

County of Santa Cruz

HEALTH SERVICES AGENCY

P.O. BOX 962, 1080 EMELINE AVENUE SANTA CRUZ, CA 95061 (831) 454-4066 FAX: (831) 454-4770

HEALTH SERVICES AGENCY ADMINISTRATION

November 2001

AGENDA: December 4,2001

BOARD **OF** SUPERVISORS County of Santa Cruz 701 Ocean Street Santa Cruz, CA 95060

SUBJECT: Transfer Legal Ownership of Five Evidentiary Passive Alcohol Sensor Devices to Local Law Enforcement Agencies

Dear Members of the Board:

The Health Services Agency is requesting your Board's approval of four agreements which transfer legal ownership of five Evidentiary Passive Alcohol Sensor (EPAS) devices to the Scotts Valley Police Department, the City of Santa Cruz Police Department (two devices), the Capitola Police Department, and the UCSC Police Department.

Background:

On September 26, 2000 your Board approved the purchase of the five EPAS devices for the above mentioned law enforcement agencies. These devices were purchased with Office of Traffic Safety (OTS) grant funds, with the agreement from OTS that the ownership of the devices would be transferred to local law enforcement agencies. The devices are intended to be placed in patrol cars to help increase local law enforcement's ability to gauge the blood alcohol level of DUI suspects while gathering other evidence that can later be used at trial. The transfer of these devices will not result in any new net County cost.

It is, therefore, RECOMMENDED that your Board:

1. Approve the attached agreements with the Scotts Valley, Santa Cruz, Capitola and UCSC Police Departments transferring legal ownership of five evidentiary passive alcohol sensors to those agencies and authorize the Health Services Administrator to sign.

Sincerely,

Rama Khalsa, Ph.D. Health Services Administrator

RECOMMENDED:

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Susan A. Mauriello County Administrative Officer

cc: County Administrative Officer Auditor Controller County Counsel HSA Administration Mental Health and Substance Abuse Services Alcohol and Drug Program

	RI	COUNTY OF S EQUEST FOR APPRO			009 7
TO:	Board of Supervisors County Administrative Office Auditor Controller	FROM: Health BY: Signature	Services 8887 certifies that a		(Signature) UIS (Department) available
AGRE	EMENTMPE (Check One) _{Transfer}	of Ownership Expendit	ire Agreement [Revenue Agree	
The E	Board of Supervisors is hereby request	ed to approve the attached a	greement and a	uthorize the execution of s	same.
1. Sa	id agreement is between the <u>Count</u>	y of Santa Cruz Hea	1th Servic	es Agency	(Department/Agency)
ar	d City of Scotts Valley	Police Dept, 1 Civio	c Center Dr	, Scotts Valley,	CA 95066 (Name/Address)
2. TI	ne agreement will provide <u>for tra</u>	nsfer of ownership	of passive	alchohol sensor	devices.
_	(i.e. alcohol breath tes	sting machines) fron	n County to	the City.	
3. Pe	Frid of the agreement is from $12/4$	4/01	to	N/A	
4. A	iticipated Cost is \$_NA	· · · · · · · · · · · · · · · · · · ·	_ [] Fixed [] Monthly Rate 🗌 Annu	al Rate 🗌 Not to Exceed
R	emarks:				
5. D	etail: On Continuing Agreements Section II Section III Section III Section IV Revenue Agree	required, will be listed under quired		ntract No:	OR 🔲 1 st Time Agreement/
6. A	ppropriations/Revenues are available	and are budgeted in $\underline{N/A}$		(Index)N/	A (Sub object)
		OPRIATIONS ARE INSUFFICIEN			UD-60
Appr	opriations available and	ill be	Contract No: By: <u>Alu</u> Auditor-C	DVA	Date: 11/16/01
Prop	osal and accounting detail reviewed a	nd approved. It is recommen	ded that the Bo	oard of Supervisors approv	e the agreement and authorize
He	alth Services Agency Adr	ninistrator_(Dept/Agenc	y Head) to exec	ute on behalf of the	
<u>H</u> Date	ealth Services Agency <u>= 1/19/01</u>		By: <u>County Ac</u>	Iministrative Office	(Department/Agency)
Dist	fibution: Board of Supervisors - White Auditor Controller – Canary Auditor-Controller – Pink Department – Gold	State of California, do her	eby certify that Supervisors as re	the foregoing request for commended by the Coun	of the County of Santa Cruz, approval of agreement was ap- ty Administrative Office by an 20
_	ADM - 29 (8/01) Title ∎ Section 300 Proc Man	By: Deputy clerk			
	DITORCONTROLLER USE ONLY				20
CO	\$			V	20
	Document No. JE Amount	Lines	H/TL	Keyed By	Date
TC	Auditor Description	\$ Amount	Index	//Sub object	User Code

