

County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060 (831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

AGENDA: JUNE 25,2002

June 19,2002

SANTA CRUZ COUNTY BOARD OF SUPERVISORS 701 Ocean Street Santa Cruz, California 95060

SUBJECT: CONTINUED RESOLUTION CONFIRMING SERVICE CHARGE REPORTS

FOR THE 2002/2003 FISCAL YEAR SEWER SERVICE CHARGE RATES

FOR COUNTY SERVICE AREA (CSA) NO. 7, BOULDER CREEK

Members of the Board:

On May 7,2002, the Board of Supervisors adopted a resolution setting June 4,2002, at 9:00 a.m. or thereafter as the date and time for a public hearing to confirm the 2002/2003 sewer service charge reports for County Service Area (CSA) No. 2, Place de Mer; CSA No. 5, Sand Dollar Beach Zone; CSA No. 7, Boulder Creek; CSA No. 10, Rolling Woods; and CSA No. 20, Trestle Beach. Further, your Board directed the Clerk of the Board to publish a notice of public hearing once a week for two weeks prior to this hearing in a newspaper of general circulation. In addition, your Board adopted a resolution establishing the sewer rates for these CSAs. During the June 4,2002 hearing, the confirmation of CSA No. 7, Boulder Creek service charge reports was continued to the June 25,2002, hearing date in order to provide members of this CSA time to review the financial records for CSA No. 7, Boulder Creek.

Public Works staff scheduled a public meeting on the evening of May 29,2002, at the Boulder Creek Country Club in order to present information to the concerned members of the area's homeowners association about the budget and actual operations and maintenance requirements for CSA No. 7, Boulder Creek. In addition, staff provided copies of the audited financial statements for the past five years and expenditure detail reports for the past three years.

On June 17,2002, your Board received a letter from Jacquelyn J. Edgemon requesting that the Board not approve the proposed service charge increase for fiscal year 2002/03 adopted on May 7,2002. Public Works staff has responded to numerous requests for financial information from Ms. Edgemon. In order to provide your Board with a 2002/03 budget for CSA No, 7, based on the most current financial data, Exhibits I and II are attached. Exhibit I includes adjustments referred to in Ms. Edgemon's letter and updated estimated-actuals for an increase of \$9,436 in appropriations for maintenance and operations. Exhibit II reflects the same data as Exhibit I, adjusted for no increase in revenue for fiscal year 2002/03, should the recommended service charge increase not be adopted. This would result in a reduction of \$37,391 available for

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maintenance and operations. As stated in our letter to your Board on March 19,2002 (Attachment A) and based on current and prior year actual operating costs, we do not believe this option will provide adequate funds to safely maintain the treatment plant in conformance with the conditions of our discharge permit from the State Regional Water Quality Control Board and in accordance with state law, This reduced funding level could seriously jeopardize our efforts to repair or replace aging equipment and the mile-long force main which now transports over 50,000 gallons of treated effluent each day from the CSA No. 7 sewage treatment plant to their disposal area high above the Fallen Leaf subdivision off Highway 236.

In order to proceed with the confirmation of the service charge reports it will now be necessary for your Board to open the public hearing, take testimony, close the public hearing, and at the conclusion of the public hearing consider adoption of the resolution confirming service charge reports for CSA No. 7, Boulder Creek. As provided in Chapter 4.26 of the County Code, the service charge report must be approved by your Board and forwarded to the Auditor-Controller by August 10,2002.

It is therefore recommended that the Board of Supervisors take the following action:

- 1. Open the public hearing, hear objections or protests, if any, to the proposed 2002/2003 sewer service charge reports for CSA No. 7, Boulder Creek.
- 2. Close the public hearing.
- 3. Consider adoption of the attached resolution confirming sewer service charge reports for CSA No. 7, Boulder Creek.

Yours truly,

THOMAS L. BOLICH Director of Public Works

RLL:mg

Attachments

RECOMMENDED FOR APPROVAL:

County Administrative Officer

copy to: Publi

Public Works

Mr. Charles Edgemon, Homeowners Association

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BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO.

