer to return on November 6, 2001 with a renewal of the MOU, as recommended by the County Administrative Officer
15. RATIFIED sublease agreements at 100 Pioneer Street and 320/324/330 Encinal Street in Santa Cruz to provide temporary office space for the Human Resources Agency and Health Services Agency during the repair of Building K at 1400 Emeline Street, as recommended by the County Administrative Officer
- 16 SEE ITEM NO. 35.1, REGULAR AGENDA

17. APPROVED plans and specifications for Watsonville Veterans Memorial Building Bathrooms project; directed the General Services Department to advertise for bids; and set the bid opening for November 20, 2001 at 10:45 a.m., as recommended by the Director of General Services
18. AWARDED contract to Kase Pacific Construction in the amount of \$16,424 for the Concrete Slab Replacement-County Fleet Facility project; authorized the General Services Director to sign contract agreement and associated documents; and authorized the General Services Director to approve change orders and encumber \$1,642 to cover change order expenditures, as recommended by the Director of General Services
19. APPROVED appointment of John de Courcy and Mike Dever to the Fire Department Advisory Commission, as representatives of the Planning Department and Office of Emergency Services, respectively, as recommended by Chairman Campos
20. 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
21. APPROVED agreement with the Parents Center for up to \$273,800 for mental health managed case services to children and an agreement with BM Global Services to provide technical support for medical billing activities; adopted RESOLUTION NO. 393-2001 approving standard agreement with the State for Long Care Initiative program; adopted RESOLUTION NO. 394-2001 approving standard agreement with the Cooperative Program to provide vocational rehabilitation services to adults with psychiatric disabilities; and directed the Clerk of the Board to take related actions, as recommended by the Health Services Agency Administrator
22. DEFERRED report on Mental Health Plan Actuarial and Trend Analysis until November 6, 2001, as recommended by the Health Services Agency Administrator

October 16, 2001

23. ADOPTED RESOLUTION NO. 395-2001 accepting unanticipated State revenue of \$655,082 for the Youth Development/Crime Prevention Initiative; authorized \$31,006 in Workforce Investment Act incentive funds to augment grant monies received by the Human Resources Agency/Workforce Investment Board to provide program services; approved various contracts totalling \$1,540,636 ; and approved related actions, as recommended by the Human Resources Agency Administrator and the Health Services Agency Administrator
24. APPROVED submission of an application for California Healthcare for Indigents Program (CHIP) funding for fiscal year 2001-02 and authorized the Health Services Agency Administrator to sign the CHIP Expenditure Description Report for fiscal year 2001-02, as recommended by the Health Services Agency Administrator
25. APPROVED agreement with the Youth Resources Bank in the amount of \$70,000 to provide various family supportive services and authorized the Human Resources Agency Administrator to sign the agreement, as recommended by the Human Resources Agency Administrator
26. SEE ITEM NO. 35.2, REGULAR AGENDA
27. ADOPTED RESOLUTION No. 396-2001 for right-of-way acquisition for the Kings Creek Road Slipout Repair project; authorized the Director of Public Works to sign the contract; and approved payment of claim, as recommended by the Director of Public Works

28. DEFERRED bid award for the Bonny Doon Storm Damage Repair project and directed the Department of Public Works to report back on December 11, 2001, as recommended by the Director of Public Works
29. APPROVED Contract Change Order No. 3, in the amount of \$37,713.51 and Contract Change Order No. 4, in the amount of \$19,520 for the 30th, 32nd and 33rd Avenue Storm Drain, Sanitary Sewer and Sidewalk Improvements; authorized the Chairperson of the Board to sign the change orders on behalf of the County; and directed the Clerk of the Board to take related actions, as recommended by the Director of Public Works
30. ACCEPTED AND FILED report on the status of the Buena Vista Landfill Gas Power project and directed Public Works to return on or before December 4, 2001 with a status report on alternative project financing; with additional directive to identify the problem that caused the delay, whether Brown, Vence and Associates LFG Incorporated should have known about it, and is there any cost to the County as a result of having to find a new source of financing
31. ACCEPTED AND FILED report on various methods of acquisition for the McGregor property in Seacliff and directed the Parks Department to report back on a potential McGregor Property County Service Area for purchase and development of a park site on or before January 15, 2002, as recommended by the Director of Parks, Open Space and Cultural Services
32. 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.: Allshouse v. County of Santa Cruz, Santa Cruz, County Superior Court Case No. CV 139671
Case Name/No.: Cecil Robinson v. Dan Campos and Todd Liberty, Santa Cruz Superior Court No. 140510
REPORT OF COUNTY COUNSEL - No report given

