



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

May 15, 2012

Agenda Date: June 13, 2012

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Subject: Request for a continuance of the public hearing to consider an appeal of the approval of application #111195, to allow the operation of a Day Laborer Center in Live Oak.

Members of the Commission:

As discussed in greater detail in the attached staff report, the Community Action Board (the applicant), received authorization from the Veteran's of Foreign Wars Hall (VFW) to utilize five of the VFW's parking spaces for the proposed use of the Day Laborer Center (Exhibit G of C of the attached staff report). The Zoning Administrator approved the application on March 2, 2012 with a condition of approval which required the Community Action Board to obtain authorization for the use of 9 parking spaces on the adjacent VFW Hall property to ensure that parking associated with the Day Laborer Center would be available for day laborers, employers, staff, and volunteers.

On May 11, 2012, the Planning Department received a letter from the VFW hall indicating that parking will not be made available to persons associated with the Day Laborer Center at the adjacent subject property (Exhibit A).

The Community Action Board is in the process of reviewing alternative parking options; therefore, Planning Department staff recommends that your Commission continue the public hearing to **July 11, 2012** to allow for the evaluation of an alternative parking plan.

Sincerely,


Samantha Haschert

Project Planner
Development Review

Reviewed By: 

Ken Hart
Principal Planner
Development Review

Exhibits:

A. Letter from the VFW Hall, dated May 10, 2012

RECEIVED 5/11/12
May 10, 2012

TO WHOM IT MAY CONCERN:

This is to certify that the V.F.W. Hall 7263 shall not allow parking at 2259 7th Avenue, Santa Cruz, CA, 95062 to persons doing business at the adjacent property, 2261 7th Avenue, Santa Cruz, for the proposed Day Worker Center, a program of the Community Action Board of Santa Cruz County, Inc.

Any previous agreement between the parties for parking that was to begin as of January 1, 2012 and end June 30, 2012 shall not be renewed.

Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Petty".

Ronald L. Petty, Commander
V.F.W. Post 7263



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

KATHLEEN MALLOY PREVISICH, PLANNING DIRECTOR

May 8, 2012

Agenda Date: June 13, 2012

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Subject: A public hearing to consider an appeal of the Zoning Administrator's decision to approve application #111195 to allow for the operation of a Day Laborer Center in Live Oak.

Members of the Commission:

This item is an appeal of the Zoning Administrator's decision to approve application #111195 to convert an existing non-conforming single family dwelling to a Day Laborer Center, which would provide the connection between day laborers and employers seeking temporary work and to create safeguards for both parties.

History

The parcel is currently developed with a single family dwelling and is zoned Public Facilities (PF) with a Public Facilities (P) General Plan Designation; therefore, the single family dwelling is a non-conforming use in that it is not a use that is currently permitted within the PF zone district and it does not conform to the General Plan Designation. The existing cemetery located on the subject parcel and the surrounding adjacent parcels was constructed prior to permitting requirements and is a permitted use within the PF zone district.

Permit 107-U was obtained in 1958 to allow for the construction of a building for church services. Although it does not appear that this building was ever constructed, the permit does indicate the existence of the single family dwelling; therefore, the proposal would amend permit 107-U.

Project Description

The attached staff report to the Zoning Administrator (Exhibit C) provides a detailed description of the proposed operations of the Day Laborer Center. The Center would be open to the public between the hours of 7:00 a.m. and 1:30 p.m., Tuesday through Sunday. Center policies require that members of the public sign up for work inside of the building and to specify any individual skills or education. The center's staff would use this information to connect workers with employers who call in to the center to contract for temporary day labor. Center policies also require that members of the public remain inside of the building or within the side yard of the

property while waiting for employment. Any member of the public who leaves the center while waiting for work would be removed from the waiting list. Additionally, condition of approval IV.B., as revised, is recommended to ensure that workers do not loiter or gather on the parcel outside of the center at any time.

The project proposes minimal improvements to the building and site, but includes a remodel of the bathroom and a front entry ramp to comply with accessibility requirements, new landscaping, a new 3 foot maximum height picket fence in the front yard, and a new 6 foot maximum height fence in the south side yard.

Zoning Administrator Public Hearings

The Zoning Administrator considered the item at the March 2, 2012 public hearing, which included both written and oral testimony from the public. Public testimony included concerns about the potential for compromised safety of surrounding residences and schools in the neighborhood, increased traffic on 7th Avenue, inadequate parking, inadequately sized waiting areas, and the potential for the center to become a new pick-up location for laborers soliciting work from the public right of way. Other members of the public expressed support for the center, stating that the location is appropriately situated near public transportation and Highway 1, that the workers will not be a safety threat to the community, and that the center will create a much needed resource for the public.

The Zoning Administrator attempted to address many of the concerns by requiring the center to monitor operations and neighborhood impacts during the first six months of operation (condition of approval IV.F). The Zoning Administrator approved application #111195 on March 2, 2012 with conditions (Exhibit C of C).

Appeal Contents

The appellants, Eve Roberson and Sandra Brauner, who live in neighboring residences and who sate that they represent a neighborhood group, SOS-Save Our Street, feel that the facility is not a compatible use with the surrounding area. The neighbors filed an appeal of the Zoning Administrator's decision on March 16, 2012 with a request for your Commission to reconsider the approval based on the following issues. (Language from appeal letter in bold; staff's comments/responses in italics.)

- A. **Normal rezoning, urban review and environmental reports were waived by Planning Staff; Although the proposed land use represents a dramatic change from existing residential use (most recently the 1,000 square foot bungalow had served as the cemetery keeper's home) to de facto commercial use (as a day worker center), staff did not require rezoning. Instead they allowed an informal use certificate.**

The proposal to convert the existing single family dwelling to a day laborer center required the applicant to obtain an administrative level amendment to Permit 107-U. Early in the permitting process, the Planning Department received approximately five requests from the public to hold a public hearing for the item; therefore, the processing level was elevated from an administrative level staff review to a public hearing before the Zoning Administrator.

The use is a permitted use in the Public Facilities zone district; therefore, a rezoning was not required. Assuming that 'urban review' refers to design review, the project was reviewed for consistency with the Design Review ordinance in County Code Chapter 13.11 in that an "Institutional" (formal organizations of public service) remodel or new construction is subject to Chapter 13.11. There are minimal exterior improvements proposed, however, the improvements, including the installation of landscaping (Sheet 3 of approved plans; Exhibit A of C) and fencing, will improve the exterior design of the existing building. An objective listed in the County Code Design Guidelines indicates that building design shall relate to adjacent development in the surrounding area. Therefore, it was determined to be appropriate that the "residential" design of the structure remain. No new large paved parking areas will be constructed; rather the center will take advantage of an existing adjacent large paved parking area during hours when there is little, if any, parking demand. The parking area is convenient and safe and installation of signage and monitoring of usage will ensure that it is readily understandable to users.

Finally, it has been determined that the project qualifies for an exemption to the provisions of the California Environmental Quality Act (CEQA) under Section 15301 in that, the parcel is currently developed and the proposal does not include or require additional development or land disturbance. Additionally, the traffic generated by the proposed use is anticipated to be minimal and will not create congestion at any of the surrounding intersections.

B. The property is in a PF (Public & Community Facilities). According to the County Code, its Purpose is: (b) To regulate the use of land for public and community facilities with regard to their locations, design, service areas, and range of uses, so that they will be compatible with adjacent development, will maintain high standards of urban design, and will be compatible with and will protect the natural resources and environmental quality of the County. We firmly believe that these stated purposes cannot be met by the proposed land use.

An additional purpose of the PF zone district is "to provide areas for public and quasi-public community facilities, including public and private institutions and public services and facilities." The Day Laborer Center is a public and community facility that will provide public services and as a result, is consistent with this purpose and with the zoning designation of the subject parcel.

The exterior design of the facility and neighborhood compatibility was reviewed and there are no proposed improvements that will impact natural resources or the environmental quality of the County, in that minimal improvements are proposed, there are no known protected natural resources on site, and the low level of expected traffic to the site will not create congestion at any of the surrounding intersections.

The immediate surrounding area is a mix of residential and public facility uses with an area of denser commercial uses located closer to Soquel Avenue and Capitola Road. The Holy Cross Cemetery, the Santa Cruz County Animal Services Center, the Veteran's of Foreign Wars Hall, Green Acres Elementary School and VHM Christian School are located in the surrounding neighborhood and are all public facility uses as defined by the County Code.

The Center indicates that, based on information gathered from existing Day Laborer Centers, the majority of the public will not drive individual vehicles to the Center and, once established, employers will recognize that they do not need to visit the site to pick-up workers as the contacts

will be established by phone. In the City of Mountain View, a Day Laborer Center was approved in a residential neighborhood in 2009 and functions in a similar way. Neighborhood impacts have been monitored annually by the City of Mountain View planning staff (see case study continued on page 9 of this report).

The minimal additional vehicular traffic anticipated to be generated by the Center will occur in the morning, outside of the peak evening hour commute. Monitoring conditions added by the Zoning Administrator will allow the Planning Department to review actual impacts and to amend conditions of approval of the permit, as required. The text of the monitoring condition is as follows:

IV. Operational Conditions

A. *For six months following the attainment of a final building permit, the Center shall track the following:*

- 1. Daily attendance of volunteers and workers.*
- 2. The number of workers matched with employment opportunities daily*
- 3. **The workers methods of transportation to and from the site.***
- 4. The average wait time at the center prior to employment.*
- 5. Complaints and concerns submitted to the disturbance coordinator and actions taken to resolve the issues.*

The required tracking information shall be submitted to the Planning Department at the end of the six month period and the permit conditions shall be scheduled for review by the Zoning Administrator at a public hearing. Staff shall include information from the Sheriff's Office regarding incidents at or in the vicinity of the Center involving day worker clients.

A result of the monitoring period could include such additional or revised conditions as: a requirement for the applicant to obtain the use of additional parking spaces from the adjacent parking area, a condition that would not permit pick-ups or drop-offs at the site, or a requirement for the applicant to submit a traffic report prepared by a licensed transportation engineer which evaluates the levels of service at surrounding intersections. Based on the impacts presented, the monitoring period could also result in a recommendation for permit revocation.

C. **Increased vehicle traffic on the already heavily used 2-lane street will have a negative impact on air quality, an issue which has not been adequately addressed.**

...

Traffic overload on local street: Day workers and prospective employers will be arriving and leaving the Center even before and after the posted hours of 7 AM to 1:30PM, as workers cannot be prevented from arriving early or being dropped back after the work day to pick up their bikes or cars. Local buses cannot serve every area of the County. Automobile use of the 2-lane, already busy feeder street to the Yacht Harbor, Twin Lakes Beach and three local schools would cause gridlock and serious safety concerns for the community. Peak traffic to many of these facilities correspond to the day work center's peak traffic as well. Yet no environmental

report was required.

It is not anticipated that the use will impact the air quality of the surrounding neighborhood or create congestion on the surrounding road network. The professional opinion of the Department of Public Works Road Engineering Division is that the proposed use most closely resembles that of an institutional use which would generate 5 trips per day, a level of use which would not impact air quality. The applicant indicates that day laborers are not likely to drive individual vehicles to the site and that they will likely utilize public transportation, carpooling, or bicycles to get to the site. Additionally, the center indicates that employers will not have to visit the site to pick up employees; however, parking would be available at the site and driving to the site will not be prohibited. Traffic is further discussed under item "B" above. The monitoring conditions, noted in the response to item "B", will allow the Planning Department to re-review the existing permit and permit conditions based on actual impacts. The CEQA Exemption was previously discussed under item "A".

- D. The project proposal made no mention of preventing day workers from using the front porch for common outdoor activities such as waiting and smoking, which could impact the surrounding air quality as well as the visual appearance of the property.**

The Center's policies and conditions of the permit require that all persons associated with the center wait for employers or employees inside of the building within the waiting room or within the fenced side yard, which shall be blocked from public view. There are currently no restrictions on public outdoor smoking and smoking could occur outside of any structure in the neighborhood at any time. It is not anticipated that intermittent outdoor smoking will impact air quality.

- E. The Road Engineering Review suggesting that there would only be 5 trips per day to the property was unrealistic. Further, it is also unrealistic to expect that the "Center Rules", a set of guidelines the proponents have drawn up for maintaining order and governing every aspect of a busy day worker center both indoors and in the surrounding vicinity, cannot possibly be enforced by one female staff person and a few volunteers during the regular hours they are present at the property.**

See items "B" and "C" above regarding traffic. The conditions of approval require the Center to enforce their stated policies and the permit itself is only valid if the required conditions are met. An inability of the center to meet the required conditions of approval could result in permit revocation.

- F. Occupation of the neighborhood streets by strangers. Estimates of use have ranged from 30 to 400 day workers using the day worker center from time to time. Loitering of day workers on neighboring sidewalks in areas leading to the Center is cause for real concern, as these are walk-zones for young children to three neighborhood schools. It is also a daily walk-zone for dogs by mostly female volunteers from the adjacent County Animal Shelter. In fact, the streets in that area were improved specifically to accommodate this use, at the same time other improvements were made in the Shelter itself in recent years.**

The applicant estimates that they would have the resources and demand to serve a maximum of 40 day laborers per day. The Center would be located on 7th Avenue which is a public street and is therefore not restricted to "resident's only." Although some members of the public may have experienced undesirable situations at the existing day laborer "pick-up" sites at places such as The Home Depot and ProBuild, where day laborers loiter on the streets and in the parking lots soliciting employment, the purpose of the proposed center is not to establish a new "pick-up" site in the subject neighborhood. The center would provide a structured program with formal policies that would be an alternative option to any member of the public searching for temporary day labor employment. There is no evidence to suggest that public safety will be compromised as a result of the use with the policies and conditions in place.

The Live Oak Sheriff's Service Center has indicated support for the center to operate in the proposed location and has met with Community Action Board staff to provide security advice. In order to address community safety concerns, the Community Action Board will enter into a contract with First Alarm prior to opening the Center. First Alarm will take the following actions to provide security at the Center:

- A licensed and uniformed security officer will monitor the Center daily outside of the hours of operation during the late afternoon and night.*
- Monitoring visits will include a visual inspection of the structure, including doors and windows, and an inspection of any vehicles or persons on the property.*
- An electronic site-check button will be installed on site to record and track inspections.*
- A First Alarm response plan will be established and followed in the case where a security officer finds someone on the premises.*
- First Alarm will establish a letter of trespass with the Sheriff's department in case the First Alarm security officer requires the support of the Sheriff's Office in escorting someone off the premises.*

G. Moreover, the U.S. Supreme Court ruled last month that day workers are permitted to remain on any public street at any time while searching for work from passing cars. The "Center Rules" against day workers doing so are therefore not legally enforceable. Even law enforcement officers will be unable to remove any loiterers from streets near the Center if they say they are day workers.

The Federal Court of Appeals ruled against the City of Redondo Beach's anti-solicitation ordinance which was intended to ameliorate traffic and safety issues associated with groups of day laborers soliciting work from public areas. Therefore, given the challenges associated with the Center or the County to enforce limitations on solicitation along the public road, the following revisions to Condition of Approval IV.B are proposed (strikeout text to be deleted with new text in bold):

- A. All day workers visiting the site shall not be permitted to loiter, wait for work, wait for pick-up, or solicit work **from the subject parcel on 7th Avenue.** All day workers visiting the site shall, when not conducting business within the office, wait within the building or within the designated side yard behind the fence. Loitering in the front yard of the **building parcel or on the premises outside of the designated waiting areas** ~~or on the public sidewalk~~ is not permitted.*

H. Inadequate building and parking for users: The 1,000 sq.ft. building with one

unisex bathroom, a small front porch, a small side yard and only 5 rented parking spaces at the VFW next door is simply not adequate for the anticipated 60-80 people proponents say they expect to use the building. The local Fire Marshall has already established a maximum occupancy of 49 persons for the building.

The Central Fire Protection District has established a maximum occupancy of 48 persons for the building. The maximum occupancy is a restriction on the number of people who may simultaneously occupy a building. The applicant indicates that they anticipate the potential for 40 day laborer employment matches per day, which is equal to a maximum of 40 day laborers within the building in a given day. The Center also plans to utilize one full time staff member and up to five volunteers. Therefore, the total maximum number of people anticipated within the building could reach 46 people which does not exceed the established maximum occupancy. The side yard of the structure will also be available as a waiting area and it is not anticipated that all 40 clients will be inside of the building at one time. The California Plumbing Code allows for the use of one unisex restroom for businesses not exceeding 1,500 sq. ft. in floor area, therefore, the proposal to provide one restroom within the building complies with the requirements of the California Building Code.

In order to confirm that the associated parking areas would be sufficient to accommodate the proposed use, a case study of the Day Laborer Center of Mountain View was conducted by Planning Staff (see page 9). In response to concerns about increased traffic and parking constraints, the City of Mountain View Planning Department evaluated a traffic study prepared for the project by an independent traffic engineer. The center in Mountain View was proposed to be located in an approximately 3500 square foot building and estimated to assist a maximum of 100 day laborers per day. The center also indicated that they would have 1 full time staff person and 2 half-time staff people at the site. The traffic engineer based their recommendations on these figures, which were provided by the operator of the proposed center, and on an assumption that many of the day laborers would not drive individual vehicles to the site on a daily bases. The traffic report recommended that the center provide seven parking spaces to accommodate center staff, employers, and day laborers and the city ultimately required nine spaces to be provided to allow for any potential overflow. Monitoring requirements associated with the approval of Day Laborer Center of Mountain View have indicated that the parking provided at the center is adequate.

In comparison to the Day Laborer Center of Mountain View, the proposed operation is to be located in an approximately 1,000 square foot building and will serve a maximum of 40 day laborers per day. Although the plans only show the use of five parking spaces at the VFW hall, condition of approval II.F requires that the applicant obtain the use of at least nine parking spaces at the VFW Hall. The nine parking spaces plus the one additional on-site parking space would provide the Center with 10 parking spaces, which, in comparison to the nine parking spaces required for the Day Laborer Center of Mountain View, appears to be adequate to serve staff, employers, and day laborers.

Conditions of approval that require the center to monitor the workers methods of transportation for the first six months of operation will allow the Planning Department to re-review conditions of approval based on actual impacts.

I. Well-known professionals who have studied day worker centers extensively, such as

Professors Valenzuela, Jr. and Nik Theodore, conclude that: “From observations and interviews of coordinators of worker centers across the United States, we have found that several key elements should be in place for a worker center to be effective. First (emphasis added) worker centers should be visible and centrally located near where the laborers search for jobs and where employers look for workers.” The proposed day worker center on 7th Avenue most certainly does not meet those criteria for success.

The Center will handle employment matches by phone and will not operate as a location where employers randomly pick up workers from the street, therefore, visibility of the center is not key to placing workers with employers. More importantly, the center will be established in a central location on 7th Avenue where workers can utilize public transportation to get to and from job sites.

- J. Inadequate consideration of neighbors’ rights: The proponents of the day workers center failed to provide adequate notice to neighbors although it was well know to the applicant – and should have been recognized by Planning Staff – that this proposed commercial use would create significant negative impacts to the predominantly residential neighborhood.**

Public notices were sent out in accordance with the County Code requirements for a Level 4 and Level 5 application; therefore, the neighboring residents within 300 feet of the property lines received a preliminary Notice of Application Submittal by mail at the time that the application was submitted, the applicants posted a 2’ x 4’ sign on the chain link fence at the parcel frontage prior to the determination of application completeness, and the neighboring residences within 300 feet of the property boundary again received mailed notices prior to the public hearing. The project hearing was also advertised in the Santa Cruz Sentinel and a Notice of Public Hearing was posted at the parcel frontage.

In addition to the notices required by the County Code, the Community Action Board conducted their own outreach program and have participated in other neighborhood outreach events, including the following:

1. OCTOBER 2, 2011 – Door-to-door neighborhood outreach to 170 homes within 500 feet of the proposed site. Seven day workers and community volunteers provided copies of the Center’s brochure as well as had one-on-one conversations with those neighbors who were home. Follow up door-to-door on Oct. 8th, 2011 for residents who were not home on Oct. 2nd.
2. MAY 2011 - MARCH 2012 – Presentations to neighbor organizations including:
 - The Santa Cruz Animal Shelter - meeting with Melanie Sobel, Executive Director, on Oct. 18, 2011.
 - St. Stephen’s Lutheran Church – meeting with Pastor Jim Lapp on October 26, 2011.
 - The Veterans of Foreign wars Council – meeting with the VFW Commander, Joe Hall, and the VFW membership on May 12, 2011.
 - Community Bridges (CB) Governing Committee – meeting with CB Executive Director, Sam Storey and the CB Governance Committee on February 2, 2012.
 - Live Oak Family Resource Center – meeting with Elizabeth Schilling, LOFRC Executive Director, on August 10, 2011.

- *The Live Oak School District Superintendant – meeting with Tamra Taylor, LOSC Superintendent, on February 9, 2012.*
- *Meeting at home of Lilli Colbaso and one other Live Oak neighbor on Oct. 18, 2011.*
- 3. *OCTOBER 6, 2011: Informational meeting presented by Day Workers and the Advisory Council to 25 supporters at Simpkins Aquatic Center. The presentation included information about the history of the Center, the operational plan and the overall progress made through October 2011.*
- 4. *OCTOBER 26, 2011: Meeting with Casa La Familia Homeowners Association to answer specific questions and share information about the Center operating plans.*
- 5. *FEBRUARY 10, 2012: Meeting with Casa La Familia Homeowners Association to answer questions and provide more detailed information regarding the Center's operating plans. Presenters included four staff and volunteers, as well as six staff and day workers from the Mountain View Day Worker Center.*
- 6. *March 12, 2012: Panel presentation at a Live Oak Community meeting convened by Supervisor John Leopold. Day workers, staff and community volunteers participated in a panel question-and-answer session and responded to specific questions from Live Oak neighbors and gave a description of the Center's operating plan.*

Case Study: The Day Laborer Center of Mountain View

The appellants have disputed much of the information presented by the Community Action Board and have asserted that claims regarding lack of significant impacts related to safety, traffic, and parking are not realistic. In response, Planning Department staff conducted an evaluation of a recently approved (2009) and currently operational day laborer center located in a residential neighborhood in the City of Mountain View. The Day Laborer Center of Mountain View was approved by the Mountain View City Council on an appeal of an approval by the Mountain View Zoning Administrator. Neighbors of the proposed center had filed the appeal citing many of the same concerns included in the appeal before your Commission today, including the potential for increases in traffic, incompatibility with the surrounding residential neighborhood, and concerns regarding loitering, work solicitation, and general safety. The Mountain View day laborer center was previously located in a downtown area of Mountain View and the proposal was to re-locate the center to a larger building that would allow for an expansion of services.

The center proposed to operate between the hours of 7:00 a.m. and 5:00 p.m., Monday through Saturday with one full time employee, two half-time employees and potentially one or two volunteers per week on-site to serve the estimated 100 visitors per day. Extensive remodeling to the building was proposed as well as the construction of a new parking lot.

The City of Mountain View Planning Department indicated that conditions of the final approval included the requirement for the Center to hold quarterly meetings with the neighboring residences to hear concerns and gather feedback and to return to a public hearing after one year of operation to provide an update to planning department staff. The City Planning staff indicates that although the center was initially opposed by neighbors, the Planning Department and Police Department have received no substantiated complaints since the center opened. The Planning Department staff also indicated that feedback from the neighbors has been positive and that many of those who were initially opposed to the center are now active supporters.

Conclusion

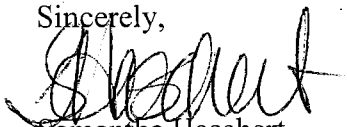
There is no evidence that suggests that the opening of a day laborer center will be detrimental to the health, safety, and welfare of the surrounding community. Conditions of approval require a six month monitoring period to take place which will allow Planning Department staff to review the actual impacts of the center and to revise or add conditions of approval as necessary. The re-review will also allow Planning Department staff to hear feedback from the community regarding the operation of the center and how the center has addressed complaints or concerns.

The establishment of a day laborer center would not be unique to Santa Cruz County. There are hundreds of day laborer centers that currently operate throughout the country and that provide a viable alternative for day laborers seeking the oversight of a managed center. Although there is no current breakdown of the day laborer centers that exist nationwide, a Cornell University study determined that 139 centers existed in the United States in 2005 (Exhibit E) and national day laborer support organizations indicate that hundreds of additional centers have been established within the past 7 years.

Staff Recommendation

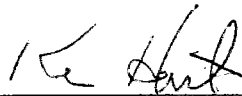
Planning Department Staff recommends that your Commission **UPHOLD** the Zoning Administrator's action to approve application #111195, based on the findings (Exhibit B of C) and revised conditions (Exhibit B).

Sincerely,



Samantha Haschert
Project Planner
Development Review

Reviewed By: _____



Ken Hart
Principal Planner
Development Review

Exhibits:

- A. Appeal Materials Submitted: Appeal Letter from SOS- Save Our Streets, Sandra Brauner and Eve Roberson, dated 3/16/12
- B. Revised Conditions of Approval
- C. Staff report to the Zoning Administrator, heard on 3/2/12 (as revised by Zoning Administrator at hearing)
 - a. Exhibit C: Conditions of Approval
 - b. Exhibit D: CEQA Exemption
 - c. Exhibit E: Maps
 - d. Exhibit F: Program Statement, submitted by applicant
 - b. Exhibit G: Parking Agreement

- a. Exhibit H: Comments and Correspondence
 - b. Exhibit I: Sample Bus Schedule
- D. Late public correspondence received in response to Zoning Administrator public hearing
- E. Regional Distribution of Worker Centers (2005)
- F. Public Comments received in response to appeal

Project Planner: Samantha Haschert
Received: 3/16/12 11:24:16 am

To: Santa Cruz County Planning Director

March 16, 2012

This is an appeal from Application #111195 for an Amendment to Permit 107-U, to change the use within an existing building from a non-conforming residential use to a day worker center at 2261 7th Avenue in Live Oak, which was approved by the Zoning Administrator on March 2, 2012.

Normal rezoning, urban review and environmental reports were waived by Planning Staff. Although the proposed land use represents a dramatic change from existing residential use (most recently the 1,000 sq. ft. bungalow had served as the cemetery keeper's home) to de facto commercial use (as a day worker center), staff did not require rezoning. Instead, they allowed an informal use certificate to be used.

The property is in a PF (Public & Community Facilities). According to the County Code, its Purpose is: *(b) To regulate the use of land for public and community facilities with regard to their locations, design, service areas, and range of uses, so that they will be compatible with adjacent development, will maintain high standards of urban design, and will be compatible with and will protect the natural resources and environmental quality of the County.* We firmly believe that these stated purposes cannot be met by the proposed land use.

Increased vehicle traffic on the already heavily used 2-lane street will have a negative impact on air quality, an issue which has not been adequately considered.

There was no real Urban Design Review, although the proposed minor landscaping in the front yard of the building does not improve its appearance significantly when compared to the overall appearance after placement of the large commercial sign in the front yard.

The project proposal made no mention of preventing groups of day workers from using the front porch for common outdoor activities such as waiting and smoking, which could impact the surrounding air quality as well as the visual appearance of the property.

The property is part of the adjacent historical cemetery, which contains some unmarked graves of native and early settlers. No consideration was given as to whether the land involved in the proposed project might have been used for such remains. This should have been taken into account.

Specific negative impacts of the proposed day worker center:

- 1) Traffic overload on local street: Day workers and prospective employers will be arriving and leaving the Center even before and after the posted hours of 7AM to 1:30PM, as workers cannot be prevented from arriving early or being dropped back after the work day to pick up their bikes or cars. Local busses cannot serve every area of the County. Automobile use of the 2-lane, already busy feeder street to the Yacht Harbor, Twin Lakes Beach and three local schools would cause gridlock and serious safety concerns for the

community. Peak traffic to many of these facilities correspond to the day worker center's peak traffic as well. Yet no environmental report was required.

- 2) The Road Engineering Review suggesting that there would only be 5 trips per day to the property was unrealistic. Further, it is also unrealistic to expect that the "Center Rules", a set of guidelines the proponents have drawn up for maintaining order and governing every aspect of a busy day worker center both indoors and in the surrounding vicinity, cannot possibly be enforced by one female staff person and a few volunteers during the regular hours they are present at the property.
- 3) Occupation of neighborhood streets by strangers: Estimates of use have ranged from 30 to 400 day workers using the day worker center from time to time. Loitering of day workers on neighboring sidewalks in areas leading to the Center is cause for real concern, as these are walk-zones for young children to three neighborhood schools. It is also a daily walk-zone for dogs by the mostly female volunteers from the adjacent County Animal Shelter. In fact, the streets in that area were improved specifically to accommodate this use, at the same time other improvements were made in the Shelter itself in recent years.

We know already what the appearance is of day workers as they congregate daily in the commercial districts on River Street and 41st Avenue in Santa Cruz. Our neighborhood is mainly residential and simply cannot accommodate this type of situation on its street, not only on week days but even on Saturdays and Sundays.

The many senior citizens who live in the housing complex directly across the street from the proposed Center have expressed their serious concern about safety issues due to the proposed use of the property, as there is currently no security for their parking lot or common areas and buildings. The location and configuration of the parking lot itself will expose it to use as the most convenient turn-around area for users of the Center.

Unexpected and fast-moving outside traffic in the lot is serious for the elderly seniors who also walk and park their cars in the lot.

Moreover, the U.S. Supreme Court ruled last month that day workers are permitted to remain on any public street at any time while searching for work from passing cars. The "Center Rules" against day workers doing so are therefore not legally enforceable. Even law enforcement officers will be unable to remove any loiterers from streets near the Center if they say they are day workers.

- 4) Inadequate building and parking for users: The 1,000 sq.ft. building with one unisex bathroom, a small front porch, a small side yard and only 5 rented parking spaces at the VFW next door is simply not adequate for the anticipated 60-80 people proponents say they expect to use the building. The local Fire Marshall has already established a maximum occupancy of 49 persons for the building.

Well-known professionals who have studied day worker centers extensively, such as Professors Valenzuela, Jr. and Nik Theodore, conclude that: "From our observations and interviews of coordinators of worker centers across the United States, we have found that

several key elements should be in place for a worker center to be effective. First (emphasis added) worker centers should be visible and centrally located near where the laborers search for jobs and where employers look for workers.” The proposed day worker center on 7th Avenue most certainly does not meet those criteria for success.

Inadequate consideration of neighbors' rights:

The proponents of the day worker center failed to provide adequate notice to neighbors, although it was well known to the applicant – and should have been recognized by Planning Staff – that this proposed commercial use would create significant negative impacts to the predominantly residential neighborhood.

Day worker centers are known to be controversial, and this would be the first one to be located in Santa Cruz County. However, limited notice to residents within 500' of the property was belatedly required of Planning staff by concerned neighbors who happened to hear of the proposal. Members of our neighborhood who recently spoke with 40 residents in the immediate area confirmed that very few of them had received such notice, and they had been unaware of Zoning Administrator hearing on March 2, 2012.

However, in spite of receiving no notice, many neighbors did attend the hearing, although they had only heard of it earlier that morning from an article in the newspaper. They all testified against the proposed location of the project due to its impacts on the neighborhood. It was noted that none of the proponents of the project who spoke, and none of the letters in the file in support, came from actual residents of the neighborhood.

Proponents claim that representatives of the various interests in the project were included in their studies over the past year of placing the day worker center project on this particular property, but there was no mention of any representatives of the neighborhood being included in this planning effort.

In summary, the day worker center which is being proposed is a commercial use which is to be placed into a primarily residential area, and it is not an appropriate use of the property. Applicant's promise of self-policing, self-monitoring and self-reporting of problems over a six-month period, before any reconsideration of its permit, is not reasonable when the use itself has so many inherent problems due simply to its location. It is the wrong location for such a land use and we appeal to you not to allow it there.

Respectfully submitted,

SOS – Save Our Street

Sandra Brauner
Eve Roberson

Sandra Brauner, 2298 7th Avenue, Santa Cruz, CA 95062 (831) 477-7081
Eve Roberson, 2304 7th Avenue, Santa Cruz, CA 95062 (631) 454-8747

REVISED
Conditions of Approval
PC Meeting 6/13/2012

(Strikeout text to be deleted; New text in **bold**)

Exhibit A: Project Plans, 3 sheets, dated December 12, 2011; sheets 1 & 2 prepared by Thatcher & Thompson Architect; sheet 3 prepared by Ken Foster, Terra Nova Ecological Landscaping.

- I. This permit authorizes a day worker/laborer center to occupy an existing building which is currently used as a single family dwelling. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - D. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval.
 2. The landscaping and site plans shall show the location of a 6 foot, solid wood

board fence located in the south side yard. The plans shall show the side yard waiting area (picnic tables, etc.) located behind the 6 foot fence. The plans shall also show all proposed and existing exterior lighting. Lighting shall be directed downwards to reduce impacts on neighboring residences.

3. Complete accessibility plans.
 - a. If separate parking lot areas are provided for employees and guests, then separate accessible parking shall be provided unless unreasonable hardship is established.
 4. Specifications to verify new work and change of occupancy (from an R-3 to a B) that comply with the 2010 CBC, CPC, CMC, CEC and 2008 CA Energy Standards, which are the codes currently enforced.
 5. Details showing compliance with fire department requirements.
- B. Submit a completed accessible hardship form to establish the costs of construction and the costs of providing access.
 - C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
 - D. Submit a complete list of the Center's policies. All policies shall be consistent with the approved program statements and conditions of approval.
 - E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - F. Provide required off-street parking for 10 vehicles. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan. Applicant shall submit a revised contract with the adjacent Veteran's Hall property which indicates that at least 9 parking spaces are available for the Day Worker Center's use during their business hours of 7:00 a.m. to 1:30 p.m., Tuesday through Sunday.

III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:

- A. All site improvements shown on the final approved Building Permit plans shall be installed.
- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately

cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- B. All day workers visiting the site shall not be permitted to loiter, wait for work, wait for pick-up, or solicit work **from the subject parcel on 7th Avenue**. All day workers visiting the site shall, when not conducting business within the office, wait within the building or within the designated side yard behind the fence. Loitering in the front yard of the **building parcel or on the premises outside of the designated waiting areas** ~~or on the public sidewalk~~ is not permitted.
- C. The Center may operate between the hours of 7:00 a.m. and 1:30 p.m., Tuesday through Sunday. All day workers must leave the premises at 1:30 p.m. The Center shall not permit lines or gatherings to form outside of the Center prior to 7:00 a.m.
- D. Center staff shall monitor the parking areas to ensure that parking is available for employer pick-up and workers vehicles. Parking is not permitted within the driveways or on 7th Avenue.
- E. The Center shall designate a disturbance coordinator to resolve potential neighborhood conflicts or concerns. The name and contact number of the disturbance coordinator shall be clearly posted at all times and will be supplied to the Planning Department. Any change in the contact person and/or contact number shall be reported to the Planning Department in writing. No additional signage is permitted beyond the disturbance coordinator sign and the signage approved on Exhibit A.
- F. For six months following the attainment of a final building permit, the Center shall track the following:
 - 1. Daily attendance of volunteers and workers.
 - 2. The number of workers matched with employment opportunities daily
 - 3. The workers methods of transportation to and from the site.
 - 4. The average wait time at the center prior to employment.
 - 5. Complaints and concerns submitted to the disturbance coordinator and actions taken to resolve the issues.

The required tracking information shall be submitted to the Planning Department at the end of the six month period and the permit conditions shall be scheduled for review by the Zoning Administrator at a public hearing. Staff shall include information from the Sheriff's Office regarding incidence at or in the vicinity of the Center involving day

worker clients.

- G. Supplementary classes provided at the Center shall only be for the participation of workers waiting for employment through the Center.
- H. It is the responsibility of the Center to continuously enforce all Center policies, as approved by the Planning Department.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
 - A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
 - C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
 - D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires three years from the effective date listed below unless a building permit is obtained for the first phase of the project consisting of one of the primary structures described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the

development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Please note: Six months from the date that a final building permit is obtained, the applicant shall submit all monitoring logs required by condition of approval IV.F to the Planning Department for review and Planning Department staff shall schedule the item for review by the Zoning Administrator at a public hearing. The Zoning Administrator shall review the monitoring logs and re-review the conditions of approval to determine if changes/additions are required.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Ken Hart
Principal Planner

Samantha Haschert
Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.



Staff Report to the Zoning Administrator

Application Number: **111195**

Applicant: David Foster, Community Action Board
Owner: Roman Catholic Bishop of Monterey CA
APN: 026-051-02 & 026-051-17

Agenda Date: March 2, 2012
Agenda Item #:
Time: After 10:00 a.m.

Project Description: Proposal to change the use within an existing building from a non-conforming residential use to a day worker center. Requires an Amendment to Permit 107-U.

Location: Property located on the west side of 7th Avenue, north of Rodriguez Street in Live Oak (2664 2261 7th Ave.). (Modified by ZA 3/2/12)

Supervisory District: 1st District (District Supervisor: Leopold)

Permits Required: Amendment to Permit 107-U

Technical Reviews: None

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 111195, based on the attached findings and conditions.

Exhibits

- | | |
|---|--|
| A. Project plans | F. Program Statement, Submitted by applicant |
| B. Findings | G. Parking Agreement with Vets Hall |
| C. Conditions | H. Comments & Correspondence |
| D. Categorical Exemption (CEQA determination) | I. Sample Bus Schedule |
| E. Assessor's, Location, Zoning and General Plan Maps | |

Parcel Information

Parcel Size:	1.45 acres/ 63,354 square feet (TOTAL)
	0.6 acres/ 27,425 square feet (026-051-17)
	0.8 acres/ 35,929 square feet (026-051-02)
Existing Land Use - Parcel:	Single family residence and a portion of the cemetery to the west.
Existing Land Use - Surrounding:	Public facilities (Santa Cruz County Animal Shelter,

Holy Cross Cemetery, Vets Hall, Green Acres
Elementary School), and single and multi-family
residences.
Project Access: 7th Avenue
Planning Area: Live Oak
Land Use Designation: P (Public Facility)
Zone District: PF (Public Facilities)
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Not mapped
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: Flat parcel
Env. Sen. Habitat: Not mapped; no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate, no changes to impervious surface
Archeology: Not mapped; no ground disturbance proposed

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: City of Santa Cruz
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Central Fire Service Area
Drainage District: Zone 5

History

The subject parcels are a part of the larger cemetery development on Assessor's Parcel Number 026-051-07. It is unclear when the cemetery was originally constructed; however, assessor's records indicate that it was likely in the 1930's or 1940's, prior to permitting requirements.

There is an existing single family dwelling and a second dwelling unit located on parcel 026-051-17 and there is an existing detached garage located on parcel 026-051-02.