On the motion of Supervisor duly seconded by Supervisor the following resolution is adopted:

RESOLUTION CONFIRMING SERVICE CHARGE REPORTS FOR 2002/2003 FISCAL YEAR FOR COUNTY SERVICE AREA (CSA) NO. 7, BOULDER CREEK

WHEREAS, on June 25,2002, the Board of Supervisors held a duly noticed public hearing on the 2002/2003 service charge reports for service charges proposed within County Service Area (CSA) No. 7 Boulder Creek; and

WHEREAS, the Board has determined that no protests have been submitted or that all protests should be overruled; and

WHEREAS, the Board has determined that the service charge report should be confirmed as submitted/amended.

NOW, THEREFORE, BE IT RESOLVED that the service charge report for CSA No. 7, Boulder Creek for the 200212003 fiscal year are hereby confirmed and such service charge is authorized to be collected as provided in Ordinance Number 3406.

BE IT FURTHER RESOLVED AND ORDERED that the Clerk of the Board of Supervisors shall file a copy of this resolution and service charge reports with the Auditor/Controller on or before August 10,2002.

State of Cal		D by the Board of Supervisors of the County of Santa Cruz, 2002, by the following vote:
State of Car	morma, unsday or	2002, by the following vote.
AYES:	SUPERVISORS	
NOES:	SUPERVISORS	
ABSENT:	SUPERVISORS	
		Chairperson of said Board
ATTEST:		committees of suite 2 suite
· · · · · · · · · · · · · · · · · · ·	lerk of said Board	
Approved a		
Assistant C	ounty Counsel	

County Counsel, Public Works

Distribution:

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County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060 (831) 454-2160 FAX (831) 454-2385 TDD (831<u>) 4</u>54-2123

THOMAS L. BOLICH DIRECTOR OF PUBLIC WORKS

APPROVED AND FILED BOARD OF SUPERVISORS

DATE: OF SANTA CRUZ

SUSAN A MAURIELLO

EX-OFFICE CLERK OF THE BOARD

AGENDA: MARCH 19, 20

March 11, 2002

SANTA CRUZ COUNTY BOARD OF SUPERVISORS

701 Ocean Street

Santa Cruz, California 95060

SUBJECT: 2002/2003 COUNTY SERVICE AREAS NO. 2, 5, 7, 10, AND 20

SEWER SERVICE CHARGE FEE INCREASES

Members of the Board:

The Public Works Department has been providing sewer service to the subject County Service Areas (CSA) for the past six to ten years without raising the sewer charge rates. This year, however, the Public Works Department must increase the rates to account for the cost of living increase, replacement and repairs to an aging infrastructure, the attendant increased labor cost associated with such systems, and payment for the utility cost increases currently being charged by Pacific Gas and Electric Company.

With the ages of the treatment plants ranging from 16 to 30 years old, Water and Wastewater Operations staff have had to increase weekday and weekend maintenance time at each of the CSA wastewater treatment facilities to assure that each plant meets current discharge standards. Preventive maintenance is required for the CSAs to remain within the State's guidelines and requirements for sewer treatment and discharges. Lack of proper maintenance could result in significant fines being levied against the CSAs by the State. Accordingly, the proposed rate increases also reflect an increase in the amount of capital replacement reserves needed to account for preventive maintenance of the aging infrastructure.

It is anticipated that future rate increases may be needed in order to rebuild and maintain various parts of the plants. Public Works expects to undertake a detailed rate study of all five CSAs as well as Davenport and Freedom County Sanitation Districts in the coming year. Each CSA is individually described below and summarized in Attachment "A."

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CSA No. 2. Place de Mer

This two-pump station community septic tank system, built in 1972, needs new electrical equipment (approximately \$55,000.00) and a new generator. Each of the pump stations need an additional pump installed to maintain conformity with regulatory agencies. The increase in utility costs, the time necessary for repairs (increased maintenance cost) to an aging system, and the purchase of new equipment requires an increase to the existing sewer service charge rate in order to operate responsibly and to prevent spilling sewage onto the beach. The rates for this multipurpose CSA have not been increased since 1995. The annual sewer rate for CSA No. 2 is proposed to increase for the Apartment and Park Zones from \$402.42 per unit to \$503.00 per unit. This will result in the total CSA rate increasing from \$428.95 to \$558.49 for the Park and Apartment Zones. The annual overall rate for the Townhome Zone is proposed to increase from \$481.02 per unit to \$612.84 per unit, which includes the sewer rate increase and contract sewer flushing required for the townhomes. The rates for the Hill Zone will remain the same, since they are not served by the community septic system.

