

PROCEEDINGS OF THE
SANTA CRUZ COUNTY
BOARD OF SUPERVISORS

0001

VOLUME 2001, NUMBER 30
November 20, 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
4. ORAL COMMUNICATIONS - four people addressed the Board
5. Additions and Deletions to Regular Agenda

CONSENT AGENDA
WPBAC

6. APPROVED claims as submitted by the Auditor-Controller
7. APPROVED minutes of November 6, 2001, as recommended
by the Clerk of the Board
8. ACCEPTED AND FILED notification of continuing
contracts received during the period of November 1,
2001 through November 14, 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 **a** ordinances
considered for adoption that may appear on this
agenda, and further waived a detailed reading of said
ordinances, as recommended by County Counsel

10. ADOPTED ORDINANCE NO. 4643 Amending Chapter 9 of the Santa Cruz County Code Relating to Stop Intersections
11. REJECTED the claim of Harvey Douglas Gold, No. 102-041 and referred to County Counsel
12. REJECTED the claim of James Estep, No. 102-042 and referred to County Counsel
13. REJECTED the claim of Joe and Sylvie Mendes, No. 102-043 and referred to County Counsel
14. REJECTED the claim of Paul and Catherine Rucker, No. 102-044 and referred to County Counsel
15. ACCEPTED AND FILED report on the Transient Occupancy Tax Audit of Best of Pajaro (Pajaro Dunes) for the three years ending December 31, 2001; established the amount owed to the County at \$63,098 plus interest and penalties; and approved related actions, as recommended by the Auditor-Controller
16. ACCEPTED AND FILED Statement of Count of Money in Treasury on September 5, 2001, as recommended by the Auditor-Controller
17. ACCEPTED AND FILED report on criminal justice costs associated with substance abuse and working with the Criminal Justice Council of Santa Cruz County, and the Proposition 36 Steering Committee, directed staff to return on March 5, 2002 with a report and recommendations on this matter, as recommended by the County Administrative Officer
18. APPROVED the 2002 County Legislative Program: approved related actions; and additionally included the letter of Supervisor Wormhoudt of November 14, 2001 with this item for consideration
19. ACCEPTED AND FILED status report on Watsonville Courts Facility Planning and directed the County Administrative Office to report back on or before January 15, 2002, as recommended by the County Administrative Officer
20. ACCEPTED report regarding Notice Required for Large Rent Increases, as recommended by County Counsel



November 20, 2001

21. ADOPTED RESOLUTION NO. 412-2001 authorizing the District Attorney to sign an agreement to obtain funding to pay verified victim's claims for funeral/burial and domestic violence relocation expenses for fiscal year ending 2001 and 2002; adopted RESOLUTION NO. 413-2001 accepting and appropriating unanticipated revenue in the amount of \$40,000; and approved related actions, as recommended by the District Attorney
22. AUTHORIZED the Chairperson of the Board of Supervisors to sign the Byrne-Funded Projects Certification of Compliance, Methamphetamine Laboratory Operations for the fiscal year 2001-02 Anti-Drug Abuse Enforcement Program, as recommended by the District Attorney
23. APPROVED plans and specifications for the Juvenile Hall Center Renovation and Expansion project; directed the General Services Department to advertise for bids; and set the bid opening at 10:45 a.m. on January 8, 2002, as recommended by the Director of General Services
24. APPROVED improvements at 324 Encinal Street and Pioneer Street, Santa Cruz to facilitate the relocation of employees from 1400 Emeline Avenue; approved independent contractor agreements with Kase Pacific Construction in the amount of \$38,921 for 100 Pioneer Street and \$39,689 for 324 Encinal ; and authorized the Auditor-Controller to take related actions, as recommended by the Director of General Services
25. ACCEPTED AND FILED report on the Redwoods/STAR Program facility repairs, as recommended by the Director of General Services
26. APPROVED contract amendment with Technical Roof Services to extend the contract date to June 30, 2002 for consultant services in connection with the re-roofing of 100 Rountree Lane, Watsonville, as recommended by the Director of General Services
27. ACCEPTED AND FILED report on the use of certified wood in County contracting, as recommended by the Director of General Services



