

PROCEEDINGS OF THE
SANTA CRUZ COUNTY
BOARD OF SUPERVISORS

0001

VOLUME 2001, NUMBER 29
NOVEMBER 6, 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. 57.1, 57.2 and 57.3
4. ORAL COMMUNICATIONS - two people addressed the Board
5. Additions and Deletions to Regular Agenda

CONSENT AGENDA
WBPAC

6. APPROVED claims as submitted by the Auditor-Controller
7. APPROVED minutes of October 16, 2001 and October 23,
2001, as recommended by the Clerk of the Board
8. ACCEPTED AND FILED notification of continuing
contracts received during the period *bf* October 18,
2001 through October 31, 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

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10. REJECTED the claim of Jose E. Montesinos, No. 102-032 and referred to County Counsel
11. REJECTED the claim of Ronald R. Rodrigues, No. 102-035, as insufficiently filed and referred to County Counsel
12. REJECTED the claim of Juan Manuel Gonzal[REDACTED] M.D., No. 102-036 and referred to County Counsel
13. REJECTED the claims of Adrian Adams, Nos. 102-039A, 102-039B, 102-039C, and 102-039D and referred to County Counsel
14. APPROVED extension of County/Court Memorandum of Understanding (MOU) until December 31, 2001 and directed the County Administrative Officer to return with a renewal of the MOU on December 11, 2001, as recommended by the County Administrative Officer
15. ACCEPTED AND FILED report on Sheriff's Security and Facility Planning; directed the General Services Department to return with a contract for parking and circulation consulting services on or before December 4, 2001; and directed the County Administrative Office to work with the Sheriff's Office and Real Property to address the storage of special vehicles and evidence, identify potential funding sources and return on or before December 11, 2001 with a status report addressing these issues, as recommended by the County Administrative Officer
16. APPROVED a gross pay adjustment in the amount of \$865.90, as recommended by the District Attorney
17. APPROVED expenditure of \$123,980 for the Santa Cruz Auto Theft Task Force from the Vehicle Theft Trust Fund; authorized the District Attorney to sign agreements with the Cities of Watsonville and Santa Cruz; and approved related actions, as recommended by the District Attorney

18. APPROVED agreement with C.S.I. Telecommunications to provide services in support of the Mobile Data Communications project in an amount not-to-exceed \$30,000; approved transfer of appropriations from the Sheriff Coroner budget to the General Services Technical Communications budget to fund the agreement; and authorized the Director of General Services to sign and implement the agreement, as recommended by the Director of General Services
19. APPROVED plans and specifications for the 265 Water Street Remodel project; directed the General Services Department to advertise for bids; and set the bid opening for 10:45 a.m. on December 4, 2001, as recommended by the Director of General Services
20. APPROVED plans and specifications for the Watsonville Health Center HVAC Replacement project; directed the General Services Department to advertise for bids; and set the bid opening for 10:45 a.m. on December 4, 2001, as recommended by the Director of General Services
21. ACCEPTED the 100 Rountree Lane Re-Roof project as completed; approved the final cost in the amount of \$188,144 and authorized the Clerk of the Board to file the Notice of Completion, as recommended by the Director of General Services
22. APPROVED and ratified the emergency repair of the County Main Jail cogeneration power system at a cost of \$11,297.66; and authorized the Auditor-Controller to process payment, as recommended by the Director of General Services
23. SEE ITEM NO. 62.2, REGULAR AGENDA
24. AUTHORIZED the Santa Cruz County Sheriff's Office Recruitment and Hiring Unit to participate in the Public Safety Job Fair and adopted RESOLUTION NO. 399-2001 accepting and appropriating unanticipated revenue in the amount of \$6,000, as recommended by the Sheriff-Coroner and the Personnel Director