CSA No. 5. Sand Dollar Beach Zone

The Sand Dollar Treatment Plant was constructed in 1967. The increase in utility costs for this plant and its associated pump stations, the greatly reduced interest income due to dwindling reserves and lower interest rates, and the cost of increased maintenance and operations for the aging plant have resulted in a substantial decrease in fund balance. This requires a need to increase the annual rates for the Sand Dollar Beach Zone of CSA No. 5 from \$870.45 to \$920.45 per parcel. The adjacent Canon del Sol Zone will not require any increase, since they currently maintain adequate reserve funds.

CSA No. 7, Boulder Creek

The Boulder Creek Treatment Plant, built in 1977, requires numerous upgrades including upgrading a force main that is more than twenty years old. The force main is currently being televised to determine which sections must be replaced. Additionally, several extra hours are now spent on weekends and on regular workdays to maintain the aging treatment plant to meet current discharge standards. Modifications to portions of the plant are necessary to optimize the treatment of sewage and to provide tertiary treated water. Currently, new pumps and motors are needed to replace the worn out pumping system. The increase in utility costs, building of a capital replacement reserve, the time necessary to perform repairs (increased maintenance cost) to an aging system and the replacement of the force main require an increase to the existing rate in order to operate the treatment plant according to State law. The rates have not been increased since 1991. The annual sewer rate for CSA No. 7 is proposed to increase from \$725.00 per parcel to \$906.07 per parcel.

CSA No. 10. Rolling Woods

An increase to the existing sewer service charge rate for Rolling Woods is needed to account for additional operator time required to maintain the plant, built in 1986, an increased capital replacement reserve and for increases in utility costs. The rates for this CSA have not been raised since 1991. The annual sewer rate for CSA No. 10 is proposed to increase from \$1,065.00 per parcel to \$1,335.59 per parcel.

CSA No. 20. Trestle Beach

The Trestle Beach treatment plant, built in 1979, requires electrical upgrades and has experienced utility cost increases. Maintenance and operation of the aging plant now require the operators to be present Saturdays and Sundays to meet current discharge standards. These changes and the need to build a capital replacement reserve require the existing sewer service charge rates to be increased. The rates for this CSA have not been increased since 1991. The annual sewer rate for CSA No. 20 is proposed to increase from \$1,000.00 per parcel to \$1,250.00 per parcel.

As CSA Nos. 2, 5, 7, 10, and 20 fees are considered property-related charges, any increase in rates will have to comply with Proposition 218 procedures. Although these particular fees are considered health and safety-related costs, these procedures require that a public hearing be held to hear and consider any protests on the proposed rate increase. Furthermore, **45** days prior to the public hearing, a notice must be mailed to each property owner within CSA Nos. 2, 5, 7, 10, and 20. This notice must state the amount of the proposed increase to the charge, the reason for the charge, and the date, time, and location of the public hearing (see Attachment "B"). Lastly, the public hearing must be advertised at least 45 days prior to the public hearing in a newspaper of general circulation (Attachment "A").

Once the 2002/2003 rates have been established and approved by your Board, a second public hearing will be advertised.

It is therefore recommended that the Board of Supervisors take the following action:

- 1. Adopt the attached resolution setting Tuesday, May 7,2002, during the morning agenda (which begins at 9:00 a.m.), as the date and time for a public hearing on CSA Nos. 2, 5, 7, 10, and 20 rates.
- 2. Approve the attached notice of public hearing (Attachment "B") on the proposed 2002/2003 property related charges for CSA Nos. 2, 5, 7, 10, and 20 and direct the Department of Public Works to mail out the notice to all affected property owners within CSA Nos. 2, 5, 7, 10, and 20 at least **45** days prior to the May 7,2002, public hearing.

