

**PROCEEDINGS OF THE  
SANTA CRUZ COUNTY  
BOARD OF SUPERVISORS**

0001

**VOLUME 2002, NUMBER 19  
August 06, 2002**

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**ACTION SUMMARY MINUTES**

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**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

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1. Roll Call  
Moment of Silence and Pledge of Allegiance
  2. Consideration of Late Additions to the Agenda
  3. Additions and Deletions to the Consent Agenda; See Item No. 57.1
  4. ORAL COMMUNICATIONS - sixteen people addressed the Board
  5. Additions and Deletions to Regular Agenda

**CONSENT AGENDA**

**WPCAB**

6. APPROVED claims as submitted by the Auditor-Controller
7. APPROVED minutes of June 18, 2002, June 25, 2002, and Budget minutes of June 17, 2002, June 18, 2002, June 19, 2002, June 20, 2002, June 21, 2002, June 24, 2002, June 25, 2002, June 26, 2002 and June 28, 2002, as recommended by the Clerk of the Board
8. ACCEPTED AND FILED notification of continuing contracts received during the period of June 27, 2002 through July 31, 2002 and approved upon adoption of the 2002/2003 continuing agreements list to comply with Section 300 of the County's Procedures Manual, Title 1, as recommended by the Clerk of the Board

9. APPROVED the reading by Title of all ordinances considered for adoption that may appear on this agenda and further waived a detailed reading of said ordinances, as recommended by County Counsel
10. ADOPTED ORDINANCE NO. 4675 Amending Chapter 9.56 of the Santa Cruz County Code Related to Abandoned and Wrecked Vehicles
11. SCHEDULED a public hearing on August 27, 2002, on the afternoon agenda, at 1:30 p.m. or thereafter to consider Application No. 01-0557, as a special consideration by the Board of Supervisors, pursuant to Santa Cruz County Code Section 18.10.350, as recommended by Supervisor Almquist
12. ACCEPTED report and directed the County Administrative Officer to return on August 27, 2002 with a report on the impact of the County withdrawing from membership in AMBAG, as recommended by the County Administrative Officer
13. SEE ITEM NO. 64.1 REGULAR AGENDA
14. ADOPTED RESOLUTION NO. 295-2002 authorizing the District Attorney's Office to reapply to the Department of Justice for funding for the Spousal Abuser Prosecution Program grant through fiscal year 2002/2003 and waived the requirement for the recovery of indirect costs associated with the grant, pursuant to County Procedure Section 900A.3, as recommended by the District Attorney

15. REJECTED all bids for Acrylic Finish (01C1-020-1) and abandoned this trade project;
- (2) AWARDED a contract to Alcal Roofing, Waterproofing & Insulation in the amount of \$18,834 for the Batt Insulation & Thermal Insulation Board (01C1-020-3) project and authorized the General Services Director to approve change orders and encumber \$1,883 in addition to the contract amount to cover change order expenditures, as required;
- (3) AWARDED a contract to Schaefer Floor Covering, in the amount of \$290,087.36 for the Carpet (01C1-020-4) project and authorized the General Services Director to approve change orders and encumber \$27,004 in addition to the contract amount to cover change order expenditures, as required;
- (4) AWARDED contract to Bustichi Construction, in the amount of \$40,067 for the Cold Formed Metal Framing (01C1-020-5) project and authorized the General Services Director to approved change orders and encumber \$4,007 in addition to the contract amount to cover change order expenditures, as required;
- (5) AWARDED a contract to Bustichi Construction, in the amount of \$9,256 for the Concrete Masonry (01C1-020-6) project and authorized the General Services Director to approve change orders and encumber \$926 in addition to the contract amount to cover change order expenditures, as required;
- (6) AWARDED a contract to Bustichi Construction, in the amount of \$79,400 for the Concrete Paving (01C1-020-7) project and authorized the General Services Director to approve change orders and encumber \$7,940 in addition to the contract amount to cover change order expenditures, as required;
- (7) REJECTED all bids for Elastomeric Urethane Deck Coating (01C1-020-8) and abandoned this trade project;
- (8) AWARDED a contract to Fischer & Thiel in the amount of \$148,456 for the Exterior Portland Cement Plaster (01C1-020-9) project and authorized the General Services Director to approve change orders and encumber \$14,846 in addition to the contract amount to cover change order expenditures, as required;
- (9) AWARDED a contract to California Dry Wall in the amount of \$88,110 for the Exterior Sheathing (01C1-020-10) project and authorized the General Services Director to approve change orders and encumber \$8,811 in addition to the contract amount to cover change order expenditures, as required;
- (10) REJECTED all bids for Gypsum Wallboard project; adopted RESOLUTION NO. 296-2002 by a four-fifths vote, authorized the General Services Department to negotiate with both Bustichi Construction and California Dry Wall company and return on August 13, 2002 with a recommendation of award of this trade project;