25. ADOPTED RESOLUTION NO. 400-2001 accepting and appropriating unanticipated revenue in the amount of \$15,000 from the Federal Asset Forfeiture Trust Fund to purchase various fixed assets and augment the purchase of the forensic comparison microscope previously approved in the 2001/2002 Budget Hearings, as recommended by the Sheriff-Coroner
26. APPROVED agreement with Property Bureau.com, Incorporated for the disposal of property and/or evidence that is unreturnable to its lawful owner and authorized the Sheriff-Coroner to sign the agreement, as recommended by the Sheriff-Coroner
27. DEFERRED contract award recommendation for Sheriff's ~~Vine~~less Data Communications Systems to December 11, 2001, as recommended by the Sheriff-Coroner
28. APPROVED appointment of Sheila Schat to the Child Care Planning Council, representing the interests of the community at-large, for a term to expire April 1, 2005, as recommended by Supervisor Wormhoudt
29. APPROVED appointment of Charles Levine to the In-Home Supportive Services Advisory Committee, as the representative of the Seniors Commission, for a term to expire March 21, 2002, as recommended by Chairman Campos
30. APPROVED appointment of B.J. Bartleson to the Emergency Medical Care Commission, as the representative of Watsonville Community Hospital, for a term to expire April 1, 2003, as recommended by Chairman Campos
31. APPROVED appointment of Jude Rose to the Children and Youth Commission as an at-large representative of the County Office of Education, for a term to expire April 1, 2003, as recommended by Chairman Campos
- 31.1 ADOPTED RESOLUTION NO. 401-2001 authorizing the Public Works Department to apply for grant funds to establish a feasibility study for a bike trail in the San Lorenzo River watershed; and directed Public Works to return on or before May 7, 2002 with a report on the outcome of the application process, as recommended by Supervisor Almquist

32. 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
33. ACCEPTED AND FILED report regarding integration of fire services into the County Emergency Medical Services System, as recommended by the Health Services Agency Administrator
34. DIRECTED the Health Services Agency to proceed with the Emergency Medical Services (EMS) planning process including the development of a Request for Proposal for ambulance services and return to the Board with a progress report on the EMS planning process on May 21, 2002, as recommended by the Health Services Agency Administrator
35. APPROVED the State Standard Revenue Agreement for Emergency Medical Services Appropriation and authorized the Health Services Agency Administrator to sign, as recommended by the Health Services Agency Administrator
36. AUTHORIZED payment of \$651.39 for prior year invoices for gas services to Scott Specialty Gases, as recommended by the Health Services Agency Administrator
37. ADOPTED RESOLUTION NO. 402-2001 accepting and appropriating unanticipated revenue in the amount of \$62,925; adopted RESOLUTION NO. 403-2001 authorizing the Health Services Agency Administrator to sign the State Standard Agreement for Medi-Cal Outreach Program Services; and directed the Clerk of the Board to take related actions, as recommended by the Health Services Agency Administrator
38. APPROVED submission of a \$500,000 grant application to the State Emergency Medical Services Administration for development and implementation of a Santa Cruz County Trauma Plan, as recommended by the Health Services Agency Administrator
39. ACCEPTED AND FILED report on Mental Health managed care for persons with MediCal, as recommended by the Health Services Agency Administrator