In 1958, a use permit was obtained on parcel 026-051-17 to allow for the construction of a building for church services (107-U). Based on the plans associated with the approval, it appears that the permitted church building was never constructed. It also does not appear that the existing residence was constructed at that time; therefore, the permit indicates that the single family dwelling existed prior to 1958.

In 1971, use permit 3981-U was approved on parcel 026-051-17 and surrounding parcels to allow

for the construction of garden crypts and a mausoleum, an interment chapel, and office facilities. The plans associated with this permit show the subject residential building as an “existing house”.

While further permits have since been issued on the main cemetery property (026-051-07), additional permits have not been issued on the subject properties. The properties are zoned Public Facilities (PF); therefore, the existing single family dwelling and second unit are existing, non-conforming uses.

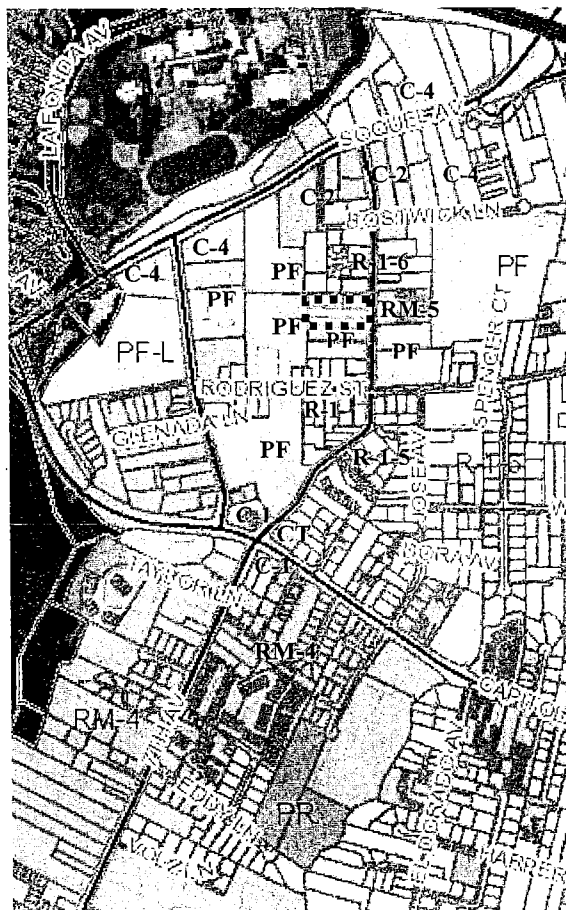
Project Setting

The parcels are located on the west side of 7th Avenue, approximately 915 feet south of Soquel Avenue in Live Oak. Seventh (7th) Avenue runs north-south, beginning at Soquel Avenue and ending at East Cliff Drive near Twin Lakes Beach.

Based on the zoning patterns, it appears that this portion of 7th Avenue, between Soquel Avenue and Capitola Road was intended to provide a transitional area between the Soquel Avenue commercial corridor and the denser residential portion of 7th Avenue, south of Capitola Road. As shown in the graphic below, parcels zoned for Public & Community Facilities are intermixed with residentially zoned parcels in this transitional area. Therefore, it is clear that this area was not intended to be strictly residential in nature.

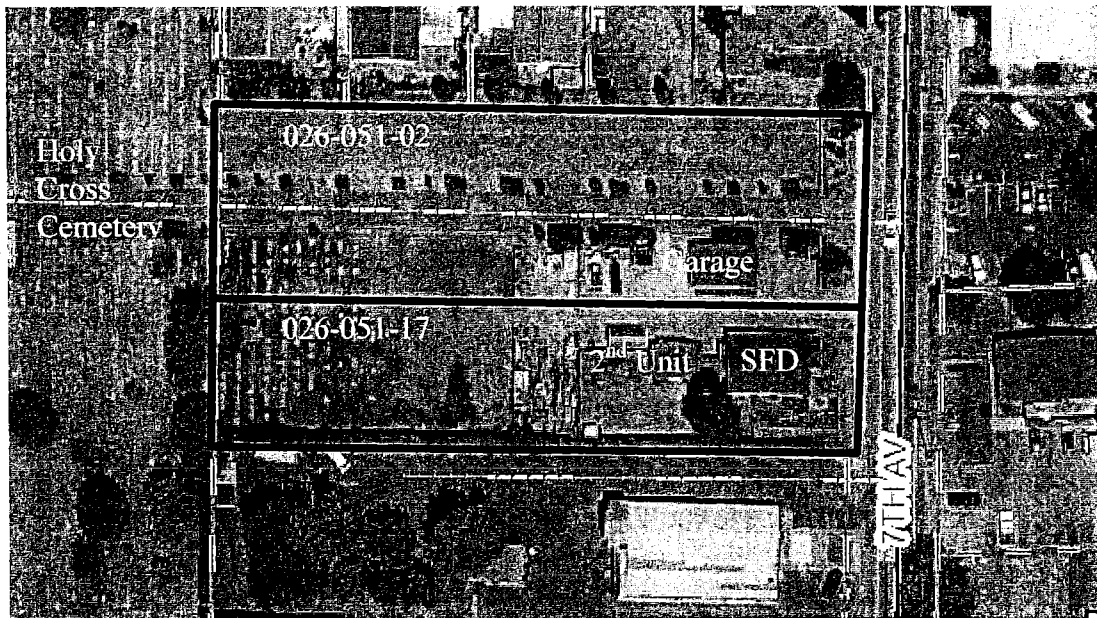
(*The subject parcel is identified by a dashed line)

- | | |
|-----|-------------------------------|
| C-1 | Neighborhood Commercial |
| C-2 | Community Commercial |
| C-4 | Commercial Services |
| CT | Tourist Commercial |
| PF | Public & Community Facilities |
| R-1 | Single Family Residential |
| RM | Multi Family Residential |



The westerly adjacent parcel is also zoned Public and Community Facilities (PF) and is developed with the Holy Cross Cemetery. The northerly adjacent parcels are zoned R-1-6 (Single Family Residential – 6,000 square foot minimum) and are developed with detached single family dwellings. The southern adjacent parcel is also zoned PF and is developed with the Veterans of Foreign Wars hall. Parcels located across 7th Avenue to the east are zoned PF and Multi Family Residential (RM-5) and are developed with a vacant office building, the Santa Cruz County Animal Shelter building and Casa La Familia, a senior living housing development. Further to the north and south of the subject parcels are parcels zoned Single Family Residential which are developed with single family dwellings.

Parcel 026-051-17 is currently developed with a single family dwelling and a second dwelling unit and parcel 026-051-02 is developed with a detached garage. The driveway to the cemetery is located on parcel 026-051-02 and a portion of the cemetery itself is located on both parcels as shown below:



The garage and second dwelling unit were constructed in conjunction with the cemetery and are not a part of the proposed project. The subject single family dwelling is a single story structure of approximately 1,000 square feet.

The site takes access from both 7th Avenue and from parcel number 026-051-02, by way of the cemetery driveway, although it should be noted that an easement has not been recorded over the adjacent parcel for access, as the properties remain under the same ownership.

As a part of the SPCA development, 7th Avenue was improved with curb, gutter, sidewalk, and a landscape strip.

Detailed Project Description

The Community Action Board is proposing to convert the existing Single Family Dwelling to a Day Laborer Center. The only structural improvements associated with the proposal are to

construct an accessible ramp at the front of the existing structure and to remodel the existing restroom to create an accessible restroom.

Currently, day laborers gather at different areas throughout the county and the city to solicit work individually. These areas include the parking lot of Home Depot on 41st Avenue and at the parking lot of ProBuild on River Street. Survey results provided by the Community Action Board (CAB) indicate that day laborers are often not paid the agreed upon amount at the end of the workday, not returned to the place of pick-up, not provided the use of a restroom, and injured on the job without medical treatment.

The proposal is to create a center run by the Community Action Board, where day laborers would be matched with employers based on their skills and abilities. The center would provide a system for the oversight and regulation of jobs and employers for day laborers where one does not currently exist in the county and would ensure that the workers are no longer exploited.

Operations

The day laborer center would operate between the hours of 7:00 a.m. and 1:30 p.m., Tuesday through Sunday; therefore, operation of the center would not conflict with peak evening traffic and would be closed during the after-school student pedestrian commute.

The proposed operations of the center would be regulated by policies enumerated in the applicant's Program Statement (Exhibit F) and the recommended operational conditions of approval. Day laborers would visit the center on a drop-in basis to sign up for work any time between the hours of 7:00 a.m. and 1:30 p.m. The laborers would enter the building and sign up for work at the front desk, indicating any specific abilities or skills. Research provided by the CAB indicates that it is unlikely that more than 30 laborers will be matched with employers in a given day. Additionally, center policies will ensure that the maximum building occupancy of 49 persons is not exceeded.

Laborers would be permitted to wait for work within the center's waiting area or within the side yard of the building which will be blocked from public view with vegetation and a 6 foot tall solid wood fence. Center policies will not permit workers to wait for work outside the center or to solicit work from 7th Avenue. Further, the CAB indicates that the Center will enforce the policy that all day workers must leave the premises at 1:30.

Job matching will take place primarily over the phone. Employers will complete the hiring process by phone and the employees will be responsible to transport themselves to the job site. Only on certain occasions where a job site is not easily accessible, will an employer come to the site to pick up workers. Santa Cruz Metro maintains the bus stops at both 7th Avenue & Capitola Road and 7th Avenue & Soquel Avenue and most of their major bus routes between Watsonville, Live Oak, and the downtown metro stations utilize these stops, which allows for convenient service to the project site. Workers will likely be able to utilize the public transportation system as the primary means of transportation to and from the site and to surrounding employer's sites.

Signage

The proposal includes a 6 foot tall freestanding sign of 13.5 square feet. The front width of the existing building is about 27 feet; therefore, the proposed sign complies with County Code section 13.10.581 for signage in the PF zone district which allows for ½ square foot of signage per foot of building width.

Parking

Studies and research of existing day laborer facilities outside of the county, provided by the CAB, indicate that few, if any, day laborers would drive to the center. The majority of the day laborers in other counties utilize public transportation and/or ride bicycles to and from the centers.

The parking demand analysis submitted by the CAB indicates that a minimum of three parking spaces are required for employers and that one parking space should be designated for each staff person and volunteer. Additionally, the program statement indicates that one staff person and up to three volunteers may be on site at any one time. The proposal includes the use of five parking spaces at the adjacent Vets Hall property as well as one on-site parking space. Although the applicant has estimated that six parking spaces are sufficient to serve the center, the staff recommendation is for the applicant to obtain the use of four additional parking spaces at the adjacent Vets Hall property. The additional spaces will allow for the following parking breakdown:

1 FT Employee- 1 space
Volunteers- 3 spaces
Employers- 3 spaces
Workers/Day Laborers- 2 spaces

The additional spaces are recommended by staff because it is likely that as the center is starting up, workers may not be aware of policies that encourage the use of alternative transportation, employers may not be aware that they do not need to visit the center to hire workers, and there may be additional volunteers on-site to assist with the center's operations.

Traffic

For the purpose of evaluating traffic impacts on the surrounding road network, the Department of Public Works Road Engineering section has reviewed the proposed project and has determined that the use falls under the ITE's "institutional" use category. This land use is expected to generate 5 trips per 1000 square feet of building area; therefore given that the existing building is 1,008 square feet, it is estimated that the use will generate a minimal 5 trips per day. No traffic impacts are expected on the surrounding road network as a result of the proposed use.

Monitoring Logs

The CAB indicates that the center staff person and any associated volunteers on-site will be responsible for enforcing the center's policies; however, given the level of neighborhood concern regarding the enforcement of the policies proposed, conditions of approval require that the Center track operations for 6 months following the opening of the facility by way of monitoring

logs. The logs shall be submitted to the Planning Department for review to ensure condition compliance. If it is evident that the center is not operating in compliance with the conditions of this permit, the matter will be forwarded to the County Code Compliance Division for further follow-up.

Zoning & General Plan Consistency

The subject proposal would be located on two parcels totaling approximately 1.45 acres, located in the Public Facilities (PF) zone district, a designation which allows for community centers. The proposed day worker center is a permitted use within the zone district and the zoning is consistent with the site's Public Facility (P) General Plan designation. Further, the existing single family dwelling is an existing non-conforming use; therefore the proposed change of use resolves the non-conformity. The building is not non-conforming in that it meets all of the current site standards for the PF zone district, as shown in the table below:

	Required as per County Code Chapter 13.10.363	Proposed
Front Yard	10' 20' if across from Residential zoned parcel	35' (Structure located across from PF zoned parcel)
Side Yard	10'	25' (from south property line of APN 026-051-17 and from south property line of APN 026-051-02)
Rear Yard	10'	>10'
Height	35'	16'

Design Review

The proposed day worker center complies with the requirements of the County Design Review Ordinance, in that with the exception of an accessible ramp, no structural or exterior changes to the existing building are proposed. The proposal includes new landscaping at the site frontage and within the side yard, a new decomposed granite pathway from the public sidewalk, a new three foot maximum height picket fence and gate, and a 6 foot fence in the side yard. No additional impervious surface will be added to the site as a result of the project.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings related to the above discussion.

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **111195**, based on the attached findings and

conditions.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: Samantha Haschert
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3214
E-mail: samantha.haschert@co.santa-cruz.ca.us

**DAY LABOR WORKER CENTER
COMMUNITY ACTION BOARD OF SANTA CRUZ COUNTY**

PROJECT LOCATION
2261 7th Avenue
Santa Cruz, CA 95062
APN: 026-051-17

PROJECT DESCRIPTION
This project proposes to convert an existing one story house into an office for the Day Labor Worker Center and to make improvements to the site in the area between the building and 7th Avenue. Site improvements include realignment of an existing fence, a ramp to provide an accessible entrance, and enhanced landscape planting. The existing structure will be converted into an office space for the Day Labor Worker Center. The proposed improvements made to the building to provide accessible restroom facilities. Parking will be provided, by agreement, in the existing adjacent VFW parking lot.

PREVIOUS PERMITS

This project will be an amendment to CDP 107-U

PROJECT DATA
Building Code: 2010 California Building Code
Occupancy: B
Construction Type: V-B
Building Area: 1,008 sf
Occupant load: 18 (Table 1004.1.1)
Elevators required: 1 (Table 1015.1)
Parking required: 5 (one space per 200 sf)

EXHIBIT A
PERMIT NO. 10095

VICINITY MAP

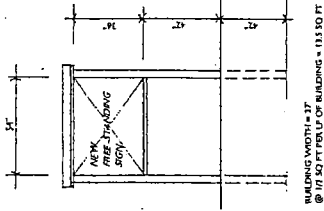


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OF SANTA CRUZ COUNTY**
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APN: 026-051-17

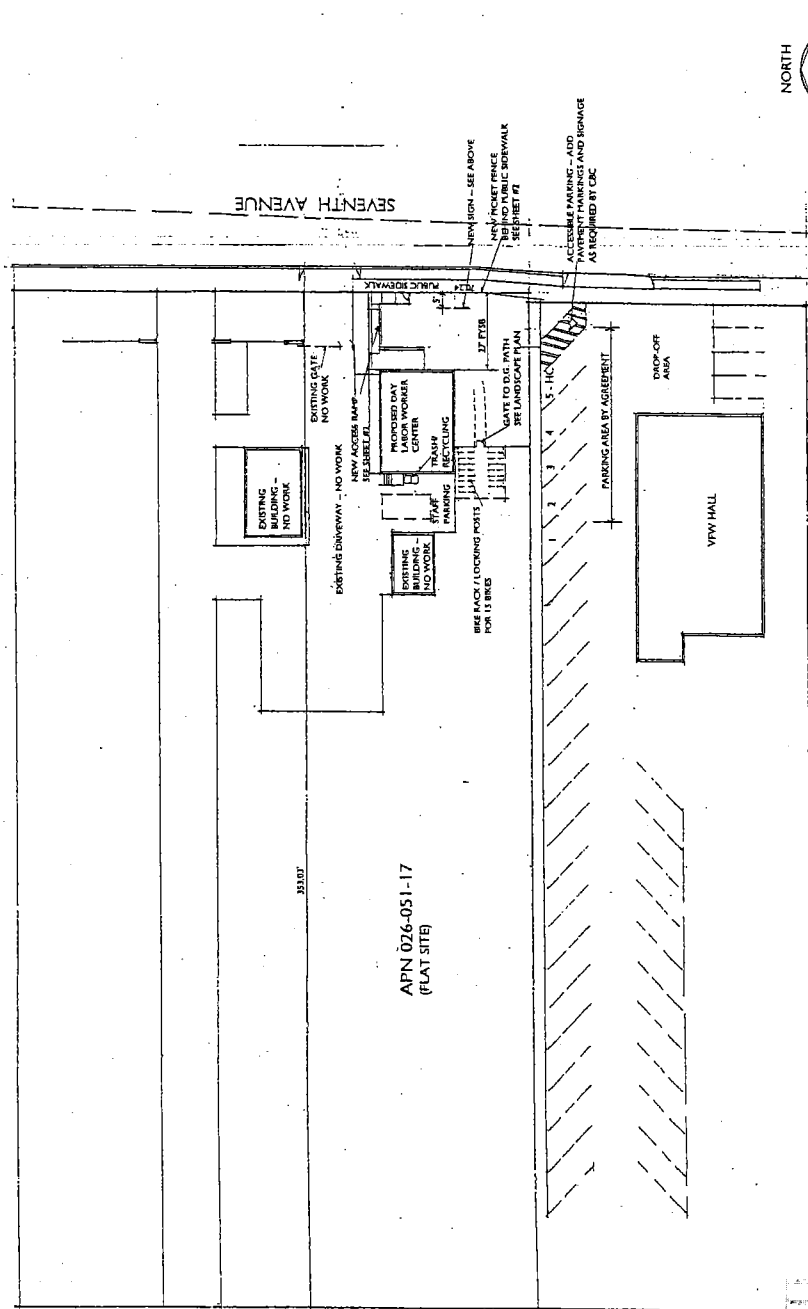
THACHER & THOMPSON ARCHITECT
877 Cedar Street, Suite 248
Santa Cruz, CA 95060

SHEET 1

9-28-11
12-12-11



BUILDING WORK - 37'
@ 1/16" = 1' SCALE OF BUILDING = 1/16" = 1' FT



APN 026-051-17
(PLAT SITE)

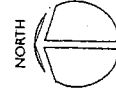
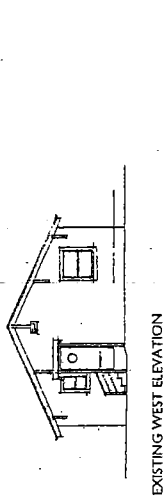
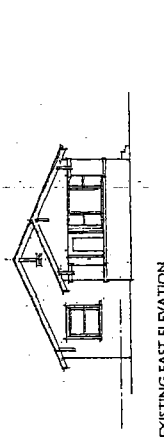


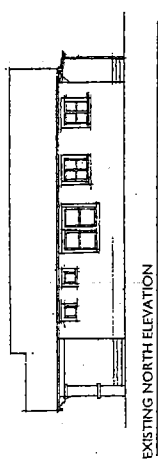
EXHIBIT C
SITE PLAN
EXHIBIT A



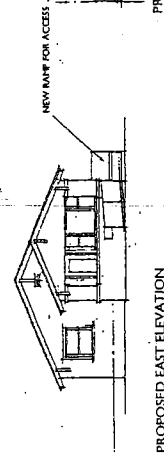
EXISTING EAST ELEVATION



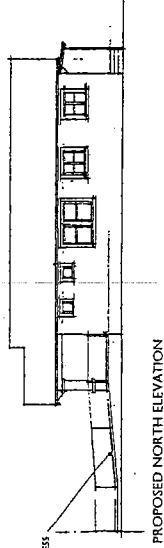
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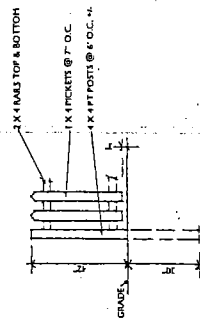
EXISTING NORTH ELEVATION



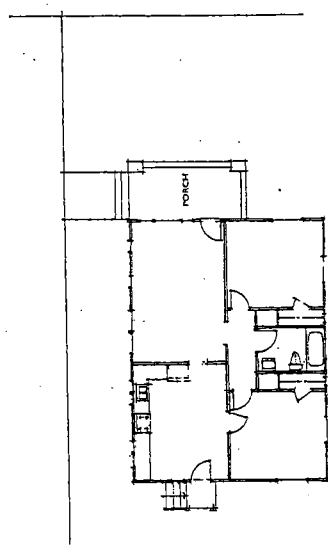
PROPOSED EAST ELEVATION



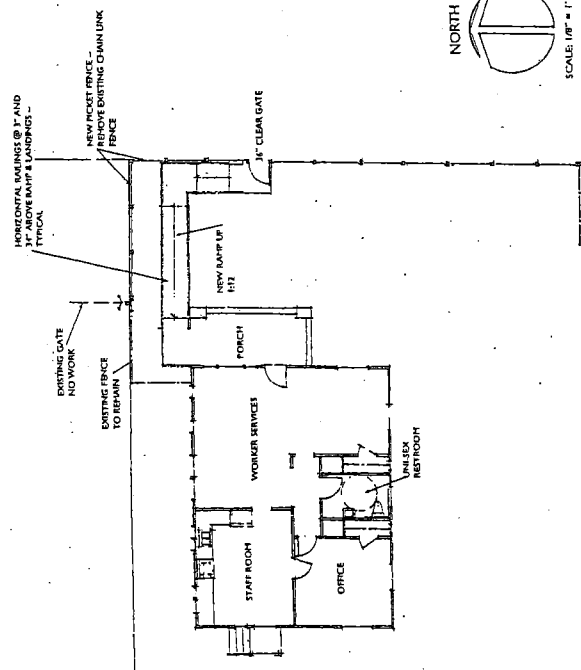
PROPOSED NORTH ELEVATION



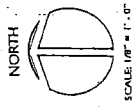
PAINTED PICKET FENCE
BEHIND SIDEWALK AND DRIVEWAY



EXISTING FLOOR PLAN



PROPOSED FLOOR PLAN



DAY LABOR WORKER CENTER
COMMUNITY ACTION BOARD
OF SANTA CRUZ COUNTY
2261 7th Avenue, Santa Cruz, CA 95062
APN: 026-051-17

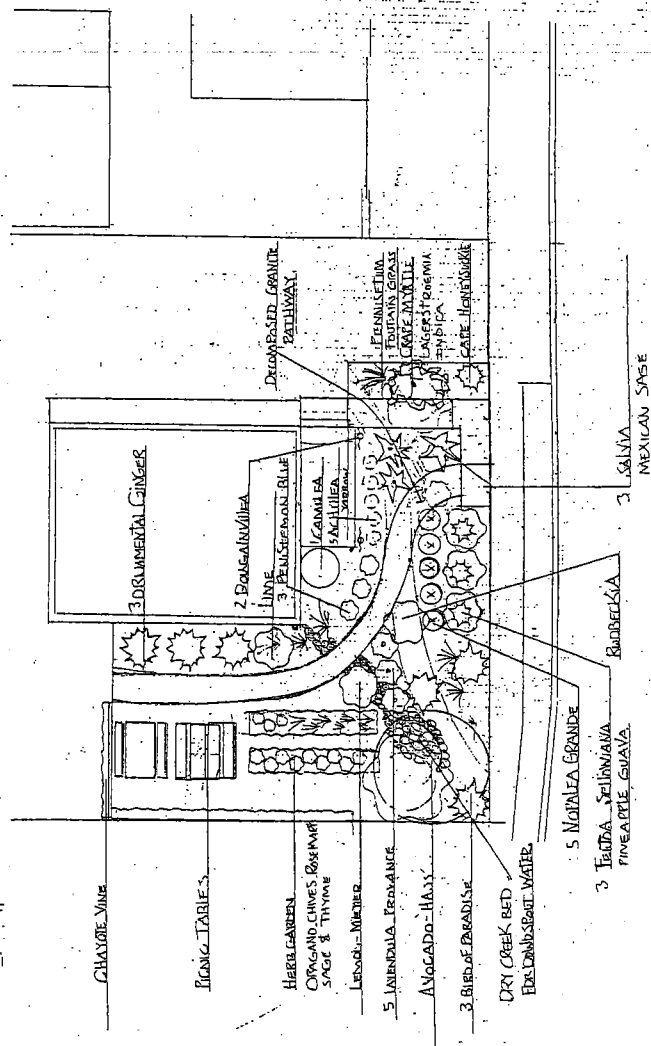
THACHER & THOMPSON ARCHITECT
877 Cedar Street, Suite 248
Santa Cruz, CA 95060

9-28-11
12-12-11

SHEET 2

SANTA CRUZ DAY LABOR CENTER
 BY KEN FOSTER
 TERRA NON ECOLOGICAL LANDSCAPING

3
 27' 11"



Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for community uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed day worker center will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the existing structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood and no new square footage is proposed. The day worker center will not be detrimental to the safety or welfare of persons residing or working in the neighborhood or the general public in that policies will ensure that workers will not stand or gather at the front of the site to loiter, solicit work from 7th Avenue, or wait for employers and that day workers will be at the site from 7:00 a.m. to 1:30 p.m. only. (Added by ZA 3/2/12)

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the day worker center and the conditions under which it will be operated and maintained will be consistent with all pertinent County ordinances and the purpose of the Public Facilities (PF) zone district, as the primary use of the property will be a day worker center that meets all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed day worker center use is consistent with the use and location requirements specified for the Public Facility (P) land use designation in the County General Plan.

The proposed day worker center will be located within an existing structure that is currently being used as a non-conforming single family dwelling. The change of use to a day worker center will resolve the existing non-conformity and will provide a use consistent with the purposes and goals of the P land use designation in the County General Plan.

Further, the subject parcels are located in an urban area that is not subject to infrastructure constraints as street improvements were completed as a part of the construction of the SPCA building and there are no scenic, natural, or agricultural resource protection constraints. The proposed use will be located on a PF zoned parcel in a neighborhood with other P designated parcels and with parcels designated as Urban Medium Residential which is consistent with

general plan policy 2.21.1.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed day worker center is to be located on a parcel currently developed with an existing structure that has been historically used as a non-conforming single family dwelling. Studies of other day worker centers (provided by the applicant) indicate that few day workers drive to the center and that most utilize alternative transportation. The center will provide services to employers by phone and pick-ups at the center would occur infrequently. Additionally, the center will only operate between the hours of 7:00 a.m. and 1:30 p.m. and will therefore not conflict with peak evening traffic patterns. The Department of Public Works Road Engineering section identifies the use as an institutional use that generates 5 trips per day which is too minimal to create impacts on the surrounding road network. Therefore, the level of traffic generated by the proposed project is not anticipated to adversely impact existing roads and intersections in the surrounding area which are not currently congested.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed day worker center is consistent with the land use intensity and density of the neighborhood. Exterior landscape and site improvements will upgrade the existing property as viewed from the public way and from surrounding residences.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the existing structure is of an appropriate scale and type of design that blends in with the aesthetic qualities of the surrounding community buildings and residences and does not reduce or visually impact available open space in the surrounding area. No new square footage is proposed as a part of the project; however, the project will incorporate landscaping and new fencing to upgrade the exterior of the site.

Conditions of Approval

Exhibit A: Project Plans, 3 sheets, dated December 12, 2011; sheets 1 & 2 prepared by Thatcher & Thompson Architect; sheet 3 prepared by Ken Foster, Terra Nova Ecological Landscaping.

- I. This permit authorizes a day worker/laborer center to occupy an existing building which is currently used as a single family dwelling. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - D. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review

and approval.

2. The landscaping and site plans shall show the location of a 6 foot, solid wood board fence located in the south side yard. The plans shall show the side yard waiting area (picnic tables, etc.) located behind the 6 foot fence. *The plans shall also show all proposed and existing exterior lighting. Lighting shall be directed downwards to reduce impacts on neighboring residences. (Added by ZA 3/2/12)*
 3. Complete accessibility plans.
 - a. If separate parking lot areas are provided for employees and guests, then separate accessible parking shall be provided unless unreasonable hardship is established.
 4. Specifications to verify new work and change of occupancy (from an R-3 to a B) that comply with the 2010 CBC, CPC, CMC, CEC and 2008 CA Energy Standards, which are the codes currently enforced.
 5. Details showing compliance with fire department requirements.
- B. Submit a completed accessible hardship form to establish the costs of construction and the costs of providing access.
 - C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
 - D. Submit a complete list of the Center's policies. All policies shall be consistent with the approved program statements and conditions of approval.
 - E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - F. Provide required off-street parking for 10 vehicles. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of-way. Parking must be clearly designated on the plot plan. Applicant shall submit a revised contract with the adjacent Veteran's Hall property which indicates that at least 9 parking spaces are available for the Day Worker Center's use during their business hours of 7:00 a.m. to 1:30 p.m., *Tuesday through Sunday. (Added by ZA 3/2/12)*
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be

installed.

- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- B. All day workers visiting the site shall not be permitted to loiter, wait for work, wait for pick-up, or solicit work on 7th Avenue. All day workers visiting the site shall, when not conducting business within the office, wait within the building or within the designated side yard behind the fence. Loitering in the front yard of the building or on the public sidewalk is not permitted.
- C. The Center may operate between the hours of 7:00 a.m. and 1:30 p.m., Tuesday through Sunday. All day workers must leave the premises at 1:30 p.m. The Center shall not permit lines or gatherings to form outside of the Center prior to 7:00 a.m.
- D. Center staff shall monitor the parking areas to ensure that parking is available for employer pick-up and workers vehicles. Parking is not permitted within the driveways or on 7th Avenue.
- E. The Center shall designate a disturbance coordinator to resolve potential neighborhood conflicts or concerns. The name and contact number of the disturbance coordinator shall be clearly posted at all times *and will be supplied to the Planning Department. Any change in the constact person and/or contact number shall be reported to the Planning Department in writing.* No additional signage is permitted beyond the disturbance coordinator sign and the signage approved on Exhibit A. *(Modified by ZA 3/2/12)*
- F. For six months following the attainment of a final building permit, the Center shall track the following:

1. Daily attendance of volunteers and workers.
2. The number of workers matched with employment opportunities daily
3. The workers methods of transportation to and from the site.
4. The average wait time at the center prior to employment.
5. Complaints and concerns submitted to the disturbance coordinator and actions taken to resolve the issues.

The required tracking information shall be submitted to the Planning Department at the end of the six month period and the permit conditions shall be scheduled for review by the Zoning Administrator at a public hearing. Staff shall include information from the Sheriff's Office regarding incidence at or in the vicinity of the Center involving day worker clients. (Added by ZA 3/2/12)

- G. Supplementary classes provided at the Center shall only be for the participation of workers waiting for employment through the Center.
- H. It is the responsibility of the Center to continuously enforce all Center policies, as approved by the Planning Department.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the

interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

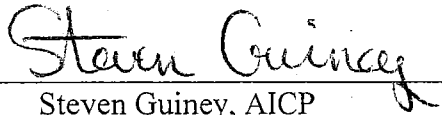
Please note: This permit expires three years from the effective date listed below unless a building permit is obtained for the first phase of the project consisting of one of the primary structures described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

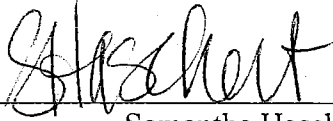
Please note: Six months from the date that a final building permit is obtained, the applicant shall submit all monitoring logs required by condition of approval IV.F to the Planning Department for review and Planning Department staff shall schedule the item for review by the Zoning Administrator at a public hearing. The Zoning Administrator shall review the monitoring logs and re-review the conditions of approval to determine if changes/additions are required. ~~At that time, the operation shall be reviewed by staff to ensure compliance with conditions of approval and to ensure that the Center's policies are being enforced.~~
(Modified by ZA 3/2/12)

Approval Date: March 2, 2012

Effective Date: March 16, 2012

Expiration Date: March 16, 2015


Steven Guiney, AICP
Deputy Zoning Administrator


Samantha Haschert
Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 111195

Assessor Parcel Number: 026-051-17 & 026-051-12

Project Location: 2261 7th Avenue, Santa Cruz

Project Description: Proposal to change the use of an existing building from a non-conforming residential use to a day worker center.

Person or Agency Proposing Project: David Foster, Community Action Board

Contact Phone Number: (831) 212-3554

- A. _____ The proposed activity is not a project under CEQA Guidelines Section 15378.
- B. _____ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- C. _____ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
- D. _____ Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. X Categorical Exemption

Specify type: Class 1 - Existing Facilities (Section 15301)

F. **Reasons why the project is exempt:**

Change the use within an existing building with limited site improvements.

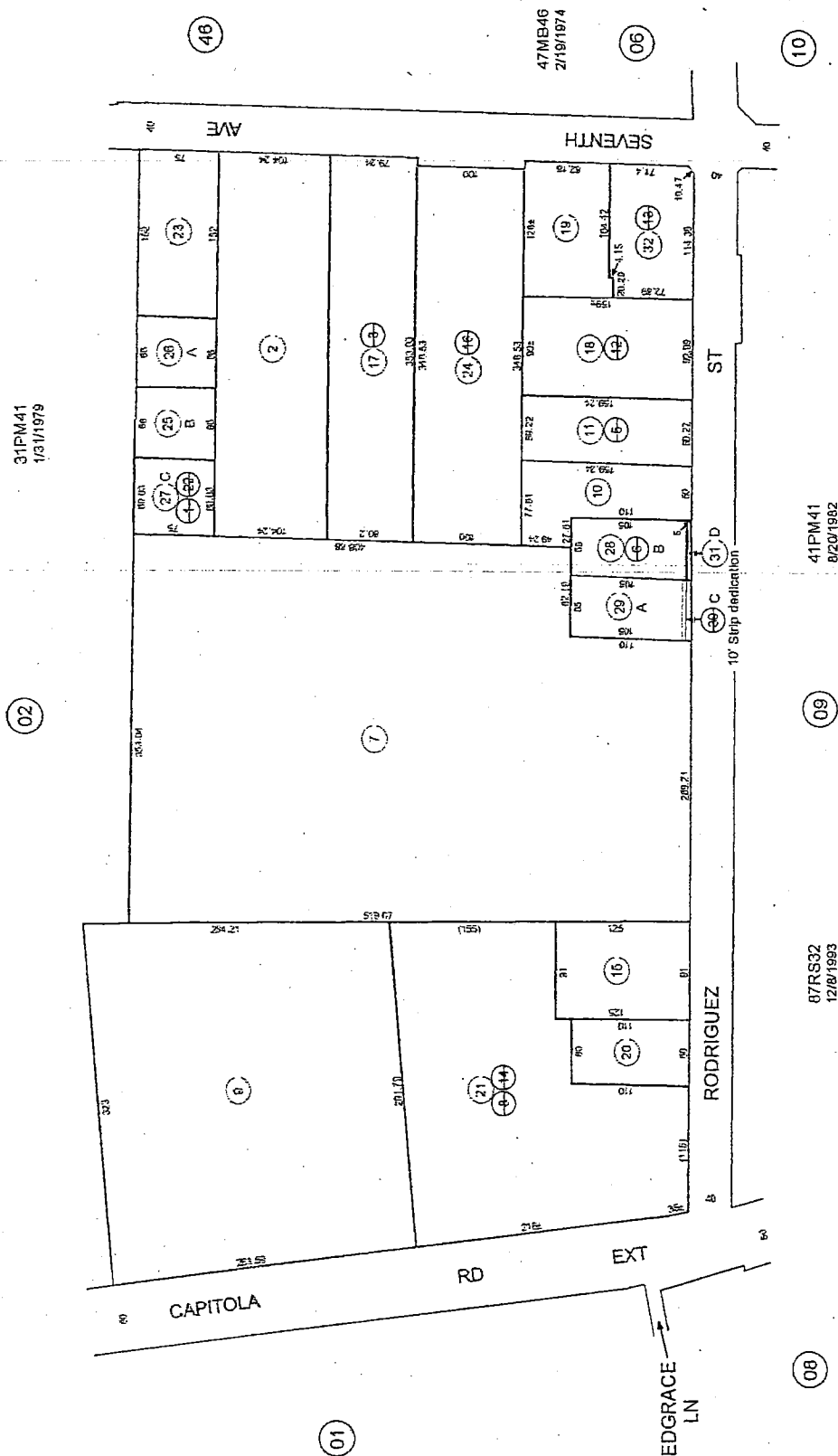
In addition, none of the conditions described in Section 15300.2 apply to this project.

Samantha Haschert, Project Planner

Date: _____

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Tax Area Code
82-040

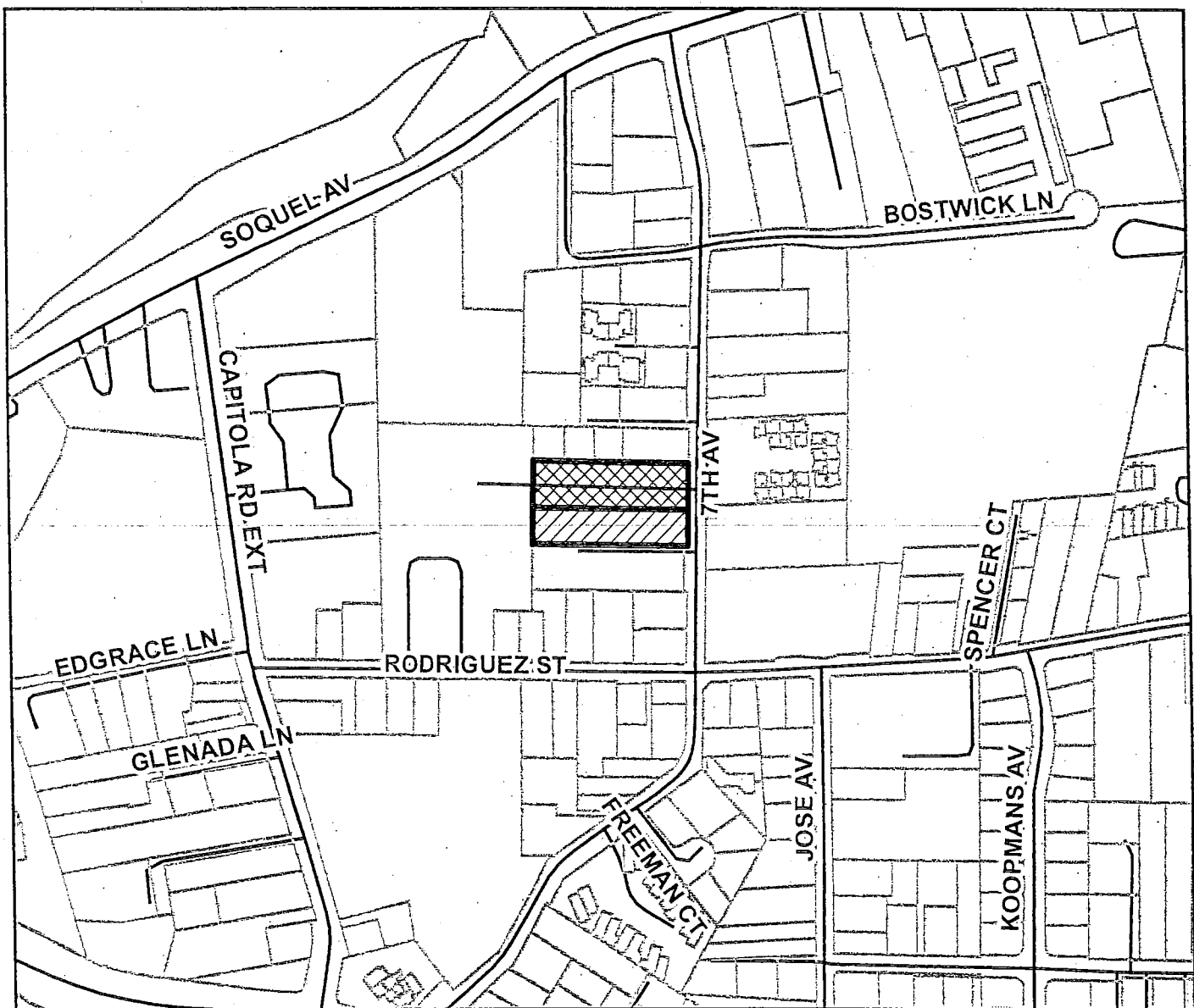


Assessor's Map No. 26-05
County of Santa Cruz, Calif.
July, 1998





Note - Assessor's Parcel & Block Numbers Shown in Circles.