- (11) AWARDED a contract to Bustichi Construction, in the amount of \$5,760 for the Hoist & Platform (01C1-020-12) project and authorized the General Services Director to approve change orders and encumber \$576 in addition to the contract amount to cover change order expenditures, as required;
- (12) REJECTED all bids for Heating, Ventilation, and Air Conditioning (HVAC)(01C1-020-13) and abandoned this trade project;
- (13) AWARDED a contract to Louis & Riparetti, Inc., in the amount of \$57,441 for the Joint Sealants (01C1-020-14) project and authorized the General Services Director to approve change orders and encumber \$5,744 in addition to the contract amount to cover change order expenditures, as required;
- (14) AWARDED a contract to Bustichi Construction, in the amount of \$28,975 for the Metal Fabrications (01C1-020-15) project and authorized the General Services Director to approve change orders and encumber \$2,898 in addition to the contract amount to cover change order expenditures, as required;
- (15) AWARDED a contract to Bustichi Construction, in the amount of \$24,400 for the Painting (01C1-020-18) project and authorized the General Services Director to approve change orders and encumber \$2,440 in addition to the contract amount to cover change order expenditures, as required;
- (16) AWARDED a contract to Blues Roofing Company, in the amount of \$40,350 for the Plaza and Below Grade Waterproofing (01C1-020-19) project and authorized the General Services Director to approve change orders and encumber \$4,035 in addition to the contract amount to cover change order expenditures, as required;
- (17) AWARDED a contract to Alcal Roofing, Waterproofing & Insulation, in the amount of \$148,853 for the Roofing Membrane (01C1-020-20) project and authorized the General Services Director to approve change orders and encumber \$14,885 in addition to the contract amount to cover change order expenditures, as required;
- (18) AUTHORIZED the General Services Department to negotiate a contract for the Rough Carpentry trade project and to return to your Board on August 13, 2002 with a recommendation of award;
- (19) AWARDED a contract to Best Roofing and Waterproofing, in the amount of \$160,119 for the Sheet Metal Flashing (01C1-020-22) project and authorized the General Services Director to approve change orders and encumber \$16,012 in addition to the contract amount to cover change order expenditures, as required;
- (20) AWARDED a contract to J.C. Randolph Inc., in the amount of \$110,000 for the Trenching and Shoring (01C1-020-23) project and authorized the General Services Director to approve change orders and encumber \$11,000 in addition to the contract amount to cover change



order expenditures, as required;

(21) AWARDED a contract to Blues Roofing Company, in the amount of \$76,000 for the Wall Waterproofing (01C1-020-24) project and authorized the General Services Director to approve change orders and encumber \$7,600 in addition to the contract amount to cover change order expenditures, as required; and

(22) AUTHORIZED the General Services Director to notify the contractors and sign the contract agreements and associated documents on behalf of your Board as itemized above, as recommended by the Director of General Services

16. APPROVED Memorandum of Understanding with SEIU as the In-Home Support Services Public Authority; adopted RESOLUTION NO. 297-75 amending Salary Resolution No. 279-2002 to implement salary actions in the Memorandum of Understanding; and authorized the Director of Personnel to sign agreement, as recommended by the Director of Personnel
17. APPROVED purchase of one German Shepard Service Dog and adopted RESOLUTION NO. 298-2002 accepting and appropriating unanticipated Drug Forfeiture revenue in the amount of \$9,900 to pay for this purchase, as recommended by the Sheriff-Coroner
18. APPROVED contract with William Doolittle and Associates, Incorporated for professional services to assess and recommend a Countywide Automated Fingerprint Identification System in the not-to-exceed amount of \$17,500; authorized the Sheriff-Coroner to sign the contract; and adopted RESOLUTION NO. 299-2002 accepting and appropriating unanticipated revenue in the amount of \$17,000 from the Automated Fingerprint Identification (RAN) Trust Fund, as recommended by the Sheriff-Coroner
19. APPROVED security services agreement between the State of California 14th District Agricultural Association and the Sheriff's Office for the 2002 Santa Cruz County Fair, as recommended by the Sheriff-Coroner
20. ACCEPTED AND FILED status report regarding the relocation of the South County Community Service Center to Mesa Village Park; and deferred report back of the General Services Department on the final plans and specifications for the project to September 10, 2002, as recommended by the Sheriff-Coroner
21. SEE ITEM NO. 64.2 REGULAR AGENDA