October 16, 2001

- 32.1 APPROVED agreement with the Volunteer Centers of Santa Cruz County for provision of literacy services in the amount of \$75,000; ratified the rate adjustment with the Volunteer Centers of Santa Cruz County; and authorized the Human Resources Agency Administrator to sign the agreement and rate adjustment, as recommended by the Human Resources Agency Administrator

REGULAR AGENDA

33. 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 7, to convene and carry out a Special Meeting
34. Presentation made by the United Way on the What Works! Project;
accepted and filed report and report to be considered in conjunction with the upcoming study session on Community Programs scheduled for November 6, 2001, and any related actions that may occur as a result of that session

AWBPC

35. RECEIVED bids regarding San Lorenzo Way Bridge Rail Replacement and referred to the Public Works Department to return on or before October 23, 2001 with a recommendation on awarding of the bid

WABPC

- 35.1 ACCEPTED the County Clerk's Certificate of Sample Examination of County Initiative Petition;
- (2) directed the County Administrative Officer to coordinate the preparation of a Section 9111 Report as discussed in the letter of the County Administrative Officer dated October 10, 2001
 - (3) directed the County Administrative Officer to also provide a report on possible alternative measures for the Board's consideration on November 20, 2001; with additional directives to: (a) identify areas impacted by loss of revenue; (b) include a recommendation that puts an item on the ballot to give voters a preference among the items that they might like to cut from the County budget to make up the revenue shortfall if the Utility Tax were repealed;
 - (4) and ordered the County Administrative Office to file the Section 9111 Report with the Clerk of the Board of Supervisors on the thirtieth day following the acceptance of the County Clerk Certification (Thursday, November 15, 2001), and schedule the report and the matter of a decision on either: (a) adopting the repeal ordinance; or (b) placing the matter on the March 5, 2002 ballot for the Board of Supervisors regularly scheduled meeting of November 20, 2001

ABPWC

October 16, 2001

0008

- 35.2 ~~CONTINUED TO NOVEMBER 20, 2001~~ consideration to accept the FishNet 4C Implementation Plan; with additional directive that staff respond to the suggestions made by the Citizens for Responsible Forest Management (CRFM), San Lorenzo Valley Water District, Farm Bureau and the Valley Women's Club and any other comments that are received

APBWC

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 November 6, 2001

PROCEEDINGS OF THE
SANTA CRUZ COUNTY
BOARD OF SUPERVISORS

VOLUME 2001, NUMBER 28
October 23, 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:
O = 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. 44.1
4. ORAL COMMUNICATIONS - Two people addressed the Board
5. Additions and Deletions to Regular Agenda, See Item
No. 46.1

CONSENT AGENDA
WPBAC

6. APPROVED claims as submitted by the Auditor-Controller
7. APPROVED minutes of September 25, 2001 and October 2,
2001, as recommended by the Clerk of the Board
8. ACCEPTED AND FILED notification of continuing
contracts received during the period of October 11,
2001 through October 17, 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 a detailed reading of said
ordinances, as recommended by County Counsel