Location Map



LEGEND

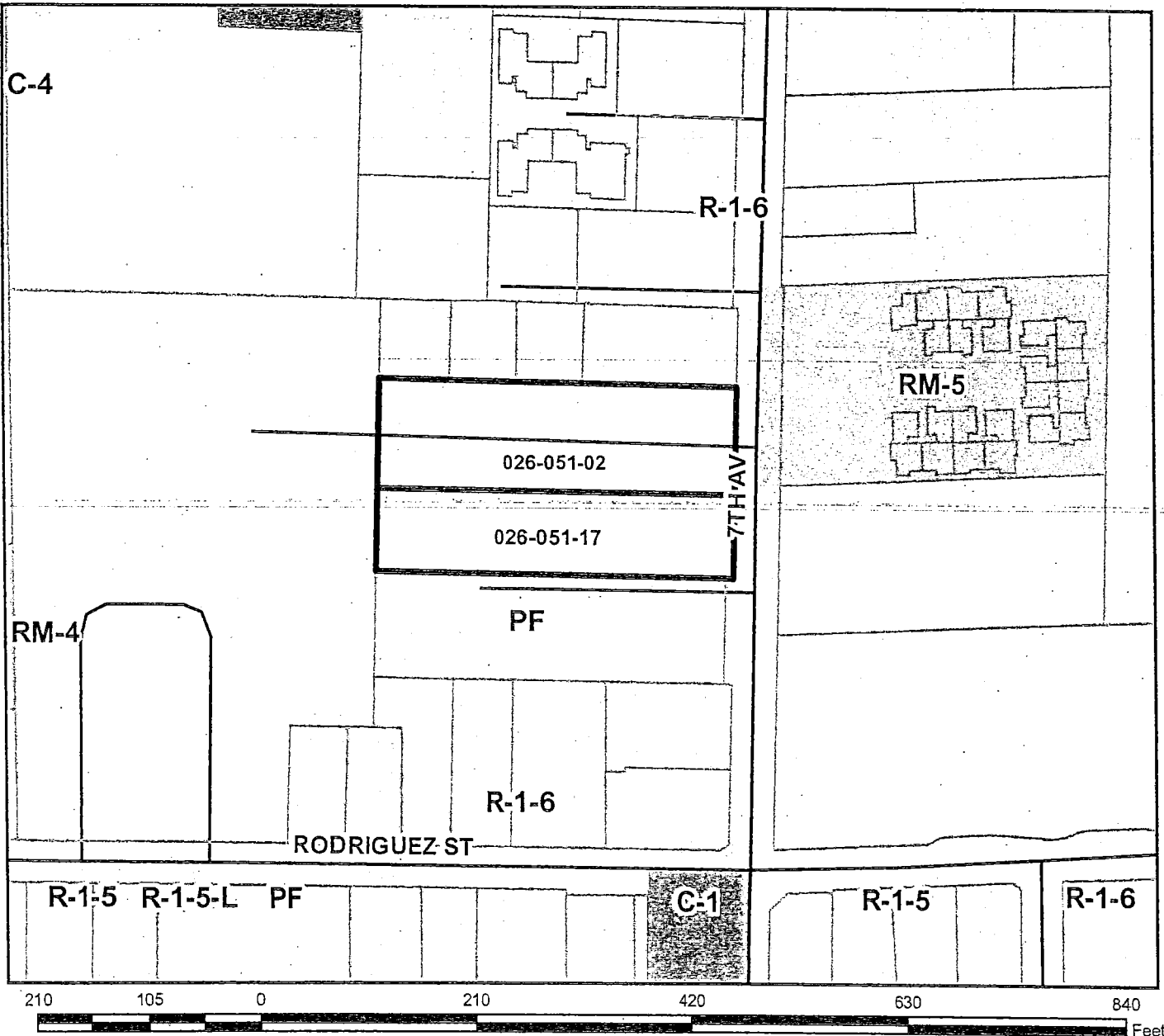
-  APN: 026-051-17
-  APN: 026-051-02
-  Assessors Parcels
-  Streets



Map Created by
County of Santa Cruz
Planning Department
February 2012

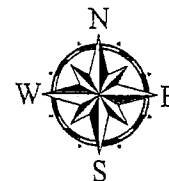


Zoning Map



LEGEND

- APN: 026-051-17
- APN: 026-051-02
- Assessors Parcels
- Streets
- PUBLIC FACILITY
- RESIDENTIAL-SINGLE FAMILY
- RESIDENTIAL-MULTI FAMILY
- COMMERCIAL-SERVICE
- COMMERCIAL-NEIGHBORHOOD
- COMMERCIAL-COMMUNITY



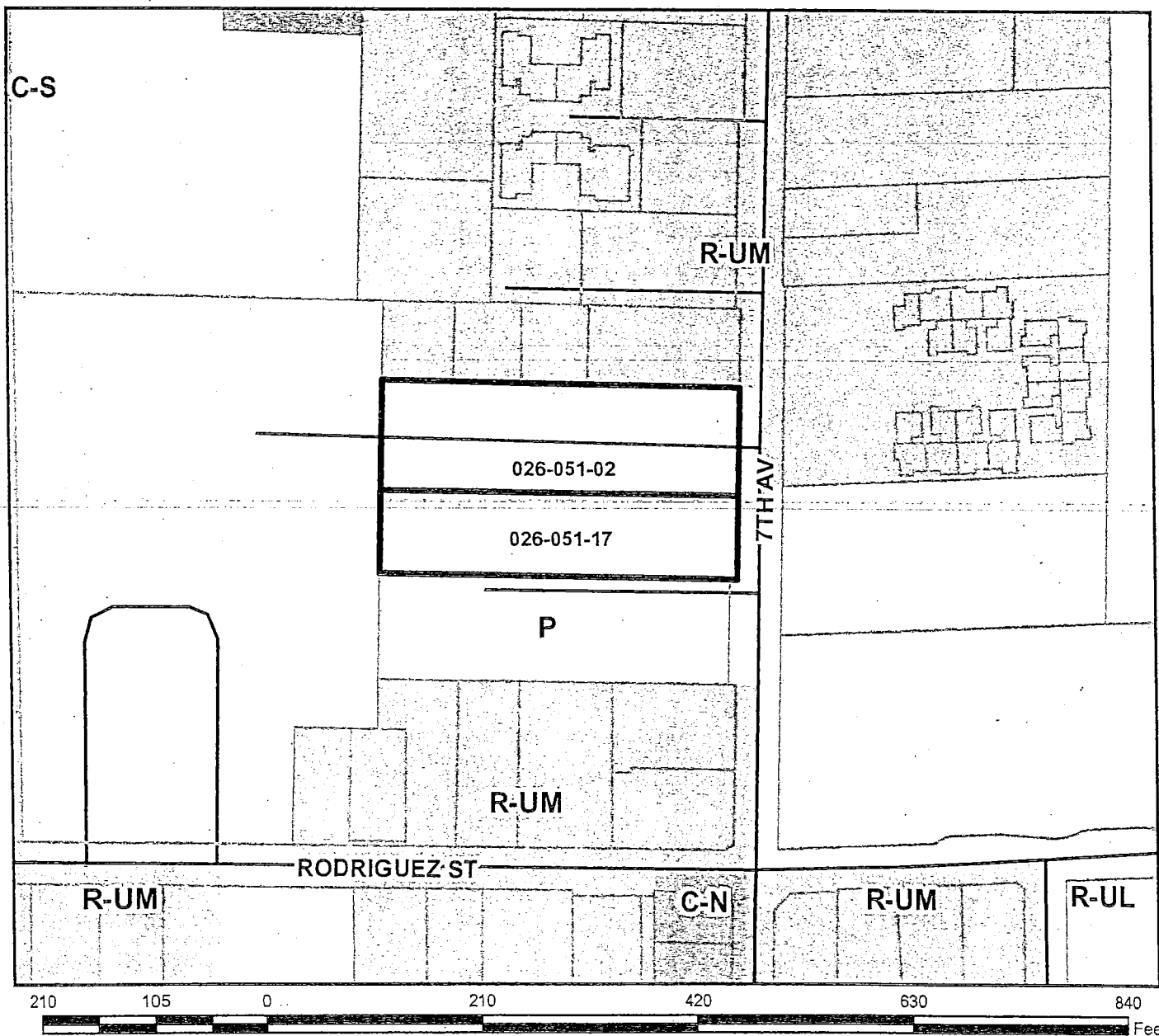
Map Created by
County of Santa Cruz
Planning Department
February 2012

EXHIBIT C

EXHIBIT E

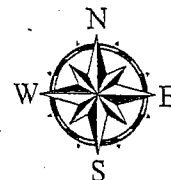


General Plan Designation Map



LEGEND

- APN: 026-051-17
- APN: 026-051-02
- Assessors Parcels
- Streets
- Public Facilities
- Residential - Urban Low Density
- Residential - Urban Medium Density
- Commercial-Service
- Commercial-Neighborhood
- Commercial-Community



Map Created by
County of Santa Cruz
Planning Department
February 2012

Day Worker Center of Santa Cruz County
A Program of the Community Action Board of Santa Cruz County
(831) 763-2147

Friendly Neighbor Policy

The Day Worker Center is committed to establishing and maintaining mutually beneficial relationships with our neighbors on 7th Avenue and the surrounding Live Oak area. We strive to accomplish this goal by engaging in one-to-one and neighborhood-wide activities. Day workers and staff wish to work collaboratively with our neighbors to maintain clean and tidy streets and a safe environment for pedestrians, bikers and drivers at all times.

- Neighbors are always welcome to stop by the Center and if necessary make an appointment to meet with the Director of the Center.
- The front porch light and the front yard light will both be left on during non-day light hours.
- Signage will direct visitors to the Center entrance and define hours/days of operation.
- The front and side yard areas of the Center will be well-maintained.
- The Center will distribute a bi-annual newsletter to neighbors within 500 feet of the Center; it will be available to any person who requests a copy.
- The Center will sponsor neighborhood meetings twice yearly to offer opportunities to share related news and updates and to promote friendly interaction among Center affiliates and our neighbors.
- The Center will coordinate a yearly neighborhood clean-up party.
- Suggestions, ideas and concerns are always welcomed and should be directed to the Director of the Day Worker Center, Mireya Gomez-Contreras.
- The Center Director is accessible by phone or by appointment during regular business hours, 7am to 1:30pm, Tuesday through Sunday. The Center phone number is TBD. Neighbors are welcome to call the Center Director if there's an emergency (cell phone number 831-588-2994).



Day Worker Center of Santa Cruz County

A Program of the Community Action Board of Santa Cruz County

Program Statement

Issue Statement and Overview

Local homeowners and renters, as well as construction, agricultural and landscaping businesses, have increasingly become reliant on Santa Cruz County's 200 to 400 day laborers for on-demand and project-based, lower cost skilled and unskilled work. Most of those who have utilized the existing "system" for hiring day laborers would agree that it is chaotic and fraught with problems for themselves and workers alike.

In response to these concerns, representatives from a diversity of sectors have been discussing, over the last several years, how best to reform the current day labor hiring "system" (a more detailed history of that group is provided below). That group's conclusion is that, similar to other communities around the country, the varied needs of employers, day laborers as well as merchants and neighbors of existing informal sites would most effectively be addressed through the organized operation of a Day Worker Center. From this beginning, a committee studied the areas where most utilization of day laborers occurs and the sites with Public Facility zoning. After researching a wide range of sites, the Community Action Board of Santa Cruz County, Inc. (CAB), the umbrella organization for this effort, secured a lease to locate the Center on 7th Avenue between Jose Avenue and Soquel Avenue in the County of Santa Cruz. This Program Statement accompanies a land use permit application to allow the Day Worker Center to proceed with locating at this site.

This Program Statement is intended to educate and inform planners, decision-makers and the general public on the day laborer issue, history of this proposal, and the proposed operations of the Center. In order to accomplish this, the following information is provided:

- A brief overview of the workers (Who Are the Day Workers?)
- A Project History including Day Worker Involvement
- A description of the proposed Center site and Occupancy Load
- A description of the Center's Operational Plan and,
- A description of the Center's Parking and Transportation Plan

Who are the Day Workers?

Day Workers are mostly men from Spanish speaking countries who have diverse work skills and depend on the informal economy to provide for themselves and their families. A formal survey of seventy-eight day workers was conducted in November 2007 at two current informal day worker gathering sites located in mid-county (41st Avenue) and north county (River Street in Santa Cruz). The survey revealed that:

- Day labor is the sole source of income for 42% of the workers; another 37% supplement their regular work with day labor; and, 20% perform day labor on the weekends only.
- All of the day laborers interviewed are immigrants and all are native Spanish speakers with less than half (43%) speaking enough English to communicate with their temporary employers.
- 77% of the day laborers have family in the United States and 74% view the U.S. as their permanent home. 55% have been in the U.S. for more than three years and 18% have lived here from 6 to 30 years.
- The day laborers reported being hired to perform landscaping/gardening work (69%)

followed by painting (47%), cement/foundation (37%), carpentry (29%), roofing (14%), plumbing/electrical (16%) and hotel/restaurant work (12%).

Workers who perform day labor are vulnerable to exploitation and abuse with little or no recourse. For example the worker survey revealed:

- 33% of the day workers reported instances where they were not paid the agreed upon amount and 5% reported sometimes not being paid at all.
- 7% of the workers reported not being provided use of a toilet/bathroom.
- 16% reported hardly ever or never being given time for a break or lunch.
- Up to 33% of the time they reported that employers did not return them to the pick-up spot.
- While only 6% of the workers reported having their own tools, 40% of employers did not provide the workers with tools to perform the work for which they were hired.
- 13% of the workers reported being injured on the job. Of these 10 workers, the employer took 4 of the workers for medical treatment, 2 workers were laid off, and 2 workers didn't report the injuries or seek treatment.

Project History

In May 2007, a seventy-person community meeting was convened as a part of a Leadership Santa Cruz County project to explore the current conditions, community impacts and alternatives available for the 200-400 day laborers seeking work on Santa Cruz County public streets. Present at that meeting were day laborers, representatives from law enforcement, local government, the faith community, organized labor, businesses, education, community health and human service organizations, and others.

From this meeting a volunteer group—composed of the same broad-based community representatives—began meeting monthly to continue to investigate the feasibility of creating a day worker center. This group became the Day Worker Advisory Council.

In 2008, the Community Action Board (CAB) was approached by the Advisory Council to become the fiscal sponsor for the project. CAB agreed to take on this role. CAB and the Advisory Council completed the day worker survey and an, in 2009, an in-depth Feasibility Study of criteria and potential for operating a Center. In addition to site, program, and leadership development, this study also included fund development. The cities of Santa Cruz, Watsonville and Capitola helped fund the initial feasibility study for the Center but, given the current financial times, the availability of local government funding for the on-going operation of the Center was expected to be limited. The Community Action Board and the Center's Advisory Council identified and secured diversified funding support for the program almost exclusively from private foundations and individual donors. The first two years of start-up and operating revenue are secured. (Long term fundraising is an integral part of the Advisory Council's planning and operations). Operationally, research included visiting successful day worker centers around the Bay Area to learn about their models and "best practices" as well as securing technical assistance from the National Day Labor Organizing Network (NDLON), academic studies, and reports from funders of such programs.

From such assessments, the Advisory Council concluded that a Day Worker Center is critically needed in the County; that operating such a program would be achievable; and, that a modest program will offer positive results for workers, employers and local businesses. Beginning in the Spring, 2011 the Advisory Council presented its research and recommendation to the CAB's Board of Directors for their review. On June 15, 2011 the CAB Board voted unanimously to accept the report from the Advisory Council and to incorporate the Day Worker Center as a component program.

Day Worker Involvement

The Day Worker Committee was formed in September of 2009 and elected its governing body in January of 2011. The Day Worker (governing body) Committee includes 8 members who attend weekly meetings. Committee members are involved in outreach and fundraising activities and have also been involved in the planning process for the Center. The Day Worker Committee held a day-long planning retreat for all its members (30 in attendance) in January, 2011 at which time a mission statement was established, officers were elected, and a timeline created for the organizing work of the body. Following this, field trips were taken to visit other day worker centers and a series of trainings on various topics were presented. The structure of the Center will follow other models that are democratically run with worker involvement at all levels of decision making and operational processes. Volunteer hours of assistance from the workers will be key to the cleaning, maintenance, oversight, and operations of the Center.

The Project Site

Searching for the appropriate site for the Center has also been a major task. The Advisory Council investigated over 8 different sites in both the unincorporated County and in the City of Santa Cruz. The site needed to be near highway access for employers and near bus lines for the workers, needed adequate parking and finally the site needed to be appropriately zoned for this type of community facility use. Also, the site had to be affordable. In early 2011, CAB, members of the Advisory Council and a group of day workers met with Bishop Richard J. Garcia of the Catholic Diocese of Monterey. The Bishop suggested leasing a Diocese owned facility to CAB for use as the Day Worker Center. Since that time, CAB and the Diocese have prepared and signed a Memorandum of Understanding and a lease for use of a house located at 2261 7th Ave. This site is located in a Public Facilities zone, has a bus stop directly across the street, is only three blocks from the Soquel/Highway 1 interchange, and is located adjacent to properties that are being used for commercial purposes.

The proposed site is a 1,000 square foot two bedroom home located in a Public Facilities PF zone. The building is located adjacent to the Holy Cross Cemetery and the rear portion of the property is used for equipment storage purposes for the cemetery's maintenance. The lease will include the use of the house, the front and side yards of the house and one parking space to the rear of the house. Additional parking will be provided through a lease agreement with the adjacent Veterans of Foreign Wars Post 7263. In order to accommodate the Worker Center activities the building will undergo minimal modifications. A new handicap ramp will be installed to the front entry, the bathroom will be modified to meet handicap access requirements and an interior wall separating the bedrooms and the living room will be removed to create a larger room. The front yard landscaping will also be upgraded to remove the existing chain link fence and to introduce a new water efficient landscaping plan. The side yard is enclosed behind wooden fencing and will be upgraded to allow for gardening plots and picnic benches for use during the day as needed.

Occupancy Load

We propose that the whole building be classified as a "B" Business Occupancy. Thus, the occupant load calculation would be based on one person per 100 sq ft. or 10 people. (The building has 1,008 sq ft). This does not mean that the maximum number of people you could have in the space is 10 people. The maximum number of occupants would be based, in this case, on the provision of adequate exit facilities. For this project, that would be limited by having just one exit (the handicap accessible front door). The maximum number of people for a Business Occupancy (or an Assembly Occupancy) is 49 people (Table 1015.1). The proposed Day Worker Center Program does not anticipate any time when the maximum occupancy would be reached.

Operational Plan for the Center

The Mission of the Day Worker Center in Santa Cruz County is *to assist day laborers in Santa Cruz County to secure safe employment, develop job skills, improve wages, and become more fully engaged members of our community.* The Center will facilitate the employment of day laborers in a safe hiring hall space and through an organized and dignified process.

The Day Worker Center incorporates three guiding priorities which are 1.) A combined social service and worker led model, 2.) A Workers Council, and 3.) A social service component. A combined social service and worker led program model was adopted by the Advisory Council in October 2009 to meet the principal needs of day laborers in Santa Cruz County.

The main goal of the Day Worker Center will be to facilitate employment via a safe, organized and dignified space and process. An organized hiring process will help identify the skill areas and training levels of the individual workers, as well as inform employers of their legal, safety and labor law responsibilities. Evaluation systems will allow workers to build a resume and expand their employability skills. The Center will provide bathroom facilities. An additional goal is for the Center to provide shelter from difficult weather conditions while workers are seeking employment. This approach will address concerns from the general community and diverse stakeholders.

The Day Worker Center will be open six days a week, Tuesday through Sunday, and will be closed on Mondays. The Center operational hours will be from 7 AM until 1:30 PM. A fulltime staff person will manage the Center and will support the Day Worker Committee to maintain daily operating systems, perform outreach & marketing activities and coordinate other worker related activities on site. Workers will gather at the Center beginning at the 7 AM opening and will remain on site until they either are hired by an employer coming to the site or they will leave on their own to travel to an employer's work site. By the early afternoon those workers who have not been hired will leave the site on their own.

Day laborers will receive assistance to develop employment knowledge and skills that will help them achieve their long-term goals. The Center will work to reduce the potential for work related abuses such as payment and worker safety abuses. The Center will deliver job-focused and select social services without duplicating efforts of other agencies. These supports will include but are not limited to ESL & financial literacy classes, referral services, workshops focusing on safety, skill training, health issues, and legal matters. These will be integrated into the Center's program through partnerships with the Santa Cruz Adult School, community agencies and volunteers. Leadership, community service, and cultural activities will be ongoing as part of the Center's dedication to civic engagement.

The Day Worker Council is in the process of finalizing the Center rules and regulations for program operations. One rule that has been agreed upon by the Day Worker Committee is that day laborers will not gather at the Center site outside its hours of operation between 7am and 1:30 pm. When the center closes for the day, staff will be responsible for locking the facility by 2:00 pm and ensuring all day laborers, volunteers and affiliates have left the premises.

Center Parking and Transportation Plan

The Center's location on 7th Avenue is perfectly situated for the day worker population in Santa Cruz County that is dependent upon the public transit, bikes and walking as their main means of transportation. Major bus lines currently operate on both Soquel Avenue and Capitola Drive just two blocks away from the Center site. An additional bus line runs on 7th Avenue with a bus stop directly across the street from the Center. 7th Avenue offers newly constructed sidewalks and bike

lanes in both directions. According to day laborers in Santa Cruz County, the most common methods of transportation used by day laborers are riding the bus, riding their bike and carpooling. Some live within walking distance.

Based on parking surveys gathered between May and July of 2011 from two Bay Area Day Worker Centers, (the San Francisco Day Labor Program and the Graton Day Labor Center), the peak hours for day worker attendance is between 8am and 11am. Using this data and information gathered during discussions with day workers in Santa Cruz County, we anticipate attendance at the Day Worker Center of Santa Cruz County to peak at 30 day laborers on site per day during the busy hours. The most active days of the week are expected to be Thursday through Saturday. The number of workers will vary from 5 or 6 workers to 20 or 25 workers on busy days.

The Graton Day Labor Center survey results show that during peak hours, 26 day laborers gather to wait for work opportunities. That Center uses a total of 6 private parking spaces for volunteers and employers, with some additional street parking. Cars parked during peak hours range from 2 to 12 throughout the week and include vehicles driven by employers, day laborers, volunteers and staff vehicles. At the San Francisco Day Labor Program, the survey showed that 2% of their members drive cars to the center and that 98% of employers request workers arrive at the job site.

In Santa Cruz County we anticipate 90% of day laborers will use alternative means to arrive at the Center. This is based on current actual practices with participating members. Currently, about 8% of active day laborers drive cars for work purposes. We expect the percentage of pre-arranged work starting locations to be closer to 30% but will increase over time, once employers and day laborers become familiar with the program. This arrangement helps reduce the parking needs at the Center.

In calculating the parking demand for the Center we anticipate that we will need one parking space for each staff person and each volunteer. We also want to be sure that we have plenty of convenient off-street parking for employers. CAB, on behalf of the Day Worker Center, has entered into a parking agreement with the neighbors of the proposed site, the Veterans of Foreign Wars (VFW) Post 7263. The VFW has agreed to allow the Center to use its parking area adjacent to the proposed site to meet the Center's parking needs. We are allocating three spaces in the VFW parking lot for employer use although it would be rare to have that many employers on site at one time. The remaining spaces will be designated for volunteers and/or the few day workers who use their cars for employment purposes. Workers will be strongly discouraged from parking on the street. Access from the VFW parking lot will require affiliates of the Center to walk onto the public sidewalk and around to the adjacent main entrance of the Center. The Center Director will have a designated parking space on the Diocese property. One designated handicapped parking space will be one of the five VFW parking spaces for Center use. A handicap accessible ramp will be incorporated into the front entrance to the Center.

The Center, through rotating teams of trained day workers, will be involved in outreach to the community and will encourage employers to call the Center with job opportunities. To the extent possible employers will be encouraged to arrange for the hiring of workers over the phone rather than always coming to the Center. Workers can then either use the bus or ride a bike to the work site. Other employers will drop by the Center to hire workers or to pick up workers that they have already made arrangements with. The Center staff will assist with facilitating the hiring process including the provision of translation services as needed. Employers who come to the site will typically come by car or truck and will stay at the Center for five or ten minutes while the hiring process is completed. During the peak hiring hours we anticipate that there may be one or two employers on site at any one time with an average of about five per hour.

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David Foster sign out

?

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A	B	C	D	E	F	G	H	I	J	K	L
SANTA CRUZ COUNTY DAY WORKER CENTER											
ANTICIPATED DAILY OCCUPANCY AND PARKING DEMAND											
HOURS OF OPERATION	Staff Parking			Workers			Employers			MAXIMUM NUMBER OF PEOPLE	TOTAL PARKING DEMAND
	Maximum Number of Staff	% of parking need	Anticipated staff parking need	Maximum Number of workers	% of parking need	Anticipated Worker parking need	Maximum Number of Employers	% of parking need	Anticipated Employer parking need		
4											
5											
6	1	1.00	1	25	0.1	2.5	3	1.00	3	29	6.5
7	1	1.00	1	25	0.1	2.5	3	1.00	3	29	6.5
8	1	1.00	1	25	0.1	2.5	3	1.00	3	29	6.5
9	1	1.00	1	15	0.1	1.5	3	1.00	3	19	5.5
10	1	1.00	1	15	0.1	1.5	3	1.00	3	19	5.5
11	1	1.00	1	10	0.1	1	1	1.00	1	12	3
12	1	1.00	1	10	0.1	1	1	1.00	1	12	3
13											

ANNOTATED LIST OF REQUIRED INFORMATION

1. Three full and complete sets of revised plans – INCLUDED

- a. Proposed fencing with height and elevation - marked on site plans
- b. Proposed handicap accessible parking - marked on site plans
- c. Number and location of parking spaces on the adjacent VFW property- marked on site plans
- d. Path of travel utilized by employers from VFW parking spaces – Marked on site plans
- e. Main cemetery driveway usage – The main cemetery driveway will only be used by the Center Director who will drive it to get to the one staff parking space on the VFW site. No employer, day worker or volunteer will be authorized to use this driveway for any purpose related to the Center.
- f. Locations of all existing and proposed gates and the heights – marked on site plans; main front yard gate will be locked open during business hours in order to accommodate possible handicap visitors through the walkway connecting the front yard gate to the front door entrance of the Center.
- g. Signage – marked on site plans;
 - i. Monument sign – This English/Spanish sign will be placed perpendicular to the sidewalk and in the front yard. It will read: Day Worker Center/Centro Jornalero/ Tuesday – Sunday 7am to 1:30pm
 - ii. A-frame parking sign – This parking sign will marked on both sides and be placed in the landscape boulevard between the sidewalk and the curb. The sign will be in place only during the hours of operation of the Center and will be placed in front of the Center near the VFW parking entrance. It will read: Day Worker Center Parking (Large Arrow)
 - iii. Parking space signs – Each space will have its own post with a little sign. The handicap space will also have a standard handicap sign posted below the regular sign. – See site plans
- h. Landscaping or security lighting will be added to the building and will include a street light on a pole located in the front yard– marked on site plan
- i. Trash enclosures – marked on site plans
- j. Secure bicycle parking spaces will be provided in the rear fenced yard and will not be visible from the street.– marked on site plans

2. Additional Program Statement Information

- a. **Question:** The program statement indicates that there will be one full-time staff person on site and that person shall ensure that all workers have left the premises at 1:30pm when the center closes. Please elaborate on the procedures to be utilized by staff persons to ensure that after-hours loitering does not occur.

Answer: The Program Director and Day Worker Committee leadership will ensure all workers leave the premises by 1:30pm on Center business days by overseeing and enforcing the following procedures:

- All day laborers will be required to sign the Center rules and regulations form in order to participate in any Center activities. The form states the following policy: *Day Laborers and other Center affiliates are not permitted to be in or around the Center after 1:30pm on any day of the week.* Staff will post the rules and regulations in a common area in the Center.
- The Center hours, days and phone number will be posted on the front entrance door. All written materials will clearly state the Center hours of operation.
- It will be standard daily practice for the Center Director to verbally remind day laborers and/or other affiliates about the closing time of 1:30pm.
- Trained volunteers will assist in enforcing the rules/regulations by assisting the Director with closing procedures.

b. **Question:** The program statement indicates that between the peak hours of 8:00am – 11:00am, it is anticipated that up to 30 laborers may be on-site. Please provide details of where the workers will wait for employers and include the policies and procedures for waiting areas. Please also clarify if any supervision or oversight of the designated waiting areas shall occur.

Answer:

The Center rules and regulations include the following policy regarding waiting areas. *Day Workers are required to wait for work inside the Center or in the side yard of the Center only. Day laborers who participate in ESL classes or other activities inside the Center while they wait for work will be given priority with employment matches.* Staff and trained volunteers will monitor the waiting areas to ensure day laborers remain in the appropriate waiting areas. All day laborers and affiliates will be required to sign-in and sign-out daily. Staff and trained volunteers will strictly enforce a *No ins-and-outs* policy with consideration to appropriate entry and exit activity related to making an employment match. After a verbal and written warning, uncooperative day laborers and/or affiliates will be turned away from the Center.

The Center has a clear policy that all on-site hiring will take place inside the building only. Workers will not be allowed to stand outside seeking employment from the street. This policy will ensure that the Center does not become known as a hiring location for workers and/or employers who are not participating in the Center's hiring process. Workers who do not want to participate in the program or who wish to seek employment after the Center has closed will seek employment at the County's known informal hiring locations and will find no reason to seek employment at the Center's more remote location.

c. **Question:** Please indicate if the maximum attendance will be based on building occupancy and if/how workers will be turned away from the center at maximum occupancy.

Answer:

Attendance at the Center will be based on a job-match/attendance list which we expect will not be greater than 30 per day during peak hours. At the most, we anticipate an average of 33 persons will be in the building, including staff and volunteers. We do not expect to exceed the maximum occupancy level (49) at any time. Staff and trained volunteers will track daily attendance for the first year of operation of the Center.

- d. **Question:** Please indicate if the parking areas will be monitored and if workers will be turned away when the parking area is full.

Answer:

The 5 adjacent Veterans of Foreign Wars (VFW) parking spaces will be monitored by trained volunteers and staff. Three are designated for employers and two for day laborers and volunteers. The parking spaces will be monitored on an hourly basis, especially during peak hours. We anticipate the large majority of day laborers will use alternative means of transportation. The Center will provide bike racks in the rear yard of the house for day laborers and volunteers. The bike parking will be behind the solid wood fence in the side yard and will not be visible from the street. Day laborers will be turned away if the parking lot is full. There will be a 10 minute time limit sign posted on each of the 3 employer-designated parking spaces. We do not anticipate more than 5 cars will be parked on site at any one time. Workers will be strongly discouraged from bringing automobiles. The employer/day laborer match will take between 5-10 minutes. The Center program will utilize both the phone and the computer to do outreach to potential employers. Employers will be encouraged to complete the hiring process without having to drive to the Center. It is anticipated that an increasing number of hires will take place over the phone and that the workers will then either walk, ride their bike or take the bus to their employment site. At the end of the work day workers will not be returning to the Center.

- e. **Question:** Please indicate how the center will handle worker's vehicles left on the VFW property after hours. (ie. If they are picked up by an employer, leave their vehicle on site, and do not return until after the center is closed.)

Answer:

The Center rules and regulations prohibit day laborers and volunteers from leaving their cars at the Center if they are not on-site. All day laborers and affiliates will be required to sign an agreement stating they will not leave their cars in the VFW parking spaces or surrounding area before 7am or after 1:30pm. Workers who drive will be required to take their car to their worksite. There will be no reason for any worker to return to the Center once they've left for a job opportunity; once the job is done, employers will drop off day workers at a more convenient location such as a bus stop.

- f. **Question:** Please indicate if classes and workshops will be held during regular hours of operation and if the class attendees have been incorporated into the parking plan.

Answer:

Center classes and workshops will be held only during business hours and are not intended to replace any other class or workshop in the neighborhood. Day laborers who participate in classes and workshops will be given priority for being matched with an employer. Attendees of classes and workshops have been incorporated into the parking plan. All Center activities are intended for day laborers who will already be on-site seeking work.

In addition to the above described regulations for the Center, we are developing a **Good Neighbor Policy** in which we include sharing the Center staff work cell phone number with neighbors. We will offer a quarterly open house for neighbors interested in learning how the Center works and to foster a collaborative relationship between the Center and the surrounding community.

3. Revisions to the original application's **Center Parking and Transportation Plan** and Response to Road Engineering Review.

The bus line that is located directly across the street from the Center on 7th Avenue only runs on a limited schedule. This means that the day workers will most likely be walking either to the Soquel Avenue bus stops or the bus stops on Capitola Road. Bus access from the Center's site remains excellent for major bus routes going in either directions in the County.

From our visits to other day worker centers we have found that their success is based on on-going outreach to the community through presentations by the workers, phone outreach, fliers and signs placed with other local businesses and through computer related outreach programs. We have learned that a larger and larger percentage of the actual hiring processes are now taking place by computer and over the phone. As with almost any other local business where the worker comes to an employer's home (plumbers, repair services, landscapers, etc) the Center will be much more successful by offering the added convenience of not having the employers come to physically pick up the workers. Employers will also be encouraged to hire by phone as a way to reduce traffic in the neighborhood and as away to reduce the use of the automobile. To the extent possible Workers will either arrive at the arranged work site either by bike, or bus, or by walking. In some cases an employer may want to visit the Center to make an initial hire or they may want to use the Center as the pick-up point if the work site is not accessible by bike or bus. In many cases an initial hire will turn into on-going or future days of employment for the same Worker. Once the initial hire has been completed there is no reason that subsequent work days for that same Worker should require an on-site pick up. With these hiring practices in place it is anticipated that the actual on-site visits by employers will be significantly reduced. While we are hopeful that approximately 20 or more hires will take place during the Center's average day of operation we anticipate that only about 10 actual

on-site pickups will take place by employers. We expect that the actual on site pickup number will continue to drop over time, as the Center becomes more effective with online and phone hiring. These revised hiring practices will help reduce the anticipated trips generated and will reduce the need for employer parking spaces.

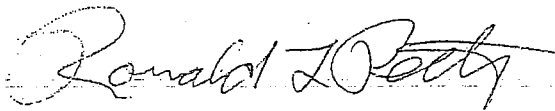
For the Road Engineering Review it is our understanding that the institutional category has been accepted for application in this case. Under this category the TIA fee calculation for a 1008 square foot building at 5 trips per ksf will result in only 5 trips per day or \$3,000 in TIA fees. Due to the TIA fee credit of \$6,000 for the existing residential use these should be no TIA fee due.

September 23, 2011

To Whom It May Concern:

This is to certify that the V.F.W. Hall 7263 approved allowing parking between 7:00 AM – 1:30 PM at 2259 Seventh Ave., Santa Cruz, CA, 95062 to persons doing business at the adjacent property, 2261 7th Avenue, Santa Cruz for the Day Worker Center, a program of the Community Action Board of Santa Cruz County, Inc. as of January 1, 2012. This agreement is subject to review and conditions agreed to by both parties including assurance of staffing at the Center during these hours for monitoring, as needed.

Yours truly,

A handwritten signature in cursive script, appearing to read "Ronald L. Petty", written over a horizontal line.

Ronald L. Petty, Commander

V.F.W Post 7263



MOST REVEREND RICHARD J. GARCIA, D.D.
Bishop of the Diocese of Monterey

(831) 373-4345
FAX: (831) 373-1175

RJGB@dioceseofmonterey.org
www.dioceseofmonterey.org

February 10, 2012

Ms. Kathleen Molloy Prevesich
Planning Director
County of Santa Cruz Planning Department
701 Ocean St, 4th Floor
Santa Cruz, CA 95060
Subject: 7th Ave. Day Worker Center

Dear Ms. Prevesich:

I am writing in support of the use permit application for the Day Worker Center planned for 2261 7th Ave. in Live Oak, California, a building on property belonging to the Diocese of Monterey.

As a representative of the U.S. Conference of Catholic Bishops, I support the Day Worker Center in Santa Cruz and their commitment to administer a program that will strengthen family and community life for day laborers in the County. The Center promotes basic rights and responsibilities for those living in poverty and will provide some of the fundamental needs of human life, education, security, social services and employment. In addition, the Center will provide a variety of employment supportive services for the workers.

Day workers are our neighbors and we have an opportunity to work for the common good and demonstrate respect for the dignity of all human beings.

Sincerely,

The Most Reverend Richard J. Garcia, D.D.
Bishop of the Diocese of Monterey

Eileen Balian
220 Laguna St.
Santa Cruz, CA 95060

Director Kathleen Prevesich

Planner Samantha Haschert

County Planning Department

701 Ocean St.

Santa Cruz, CA 95060

RE: 7th Avenue Day Workers Center

Dear Ms. Prevesich and Ms. Haschert

I am a resident of Santa Cruz County and work at Dominican Hospital. I am writing to you to ask your support of the proposed Day Worker Center on 7th Avenue. This project makes sense economically and is a humane and logical approach to addressing the needs of the community and the day workers.