3. Direct the Clerk of the Board to publish the attached notice of public hearing (Attachment "A") once **45** days prior to the hearing and then again once a week for two weeks prior to the hearing in a newspaper of general circulation.

Yours truly,

THOMAS L. BOLICH Director of Public Works

RLL:mg

Attachments .

RECOMMENDED FOR APPROVAL:

County Administrative Officer

copy to: Public Works

NO.	ROUTE DATA	COPY	ATT.
	DIRECTOR	T.	
9	ASST. DIR. SPEC. SVCS.	7	
	SOLID WASTE ENG.		
	LANDFILLOPERATIONS		
	PAJARO COORD.		
	DRAINAGE ENG.		
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.2	CONSTRUCT.ENG.	,	,
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	ASST. DIR. TRANSPORT.		
	ROAD OPS.ENG.		
	PERMITS/ENCROACH.		
	RD.MAINT.OPERATIONS		
	RDA ENG.		1
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DEPARTMENT:

PUBLIC WORKS

EXHIBIT I

INDEX NO:

625105 BOULDER CREEK CSA #7

	2002-2003 PROPOSED	ADJUSTMENTS AND REVISED	
	CAO RECOMM.	EST ACTUALS	
	INCLUDING	AS OF	
	SUPPLEMENTAL	14-Jun-02	TOTAL
EXPENDITURES			
Services and Supl-Trtmnt Plnt M & O	\$268,850	\$9,436	\$278,286
Other	\$0	\$0	\$0
Contingencies	\$0	\$0	\$0
Fixed Assets	\$17.000	\$16.302	\$33.302
TOTAL	\$285,850	\$25.738	\$311.588
FINANCING			
REVENUES	\$240,246	\$371	\$240,617
FUND BALANCE	\$45,604	\$25,367	\$70,971
TOTAL	\$285,850	\$25,738	\$311,588

EXPLANATION

Includes release of \$16,302 in restricted cash as fixed assets appropriation and a revised estimated actual for Fiscal Year 2001-2002 as of 6/14/02.

DEPARTMENT:

PUBLIC WORKS

EXHIBIT II

INDEX NO:

625105 BOULDER CREEK CSA #7

	2002-2003 PROPOSED CAO RECOMM. INCLUDING	ADJUSTMENTS REVISED EST ACTUALS NO FEE INCREASE	
	SUPPLEMENTAL	AS OF 6/14/2002	TOTAL
EXPENDITURES			
Services and Supl-Trtmnt Plnt M & O Other Contingencies Fixed Assets	\$268,850 \$0 \$0 \$17,000	(\$37,391) <i>\$0</i> \$0 \$16,302	\$231,459 \$0 \$0 \$33,302
TOTAL	\$285,850	(\$21,089)	\$264,761
FINANCING			
REVENUES	\$240,246	(\$46,456)	\$193,790
FUND BALANCE	\$45,604	\$25,367	\$70,971
TOTAL	\$285,850	(\$21,089)	\$264,761

EXPLANATION

Includes reduction of \$37,391 should the Board decide not to approve the recommended 25% increase for the service area sewer rates for Fiscal Year 2002-2003 Includes release of \$16,302 in restricted cash as fixed assets appropriation and a revised estimated actual for Fiscal Year 2001-2002 as of 6/14/02.

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Jacquelyn Edgemon 409 Bloom Grade Boulder Creek, CA 95006

June 15,2002

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

RE: SERVICE CHARGES, COUNTY SERVICE AREA NO. 7, BOULDER CREEK PACKAGE TREATMENT PLANT AND SERVICE AREA

Dear Members of the Board:

At the May 7,2002, meeting of the Board of Supervisors, the Board adopted Resolution No. 151-2002 establishing Service Charges for County Service Area No. 7, Boulder Creek. June 25,2002, has been set for the open public hearing on consideration of the confirmation of service charge reports for County Service Area No. 7, Boulder Creek.