County & Santa Cruz Health Services Agency Alcohol and Drug Program Prevention Services 1400 Emeline Ave., Santa Cruz, CA 95060 (831) 454-4050

Evidential Portable Alcohol System (EPAS) Transfer of Ownership Agreement

THIS AGREEMENT is entered into this 4th day of December 2001, by and between the COUNTY OF SANTA CRUZ, hereinafter called COUNTY, and City of Scotts Valley Police Department, hereinafter called CONTRACTOR. The parties agree as follows:

- 1. COUNTY shall transfer ownership of one (1) Drager Evidential Portable Alcohol System (EPAS) to be used to screen those suspected of driving under the influence of alcohol by City of Scotts Valley PD officers as part of the California Office of Traffic Safety Impaired Driving Prevention Program.
- 2. CONTRACTOR accepts full responsibility for the maintenance and repair of the EPAS devices.
- 3. CONTRACTOR shall exonerate, indemnify, defend, and hold harmless COUNTY and the California Office of Traffic Safety (OTS) (including, without limitation, their officers, agents, employees and volunteers) from and against: Any and all claims, demands, losses, damages, defense costs, or liability of any kind or nature which COUNTY and/or OTS may sustain or incur or which may be imposed upon it for injury to or death of persons, or damage to property as a result of, arising out of, or in any manner connected with the CONTRACTORS possession or use of the EPAS devices, excepting any liability arising out of the sole negligence of the COUNTY and/or OTS. Such indemnification includes any damage to the person(s), or property (ies) of CONTRACTOR and third persons.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written.

CONTRACTOR

COUNTY OF SANTA CRUZ

By: _____ Representative By:_____

City of Scotts Valley Police Department 1 Civic Center Drive

Scotts Valley, CA 95066 APPROVED AS TO Bv:

DISTRIBUTION:

County Counsel Contractor

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το:	Board of Supervisors County Administrative Office Auditor Controller	FROM: BY:	so Yue	es Agency at appropriations/revenu	(signature)_	_ (Department)
AGREE	EMENTMPE (Check One)	er of Ownersh	Expenditure Agreen	nent 🗌 Revenue	Agreement 🗌	
	ard of Supervisors is hereby reques				on of same.	
1. Sao	d agreement is between the <u>Cour</u>	ty Of Santa (Cruz Health Se	rvices Agency	(Depar	rtment/Agency)
and	City of Santa Cruz Pol	lice Dept, 15	5 Center St, S	anta Cruz, CA 950)60((Name/Address)
	agreement will provide <u>for</u> t: (i.e., alcohol beath				sor devices.	
3. Per	iod of the agreement is from <u>12/</u>	4/01	1	p N/A		
4. An	tkipated Cost is \$A				Annual Rate 🔲 I	Not to Exceed
	tail: On Continuing Agreements	r required, vvil be lis quired	•	Contract No:	OR 🏝 1 [#] T	ime Agreement
6. Ayy	propriations/Revenues are available NOTE: IF APPRO			LED COMPLETED AUD-74		(Sub object)
Approj	priations available and	ave been encumb	ered. By:/	t No: <u>12647</u> Adm O. Vick itor-Controller Deputy	Date:	116/01
	sal and accounting detail reviewed		recommended that th	e Board of Supervisors a	pprove the agreem	entand authorize
Heal	th Services Agency Admi	nistrator (D	ept/Agency Head) to	execute on behalf of the		
Heal Date:	th Servies Agency 	· · ·	By: Cour	S Administrative Office	(De	partment/Agency)
Distrit	bution: Board of Supervisors - White Auditor Controller - Canary Auditor-Controller - Pink Department - Gold	proved by said	a Cruz ex-officio Cl ria, do hereby certify	as recommended by the	st for approval of a	greement was ap-
	ADM - 29 (8/01) Title I, Section 300 Proc Man	By: Deputy Cle	rk		_	
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County of Santa Cruz Health Services Agency Alcohol and Drug Program Prevention Services 1400 Emeline Ave., Santa Cruz, CA 95060 (831) 454-4050

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Evidential Portable Alcohol System (EPAS) Transfer of Ownership Agreement

THIS AGREEMENT is entered into this 4th day of December 2001, by and between the COUNTY OF SANTA CKUZ, hereinafter called COUNTY, and City of Santa Cruz Police Department, hereinafter called CONTRACTOR. The parties agree as follows:

- 1. COUNTY shall transfer ownership of two (2) Drager Evidential Portable Alcohol System (EPAS) to be used to screen those suspected of driving under the influence of alcohol by City of Santa Cruz PD officers as part of the California Office of Traffic Safety Impaired Driving Prevention Program.
- 2. CONTRACTOR accepts full responsibility for the maintenance and repair of the EPAS devices.
- 3. CONTRACTOR shall exonerate, indemnify, defend, and hold harmless COUNTY and the California Office of Traffic Safety (OTS) (including, without limitation, their officers, agents, employees and volunteers) from and against: Any and all claims, demands, losses, damages, defense costs, or liability of any kind or nature which COUNTY and/or OTS may sustain or incur or which may be imposed upon it for injury to or death of persons, or damage to property as a result of, arising out of, or in any manner connected with the CONTRACTOR'S possession or use of the EPAS devices, excepting any liability arising out of the sole negligence of the COUNTY and/or OTS. Such indemnification includes any damage to the person(s), or property (ies) of CONTRACTOR and third persons.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written.