October 23, 2001

0010

10. APPROVED deferral of the report on development of an anti-retaliatory eviction ordinance to November 6, 2001, as recommended by County Counsel
11. REJECTED the bids for the Juvenile Hall Renovation Project and directed the General Services Department to return on November 20, 2001 with further recommendations for this project, as recommended by the Director of General Services
12. ACCEPTED AND FILED status report on the County's Emergency Plan and directed the Office of Emergency Services to return on January 8, 2002 with a final draft of the County's Emergency Operations Plan, as recommended by the Director of General Services
13. ACCEPTED AND FILED report on the progress of the on-line employment application system, as recommended by the Personnel Director
14. ACCEPTED AND FILED Equal Employment Opportunity Report for departments on Administrative Review, and approved related action, as recommended by the Equal Employment Opportunity Officer and Personnel Director
15. SEE ITEM NO. 46.2, REGULAR AGENDA
16. AUTHORIZED the Auditor-Controller to distribute public auction excess proceeds for Assessor's Parcel No. 106-331-13, as recommended by the Treasurer-Tax Collector
17. ACCEPTED Treasurer's Monthly Cash Report and Transaction Report for the period ending September 30, 2001 and approved related actions, as recommended by the Treasurer-Tax Collector
18. APPROVED appointment of Marybeth Varcados to the Women's Commission for a term to expire April 1, 2005, as recommended by Supervisor Pirie
19. AUTHORIZED the use of an image of the County Flag by Michael P. Smuda and the society known as the Flags of the World, for a period of five years from the date of authorization, as recommended by Chairman Campos
20. APPROVED 2002 Board of Supervisors meeting schedule, including fiscal year 2002-03 budget hearings, as recommended by Chairman Campos

October 23, 2001

21. APPROVED appointment of Brenda Scott-Rodgers to the North Coast Beaches Advisory Committee, as the representative of the Santa Cruz Chapter of the Surfrider Foundation, for a term to expire December 31, 2001, as recommended by Chairman Campos
22. 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
23. AUTHORIZED payment for time worked by new employee prior to completion of processing, as recommended by the Health Services Agency Administrator
24. DEFERRED report back on Emergency Medical Service Planning to November 6, 2001, as recommended by the Health Services Agency Administrator
25. ADOPTED RESOLUTION NO. 397-2001 authorizing the State Department of Mental Health to withhold \$55,430 from State General Funds designated for distribution to the County to provide Early and Periodic Screening, Diagnosis and Treatment Specialty Mental Health Services in fiscal year 2001-2002 and approved related actions, as recommended by the Health Services Agency Administrator
26. ACCEPTED AND FILED report on the Long Term Care Integration project; approved the submission of a grant to the California endowment for Long Term Care; and directed the Health Services Agency to report back by January 15, 2002 with an updated financial plan for Elderday Pajaro Valley and viable locations for the program, as recommended by the Health Services Agency Administrator
27. APPROVED the proposed Interagency Agreement between the County of Santa Cruz and the In-Home Supportive Services Public Authority of the County of Santa Cruz and directed the Human Resources Agency Administrator to sign the Agreement on behalf of both the County of Santa Cruz and the Public Authority, as recommended by the Human Resources Agency Administrator

28. ACCEPTED AND FILED report on actions to promote cleanup of contaminated groundwater and promote aquifer and wellhead protection and scheduled further consideration of this matter on the second Board meeting in January 2002; with an additional direction to address helping responsible parties actually engaged in the clean up of the Methyl-tertiary-butyl-ether that is under Scotts Valley when the matter comes back for consideration in January 2002
29. SCHEDULED a public hearing on the morning agenda of November 6, 2001 at 9:00 a.m. or thereafter to consider the Coastal Commission's Modifications to General Plan/Local Coastal Program Land Use Plan Amendments and County Code/Local Coastal Program Implementation Plan Amendments related to the New Millennium High School Memorandum of Understanding, as recommended by the Planning Director
30. SCHEDULED a public hearing on the morning agenda of November 6, 2001 at 9:00 a.m. or thereafter to consider amendments to the Santa Cruz County Code Section 16.20.180 regarding revised design standards for private roads, driveways and bridges and directed the Clerk of the Board to take related actions, as recommended by the Planning Director
31. SEE ITEM NO. 46.3, REGULAR AGENDA
32. SCHEDULED a public hearing on the morning agenda of November 6, 2001 at 9:00 a.m. or thereafter to consider ordinance amendments to the Santa Cruz County Code to eliminate the term "Handicapped" in various ordinances and to revise the standards for accessible parking and directed the Clerk of the Board to take related action, as recommended by the Planning Director
33. SCHEDULED a public hearing on the morning agenda of November 20, 2001 at 9:00 a.m. or thereafter to consider recommendation of the Planning Commission regarding the Seacliff Village Plan and directed the Clerk of the Board to take related action, as recommended by the Planning Director