7th Avenue is a good location for the Center; I feel confident that local residents will adjust and learn to appreciate the need for and importance of the Center. Please give your support to this project.

Sincerely, Eileen Balian

Eileen Balian

Jane Weed-Pomerantz, CPDLT

215 Gharkey Street
Santa Cruz, CA, 95060

T: 831.423.2293 F: 831.423.3832
E: jweedpomerantz@baymoon.com



County Of Santa Cruz Planning Department
Attn: Kathleen Molloy Prevesich, Planning Director
701 Ocean St 4th Floor
Santa Cruz, CA 95060

Re: Use Permit Application #:111195; Assessors Parcel #: 026-051-17

February 11, 2012

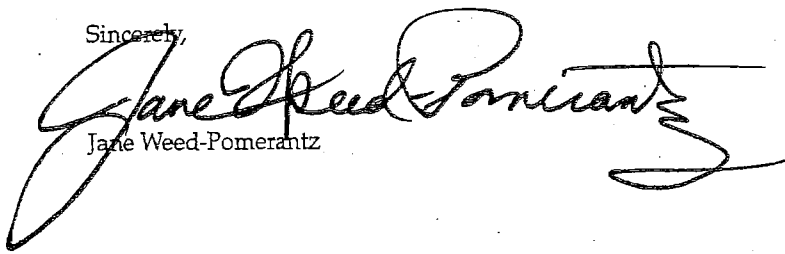
Dear Director Prevesich,

I have lived in Santa Cruz for 38 years and own a rental property on Brommer St near 7th Ave. I support the proposed Day Worker Center located on 7th Avenue. It is zoned appropriately and is in an ideal location for such a center. The benefits of such a center are many for our community.

It encourages legitimate job seeking, safe access to potential workers for temporary jobs and allows for the orderly conduct of business. It is supported by the owner of the property and it is impressive to see how the immediate neighbors of the VFW Post and the Catholic Church are in support of the program and the project.

I sit on the Community Action Board and feel this is an excellent opportunity for the community and for the use of the property. I am encouraged by the efforts and strides made by the workers and their families in conjunction with the capable staff of the Community Action Board and urge you to support this application.

Sincerely,


Jane Weed-Pomerantz

Genevieve Piraino
123 Pryce St.
Santa Cruz, CA 95060

Samantha Haschert, Planner
County Planning Department
701 Ocean Street
Santa Cruz, CA 95060

Re: Change of Usage for 2261 7th Avenue

Dear Ms Haschert:

I have heard of neighborhood concerns about traffic and parking for the proposed Day Worker Center. I support the proposed Center and want to tell you why.

Because 7th Avenue is already a main route for access to the yacht harbor and mid county beaches, any additional traffic will be minor. Most Day Workers will arrive by bike or bus and, at the end of the day, will likely use a bus nearest their worksite to travel home, rather than return to the Center.

The site is two blocks off Soquel Avenue where buses from Routes 71 & 66 pass in each direction more than 20 times a day during the times that the Center would be open. For those day workers living in the Live Oak area, these routes provide potential transportation to work throughout the county. These routes also provide great access to the Center for other day workers living throughout the county many of whom do not have automobiles.

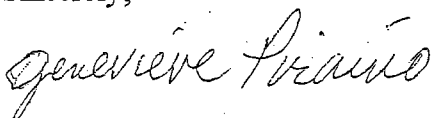
02-13-12P12:54 RCVD

The Center will have rules and procedures that will include monitors and signs to direct vehicles to the parking at the adjacent VFW hall. Extra monitors and signage will be used in order to familiarize workers and employers with the parking and pick-up procedures. These monitors will assure that loitering and soliciting work does not occur on the sidewalks nor on the street adjacent to the Center.

The Day Worker Center is a positive benefit for our community and the location on 7th Ave. is a good location. Day Workers are a reality. They are here in our community seeking work. Without an organized, safe location to connect with jobs, they are forced to resort to gathering at the entrances of parking lots of businesses around the community. This informal process creates conflicts, safety issues and sanitary concerns.

Traffic and parking concerns for the 7th Avenue site are minor and should not prevent the Day Worker Center from being allowed to use the proposed site.

Sincerely,



Genevieve (Jean) Piraino

February 9, 2012

Ms. Kathleen Molloy Prevesich
Planning Director
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060

RE: Application # 111195; Assessor's Parcel # 026:051-17

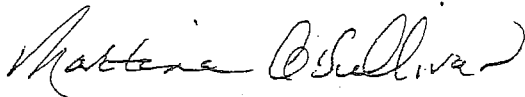
Dear Ms. Prevesich,

I support the proposed Day Worker Center located on 7th Avenue between Capitola Road and Soquel Avenue. I believe any additional traffic related to the Center will be minor. In addition, most Day Workers are expected to arrive by bike or bus and at the end of the day, will likely go to the bus stop nearest to their worksite to travel home rather than return to the Center.

I understand that the Center will have rules and procedures that will include monitors and signs to direct vehicles to the parking at the adjacent VFW hall. Extra monitors and signage will be used in order to familiarize workers and employers with the parking and pick-up procedures. These monitors will assure that loitering and soliciting work does not occur on the sidewalks or street adjacent to the Center.

A Center is needed to assist the workers in enriching their skills thus enhancing their employment prospects and earning capacity. Ultimately this would result in providing higher quality services to the wider community.

Sincerely,



Martina O'Sullivan
201 Cortez
Capitola CA 95010

Alexander Gaguine
220 Laguna St.
Santa Cruz, CA 95060
February 9, 2012

Director Kathleen Prevesich
Planner Samantha Haschert
County Planning Department
701 Ocean St.
Santa Cruz, CA 5060

RE: 7th Avenue Day Workers Center

Dear Ms. Prevesich and Ms. Haschert

I am a 22-year resident of Santa Cruz County, and I am writing you to support the proposed Day Worker Center on 7th Avenue. I have studied this issue for a long time, and firmly believe that we need such a center, socially and economically. Our entire county will benefit.

I also believe that this is a very good, central location for this long-overdue project, and any possible inconveniences can be planned for and overcome.

Please help this worthy project move ahead!

Sincerely



February 6, 2012

Ms. Samantha Haschert
County Planning Department
701 Ocean Street - 4th Floor
Santa Cruz, CA 95060

RE: Support for the Day Worker Center, Application # 111195

Dear Ms. Haschert:

I am a resident of the Live Oak neighborhood and I live on 7th Avenue about a block away from the proposed Day Worker Center. I learned about the Center when two volunteers for the program came to my door. They explained how a Day Worker Center will operate and who it will serve. They also explained that the project will include adequate parking through an agreement with the VFW Hall next door.

I know that many day workers live here in the Live Oak neighborhood. I also know how important it is for them to have a hiring hall-type program that will be respectful of them as members of the community.

I support the Day Worker Center's application and look forward to having them as a new resource available in my neighborhood.

Sincerely,

Clayton A. Foster

885 35th Ave.
Santa Cruz, Ca 95062
January 17, 2112

01:07901-90916-ARNV

County of Santa Cruz Planning Department
Attn: Kathleen Molloy Prevesich, Planning Director
701 Ocean Street—4th Floor
Santa Cruz, Ca 95060

Subject: Application#: 111195; Assessor's Parcel#: 026-051-17

Dear Ms. Prevesich,

I'm writing in enthusiastic support of the proposed Day Worker Center at 2261 7th Avenue. First, I'm enthusiastic both for workers and for those seeking workers. I have hired a number of men from the 41st Ave. and the River Street locations over the years, and it has always been a hurried and difficult procedure, with groups of workers surrounding me and vying for the job and making it hard for me to select in an informed way. I know also that the workers now have no certainty they will be selected, and often spend the entire day or a large part of it stranded out in the weather with nothing to do and with some difficulty using facilities for basic biological functions. Finally, as anyone who has used workers knows, presently, there are no women at these locations, so a sizeable portion of the potential working force lacks that opportunity. Having a building, where information about the skills of workers and about training opportunities, would make the process far more fruitful and secure for both men and women workers and for those hiring, and provide language assistance (another stumbling block in the present hiring situation) not to mention a general increased sense of security for both parties. Finally, I think it will increase the dignity of the work and the workers.

Yours truly,

John Chandler

Phyllis Rosenblum
545 Highland Ave.
Santa Cruz, CA 95060

Jan 17, 2012


Samantha Haschert, Planner
County Planning Department
701 Ocean Street
Santa Cruz, CA 95060

RE: Seventh Avenue Day Worker Center

I am a Santa Cruz resident who periodically uses day workers. I have been pleased with the workers who have helped with many garden and small construction projects. However, when we pick up unknown workers, we often have to tailor our projects to match their abilities, rather than the other way around.

I support the proposed Seventh Avenue Day Worker Center. It would make the "hiring" process more comfortable and efficient for everyone. Workers could be matched up to the jobs at hand. I understand the proposed center plans to provide education and training assistance. This would which benefit the workers, and our community.

Sincerely.


Phyllis Rosenblum

01-18-12P01:33 RCVD

January 10, 2012

County of Santa Cruz Planning Department
Attn: Kathleen Molloy Prevesich, Planning Director
701 Ocean St.-4th. floor
Santa Cruz, CA 95060
RE: Application # 111195: Assessor's Parcel # 026-051-17

01-17-12P03:05 RCVD

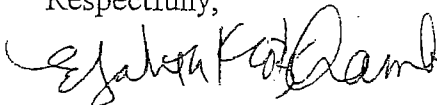
Dear Kathleen Molloy Prevesich,

I strongly support a Day Worker Center on 7th. Ave. I think the county needs a center where day workers can go to look for work and employers and home owners can go to hire workers. I am a home owner and would use the center. Since it is easier for me to find a worker with skills I am looking for through the organized process of a worker center, I think others too would learn that hiring persons through a center would be preferable to picking up people randomly on the street. The proposed site on 7th. is a good location because many day workers ride the bus and this site has easy bus access from Soquel Ave. where several lines stop frequently.

I have picked up workers over the years and have observed them standing—sometimes for hours—sometimes in the rain—waiting for work. Having an indoor site where workers can wait out of the elements is more humane and respectful.

I look forward to using the new Day Worker Center and letting others know of this wonderful program that hopefully will soon be a reality—a Santa Cruz Day Worker Center!

Respectfully,



Elizabeth Chamberlin

Samantha Haschert, Planner
County Planning Department
701 Ocean Street
Santa Cruz, CA 95060

October 27, 2011

Dear Ms. Haschert:

Re: 7th Ave. Day Worker Center

If Application # 111195 is approved, I recommend that major changes be made in the management of the proposed Center.

(1) Special measures must be required to assure that girls walking to and from the nearby elementary and high schools be protected from harassment or heckling by men at the center. Men using the center must be fully counseled about the importance of not bothering the girls IN ANY WAY. I am greatly offended by how idle day worker men standing on the sidewalk of the River Street ProBuild site act toward passing females. My daughter is now an adult, but if I had been aware that she experienced such harassment on River Street, I would have been furious.

(2) During at least the first month of the center's operation there should be a uniformed security guard outside at the site during all the hours when the center is open. This would help to (a) assure appropriate behavior by the workers, (b) provide assurance to neighbors who may feel threatened by the presence of this new activity, and (c) enable the guard to help direct users of the center to proper parking and the center's entrance.

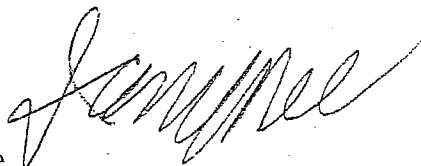
(3) I understand that workers will likely be arriving at the center as early as 7:00 am, and usually on foot or bicycle. During the winter months 7th Ave., between the center and the nearest street light north of the center, is very dark. The Community Action Board, with the participation of neighbors, should initiate a proposal for the Public Works Department to install a streetlight in that street segment. Workers going to the center will need a streetlight to help assure their safety. That lighting will also aid the safety of school children walking and bicycling to their schools.

(4) The Community Action Board should initiate contacts with women day workers to encourage them to participate in the center. Female day workers at the site will do much to ameliorate possible negative behavior by some male day workers.

(5) The Community Action Board should establish a committee of nearby neighbors who would advise the Board and the day workers on measures they can take to enhance center-neighbor cooperation.

Sincerely,

James Nee
2262 7th Ave.
Santa Cruz, CA 95062



JOHN F. EDGAR, O.D.

2316 7th Avenue

Santa Cruz, CA 95062

831 331-3622

October 24, 2011

Samantha Haschert, Planner

County of Santa Cruz

Planning Department

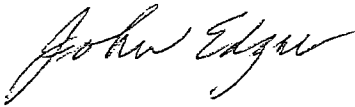
Re: Change of Usage for 2261 7th Avenue.

Dear Samantha,

I am not for the change of use permit to permit the establishment of a Commercial Day Job Center on 7th Avenue north of Rodríguez Street.

In a residential situation it would not be acceptable to have men and possibly women waiting around and prospective employers meeting them.

Yours truly,



John F. Edgar

Casa La Familia Homeowners Association

2320 7th Avenue, Santa Cruz, Ca 95062

October 27, 2011

Samantha Haschert
Planner
Santa Cruz County

Dear Samantha Haschert;

Please accept this letter as a formal request for a public hearing for application # 111195, a Day Worker Center to be located at 2261 7th Avenue, Santa Cruz, CA 95062.

On October 26, 2011 residents of Casa La Familia met with David Foster, the applicant for the above project and Christine Johnson-Lyons of the Community Action Board. At that meeting several things became apparent:

1. While the Program Statement correctly points out the zoning of the two adjoining parcels as being compatible with the project it fails to mention that this neighborhood is primarily residential, with a senior housing complex, Casa La Familia, located directly across the street.
2. The Program Statement points to points to the bus stop on 7th Avenue as a viable access point for the project, in fact that stop is served only twice daily Monday through Friday.
3. The Public Notice was delivered to residents within either a 300 or 500 ft radius of the project. Most of the program participants will travel along 7th Avenue on foot or bicycle from either Soquel Drive or Capitola Road. This same corridor is used by many students from three schools in the immediate area during the same general time frame as the centers hours of operation. I believe the parents and school administration should be given an opportunity to review the proposal and provide comment.
4. There is a bar on the same property as the proposed parking spaces for the center. It was stated that the bar opens shortly after the center would close.
5. Several residents expressed concerns regarding possible loitering or employers and workers meeting near the center or at off hours or days or

EXHIBIT C

EXHIBIT H

Samantha: Please add this to
App. # ~~111195~~ 111195 file.
Jim Nee
member Casa La Familia Bd. of
& owner of 2262 7th Ave.

Oct. 13, 2011

To: Casa La Familia Board of Directors

From: Jim Nee, Casa La Familia Board Member & Property
Owner at 2262 7th Ave.

Subject: Proposed Land Use Change for Cemetery Bldg.

I received a Public Notice from the County Planning Dept. regarding an application submitted by the Roman Catholic Bishop of Monterey (App. # 111195) for a change of use of Parcel # 026-051-17, i.e., the residential building and garage at 2661 7th Ave., which is across the street from our complex. The Proposal is to change the use of the existing non-conforming residence to a commercial day worker center.

I called the project planner, Samantha Haschert, at the Planning Dept. (454-3214). She said she understands that the non-profit work center would act as a clearinghouse for day workers to register their skills with the center. Also, contractors and private residents in the county who want to hire day workers can register their needs with the center. The center would then seek to match needs to skills.

On the surface this sounds like a good service. BUT, it seems to me, there are Several Potential Questions needing answers. (1) Would day workers loiter outside the center like they do at the Home Depot and similar businesses as they for jobs with contractors? (2) During what hours during the day would people be coming to the center? (3) Would workers and contractors be idling vehicles in the vicinity of the center, thus increasing air pollution and noise near us? (4) When the daily

quota of workers at the center is reached, how would other workers on their way to site know to return home? (5) What provision would be made to control the likely significant increase in vehicle traffic and loitering in front of our complex? (6) How would the applicant prevent center users from parking in our lot and loitering on our property?

I presume you'll have more questions about the proposal that need answers.

Project planner Samantha Haschert said she would begin considering our comments as soon as she receives them. It seems to me that the earlier they're submitted, the better. The Deadline to submit comments on the Notice of Application is October 27, 2011. However, there will probably be other opportunities for us to submit comments.

The Public Notice says "No public hearing is required for this application." However, if we feel a hearing is needed, we must submit the request in writing to the Planning Department. But that is no guarantee a hearing will be called.

I plan to visit Ms. Haschert at the County Building on Thursday, Oct. 20, at 10:00 AM to review the documents submitted by the applicant. Perhaps other Board members will want to join me. At the meeting I will request a copy of relevant parts of the application, but each copy costs \$0.25. I hope the Board will reimburse me for those costs. After reviewing the documents I may recommend that Chairman Ben Gregg call a Special Meeting of the Board to consider preparing comments to the Planning Department on the project. Also, we may want to inform County Supervisor Leopold of our interest in the application.

Samantha Haschert

Subject: 111195 Public comment
Entry Type: Phone call

Start: Mon 10/17/2011 8:11 AM
End: Mon 10/17/2011 8:11 AM
Duration: 0 hours

James Nee

Concerned about people gathering in front of the center on the street waiting to be picked up. Is naïve to think that workers will wait inside the building or that people will not gather in front of center after maximum number is reached inside.

Area is residential and is not a good place for this type of center.

Kids walk up and down street to go to Green Acres and Harbor High.

Bus access is not sufficient.

Would like building to be used for something and not to remain vacant.

Samantha Haschert

Subject: 111195
Entry Type: Phone call
Start: Thu 10/27/2011 1:07 PM
End: Thu 10/27/2011 1:07 PM
Duration: 0 hours

Public Comment

Sandra Bronner (Last name spelling may not be accurate)

- Upset about plan to locate a day worker center in the neighborhood
- Does not think that the center will work as planned
- Seems to be a favor to Home Depot to move the day laborers to a residential area and out of their parking lot.
- The neighborhood is not a good location for loitering.
- Requested that the item is moved up to a public hearing.

Samantha Haschert

Subject: 111195
Entry Type: Phone call

Start: Thu 10/27/2011 1:23 PM
End: Thu 10/27/2011 1:23 PM
Duration: 0 hours

Public Comment

Carol Watt
831-475-6333 x202

- Executive assistant to Superintendent
- Was just notified of proposed day laborer center
- Area is a "walk zone" for students of Green Acres and Harbor High
- Concerned about loitering.

Samantha Haschert

Subject: 111195
Entry Type: Phone call
Start: Thu 10/27/2011 1:25 PM
End: Thu 10/27/2011 1:25 PM
Duration: 0 hours

Public Comment

(no name provided)

- Object to day worker center
- Concerns regarding increased traffic, parking, loitering and a change in character of residential neighborhood.

Samantha Haschert

From: John Berg [johnwberg@gmail.com]
Sent: Thursday, October 27, 2011 4:45 PM
To: Samantha Haschert
Cc: John Berg
Subject: Proposed Day Worker Center - 7th Ave

Santa Cruz Planning Department

To Whom it May Concern;

I am writing regarding the proposed Day Worker center to be located on 7th Ave. in Santa Cruz.

I am the owner of 2308 7th Ave, in Casa La Familia - A Senior Citizen community located directly across the street from the proposed Day Worker Center.

I object to the day worker center.

I fear for the safety of my property and the safety of my senior citizen neighbors. Our property does not have fencing or gates and locating a day Worker Center directly across the street most certainly will cause ongoing security concerns and problems.

Our parking lot is very small and I am concerned that parking may be further impacted in our lot by the Day Worker Center. Presently, when an event is held at the VFW outpost participants often mistakenly use our lot causing us great inconvenience. I expect that if the Day Worker Center were operating across the street our parking lot issues would increase.

The bus stop noted in the Day Worker Center proposal is located in front of my property. I expect that if 25 to 400 day workers attempt to use this bus stop that loitering on our property and in our parking lot will be an ongoing problem. Furthermore, the bus stop is only served twice a day as a supplemental route for students of Harbor High School.

The hours of operation for the Day Worker Center will cause the day workers to travel with the communities children. Parents should be made aware of the potential dangers of having a Day Worker Center operating in a school zone.

I'm afraid that some day workers who are not interested in participating in the program will loiter nearby (possibly on my property) in hopes of finding work. The program's spokes people did not have a solution for this potential problem and suggested that participants will "police themselves."

I have seen day workers in front of Home Depot urinate in the bushes adjacent to the freeway. I'm afraid that a day worker center across the street from my house will cause the same thing to happen in our parking lot.

I believe that the day worker center will cause heavy traffic on 7th Ave. While "regulars" (such as contractors) will know the routine and know where they should and shouldn't stop, the majority of the people that will be coming to hire the day workers (according to the spokes people) will be local homeowners. I don't see how these "homeowners" will behave any differently then they do now at the existing day worker locations. I expect they will pull over and stop on 7th Ave. As 7th Ave is only one lane in each direction and seeing as how traffic as already heavy on 7th Ave. I expect the Day Worker Center to cause heavy traffic congestion.

I understand that Home Depot was opposed to the Day Worker center being located on their property stating that they did not have enough room in their parking lot. I believe that Home Depot's objection is valid. The Day Worker Center will require numerous parking spots. I'm not convinced that 5 parking spots at the neighboring VFW outpost will be adequate parking for the Day Worker Center.

Lastly, as a person who works in the building trades, I think it's a bad idea to create a third day worker pickup location in the area. There are no guarantees that the Day Worker Center will cause the existing two locations on River Street and 41st Ave. to be abandoned. I expect that creating a third location will cause confusion and increased traffic throughout the community.

I urge you to deny the Day Worker Center application.

Respectfully,

John Berg

Samantha Haschert

Subject: 111195
Entry Type: Phone call

Start: Thu 10/27/2011 1:01 PM
End: Thu 10/27/2011 1:01 PM
Duration: 0 hours

Public Comment

Mary Ann Hintermeister (last name spelling may not be accurate)
578-1521

- Concerned about day worker center
- Would like to have a public hearing
- Green acres school may not be in agreement with development as well

Kathleen Molloy Prevesich
Planning Director
County of Santa Cruz Planning Department
701 Ocean St, 4th Floor
Santa Cruz, CA 95060
Subject: 7th Ave. Day Worker Center

January 30, 2012

Dear Ms. Prevesich,

I am writing in support of the use permit application for the Day Worker Center planned for 2261 7th Ave.

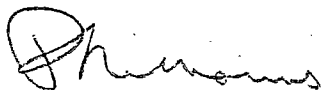
Such a Center, which has long been needed in Santa Cruz County, would provide an orderly, safe place to match day workers to jobs as an alternative to the current situation of workers soliciting work at local business parking lots and on the street. Additionally a Center would provide a variety of supportive services and training opportunities for the workers.

I would also ask you to consider the special needs of women who tend not to use the existing informal sites where they may feel vulnerable. The experience at other formal worker centers is that there are many women needing and wanting to find work who will use a formal site. In addition, women at these formal worker centers have taken an active role in the operation of the centers and have helped create environments that are respectful of women. A Center would increase employment opportunities by providing an environment that is friendly to women, both as workers and as employers.

I understand that there are some concerns about traffic and parking. 2261 7th Avenue is a good location for the proposed Center. It is one of the few sites in the county currently zoned for such a use and with a landowner willing to allow it. It is also a central location and about halfway between two major informal hiring sites on River St. and 41st Ave. Thus it will draw workers away from both of these informal sites and relieve the attendant safety hazards and sanitary concerns. In addition, the site is well served by public transportation and most workers will arrive by bus or bike. Given that fact, I do not believe that the Center would add significantly to the existing level of traffic on 7th Ave. I understand that the Center will have rules and procedures that will include monitors and signs to familiarize workers and employers with the parking and pick up procedures and to direct vehicles to the parking at the adjacent VFW hall. The monitors will also assure that loitering and soliciting work do not occur on the sidewalks or street adjacent to the Center.

Day workers are a reality in our community and the proposed Center is an excellent opportunity for the community to respond constructively to that reality. I strongly encourage you to find a way to make it work.

Sincerely,



Philip McManus
2500 Smith Grade
Santa Cruz, Ca 95060

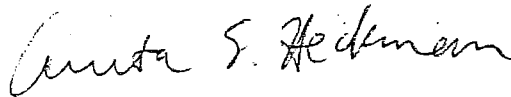
Anita Heckman
127 Rathburn Way
Santa Cruz, CA 95062

County of Santa Cruz Planning
Attn: Kathleen Molloy Prevesich, Planning Director
701 Ocean St. -4th. floor
Santa Cruz, CA 95060

Dear Kathleen Molloy Prevesich,

I am writing to support the Day Worker Center proposed for 7th. Ave. This is a much needed service for the day workers and also for the community. It will be more organized to link up people who are in need of labor with laborers. And it's great that the center will be on 7th. Ave, which is near the bus lines and in the middle of Santa Cruz. I hear that some training will be available too at the new day worker center, which will benefit the workers and provide them with additional skills. I am in support of fair and living wages to all. I hope the planning process goes smoothly and that the center can open soon.

Sincerely,



Anita Heckman

Samantha Haschert
Planner
County of Santa Cruz Planning Department
701 Ocean St, 4th Floor
Santa Cruz, CA 95060
Subject: 7th Ave. Day Worker Center

January 30, 2012

Dear Ms. Haschert,

I am writing in support of the use permit application for the Day Worker Center planned for 2261 7th Ave.

Such a Center, which has long been needed in Santa Cruz County, would provide an orderly, safe place to match day workers to jobs as an alternative to the current situation of workers soliciting work at local business parking lots and on the street. Additionally a Center would provide a variety of supportive services and training opportunities for the workers.

I would also ask you to consider the special needs of women who tend not to use the existing informal sites where they may feel vulnerable. The experience at other formal worker centers is that there are many women needing and wanting to find work who will use a formal site. In addition, women at these formal worker centers have taken an active role in the operation of the centers and have helped create environments that are respectful of women. A Center would increase employment opportunities by providing an environment that is friendly to women, both as workers and as employers.

I understand that there are some concerns about traffic and parking. 2261 7th Avenue is a good location for the proposed Center. It is one of the few sites in the county currently zoned for such a use and with a landowner willing to allow it. It is also a central location and about halfway between two major informal hiring sites on River St. and 41st Ave. Thus it will draw workers away from both of these informal sites and relieve the attendant safety hazards and sanitary concerns. In addition, the site is well served by public transportation and most workers will arrive by bus or bike. Given that fact, I do not believe that the Center would add significantly to the existing level of traffic on 7th Ave. I understand that the Center will have rules and procedures that will include monitors and signs to familiarize workers and employers with the parking and pick up procedures and to direct vehicles to the parking at the adjacent VFW hall. The monitors will also assure that loitering and soliciting work do not occur on the sidewalks or street adjacent to the Center.

Day workers are a reality in our community and the proposed Center is an excellent opportunity for the community to respond constructively to that reality. I strongly encourage you to find a way to make it work.

Sincerely,



Philip McManus
2500 Smith Grade
Santa Cruz, Ca 95060

NORA HOCHMAN
5330 Glen Haven Road Soquel, Ca. 95073

January 25, 2012

Kathleen Molloy Prevesich, Director
Planning Department
County of Santa Cruz
701 Ocean Street
Santa Cruz, Ca. 95060

Re: Application # 111195 / Parcel # 026-051-17

Dear Ms. Previsch,

I write in support of the proposed Day Worker Center located at 2261 7th Avenue. For many years, I have hired day laborers from both the 41st Avenue and River Street locations. I hire day laborers about once a month.

I support this project for several reasons:

First, as a woman, it is uncomfortable for me to pull up to a group of men and point or in some way select the workers for my project. Usually I get out of my car and approach their group and that too can sometimes feel like a weird and unsettling way to approach workers I want to hire.

Second, I want to be able to go to a center where the employment rules of engagement are concrete, predictable, fair to both the employer and worker, and dependable. I would add to that I believe such a center would be safer for all involved. I also would be able to hire women for certain jobs and I never see women soliciting day labor work in the parking lots where workers currently gather. I think a center would provide women laborers a place to safely gather, define the work they do and be better able to be hired.

Third, I believe such a center will be beneficial to the greater Santa Cruz community in a few ways: safe, dependable hiring benefits us all, just as you and I enjoy the world of work, so should day laborers. It's hard enough to do this kind of temporary work without the obstacles and lack of dignity that parking lot gathering currently yields. Homeowners and residents like myself will be better able to hire workers in inclement weather if there were a center that got all parties out of the rain. People will always have a need to hire day laborers and our community will benefit by people continuing to earn a living, supporting themselves and their families and being able to spend their income locally.

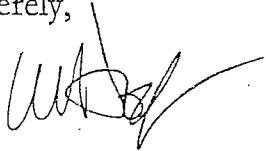
Finally, because the proposal includes off-street parking and is on a transit line, the hiring of day laborers will be a fairly quick experience. Most day workers don't have cars so I don't believe there

will be much of a traffic problem. Many workers get hired early in the morning, but many are still available for a day's work when I hire, which is often closer to 10 or 11am. The current situation, with parking lot/driveway hiring, is pretty rough and intolerable. Because there will be parking provided, employers like myself will be able to pull off the street and insure that any traffic associated with the center is contained in the center's parking lot. It's also my understanding that the center will develop and enforce rules about traffic and parking.

For all those reasons and more, I am a big supporter of a day labor worker center in our community. The workers aren't going away nor is the need for residents to hire them. I want our county Planning Department to recognize that and approve the proposed project.

Thanks very much for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nora Hochman', with a long, sweeping horizontal stroke extending to the right.

Nora Hochman

January 27, 2012

County of Santa Cruz Planning Department
Attn: Kathleen Molloy Prevesich, Planning Director
701 Ocean Street – 4th Floor
Santa Cruz, CA. 95060

Re: Use Permit Application #: 111195; Assessor's Parcel #: 026-051-17

Dear Ms Prevesich:

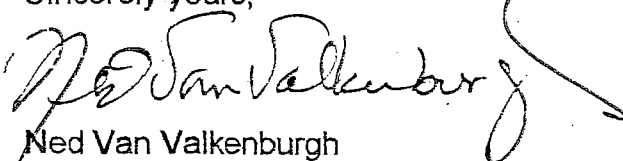
I am a local Santa Cruz County resident and formerly a partner in a General Contracting firm. Over the years I have hired day workers to work on some small projects and to assist me at my home. The current curb-side hiring process is chaos and my limited Spanish makes it a hit or miss process and impossible to assess the individual worker's skills. I was pleased to hear about the proposal to create a Day Worker Center. Through the Center I will be able to get assistance in communicating my needs to the workers and to request a worker based on their actual skills not on who gets to my truck first. I understand the Center is planning to help workers get to the job site using public transit. That's a great idea. To be able to call the center to have a worker dispatched rather than having to drive across town to pick them up makes good environmental sense.

I support the location of the proposed Day Worker Center on 7th Avenue between Capitola Road and Soquel Ave. It's centrally located and close to the Soquel Ave bus line. In addition, if Day Workers arrive by bike or bus then at the end of the day they could go to the bus stop nearest to their work and travel home without having to return to the Center. I understand that the Center will have rules and procedures with monitors and signs to direct vehicles to the parking at the adjacent VFW hall. I am sure they will have extra monitors and signage when they first begin operations to help familiarize workers and employers with the parking and pick-up procedures.

Day workers are here and doing work in our communities. All workers deserve dignity, safety, and fairness. A Center will help provide these for day workers and will assist the workers in enriching their skills thus enhancing their employment prospects and earning capacity. Ultimately this will result in providing higher quality services to the wider community.

Please approve the use application and help move this important project forward.

Sincerely yours,



Ned Van Valkenburgh
217 Marnell Ave.
Santa Cruz, CA 95062

Nancy Wood
1511 Escalona Dr.
Santa Cruz, CA 95060
January 26, 2012

Kathleen Molloy Prevesich
Planning Director
County of Santa Cruz Planning Department
701 Ocean St. - 4th Floor
Santa Cruz, CA 95060

Dear Ms. Molloy Prevesich,

I am writing in support of the proposed Day Worker Center at 2261 7th Avenue. Santa Cruz County has needed a center like this for many years. The center would provide a safe place to match day workers to jobs. The center would have the added benefit of providing a centralized location for services and training opportunities for the workers.

I also support the proposed location. The site is about halfway between the two major informal hiring sites: River Street and 41st Avenue. The 7th Avenue location provides the potential to draw workers away from both of these locations. With the added benefit of being near the bus routes on Soquel Ave, most of the day workers will be able to arrive in the morning by bike, thus mitigating traffic concerns. At the end of the day, most of the workers will likely go to a bus stop nearest to their worksite to travel home rather than returning to the Center.

Sincerely,

Nancy Wood

Nancy Wood

David Foster
118 Miles Street
Santa Cruz, CA 95060

February 4, 2012

Samantha Haschert, Planner
County Planning Department
701 Ocean Street
Santa Cruz, CA 95060

Re: Support for proposed Day Worker Center on 7th Avenue

Dear Ms. Haschert:

Finding an appropriate site for the Day Worker Center has been a challenge. A successful site needed to be separate and distinguishable from current informal day worker gathering sites. It also needed to offer easy access to the highway and other major roadways. For the workers the site needed easy access to bus lines and bike lanes and needed to offer safe pedestrian access. From the Center's Feasibility Study it was recommended that the Center be located in the mid-county area in order to attract the greatest number of potential employers.

When the Community Action Board first came to the County Planning Department to discuss sitting options for the Center we were told that the Public Facilities (PF) zone was the only zone within the unincorporated County that could appropriately accommodate this use. The proposed site on 7th Avenue meets all of the site selection criteria. The 7th Avenue site is located within a mixed zoning area with residential, public facilities and commercial uses. The Community Action Board has made a concerted effort to contact the surrounding neighborhood prior to the public hearing for this project. We have gone door-to-door in the neighborhood and we have conducted several meetings with specific neighborhood groups. Design changes to the Center's program and to the Center's site improvements have been made specifically in response to neighborhood concerns. Street parking is not allowed in this area of 7th Avenue and adequate on-site parking is provided as a part of the proposed project.

The proposed Day Worker Center offers a program that is critically needed in the County. The Community Action Board's Day Worker Center Advisory Committee urges your support of this use permit application.

Sincerely,

David Foster
Chair, Day Worker Center Advisory Committee

2 February 2012

County of Santa Cruz Planning Department
Attn: Kathleen Molloy Prevesich, Planning Director
701 Ocean Street – 4th Floor
Santa Cruz, CA 95060

Re: Proposed Day Labor Center, Application #111195, Parcel # 026-051-17

Dear Ms. Molloy Prevesich:


I am writing in support of the proposed Day Labor Center at 2261 7th Avenue. I am familiar with day labor centers operating in other areas and feel that such a center is long overdue in Santa Cruz County. I believe that the Center would be a significant improvement over the current chaotic situation by providing a safe and orderly approach to matching day laborers with jobs. As someone who has used such workers in the past, I would have very much preferred a Center in which to locate the assistance that I needed rather than trying to do so in the parking lot of a home improvement store. The creation of the Center could also help to expand the range of the pool of workers to include people interested in providing services other than gardening or construction type jobs (for example, house cleaning) and would certainly allow more women the opportunity to find employment in the informal job market.

In addition, the Center would provide these workers with services and training opportunities in order for them to increase their employment opportunities. We need to support people who are trying to make a better life for themselves and the fact that a local non-profit agency is interested in providing these services is of great benefit not only to the workers that would use the center, but to the entire community.

Locating the Center in the area proposed in Live Oak I think is appropriate for many reasons. It is easily accessible for workers who live in all parts of the County by bus, but also to those who may wish to employ the people who would go to the Center.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Edward Rico

43 Hill Ave.

Watsonville, CA 95076

831-252-9146

tedr@cruzio.com

February 1, 2012

County of Santa Cruz Planning Department
Attn. Kathleen Molloy Prevesich, Director
Re. 7th Avenue Day Worker Center

Dear Ms Prevesich,

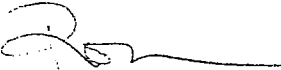
I want to express my support for the Day Worker Center at 2261 7th Avenue. The Center is long overdue for our County. There are many successful Centers as models. The Center would provide an orderly and safe place to match workers to jobs providing a benefit for workers and businesses and the Community alike. The Center would assure that their labors would be fairly compensated and not be cheated. Woman workers in particular need such a safe and secure site for their protection. Additionally this Center would provide support services and training opportunities.

Any new business will generate additional car trips. I have not seen any traffic engineering projected trips. But common sense would predict these trips will be concentrated for short durations during the early morning and late afternoon when the workers come for employment and complete their workday. This is a central location for the County and has access to public transportation.

If labor organizations support the Day Labor Center then it must be important.

I urge your support and assistance in the formation of the Day Worker Center for all of these reasons and more.

Thank you for your time and thoughtful consideration.



Ron Pomerantz
215 Gharkey Street
Santa Cruz, CA 95060
Email: hectic@cruzio.com



Accessibility Review

Routing No: 2 Review Date: 01/10/2012

LAURA BRINSON (LBRINSON) : Complete

Project is complete for Development Review

Building Permit Requirements:

Complete accessible hardship form to establish the costs of construction and the costs of providing access. If separate parking lot areas are provided for employees and guests, then separate accessible parking shall be provided, unless unreasonable hardship may be established.

Submit complete plans and specifications to verify new work and change of occupancy (from an R-3 to a B) complies with the 2010 CBC, CPC, CMC, CEC and 2008 CA Energy Standards, which are the codes currently enforced.

Driveway/Encroachment Review

Routing No: 1 Review Date: 10/18/2011

DEBRA LOCATELLI (DLOCATELLI) : Complete

site inspection completed. The existing sidewalk is in good condition, except for a hairline crack. No requirements. Review complete.

Fire Review

Routing No: 1 Review Date: 10/14/2011

KAREN MILLER (KMILLER) : Complete

Date: October 14, 2011

To: David Foster

Applicant: same

From: Tom Wiley

Subject: 111195

Address 2261 7th Ave.

APN: 026-051-17

OCC: 2605117

Permit: 20110232

We have reviewed plans for the above subject project.

The following NOTES must be added to notes on velums by the designer/architect in order to satisfy District requirements when submitting for **Application for Building Permit**:

NOTE on the plans that these plans are in compliance with California Building and Fire Codes (2010) as amended by the Central Fire Protection District.

NOTE on the plans construction classification as determined by the building official and outlined in Part IV of the California Building Code.

NOTE on the plans the occupancy classification as determined by the building official and outlined in Part III of the California Building Code.

EXHIBIT C
EXHIBIT A



Fire Review

Routing No: 1 Review Date: 10/14/2011

KAREN MILLER (KMILLER) : Complete

NOTE on the plans whether the building will be either **SPRINKLERED** or **NON-SPRINKLERED** as outlined in the 2010 California Building Code and via District Amendment.

