

PROCEEDINGS OF THE
SANTA CRUZ COUNTY
BOARD OF SUPERVISORS

0001

VOLUME 2002, NUMBER 4
February 5, 2002

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
4. ORAL COMMUNICATIONS - Three people addressed the Board
5. Additions and Deletions to Regular Agenda

CONSENT AGENDA
WAPCB

6. APPROVED claims as submitted by the Auditor-Controller
7. ITEM DELETED
8. ACCEPTED AND FILED notification of continuing
contracts received during the period of January 24,
2002 through January 30, 2002 and approved upon
adoption of the 2001/02 continuing agreements list to
comply with Section 300 of the County's Procedures
Manual, Title 1, as recommended by the Clerk of the
Board
9. APPROVED the reading by Title of all ordinances
considered for adoption that may appear on this
agenda, and further waived detailed reading of said
ordinances, as recommended by County Counsel

February 5, 2002

0002

10. REJECTED the claim of Charles Race, No. 102-069 and referred to County Counsel
11. REJECTED the claim of Michelle Renee Adams, No. 102-071 and referred to County Counsel
12. REJECTED the claim of Kenneth Hall, No. 102-072 and referred to County Counsel
13. REJECTED the claim of Kenneth D. Hall, No. 102-072, Amended, and referred to County Counsel
14. APPROVED the addition of one Agricultural Biologist Aide (~~limited~~ term) for nine and a half pay periods beginning February 16, 2002, as recommended by the Agricultural Commissioner
15. DEFERRED TO FEBRUARY 12, 2002 contract award regarding the Wireless Data Communications System for the Sheriff's Office, as recommended by the Sheriff-Coroner
16. APPROVED appointment of E. Marie Chrisman to the Commission on Disabilities for a term to expire April 1, 2003, as recommended by Supervisor Campos
17. ACCEPTED AND FILED annual report of the Fire Department Advisory Commission and approved related action, as recommended by Chairperson Beutz
18. ACCEPTED AND FILED annual report of the Energy Commission and approved related action, as recommended by Chairperson Beutz
19. ACCEPTED AND FILED annual report of the Seniors Commission and approved related action, as recommended by Chairperson Beutz
20. ACCEPTED AND FILED annual report of the Long Term Care Interagency Commission and approved related action, as recommended by Chairperson Beutz
21. ACCEPTED AND FILED report on the implementation of Proposition 36; adopted RESOLUTION NO. 33-2002 accepting and appropriating unanticipated revenue in the amount of \$26,222 for Proposition 36; and authorized the Health Services Agency to negotiate contract amendments, as recommended by the Health Services Agency Administrator

February 5, 2002

22. ADOPTED RESOLUTION NO. 34-2002 accepting and appropriating \$87,000 in unanticipated revenue for the Medi-Cal Outreach Project; approved agreements with Walnut Women's Center for a maximum amount of \$59,722, Familia Center for a maximum amount of \$26,779, Watsonville YWCA for a maximum amount of \$46,369 and Salud Para La Gente for a maximum amount of \$27,675 to provide outreach services; authorized the Health Services Agency Administrator to sign; and approved related actions, as recommended by the Health Services Agency Administrator
23. ACCEPTED AND FILED report of the Children's Network and approved amended bylaws, as recommended by the Human Resources Agency Administrator
24. DEFERRED progress report on the Planning Department's Code Compliance Program to February 26, 2002, as recommended by the Planning Director
25. DEFERRED consideration of amendments to the Affordable Housing Ordinance relating to level of affordability and applicability of ordinance until March 12, 2002, as recommended by the Planning Director
26. SEE ITEM NO. 40.1, REGULAR AGENDA
27. ADOPTED RESOLUTION NO. 35-2002 for the summary vacation of the County's interest in a portion of right-of-way and approved related actions, as recommended by the Planning Director
28. APPROVED independent contractor agreement with Applied Development Economics for a not-to-exceed amount of \$30,000 for environmental grant writing services for the Public Works and Planning Departments and approved related actions; with an additional direction for a report back in one year on how grant writing services are working
29. AUTHORIZED a partial refund of the 1999/2000 County Service Area (CSA) No. 36, Forest Glen, Baker Road zone benefit assessments and approved related actions, as recommended by the Director of Public Works