I am asking the Board to reconsider the action taken to approve the service charges for the year 2002-03 for CSA No. 7, Boulder Creek, and to continue the assessments at the current level for a further year, based on the following reasons:

- 1. The Department of Public Works (DPW) used the figure of \$154,815.00 as the Beginning Fund Balance for 2001-02 in calculating the amount needed for the proposed rate increases. This information was mailed to each resident of CSA 7 and the Board of Supervisors. After the May 7th meeting and after looking at some of the other records provided by DPW, these records showed that the actual Beginning Fund Balance was \$190,269.00 a \$35,424 discrepancy.
- 2. In **a** cursory look at revenues, I noted that the sewer connection fees of \$2,279 paid by Charles and Jacquelyn Edgemon in 1997/98 were not credited to CSA 7. Upon inquiry it was found that the fee was incorrectly credited to the Santa Cruz County Sanitation District. Thomas Bolich, Director of Public Works, in his letter of May 22, 2002, says that this error has been corrected. If corrected, this will add an additional \$2,279.00 to CSA 7's operating fund.
- 3. In comparing the audited financial reports for Santa Cruz County with the records of DPW, I discovered an addition to item number 1 above another \$16,302.00 difference. For the years 1996/97, 1997/98, 1998/99 the audited financial statements showed CSA 7 had an additional \$16,302.00 of cash with a corresponding \$16,302.00 larger fund balance than that used by DPW. During 1999/2000, someone made an

entry placing a \$16,302.00 restriction on the cash. There is no offsetting liability, *so* this appears to be an incorrect entry. The County is researching the situation and to date has been unable to resolve this. Either the \$16,302.00 was improperly handled in the earlier years, or it is now incorrect. In either event, the money is part of **CSA 7** and should either go into its operating fund balance or be set aside for capital replacement. Either way, this \$16,302.00 is available for use in CSA **7**'s 2002-03 budget.

- 4, Mr. Len Dreyer, DPW Fiscal Officer, has been extremely prompt and helpful. In working with him, I selected a few "spread charges" for explanation and then requested copies of a few specific invoices. In providing copies of the invoices, he discovered that a journal entry charging CSA 7 \$1,245.52 incorrectly included a "spread charge" of \$870.05 for a non-CSA 7 work order. He made a journal entry on June 12,2002, crediting CSA 7 \$870.05 and correctly charging \$870.05 to the proper work order. This entry should give CSA 7 an additional \$870.05 for use in its 2002-03 budget. A further look at "spread charges" may reveal more errors.
- 5. The proposed budget for CSA **7** 2002-03 includes a \$50,000.00 provision for rebuilding pump station 3. Because Proposition 2**18** requires:

SEC. 6. (b) (1):

Revenues derived from the fee or charge shall not exceed the funds required to provide the property related service.

I asked the DPW what the total cost for rebuilding pump station 3 would be, and when the work would be performed. After several requests the reply **from** Russ Bateson, Water and Wastewater Operations Manager: "The item for Pump Station No. 3, involving a \$50,000 expenditure, was put off until we determine if we can incorporate a design that involves replacing the pump station with electronics and components that will be compatible with the other Boulder Creek pump stations...I am truly attempting to save money where I can by not diving into a project without considering all alternatives." I believe the nearly \$50,000 rate increase should also be "put off."

6. While the DPW has tried to respond to CSA 7's requests for financial information, not all requests have been fulfilled due in part to the time constraints of the County's year-end closings. If the Board abates CSA 7's fee increase, this is not materially relevant at this time. However, if the Board confirms the increase, then this would be a problem because we have not and cannot receive all the necessary financial information.

We in the CSA 7 community believe the Board of Supervisors has acted fairly and was correct in ruling that approval of resolution 151-2002 concerning proposed sewer-assessment increases of 25 percent for CSA 7 should be conditioned on the DPW fully explaining and justifying the factual need for that magnitude of increase. Based

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on best information the DPW has provided us to date, and on my own analysis and findings *so* far as described in this letter, I respectfully request that the Board not approve the proposed 25-percent sewer-assessment increase for the coming year. I respectfully submit that any request by the DPW for an increase be reexamined next year based on an accountable showing that the DPW factually needs the increase and with timely notice of any proposed increase given to residents of CSA 7 who will be thereby affected.