The FIRE FLOW requirement for the subject property is XXXX gallons per minute.

NOTE, on the plans, the required FIRE FLOW and the available FIRE FLOW. This information can be obtained from the water company upon request.

SHOW on the plans a public fire hydrant, type and location, meeting the minimum required fire flow for the building, within 150 feet of any portion of the building.

NOTE ON PLANS: New/upgraded hydrants, water storage tanks, and/or upgraded roadways shall be installed PRIOR to and during time of construction.

NOTE on the plans occupancy load of each area. Show where occupancy control signs will be posted.

IF the building is equipped with automatic fire sprinkler protection the following shall apply:

NOTE on the plans that an UNDERGROUND FIRE PROTECTION SYSTEM WORKING DRAWING must be prepared by the designer/installer. NOTE that the WORKING DRAWINGS shall comply with the District UNDERGROUND FIRE PROTECTION SYSTEM INSTALLATION POLICY HANDOUT.

NOTE on the plans that the building shall be protected by an approved automatic sprinkler system complying with the edition of NFPA 13 currently adopted in Chapter 35 of the California Building Code.

NOTE The FDC shall be labeled with the address of the building that it serves, with 2" peel and stick plastic reflective numbers.

NOTE on the plans that the designer/installer shall submit two (2) sets of plans, calculations, and cut sheets for the automatic sprinkler system to this agency for approval. Installation shall follow our guide sheet.

SHOW location of fire extinguishers.

SHOW Occupant Load(s) and an Exiting Plan.

SHOW location of exit signs.

SHOW where address numbers will be posted and maintained, plainly visible from the street. Numbers shall be a minimum of four (4) inches in height and of a color contrasting to their background.

SHOW location of Knox Box and key.

NOTE roof coverings to be no less than Class "B" rated roof.

The job copies of the building and fire systems plans and permits must be on-site during inspections.

Submit a check in the amount of \$115.00 for this particular plan check, made payable to Central Fire Protection District. A \$35.00 Late Fee may be added to your plan check fees if payment is not received within 30 days of the date of this Discretionary Letter. INVOICE MAILED TO APPLICANT. Please contact the Fire Prevention



Fire Review

Routing No: 1 Review Date: 10/14/2011

KAREN MILLER (KMILLER) : Complete

Secretary at (831) 479-6843 for total fees due for your project.

If you should have any questions regarding the plan check comments, please call me at (831) 479-6843 and leave a message, or email me at tomw@centralfpd.com. All other questions may be directed to Fire Prevention at (831)479-6843.

CC: File & County

As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source. Further, the submitter, designer, and installer agrees to hold harmless from any and all alleged claims to have arisen from any compliance deficiencies, without prejudice, the reviewer and the Central FPD of Santa Cruz County.
2605117-101411

Metro Transit District Review

Routing No: 1 Review Date: 10/31/2011

SAMANTHA HASCHERT (SHASCHERT) : No Response

Project Review

Routing No: 3 Review Date: 01/30/2012

SAMANTHA HASCHERT (SHASCHERT) : Complete

Road Engineering Review

Routing No: 1 Review Date: 10/20/2011

RODOLFO RIVAS (RRIVAS) : Complete

Completeness Comments:

Permit Conditions and Additional Information:

Determination of required TIA fees:

12/8/11

Upon request from Tom Burns, our department has reviewed the number of vehicular trips generated by this project and determined that for TIA fees calculation, the institutional land use category is acceptable for the proposed Day Worker Center.

Therefore, TIA fees for a 1008 square foot building at 5 trips per ksf will result in 5 trips



Road Engineering Review

Routing No: 1 Review Date: 10/20/2011

RODOLFO RIVAS (RRIVAS) : Complete

per day, or \$3,000 in TIA fees. However, due to the TIA fee credit of \$6,000 for the existing residence there will not be any TIA fees due for this application.

This application is for a Day Worker Center on 7th Avenue. The number of vehicular trips generated by the development was estimated based on the information included on the Program Statement document provided for this project. As described below the estimated number of trips was then used to determine the required Live Oak Transportation Improvement Area fees (TIA).

The Project Statement estimates a maximum attendance or occupancy (workers, manager and volunteers) equal to 30. 90 percent (27) of attendees are expected to use alternative transportation means other than to drive a motor vehicle (bus, bike, walk, etc.), and the other 10 percent (3) will drive to and from the facility. The three attendees that will drive are expected to generate 2 trips each (one trip to the facility and one trip from the facility) generating as a result 6 trips (3x2). In addition, it is anticipated that 17 employers a day will visit the center to process the hiring of workers and to transport the workers to the respective working sites. These 17 employers will generate 34 trips (17x2). The number of trips generated by the Worker Center is estimated to be 40 (34+6). The Worker Center is eligible for trips credit associated with the existing building (keeper's residence). The number of trips that can be taken as credit is 10 trips, based on equivalent number of trips generated by a single family dwelling (per the Institute of Transportation Engineers Trip Generation Report, 8th edition). Therefore, the estimated total number of new daily trips to be generated by the Workers Center is 30 trips (40 trips - 10 trips (credit)).

This project is subject to Live Oak Transportation Improvement (TIA) fees at a current rate of \$600 (\$300 for roadside improvement fees + \$300 for transportation improvement fees) per daily trip generated by the proposed development.

The TIA fees for the project = $30 \times \$600 = \$18,000$

The total TIA fee of \$18,000 is to be split evenly between transportation improvement fees and roadside improvement fees.

Note: The above TIA fee estimate was calculated using the current fee rate. The rate in effect at the time of acquiring a building permit will be used to determine the actual TIA fees for the project.

Applicant has the option of submitting to the approving body a lower trip generation rate (trips per day), provided that the proposed trip generation rate is based on a traffic engineering study.

Urban Designer Review



County of Santa Cruz PLANNING DEPARTMENT

Discretionary Application Comments 111195

APN 026-051-17

Urban Designer Review

Routing No: 1 Review Date: 10/31/2011

SAMANTHA HASCHERT (SHASCHERT): Not Required

Project planner to complete design review. See incomplete letter in file.

EXHIBIT C
EXHIBIT H



All METRO buses are wheelchair accessible, while some bus stops on this route may not be. **NOTA:** Todos los autobuses de METRO son accesibles en silla de ruedas, pero algunas paradas en esta ruta no son accesibles.



All METRO buses are equipped with front bicycle racks that can carry up to three bicycles at a time. **NOTA:** Todos los autobuses están equipados con portabicicletas en frente que pueden portar hasta tres a la vez.

Cabrillo/South County Service
Effective / Vigente: Jan. 05, 2012

69A/69W

69 Capitola Road / Cabrillo / Watsonville

Departs	Departs	Departs	Departs	Departs	Departs	Arrives
Santa Cruz Metro Lane 4	Capitola Road & 7th Ave.	Capitola Mall	Cabrillo College	Green Valley & Main	Neilson & Watsonville Hospital Centre	Watsonville Transit Center
A	B	C	D	E	F	H
69W 1 6:37 AM	6:46	7:00	7:15	7:27		7:34
69A 7:07	7:16	7:30	7:45	7:57		8:07
69W 1 7:37	7:46	8:00	8:15	8:27		8:34
69A 8:07	8:16	8:30	8:45	8:57		9:07
69W 1 8:37	8:46	9:00	9:15	9:27		9:34
69A 9:07	9:16	9:30	9:45	9:57		10:04
69W 1 9:37	9:46	10:00	10:15	10:27		10:34
69A 10:07	10:16	10:30	10:45	10:57		11:04
69W 1 10:37	10:46	11:00	11:15	11:27		11:34
69A 11:07	11:16	11:30	11:45	11:57		12:07 PM
69W 1 11:37	11:46	12:00	12:15	12:27		12:40
69A 12:00	12:11	12:30	12:45	12:57		1:07
69W 1 12:30	12:41	1:00	1:15	1:27		1:37
69A 1:00	1:11	1:30	1:45	1:57		2:07
69W 1 1:30	1:41	2:00	2:15	2:27		2:37
69A 2:00	2:11	2:30	2:45	2:57		3:07
69W 1 2:30	2:41	3:00	3:15	3:27		3:40
69A 3:00	3:11	3:30	3:45	3:57		4:17
69W 1 3:30	3:41	4:00	4:15	4:27		4:40
69A 4:00	4:11	4:30	4:45	4:57		5:13
69W 1 4:30	4:41	5:00	5:15	5:27		5:40
69A 5:00	5:11	5:30	5:45	5:57		6:10
69W 1 5:30	5:41	6:00	6:15	6:27		6:37
69A 6:00	6:11	6:30	6:45	6:57		7:10
69W 1 6:30	6:41	7:00	7:15	7:27		7:37

MONDAY - FRIDAY

Departs	Departs	Departs	Departs	Departs	Departs	Arrives
Santa Cruz Metro Lane 4	Capitola Road & 7th Ave.	Capitola Mall	Cabrillo College	Green Valley & Main	Neilson & Watsonville Hospital Centre	Watsonville Transit Center
A	B	C	D	E	F	H
69W 1 6:37 AM	6:46	7:00	7:15	7:27		7:34
69A 7:07	7:16	7:30	7:45	7:57		8:07
69W 1 7:37	7:46	8:00	8:15	8:27		8:34
69A 8:07	8:16	8:30	8:45	8:57		9:07
69W 1 8:37	8:46	9:00	9:15	9:27		9:34
69A 9:07	9:16	9:30	9:45	9:57		10:04
69W 1 9:37	9:46	10:00	10:15	10:27		10:34
69A 10:07	10:16	10:30	10:45	10:57		11:04
69W 1 10:37	10:46	11:00	11:15	11:27		11:34
69A 11:07	11:16	11:30	11:45	11:57		12:07 PM
69W 1 11:37	11:46	12:00	12:15	12:27		12:40
69A 12:00	12:11	12:30	12:45	12:57		1:07
69W 1 12:30	12:41	1:00	1:15	1:27		1:37
69A 1:00	1:11	1:30	1:45	1:57		2:07
69W 1 1:30	1:41	2:00	2:15	2:27		2:37
69A 2:00	2:11	2:30	2:45	2:57		3:07
69W 1 2:30	2:41	3:00	3:15	3:27		3:40
69A 3:00	3:11	3:30	3:45	3:57		4:17
69W 1 3:30	3:41	4:00	4:15	4:27		4:40
69A 4:00	4:11	4:30	4:45	4:57		5:13
69W 1 4:30	4:41	5:00	5:15	5:27		5:40
69A 5:00	5:11	5:30	5:45	5:57		6:10
69W 1 5:30	5:41	6:00	6:15	6:27		6:37
69A 6:00	6:11	6:30	6:45	6:57		7:10
69W 1 6:30	6:41	7:00	7:15	7:27		7:37

Route 69W serves all stops between Metro Center and Cabrillo College, and then serves as a limited express between Cabrillo College and Watsonville Transit Center, stopping only at the time points shown, and these additional stops: Soquel & State Park, Main & Ohlone Parkway, Main & Pennsylvania, Main & Rodriguez. **NOTA:** La Ruta 69W sirve a todas las paradas entre el Centro de Metro y Cabrillo College y luego sirve como expreso limitado entre Cabrillo College y el Centro de Transito de Watsonville, parando solamente en los puntos de tiempo mostrados y estas paradas adicionales: Soquel & State Park, Main & Ohlone Parkway, Main & Pennsylvania, y Main & Rodriguez.

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69A/69W

69 Capitola Road / Cabrillo / Watsonville

Departs	Departs	Departs	Departs	Departs	Departs	Arrives
Santa Cruz Metro Lane 4	Capitola Road & 7th Ave.	Capitola Mall	Cabrillo College	Green Valley & Main	Neilson & Watsonville Hospital Centre	Watsonville Transit Center
A	B	C	D	E	F	H
69W 1 8:00 AM	8:09	8:23	8:38	8:48		8:57
69A 9:00	9:09	9:23	9:38	9:48		10:00
69W 1 10:00	10:09	10:23	10:38	10:48		10:57
69A 11:00	11:09	11:23	11:38	11:48		12:00 PM
69W 1 12:00	12:09	12:23	12:38	12:50		1:00
69A 1:00	1:09	1:23	1:38	1:48		2:03
69W 1 2:00	2:09	2:23	2:38	2:50		3:00
69A 3:00	3:09	3:23	3:38	3:48		4:03
69W 1 4:00	4:09	4:23	4:38	4:50		5:00
69A 5:00	5:09	5:23	5:38	5:48		6:03
69W 1 6:00	6:09	6:23	6:38	6:50		7:00
69A 7:00	7:09	7:23	7:38	7:48		8:03
69W 1 8:00	8:09	8:23	8:38	8:48		8:57

SATURDAY - SUNDAY

Departs	Departs	Departs	Departs	Departs	Departs	Arrives
Santa Cruz Metro Lane 4	Capitola Road & 7th Ave.	Capitola Mall	Cabrillo College	Green Valley & Main	Neilson & Watsonville Hospital Centre	Watsonville Transit Center
A	B	C	D	E	F	H
69W 1 8:00 AM	8:09	8:23	8:38	8:48		8:57
69A 9:00	9:09	9:23	9:38	9:48		10:00
69W 1 10:00	10:09	10:23	10:38	10:48		10:57
69A 11:00	11:09	11:23	11:38	11:48		12:00 PM
69W 1 12:00	12:09	12:23	12:38	12:50		1:00
69A 1:00	1:09	1:23	1:38	1:48		2:03
69W 1 2:00	2:09	2:23	2:38	2:50		3:00
69A 3:00	3:09	3:23	3:38	3:48		4:03
69W 1 4:00	4:09	4:23	4:38	4:50		5:00
69A 5:00	5:09	5:23	5:38	5:48		6:03
69W 1 6:00	6:09	6:23	6:38	6:50		7:00
69A 7:00	7:09	7:23	7:38	7:48		8:03
69W 1 8:00	8:09	8:23	8:38	8:48		8:57

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Route Map is provided on a separate sticker.

El Mapa de Ruta está en una calcomanía separada.

Hours of Operation / Horas de Operación:

Monday - Thursday / Lunes - Jueves:

Friday / Viernes:

Call / Llame:

8:00am to 9:00pm
8:00am to 4:00pm

(831) 479-6379 or (831) 479-6370

EXHIBIT C
EXHIBIT I



All METRO buses are wheelchair accessible, while some bus stops on this route may not be. **NOTA:** Todos los autobuses de METRO son accesibles en silla de ruedas, pero algunas paradas en esta ruta no son accesibles.



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Cabrillo/South County Service
Effective / Vigente: Jan. 05, 2012

69A/69W

69 Cabrillo / Capitola Road / Santa Cruz

Departs	Departs	Departs	Departs	Departs	Departs	Arrives
Watsonville	Airport Blvd. & Freedom TC Lane 1	Watsonville	Green Valley & Main	Cabrillo College	Capitola Mall & 7th Ave.	Santa Cruz Metro Center
H	G	F	E	D	C	B
						A

MONDAY - FRIDAY

69W 6:20AM	6:55	7:00	6:25	6:40	7:00	7:05	7:20
69A 6:45	7:00	7:05	7:20	7:40	7:30	7:35	7:50
69W 7:15	7:55	8:00	7:25	7:45	7:35	7:40	7:55
69A 7:45	8:00	8:05	7:30	7:50	7:40	7:45	8:00
69W 8:20	9:00	9:05	8:00	8:20	8:10	8:15	8:30
69A 8:50	9:05	9:10	8:25	8:45	8:35	8:40	8:55
69W 9:20	10:00	10:05	8:50	9:10	9:00	9:05	9:20
69A 9:50	10:05	10:10	9:20	9:40	9:30	9:35	9:50
69W 10:20	11:00	11:05	9:50	10:10	10:00	10:05	10:20
69A 10:50	11:05	11:10	10:20	10:40	10:30	10:35	10:50
69W 11:20	12:00	12:05	11:00	11:20	11:10	11:15	11:30
69A 11:50	12:05	12:10	11:25	11:45	11:35	11:40	11:55
69W 12:20	1:00	1:05	12:00PM	12:20	12:10	12:15	12:30
69A 12:50	1:05	1:10	12:25	12:45	12:35	12:40	12:55
69W 1:20	2:00	2:05	1:25	1:40	1:30	1:35	1:50
69A 1:50	2:05	2:10	1:50	2:10	2:00	2:05	2:20
69W 2:20	3:00	3:05	2:25	2:40	2:30	2:35	2:50
69A 2:50	3:05	3:10	2:50	3:10	3:00	3:05	3:20
69W 3:20	4:00	4:05	3:25	3:40	3:30	3:35	3:50
69A 3:50	4:05	4:10	3:50	4:10	4:00	4:05	4:20
69W 4:20	5:00	5:05	4:25	4:40	4:30	4:35	4:50
69A 4:50	5:05	5:10	4:50	5:10	5:00	5:05	5:20
69W 5:20	6:00	6:05	5:25	5:40	5:30	5:35	5:50
69A 5:50	6:05	6:10	5:50	6:10	6:00	6:05	6:20
69W 6:20	7:00	7:05	6:25	6:40	6:30	6:35	6:50
69A 6:50	7:05	7:10	6:50	7:10	7:00	7:05	7:20

Route 69W serves as a limited express between Watsonville Transit Center and Cabrillo College, stopping only at the time points shown, and these additional stops: Rodriguez & Main, Main & Pennsylvania, Main & Clifford, and Soquel & State Park. All stops are then served between Cabrillo College and Metro Center. **NOTA:** La Ruta 69W sirve como expreso limitado entre el Centro de Transito de Watsonville y Cabrillo College, parando solamente en los puntos de tiempo mostrados y éstas paradas adicionales: Rodriguez & Main, Main & Pennsylvania, Main & Clifford, y Soquel & State Park. Todas las paradas están en servicio entre Cabrillo College y el Centro de Metro.

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69A/69W

69 Cabrillo / Capitola Road / Santa Cruz

Departs	Departs	Departs	Departs	Departs	Departs	Departs	Arrives
Watsonville TC Lane 1	Watsonville Airport Blvd. & Freedom Centre	Watsonville Hospital	Green Valley & Main	Cabrillo College	Capitola Mall	Capitola Road & 7th Ave.	Santa Cruz Metro Center
H	G	F	E	D	C	B	A

SATURDAY - SUNDAY

69W 7:20AM	8:30	8:35	7:25	7:40	8:00	8:05	8:18
69A 8:20	8:30	8:35	7:25	7:40	8:00	8:05	8:18
69W 9:20	10:30	10:35	8:25	8:40	9:00	9:05	9:18
69A 10:20	10:30	10:35	8:25	8:40	9:00	9:05	9:18
69W 11:20	12:30	12:35	9:25	9:40	10:00	10:05	10:18
69A 12:20	12:30	12:35	9:25	9:40	10:00	10:05	10:18
69W 1:20	2:30	2:35	10:25	10:40	11:00	11:05	11:18
69A 2:20	2:30	2:35	10:25	10:40	11:00	11:05	11:18
69W 3:20	4:30	4:35	11:25	11:40	12:00PM	12:05	12:18
69A 4:20	4:30	4:35	11:25	11:40	12:00PM	12:05	12:18
69W 5:20	6:30	6:35	12:25	12:40	1:00	1:05	1:18
69A 6:20	6:30	6:35	12:25	12:40	1:00	1:05	1:18
69W 7:20	8:30	8:35	1:25	1:40	2:00	2:05	2:18
69A 8:20	8:30	8:35	1:25	1:40	2:00	2:05	2:18
69W 9:20	10:30	10:35	2:25	2:40	3:00	3:05	3:18
69A 10:20	10:30	10:35	2:25	2:40	3:00	3:05	3:18
69W 11:20	12:30	12:35	3:25	3:40	4:00	4:05	4:18
69A 12:20	12:30	12:35	3:25	3:40	4:00	4:05	4:18
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69A 2:20	2:30	2:35	4:25	4:40	5:00	5:05	5:18
69W 3:20	4:30	4:35	5:25	5:40	6:00	6:05	6:18
69A 4:20	4:30	4:35	5:25	5:40	6:00	6:05	6:18
69W 5:20	6:30	6:35	6:25	6:40	7:00	7:05	7:18
69A 6:20	6:30	6:35	6:25	6:40	7:00	7:05	7:18

Route Map is provided on a separate sticker.

El Mapa de Ruta está en una calcomanía separada.

Hours of Operation / Horas de Operación:

Monday - Thursday / Lunes - Jueves:

8:00am to 9:00pm

8:00am to 4:00pm

Friday / Viernes:

Call / Llame:

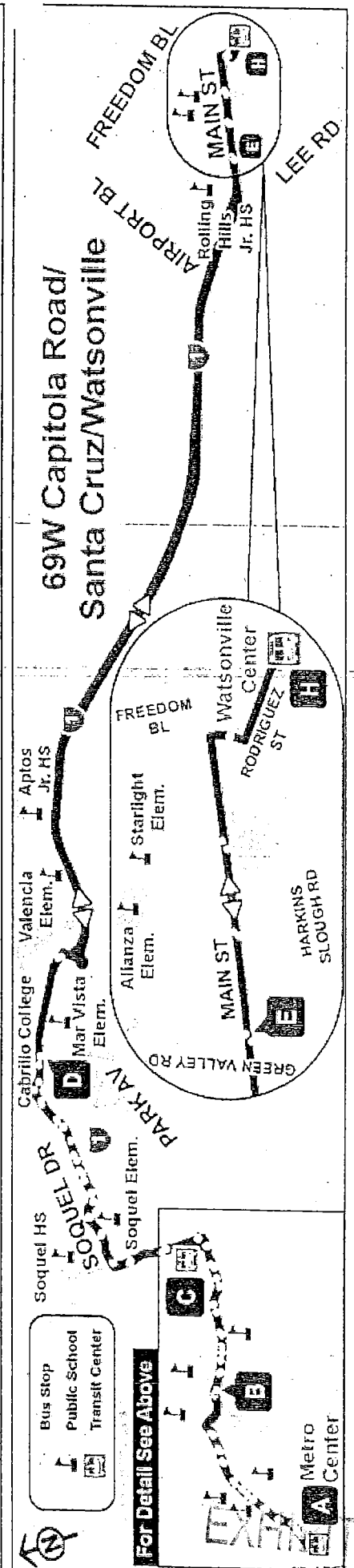
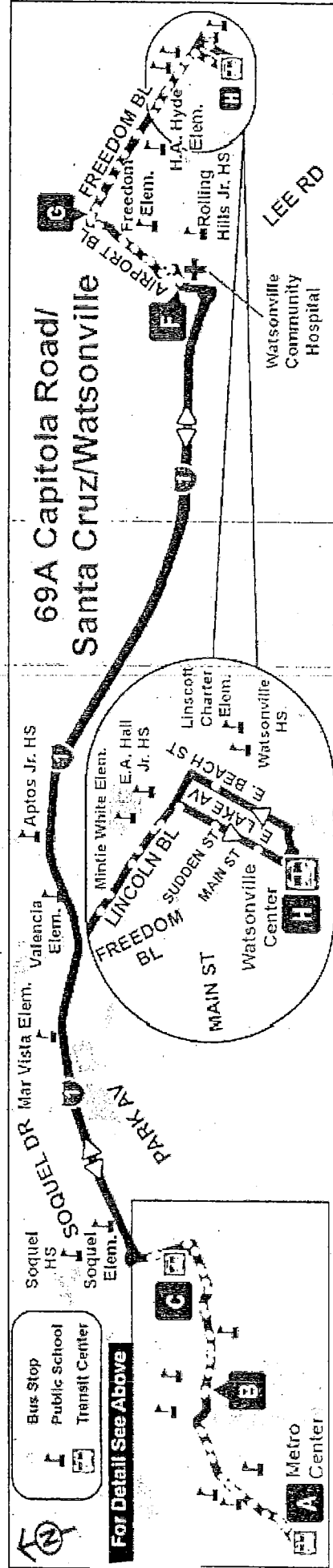
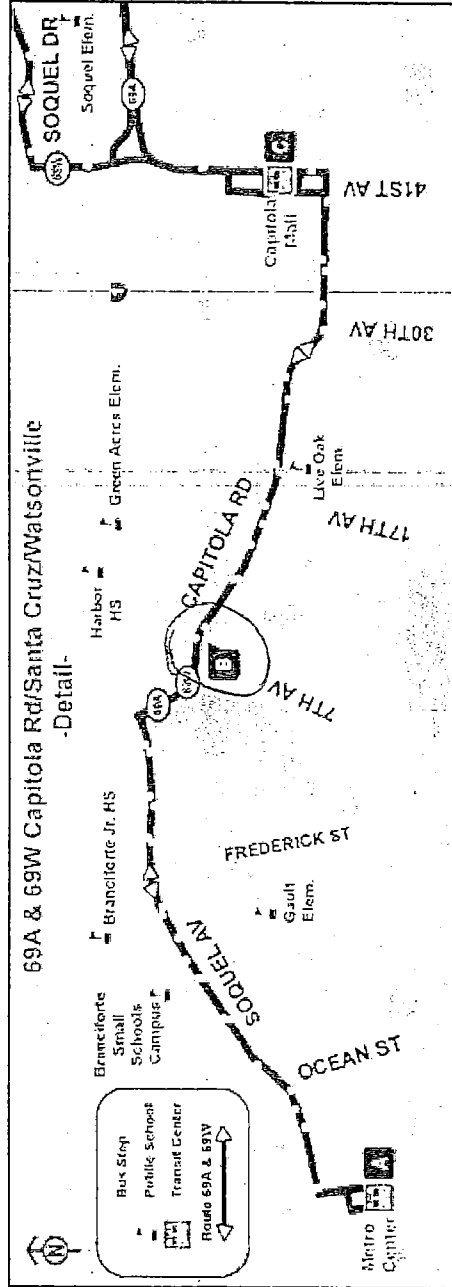
(831) 479-6379 or (831) 479-6370



All METRO buses are wheelchair accessible, while some bus stops on this route may not be. **NOTA:** Todos los autobuses de METRO son accesibles en silla de ruedas, pero algunas paradas en esta ruta no son accesibles.



All METRO buses are equipped with front bicycle racks that can carry up to three bicycles at a time. **NOTA:** Todos los autobuses están equipados con portabicicletas en frente que pueden portar hasta tres a la vez.



1752 7th Avenue
Santa Cruz, CA 95062
March 4, 2012

Zoning Administrator
County of Santa Cruz
Planning Department
701 Ocean Street
Santa Cruz, CA

Re: Item No. 111195 2261 7th Avenue, Santa Cruz APN(S): 026-051-26, -17

The following is a compilation of my objections to the above item:

My name is RUTH MARIA GARSIA. I am a resident of Santa Cruz since August 1, 1994. All this time my residence has been 1752 7th Avenue. I am a retired librarian.

I only learned about the above item, which proposes a day worker center one block from my residence, in the morning of March 2nd, the date of the hearing concerning the said center. My neighbor, who had happened to see the notice of the hearing in the newspaper, told me about it.

I attended the hearing, but did not speak up, not having had time to prepare a statement. The following are my comments on the statements presented at the meeting in favor of the center and my reactions:

First, a question: Why was I not informed earlier about the planned day worker center? This type of project will affect the whole neighborhood, not only the people residing next door to the planned day worker center.

I strongly object to the proposed location of the day worker center, for the following reasons:

As was pointed out by my neighbors at the hearing, the section of 7th Avenue between Soquel Avenue and Capitola Road is a residential area. The non-residential areas and structures are: a K-8 school run by 7th Day Adventists, a small office building at 7th Avenue and Rodriguez Ave., the SPCA facility across the street from it, the VFW meeting house and the cemetery. All of them, except the office building, which unfortunately replaced a much used neighborhood food market, serve the local community.

On the other hand, an office whose purpose is to serve as an employment center for day workers in the larger Santa Cruz area, belongs to a business center such as the one where ProBuild and Home Depot are located. These are the logical spots where these workers congregate.

Having visited ProBuild, I can understand why the businesses whose customers hire day laborers try to ignore the latter's existence. The men who have not been hired become loiterers, some of whom sneer and shout at ProBuild shoppers, becoming an annoyance.

The proposed project would bring the day work applicants to 7th Avenue, next to the entrance to a cemetery. The existing structure, at 1,000 sq.ft., would be far too small for an office, which would mean that the people applying for work would have to wait outside. Neither is there adequate space for parking.

7th Avenue has a lot of foot traffic, as I know from own experience. The majority of pedestrians there are school children. Besides the 7th Day Adventists' school, there are two other schools in the neighborhood: Green Acres elementary school and Tierra Pacifica charter school, which is K8. And then there are high school students from the neighborhood. The majority of these children are unaccompanied by adults, as their parents are at work. How would these parents feel, knowing that their children have to pass a group of men hanging around? How would the children themselves feel? The teachers are concerned also, as pointed out by a teacher attending the hearing.

The proposed office hours at the day worker center would be 7 a.m.-1 p.m. daily, including Sundays. That would bring extra traffic to 7th Avenue also on Sunday mornings. People often bring flowers and visit the graves of their loved ones on Sunday mornings. Would they be distracted and disturbed by the presence of strangers by the entrance to the cemetery?

When the matter of people loitering around the proposed day worker center was brought up by local residents, we were given assurances that the office manager would keep things orderly in and around the building. After doubts were voiced as to how this one person would manage things by him/herself, the idea was brought up that the job applicants would volunteer to keep order among themselves. These kinds of statements certainly don't sound assuring. They rather prove that this project has not been thought through.

And what happens after 1 p.m. and the closing of the center? Where do the homeless job applicants go? What do the rest of the applicants do? Will drug dealers come around?

After the hearing, I was left with a feeling that us, the residents of 7th Avenue and its neighborhood, were being dumped on. None of the pro-center speakers were from this neighborhood.- True; this is a working-class neighborhood. But that does not mean the people living here don't cherish their homes and the area they live in any less than those who are better off. Perhaps they appreciate their homes even more, knowing how hard they had worked to acquire them.

At this point, another group comes to mind: the contractors. They certainly profit from the labor of their day workers, who often get paid a small fraction of what their employers make. Would it be too much to ask that they provide an office for hiring day workers? The cost of this office could be shared among the employers of these workers.

Thank you for your attention,

Very truly yours,

Ruth Maria Garsia
Ruth Maria Garsia

Beau Hawksford

From: Matt Baldzikowski [mbaldzikowski@openspace.org]
Sent: Friday, March 02, 2012 8:21 AM
To: Beau Hawksford
Subject: Opposed to day labor facility proposed for 7th Ave.

Dear Planning Commissioners,

I am contacting you to state my opposition to the proposed day labor facility before the Planning Commission this morning. This location is not appropriate for the facility. It does not make any sense to relocate this issue from a commercial area (41st Ave, Home Depot/ Pro Build) where there is a four lane road with additional turn lanes, and large parking lot areas, to a location on a busy two lane road in a residential area, used by hundreds of kids walking to nearby Harbor High School and Green Acres elementary school. Please work with your Planning Commissioner to oppose this proposed project. While many of the day laborers are honest hardworking people, illegal camps with abundant human waste, syringes, and a criminal element are also unfortunately in the mix, as evidenced by the camps on the San Lorenzo River near the Pro Build on River Street. The 7th Ave location is simply the wrong place to try this facility.

Sincerely,

Matt and Anne Baldzikowski
Live Oak Resident

Samantha Haschert

From: John Berg [johnwberg@gmail.com]
Sent: Thursday, March 01, 2012 10:02 PM
To: Samantha Haschert
Subject: Re: Proposed Day Worker Center - 7th Ave
Attachments: USDOJ COPS Disorder at Day Laborer Sites.pdf

Dear Samantha,

I will be present at the planning commission hearing tomorrow 3/2/12 regarding the day worker center on 7th Ave. in Live Oak.

I would like to introduce to the record the attached document for consideration by the commissioners.

The document was published by the U.S. Department of Justice, Office of Community Oriented Policing Services (www.cops.usdoj.gov).

Title: Problem-Oriented Guides for Police (No. 44) Disorder at Day Laborer Sites (By Rob T. Guerette 2007)

As noted in the above referenced document, there are several "problems" with day worker centers that are known to police and are cause for concern. These issues most certainly would be aggravated by locating the day worker center on 7th Ave.

1. The presence of large numbers of laborers and contractors often creates parking and traffic problems.
2. The constant congregation of laborers in the same place for many hours creates loitering problems.
3. Laborers often leave discarded bottles, food wrappers, and other litter at day laborer sites.
4. Laborers may vandalize area property or deface property with graffiti.
5. Laborers congregating on sidewalks may harass pedestrians.
6. Laborers may drink and sell or use illicit drugs in public.

Related problems to day worker sites include:

1. Illegal immigration and human smuggling rings.
2. Associations with groups engaged in trafficking women for prostitution.
3. Links with other forms of organized crime, such as drug smuggling.

I object to the day worker center being located on 7th Ave. for the following reasons:

Our community already has two day laborer sites, adding a third location will not eliminate the existing two locations but will fragment the problem and make policing more difficult.

The existing two day worker sites are located in commercial districts, however the proposed day worker center would be in a residential neighborhood.

The proposed day worker Center would be located in a school zone.
Students from three grade schools walk to and from school directly past the proposed day worker center.

And

The proposed location is directly in front of a senior citizen community.

Lastly, the proposed day worker center will not employ security staff or for that matter have anyone, volunteer or otherwise to police the workers. To quote the day worker center proposal: "The day workers will police themselves."

I urge you to deny the request for a day worker center on 7th Ave. I feel that the day worker center's potential benefit to our community is outweighed by the potential harm it may cause by being located in the wrong place.

Thank you.

On Fri, Oct 28, 2011 at 10:02 AM, Samantha Haschert <PLN145@co.santa-cruz.ca.us> wrote:

> Dear John,

>

>

>

> Thank you for your comments. A copy of your email will be placed in

> the file for public record. I also received your phone message

> yesterday afternoon, however, I was unable to return your call before the end of the day.

>

>

>

> Based on the high volume of responses to this application, the
> processing level has been elevated from an administrative decision to
> a public hearing before the Zoning Administrator. If you feel that
> your comments are not adequately addressed by staff, you will have the
> opportunity to speak at the public hearing.

>

>

>

> This application is still in the beginning stages, therefore it is not
> possible for me to estimate a public hearing date at this time. If you
> live within 300 feet of the property, you will receive a notice of
> public hearing when a date is determined.

>

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> Please feel free to email me if you have additional comments or concerns.

>

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>

> Sincerely,

>

> Samantha

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> _____



COPS

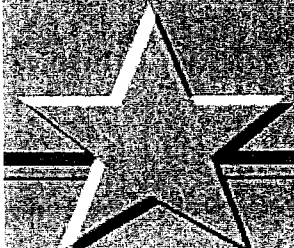
COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

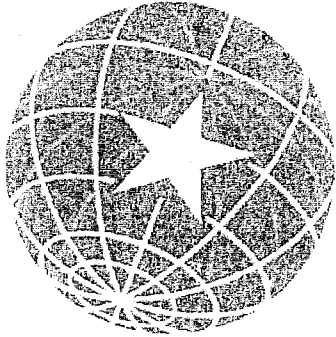
**Problem-Oriented Guides for Police
Problem-Specific Guides Series**

No. 44

Disorder at Day Laborer Sites

by
Rob T. Guerette





www.PopCenter.org

Center for Problem-Oriented Policing

Got a Problem? We've got answers!

Log onto the Center for Problem-Oriented Policing website at www.popcenter.org for a wealth of information to help you deal more effectively with crime and disorder in your community, including:

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- Interactive training exercises
- Online access to research and police practices
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Designed for police and those who work with them to address community problems, www.popcenter.org is a great resource in problem-oriented policing.

Supported by the Office of Community Oriented Policing Services, U.S. Department of Justice.



Problem-Oriented Guides for Police
Problem-Specific Guides Series
Guide No. 44

Disorder at Day Laborer Sites

Rob T. Guerette

This project was supported by cooperative agreement #2004CKWXXK002 by the Office of Community Oriented Policing Services, U.S. Department of Justice. The opinions contained herein are those of the author(s) and do not necessarily represent the official position of the U.S. Department of Justice. References to specific companies, products, or services do not constitute endorsements from the author(s) or the Justice Department. Rather, such references are used to supplement discussion of the issues.

www.cops.usdoj.gov

ISBN: 1-932582-72-X

October 2006



About the Problem-Specific Guides Series

The *Problem-Specific Guides* summarize knowledge about how police can reduce the harm caused by specific crime and disorder problems. They are guides to prevention and to improving the overall response to incidents, not to investigating offenses or handling specific incidents. Neither do they cover all of the technical details about how to implement specific responses. The guides are written for police—of whatever rank or assignment—who must address the specific problem the guides cover. The guides will be most useful to officers who:

- **Understand basic problem-oriented policing principles and methods.** The guides are not primers in problem-oriented policing. They deal only briefly with the initial decision to focus on a particular problem, methods to analyze the problem, and means to assess the results of a problem-oriented policing project. They are designed to help police decide how best to analyze and address a problem they have already identified. (A companion series of *Problem-Solving Tools* guides has been produced to aid in various aspects of problem analysis and assessment.)
- **Can look at a problem in depth.** Depending on the complexity of the problem, you should be prepared to spend perhaps weeks, or even months, analyzing and responding to it. Carefully studying a problem before responding helps you design the right strategy, one that is most likely to work in your community. You should not blindly adopt the responses others have used; you must decide whether they are appropriate to your local situation. What is true in one place may not be true elsewhere; what works in one place may not work everywhere.



- **Are willing to consider new ways of doing police business.** The guides describe responses that other police departments have used or that researchers have tested. While not all of these responses will be appropriate to your particular problem, they should help give a broader view of the kinds of things you could do. You may think you cannot implement some of these responses in your jurisdiction, but perhaps you can. In many places, when police have discovered a more effective response, they have succeeded in having laws and policies changed, improving the response to the problem. (A companion series of *Response Guides* has been produced to help you understand how commonly-used police responses work on a variety of problems.)
- **Understand the value and the limits of research knowledge.** For some types of problems, a lot of useful research is available to the police; for other problems, little is available. Accordingly, some guides in this series summarize existing research whereas other guides illustrate the need for more research on that particular problem. Regardless, research has not provided definitive answers to all the questions you might have about the problem. The research may help get you started in designing your own responses, but it cannot tell you exactly what to do. This will depend greatly on the particular nature of your local problem. In the interest of keeping the guides readable, not every piece of relevant research has been cited, nor has every point been attributed to its sources. To have done so would have overwhelmed and distracted the reader. The references listed at the end of each guide are those drawn on most heavily; they are not a complete bibliography of research on the subject.
- **Are willing to work with others to find effective solutions to the problem.** The police alone cannot implement many of the responses discussed in the guides. They must frequently implement them in partnership with



other responsible private and public bodies including other government agencies, non-governmental organizations, private businesses, public utilities, community groups, and individual citizens. An effective problem-solver must know how to forge genuine partnerships with others and be prepared to invest considerable effort in making these partnerships work. Each guide identifies particular individuals or groups in the community with whom police might work to improve the overall response to that problem. Thorough analysis of problems often reveals that individuals and groups other than the police are in a stronger position to address problems and that police ought to shift some greater responsibility to them to do so. Response Guide No. 3, *Shifting and Sharing Responsibility for Public Safety Problems*, provides further discussion of this topic.