February 5, 2002

30. APPROVED 2002/03 County Service Area (CSA) benefit assessment and service charge approval process and scheduled budget hearings for County Service Areas for Friday, June 21, 2002. as recommended by the Director of Public Works
31. ACCEPTED the Greyhound Rock Restoration project as completed: approved final cost in the amount of \$62,024.55; and authorized the Clerk of the Board to take related actions, 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.: 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)
Case Name/No.: Canlis v. Civil Service Commission,
Santa Cruz Superior Court Case No. CV 141678
REPORT OF COUNTY COUNSEL - No report given

REGULAR AGENDA

33. CONSIDERED ordinance amending Chapter 9.28 of the Santa Cruz County Code relating to designation of stop intersections and related actions for Capitola Gardens Tract 1328; accepted the site improvements as completed in accordance with previously approved plans; ADOPTED RESOLUTION NO. 36-2002 accepting Antone 11 Court, Byer Road, ~~VV~~ Wa Way and Parcel "A" into the County maintained road system; adopted ordinance "in concept" to return on February 12, 2002 for final adoption; directed the Clerk of the Board to release the Faithful Performance Security and retain sufficient funds from the Faithful Performance Security to provide for the Guarantee, Warranty and Maintenance of Work Security; and if at the end of three months, a search of the records by the Auditor-Controller's Office reveals no posted liens against the project, authorized the Clerk of the Board to release the labor and Materials Security and at the end of twelve months release the Guarantee, Warranty and Maintenance of Work Security provided there are no problems with the improvements

WCPAB

34. APPROVED appointment of Doris Burgers to the Housing Authority Board of Commissioners, as an at-large tenant representative, in accordance with Resolution No. 389-69, for a term to expire February 5, 2004

CWPAB

35. APPROVED appointment of Tonee Picard to the Workforce Investment Board, as an at-large representative of Business, for a term to expire June 30, 2002

WCPAB

36. Public hearing held to consider approval of the Conceptual Moran Lake County Park Butterfly Habitat Management Plan; closed public hearing; approved the Conceptual Moran Lake County Park Butterfly Habitat Management Plan

PCWAB

37. CONSIDERED amendments to the Affordable Housing Ordinance relating to In-lieu fees and associated guidelines;
continued until March 12, 2002 consideration of amendments to the Affordable Housing Ordinance relating to In-lieu fees and associated guidelines; with an additional direction that Planning return with a report which would include the following: an alternative proposal on the rounding that would tie the fraction to the cost of affordable housing rather than the difference between market rate and affordable housing; the advantages and disadvantages of including affordable second units in these projects; the option for the purchase of existing housing both in terms of the protection of rental units and not just the purchase of for sale units; the advantages and disadvantages of using a simpler ratio of 2 for 1; scaling affordable housing requirements that would allow smaller projects to have a lower burden per unit and the habitability of the units and how to protect that if the units are brought into a conversion program

WPACB

38. CONSIDERED report on issues related to medical marijuana;
accepted and filed report on issues related to medical marijuana

WPCAB

39. CONSIDERED annual report of the Central Coast Alliance for Health;
accepted and filed report of the Central Coast Alliance for Health

WCPAB

40. CONSIDERED ordinance adding Chapter 8.43 to the Santa Cruz County Code pertaining to anti-retaliatory evictions;
approved ordinance "in concept" to return on February 12, 2002 for final adoption; with an additional directive to add a paragraph referencing the section of the civil code and the text of the statute that references tenantability

WCPAB

February 5, 2002

40.1 DEFERRED report on a Limited Amnesty Program for
Illegal Second Units until May 21, 2002

WPACB

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 February 26, 2002

PROCEEDINGS OF THE
SANTA CRUZ COUNTY
BOARD OF SUPERVISORS

VOLUME 2002, NUMBER 5
FEBRUARY 12, 2002

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. Supervisor Pirie "absent"
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 - two people addressed the Board
5. Additions and Deletions to Regular Agenda, See Item
No. 57.1