22. APPROVED appointment of Dixie Mitchell-Clow to the Women's Commission for a term to expire April 1, 2005, as recommended by Supervisor Almquist
23. APPROVED appointment of Lorraine Beall to the Pajaro Valley Public Cemetery District Board of Trustees for a term to expire December 31, 2004, as recommended by Supervisor Campos
24. APPROVED appointment of Gail Stevens to the Seniors Commission for a term to expire April 1, 2005, as recommended by Supervisor Pirie
25. APPROVED appointment of James D. Russell to the Alcohol and Drug Abuse Commission for a term to expire April 1, 2005, as recommended by Supervisor Beautz
26. ACCEPTED nomination of Christina Cuevas for appointment to the Workforce Investment Board, as an at-large representative of community based organizations, for a term to expire June 30, 2004, with final appointment to be made August 13, 2002, as recommended by Supervisor Beautz
27. ACCEPTED notification of at-large vacancy on the Managed Medical Care Commission, for a representative of a non-governmental community clinic, with nominations for appointment to be received on August 20, 2002, and final appointment to be made August 27, 2002, as recommended by Chairperson Beautz
28. ACCEPTED AND FILED report on the need to continue the state of local emergency relative to the transmission of HIV through contaminated needles, as recommended by the Health Services Agency Director
29. AUTHORIZED payment for time worked by an Extra Help employee prior to processing, as recommended by the Health Services Agency Director
30. AUTHORIZED the Human Resources Agency Director to sign and execute a software maintenance agreement, effective July 1, 2002, with Panoramic Software, Incorporated in the amount of \$18,000 for PG-Pro and \$3,000 for Vet-Pro, as recommended by the Human Resources Agency Director

31. SCHEDULED a public hearing on August 27, 2002, on the morning agenda, at 9:00 a.m. or thereafter to consider the Planning Commission's recommendation to amend County Code Chapter 13.10 to rezone certain properties to and from the "L" Historic Landmark Combining Zone District and to correct the historical rating of two properties; and directed the Clerk of the Board to take related actions, as recommended by the Planning Director
32. SCHEDULED a public hearing on August 27, 2002, on the morning agenda, at 9:00 a.m. or thereafter to consider the Planning Commission's recommendation regarding an amendment to the County Code relating to the definition of "Farm Worker"; and directed the Clerk of the Board to take related actions, as recommended by the Planning Director
33. SCHEDULED a public hearing on August 27, 2002, on the afternoon agenda, at 1:30 p.m. or thereafter, to consider Application No. 00-0030, the proposal to rezone Assessor's Parcel No. 027-221-16 from the Neighborhood Commercial (C-1) zone district to the Visitor Accommodation (VA) zone district to facilitate the development of a 10-room inn. Requires a Rezoning and a Commercial Development Permit. The property is located in Live Oak on the northeast corner of the intersection of 13th Avenue and East Cliff Drive within the East Cliff Village Tourist Area Special Coastal Community; access to property is via 13th Avenue; Applicant: Steve Pace; Owner: Roger Pace, as recommended by the Planning Director
34. SCHEDULED a public hearing on August 20, 2002, on the morning agenda, at 9:00 a.m. or thereafter for review of the Final Grantee Performance Report for the Salsipuedes Creek Levee Stabilization Project and directed the Clerk of the Board to take related action, as recommended by the Director of Public Works
35. APPROVED Contract Change Orders No. 3, No. 4, No. 5 and No. 6 in the total amount of \$97,309.54 for the Wilder Ranch Bike Path project; authorized the Chairperson of the Board to sign the change orders on behalf of the County; and directed the Clerk of the Board to take related actions, as recommended by the Director of Public Works
36. APPROVED plans, specifications and engineer's estimate for the Lomond Terrace County Service Area (CSA) No. 28, Road Improvement Project, Phase 3 (5th District); set the bid opening for August 27, 2002 at 10:45 a.m.; and directed the Clerk of the Board to take related action, as recommended by the Director of Public Works