October 23, 2001

34. ACCEPTED the low bid of James A. Savattone in the amount of \$18,852 for the San Lorenzo Valley Bridge Rail Replacement project and authorized the Director of Public Works to sign the contract, as recommended by the Director of Public Works
35. ACCEPTED AND FILED report on the trench cut fee ordinance; directed Public Works to report back on or before December 11, 2001, for revising the County Design Criteria Standards relative to open trench backfill and cap requirements; directed Public Works to report back on or before February 12, 2002, on the trench cut fee ordinance, as recommended by the Director of Public Works
36. APPROVED independent contractor agreement with Cabrillo College to develop and implement a campus-wide recycling program for \$25,000; approved amendment to agreement with Rick's News to purchase equipment to facilitate expanded recycling at no additional cost; authorized the Director of Public Works to sign agreements, as recommended by the Director of Public Works
37. SEE ITEM NO. 46.4, REGULAR AGENDA
38. CONTINUED TO NOVEMBER 20, 2001 consideration to accept and file report on mobilehome park inspections
39. ACCEPTED Progress Report on Water Resources Management; directed staff to report back on or before December 11, 2001 with a detailed analysis of the Pajaro Valley Water Management Agency's Draft Revised Basin Management Plan; and directed the Water Resources Manager to provide a Progress Report on Water Resources Management on or before March 5, 2002, as recommended by the Planning Director
40. DIRECTED the Parks Department to work with Aptos High School and the Pajaro Valley School District to develop a Joint Powers Agreement which would provide partial funding for the construction of an all-weather track at Aptos High School and authorized the Director of Parks to sign the Joint Powers Agreement on behalf of the Board, as recommended by the Director of Parks, Open Space and Cultural Services

October 23, 2001

- 41 APPROVED naming of the proposed Skate Park at Highlands County Park as the "Jim Keefe Skate Park", as recommended by the Director of Parks, Open Space and Cultural Services
- 42 ACCEPTED AND FILED report on Sheriff's Athletic League operations and their partnerships with recreational organizations, as recommended by the Director of Parks Open Space and Cultural Services
- 43 AS THE BOARD OF DIRECTORS OF THE COUNTY OF SANTA CRUZ REDEVELOPMENT AGENCY, ACCEPTED AND FILED report on the status of North Coast Farmworker Housing Rehabilitation project and directed staff to return on January, 2002 with a status report, as recommended by the Redevelopment Agency Administrator
- 44 AS THE BOARD OF SUPERVISORS AND REDEVELOPMENT AGENCY, SCHEDULED a closed personnel and litigation session as follows:
 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
- 44.1 ADOPTED RESOLUTION NO. 398-2001 supporting the \$825 million appropriation for the Public Health Threats and Emergency Act of 2000 and directed the Chairman of the Board to convey that support to local legislators, as recommended by the Health Services Agency Administrator

October 23, 2001

REGULAR AGENDA

45. Public Hearing held on the transfer of the Felt Street Plaza property from the Redevelopment Agency to the County;
closed public hearing: authorized the County Administrative Officer to take any actions required to process acceptance of the property from the agency; and authorized the Chairperson to sign the deed of acceptance for the property; and additionally, approved the transfer of the Felt Street Plaza Property from the Redevelopment Agency