CONSENT AGENDA
WC/P/AB

6. APPROVED claims as submitted by the Auditor-Controller
7. APPROVED minutes of January 29, 2002, as recommended
by the Clerk of the Board
8. ACCEPTED AND FILED notification of continuing
contracts received during the period of January 31,
2002 through February 6, 2002 and approved upon
adoption of the 2001/02 continuing agreements list to
comply with Section 300 of the County's Procedures
Manual, Title 1, as recommended by the Clerk of the
Board
9. APPROVED the reading by Title of all ordinances
considered for adoption that may appear on this
agenda, and further waived detailed reading of said
ordinances, as recommended by County Counsel

February 12, 2002

10. ADOPTED ORDINANCE NO. 4652 Adding Chapter 8.43 to the Santa Cruz County Code Regarding the Establishment of Remedies for Lessor's Retaliation
 11. ADOPTED ORDINANCE NO. 4653 Amending Chapter 9 of the Santa Cruz County Code Relating to Stop Intersections
 12. REJECTED claim of the City of Santa Cruz. No. 102-070 and referred to County Counsel
 13. APPROVED transfer of \$18,000 within the Auditor's Office budget and authorized the Purchasing Agent to purchase the required accounting system management software, as recommended by the Auditor-Controller
 14. ACCEPTED AND FILED statement of Count of Money in Treasury on October 30, 2001, as recommended by the Auditor-Controller
 15. ACCEPTED AND FILED Comprehensive Annual Financial Report of the County of Santa Cruz and the Single Audit Report for the fiscal year ending June 30, 2001, as recommended by the Auditor-Controller
 16. ACCEPTED AND FILED report on posting individual precincts reporting results to the Internet on Election night, as recommended by the County Clerk-Recorder
- APPROVED contract with Dwight L. Herr in an amount not-to-exceed \$35,000 for legal services, as recommended by County Counsel
- ADOPTED RESOLUTION NO. 37-2002 authorizing the District Attorney to reapply to the Office of Criminal Justice Planning for fiscal year 2002/2003 Child Abuser Vertical Prosecution Program and authorized the Chairperson to sign the Certification of Assurance of Compliance, as recommended by the District Attorney
19. AUTHORIZED the District Attorney to apply for an augmentation of the Violence Against Women grant which extends the program year to June 30, 2002 and adopted RESOLUTION NO. 38-2002 accepting and appropriating unanticipated revenue in the amount of \$34,604, as recommended by the District Attorney

20. ACCEPTED the Emeline Complex Building Re-paint project as completed; approved final cost in the amount of \$119,640; and authorized the Clerk of the Board to take related action, as recommended by the Director of General Services
21. APPROVED independent contractor agreement with Matrix Consulting Institute in the amount of \$3,200 to provide a workshop on Racially Biased Policing and authorized the Sheriff-Coroner to sign the agreement, as recommended by the Sheriff-Coroner
22. APPROVED various recommendations to Sheriff's ~~VN~~less Data Communications System, as recommended by the Sheriff-Coroner
23. ACCEPTED AND FILED annual report of the Domestic Violence Commission and approved related action, as recommended by Chairperson Beautz
24. ACCEPTED AND FILED annual report of the Historic Resources Commission and approved related action, as recommended by Chairperson Beautz
25. ACCEPTED AND FILED annual report of the Fish and Game Advisory Commission and approved related action, as recommended by Chairperson Beautz
26. ACCEPTED AND FILED annual report of the Alcohol and Drug Abuse Commission and approved related action, as recommended by Chairperson Beautz
27. ACCEPTED AND FILED annual report of the Mobilehome Commission and approved related action, as recommended by Chairperson Beautz
28. ACCEPTED AND FILED annual report of the Hazardous Materials Advisory Commission and approved related action, as recommended by Chairperson Beautz
29. ACCEPTED AND FILED annual report of the Workforce Investment Board and approved related action, as recommended by Chairperson Beautz
30. ACCEPTED AND FILED annual report of the Children and Youth Commission and approved related action, as recommended by Chairperson Beautz