28. ADOPTED RESOLUTION NO. 414-2001 accepting and appropriating unanticipated revenue in the amount of \$5,979.05 and authorized the purchase of an examination table for the Sexual Assault Nurse Examiners Program, as recommended by the Sheriff-Coroner
29. ACCEPTED Treasurer's monthly cash report and transaction report for the period ending October 31, 2001 and approved related action, as recommended by the Treasurer-Tax Collector
30. ADOPTED RESOLUTION NO. 415-2001 approving the sale of tax-defaulted property at public auction, as recommended by the Treasurer-Tax Collector
31. APPROVED appointment of Supervisor Jeff Almqvist as the alternate for Supervisor Jan Beautz to the Treasury Oversight Commission, as recommended by Supervisor Beautz
32. APPROVED appointment of John D. Crowder to the Commission on Disabilities for a term to expire April 1, 2005, as recommended by Supervisor Pirie
33. APPROVED appointment of Belicia Govine to the Long-Term Care Interagency Commission for a term to expire April 1, 2004, as recommended by Supervisor Pirie
34. APPROVED appointment of Jon Bennett to the Child Care Planning Council, as a representative of the community at-large, for a term to expire April 1, 2005, as recommended by Supervisor Pirie
35. APPROVED appointment of Alfred J. Richard to the Alcoholism and Drug Abuse Commission for a term to expire April 1, 2003, as recommended by Supervisor Wormhoudt
36. ACCEPTED nomination of Bob Harper for appointment to the Workforce Investment Board, as an at-large representative of educational agencies, for a term to expire June 30, 2004, with final appointment to be made December 4, 2001, as recommended by Supervisor Campos



November 20, 2001

37. REAPPOINTED Supervisor Jan Beautz to the Santa Cruz Metropolitan Transit District Board of Directors until such time as the Board makes appointments of its membership for the year 2002 to various agencies, committees and commissions; accepted notification of an at-large vacancy on the Transit District Board of Directors, with nominations for appointment to be received on December 4, 2001, and final appointment to be made December 11, 2001, as recommended by Chairman Campos
- 37.1 DIRECTED the Chairman of the Board to write to Senator John Burton expressing the Board's support for Senator Burton's proposal to place a \$2 billion housing bond act on the November 2002 ballot to provide grants and loans to affordable housing developments; with an additional directive to include Supervisor Wormhoudt's letter of November 14, 2001 in the 2002 County Legislative Program for consideration
- 37.2 ADOPTED RESOLUTION NO. 416-2001 providing for a temporary reduction in the utility tax rate for Gas and Electricity of 2.5% for the winter months of December 2001, January 2002, February 2002 and March 2002 and directed the Treasurer-Tax Collector to work with PG&E and the other energy providers on implementation of the rate reduction, as recommended by the County Administrative Officer
38. 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
39. ACCEPTED AND FILED report on Federally Qualified Health Centers Medicaid rate impacts; adopted RESOLUTION NO. 417-2001 accepting and appropriating \$475,000 in one-time funds for the Clinics budget for this fiscal year; directed the Health Services Agency Administrator to report back on April 9, 2002 on long-term recommendations; and approved related actions, as recommended by the Health Services Agency Administrator

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40. ACCEPTED AND FILED report on farm worker health needs and programs: directed Health Services Agency to report back on March 19, 2002 on the ECG Evaluation of Clinic Functioning and methods for improving efficiency; and approved related actions, as recommended by the Health Services Agency Administrator
41. AUTHORIZED the Auditor-Controller to make advance payments for December 2001 on contracts with the Volunteer Center of Santa Cruz in the amount of \$73,308, Santa Cruz Community Counseling Center, Incorporated in the amount of \$352,857 and Front Street, Incorporated in the amount of \$275,875, as recommended by the Health Services Agency Administrator
42. APPROVED and authorized the Health Services Agency Administrator to sign amendment to agreement with Santa Cruz Community Counseling Center to raise the Deferred Judgment Drug Program client fee from \$530 to \$602 and extend the term of the agreement until June 30, 2005, as recommended by the Health Services Agency Administrator
43. APPROVED agreement designating the Aptos-La Selva Fire Protection Department as an approved paramedic service provider and authorized the Health Services Agency Administrator to sign, as recommended by the Health Services Agency Administrator
44. APPROVED new Master Agreement for Mental Health Trauma Response Services and authorized the Health Services Agency Administrator to sign, as recommended by the Health Services Agency Administrator
45. APPROVED the Transfer of Budget Appropriations in the amount of \$6,000 within the Human Resources Agency to cover legal costs in the General Assistance Program, as recommended by the Human Resources Agency Administrator
46. ADOPTED RESOLUTION NO. 418-2001 accepting and appropriating \$17,750 in unanticipated revenue; approved contract amendment with the Second Harvest Food Bank; and authorized the Human Resources Agency Administrator to sign the amendment, as recommended by the Human Resources Agency Administrator