BWPAC

46. AS THE BOARD OF DIRECTORS OF THE COUNTY OF SANTA CRUZ REDEVELOPMENT AGENCY, CONSIDERED the transfer of the Felt Street Plaza property to the County; found that the purposes described in the letter of the County Administrative Officer of August 27, 2001 will benefit the residents of the project area, that no other reasonable means of financing the acquisition by the County are available, that the project will eliminate blighting conditions in the Project Area, and that the proposal is consistent with the Agency's Five Year Implementation Plan; authorized the transfer of the property to the County for the purposes described in the letter of the County Administrative Officer of August 27, 2001; and authorized the Redevelopment Agency Administrator to take any required actions to complete the transfer of the property

BWPAC

October 23, 2001

- 46.1 Considered ordinance establishing interim zoning regulations related to non-habitable accessory structures; adopted ORDINANCE NO. 4641 establishing interim zoning regulations relating to non-habitable residential accessory structures; directed the Clerk of the Board to schedule a public hearing on the morning agenda of December 4, 2001, to consider adoption of an extension of the Interim Zoning Ordinance; additionally directed staff report back on the following issues: 1) the necessity of the limitations being done both within urban services line and within the rural services line and whether there is any difference between the lines that might militate against doing it in both and (2) why the ordinance reduces the square footage of the structures from 1,000 square feet to 640 square feet

PBAW

- 46.2 ACCEPTED AND FILED report regarding the Marijuana Suppression Program; with additional directives that the Sheriff, Health Services Agency and the District Attorney review the Sonoma County guidelines in relation to their appropriateness and adoptability for Santa Cruz County; directed Health Services Agency to return with an analysis as to whether the Sonoma guidelines are workable; requested that the Sheriff speak to the Police Chief's Association and report back on a possible uniform response within the law enforcement community; sheriff to return on February 5, 2002 with a report which includes information on the number of people that have had marijuana confiscated and had physicians recommendations, the number of people arrested who asserted they are medical marijuana patients, what charges were filed, the disposition of those cases and whether the County has had any liability suits; sheriffs report should include the requested information for the past two years

WPBAC

October 23, 2001

- 46.3 ACCEPTED AND FILED report on Code Compliance Investigations; with additional directions for staff to report back on November 6, 2001 delineating the changes which the Planning Department and County Counsel are to implement, as discussed throughout the Planning Department report dated October 11, 2001 and list changes; report back on the first meeting in February 2002 on the following additional topics: (1) more detail about the process the Planning Department will use for archiving and resolving old cases; (2) whether and to what extent the Board would like to set priorities in the enforcement of code issues beyond those mandated by state statute; (3) the process the County uses on the intake of complaints and whether it is worthwhile to evaluate a conflict resolution process which would be required before the County initiated prosecution of the violations; (4) setting time limits for the period within which the department is going to make a determination that a violation has or has not occurred after it receives a complaint; (5) the limits, if any, that might be set on the power of inspectors to red tag items beyond those that are the subject of the immediate complaint; (6) whether it would be appropriate to set limits on the period of time the department has to resolve cases once a violation is found to exist; (7) and an update on cases that have gone to Court that could have been resolved out of Court; and report back in October 2002 with information on tools used for monitoring mitigation on existing code compliance issues to repair or bring something back to it's original environmental condition and the effect of any changes the Board has made in the civil penalty strategies that are used in these types of cases

AWBPC

October 23, 2001

- 46.4 APPROVED plan line for Lake and Fifth Avenues between Eaton Street and East Cliff Drive, directed Public Works to include the plan line for Lake and Fifth Avenues in the Master Plan Line file; with additional directives to include suggested revisions to widen the entrance to Eaton Street and return with a further review of the proposal to stripe Lake Avenue for bike lanes with particular thought given to the safety of cyclists

WBPAC

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 November 6, 2001