37. APPROVED plans, specifications and engineer's estimate for the Redwood Road Storm Damage Repair project; authorized calling for bids; set the bid opening for 10:45 a.m. on August 27, 2002; directed Public Works to return to the Board at 2:00 p.m. or thereafter on August 27, 2002 for award of contract; and directed the Clerk of the Board to take related action, as recommended by the Director of Public Works
38. ACCEPTED improvement and approved the final cost for the 2000/2001 Pavement Management Overlay project; authorized the Clerk of the Board to file the Notice of Completion; and approved related action, as recommended by the Director of Public Works  
WP(C)AB
39. APPROVED Contract Change Order No. 1 in the amount of \$758,033.20 for the 2001/2002 Pavement Management Overlay project and authorized the Chairperson to sign the change order on behalf of the County; and directed the Clerk of the Board to take related action, as recommended by the Director of Public Works  
WP(C)AB
40. DELETED ITEM
41. APPROVED plans, specifications and engineer's estimate for the Webb Road Storm Damage Repair project; authorized calling for bids; set the bid opening for 10:45 a.m. on August 20, 2002; authorized the Department of Public Works to take necessary action to provide for the award of bid that same day; and approved related actions, as recommended by the Director of Public Works
42. APPROVED independent contractor agreement for Aptos Seascapes, County Service No. 3, (2nd District) with A-1 Sweeping Service for street sweeping within the service area in the amount of \$1,000 per month for the months of July 2002 through June 2003, for a total of \$12,000, and authorized the Director of Public Works to sign the agreement on behalf of the County Service Area, as recommended by the Director of Public Works
43. ADOPTED RESOLUTION NO. 300-2002 for acceptance of offers of dedication for Brommer Street Improvements, 7th Avenue, as recommended by the Director of Public Works

44. APPROVED final map of Tract 1412, Clearwater Court; authorized the Director of Public Works to sign the Subdivision Agreement; and directed the Clerk of the Board to take related action, as recommended by the Director of Public Works
45. ACCEPTED AND FILED report on the status of the feasibility study for improved bike trails in the San Lorenzo River watershed; and directed Public Works to return to the Board on or before December 10, 2002 with a status report on this project, as recommended by the Director of Public Works
46. APPROVED gross pay adjustment in the amount of \$295.68 for a Department of Public Works employee, as recommended by the Director of Public Works
47. ACCEPTED improvement for the Happy Valley Road Culvert Replacement project; approved the final cost in the amount of \$258,864.77; authorized the Clerk of the Board to file the Notice of Completion; and approved related action, as recommended by the Director of Public Works
48. AUTHORIZED installation of one 70-watt residential street light on 18th Avenue, as recommended by the Director of Public Works
49. ACCEPTED site improvements for Tract 1348, Harbor Vista as completed; adopted RESOLUTION NO. 301-2002 accepting Harbor Vista Lane into the County maintained road system; adopted RESOLUTION NO. 302-2002 abandoning utility easements and offer of dedication of Katie Court; and directed the Clerk of the Board to take related actions, as recommended by the Director of Public Works
50. APPROVED proposed Santa Cruz County Sudden Oak Death Hazard Tree Assessment, Removal, and Restoration Plan for submittal to Marin County and the California Department of Forestry; and adopted RESOLUTION NO. 303-2002 binding Santa Cruz County to the terms of the Marin County and California Department of Forestry Agreement, as recommended by the Director of Public Works
51. AS THE BOARD OF DIRECTORS OF THE FREEDOM COUNTY SANITATION DISTRICT, ACCEPTED the improvement for the Trembley Lane Pump Station Replacement project; approved final cost in the amount of \$171,683.21; authorized the Clerk of the Board to file the Notice of Completion; and approved related action, as recommended by the District Engineer

52. ACCEPTED improvement for the 200112002 Pavement Management Digout project; approved final cost in the amount of \$858,556.29; authorized the Clerk of the Board to file the Notice of Completion; and approved related action, as recommended by the Director of Public Works
- WP(C)AB
53. APPROVED amendment to agreement with Salix Applied Earthcare for erosion control technical training by increasing the amount of the contract by \$6,100 for a total not-to-exceed amount of \$28,121 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. ACCEPTED improvement for the County Service Area Overlay project; approved final cost in the amount of \$25,372.45; authorized the Clerk of the Board to file the Notice of Completion; and approved related action, as recommended by the Director of Public Works
55. ACCEPTED AND FILED report on the Road Crossing and Salmonid Passage Assessment project and directed Public Works to return on or before September 24, 2002 with a signed consultant contract for approval, as recommended by the Director of Public Works
56. ACCEPTED donations totaling \$50,094.60 for construction of the Jim Keefe Skate Park; adopted RESOLUTION NO. 304-2002 accepting and appropriating unanticipated revenue in the amount of \$25,094.60 for the construction of the skate park; and authorized the Director of Parks to execute the grant agreement with the Boulder Creek Recreation and Park District in the amount of \$25,000 on behalf of the County, as recommended by the Director of Parks, Open Space and Cultural Services
57. AS THE BOARD OF SUPERVISORS AND REDEVELOPMENT AGENCY,  
scheduled a closed personnel and litigation session as follows:  
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
Case Name/No.: Johnson v. McKinny, Santa Cruz County Superior Court  
Case No. CV 141619  
Case Name/No.: Bontadelli v. County of Santa Cruz, et al., Santa Cruz  
Superior Court Case No. CV 133432  
CONFERENCE WITH LABOR NEGOTIATOR  
Agency negotiator: Personnel Director  
Employee organization: All  
REPORT OF COUNTY COUNSEL - No report given