31. ACCEPTED AND FILED annual report of the Hazardous Materials Appeals Commission, as recommended by Chairperson Beutz
32. ACCEPTED AND FILED annual report of the Environmental Health Appeals Commission, as recommended by Chairperson Beutz
33. ACCEPTED AND FILED annual report of the On-Site Sewage Disposal Technical Advisory Committee, as recommended by Chairperson Beutz
34. APPROVED appointment of Jan Nelson to the Workforce Investment Board, as an at-large appointee representing the public sector for the older adult worker, for a term to expire June 30, 2002, with final appointment to be made February 26, 2002, as recommended by Chairperson Beutz
35. APPROVED appointment of Dale Skillicorn to the Housing Authority Board of Commissioners, as an at-large representative of the City of Watsonville, for a term to expire February 12, 2006. as recommended by Chairperson Beutz
36. ACCEPTED notification of two at-large vacancies on the Board of Law Library Trustees, with nominations for appointment to be received on February 26, 2002, and final appointment to be made March 5, 2002, as recommended by Chairperson Beutz
- 36.1 ADOPTED RESOLUTION NO. 39-2002 supporting the passage of Proposition 40 and approved related actions, as recommended by Supervisor Almquist
37. ACCEPTED AND FILED report on the need to continue the state of local emergency relative to transmission of **HV** through contaminated needles, as recommended by the Health Services Agency Administrator
38. AUTHORIZED the Health Services Agency to submit an application to the California Consumer Protection Foundation for an expanded Teen Telehealth Project in the amount of \$50,000, as recommended by the Health Services Agency Administrator



39. APPROVED contracts for \$55,100 with the University of California at Davis to provide staff development training and authorized the Human Resources Agency Administrator to sign the agreements, as recommended by the Human Resources Agency Administrator
40. ADOPTED RESOLUTION NO. 40-2002 accepting and appropriating unanticipated revenue in the amount of \$27,500 from the Housing Authority for Welfare-to-Work services for youth and authorized the Human Resources Agency Administrator to enter into a contract with the Housing Authority of Santa Cruz County, as recommended by the Human Resources Agency Administrator
41. ACCEPTED AND FILED status report on the progress of the Community Programs Facilities Work Plan Study and directed the Human Resources Agency to return with a final report on the completed Community Programs Facilities Work Plan Study on or before April 9, 2002, as recommended by the Human Resources Agency Administrator
42. DEFERRED report on resumption of mobilehome park inspections to April 9, 2002, as recommended by the Planning Director
43. DEFERRED report on vacation rentals to March 19, 2002, as recommended by the Planning Director
44. ACCEPTED the improvement and approved the final cost for the Via Palo Alto to Via Campana Stairway Rehabilitation Project, Aptos Seascap, County Service Area No. 3 (District 2) and approved related actions, as recommended by the Director of Public Works
45. AUTHORIZED installation of one residential street light on Jose Avenue, as recommended by the Director of Public Works
46. APPROVED independent contractor agreement with Pacific Watershed Associates for the Santa Cruz County Erosion Prevention Planning project for a not-to-exceed amount of \$43,939; authorized the Director of Public Works to sign the agreement on behalf of the County; and adopted RESOLUTION NO. 41-2002 accepting unanticipated revenue in the amount of \$51,008 from the California Department of Fish and Game, as recommended by the Director of Public Works