40. APPROVED agreements with various Early Intervention Program (EIP) counselors for HIV services to increase the hourly rate to \$50 and with Easter Seals Central for California Children's Services to increase the annual maximum amount to \$36,000 and authorized the Health Services Agency Administrator to sign, as recommended by the Health Services Agency Administrator
41. APPROVED the submission of application for the Supportive Housing Initiative Act (SHIA) grant funding to the California Department of Mental Health, as recommended by the Health Services Agency Administrator
42. APPROVED contracts with ARBOR, Incorporated in the amount of \$507,000 for On-the-Job Training Services and for a not-to-exceed amount of \$217,731 for the Caregiver Training Initiative program; adopted RESOLUTION NO. 404-2001 accepting and appropriating unanticipated revenue in the amount of \$68,200 with the City of San Jose for the Caregiver Training Initiative; and directed the Auditor and the Human Resources Agency to take related actions, as recommended by the Human Resources Agency Administrator
43. ADOPTED RESOLUTION NO. 405-2001 accepting and appropriating unanticipated revenue in the amount of \$83,927; authorized the Human Resources Agency Administrator to sign contracts with the National Guard, the Homeless Services Center and the Salvation Army for a total not-to-exceed amount of \$83,927 for winter shelter facilities; and approved related actions, as recommended by the Human Resources Agency Administrator
44. APPROVED gross pay adjustment in the amount of \$689.98, as recommended by the Human Resources Agency Administrator
45. APPROVED amendment to contract with First Alarm Security Patrol to add patrol services for 100 Pioneer, Santa Cruz and authorized the Human Resources Agency Administrator to sign, as recommended by the Human Resources Agency Administrator

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46. APPROVED Workforce Investment Act contract for training provider information services, as recommended by the Human Resources Agency Administrator
47. APPROVED contract with Community Action Board for emergency pre-eviction services for families with children and authorized the Human Resources Agency Administrator to sign the contract, as recommended by the Human Resources Agency Administrator
48. SEE ITEM NO. 62.1, REGULAR AGENDA
49. ACCEPTED AND FILED report on Habitat Conservation Planning for the Zayante Sand Hills area, as recommended by the Planning Director
50. APPROVED road closures and parade for the Soquel High School Homecoming Parade scheduled for November 10, 2001 and directed the Public Works Department to issue the parade permit, as recommended by the Director of Public Works
51. AUTHORIZED the Director of Public Works to make a partial release of Faithful Performance Security for Tract 1423, Santos Subdivision, as recommended by the Director of Public Works
52. APPROVED the Disadvantaged Business Enterprise Annual Overall Goal Information for 2001/2002 and directed Public Works to take related action, as recommended by the Director of Public Works
53. AUTHORIZED the Director of Public Works to make a partial release of Faithful Performance Security for 1431 Rodeo Creek, as recommended by the Director of Public Works
54. APPROVED independent contractor agreement with SCS Field Services for a total not-to-exceed cost of \$47,920 for landfill gas collection system repairs and maintenance and authorized the Director of Public Works to sign the agreement on behalf of the County, as recommended by the Director of Public Works

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55. ADOPTED RESOLUTION NO. 406-2001 accepting offer of dedication for Assessor's Parcel No. 028-142-35 for the East Cliff Drive Project: directed the Redevelopment Agency to provide a project status report in June 2002; and authorized the Clerk of the Board to take related actions, as recommended by the Director of Parks, Open Space and Cultural Services
56. AS THE BOARD OF DIRECTORS OF THE COUNTY OF SANTA CRUZ REDEVELOPMENT AGENCY, APPROVED contract with The Landscape Company in the amount of \$30,000 for renovation of the Soquel Drive medians from Center Street to Porter Gulch Road and approved related actions, as recommended by the Redevelopment Agency Administrator
57. 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.: Parodi/Sumner, et al. v. County of Santa Cruz, Santa Cruz, County Superior Court Case No. CV 137784
 Case Name/No.: Big Creek Lumber Company, et al. & Central Coast Forest Association, et al. v. County of Santa Cruz, Santa Cruz County Superior Court Case No. CV 134816 (Consolidated).
 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
- 57.1 APPROVED appointment of April Exner to the Women's Commission for a term to expire April 1, 2003, as recommended by Supervisor Wormhoudt

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- 57.2 ADOPTED RESOLUTION NO. 407-2001 calling the Depot Hill Geological Hazard Abatement District special formation election of five directors for January 29, 2002, as recommended by County Clerk
- 57.3 ACCEPTED AND FILED REPORT regarding the County Crime Prevention Act of 2001; adopted RESOLUTION NO. 408-2001 accepting unanticipated revenue in the amount of \$432,678.01; approved purchase of two incident command vehicles and set aside \$21,000 as partial financing towards an appropriate site for secured vehicle storage; adopted RESOLUTION NO. 409-2001 accepting and appropriating unanticipated revenue in the amount of \$100,000 for Fleet Vehicle Replacement; approved purchase of mobile data computer equipment, five replacement bicycles, laptop computers and various safety equipment; and approved related actions, as recommended by the Sheriff-Coroner