- 57.1 AUTHORIZED the Health Services Agency Director to create and sign a Master Agreement to provide recruitment services for the position of Chief Pharmacist; and authorized payment be made under one of these agreements in an amount not-to-exceed 20 percent of a single year's salary of a Chief Pharmacist; and authorized the agreement to be effective August 6, 2002, as recommended by the Health Services Agency Director

### REGULAR AGENDA

58. The Board of Supervisors recessed in order to permit the Board of Directors of the County Santa Cruz Flood Control and Water Conservation District, Zone 5, to convene and carry out a special meeting
59. AS THE BOARD OF DIRECTORS OF THE DAVENPORT COUNTY SANITATION DISTRICT,  
Public hearing held on 2002/2003 Davenport County Sanitation District Sewer and Water Service Charge Report;  
opened public hearing;  
(1) continued public hearing until the end of the day  
(2) continued public hearing until August 13, 2002 and indicated the Board's intention to place the assessment on the Property Tax Roll and the amount will be determined at that time
60. AS THE BOARD OF DIRECTORS OF THE FREEDOM COUNTY SANITATION DISTRICT,  
Public hearing held on 2002/2003 Freedom County Sanitation District Sewer Service Charge Report;  
opened public hearing, to hear objections or protests, to the 2002/2003 Sewer Service Charge Report for the Freedom County Sanitation District;  
(2) closed public hearing and adopted RESOLUTION NO. 305-2002 confirming the 2002/2003 Sewer Service Charge Report for the Freedom County Sanitation District

WCPAB

61. Public hearing held to consider the Service Charge Report for County Service Area (CSA) No. 11 for 2002/2003 fiscal year;  
opened public hearing to hear objections or protests to the proposed 2002/2003 service charge report for County Service Area No. 11-Parks Debt Service;  
(2) closed public hearing; and adopted RESOLUTION NO. 306-2002 Confirming the Service Charge for County Service Area No. 11-Parks Debt

WCPAB

62. Public hearing held on benefit assessment/service charges and confirmation of service charge reports for County Service Area No. 9E, Streetscape Maintenance;  
(1) closed public hearing;  
(2) ADOPTED RESOLUTION NO. 307-2002 Establishing Benefit Assessment/Service Charges for the 2002-2003 fiscal year for County Service Area No. 9E, Streetscape Maintenance; and  
(3) ADOPTED RESOLUTION NO. 308-2002 Confirming the Assessment Report for the 2002-2003 fiscal year for County Service Area No. 9E, Streetscape Maintenance

PCWAB

63. CONSIDERED report regarding proposed temporary moratorium on approval of applications for Wireless Communications Facilities;  
The Board accepted report on the proposed temporary moratorium;  
(2) and the Board took no action to adopt a moratorium on the approval of wireless communication facilities at this time

APwCb

64. Continued public hearing on the proposed merger of AT&T Broadband and Comcast Corporation;  
ADOPTED RESOLUTION NO. 309-2002 Conditionally Consenting to the Change of Control of the Cable Franchisee from AT&T Corporation to AT&T Comcast Corporation; with an additional direction that the County Administrative Office return at the first meeting in October 2002 with a report regarding signal quality and cable outages

PW/C/AB

- 64.1 ACCEPTED AND FILED report on Caltrans use of pesticides on County Highways and directed the County Administrative Office to report back no later than January 28, 2003, on Caltrans' implementation of a public notification procedure; with an additional direction that Chair Beautz send a letter to the District Director Gregg Albright asking him to appear at a Board of Supervisors meeting, at his convenience, to discuss the issue of hotline and spraying and their progress in reducing the need for spraying and moving toward impenetrable services

WAPCB

- 64.2 ACCEPTED Treasurer's monthly cash report and transaction report for the period ending June 30, 2002 and approved related action, as recommended by the Treasurer-Tax Collector

WAPCB

65. CONSIDERED proposed ordinance amending Section 2.122.020 of the Santa Cruz County Code relating to indexing living wage adjustments; approved "in concept" ordinance Amending Section 2.122.020 of the Santa Cruz County Code Relating to Indexing Living Wage Adjustments to return on August 13, 2002 for final adoption

WAPCB

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 August 20, 2002