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November 20, 2001

47. APPROVED continuing contract with the Santa Cruz Area Transportation Management Association in the amount of \$25,000 from October 1, 2001 through June 30, 2002 and authorized the Human Resources Agency Administrator to sign the contract on behalf of the County, as recommended by the Human Resources Agency Administrator
48. CONTINUED consideration of the report on the In-Home Supportive Services Advisory Committee until January 8, 2002, as recommended by the Human Resources Agency Administrator
49. SEE ITEM NO. 65.1, REGULAR AGENDA
50. SEE ITEM NO. 73.2, REGULAR AGENDA
51. SEE ITEM NO. 73.1, REGULAR AGENDA
52. DEFERRED report on resumption of mobile home park inspections to February 12, 2002, as recommended by the Planning Director
53. APPROVED independent contractor agreement with Cox Consulting for the Salsipuedes Creek Levee Stabilization project for administering the Community Development Block Grant in the not-to-exceed amount of \$63,000 and authorized the Director of Public Works to sign the agreement on behalf of the County, as recommended by the Director of Public Works
54. APPROVED gross pay adjustment of \$272.72 for the Department of Public Works Heavy Equipment Mechanic II, as recommended by the Director of Public Works
55. APPROVED amendment to agreement with MS Engineering for design revisions and additional storm locations for three county-wide storm damage repair projects by increasing the amount by \$176,805 for a not-to-exceed amount of \$514,248 and authorized the Director of Public Works to sign the contract and amendment, as recommended by the Director of Public Works

November 20, 2001

56. APPROVED Request for Proposals for Grant Writing Services for Public Works' projects with an emphasis on environmental and fish enhancement grants; directed Public Works and the Planning Department to return on or before February 5, 2002 with recommendations for approval of successful contractor and any necessary budgetary actions; and directed the Clerk of the Board to take related action, as recommended by the Director of Public Works
57. APPROVED independent contractor agreement with Mark Thomas and Company, Incorporated in the amount of \$235,658 for preliminary engineering design of the Harkins Slough Bridge project; authorized the Director of Public Works to sign the agreement on behalf of the County; directed the Public Works Department to report back on January 29, 2002 on the progress by the consultant and the subject bridge project; and directed the Clerk of the Board to take related actions, as recommended by the Director of Public Works
58. APPROVED amendment to agreement with Ecosystems West for monitoring various ongoing Public Works projects, increasing the existing agreement to a not-to-exceed amount of \$50,000; authorized the Director of Public Works to sign the agreement on behalf of the County; and directed Public Works to report back on or before December 11, 2001 with a contract to hire a fish and wildlife consultant for biological services for Public Works projects, as recommended by the Director of Public Works
59. ADOPTED RESOLUTION NO. 419-2001 amending Resolution No. #584-90 by extending the North Coast Beaches Advisory Committee to December 31, 2002, as recommended by the Director of Parks, Open Space and Cultural Services
60. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, APPROVED contract with Central Coast ~~VMS~~ in the amount of \$34,960 for tar plant management and wetland enhancement for the Anna Jean Cummings Park and approved related actions, as recommended by the Redevelopment Agency Administrator
61. SEE ITEM NO. 65.1, REGULAR AGENDA