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REGULAR AGENDA

58. CONSIDERED report on Santa Cruz County Community Programs;
- (1) held workshop study session on Community programs;
 - (2) accepted and filed report and the attachments;
 - (3) directed the Human Resources Agency to annually collect information on how Community Programs services are addressing community-wide goals and strategies; with additional directives to report back in April 2002 on the progress that has been made in the monitoring area, particularly how monitoring efforts are going to work together with other community efforts that are going on to build outcome measures into the monitoring of the programs refund: County Administrative Officer report back in April 2002 on where the County is in terms of cultural competency adoption for its own programs and what the financial and problematic implications would be for all County Departments if the County is more inclusive of cultural competency standards in the delivery of services to the general public;
 - (4) directed the Human Resources Agency Administrator to return to the Board in April 2002 with a report on amending the standard Community Programs contract to incorporate cultural competency standards effective in the fiscal year 2002/2003, and include in the report components on guidelines, training, timeliness and consequences of enforcing the cultural competency standards; directed the Human Resources Agency work with the Latino Affairs Commission, Human Services Commission, Human Care Alliance, Latino Executive Directors and all other appropriate Boards and Commissions in developing the protocol for implementing this action;
 - (5) and directed the Human Resources Agency Administrator to continue to work with the Human Services Commission, Latino Affairs Commission, Human Care Alliance and the Latino Executive Directors in developing suggestions for strengthening the Community Programs funding process and return to the Board at some point after that process with a report and proposal to strengthen the funding process

WABPC

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59. Public hearing held to consider the Coastal Commissions'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; continued public hearing to November 20, 2001

WPBAC

60. Public hearing held to consider ordinance amendments to eliminate the term "handicapped" in various County ordinances and to revise the standards for accessible parking in the County Zoning Code; closed public hearing; adopted RESOLUTION NO. 410-2001 amending County Code Sections 13.10.265, 13.10.552, 13.10.554, 13.20.150, 14.02.020 and 15.02.180 to eliminate the term "Handicapped" and to revise accessible parking standards approving the proposed amendments to County Code, replacing the term "handicapped" with the terms "disabled" and/or "accessible" as appropriate, in County Code Sections 13.10.265, 13.10.552, 13.10.554, 13.20.150, 14.02.020 and 15.02.180 ADOPTED ORDINANCE NO. 4642 amending County Code Sections 13.10.265, 13.10.552, 13.10.554, 13.20.150, 14.02.020 and 15.02.180 to Eliminate the Term "Handicapped" and to Revise Accessible Parking Standards; certified the California Environmental Quality Act (CEQA) Exemption; and directed the Planning Department to transmit the amendments to the California Coastal Commission as a Local Coastal Program Implementation Plan amendment for their approval and certification

WABPC

61. Public hearing held to consider amendments to the Santa Cruz County Code Grading ordinance regarding revised design standards for private roads, driveways and bridges; continued public hearing to November 20, 2001

WABPC

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62. CONSIDERED ordinance amending Chapter 9.28 of the Santa Cruz County Code relating to designation of stop intersections;
ADOPTED RESOLUTION NO. 411-2001 accepting Odyssey Court and Parcel "A" along the north side of Brommer Street into the County Maintained Road System; and approved "in concept" ordinance amending Chapter 9.28 of the Santa Cruz County code relating to designation of stop intersections to return on November 20, 2001 for final adoption