The COPS Office defines community policing as “a policing philosophy that promotes and supports organizational strategies to address the causes and reduce the fear of crime and social disorder through problem-solving tactics and police-community partnerships.” These guides emphasize problem-solving and police-community partnerships in the context of addressing specific public safety problems. For the most part, the organizational strategies that can facilitate *problem-solving* and *police-community partnerships* vary considerably and discussion of them is beyond the scope of these guides.

These guides have drawn on research findings and police practices in the United States, the United Kingdom, Canada, Australia, New Zealand, the Netherlands, and Scandinavia. Even though laws, customs and police practices vary from country to country, it is apparent that the police everywhere experience common problems. In a world that is becoming increasingly interconnected, it is important that police be aware of research and successful practices beyond the borders of their own countries.



Each guide is informed by a thorough review of the research literature and reported police practice and is anonymously peer-reviewed by line police officers, police executives and researchers prior to publication.

The COPS Office and the authors encourage you to provide feedback on this guide and to report on your own agency's experiences dealing with a similar problem. Your agency may have effectively addressed a problem using responses not considered in these guides and your experiences and knowledge could benefit others. This information will be used to update the guides. If you wish to provide feedback and share your experiences it should be sent via e-mail to cops_pubs@usdoj.gov.

For more information about problem-oriented policing, visit the Center for Problem-Oriented Policing online at www.popcenter.org. This website offers free online access to:

- the Problem-Specific Guides series
- the companion *Response Guides* and *Problem-Solving Tools* series
- instructional information about problem-oriented policing and related topics
- an interactive problem-oriented policing training exercise
- an interactive *Problem Analysis Module*
- a manual for crime analysts
- online access to important police research and practices
- information about problem-oriented policing conferences and award programs.



Acknowledgments

The *Problem-Oriented Guides for Police* are produced by the Center for Problem-Oriented Policing, whose officers are Michael S. Scott (Director), Ronald V. Clarke (Associate Director) and Graeme R. Newman (Associate Director). While each guide has a primary author, other project team members, COPS Office staff and anonymous peer reviewers contributed to each guide by proposing text, recommending research and offering suggestions on matters of format and style.

The project team that developed the guide series comprised Herman Goldstein (University of Wisconsin Law School), Ronald V. Clarke (Rutgers University), John E. Eck (University of Cincinnati), Michael S. Scott (University of Wisconsin Law School), Rana Sampson (Police Consultant), and Deborah Lamm Weisel (North Carolina State University.)

Members of the San Diego; National City, California; and Savannah, Georgia police departments provided feedback on the guides' format and style in the early stages of the project.

Cynthia E. Pappas oversaw the project for the COPS Office. Research for the guide was conducted at the Criminal Justice Library at Rutgers University under the direction of Phyllis Schultze. Suzanne Fregly edited this guide.



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The Problem of Disorder at Day Laborer Sites

What This Guide Does and Does Not Cover

This guide addresses the problem of disorder at day laborer sites. It begins by describing the problem and reviewing factors that increase the risks of it. It then identifies a series of questions to help you analyze your local problem. Finally, it reviews responses to the problem and what is known about them from evaluative research and practice.

Disorder at day laborer sites is but one aspect of the larger set of problems related to both public disorder and to illegal immigration. This guide is limited to addressing the particular harms created by disorder at day laborer sites. Related problems—each of which require separate analysis—not directly addressed in this guide include:

- exploitation of day laborers by contractors who fail to pay or pay less than the agreed-to wage
- victimization of day laborers by angry citizens
- illegal immigration and human smuggling rings
- associations with groups engaged in trafficking women for prostitution
- links with other forms of organized crime, such as drug smuggling.

General Description of the Problem

Views related to day laborers vary considerably. Some people view them as valuable resources providing cheap labor that others will not do. Others see them as illegal immigrants and transients who take jobs, commit crimes, and cause



§ Day laborers are sometimes referred to as *jornaleros* or *esquineros*, the former meaning “day worker” and the latter meaning “street-corner worker.”

§§ Researchers often distinguish between *informal* and *formal* day labor markets. Formal day laborers are those who work for temp agencies, contracted out on a daily or extended basis. This guide focuses on informal day laborers.

community disorder. How communities view day laborers largely depends on how intrusive day-laboring activities become on citizens’ daily lives. Most communities will be ambivalent to day laborers until their presence leads to problems, some criminal and some not.¹ Community attitudes against day laborers may be rooted in anti-immigration views more generally. How the community views day laborers and illegal immigrants, whether they are critical or sympathetic, will affect how any particular community addresses problems at day laborer sites. This guide does not adopt any particular judgment about illegal immigrants rather it is intended to objectively inform you about the effectiveness and consequences of various approaches to managing problematic behavior at day laboring locations.

Day laborers[§] are those who congregate in public places seeking manual-labor jobs such as construction, gardening, landscaping, and farming.^{§§} These laborers work daily for predetermined wages. The amount of money laborers earn varies from market to market and time of year. Day laborer sites tend to be concentrated where there is a proliferation of construction, manufacturing, farming, and other industries dependent on large numbers of relatively unskilled manual laborers.

Harms Caused by Disorder at Day Laborer Sites

Potential problems associated with day laborer sites center mostly on where laborers congregate while waiting for work, and not at the workplaces themselves. The following are among the many reasons police need to be concerned with day laborer activity.



Public Disorder

- The presence of large numbers of laborers and contractors often creates parking and traffic problems.
- The constant congregation of laborers in the same place for many hours creates loitering problems.
- Laborers often leave discarded bottles, food wrappers, and other litter at day laborer sites.
- Laborers may vandalize area property or deface property with graffiti.
- Laborers waiting all day for work may urinate in public.
- Injuries among laborers related to “swarming” may occur. Swarming often occurs when there are many more laborers than the contractor needs. Injuries sometimes occur when many laborers “swarm” around a contractor’s vehicle, hoping to be selected for a job.
- Laborers congregating on sidewalks may harass pedestrians.

Crime

- Simple and aggravated assaults may take place at day laborer sites.
- Laborers may be routinely robbed.²
- Laborers may drink and sell or use illicit drugs in public.

Economic Concerns

- Immigrant day laborers may make it more difficult for community residents to find work.
- Increased contractors’ reliance on day laborers may undercut salary levels and employee benefits for full-time workers.



Spillover Effects

- The presence of troublesome day laborer sites may incite citizens' frustration and disdain for immigrants.
- Disorderly day laborer sites could lead to increased fear of crime among community members.
- Uncontrolled day laborer sites in residential areas may affect property values.

Day Laborer and Smuggling Links

As most day laborers are illegal immigrants, most have been assisted by smugglers. Research indicates that smugglers help nine out of 10 immigrants entering the United States across the Mexican border.³ Many immigrants use smugglers to help them find places to live in the United States, and become obligated to them if they cannot afford to pay them up front. Thus, some immigrants must work to repay smugglers for arranging their transport and housing. It is common for many immigrants to live in one house or apartment that is managed by the smuggler or someone with ties to the smuggler. These residences may be near day labor sites.

Factors Contributing to Disorder at Day Laborer Sites

Understanding the factors that contribute to your problem will help you frame your own local analysis questions, identify valid effectiveness measures, determine important intervention points, and select an appropriate set of responses for your specific problem. The literature on day laborers provides a general picture of the market for them, the conditions of day-labor work, the laborers themselves, their employers, the places where they assemble, and the link between day laborers and human smuggling.



Day Laborer Markets

Day laboring dates back to at least the medieval times, when laborers assembled in daily or weekly markets throughout Europe to be hired for farming and herding tasks. In the United States, day laboring dates back to the late 1700s, when common laborers (many of them immigrants) such as chimney sweepers, wood cutters, and cart men sought jobs daily. During the mid-1800s, “shape-up” sites in northeastern port cities had a system of hiring dockworkers for daily or half-day shifts.[§]

§ For more on the history of organized day labor, see Larrowe (1955), Mohl (1971), Mund (1948), and Valenzuela (2003).

Today’s market for day laborers exists wherever there is a need for construction and agricultural workers. The jobs include home construction and/or refurbishment, landscaping, roofing, painting, and harvesting and other farming activities. In some regions, day laborers work in factories on production lines.

For low-skilled or illiterate workers, day labor sites provide an easily accessible way to find employment. For employers, day labor sites provide easy access to a relatively large pool of workers whom they can hire when needed and release when not.

Employment Conditions

The specific conditions of day labor employment vary, but the arrangement is generally the same regardless of place or employer. Day laborers are usually paid in cash at the end of each workday. The wages paid to day laborers vary and depend on the time of year, the skill of the laborer, and the location of the day laborer site. By some estimates, the pay can reach \$80 to \$100 a day, exceeding federal and state minimum-wage ceilings.⁴ However, in markets where there are



many more laborers than jobs, wages may be bargained lower, resulting in pay that is below minimum wage. Employment generally lasts from one to three days, is unstable, and provides no benefits or worker protections.⁵ Employers may sometimes mistreat day laborers, may not pay them for their work, may make them work without regular breaks, and may require them to work under hazardous conditions.

www.judicialwatch.org



Laborers crowd around a vehicle soliciting work. This practice is also referred to as “swarming”.

Despite the chaotic appearance of day labor sites, the daily procedures are relatively structured. Laborers usually gather at the site at around 6 a.m., waiting for prospective employers to pass by in pickup trucks or vans. As prospective employers arrive, groups of laborers crowd around the vehicles pointing to themselves and indicating their availability for work. Employers select laborers for different reasons, some of which include the laborers’ skills and ability to speak English.



Often, employers will return to the site and look for men they have hired previously. Many laborers wait several hours before getting a job. Some laborers do not secure jobs at all and usually leave the site in the afternoon. It is common for some laborers not to secure work for several days, and periods of unemployment lasting several weeks have been reported.⁶ The rate at which the laborer will be paid is often negotiated during the selection process, but is sometimes agreed to on the way to the jobsite or at the jobsite itself, once the laborer has seen the nature of the work. The employer often provides lunch.

Day Laborers

The exact number of day laborers is uncertain; however, the U.S. Bureau of Labor Statistics has estimated that approximately 260,000 wait each day on street corners for employment.⁷ In Los Angeles, some 20,000 to 22,000 day laborers are estimated to seek work every day.⁸ Most day laborers are male, entered the country illegally, are young, are uneducated, and either cannot speak English or have poor command of the language.⁹ Because of their illegal status, they largely lack access to formal employment. Most day laborers are Hispanic, though this varies somewhat by region. For example, in Chicago one study reported that the majority of day laborers were African-American.¹⁰

Day labor appeals to workers for many reasons. First, day laborers are paid in cash at the end of each workday. Getting paid daily is beneficial because laborers can use the money immediately to pay for food and other needs. Receiving payment in cash also eliminates the need to establish a bank account. This appeals to illegal immigrants who are wary of formal institutions and/or lack the documentation needed to establish accounts. Second, payment in cash means that day



labor work is “under the table” and tax-free. This creates further incentives for immigrants who have worked for much less in their home countries. Finally, day laborers have the power to negotiate their wages for each job. They are free to accept or decline a job and to walk off the job site, should they choose. This negotiation power allows them to undercut the market rate, while at the same time make much more money than possible in their homeland.¹¹

Employers

Comparatively little is known about those who employ day laborers, but one study found that contractors hire the large majority of them. Private employers are the next largest group of hirers.¹² Employing day laborers is appealing because they are easily accessible, are hardworking, can be hired when needed, and are cheaper to employ since employers are not required to provide benefits packages. Employers often rehire the same workers once they have established a relationship and the laborers’ work skills are established.

Day Laborer Sites

Day laborer sites exist mostly in metropolitan areas. Sites are often located adjacent to paint stores, plant nurseries, truck rental stores, and home improvement or hardware stores. Laborers may congregate in the store parking lots, marketing themselves for specific types of employment. For instance, those in front of paint stores are looking for painting jobs, whereas those in front of home improvement stores are looking for general construction jobs. It is efficient for day laborer sites to be located near such establishments because it allows prospective employers to pick up supplies and workers all in one stop. However, the congregation of large numbers of laborers sometimes causes problems for merchants, who might take actions to keep the laborers off the premises, thereby displacing them to nearby street corners and sidewalks.

Glendale (California) Police Department



Day laborer sites may also exist in public parks, vacant lots, and residential neighborhoods that are easily accessible to laborers and/or employers.



Day laborer sites also exist in public parks, vacant lots, and residential neighborhoods. These sites may exist for a variety of reasons; they are easily accessible to laborers and/or employers, have simply been there for many years, or have informally been allowed to exist by community members. Municipalities, church groups, and other community-based organizations have established a smaller number of day laborer sites to help deal with the large numbers of day laborers. These sites are usually regulated and pose the fewest problems for the community.



Understanding Your Local Problem

The information provided above is only a generalized description of day laborers and the circumstances of their existence. You must combine the basic facts with a more specific understanding of your local problem. Analyzing the local problem carefully will help you design a more effective response strategy.

Stakeholders

In addition to criminal justice agencies, the following groups have an interest in the disorder at day laborer sites problem and ought to be considered for the contribution they might make to gathering information about the problem and responding to it:

- area residents
- area businesses
- local government agencies (e.g., employment relations, public works, traffic engineering, city or county attorney, and community and economic development)
- state government labor/employment relations agencies
- religious and charitable organizations serving the day laborer population
- immigrant and human rights groups
- employers of day laborers such as contractors and landscaping companies
- area building and landscaping supply companies
- day laborers themselves.



Asking the Right Questions

The following are some critical questions you should ask in analyzing your particular day laborer-site problem, even if the answers are not always readily available. Your answers to these and other questions will help you choose the most appropriate set of responses later on.

Day Laborers

- What do you know about the day laborers (e.g., age, gender, ethnicity, immigration status, language ability, criminal history, residence)?
- How do employers treat day laborers?
- Are citizens victimizing day laborers?
- How committed are day laborers to using a particular day laborer site?
- How committed are day laborers to day laboring?

Employers

- What do you know about those who employ day laborers (e.g., type of work, contractor, private citizen, company)?
- How committed are employers to using day labor?
- How committed are employers to hiring day laborers at the current location?
- What problems have employers had in using day laborers?

Merchants and Community Members

- How concerned about day labor sites are merchants and community members?
- What are their complaints about day laborers or about the sites?
- What actions, if any, have they taken in response to problems at day labor sites?



Locations/Times

- Where are day labor sites located? What makes the sites attractive?
- Which day labor sites have routine problems? Which do not? Why?
- When do problems at day labor sites occur?
- Which area merchants do the day-labor sites harm?
- Which area merchants benefit from the day labor sites?
- How do the day labor sites appear (e.g., trash and/or graffiti present)?
- How long have the day labor sites been there?
- Are the day labor sites located in safe or in high-crime areas?
- What are the vehicle and pedestrian traffic conditions at the day labor sites?

Human Smuggling Links

- Are day labor sites located near residences where large numbers of laborers live?
- Do day laborers owe money to smugglers?

Current Responses

- What is the police department's current policy in dealing with problems associated with day laborer sites?
- What is the police department's current policy in dealing with illegal immigrants?
- What responses do police officers use regarding problems associated with day laborers, other than arrest and prosecution? Are any especially effective?
- What are community and church groups doing in regard to day laborers and/or immigrants?



Measuring Your Effectiveness

Measurement allows you to determine to what degree your efforts have succeeded, and suggests how you might modify your responses if they are not producing the intended results. You should take measures of your problem *before* you implement responses, to determine how serious the problem is, and *after* you implement them, to determine whether they have been effective. You should take all measures in both the target area and the surrounding area. (For more-detailed guidance on measuring effectiveness, see the companion guide to this series, *Assessing Responses to Problems: An Introductory Guide for Police Problem-Solvers*.)

The following are potentially useful measures of the effectiveness of responses to problems associated with day laborers:

- reduced number of citizen complaints about day laborers
- reduced reports of violence
- reduced reports of robberies
- reduced traffic congestion around day laborer sites
- less evidence of trash and litter
- fewer injuries among day laborers
- fewer observations of drug and alcohol use
- improved perceptions of order among area merchants and residents.



Responses to the Problems Associated With Day Laborer Sites

Your analysis of your local problem should give you a better understanding of the factors contributing to it. Once you have analyzed your local problem and established a baseline for measuring effectiveness, you should consider possible responses to address the problem. The following response strategies provide a foundation of ideas for addressing your particular problem. These strategies are drawn from a variety of studies and police reports. Several of these strategies may apply to your community's problem. It is critical that you tailor responses to local circumstances, and that you can justify each response based on reliable analysis. In most cases, an effective strategy will involve implementing several different responses. Law enforcement responses alone are seldom effective in reducing or solving the problem. Do not limit yourself to considering what police can do: give careful consideration to who else in your community shares responsibility for the problem and can help police better respond to it. The responsibility of responding, in some cases, may need to be shifted toward those who have the capacity to implement more effective responses. (For more detailed information on shifting and sharing responsibility, see Response Guide No. 3, *Shifting and Sharing Responsibility for Public Safety Problems*).

General Principles for an Effective Strategy

You should consider a few general principles when developing your response strategy. Which particular responses you adopt should depend on what you learn from a careful analysis of your local problem. This should include an understanding of your community's attitudes toward day laborers and illegal immigrants. In places where there are strong anti-illegal



immigrant sentiments, perceptions of police aiding day laborers could lead to citizen backlash against the agency. Conversely, arresting day laborers and other enforcement tactics may lead to resentment of police by citizens in communities that are sympathetic to illegal immigrants. In either case, community perceptions will have to be considered in formulating your response.

Strategies that focus exclusively on arresting day laborers or enforcing immigration laws are unlikely to be effective in the long term.¹³ Strategies that seek to reduce the harms caused by day laborer sites rather than those that seek to eliminate day laboring altogether are more likely to work. An effective strategy should not only deter problems associated with day laborer sites, but also must provide an appropriate location and manner in which to carry out day laboring. This will entail sanctioning prohibited behaviors and encouraging agreed-to procedures for soliciting day-labor work. This might include establishing a designated location and creating rules. It usually requires cooperation among police, other government agencies, community service groups, local merchants, employers, and day laborers themselves.

Specific Responses to Reduce Disorder at Day Laborer Sites

Managing Day Laboring

1. Improving the organization at current day laborer sites. Problems stemming from day laboring may not require new day-laboring sites; rather, better management of the ones that exist may be the solution. Creating and posting rules and procedures for laborers and employers to follow, placing trash containers and portable or permanent restrooms at the site, and so on, will reduce some of the associated problems.



Enlisting managers to oversee the area will also reduce problems. These managers can be government employees, police officers, citizen volunteers, or community service groups.

2. Imposing time restrictions on day labor activities.

Some communities have implemented time restrictions on when day laborers are allowed to solicit work.¹⁴ Allotting certain times of the day enables police to manage the process without having to devote substantial manpower to additional hours. It also reduces problems associated with laborers who linger around the site throughout the day. Time restrictions can be permanent or temporary, until a new day labor center is constructed.

3. Establishing new day labor centers. Many communities have established new day labor centers.¹⁵ The advantage of this approach is that the center can be constructed from the beginning and designed to eliminate the problems found at the day labor site. A suitable location can be selected and the facility can be built to accommodate day labor activity efficiently. The disadvantages are that it will require more funding and time spent getting it approved and built. It will also require other measures to ensure that laborers and employers actually use the center. The site can be either managed or unmanaged. Managed sites will be more orderly and have fewer problems.¹⁶

3a. Using volunteers to manage day labor centers. Using volunteers to manage day labor centers can help to reduce costs. Volunteers can include area residents and merchants, and religious or other community groups. In some places, day laborers themselves volunteer to help run the centers.¹⁷ However, volunteers alone are insufficient to manage the site. The center will need ongoing police oversight and support.



3b. Soliciting help from area merchants. Area merchants can help in establishing day labor centers. They can provide material and financial assistance in building the centers. For instance, in Glendale, California, an affected Home Depot donated building supplies for a new center. Merchants can also prove instrumental in working with police to ensure compliance among employers and laborers with newly adopted ordinances and procedures. Lastly, merchants can be enlisted to help in the ongoing management and administration of day labor centers.

3c. Obtaining grants and other financial support. Some communities have received city and private funding to build day labor centers. Community Development Block Grants have also been awarded.¹⁸ Other communities have established city- and privately-funded nonprofit organizations.¹⁹ To do this, it will be necessary to estimate how much funding will be required, and to identify entities with an interest in establishing and maintaining an orderly day laborer center. Because illegal immigration is politically sensitive, obtaining public funds to manage them may be difficult. You may be more successful obtaining financial support from non-governmental entities.

3d. Creating and enforcing rules and procedures at day labor centers and sites. Part of managing day labor centers involves establishing rules of conduct and procedures for laborers and employers to follow. In some communities, this has been a collective process where laborers and employers help to create the rules and procedures. This democratic process should ensure acceptance by the participants and will facilitate successful self-policing among them. The rules and procedures should, at a minimum, include the following:

- prohibitions against drinking, drug use, and gambling
- prohibitions against swarming
- prohibitions against violence



- prohibitions against public urination and littering
- proper procedures for soliciting employers and laborers[§]
- provisions that ensure employers treat laborers fairly (e.g., pay laborers at the agreed-to price and provide breaks).

In addition to setting rules and procedures, sanctions will also be required to deter violations. Conditions could be attached to the prohibitive behaviors, such that those who violate the rules are temporarily banned from the center or site, in addition to arrest if the behavior is criminal. Allowing day laborers and employers to help in determining sanctions will promote acceptance and self-policing.

[§] Examples of this include establishing specified zones where laborers and employers are allowed to solicit, creating a single-file roster system of laborers available for hire, and designating specific areas for various laborer skills (e.g., one area for construction workers and another for landscapers). See Calderon, Foster, and Rodriguez (n.d.); Ruiz (1998); and Toma and Esbenshade (2001).

3e. Forming an advisory committee. Forming an advisory committee to oversee the day labor center can help ensure that it runs efficiently, and can also increase the center's support base. People from many different groups and organizations should serve on the committee. Advisors might include employees from government social-service offices, police officers, area merchants, citizens, employers of day laborers, day laborers themselves, and members of nongovernmental community-service groups.

4. Establishing supplemental programs at day labor centers. Some communities have implemented service, education, and training programs at day labor centers.²⁰ These programs provide needed services for day laborers and give them added incentives to use the centers. Participation in the supplementary programs also gives laborers constructive ways to spend their time while they are waiting for work. Educational and training programs include English language instruction, computer skills classes, and job preparation programs. Service programs include those for food, clothing,



§ Establishing services to facilitate laborers use of banking services will be particularly relevant for problems involving persistent robbery of day laborers.

and shelter assistance; immigration services; legal services; banking services;§ tool-sharing; and health care referrals. Establishing services and programs from outside groups—government or others—will also give outsiders incentives to manage and maintain the centers.

5. Closing streets and alleys, diverting traffic, or regulating parking. Traffic flows and patterns at day laborer sites often pose problems. Altering traffic patterns will make it easy for employers to pick up laborers, and will reduce complaints associated with vehicle and pedestrian traffic obstructions. Establishing designated laborer-pickup zones will also reduce congestion and “swarming” problems. Once traffic procedures are established, it will be necessary to ensure that laborers do not interrupt the process by approaching employer vehicles outside of designated pickup areas. Care should also be taken to ensure that any traffic changes do not cause undue harm to area merchants.

Enforcing Laws

6. Enforcing laws prohibiting disorder (e.g., trespassing, loitering, public intoxication, littering, and vandalism). Focused enforcement of disorder-related offenses will address some of the commonly found problems associated with day laborer sites. Enforcing these laws requires greater manpower and time spent monitoring the sites. Enforcement alone will not completely stop day laboring or the problems associated with it, but it does send a message to laborers that illegal behavior is unacceptable. Sanctions for lower-level offenses may also serve to remove those problematic laborers who might also commit more-serious crimes.



7. Enforcing laws prohibiting assault and robbery.

Enforcing laws against assault and robbery will further define the boundaries of unacceptable behavior for day laborers. Such offenses will tend to be reactive and will require witnesses for successful prosecution, unless an officer witnesses their occurrence. It will be difficult to develop a prosecutable case since other laborers will be reluctant to give police information out of fear regarding their immigration status. Language deficiencies will also create problems. To increase success in enforcing these (and other) laws, assigning specific multilingual officers to day labor sites will improve communication between police and laborers, which will prove valuable in gathering information.

8. Establishing a highly visible police presence. A highly visible police presence, typically with extra uniformed officers, is intended to discourage illegal conduct by day laborers. It may appease area merchants or community members, but could also lead people to believe that the area is unsafe. It is also costly and will likely have only a temporary effect if not followed up with more permanent strategies, such as establishing a police substation in the area.²¹ This could be augmented with private security forces.

9. Creating and enforcing ordinances prohibiting the solicitation of work in non-designated places. Some communities have created city ordinances that prohibit the solicitation of work in certain areas.²² These ordinances are intended to relocate day laboring to designated places. Unless the ordinances are enforced, day laboring will continue to occur in places that are convenient for laborers and employers, if not for others, even if an authorized day labor center is established. Ordinance enforcement must be comprehensive and continual.



10. Enhancing fines/penalties for soliciting work or hiring workers in non-specified zones. It may be necessary to enhance the penalties incurred for violating work solicitation in non-designated places. Small fines will likely be viewed as an added cost of doing business. Greater fines will compel day laborers and employers to use designated zones.

11. Initiating public-awareness campaigns. In conjunction with creating non-solicitation ordinances, some communities have used publicity campaigns to inform day laborers and employers of the new procedures, and to warn them about the sanctions if they violate the ordinances.²³ Alerting the participants serves to remove possible excuses for violating the ordinances.

Police and others can distribute fliers and post signs at current day-laborer sites. Community service groups as well as area merchants and residents can also disseminate information. The postings and handouts should be composed in the intended audience's native language. Proper notification of the new ordinances will reduce negative sentiment resulting from subsequent enforcement.

Responses With Limited Effectiveness

12. Conducting sweeps and enforcing immigration laws. Sweeps are large-scale arrest campaigns targeting suspected illegal immigrants at day labor sites, without the intent to prosecute. Sweeps have long been a police strategy to control visible crime problems (such as street prostitution and street drug markets) when they have been pressured to do something, but have few resources for dealing with the problem. There is little evidence that illegal-immigration sweeps are anything other than temporarily effective at solving the problem.



Police agencies should be aware that enforcing immigration laws could lead to distrust of the police by illegal immigrants in the community. This could deter such immigrants from calling for police help when they are legitimately victimized or otherwise in need.

13. Prohibiting day laboring outright. There is no evidence that prohibiting day laboring outright is effective in the long term. Day laboring serves a need in the informal labor market and has existed since early times. De facto prohibition of day laboring by creating ordinances against soliciting work on public street corners citywide may relocate day laboring to other places, but it will not eliminate it or associated problems.



Appendix: Summary of Responses to Disorder at Day Laborer Sites

The table below summarizes the responses to problems associated with day laborers, the mechanism by which they are intended to work, the conditions under which they ought to work best, and some factors you should consider before implementing a particular response. It is critical that you tailor responses to local circumstances, and that you can justify each response based on reliable analysis. In most cases, an effective strategy will involve implementing several different responses. Law enforcement responses alone are seldom effective in reducing or solving the problem.

Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
<i>Managing Day Laboring</i>					
1.	16	Improving the organization at current day laborer sites	Promotes orderly and lawful behavior and establishes site controls	...the organization is efficient and addresses laborers' and employers' needs	Assumes current sites are acceptable to area residents and merchants and land use is permitted
2.	17	Imposing time restrictions on day labor activities	Reduces the opportunities for problem behavior to occur	...time restrictions are enforced and the sites are managed during designated times	Can be temporary until a day laborer center is built, or it can be permanent; requires routine police presence



Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
<i>Managing Day Laboring</i>					
3.	17	Establishing new day labor centers	Organizes and controls the location and process of day laboring	...the design is efficient and other measures are taken to ensure it is used	Expensive; time-consuming; requires ongoing oversight and management
3a.	17	Using volunteers to manage day labor centers	Ensures day labor centers run and are maintained properly, and provides capable guardianship	...volunteers are sampled from a variety of groups to increase the "ownership" of the centers	Reduces cost; will need continued governance by someone or some entity
3b.	18	Soliciting help from area merchants	Increases ownership of the problem	...merchants have a vested interest in addressing the problem	Amount of help will vary across merchants
3c.	18	Obtaining grants and other financial support	Eliminates the need for tax dollars	...a detailed and compelling case is provided for the needed funds	Use examples of successful day labor sites; takes time and effort to prepare proposals
3d.	18	Creating and enforcing rules and procedures at day labor centers and sites	Formalizes the day-laboring process, increases efficiency, and sets boundaries	...rules are clearly defined and posted, and laborers and employers participate in formulating them	Requires day laborer and employer input; will require establishing sanctions for violations
3e.	19	Forming an advisory committee	Ensures center is maintained and increases ownership	...advisors have an interest in and can contribute to the center's success	Select advisors from various groups or organizations; consider incentives for participation



Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
4.	19	Establishing supplemental programs at day labor centers	Encourages law-abiding behavior and provides access to legitimate services	...the provided services meet the laborers' needs	Increased costs; requires additional space at the centers
5.	20	Closing streets and alleys, diverting traffic, or regulating parking	Decreases traffic congestion and increases employers' ability to find and negotiate with laborers	...the affected community supports the changes	Potentially costly; can harm legitimate commercial traffic; may lock the problem in rather than forcing it out
<i>Enforcing Laws</i>					
6.	20	Enforcing laws prohibiting disorder (e.g. trespassing, loitering, public intoxication, littering, and vandalism)	Temporarily establishes order at day labor sites	...enforcement is combined with other effective responses	Has only a short-term impact; may displace day labor practice to other areas
7.	21	Enforcing laws prohibiting assault and robbery	Temporarily establishes order at day labor sites, and establishes police control of the area(s)	...a prosecution will result in meaningful sanctions	Will be difficult to obtain witnesses for a prosecutable case
8.	21	Establishing a highly visible police presence	Discourages unruly or unlawful behavior among day laborers	...it is supplemented with environmental changes or site relocation	Labor-intensive; may create the perception that the area is unsafe
9.	21	Creating and enforcing ordinances prohibiting the solicitation of work in non-designated places	Displaces day labor activities to designated sites	...enforcement is consistent, and the designated sites are useful and efficient for laborers and employers	Requires adoption by the city council; takes time and may not pass due to legal concerns



Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
10.	22	Enhancing fines/penalties for soliciting work or hiring workers in non-specified zones	Increases the incentive to use designated day labor sites	...the fines are high enough and collection is certain	New informal day labor sites may emerge in other places convenient for laborers and employers
11.	22	Initiating public-awareness campaigns	Informs the community of new rules for day-laboring activities and encourages compliance	...police follow through with enforcing the rules and changes are made at designated day labor sites	Proper dissemination will reduce contempt for police when they enforce the law; widespread community awareness may encourage anti-immigrant views
<i>Responses With Limited Effectiveness</i>					
12.	22	Conducting sweeps and enforcing immigration laws	Temporarily removes illegal-immigrant laborers from the area		Produces distrust of the police by illegal immigrants throughout the community
13.	23	Prohibiting day laboring outright	Seeks to eliminate day labor sites and activities citywide		Ineffective as a long-term solution; could displace day laboring



Endnotes

- ¹ Cooper (1999); Bradley (2005); Gorman (2005).
- ² Stamford (Connecticut) Police Department (2000).
- ³ Reyes, Johnson, and Swearingen (2002).
- ⁴ Cooper (1999); Cleeland (1999); Valenzuela (2000b).
- ⁵ Valenzuela (1999).
- ⁶ Peck and Theodore (2001); Kerr and Dole (2001); Valenzuela (2003, 2001).
- ⁷ U.S. Bureau of Labor Statistics (2001).
- ⁸ Valenzuela (2003).
- ⁹ Cosgrove and Grant (1997); Valenzuela and Melendez (2003); Valenzuela (2003, 2000b).
- ¹⁰ Theodore (2000).
- ¹¹ Valenzuela (2000b).
- ¹² Valenzuela and Melendez (2003).
- ¹³ Toma and Esbenshade (2001).
- ¹⁴ Montgomery County (Maryland) Police Department (1995).
- ¹⁵ Calderon (2003); Calderon, Foster, and Rodriguez (n.d.); Montgomery County (Maryland) Police Department (1995); Ruiz (1998); Toma and Esbenshade (2001); Kansas City (Missouri) Police Department (2004).
- ¹⁶ Toma and Esbenshade (2001); Valenzuela (2000a).
- ¹⁷ Glendale (California) Police Department (1997); Ruiz (1998).
- ¹⁸ Glendale (California) Police Department (1997); Ruiz (1998).
- ¹⁹ Calderon (2003).
- ²⁰ Calderon (2003); Glendale (California) Police Department (1997); Gorman (2005); Ruiz (1998); Toma and Esbenshade (2001).
- ²¹ Montgomery County (Maryland) Police Department (1995).
- ²² Glendale (California) Police Department (1997); Ruiz (1998).
- ²³ Montgomery County (Maryland) Police Department (1995); Glendale (California) Police Department (1997); Ruiz (1998).



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Rob T. Guerette is an assistant professor in the School of Criminal Justice at Florida International University in Miami. Together with Ronald Clarke, he recently worked on a project with the U.S. Border Patrol that used a situational crime-prevention framework to formulate ways to prevent deaths among smuggled migrants along the Mexican border. In addition, he has worked on projects in collaboration with the National Academy of Sciences, the British Home Office Research Directorate, and the New Jersey Department of Probation and Parole. His research has appeared in the *Journal of Criminal Justice*, *Security Journal*, *Crime Prevention Studies*, and the *European Journal on Criminal Policy and Research*. He is co-editor of the book *Migration, Culture Conflict, Crime, and Terrorism* (Ashgate Publishing 2006). He currently coordinates the annual Herman Goldstein Awards for Excellence in Problem-Oriented Policing. Guerette holds a doctorate in criminal justice from Rutgers University at Newark, and was a fellow at the Eagleton Institute of Politics, Rutgers University at New Brunswick.



Recommended Readings

- ***A Police Guide to Surveying Citizens and Their Environments***, Bureau of Justice Assistance, 1993. This guide offers a practical introduction for police practitioners to two types of surveys that police find useful: surveying public opinion and surveying the physical environment. It provides guidance on whether and how to conduct cost-effective surveys.
- ***Assessing Responses to Problems: An Introductory Guide for Police Problem-Solvers***, by John E. Eck (U.S. Department of Justice, Office of Community Oriented Policing Services, 2001). This guide is a companion to the *Problem-Oriented Guides for Police* series. It provides basic guidance to measuring and assessing problem-oriented policing efforts.
- ***Conducting Community Surveys***, by Deborah Weisel (Bureau of Justice Statistics and Office of Community Oriented Policing Services, 1999). This guide, along with accompanying computer software, provides practical, basic pointers for police in conducting community surveys. The document is also available at www.ojp.usdoj.gov/bjs.
- ***Crime Prevention Studies***, edited by Ronald V. Clarke (Criminal Justice Press, 1993, et seq.). This is a series of volumes of applied and theoretical research on reducing opportunities for crime. Many chapters are evaluations of initiatives to reduce specific crime and disorder problems.



- ***Excellence in Problem-Oriented Policing: The 1999 Herman Goldstein Award Winners.*** This document produced by the National Institute of Justice in collaboration with the Office of Community Oriented Policing Services and the Police Executive Research Forum provides detailed reports of the best submissions to the annual award program that recognizes exemplary problem-oriented responses to various community problems. A similar publication is available for the award winners from subsequent years. The documents are also available at www.ojp.usdoj.gov/nij.
- ***Not Rocket Science? Problem-Solving and Crime Reduction,*** by Tim Read and Nick Tilley (Home Office Crime Reduction Research Series, 2000). Identifies and describes the factors that make problem-solving effective or ineffective as it is being practiced in police forces in England and Wales.
- ***Opportunity Makes the Thief: Practical Theory for Crime Prevention,*** by Marcus Felson and Ronald V. Clarke (Home Office Police Research Series, Paper No. 98, 1998). Explains how crime theories such as routine activity theory, rational choice theory and crime pattern theory have practical implications for the police in their efforts to prevent crime.
- ***Problem Analysis in Policing,*** by Rachel Boba (Police Foundation, 2003). Introduces and defines problem analysis and provides guidance on how problem analysis can be integrated and institutionalized into modern policing practices.



- ***Problem-Oriented Policing***, by Herman Goldstein (McGraw-Hill, 1990, and Temple University Press, 1990). Explains the principles and methods of problem-oriented policing, provides examples of it in practice, and discusses how a police agency can implement the concept.
- ***Problem-Oriented Policing and Crime Prevention***, by Anthony A. Braga (Criminal Justice Press, 2003). Provides a through review of significant policing research about problem places, high-activity offenders, and repeat victims, with a focus on the applicability of those findings to problem-oriented policing. Explains how police departments can facilitate problem-oriented policing by improving crime analysis, measuring performance, and securing productive partnerships.
- ***Problem-Oriented Policing: Reflections on the First 20 Years***, by Michael S. Scott (U.S. Department of Justice, Office of Community Oriented Policing Services, 2000). Describes how the most critical elements of Herman Goldstein's problem-oriented policing model have developed in practice over its 20-year history, and proposes future directions for problem-oriented policing. The report is also available at www.cops.usdoj.gov.
- ***Problem-Solving: Problem-Oriented Policing in Newport News***, by John E. Eck and William Spelman (Police Executive Research Forum, 1987). Explains the rationale behind problem-oriented policing and the problem-solving process, and provides examples of effective problem-solving in one agency.