62. AS THE BOARD OF SUPERVISORS AND REDEVELOPMENT AGENCY, SCHEDULED a closed personnel and litigation session as follows:
- CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Case Name/No. : County of Santa Cruz v. City of San Jose, et al, Santa Clara Superior Court No. CV 794209
- 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 - The Board of Supervisors authorized the County of Santa Cruz to be added as a party joining in the Amicus efforts of the City and County of San Francisco in the matter of Sharon S. v. Superior Court of San Diego County.
In the matter of County of Santa Cruz v. City of San Jose, et. al., the Board of Supervisors authorized the filing of an appeal to the California Court of Appeals in the trial court decision

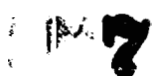
BPWAC

November 20, 2001

REGULAR AGENDA

63. CONSIDERED presentation of the representatives from the Second Harvest Food Bank
64. CONSIDERED approval of the selection of James Aschbacher as the artist for the Hestwood Park and Jim Keefe Skate Park **Art** Projects; approved the selection of James Aschbacher as the artist for the Hestwood Park and Jim Keefe Skate Park **art** projects; approved the **art** projects as presented; approved the two contracts with **Mr.** Aschbacher for a total of \$8,600 for the creation of the Skateboarder totem pole and animal cutouts; authorized the Parks Director to sign the contracts on behalf of the County; and directed the Arts Commission to develop a policy, for the Board of Supervisors review and approval, with regard to artists being represented in multiple county park **art** projects

WBPAC



November 20, 2001

65. CONSIDERED report prepared pursuant to Section 9111 of the Elections Code on the Repeal of the County Utility Tax and approved related actions; ordered that the initiative ordinance repealing the County Utility Tax be placed on the March 5, 2002 ballot for a decision by the voters; requested that the County Auditor prepare a fiscal impact statement and County Counsel prepare an impartial analysis of the measure; with additional direction that the County Administrative Office return on January 8, 2002 with the following items: 1) the amount of State and Federal pass-throughs and how this relates to our discretionary budget; 2) a discussion about the \$33 million in surplus and whether or not it exists, 3) provide the information by Counsel Dwight Herr on the legal issues concerning the utility tax; 4) a discussion on Santa Cruz County's property tax amount as compared with other counties; 5) information on the growth of our County's budget over the years; 6) information on the percentage the utility tax represents of our discretionary budget; 7) and a further discussion on why Santa Cruz County can't make it when other counties can on the amounts of resources that have been provided to them

APBWC

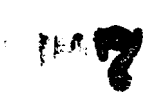
November 20, 2001

65.1 ACCEPTED AND FILED report on Tower Lodge Rehabilitation Project, as recommended by the Human Resources Agency Administrator
 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, ADOPTED RESOLUTION NO. 420-2001 approving funding for the Tower Lodge Project; 2) return to the Board of Supervisors any actions required to complete this transaction, including preparing and signing covenants and restriction agreements for the long term use, operation and maintenance of the property; 3) directed the Planning Department and County Counsel to report back on December 11, 2001 regarding land use and environmental issues on this property; 4) report back with a suggested alternative process for public input if a regular public hearing process will not occur; 5) directed the Redevelopment Agency Administrator to meet with the community in the first or second week of January to discuss issues of the project; 6) and requested that Mercy Housing provide a statement as to exactly what services are going to be available there, the terms of project services and what the manager would actually **do** as far as the residents and the grounds

BWP(A)C (with Supervisor Beautz voting "no" on the adoption of the Resolution"