AWBPC

- 62.1 ACCEPTED AND FILED report on the Code Compliance Program; approved administrative and procedural changes to improve the effectiveness of the Code Compliance Program; with an additional direction to include language as follows: "that there is no adverse environmental impact besides health and safety"; and directed the Planning Department to report back on February 5, 2002 with further information and recommendations as appropriate to respond to the Board's additional directives from October 23, 2001 and on the issue of alternative support arrangements for the administrative hearing process

PWBAC

- 62.2 ACCEPTED AND FILED report on the use of nine-county comparison for salary studies in the County; additionally adopted the joint County and Union's working group on Comparability Committee's recommendation to drop Fresno County as a comparable County

WABPC

- 63, CONSIDERED report on Affordable Housing Action Plan; (1) Accepted and filed report: (2) considered the Proposed Affordable Housing Action Plan and Implementation Schedule and took action on the following items: (a) continued to December 11, 2001 approval of a policy to require the Approving Body must make certain findings as part of approval of a residential development that is below the General Plan density range and that the proposed use is consistent with the General Plan and appropriate, given the need for housing in the community, with an additional direction to include information on the total amount of affordable housing in each district irrespective of city developments: (b/c) substituted the language contained in Supervisor Womhoudt's letter, of October 27, 2001, item #7, for the language in 2b and c, of the County Administrative Officer's letter of November 1, 2001, as follows: "directed Planning staff to include in the work program for the upcoming General Plan Amendment process an analysis of the potential for designating additional affordable housing sites"; (d) directed staff to return on December 11, 2001 with proposed recommendations to increase the inclusionary affordability requirement from 15% to 20%; (e) directed the Chair of the Board to write to LAFCO requesting LAFCO adopt a policy requiring a minimal level of affordability for annexed properties; (f)(i) directed the Redevelopment Agency to return on January 29, 2002 with a status report on the potential for increasing agricultural housing under the State Employee Housing Act program; (f)(ii) directed the Redevelopment Agency to return on April 9, 2002 with a status report on the potential for increasing agricultural housing under the State Employee Housing Act program; (f)(iii) directed the Redevelopment Agency Administrator to provide an annual budget allocation from capital projects to housing projects in an amount which would total a 25% housing set aside, based on existing formulas, and that this amount be included in future recommended Redevelopment Budgets, beginning in fiscal year 2002-03 to support the creation of low and moderate income housing opportunities countywide; (g) referred consideration of strategies to attract employers to our community that pay better wages to the Workforce Investment Board as part of their overall and on-going strategic efforts to address a variety of workforce development issues in the community; (h) directed the Planning



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Department to return on November 20, 2001 with a proposed ordinance amendment to permit second units on agriculturally zoned land and to initiate the public review process, with a final ordinance approval on or before April 9, 2002; and further directed staff to ensure that the ordinance does not restrict eligibility to relatives and farm workers, but does provide for the affordability restrictions; (m) directed RDA to develop a pilot program to provide subsidies to encourage the development of second units, in conjunction with the Board's consideration of the final ordinance on or before April 9, 2002 and additionally the Board directed and approved "in concept", RDA development of a pilot program; (j) requested the PUD ordinance return on November 20, 2001 for Board consideration and action; (k) approved the following changes to the County's Affordable Housing programs and directed Planning staff to work with the CAO, RDA and County Counsel, and return on December 11, 2001 with specific changes and administrative recommendations: 1) eliminate In Lieu Fees, 2) eliminate "rounding" inclusionary unit obligation and calculate the number of affordable units to be exactly equal to the inclusionary percentage of the number of eligible market units, and 3) approved the creation of a Developer Financed Measure J Home Purchase fund as described in the letter of the CAO dated November 1, 2001, 4) expanded the inclusionary percentage requirement to projects with two units or more, 5) deleted the current provision which exempts demolished units from inclusionary requirement and encourage the imposition of replacement housing requirements for demolished units; (l) directed Planning staff to report back on April 9, 2002 on issues pertaining to 1) the impact of reducing the floor area ratio from 50% to 40%; 2) the expansion of mobile home parks and, and additionally, the purchase of mobile home parks by either public entities or park residents, (3) increased use of manufactured housing; and 4) the possibility of establishing linkage fees for non-residential development; (m) directed the Planning Department to include in the updated Housing Element information pertaining to housing needs and housing pricing issues; (n) by consensus, directed the Planning Department, the Assessor's Office and Treasurer/Tax Collector to examine whether the Board has authority to regulate residential property for short term kinds of commercial use in order to address some of the