CONTRACTOR

COUNTY OF SANTA CRUZ

By: _

Representative

Ву:_____

City of Santa Cruz Police Department 155 Center Street Santa Cruz, CA 95060

DISTRIBUTION:

County Counsel Contractor

	RE	COUNTY O	F SANTA CR ROVAL OF A	-	0101
TO:	Board of Supervisors County Administrative Office Auditor Controller	BY:	10 & & C	Agency	_ (Signature)_ 11/15/1(Date)
AGREE	MENT TYPE (Check One) Transfe	r of Ownership	iditure Agreement	Revenue Agr	reement 🗌
The Bo	ard of Supervisors is hereby requeste	ed to approve the attache	d agreement and	authorize the execution of	of same.
1. Sāk	d agreement is between the <u>Coun</u>	ty Of Santa Cruz	Health Serv	ices Agency	(Department/Agency)
and	City of Capitola Police	Dept, 422 Capito	ola Ave, Cap	oitola CA 95010	(Name/Address)
2. The	e agreement will provide <u>for tran</u>	sfer of ownership	o of passive	alcohol sensor	devices.
- -	(i.e., alcohol breath	testing machines) from Count	y to the City	
3. Pe	riodoftheagreementisfrom <u>12/2</u>	4/01	to _	N/A	
4. An	tkipated Cost is \$A		Fixed	🗌 Monthly Rate 🔲 Ar	nnual Rate 🔲 Not to Exceed
	L. L			-	
<u> </u>	etail: On Continuing Agreements L Section II No Board letter Section III Board letter req Section IV Revenue Agreer	required, will be listed un uired		ontract No:	OR 🎦 1 st Time Agreement 🛩
6. Ao	propriations/Revenues are available a	and are budgeted in <u>N</u>	/A	(Index)	N/A (Sub object)
	NOTE: IF APPROF	RIATIONS ARE INSUFFIC	CIENT, ATTACHED	COMPLETED AUD-74 OF	RAUD-60
Appro	priations available and	ve been encumbered. Hbe	Contract No By: Auditor	1110	Date:!//////
	sal and accounting detail reviewed ar				ove the agreement and authorize
<u>He</u>	ealth Services Agency Adr	ninistrator (Dept/Ag	ency Head) to exe	cute on behalf of the	
<u> </u>	ealth Services Agency		By: <u>County</u>	Administrative Office	(Department/Agency)
Distril	bution: Board of Supervisors - White Auditor Controller - Canary Auditor-Controller - Pink Department - Gold		hereby certify that of Supervisors as I	t the foregoing request for recommended by the Cou	ors of the County of Santa Cruz, or approval of agreement was ap - unty Administrative Office by an 20
	ADM - 29 (8/01) Title I, Section 300 Proc Man	By: Deputy Clerk			
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County & Santa Cruz Health Services Agency Alcohol and Drug Program Prevention Services 1400 Emeline Ave., Santa Cruz, CA 95060 (831) 454-4050

Evidential Portable Alcohol System (EPAS) Transfer & Ownership Agreement

THIS AGREEMENT is entered into this 4th day of December 2001, by and between the COUNTY OF SANTA CKUZ, hereinafter called COUNTY, and City of Capitola Police Department, hereinafter called CONTRACTOR. The parties agree as follows:

- 1. COUNTY shall transfer ownership of one **(ID**rager Evidential Portable Alcohol System (EPAS) to be used to screen those suspected of driving under the influence of alcohol by City of Capitola PD officers as part of the California Office of Traffic Safety Impaired Driving Prevention Program.
- 2. CONTRACTOR accepts full responsibility for the maintenance and repair of the EPAS devices.
- 3. CONTRACTOR shall exonerate, indemnify, defend, and hold harmless COUNTY and the California Office of Traffic Safety (OTS) (including, without limitation, their dices, agents, employees and volunteers) from and against: Any and all claims, demands, losses, damages, defense costs, or liability of any kind or nature which COUNTY and/or OTS may sustain or incur or which may be imposed upon it for injury to or death of persons, or damage to property as a result of, arising out of, or in any manner connected with the CONTRACTOR'S possession or use of the EPAS devices, excepting any liability arising out of the sole negligence of the COUNTY and/or OTS. Such indemnification includes any damage to the person(s), or property (ies) of CONTRACTOR and third persons.
- IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written.