66. Continued public hearing 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 January 29, 2002

APBWC



November 20, 2001

67. Public hearing to consider the recommendation of the Planning Commission regarding the Seacliff Village Plan to establish land use policies for the Seacliff Special Community in Aptos, including changing the land use designation and/or zoning on five parcels (Assessor's Parcel Numbers 038-081-36, 042-011-06, 042-021-01, 042-021-08, and 042-032-12) and modifying General Plan figure 2-5 (Coastal Priority Sites) to indicate that the McGregor site (Assessor's Parcel Number 038-081-36) priority uses are visitor accommodations and proposed park, recreation and open space;
- adopted RESOLUTION NO. 421-2001 approving the Seacliff Village Plan and the Negative Declaration issued therefore and amending the General Plan - Local Coastal Program Land Use Plan and Implementation Plan relating to the Seacliff Village Special Community and deleting from the plan on page 45 of 73 the following: Three traffic lanes on State Park Drive, to facilitate left turn lanes; and Retention of diagonal parking on the south side of Center Street; corrected the number of visitors to 1,888,000; adopted ORDINANCE NO. 4644 amending Chapter 13.10 of the Santa Cruz County code to rezone certain parcels as described in the ordinance; and directed the Planning Department to submit the Seacliff Village Plan to the Coastal Commission for certification as part of the Coastal Rounds of 2001;
- (2) amended main motion to modify language in the staff report, under Maintenance of Affordable Housing, on page 6 of 12 as follows: "continue the current enforcement policies relative to occupancy limits contained in the Use Permits for the site (i.e. not displace the residents) ensure that the owner does not displace any residents involuntarily, require preparation and adoption of a replacements housing plan, and a relocation plan for residents prior to any County action that would result in the displacement of the residents and require that the Replacement Housing Plan identify new sites and projects within the Seacliff area and/or neighboring communities within the Second District for the development of 31 units that are affordable to very low income households."
- (1) PABWC
 (2) WABPC

68. Continued public hearing 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 January 29, 2002; with additional direction to the Planning Director to gather additional public input on the impact of this ordinance on private road associations and owners, with a particular view towards addressing the issue of mitigating hardships that might arise when a person comes in to apply for permits after any kind of disaster, or anything which would expand the use on the property that only uses an existing road

AWBPC

69. CONSIDERED preliminary ordinance to allow second units on agricultural land;
gave preliminary approval of ordinance amendment to allow second units on agricultural land: referred the ordinance as requested by the Farm Bureau to the Planning Commission and the Agricultural Policy Advisory Commission for review, input and recommendation; and directed the Planning Department to report back to the Board on this matter on April 9, 2002; with an additional directive that on page 831, delete the bolded language that reads: "On Agricultural land, limited to 800 square feet."

WPBAC

November 20, 2001

70. CONSIDERED report regarding Planned Unit Developments; considered ordinance re-establishing the Planned Unit Development; referred the ordinance to the Planning Commission for review, input and recommendations; and directed the Planning Department to report back on this matter on April 9, 2002; with additional directives that on page 846 under (b) Where Allowed change language to read: "A planned unit development may be located in any residential zoning district upon the granting of a use permit in accordance with the provisions of this Chapter."; and that under (c) Permitted Uses, (1) change language to read: " Any use permitted in any residential district either as a permitted use or a conditional use, or any combination of such uses may be included in a planned unit development on a site of ten (10) acres or more, located in an "R-1" or "RM" district, where consistent with the General Plan

WBpAC

71. CONTINUED TO DECEMBER 4, 2001 report of the Personnel Department and resolution to expedite the County recruitment process and ordinance amending Santa Cruz County Code Section 3.20.050 regarding Eligible lists

WABPC

72. CONSIDERED Civil Service Rule Change extending the probationary period of Deputy Agricultural Commissioner/Sealer to twelve months; adopted RESOLUTION NO. 421-2001 amending Resolution No. 247-76 amending Personnel Regulations

WPBAC

73. RECEIVED bids regarding the Watsonville Veterans Memorial Building Bathrooms Remodel Project and referred to General Services Department to return on or before December 11, 2001 with a recommendation on awarding bid

APBWC

November 20, 2001

73.1 ACCEPTED AND FILED informational report on safety and legal issues regarding wireless communications facilities, as recommended by the Planning Director

AWBPC

73.2 ACCEPTED AND FILED report on County of Santa Cruz Implementation Plan for FishNet 4C Goals for County Policies, Planning and Management; approved the Implementation Plan, as revised; directed Planning, Public Works, Environmental Health Services, Parks, Open Space and Cultural Services, and County Counsel to incorporate proposed implementation actions into their work programs; and directed the Planning Department to report back on November 19, 2002, with a progress report on the Implementation Plan; with an additional directive to include, as part of the public record, reports submitted by Mr. Bob Briggs

AWBPC

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 December 4, 2001