- 47 ADOPTED RESOLUTION NO. 42-2002 accepting Parcel "E" on Brommer Street into the County Maintained Road System for improvements along the Captains Court frontage, as recommended by the Director of Public Works
- 48 APPROVED Amendment to Agreement with VSS Emultech for the 2000/2001 Pavement Management Program Chip Seal project for a not-to-exceed amount of \$19,410 and approved related actions, as recommended by the Director of Public Works
- 49 ACCEPTED the certification of results of County Service Area (CSA) No. 9, Zone A, Residential Lighting Annexation 01-2002 Heather Terrace elections; adopted RESOLUTION NO. 43-2002 authorizing and levying an assessment for residential lighting service and maintenance within the CSA for the 2002/2003 and each year following; and approved related actions, as recommended by the Director of Public Works
- 50 APPROVED independent contractor agreement with Life Styles Emporium in accordance with the Waste Reduction Grant Program for a not-to-exceed amount of \$20,000 and authorized the Director of Public Works to sign the agreement on behalf of the County, as recommended by the Director of Public Works
- 51 MADE findings that the improvements are of benefit to the project area; adopted RESOLUTION NO. 44-2002 for right-of-way acquisition for the Soquel Drive (Bargetto) Bridge Replacement and Streetscape project; authorized the Director of Public Works to sign the contract; and approved payment of claim, as recommended by the Director of Public Works
- 52 SCHEDULED public hearing on February 26, 2002 at 9:00 a.m. or thereafter to consider approval of the Conceptual Pinto Lake County Park Master Plan, as recommended by the Director of Parks, Open Space and Cultural Services
- 53 ACCEPTED AND FILED report on recruitment issues relative to the Housing Authority's Section 8 Voucher Program, as recommended by the Redevelopment Agency Administrator

February 12, 2002

0014

54. 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 - No report given

February 12, 2002

0015

REGULAR AGENDA

- 55 CONSIDERED report and resolution regarding Hepatitis C Prevention and Control Project:
- (1) ADOPTED RESOLUTION NO. 45-2002 authorizing the Health Services Administrator, or their designee-the Health Services Agency Director of Administration, to sign the State Standard Agreement with the California Department of Health Services for the Hepatitis C Prevention and Control Project in the amount of \$88,000;
- (2) directed the Clerk of the Board to forward two certified copies of the resolution authorizing signature of the State Standard Agreement to the Health Services Agency for processing to the State;
- (3) ADOPTED RESOLUTION NO. 46-2002 accepting and appropriating \$39,845 in unanticipated revenue for the Hepatitis C Prevention and Control Project;
- (4) and authorized the Health Services Agency to negotiate an agreement with the Santa Cruz AIDS Project for activities funded by the Hepatitis C Prevention and Control Project and return to the Board with the final Agreement

AC/P/WB

- 56 CONTINUED TO FEBRUARY 26, 2002 consideration 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, including information about the amount of affordable housing in each district, including incorporated cities

AW/P/CB

February 12, 2002

0016

- 57 CONSIDERED ordinance to establish In-Home Supportive Services Advisory Commission and related actions;
- (1) approved "in concept" ordinance to establish the IHSS Advisory Commission by March 31, 2002 and return on February 26, 2002 for final adoption;
 - (2) directed the Clerk of the Board to post a notification of eleven at-large vacancies, as outlined in the Ordinance, with nomination for appointment to be received on March 12, 2002 and final appointments to be made March 19, 2002;
 - (3) authorized the Human Resources Agency (HRA) to issue a Request for Proposals (RFP) for In-Home Supportive Services (IHSS) on or before March 19, 2002 and directed HRA to convene and Chair a Proposal Review Workgroup comprised of representatives of the IHSS Advisory Commission and County Staff to review and evaluate the proposals;
 - (4) authorized HRA to submit the RFP, proposed contract(s) and proposed award(s) to the California Department of Social Services as required and to notify proposers of the proposed award(s) and respond to protests;
 - (5) and directed HRA to report back to the Board on or before May 7, 2002 regarding recommendations for a contract award or awards and scheduled public hearing on May 21, 2002 to formally consider the proposals and award contract or contracts

WA/P/C/B

- 57.1 CONTINUED TO FEBRUARY 26, 2002 consideration of resolution of Support for Measure "N"-Stop Seawater Intrusion and consideration of groundwater management options, including the option to declare a groundwater emergency in the event that Measure N does not pass

AC/P/WB

58. RECEIVED bids regarding Redevelopment Agency Fifth Floor Remodel Project and referred to the General Services Department to return on or before March 5, 2002 with a recommendation on awarding of bid

WC/P/AB

February 12, 2002

0017

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 February 26, 2002