CONTRACTOR

COUNTY OF SANTA CRUZ

By:_____

0102

By_

Representative

City of Capitola Police Department 422 Capitola Avenue Capitola, CA 95010

APPROVED AS TO

DISTRIBUTION:

County Counsel Contractor

0103

COUNTY OF SANTA CRUZ REQUEST FOR APPROVAL OF AGREEMENT

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Τα	Board of supervisors County Administrative Office Auditor Controller	FROM: BY:	Health Ser Signature certifies			(Signature) 11	Department)
AGREE	MENT TYPE (Check One) Transfe	r of Ownersh	ExpenditureAgree		Revenue Agree	ement 🗌	
	oard of Supervisors is hereby request						
1. Sai	d agreement is between the <u>Count</u>	ty of Santa C	ruz Health S	ervies Agei	ncy	(Departm	ent/Agency)
an	J ^{University} of Calif. Sa	anta Cruz, 11	56 High St, S	Santa Cruz	c, CA 95064	(Na	me/Address)
2. Th	eagreementwiliprovide <u>fortra</u>	nsfer of owr	nership of pa	ssive alcol	hol sensor d	evices	
-	(i.e., alcohol breath t	esting machi	nes) from Co	unty to the	e University		
3. Pe	eriodoftheagreementisfrom <u>12/4</u>	/01		_toN/A			
	ticipated Cost is \$ N A				h iy Rate 🗌 Anni	ual Rate 🗌 Not	to Exceed
	marks:	List far FY	PageCC		D:	OR 1 st Time	e Agreement 🗸
-	Section II No Board letter Section III Board letter req Section IV Revenue Agree	[,] required, will be lis juired	sted under Item 8				-
6.Ap	propriations/Revenues are available	and are budgeted i	n <u>N/A</u>		_ (Index)N/	Α	_ (Sub object)
	NOTE: IFAPPRO	PRIATIONS ARE IN	ISUFFICIENT, ATTA		TED AUD-74 OR A	UD-60	
Appro	priations available and	ve been encumb	ered. By:	act No: Adding uditor-Controller	2649 Vin Deputy	Date://	6/01
Propo	sal and accounting detail reviewed a	nd approved. It is	recommended that	the Board of S	upervisors approv	e the agreement	and authorize
He	lth Services Agency Adm	inistator (C	ept/Agency Head)	to execute on b	ehalf of the		
_ <u>H</u> e	alth Servies Agency					(Depar	tment/Agency)
Date:	"/19/01		By:	unty Administre	tive Office		
Distr	ibution: Board of Supervisors - White Auditor Controller – Canary Auditor-Controller – Pink Department – Gold		a Cruz ex-officio	fy that the foregr ors as recommen	n ·	approval of agree	ement was ap-
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County of Santa Cruz Health Services Agency Alcohol and Drug Program Prevention Services 1400 Emeline Ave., Santa Cruz, CA 95060 (831) 454-4050

0104

Evidential Portable Alcohol System (EPAS) Transfer & Ownership Agreement

THIS AGREEMENT is entered into this 4th day of December 2001, by and between the COUNTY OF SANTA CFUZ, hereinafter called COUNTY, and University of California, Santa Cruz (UCSC) Police Department, hereinafter called CONTRACTOR. The parties agree as follows:

- 1. COUNTY shall transfer ownership of one (1) Drager Evidential Portable Alcohol System (EPAS) to be used to screen those suspected of driving under the influence of alcohol by UCSC PD officers as part of the California Office of Traffic Safety Impaired Driving Prevention Program.
- 2. CONTRACTOR accepts full responsibility for the maintenance and repair of the EPAS devices.
- 3. CONTRACTOR shall exonerate, indemnify, defend, and hold harmless COUNTY and the California Office of Traffic Safety (OTS) (including, without limitation, their officers, agents, employees and volunteers) from and against: Any and all claims, demands, losses, damages, defense costs, or liability of any kind or nature which COUNTY and/or OTS may sustain or incur or which may be imposed upon it for injury to or death of persons, or damage to property as a result of, arising out of, or in any manner connected with the CONTRACTORS possession or use of the EPAS devices, excepting any liability arising out of the sole negligence of the COUNTY and/or OTS. Such indemnification includes any damage to the person(s), or property (ies) of CONTRACTOR and third persons.
- IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written.

CONTRACTOR

COUNTY OF SANTA CRUZ

By: __

Representative

L CSC Police Department 1156 High Street Santa Cruz, CA 95064

APPROVED AS TO FORM: County Counse

DISTRIBUTION:

County Counsel Contractor



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Ву:_____