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impacts of vacation versus owner occupied type of residences and report back on February 12, 2002; (o) directed County Counsel to work with the Planning Department and the County Administrative Office to develop an anti-retaliatory eviction ordinance and to return on February 5, 2002 with a proposed ordinance; (p) directed Planning staff to return on February 5, 2002, with a Second Unit Limited Amnesty program and the costs and the effectiveness of the previous amnesty program; (q) directed the Redevelopment Agency to report back on February 12, 2001 on a program to recruit and retain property owners in the Section 8 program; (r) directed staff, in consultation with the Housing Advisory Commission, to review existing vacant and underutilized commercial and industrially zoned parcels for their suitability as affordable housing sites and return with their recommendations on or before May 7, 2002; (s) approved "in concept" doubling the amount of funding allocated to the tenant eviction program and directed the Redevelopment Agency to report back in conjunction with the Continuum of Care program, in late January 2002, on the success of the current program; (t) directed County Counsel to report back on November 20, 2001 on the status of the current State Law on tenant notification for rent increases including a report on whether the County is pre-empted from having more stringent requirements by State Law; (u) directed the County Administrative Officer to report back on April 9, 2002 on the feasibility of working with the City of Santa Cruz, private foundations and churches to finance and develop a permanent homeless shelter in the County of Santa Cruz; and (v) approved staff recommendations as amended

- (2a) BPwac
- (2b&c) WBPac
- (h) WABPC
- (i) WCPAB
- (j) WBPAC
- (l) PWBAC
- (p) WBPAC
- (q) WPBAC
- (r) WPBAC
- (s) WBPAC
- (t) WBPAC
- (u) AWBPC
- (v) WABPC

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64. CONSIDERED report on the Living Wage Program;
- (1) accepted and filed the report on the Living Wage Program;
 - (2) approved Living Wage ordinance "in concept", and directed County Counsel to develop a final ordinance incorporating any changes by the Board, with an additional direction that the date for the first reading be changed to December 4, 2001;
 - (3) directed the Personnel director to return in closed session upon the receipt of a proposal to commence bargaining by SEIU;
 - (4) directed the Human Resources Agency Administrator to return after State approval of the In-Home Supportive Services (IHSS) plan is received and to convene a meeting of the Public Authority when appropriate to consider any requests for representation of Independent Workers and any proposals to commence bargaining;
 - (5) directed staff to continue to work with the Living Wage Coalition and Human Care Alliance to consider development of an implementation program for non-profit organizations and private for-profit health and human service providers and to assess the initial implementation of the proposed ordinance, with additional directions:
 - (a) to ensure that meetings are scheduled and include Redevelopment Agency issues making sure areas are not overlooked
 - (b) include language in the ordinance designating the County Administrative Officer as the Compliance Officer
 - (c) develop a complaint process timeline
 - (d) consider third tier language in terms of applicability in the ordinance to cover the issue of workers representation by a union and coverage by a collective bargaining agreement
 - (e) consider the addition of language on labor relations neutrality under the enforcement section of the ordinance; and

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- (6) maintain the allocation of the \$700,000 in restricted contingencies to provide for the future implementation of a living wage program, with an additional direction to add the following language "specifically for the purpose of having funds available for negotiating with Independent Providers if a collective bargaining process is commenced";
- (7) motion to amend the main motion passed - APCwb
- (8) reconsideration of amended motion failed - APCwb

WCPAB

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 20, 2001