- ***Problem-Solving Tips: A Guide to Reducing Crime and Disorder Through Problem-Solving Partnerships*** by Karin Schmerler, Matt Perkins, Scott Phillips, Tammy Rinehart and Meg Townsend. (U.S. Department of Justice, Office of Community Oriented Policing Services, 1998) (also available at www.cops.usdoj.gov). Provides a brief introduction to problem-solving, basic information on the SARA model and detailed suggestions about the problem-solving process.
- ***Situational Crime Prevention: Successful Case Studies***, Second Edition, edited by Ronald V. Clarke (Harrow and Heston, 1997). Explains the principles and methods of situational crime prevention, and presents over 20 case studies of effective crime prevention initiatives.
- ***Tackling Crime and Other Public-Safety Problems: Case Studies in Problem-Solving***, by Rana Sampson and Michael S. Scott (U.S. Department of Justice, Office of Community Oriented Policing Services, 2000) (also available at www.cops.usdoj.gov). Presents case studies of effective police problem-solving on 18 types of crime and disorder problems.
- ***Using Analysis for Problem-Solving: A Guidebook for Law Enforcement***, by Timothy S. Bynum (U.S. Department of Justice, Office of Community Oriented Policing Services, 2001). Provides an introduction for police to analyzing problems within the context of problem-oriented policing.
- ***Using Research: A Primer for Law Enforcement Managers***, Second Edition, by John E. Eck and Nancy G. LaVigne (Police Executive Research Forum, 1994). Explains many of the basics of research as it applies to police management and problem-solving.



Other Problem-Oriented Guides for Police

Problem-Specific Guides series:

1. **Assaults in and Around Bars.** Michael S. Scott. 2001.
ISBN: 1-932582-00-2
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Clarke. 2002. ISBN: 1-932582-09-6
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2002. ISBN: 1-932582-17-7
19. **Misuse and Abuse of 911.** Rana Sampson. 2002.
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20. **Financial Crimes Against the Elderly.**
Kelly Dedel Johnson. 2003. ISBN: 1-932582-22-3



21. **Check and Card Fraud.** Graeme R. Newman. 2003.
ISBN: 1-932582-27-4
22. **Stalking.** the National Center for Victims of Crime. 2004.
ISBN: 1-932582-30-4
23. **Gun Violence Among Serious Young Offenders.** Anthony A. Braga. 2004. ISBN: 1-932582-31-2
24. **Prescription Fraud.** Julie Wartell and Nancy G. La Vigne. 2004.
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ISBN: 1-932582-46-0
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34. **Robbery of Taxi Drivers.** Martha J. Smith. 2005.
ISBN: 1-932582-50-9
35. **School Vandalism and Break-Ins.** Kelly Dedel Johnson. 2005.
ISBN: 1-9325802-51-7
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ISBN: 1-932582-60-6



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ISBN: 1-932582-63-0
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Sites.** Rachel Boba and Roberto Santos. 2006.
ISBN: 1-932582-00-2
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ISBN: 1-932582-72-X

Response Guides series:

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For more information about the *Problem-Oriented Guides for Police* series and other COPS Office publications, please call the COPS Office Response Center at 800.421.6770 or visit COPS Online at www.cops.usdoj.gov.

Beau Hawksford

From: PLNAgendaMail@co.santa-cruz.ca.us
Sent: Thursday, March 01, 2012 2:11 PM
To: PLN AgendaMail
Subject: Agenda Comments

Meeting Type : Zoning

Meeting Date : 3/2/2012

Item Number : 1.00

Name : Ben Gregg

Email : beng@cruzio.com

Address : 223 Van Ness Ave
Santa Cruz, CA 95060

Phone : 831-426-3989

Comments :
March 1, 2012

Zoning Administrator
Santa Cruz County

Re; application # 111195

Dear Sir or Madam;

I wish to go on record as opposing a Day Worker Center to be located at 2261 7th Avenue, Santa Cruz, CA 95062.

My mother is a homeowner at Casa La Familia. Casa La Familia is a twenty three unit senior housing complex directly across the street from the proposed day worker center. The residents of Casa La Familia have met with proponents of the above project on two separate occasions. After those meetings I, and many Casa La Familia residents and homeowners, still have many concerns.

1. This is a residential neighborhood. While the Program Statement points out the zoning of the two adjoining parcels as being compatible with the project it fails to mention that this neighborhood is primarily residential, with a senior housing complex, Casa La Familia, located directly across the street.
2. The Program Statement claims there are between 200 and 400 day laborers in Santa Cruz County. If this number is correct and this Day Labor Center becomes a success the foot, bicycle, and vehicular traffic along this stretch of 7th Ave could increase dramatically.
3. I travel the River Street by Pro Build and 41st Avenue by Home depot quite regularly, this is not what I want for this neighborhood. We are given assurances that this will not happen, but the fact is the staff will have no

real authority over anyone beyond the confines of the proposed center. Our property or the cemetery could very well become the chosen gathering point for workers who wish to catch the potential employers before they get to the center.

4. There is a bar on the same property as the proposed parking spaces for the center. The bar opens daily shortly after the center would close.

5. The Program Statement points to the bus stop on 7th Avenue as a viable access point for the project. That stop is served only twice daily Monday through Friday until recently this stop was dormant for many years. One should question how much research was done by the supporters of this program if they were not aware of this.

6. If this proposed project is as good as it is being promoted I can not imagine why Pro Build or Home Depot are not fighting to get this on or near their property. Not only would their loitering problem go away, they would have a ready supply of workers to assist homeowners and contractors.

7. Some of the difficulties now faced by day workers are the lack of Workers Comp insurance, the lack of required breaks and facilities and maltreatment and underpayment by employers. I have seen nothing in the plan to protect the workers from this continuing abuse.

Seventh Avenue is primarily a quiet residential neighborhood. The seniors living at Casa La Familia have come enjoy this quiet and secure environment. Please do not approve this project that could put this security in jeopardy. As President of the Casa La Familia Board of Directors I wish to go on record as being opposed to this proposed project

Sincerely,

Ben Gregg, President
Casa La Familia Board of Directors
223 Van Ness Ave.
Santa Cruz, CA 95060

To: The Zoning Administrator, County Planning Dept.

March 1, 2012

Re: Proposed Day Worker Center at 2661 7th Avenue, Santa Cruz, CA 95062


I am one of approx. 30 senior citizens living in our 23 unit senior housing complex almost directly across the street from the proposed Day Worker Center on 7th Avenue. Although we may agree with the concept, almost all of us are opposed to it. I have personally studied all sides of the issue and have kept my mind open to the pros and cons. The purpose of the proposed Center is a very new concept with many problems. I have researched articles written by experts on the issue, many favorable or neutral to the concept. But all agree that the most important factor in determining their success or failure is location. The location should be visible and centrally located near where day laborers search for jobs and where employers look for workers. The proposed area does not meet those standards.

I have also spent several hours reviewing the Planning Dept. file on this project. The thing that jumped out at me is that almost all the communications in support were from people either associated with the project in some way or from people who did not live in the immediate area. Almost all the letters against it were from those of us who do live here and will suffer the long term negative impacts to our quality of life and our environment if it is approved.

We have heard a presentation by representatives of the Community Action Board and a dozen participants of the Day Worker Center from Mt. View, which is on property that is owned by the Catholic Church, as is this property. Although a rosy picture was painted by these representatives, they left many unanswered questions. Others residents of our senior complex who visited the Mt. View area around this Day Worker Center were dismayed to see so many discrepancies in what was represented by the proponents to it and what is actually there.

Seventh Avenue is a two lane, already heavily traveled feeder street with bike trail, to the beach and shopping centers. The sidewalks are within a walk zone for three schools in the immediate area. The Animal Shelter in our block has numerous volunteers walking its dogs daily on the sidewalks. It is not reasonable to expect 40 or so high energy young men to sit quietly within a 1,000 square foot building with one bathroom, a small yard and only two parking spaces available to their cars, as is now proposed. Particularly when they can now stand in the parking lots and streets around commercial building supply establishments that contractors frequent and that has been successful for them. But it is also well known that this kind of activity has had a major detrimental impact upon the appearance of these areas.

In conclusion, I firmly believe that this project, while a right idea, it is a wrong place and a wrong time. For the reasons I have stated, I respectfully ask for its denial or at the very least, a continuance so that a more appropriate location can be found for it. Thank you.



Eve Roberson

2304 7th Avenue, Santa Cruz, Ca 95062

DAVE HINTERMEISTER CONSTRUCTION

General contractors license #556519
831-578-1521 cell 831-454-8404 fax

February 28, 2012

Re: Proposed Day Workers Center

In researching this proposed center, I have found the Employment Development Division already has day workers centers that are legal and located in the proposed service area. (Please see attachment.) Why are the River St and 41st Ave day workers not using these facilities?

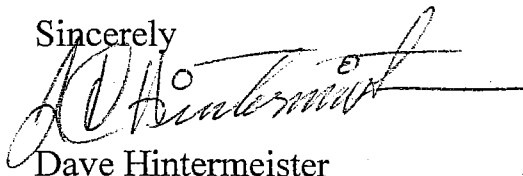
I also called the Calif License Board. Their requirements for hiring day laborers is the Contractor must pay workman's comp on them.

Further research (Public Policy Institute of Calif) has stated this day work center makes no provision for facilitating legal workers. Workers comp and withholding taxes.

Federal law says it is illegal to hire undocumented workers. That it is up to the Contractor to check their legal status and pay income taxes on these employees.

In summation, this center is going to enable illegal workers to find employment . That is aiding and abetting their illegal status.

Sincerely



Dave Hintermeister

California One-Stop Career Centers

Sorted by County and City

Santa Cruz County

Career Center at Capitola

2045 40th Avenue, Suite B

Capitola 95010

Level of Service: Comprehensive

Telephone: (831) 464-6286

TTY: (831) 464-6280

Web Site www.workforcescc.com

Hours: Monday - Friday 8 am-5 pm

Shoreline Workforce Development Service

350 Encinal Street

Santa Cruz 95060

Level of Service: Affiliated

Telephone: (831) 423-8611

TTY:

Web Site www.shorelineworks.org

Hours: Monday - Thursday 9 am-1 pm

Watsonville Career Center

18 West Beach St

Watsonville 95076

Level of Service: Comprehensive

Telephone: (831) 763-8700

TTY:

Web Site www.workforcescc.com

Hours: Monday - Friday 8 am-5 pm

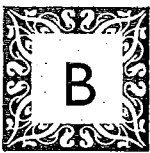
Information maintained by the California Employment Development Department

AskEDD On-line questions <https://eapply4ui.edd.ca.gov/eddcomm>

For office updates/changes, refer to: http://www.edd.ca.gov/Jobs_and_Training/pubs/wsd09-3.pdf

Last Update: 9/30/2011

Page 54 of 67



Ms. Sandra Braun
2298 7th Ave.
Santa Cruz, CA 95062-1668

February 28, 2012

To: Zoning Administrator
Santa Cruz County

Re: 111195 2261 7th Ave., S.C.
DAY WORKER CENTER PROPOSAL

I am an owner of a Measure J senior housing unit across the street from this proposed center.

I am writing to request you deny this application.

The location in question is totally residential, and there is nothing favorable to potential day workers. The planners have spoken to US, the residents of the senior center, and it is obvious that the only reason they want to use the old house in question is because it's going to be rent-free.

That's just not acceptable. This street is already plagued with traffic problems, that generate parking problems, there are too many other problems with this project to list here.

PLEASE DENY.

Sandra Braun
2298 7th Avenue
Santa Cruz CA 95062

2/28/2012

Samantha Haschert
Santa Cruz Co. Planning Dept.

Dear Ms. Haschert,

I live across the street from the proposed day worker center. I strongly oppose this project for the following reasons:

Traffic congestion in a largely residential area.

Incompatibility with many students walking along 7th Avenue.

Spillover (parking, etc) into our Casa La Familia senior complex across the street.

Your consideration of these objections is appreciated.

Sincerely,
Jan Krebs

2316 7th Ave

Santa Cruz CA 95062

February 27, 2012

Zoning Administrator
County Government Center

Re 111195
Samantha Harcher

Gentlemen,

I am against the amendment to Permit 107-U
at 2261 7th Avenue.

The proposed use of this property for
a Day Work Center is wrong for many
reasons.

Unavoidably there would be many people
standing around the property and undoubtedly
across the street in front of my home
property.

There is very little parking and a Liquor
Bar adjacent to the proposed location.

Please deny the application

Yours truly,

John Edgar

John Edgar

Lotman Housing Corp
801 High St.
Santa Cruz CA 95060

February 25, 2012

County of SC Planning
701 Ocean St. 4th Floor
Santa Cruz CA 95060
Attn: Samantha Hascheff

RE: # 111195 - David Foster / Day Worker

Dear Ms Hascheff:

I am president of Lotman Housing Corp., a small non-profit dedicated to providing affordable senior housing.

The above application is in the wrong location. It should be located in a commercial district. Of course, this is an inexpensive rental solution for Mr. Foster, and that is driving this decision to locate on 7th. But, as I am sure you are aware, it poses a myriad of problems to this residential neighborhood. Do not approve this application.

Thank you, Ruth Hsieh
PRES. L.H.C.

Feb 24, 2012

2320 7th Avenue

Santa Cruz, Ca 95062

Zoning Administrator
701 Ocean St.

Opposition to use 2261 7th Ave
as a Day Worker Center

We here at the Casa la Familia
Individually owned Senior Complex
are not in favor of the
proposed use of this property as
a day worker center.

Sincerely,

John Elgar

Zoning Administrator
County of Santa Cruz
701 Ocean, Room 400
Santa Cruz, CA 95060

February 21, 2012

Re: APN 026-051-26-17

Dear Sir;

Please add this letter to the other comments received at the public hearing scheduled for Friday, March 2, 2012.

The application is for a zoning change of use at 2261 7th Ave., Santa Cruz. I live directly across the street from the proposed Day Worker Center. I live in the 23-unit Measure J senior housing condo complex called Casa La Familia.

I endorse the zoning change for these reasons:

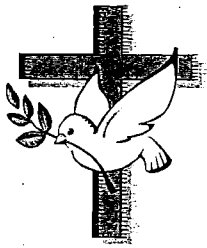
1. The applicant, David Foster, is a volunteer for the Community Action Board of Santa Cruz County, a non-profit agency with a long positive record of completing valuable public projects in the county.
2. The Action Board funded a thorough feasibility study of the proposal done by a private consulting corporation.
3. A Day Worker Center Advisory Council, made up of local day workers and others, has helped the Action Board establish proper rules for day worker behavior and is otherwise assisting with the proposed Center.
4. On February 10, 2012, the director of the Action Board visited my housing complex to explain the proposal to our residents. Also at the meeting was the person expected to manage the Center as well as guests from an existing day worker center in the San Francisco Bay Area. I was impressed that the expected director appears to be very well qualified for the job. Also I understand the neighbors of the Bay Area center are pleased to have it there.
5. The proposed Day Worker Center would enhance the appearance of the property by replacing the present ugly fence and old landscaping with a better fence and landscaping designed and installed by a professional landscaper.
6. The Center would install a bright outdoor light in the front of the property. This section of 7th Ave. currently lacks adequate outdoor lighting.
7. Parking for day workers and contractors at the site would be at the nearby VFW parking lot and not in the Casa La Familia parking lot.

Sincerely,

James Nee
2262 7th Ave.
Santa Cruz, CA 95062



cc: John Leopold, County Supervisor



St. Stephen's Lutheran Church

Celebrating 57 Years of Ministry

February 20, 2012

County of Santa Cruz Planning Department
Attn: Kathleen Molloy Prevesich, Planning Director
701 Ocean Street – 4th Floor
Santa Cruz, CA. 95060

Subject: Application #: 111195; Assessor's Parcel #: 026-051-17

Dear Ms. Prevesich,

At the last governing board (9 member Church Council) meeting of St. Stephen's Lutheran Church, we unanimously passed a resolution supporting the creation of a Day Worker Center at a facility located on 7th Avenue on the premises Holy Cross Cemetery, to be operated by the Community Action Board.

As a neighboring congregation (our property borders that of Holy Cross Cemetery) whose mission it is to serve our community, especially those in need, we think that this new facility and service is in the best interest of our whole community.

What is wrong to us is that right now, day laborers are mostly confined to congregating outside retail businesses related to their work which leads to potential safety and sanitary problems. Also, potential employers have no idea what kind of laborer they are getting. It is also wrong to us that women do not have the same kind of access to such work opportunities because there is no safe place for them to gather in our county to be able to find similar kinds of work.

The opening of a Day Worker Center in this very centrally located place will provide a safer, fairer and more orderly way for people to find work and for people to hire someone suited to the job they want done. The Community Action Board has an outstanding track record in our community for providing similar services and we are very confident in their ability to operate this service. Connecting people to the services that the Community Action Board can provide, makes for a healthier and safer community for all of us.

The presentation they made to us in writing proved that this idea has gone through a high level of planning and organization and that they will be able to mitigate any potential problems we neighbors feel may result. Most of these workers use public transportation and any necessary parking issues have been satisfactorily planned for. We are also supportive of the Roman Catholic Diocese of Monterey offering their property for this use because there are very few sites in the county left that qualify for this kind of zoning and use.

We understand that this Center will be operating near an elementary school and that some parents may have concerns about that. We think that because the Center will be closed at 2p.m., which is the same time that the school day ends, that any potential concerns would be alleviated.

If this request is rejected it is clear that we are resigning day laborers to the present poor conditions well into the future, and perhaps in perpetuity, given the lack of alternative sites. We urge you to take advantage of this unique and well thought through opportunity and approve this change in use of their property.

On behalf of the Church Council,

Rev. James P. Lapp, Pastor

2500 Soquel Avenue, Santa Cruz, California 95062
831/476-4700—Phone 831/476-3918—Fax
office@ststephenslutheran.org www.ststephenslutheran.org

County of Santa Cruz Planning Department
✓ Attn: Kathleen Molloy Prevesich, Planning Director
Attn: Samantha Haschert, Planner
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

February 19, 2012

Subject: Application # 111195: Assessor's parcel # 026-051-17
Day Worker Center

To whom it may concern:


Over a period of many years I have been involved in discussions of a possible day worker center for Santa Cruz County. Starting around 2007, while I was still on the Santa Cruz City Council, these discussions became more focused, positive, and serious – resulting ultimately in the project now before you. I am therefore pleased to express my strong support for the proposal to establish a day worker center at 2261 7th Avenue.

I feel particularly confident in supporting this proposal because I know how much careful thought has gone into it. The dedicated and capable proponents of this project want it to be a successful, sustainable program that will meet an important community need. They have taken their time to thoroughly investigate various models for day worker centers, examine the possible range of services, explore location criteria, sought out a stable organizational structure, and geared their proposal to fiscal reality. They have actively engaged day workers themselves in shaping the program, and explored partnerships with other community resources.

As for the location itself, it seems extremely well suited to this use. It is on a well-traveled street, close to a major freeway exit and public transit, with other public facilities nearby. It is convenient to both day workers and their employers, without generating significant additional traffic.

Applicants for the proposed day worker center have provided you with fairly detailed plans for operation and management of the center, so I will not repeat them here. I will only point out that they reflect the very high level of planning that has gone into this proposal, and the applicants' intention that the center will be a well-run asset for the broader community. This will be a valuable community resource at an appropriate location, and I urge your support.

Sincerely,


Cynthia Mathews
316 Walnut Avenue
Santa Cruz, CA 95060

Cc: Mireya Gomez-Contreras, CAB

February 14, 2012

Samantha Haschert, Planner
County Planning Department
701 Ocean Street
Santa Cruz, CA 95060

Re: Change of Usage for 2261 7th Avenue

Dear Ms Haschert,

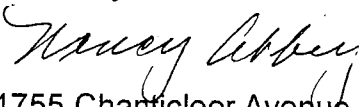
I have been a live Oak resident for many years and I welcome a Day Worker center to our neighborhood. It seems important that our community finds a way to provide a safe, centralized location for people seeking day work and I believe the 7th Avenue building is in an ideal location because it is on a thoroughfare, close to two bus routes, and has ample parking.

In addition, a centralized Day Worker Center will be an improvement over the current informal sites in several ways.

- The places where day workers now collect are often seen as an annoyance to shoppers and store owners. Women walking by these sites have sometimes experienced discomfort that would not be an issue at the center.
- The workers will be in a friendly environment that can help them find work and provide some measure of safety from being exploited by the occasional unscrupulous employer. The center can post expected arrangements such as ensuring transportation at the end of the work period.
- Potential employers with little command of English will feel more comfortable finding people with the skills they need and negotiating wages.
- The center will also provide a venue for women wanting day work who currently have no assistance in finding employment.

Day workers provide a real service for home owners and business people needing short term, unskilled labor and a Day Worker Center on Seventh Avenue will provide a convenient location to both the day worker and the people seeking day-workers.

Sincerely,


1755 Chanticleer Avenue
Santa Cruz 95062

Petition regarding the Proposed Day Worker Center at 2661 7th Avenue, Santa Cruz, CA ®

Although we, the following residents of the neighborhood of this proposed Day Worker Center, may support the concept of a Center as a benefit for certain workers, we do not support its proposed location on 7th Avenue for the following reasons:

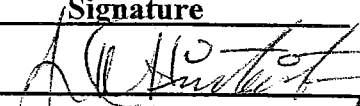
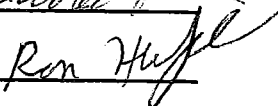
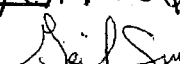
LOCATION: Drs. Valenzuela and Theodore's specialized report on "Searching and Working California Day Laborers and Worker Centers", which supports worker centers, states that it is vital that they "be visible and centrally located near where day laborers search for jobs and where employers look for workers." Those areas already exist here and are currently heavily used by day workers at Home Depot on 41st Ave. and ProBuild on River St. in Santa Cruz.

SAFETY: We do not think it is appropriate to place this Center on a such a busy street in a mainly residential area which is also a walk zone for 3 schools plus a senior complex across the street. The Valenzuela-Theodore specialized report also notes that the workers using these centers are mostly male (just 2% are female) and largely from Mexico, 4 in 5 being undocumented migrants. We are concerned with the safety and well being of the neighborhood in drawing such large numbers of these workers into such an area on a daily basis.

FACILITY: Approximately 40 workers are expected to use the building and the grounds while waiting daily for jobs. The existing building is approximately 1,000 sq. ft. and has only one bathroom. Staffing is to be one young female employee and 4 volunteers who will be expected to manage the entire on-site project. There are only 5 parking spaces available at the VFW lot next door for the day workers and employers. The building is inadequate as is the parking for the Center's planned use which would have a serious impact on the neighborhood's already limited parking.

APPEARANCE: The commercial areas in Santa Cruz currently being used by day workers are crowded and unsightly, causing others to avoid them during the times that the streets are full of workers and heavy construction traffic. This use is not appropriate for a residential area and would have a negative effect on the quality of life for the people who live here now.

For these reasons the undersigned firmly believe that more study needs to be done on this project and that another location, closer to the commercial areas, would be a better location for a Center where day workers already search for jobs and employers already look for workers.

<u>Print Name</u>	<u>Street Address</u>	<u>Signature</u>
J.D. HINTERMEISTER	2296 7 th AVE SC. CALIF	
RON HUFF	P.O. Box 66152 SCOTT VALLEY, CA.	
Lisa Rose HERSHKOWITZ	2286 7 th AVE SANTA CRUZ, CA. 950	
GAIL M. SMITH	2302 7 th AVE SANTA CRUZ	

Petition regarding the Proposed Day Worker Center at 2661 7th Avenue, Santa Cruz, CA

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FACILITY: Approximately 40 workers are expected to use the building and the grounds while waiting daily for jobs. The existing building is approximately 1,000 sq. ft. and has only one bathroom. Staffing is to be one young female employee and 4 volunteers who will be expected to manage the entire on-site project. There are only 5 parking spaces available at the VFW lot next door for the day workers and employers. The building is inadequate as is the parking for the Center's planned use which would have a serious impact on the neighborhood's already limited parking.

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Print Name

Street Address

Signature

Evelyn Roberson	2304 7th Ave Santa Cruz, CA 95062	Evelyn Roberson
Sandra Brauner	2298 7th Ave S.C. 95062	Sandra Brauner
MARGARET STEELE	2294 7th Ave S.C. 95062	Margaret Steele
JOHN BERG	2308 7th Ave S.C. 95062	

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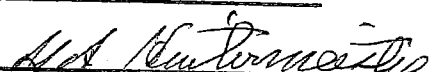
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Print Name

Street Address

Signature

MARY ANNE HINTERMEISTER 2296 7th AVE 

JAN KREBS 2314 7th AVE

John Edgar 2316 7th AVE

L.H.C. 2288, 2306, 2274, 2272 7th AVE

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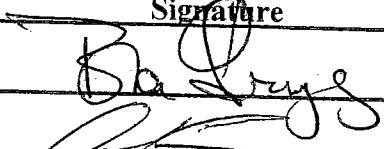

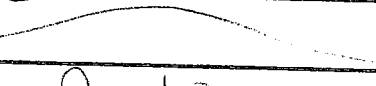

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<u>Print Name</u>	<u>Street Address</u>	<u>Signature</u>
Ben Gregg	2282 7th Ave.	
Arnold Krugen	2308 7th Ave	
Mary H. Hughes	2274 7th Ave	
Dawn Breese	2276 7th Ave	

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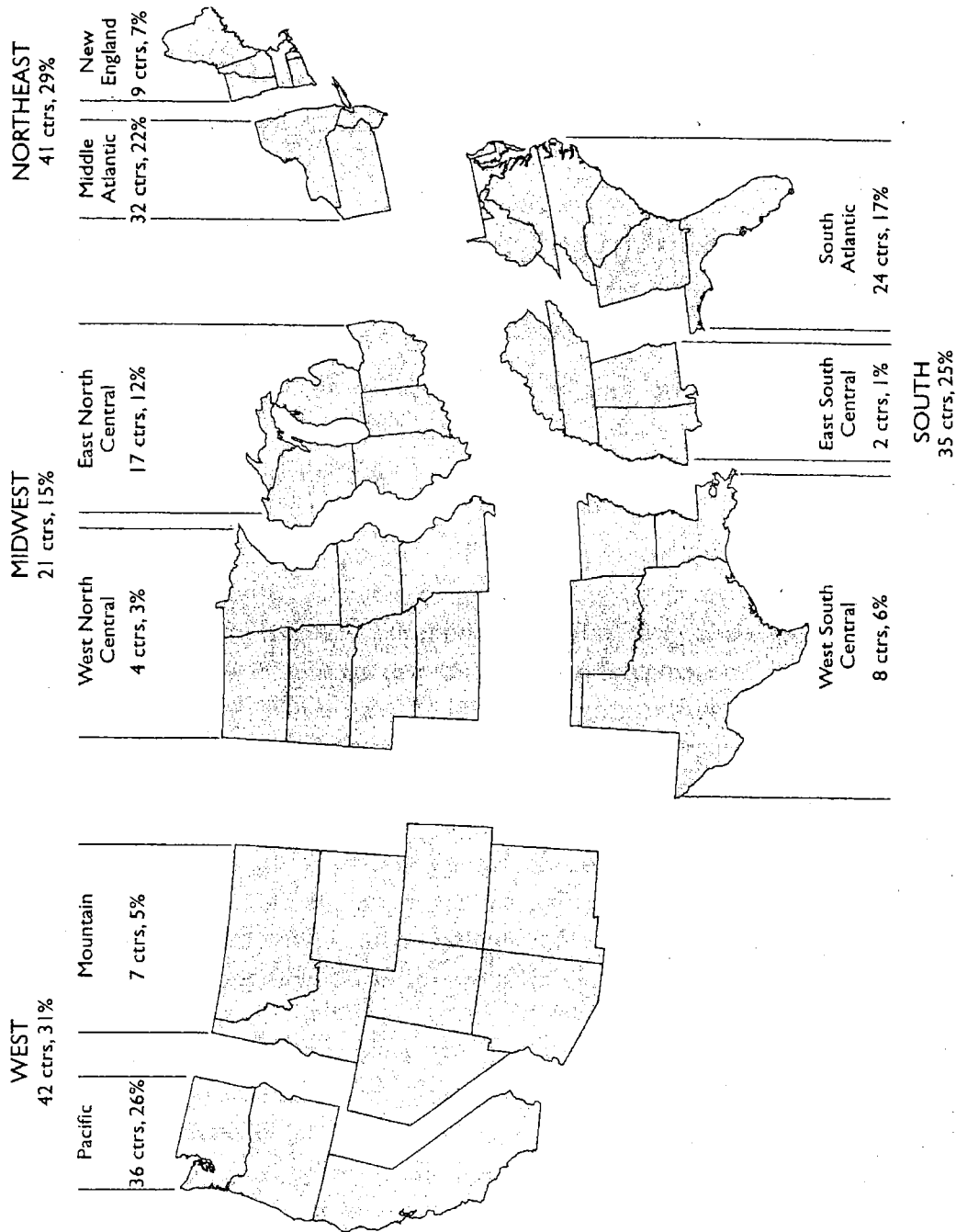
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<u>Print Name</u>	<u>Street Address</u>	<u>Signature</u>
Rose Conn-Aitchison	2292 7 th Ave	Rose Conn-Aitchison
Marcia Smith	2308 7 th Ave	Marcia Smith
Beatrice Elliot	2278 7 th Ave	BEATRICE ELLIOT
Bonnie Fitzgerald	2288 - 7 th Avenue	Bonnie Fitzgerald

REGIONAL DISTRIBUTION OF WORKER CENTERS (2005)



SOURCE: FINE, J. (2006): WORKERS CENTERS: ORGANIZING COMMUNITIES AT THE EDGE OF A DREAM. NEW YORK: CORNELL UNIVERSITY. FIGURE 1.1 Pg. 8

Samantha Haschert

From: Mike Mizer [themize55@hotmail.com]
Sent: Monday, March 26, 2012 8:33 AM
To: Samantha Haschert
Subject: Day workers center on 7th.

Ms. Haschert, Good morning, I hope you had a pleasant weekend. I am writing to you to express my concerns over the planned day worker center on 7th. Ave. I live on 7th. right on the other side of rodriquez and was very displeased to read in the Sentinel this weekend about the the planned center. As a homeowner and in the very near future father I am appalled that the county would approve such a center in a residential neighborhood. Since I have moved in the sidewalks have been installed, the road repaved the SPCA has been rebuilt as well as the building kitty corner from it on 7th. ave. And now you want to install a center that will increase traffic dramatically, apparently without any sort of study that assess the impact of this traffic. In the summer traffic is bad enough on that road without said center. Not to mention 7th. is a major thoroughfare for two major schools including Harbor High. Will there be increased police presence on the road as well. I'm not saying the day-laborers are criminals but it invites the criminals to dress as day laborers and come and go as they please. I could go on and on but I will reserve that for a more appropriate setting. Will there be a hearing on this matter? What kind of research went into making this decision? Who approved this decision? I believe the community as more and more find out will have a strong reaction against this matter. This is a venture to support commerce, I believe we should keep it in a commercial area and out of the residential neighborhoods. Perhaps closer to the locations that they get hired at currently or along the frontage road of soquel. Thank you for your response,

Michael Mizer

Samantha Haschert

From: Terry & Doug Hutmacher [bnmike@sonic.net]
Sent: Monday, March 26, 2012 3:46 PM
To: Samantha Haschert
Subject: Proposed Day Worker Center in Live Oak

Please reconsider the proposed Day Worker Center in Live Oak. This is a mostly residential area that is already highly impacted by traffic. Add even one hundred extra cars, and the neighborhood will feel the impact. There is not very much parking available for users of the Center. Will they be parking on the residential streets around the area? I wouldn't like my neighborhood to become a parking area for a business or other organization.

In addition, 7th Avenue is used by many children from VHM Christian, Green Acres, Tierra Pacifica, Shoreline Middle School and Harbor High School to travel to school. There is also a Senior Citizen Complex right across the street. This group of people represent our most vulnerable. Please consider the safety of the residents of this area.

A Day Worker Center is a great idea, but needs to be place nearer to a commercial center. I understand that the zoning on 7th Avenue makes it easy for the center to be established, but that is not a reason to approve it. The impact of the center on the neighborhood and safety of our children and senior citizens should be paramount.

Please overturn the approval of the Day Worker Center in Live Oak. It will have a negative impact on the residents of the area.

Thank you,

Terry Hutmacher
Live Oak Resident

Supervisor John Leopold
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

April 11, 2012

Dear Supervisor Leopold;

My recent letter to you stated that I supported the proposed Day Worker Center on Seventh Ave. The Center would be across the street from where I live at the Casa La Familia housing complex, a Measure J low to moderate income senior housing complex of 23 townhouses.

I now realize that, although the sponsors have good ideas for the Center, it would simply be in the wrong place. I have three primary objections.

1. At Casa La Familia 14 of our residents are single senior women. Some of them have made it clear to me that, if the Center is allowed, they greatly fear for their safety. The Center will bring many unemployed men into the neighborhood. There will be almost no enforcement of Center rules because the one Center employee and the few volunteers cannot possibly control the many young, mostly single, men expected to use the Center. Children walk on Seventh Ave. to and from three schools in the neighborhood. I have seen the rude way the day workers at the downtown ProBuild store react to women walking on the sidewalk. I believe similar sexual harassment would be directed at high school girls walking on Seventh Ave.

I understand that many single females often feel threatened by men, especially when the females are alone. I believe most of us men have no idea that this is a constant stress for them. Presence of the Center in my neighborhood would increase that threat.

2. The presence of many single unemployed young men at the Center would increase the threat of theft and vandalism on Casa La Familia property and nearby homes. Our parking lot fronts Seventh Ave. Our cars would be more threatened with theft and damage. Also, my townhouse is at the front of the complex and nearest to the proposed Center. My house would be the most convenient one to break into.

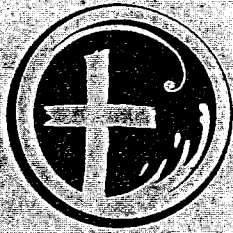
3. This section of Live Oak is primarily a residential neighborhood and not suitable for the disturbances that the Center would create. AND what if the Zoning Administrator realizes after several months that the Center is not compatible with our neighborhood. If he reversed his decision and disallowed the Center, it would be practically impossible to have the Center removed, in spite of County regulations.

Sincerely,



James A. Nee; 2262 7th Ave., Santa Cruz 95062

Cc: County Zoning Administrator; Principals of the three local schools; Chair, Casa La Familia HOA



The Circle Church (Disciples of Christ)

111 Errett Circle Santa Cruz, California 95060

831.426.0510 (Office & Fax)

Website: thecirclechurch.org

office@thecirclechurch.org

April 13, 2012

Samantha Haschert, Planner
County Planning Department
701 Ocean Street
Santa Cruz, CA 95060

Dear Ms. Haschert:

I am writing in support of the proposed Live Oak day worker facility. The controversy concerning the day worker center seems to stem from the fear that day workers will molest children and senior citizens. Really? Why assume that a person who desires to work hard is dangerous? Such unfounded assumptions insult working men and women everywhere.

When my father moved our family from Harlan, Kentucky he had to take whatever work he could find. He was a honest, hard-working husband and father trying to provide for his family, yet we had to deal with some unfortunate stereotypes about Appalachians and hillbillies.

I suggest that the desire to do good, hard, honest labor is a pretty good character reference, and that helping workers find work is good for any community, anywhere, especially in this economy. The day laborer center is a good idea which should not be blocked by unfortunate stereotypes.

Blessings and Peace,

Rev. Steve DeFields-Gambrel, Pastor

Samantha Haschert

From: nadine buchwald [nbuchwald@gmail.com]
Sent: Sunday, April 22, 2012 9:34 AM
To: Samantha Haschert
Subject: We don't object to the day worker center – We object to the proposed LOCATION of the day worker center.

There is no need for the center in this location ~ the Live Oak Family Resource Center offers help for families and offers resources for employment. The Zoning Administrator and County Supervisors are just trying to push this project of theirs through fast in an unincorporated area so they don't have to adhere to the normal zoning laws.

It is ridiculous that they are continuing to ignore the legitimate concerns of the community and schools. These are people we vote in. Time for a change.

--

Thank you,

Nadine Buchwald
Assistant

Daniel W. Miles
Broker

Monterey Bay Real Estate Services
716-B Capitola Ave
Capitola Ca 95010
Office Phone: (831) 476- 6100
Dan Cell: (831) 234 -5410
Fax: (408) 624-1017

April 30, 2012

Samantha Haschert, Planner
County Planning Department
701 Ocean Street
Santa Cruz, CA 95060

RE: Proposed Day Worker Center in Live Oak

Dear Ms. Haschert and Commission,

We are writing in strong support of the proposed Day Worker Center in Live Oak. Communities Organized for Relational Power in Action (COPA) is a 24 member institution non-profit organization (see accompanying document) active in both Monterey and Santa Cruz Counties. Two of our primary areas of focus are on increased economic opportunities for all residents and support for the members of our community who are immigrants and have chosen made the Central Coast their home.

We firmly believe that the Day Worker Center directly addresses these two areas of concern. The Center will help facilitate employment for the largely immigrant day laborers in a safe and well organized fashion as well as helping them access needed services such as ESL classes, financial literacy, health, skills training and legal information amongst others. It will also provide meals and bathroom facilities for these workers, and can provide shelter to them in times of inclement weather.

Through the Center, workers and employers will be better matched based on the skills required by potential employers and the skills possessed by workers. There is a real economic value to our community in this approach as employees with the appropriate skills will be better matched with projects requiring those talents. Additionally, as workers will have access to skills building training, the pool of workers with the skills necessary for market demands will increase, which is also of great economic benefit to both employers and employees and to the community at large.


The day workers will also gain valuable information about their rights as workers which will help protect this vulnerable part of our community, many of whom fear reprisals based on their immigration status. Employers will also be provided with information about their legal, safety and labor law responsibilities, increasing worker protections. The Center will work to help reduce the abuse of day laborers and to reduce workplace injury through its activities. All of these activities will help better protect the rights and wellbeing of the immigrant population.

The status quo, where workers are required to congregate around home improvement stores, must change. This situation poses a potential risk to both workers and employers and often causes friction between day workers, potential employers, area businesses, residents, customers and law enforcement. From a purely public safety standpoint (another of COPA's main issue areas), the Day Worker Center will be a vast improvement over the current situation, and it is quite evident that the organizers of the proposed Center are working hard to insure that the Center will not negatively impact the residents and businesses in the surrounding area. Clearly, an organized and institutionalized approach to connecting workers with employers that the Center represents is far preferable from a public safety and public policy standpoint than the current chaotic informal process.

Therefore, we again wish to state our strong support for the proposed Day Worker Center and urge the Planning Commission to approve this proposal.

Thank you very much.

Sincerely,



Edward "Ted" Rico, Center for Community Advocacy, COPA Immigration Team
trico@cca-viva.org

COPA: Who We Are

COPA's Mission:

To develop the leadership skills of ordinary people to engage effectively in public life with power to negotiate with public and private sector leaders to change the economic, social, political and cultural pressures on their families.