We want to thank the Board for its courtesy and cooperation, and we are especially appreciative of the efforts **of** Supervisor Jeff Almquist, who responded to our voices and allotted valuable time to working on our behalf on this issue.

ADDITIONAL INFORMATION

I have been working with the Department of Public Works since the Board of Supervisors meeting of May 7,2002. I had operated under the assumption that there was an open communication between us. I was obviously operating under a gross misconception. There have been numerous faxes, e-mails, letters and a few phone calls. The recorded dates are:

May 11, May 22, May 23, May 24 June 4, June 6, June 7, June 8, June 9, June 11 June 14 - a telephone call with Len Dreyer, DPW.

On May 22,2002, Thomas L. Bolich, Director of Public Works, wrote a letter to the Santa Cruz County Board of Supervisors requesting a transfer of \$75,000 within the 2001/2002 CSA7 budget purportedly to "now perform weekend plant maintenance duties and provide on-call coverage," and "repairs to the force main [damaged by] the California Department of Transportation."

At NO TIME was this information disseminated to anyone at CSA 7. In fact, at a meeting on May 29,2002, between CSA 7 and Supervisor Jeff Almquist, along with representatives of the Public Works Department including Assistant Director Brian Turpen, Senior Engineer Rachel Lather, Operations Manager Russ Bateson, Fiscal Manager Len Dreyer, and Carol Kelly, Director of Administrative Services, it was business as usual. Except for 2000-01 and 2001-02 Fund Balances Available, the numbers didn't change. In fact, for Services & Supplies, using Mr. Bolich's numbers, the amount appropriated for 2001-02 was \$278,318, and the estimated actual for 2001-02 was \$270,455, and no other estimated actual expenses. Included in the agenda papers was a budget requesting \$50,000 to rebuild Pump Station 3. There was no mention of a \$75,000 overrun. This is an egregious ommission!!!

On June 14,2002, I had a phone conversation with Len Dreyer in which I informed him, among other things, that I was leaving for vacation and he/the county

could complete my requests for financial information when I returned. This way he could concentrate on closing his books and opening the new fiscal year. I also told him that I was going to write a letter to the Board of Supervisors. At this point I felt the Board of Supervisors had enough information to vote to postpone an increase in fees for CSA 7.

Today, June 15,2002, I received in the mail an envelope postmarked June 14, 2002. Inside the envelope was a copy of Mr. Bolich's approved and filed letter of May 22,2002, to the Board; a copy of County of Santa Cruz "Request for Transfer or Revision of Budget Appropriations and/or Funds," dated May 21,2002; supplemental budget for CSA 7 • no date; and a hand-prepared letter of transmittal dated June 12, 2002, signed by R. Lather. Based on all of the prior communications, and the opportunities to communicate pertinent CSA 7 financial information to us, I believe this package was never meant to reach me before I went on vacation, thus preventing a response to Mr. Bolich's behind-the-scenes action. It seems the DPW is doing whatever maneuvering it can to justify the 25-percent increase in CSA sewerassessment fees.

In 2000-01, for each entry of regular time, there were more than one and one-half entries for overtime. For each entry of regular time, there were **1.58** entries for overtime. Overtime, at least in CSA 7, appears to be "normal operations" and not something "new." If DPW contends that CSA 7 needs an additional \$75,000.00 for overtime and to cover Cal Trans damage to CSA 7 property, perhaps the overtime for CSA 7 should be analyzed more closely and Cal Trans immediately billed for the damage it caused.

In summary, it is clear that the Department of Public Works moves numbers, projects, money, and time schedules in an irresponsible and at best unreliable manner. This demonstrated pattern of conduct moves us even more strongly at this time to respectfully reiterate our request that the Board not approve the proposed 25-percent sewer-assessment increase for the coming year, and that any request by the DPW for an increase be reexamined next year based on an accountable showing that the DPW is fully justified in requesting the increase.

Very truly yours,

Jacquelym J. Edgemon

cc: Jeff Almquist, Supervisor
Santa Cruz County Department of Public Works
Hank Stanley
Art and Sharry Dill
Charles F. Edgemon, Esq.