COPA Members:

Santa Cruz County:

- First Congregational Church of Santa Cruz, Santa Cruz
- Trinity Presbyterian Church, Santa Cruz
- St. Stephen's Lutheran Church, Santa Cruz
- Live Oak Family Resource Center, Santa Cruz
- Live Oak School District, Santa Cruz
- Calvary Episcopal Church, Santa Cruz
- St. John's the Baptist Episcopal Church, Aptos
- Resurrection Catholic Church, Aptos
- Temple Beth El, Aptos
- Aptos Community United Methodist Church, Aptos
- Unitarian Universalist Fellowship of Santa Cruz, Aptos
- First United Methodist Church, Watsonville
- Lutheran Community Church, Watsonville
- Alianza Charter School, Watsonville
- Our Lady of the Assumption Catholic Church, Watsonville

Monterey County:

- East Salinas Family Center United Methodist Church, Salinas
- First United Methodist Church, Salinas
- Center for Community Advocacy, Salinas
- Sacred Heart Catholic Church, Salinas
- CHISPA, Salinas
- St. Mary's of the Nativity Church, Salinas
- San Carlos Cathedral, Monterey
- St. Angela's Catholic Church, Pacific Grove
- Walking Together Ministry-St. Mary's by the Sea Episcopal Church, Pacific Grove



MOST REVEREND RICHARD J. GARCIA, D.D.
Bishop of the Diocese of Monterey

(831) 373-4345
FAX: (831) 373-1175

RJGB@dioceseofmonterey.org
www.dioceseofmonterey.org

May 4, 2012

Planning Commission
C/o County of Santa Planning Department
701 Ocean Street, Fourth Floor
Santa Cruz, CA 95060

RE: 7th Avenue Day Worker Center Use Permit Appeal (Application No. 11195)

Dear Planning Commissioners:

I am writing today regarding the above appeal. I understand that concerned citizens have appealed the grant of a use permit to the Community Action Board for a Day Worker Center at 2261 7th Avenue, Santa Cruz.

I support the use of this property as a Day Worker Center. The Diocese of Monterey is the owner of the property for which the Community Action Board seeks to use as a Day Worker Center. The Church supports the rights of workers to find work to support their families and to pay for the necessities of life including food, shelter, medical care and education. I believe that this Center will assist workers in finding such work to enhance not only their human dignity but they will benefit the community by making a greater contribution to it.

When the Community Action Board approached the Diocese with the idea of using one of our properties as a Day Worker Center, I consulted with members of my staff. We put together both a Memorandum of Understanding and a lease agreement which includes the rules and regulations for the use. Many of these rules and regulations go to the concerns raised by the neighbors. The Community Action Board has promised to abide by the rules, and I trust in their integrity and goodwill.

I think it is important to remember that Day Workers are our neighbors imbued with human dignity, rights and responsibilities in our society.

Sincerely yours,

Most Reverend Richard J. Garcia, D.D.
Bishop of the Diocese of Monterey

Cc: Samantha Haschert via fax

Samantha Haschert

From: Melanie Defe [meldefe@pacbell.net]
Sent: Monday, May 07, 2012 8:46 AM
To: Samantha Haschert
Subject: Proposed Day Labor Center in Live Oak Neighborhood

Dear Kathleen and Samantha,

I understand that you are the ladies that are accepting emails from concerned residents regarding the Day Labor Center on 7th Avenue.

Please register this email in opposition of the center's location. I have no issue with the concept as I believe if there is a way to make a process more efficient and effective, it should be tested. However, our 7th Avenue neighborhood shouldn't be the testing ground.

As you know, we are one of the busiest streets in Live Oak. We have the normal harbor traffic, the summer beach traffic, the emergency vehicle route, and all of the folks who live in and around 7th Avenue.

A day labor center is going to bring increased traffic of cars and trucks. Why would we want that in a neighborhood with children walking to school, homes with families and retired folks living directly across the street?

To me a day labor center belongs in a commercially zoned area where commerce is taking place. Not, in a neighborhood. Let me ask you ladies, if this was your own neighborhood would you support this? Be honest with yourselves. Would you want increased traffic, day laborers standing around on your sidewalks (that is legal now if they are seeking work)? Almost no one would who seeks a quality of life.

This is simply unfair. The neighborhood is against it and how can a center be successful in a neighborhood where they are not wanted? What organization would have such disregard for the residents where they are putting the center. If you ladies check out the supporters you will find they do not live in our neighborhood...doesn't that strike you as odd.

If you wish to reach me for any reason, I have provided my mobile number.

Thanks for allowing me to express my concerns.

Regards,
Mel Defe
7th Avenue Resident
408.464.2092

Samantha Haschert

From: dan bolger [dahnb2010@gmail.com]
Sent: Monday, May 07, 2012 7:14 AM
To: Samantha Haschert
Cc: John Leopold
Subject: Proposed day worker center at 2261 7th Avenue

Dear Kathleen Molloy Prevesich, Planning Director and Samantha Haschert,

My wife and I would like to state that we are OPPOSED to the proposed day worker center at 2261 7th Avenue. Although the idea for a day worker center is a good one, the choice of location is horrible!

1. The proponents used the PF (Public Facilities District) zoning on the property to avoid normal zoning requirements and public notice for such a project. The Zoning Administrator waived review by California Environmental Quality Act (CEQA) although there would be significant impacts to the environment. 7th Avenue is a walk zone for the 4 schools in the area and there is concern that the center would attract many strangers into this area. There is a senior citizen community across the street from the proposed center with a parking lot that would likely be used for turn-around traffic.
 2. According to proponents, the workers would have to follow "Center Rules," which would require them to register with the center and wait for jobs inside the 1,000 sq.ft. building. However, this rule is unenforceable for two main reasons: (1) both day workers who do not care to register, as well as employers looking for workers, can simply congregate on the sidewalks and streets nearby, just as they do on 41st Avenue and River St., and (2) The U.S. Supreme Court on February 21, 2012 ruled that day laborers have a constitutional right to congregate on sidewalks while seeking work from passing cars.
 3. The center would "register" day workers (but will do no background checks on them) and match them with prospective employers. The 1,000 sq.ft. house has only one unisex bathroom, although it plans to serve 40-60 workers a day. The only paid staff is to be a young female, assisted by two volunteers. She is to answer all phone calls, interview and match workers with contractors and control all activities inside and outside the center. Only 5 parking spaces are available in an adjoining property and proponents say that all workers would either ride bikes, bus or carpool to the center. Hours are Tuesday through Sunday from 7 a.m. to 1:30 p.m. Unenforceable "Center Rules" state there will be no "worker early arrivals" nor any "late contractor drop offs" allowed outside of these hours. This is an unrealistic plan which will have long term negative effects on the neighborhood by creating increased traffic on the already busy two lane street which provides community and heavy tourist access to beaches and boat harbors.
 4. Professors Valenzuela and Theodore stated in their conclusive report that in order to be effective, "*day labor centers should be visible and centrally located near where day laborers search for jobs and where employers look for workers.*" Other professionals note that day laborers in centers actually get less work than those at informal sites. The County Zoning Administrator admitted "it is not an ideal location" for the day labor center, even as he approved it. The 7th Avenue site does not meet the minimum standards for a successful location for a day worker center as recommended by all professionals.
 5. The day worker center staff is to self-monitor, self-police and self-report periodically to the County Planning staff. At the end of a 6 month period, the center would be reviewed by Planning and a public hearing would be held to see what changes, if any, need to be applied to the operation. The "Center Rules" are supposed to resolve all problems that may arise. Even if the center does not operate as projected or becomes a public nuisance, only incremental changes are envisioned. **Thus, once it is in operation it would be very difficult, if ever, to close it down.** This day worker center, a commercial enterprise, is in the wrong location, it does not meet CEQA environmental standards, is a threat to the health and safety of the neighbors and it will have long lasting negative impacts on this residential neighborhood.
- For all these reasons and more, we believe that this project should not be allowed to proceed.

Thank you,
Dan & Carla Bolger
1750 15th Avenue
Santa Cruz, CA 9506831.475.1954

Samantha Haschert

From: Sabrina Carrillo [sabinacarrillo@sbcglobal.net]
Sent: Monday, May 07, 2012 6:57 AM
To: Samantha Haschert
Subject: Day labor concern

Below is my concern regarding the proposed Day Labor Center that was addressed to John Leopold. Please review before the appeal.

Sabrina
Sent from my iPhone

Begin forwarded message:

From: sabrina carrillo <sabinacarrillo@sbcglobal.net>
Date: May 6, 2012 2:12:02 PM PDT
To: john@friendsofjohnleopold.com
Subject: Questions

I have several questions for Mr. Leopold.

I received your mailer that states the following,

"Watching over our neighborhoods, keeping our community safe. We need someone who looks over our community like a watch dog."

You state all of this but yet you are allowing a Day Labor Center to be put into our community without the proper zoning requirements and without any actual field reports. You are allowing this to be put in a school zone where children from different schools (1 high school and 3 elementary schools) walk on a daily basis. At your community meeting held at Green Acres Elementary you failed to address the real concerns of our community member and parents. You also had a specialist state to everyone that many ex-cons work as day laborers and that there will be no background checks on the people that will be standing in a school zone. With the history into these day labor centers where there have been crimes such as rape, murder, thievery and molesting in different cities all over the United States since the early 2000's, how can you condone this center to be put into our small community?

How do you expect us long time Live Oak residents to want to vote you back in when you are NOT protecting our children by condoning the entrance of this center into a residential, school zone area? As far as I'm concerned my family as well as many others will not be giving you our vote this time around directly because of this.

You and the other supervisors have failed us in many ways. This is only one of the issues. Allowing a mental health facility to move in across the street from a Harbor High School is just another notch on the ladder that removes all trust in you and your fellow adversaries.

Sabrina Carrillo
Live Oak Resident and Parent

Samantha Haschert

Subject: 111195 Appeal - public comment
Entry Type: Phone call
Start: Mon 5/7/2012 11:58 AM
End: Mon 5/7/2012 11:58 AM
Duration: 0 hours

Suzie Wallman
2400 7th Avenue

OPPOSED to proposed Day Laborer Center:

- Neighborhood is low density
- Increased traffic will have negative impacts
- Casa La Familia neighbors should not have to go through this process.

Samantha Haschert

From: Bradley Piper [bradleyjpiper@yahoo.com]
Sent: Tuesday, May 08, 2012 1:28 PM
To: Samantha Haschert
Cc: john leopold; John Leopold
Subject: Live Oak Day Worker Center

This email is to express my disapproval of erecting the Day Labor Center on 7th Avenue. I have been an active volunteer with the Graffiti Removal Project in Live Oak for over 5 years. I have walked the streets, railroad tracks, alleys and vacant lots. I have worked closely with the Sheriff's department on the graffiti issue, street litter, and abandoned shopping carts. Live Oak definitely has it's problems. But over the last year, in my opinion, Live Oak seems to be moving in a positive direction. This has been largely due to concerned and vigilant citizens. Inserting this Day Labor Center in the heart of a residential neighborhood would be taking a huge step backwards for Live Oak. There have been many legitimate concerns addressed by the neighbors. The one in particular that is my biggest concern, is the overall message we are sending, to all parties involved, by having our local government support non-tax paying workers. There are nearby centers that are currently set up to assist workers find temporary work. These centers assure taxes are paid and the workers are treated fairly. It is completely absurd that one minute or one dollar of county money or time would be spent to support people working tax-free. It's quite ironic that the tax money, collected from tax paying citizens, may be used to support this facility.

Take a closer look at Capitola. They are a model for how a community should exist; safe, clean, and responsible. Don't let Live Oak continue to be a dumping ground. I hope the people involved in stopping this project make the right decision and send a "law abiding" message to ALL involved.

In Community Spirit,
Brad Piper

Samantha Haschert

From: Jan Krebs [jaykay32@yahoo.com]
Sent: Wednesday, May 09, 2012 10:44 AM
To: Samantha Haschert
Cc: John Leopold
Subject: Day Worker Center Appeal

To: Kathleen Molloy Prevesich
Samantha Haschert

Ref: Appeal of Proposed Day Worker Center at 2261 7th Avenue

I am a unit owner (2314 7th Ave.) at the Casa La Familia senior housing development (2262-2320 7th Ave.), diagonally across the street from the proposed Center. Our development consists of 23 units, 16 of which are occupied by drivers over the age of 62. Our parking lot is accessed from 7th Avenue, a major route toward Santa Cruz Harbor, with one lane in each direction, and no on-street parking in the affected area.

Even without the proposed Center, because of heavy traffic mornings and afternoons of each workday, it is already difficult to exit our parking lot turning left southbound toward Capitola Avenue, after first having to dodge northbound traffic toward Soquel Avenue.

Bearing in mind that residents of Casa La Familia are older, more cautious drivers, this situation will only get much worse should the County Government persist in allowing the Day Worker Center superimpose its traffic patterns at the proposed location. This is just one more reason why the Center at this location is ill-advised.

Sincerely,
Jan Krebs
2314 7th Avenue
Live Oak/Santa Cruz

REC'D 5/15

NORMA FASSIO
2011- 17TH AVE
SANTA CRUZ, CA
95062

PLANNING COMMISSION
COUNTY OF SANTA CRUZ
RE: WORKER'S CENTER

I AM A 48 YEAR RESIDENT
ON 17TH AVE AND HAVE SEEN
MANY IMPROVEMENTS TO THE
AREA.

THE MORNING COMMUTE TRAFFIC
IS NOW QUITE HEAVY.

THE PLANE TRUCKS USE 17TH
AVE AS MAIN ACCESS TO FREEWAY
THE VEHICLES TOWING BOATS IS
VERY HEAVY AS THIS IS ROUTE
TO HARBOR.

ALL THESE THINGS ARE REASON
NOT TO PUT A CENTER ON
17TH AVE. CREATING MORE TRAFFIC.

SINCERELY,
Norma Fassio

Attn.: Planning Commission Chair
C/O Kathleen Previsch, Planning Director
County of Santa Cruz
701 Ocean Street, Room 400
Santa Cruz, CA 95060

May 9, 2012

I object to allowing a day worker center to be established in my neighborhood. I live at 2262 7th Avenue in Casa La Familia, a 23-unit senior (minimum age 62) low-and-medium income, Measure J, housing complex. The proposed center, at 2261 7th Ave., is right across the street from my townhouse. While the idea of such a center is noble, its proposed location is totally inappropriate.

The reasons for my objection are:

1. Seventh Ave., between Bostwick and Capitola Road, is lined with private homes. It is part of a residential neighborhood not suitable for the disturbances the Center would create. The presence of the Center at 2261 7th Avenue would convert that single family dwelling to a business use, degrading our neighborhood. AND what if, after six months, you realize the Center is not compatible with our neighborhood? If you reverse your decision and disallow the Center, it is my experience that it would be nearly impossible to remove the Center, in spite of County regulations.
2. The presence of many single unemployed men at the Center would increase the threat of theft and vandalism at Casa La Familia property and nearby homes. The Casa parking lot fronts on 7th Avenue. Our cars would be more threatened by theft and damage. Also, my townhouse is at the front of the complex and nearest to the proposed center. My house would be the most convenient one to break into.
3. At Casa La Familia 14 of our residents are single senior women. Some of them have made it clear to me that, if the Center is allowed, they will greatly fear for their safety. ALSO, adolescent girls walk on 7th Avenue to and from Harbor High School each school day. I have seen the rude way day workers at the downtown ProBuild react to women walking on the sidewalk. I believe similar sexual harassment would be directed at high school girls walking on 7th Avenue.
4. I understand that many single females often feel threatened by men, especially when the females are alone. I believe most men have no idea that this is a constant stress for them. The presence of the Center in my neighborhood would increase that stress and fear.
5. The Center would generate increased vehicle traffic on already busy 7th Avenue, further endangering bicyclists riding in the bike lane.
6. I understand parking for the Center would be limited to five spaces at the adjacent V.F.W. Hall parking lot. It is likely that some day worker vehicles will be parked illegally in spaces assigned to Casa La Familia residents.

JAMES NEE, 2262 7th Ave., Santa Cruz, CA 95062; naturboy2011@hotmail.com

James Nee

cc: S. Haschert, Planning Dept.

EXHIBIT F

Samantha Haschert

~~PLEASE~~ LAST PAGE FOR LIST OF "SIGNATURES"
RECEIVED.

From: Valerie More [mailto:change.org]
Sent: Friday, May 11, 2012 6:00 PM
To: Samantha Haschert
Subject: STOP the day worker center from opening on 7th Ave. in Live Oak.

Greetings,

I just signed the following petition addressed to: Santa Cruz County Planning Department / Board of Supervisors.

STOP the day worker center from opening on 7th Ave in Live Oak.

Day worker center proposed for wrong spot!

Send a message to the Santa Cruz County Planning Department and the Santa Cruz County Board of Supervisors.

Stop the day worker center from opening on 7th Avenue in Live Oak.

Require that day worker centers be located in commercial districts.

Give the community the opportunity to comment on proposed day worker centers BEFORE approval.

Subject day worker centers to appropriate public scrutiny and environmental review!

Background

Ignoring an upswell of opposition from the community, a Santa Cruz County zoning administrator approved, on March 3rd, an application to permit a day worker center to be established on 7th Avenue -- a quiet, mainly residential Live Oak neighborhood.

Local residents object to the LOCATION of the center and have formed a community group, SOS (Save Our Street), which has filed an appeal of the Zoning Administrator's decision. The hearing on the appeal will take place at the meeting of the five-member County Planning Commission on June 13, 2012.

The proposed day worker center would be located adjacent to a sidewalk used by students of two elementary schools and a high school -- and across the street from a senior citizen residential complex.

Residents feel that the proposed location represents an unreasonable risk to those who are most vulnerable.

Day worker centers should be located in commercial districts.

Regardless of any good intentions the day worker center advocates may have, their efforts are misplaced if the center has a negative impact on the community at large.

Day worker centers are known to impact traffic; and that is why those who travel 7th Avenue to access Hwy 1, Twin Lakes Beach, the yacht Harbor, and the community at large have real concerns about the traffic

congestion that would be created by the center. 7th Avenue has only one lane in each direction and has extremely limited parking. Contractors stopping to pick up and drop off workers would likely block traffic and cause gridlock. Traffic might also spill over onto Soquel and Capitola roads.

Among the other reasons neighbors object the location of the day worker center:

Inadequate space.

The proposed Center is expected to serve hundreds of day workers and their potential employers in an existing 1,000 sq. ft. bungalow having a front porch, a single bathroom and a small yard.

Inadequate parking.

Parking for workers and employers will be limited to 5 rented parking spaces next door at the VFW outpost.

Inadequate staffing.

The proposed Center, to be open daily Tuesday through Sunday, would be staffed by one female employee.

No security.

The proposed day worker center will not employ security staff or have anyone, volunteer or otherwise, to police the workers. To quote day worker center proponents: "The day workers will police themselves."

Proponents have failed to answer the concerns of the community.

What's frustrating residents is that objections to the day worker center's LOCATION are being interpreted as an objection to the program itself. Therefore, program backers continue selling the program's concept without regard for the neighborhood.

The Santa Cruz County Zoning Administrator acknowledged that the day worker center's location was "less than ideal," but because of existing zoning, the center was greenlighted without the need for the typical scrutiny required to obtain a zoning variance.

If the proposed center were subject to even a cursory examination, it would be revealed that current zoning is the primary reason why proponents are pushing for the proposed center to be located on 7th Ave. near Rodriguez Street.

According to the US Dept. of Justice; day worker centers are a "problem" for law enforcement, yet input from local law enforcement is noticeably absent in this case. Thus the residents in opposition to the location feel that putting such a center in front of a Senior Citizen Community and just steps away from Green Acres Elementary School, the VHM Christian School and Harbor High School represents an unreasonable risk.

Even the local bus service is a point of contention. METRO Santa Cruz only serves the location of the proposed day worker center twice a day, and via a supplemental school service.

Opponents have numerous other concerns but all are being rebuffed, and all without the benefit of review by an objective third party.

The day worker center would be much better received if it were proposed for a more appropriate location, but obtaining a zoning variance is difficult, as it would subject the proposal to public review and an environmental impact study. The site on 7th Ave. is apparently located in an area where such scrutiny can be avoided.

For more information visit: <http://www.facebook.com/sosliveoak>

Sincerely,

Sidewalks were improved for the students, neighbors, walkers of 7th Ave, not for day laborers & prospective employers to tie up our traffic - already to busy!

Valerie More
Santa Cruz, California

Note: this email was sent as part of a petition started on Change.org, viewable at
[http://www.change.org/petitions/c-o-john-leopold-stop-the-day-worker-center-from-opening-on-7th-ave-in-live-](http://www.change.org/petitions/c-o-john-leopold-stop-the-day-worker-center-from-opening-on-7th-ave-in-live-oak)

oak. To respond, click here



"SIGNATURES" RECEIVED:

- VALERIE MORE
- SALVATORE MENDOLIA
- SHANNON ELLIS
- CATHI BURNHAM
- MELANIE DEFE
- DIANA COOPER
- MICHAEL LESH
- TIFFANY OLDHAM
- MICHELLE FLUENT
- WILLIAM PHILIPPS
- HAYLEY HOEY
- ELYSIA BOOSALIS
- JENNIFER PERRY
- ANNA RITTER
- DEBBY CARDINALE
- CHRISTEN GOODY
- LESLIE RAGHAVAN
- SOTA DIAZ
- JENNIFER MCNEIL
- JAYSA BURROS
- PAULA QUEATHEN
- JULIA CONGROVE
- RENE HOWELL
- KENT THOMAS
- DENVER DRAKE
- DOUGLAS DEITCH

Samantha Haschert

From: John Berg [johnwberg@gmail.com]
Sent: Friday, May 11, 2012 3:35 PM
To: Samantha Haschert
Subject: Appeal to Planning Commission from Approval of Proposed Day Worker Center at 2261 7th Ave.

To: Santa Cruz County Planning Department

The community of Live Oak has created a Facebook page <http://www.facebook.com/sosliveoak> In an effort to STOP the day worker center from opening on 7th Avenue in Live Oak.

The sosliveoak Facebook page serves as a public forum with the intent that our letters and comments will be seen by the Santa Cruz County Planning Department and the Santa Cruz County Board of Supervisors, and will be entered into the public record.

Our community invites the Santa Cruz County Planning Department and the Santa Cruz County Board of Supervisors to visit our page and see for yourselves.

The community is outraged by the proposed day worker center and wants it stopped.

As the moderator of <http://www.facebook.com/sosliveoak> I am submitting the following public letters and comments on behalf of the authors:

Sincerely,

John Berg

John Berg: Day worker center proposed for wrong spot -santacruzsentinel.com
Posted: 03/25/2012 01:30:56 AM PDT

John Berg

Community support wavers for the controversial day worker center proposed for Seventh Avenue in Live Oak. Proponents have failed to answer the concerns of neighboring schools, residents and the senior community directly across the street. The issue is the proposed location of the center.

What's frustrating residents is that objections to the center's location are being interpreted as an objection to the program itself.

Therefore, program backers continue selling the program's concept amid an upswell of opposition by local neighbors, who argue that good intentions are meaningless if the center is in the wrong place.

The Santa Cruz County Zoning Administrator acknowledged the center's location was "less than ideal," but because of existing zoning, the center was greenlighted without the need for the typical scrutiny required to obtain a zoning variance.

Zoning is exactly why proponents are trying to force their way into the Live Oak neighborhood. If the proposed center were subject to even a cursory examination, it would be revealed that current zoning is the primary reason why proponents are pushing for the proposed center to be located on Seventh Avenue near Rodriguez Street.

According to the Justice Department, day worker centers are a "problem" for law enforcement, yet input from local law enforcement is noticeably absent in this case. Thus the residents in opposition to the location feel that putting such a center in front of a senior citizen community and just steps away from Green Acres Elementary School, the VHM Christian School and Harbor High School represents an unreasonable risk to those who are most vulnerable. Even the local bus service is a point of contention. Metro bus service only serves the location of the proposed center twice a day, and via a supplemental school service.

Opponents have numerous other concerns but all are being rebuffed, and all without the benefit of review by an objective third party.

The center would be much better received if it were proposed for a more appropriate location, but obtaining a zoning variance is difficult, as it would subject the proposal to public review and an environmental impact study. The Seventh Avenue site is apparently located in an area where such scrutiny can be avoided.

Residents have formed a community group, SOS, for Save Our Street, which aims to block the day worker center from opening its doors. SOS is appealing to the Zoning Commission and wants the center to be subject to the same public review and environmental impact study as would occur if it were proposed for any other location.

Community comments and concerns are invited, and should be addressed to soslivoak@gmail.com

John Berg is a Live Oak homeowner.

Page -----

Charles Paulden 5/7/12

Thank you for doing this.

One of the many reasons I am running against him (John Leopold) is that he does not take the neighborhoods seriously.

He has turned my neighborhood into a hotel district, letting some people run business and others not. Then he brags about getting the people who were cheating to pay taxes.

When we asked him to not put a parking lot in our open space, he told us we might like it when he was done.

When we asked for a bridge to connect Coffee Ln to Mattison Ln, he gave the money to his friends from the City of Santa Cruz.

When we asked for a place in Pleasure Pt for the kids to meet, he took the money to Shoreline School. Next to the Swim Center, near Del Mar School and the new park.

He seems to be the typical politician.

Who will get him elected.

All packaging, little product.

Page -----

Submitted by: Ben Gregg and Sandy Brauner, Live Oak DAY WORKER CENTER ZONING IMPACTS NEIGHBORHOOD

A Day Worker Center, a commercial land use project proposed in the Live Oak area at 2261 7th Avenue, was approved by the County Zoning Administrator on March 2, 2012

over the protests of neighbors living in the mainly residential area.

The neighbors' protests

were overruled due to the property's PF (Public & Community Facilities) zoning, which

apparently allows for a day worker center without the need for a zoning change -- which would have required much greater scrutiny.

Neighbors cited the negative impacts of the proposed project, which could bring hundreds of day workers and their employers into the residential neighborhood.

Neighbors also

expressed their concern for the safety of the residents of the senior complex across the street and the children from three local schools, as well as the impact on the environment.

Proponents concentrated on the positive qualities of the workers and the individual benefits to each of them from use of the Center. Support for the project was largely from

ENCLOSURE

representatives of several statewide social service agencies comprised of individuals who do not live in the neighborhood.

Major corporations, including ProBuild on River Street and Home Depot on 41st Avenue, are presently impacted by day workers congregating in their parking lots and streets. These corporations, which have been unwilling to cooperate with the day worker proponents, may now benefit from the proposed Center. However, it was noted that all experts on day worker centers do stress that these commercial locations are best because: "In order to be

effective, the day worker centers must be visible and centrally located near where day workers search for jobs and where employers look for workers."

The proposed Center is expected to serve hundreds of day workers and their potential employers in the existing 1,000 sq. ft. bungalow having a front porch, a single bathroom and a small yard. Parking for workers and employers will be limited to 5 rented spaces next door at the VFW. The property is on a two-lane street which serves as a major feeder street to several neighborhood schools, the Yacht Harbor and the beach.

The proposed Center, to be open daily Tuesday through Sunday, would be staffed by one female employee and several volunteers. The staff and volunteers will process applications and schedule jobs as well as monitor workers on the street. Law enforcement will be expected to prevent workers from congregating along the public street, although they do not now prevent that at the informal day worker sites.

Neighbors suggested placing the proposed Day Worker Center in a commercial district where workers and employers now congregate, and where materials and supplies are readily available, a location that would not impact residential neighborhoods, a location that would work well for all concerned. Proponents rejected that suggestion and instead opted for a location that offered the easiest path through the County planning bureaucracy. Now, with the blessing from the County Zoning Administrator, proponents plan to open the Day Worker Center this summer.

Page -----

April 19, 2012

By: John Berg

Location, Location, Location!

We don't object to the day worker center - We object to the proposed LOCATION of the day worker center.

Sure, many of the anticipated participants of the proposed day worker center may be upstanding citizens, no doubt.

Our concern is with the association between day worker centers and organized crime, such as drug smuggling. The association between day worker centers and groups engaged in trafficking women for prostitution, and of great concern is the anticipated use of the center by parolees and ex-cons.

These are individuals who may not be able to get a regular job and these are the people that we should keep away from our children and away from our senior citizens.

The day worker center will not screen participants for criminal history, will not provide security, and will not police the day workers on the street.

The place to locate a center like this is in a commercial district, preferably near where contractors buy building materials - NOT in a residential neighborhood between two elementary schools and across the street from a senior community!

Nadine Breslin and 2 others like this..

Sabrina Carrillo

EXHIBIT 1

There is no need for the center in that location as well because the Live Oak Family Resource Center offers help for families and offers resources for employment. The Zoning Administrator and Count Supervisors are just trying to push this project of theirs through fast in an unincorporated area so they don't have to adhere to the normal zoning laws. It is ridiculous that they are continuing to ignore the legitimate concerns of the community and schools. These are people we vote in. Maybe it's time for a change.

Page -----

Eve Roberson 4/7/12

This is a residential neighborhood and a commercial project such as the proposed Day Worker Center would create increased traffic and other environmental problems. The Center would be better for the workers if it were located where the contractors and the building supplies are already available, which is actually where the day workers are now gathering. Who would benefit from the change? Not the day workers.

Page -----

John Berg

April 17, 2012

Many of our objections to the day worker center's location are based upon information published by the U.S. Department of Justice.

These are specific issues identified by law enforcement agencies that proponents have not addressed. Will the proposed day worker center be the exception to the norm?

The residents of Live Oak don't want to gamble with the safety and security of our children and seniors.

There are several problems with day worker centers that are known to police and are cause for concern.

The following excerpt was published by the U.S. Department of Justice, Office of Community Oriented Policing Services.

"Problem-Oriented Guides for Police (No. 44) Disorder at Day Laborer Sites" (By Rob T. Guerette 2007) 1. The presence of large numbers of laborers and contractors often creates parking and traffic problems.

2. The constant congregation of laborers in the same place for many hours creates loitering problems.

3. Laborers often leave discarded bottles, food wrappers, and other litter at day laborer sites.

4. Laborers may vandalize area property or deface property with graffiti.

5. Laborers congregating on sidewalks may harass pedestrians.

6. Laborers may drink and sell or use illicit drugs in public.

Related problems to day worker sites include:

1. Illegal immigration and human smuggling rings.

2. Associations with groups engaged in trafficking women for prostitution.

3. Links with other forms of organized crime, such as drug smuggling.

Additional reasons to oppose the day worker center in Live Oak:

Our community already has two day laborer sites, adding a third location will not eliminate the existing two locations but will fragment the problem and make policing more difficult.

The existing two day worker sites are located in commercial districts, however the proposed day worker center would be in a residential neighborhood.

The proposed day worker Center would be located in a school zone.

Students from three grade schools walk to and from school directly past the proposed day worker center.

The bus line that serves the proposed day worker center is only served twice a day, and via a supplemental school service.

The proposed day worker center is located directly in front of a senior citizen community.

Lastly, the proposed day worker center will not employ security staff or for that matter have anyone, volunteer or otherwise to police the workers. To quote the day worker center proposal: "The day workers will police themselves."

The day worker center represents an unreasonable risk to those who are most vulnerable.

<http://www.cops.usdoj.gov/Publications/e09061311.pdf>

Page -----

Sabrina Carrillo 5/7/12

I have several questions for Mr. Leopold.

I received your mailer that states the following, "Watching over our neighborhoods, keeping our community safe. We need someone who looks over our community like a watch dog." You state all of this but yet you are allowing a Day Labor Center to be put into our community without the proper zoning requirements and without any actual field reports. You are allowing this to be put in a school zone where children from 4 different schools (1 high school and

3 elementary schools) walk on a daily basis. At your community meeting held at Green Acres Elementary you failed to address the real concerns of our community member and parents. You also had a specialist state to everyone that many ex-cons work as day laborers and that there will be no background checks on these people that will be standing in a school zone. With the history into these day labor centers where there have been crimes such as rape, murder, thievery and molesting in different cities all over the United States since the early 2000's, how can you condone this center to be put into our small community?

How do you expect us long time Live Oak residents to want to vote you back in when you are NOT protecting our children by condoning the entrance of this center into a residential, school zone area? As far as I'm concerned my family as well as many others will not be giving you our vote this time around directly because of this.

You and the other supervisors have failed us in many ways. This is only one of the issues. Allowing a mental health facility to move in across the street from a Harbor High School is just another notch on the ladder that removes all trust in you and your fellow adversaries. How about addressing another issue like the sheriff's doing absolutely nothing about the homeless panhandling in the middle of intersections in Soquel and other areas. They do nothing but drive by these people who stand in the middle of the road with their sign, walking down the line of cars stopped at the stop light. I for one don't feel safe when this happens. Yesterday alone while waiting at the light at Capitola Road and Soquel, saw 4 Sheriff's drive by the homeless guy standing there with a beer and a sign walking in the road, not even the center divider while cars drove by. THEY DID NOTHING!!!!!! What do they get paid to do then? They are just as bad as the City of SC Police Department.

How about addressing that issue and fixing it. It is getting out of control and no one does anything about it.

So instead of sending us mailers telling us how great you are, why don't you do something and prove it! Actions speak louder than words and right now your words and actions aren't going to be moving you forward with this community.

Sabrina Carrillo

Live Oak Resident and Parent

Page -----

Erin Thomas 3/27/12

In response to those who have claimed that residents of 7th Ave.'s concerns are simply "Not In Our Backyard". This may not be everybody's view, however this is my opinion:

I know it is easy to think that our concerns are NIMBY, but in reality, the problem is the facilities are woefully inadequate. The building is only about 1000sq.ft. There is no parking except for what the vets are lending them.

People already often use the Casa La Familia parking lot, it is only obvious that many more folks will be using that parking lot if this goes through. That is huge concern for these residents - they have no additional parking spaces to spare. When a stranger decides to park in one of these spots it is a HUGE inconvenience to these seniors citizens.

The DWC has a condition that there will be no loitering on the street or sidewalk. They have made a rule that the workers must stay inside.

Well, that is also unfeasable. The building is too small and the work is too competitive. The only way they have to deal with this issue is "Self-Policing" which just sounds (like) conflict on the street to me.

Maybe not at first, but eventually this will be an issue.

I believe the day workers involved in this project are sincere, but what about the day workers who come later?

Why is it that they cannot find a location where standing outside is not going to interfere with residents, especially children going to school and senior citizens?

Hey, if we were talking about a big building with a parking lot, you know, a facility that could handle this business both in personnel and traffic, then we would not have a problem. I (also a nearby resident) would be all for it.

Page -----

Sabrina Carrillo 3/26/12

http://www.santacruzsentinel.com/letters/ci_20169714/you-see-it-make-my-paper-bag-double

Day labor center bad for community

A Santa Cruz County zoning administrator just approved last week, without any recognition of the community's concerns, a day labor center on Seventh Avenue after many concerned parents of Harbor High, Green Acres Elementary and residents expressed their concern about this center being in the location where students walk every day. They claim this is five years in the making, but this is the first time anyone has heard of it. Then we find out that we have till March 16, Friday, to file an appeal for \$1,200. John Leopold held a meeting at Green Acres and there discussed how this center will not be doing background checks on these people and that many ex-cons are day laborers. They don't find this a bit disturbing? This is located within a block of a elementary school. These supervisors are supposed to have the community's best interest but yet they are here pushing their agenda on us. We need to ask why this is being pushed so quietly.

Sabrina Carrillo, Santa Cruz • March 26 at 7:14am near Santa Cruz, CA

Page-----

SOS Live Oak May 7. 2012

DAY WORKER CENTER QUESTIONS AND ANSWERS (Q&A)

Q What is the current situation on the proposed day worker center at 2261 7th Avenue?

A On March 2, 2012 the County Zoning Administrator approved this day worker center at 2261 7th Avenue, Live Oak area, on property owned by the Catholic Diocese of Monterey, CA. S.O.S. Save Our Street has filed an appeal on this decision to the Planning Commission. The date for the hearing on the appeal is: Wednesday, June 13, 9 a.m. at the County Building, Room 525.

Q What is S.O.S.?

A S.O.S. consists of neighbors of the proposed center and others who've banded together to stop this inherently commercial project from being established in our mainly residential area.

Q What is the basis of S.O.S.' appeal of the Zoning Administrator's approval in March?

A The proponents used the PF (Public Facilities District) zoning on the property to avoid normal zoning requirements and public notice for such a project. The Zoning Administrator waived review by California Environmental Quality Act (CEQA) although there would be significant impacts to the environment. 7th Avenue is a walk zone for the 4 schools in the area and there is concern that the center would attract many strangers into this area. There is a senior citizen community across the street from the proposed center with a parking lot that would likely be used for turn-around traffic.

Q How would day workers use this center?

A According to proponents, the workers would have to follow "Center Rules," which would require them to register with the center and wait for jobs inside the 1,000 sq.ft.

building. However, S.O.S. believes this rule is unenforceable for two main reasons: (1) both day workers who do not care to register, as well as employers looking for workers, can simply congregate on the sidewalks and streets nearby, just as they do on 41st Avenue and River St., and (2) The U.S. Supreme Court on February 21, 2012 ruled that day laborers have a constitutional right to congregate on sidewalks while seeking work from passing cars.

Q Who is proposing to establish and operate the day worker center?

A The applicant for the permit to open the center is the Community Action Board (CAB), part of a state-wide organization. Locally the CAB annual budget is \$3,139,562 and it is funded by federal grants and other donations. It has an executive director and 40 employees. It has already expended approximately \$4,000 for permits for the proposed day worker center on 7th Avenue, to be the first one in Santa Cruz County.

Q What is the business plan for the proposed day worker center?

A The center would "register" day workers (but will do no background checks on them) and match them with prospective employers. The 1,000 sq.ft. house has only one unisex bathroom, although it plans to serve 40-60 workers a day. The only paid staff is to be a young female, assisted by two volunteers. She is to answer all phone calls, interview and match workers with contractors and control all activities inside and outside the center. Only 5 parking spaces are available in an adjoining property and proponents say that all workers would either ride bikes, bus or carpool to the center. Hours are Tuesday through Sunday from 7 a.m. to 1:30 p.m. Unenforceable "Center Rules" state there will be no "worker early arrivals" nor any "late contractor drop offs" allowed outside of these hours. S.O.S. believes this is an unrealistic business plan which will have long term negative effects on the neighborhood by creating increased traffic on the already busy two lane street which provides community and heavy tourist access to beaches and boat harbors.

Q What do the professionals say about day worker centers?

A Professors Valenzuela and Theodore stated in their conclusive report that in order to be effective, "day labor centers should be visible and centrally located near where day laborers search for jobs and where employers look for workers." Other professionals note that day laborers in centers actually get less work than those at informal sites. The County Zoning Administrator admitted "it is not an ideal location" for the day labor center, even as he approved it. The 7th Avenue site does not meet the minimum standards for a successful location for a day worker center as recommended by all professionals.

Q Who would monitor activities at the center and determine its future?

A The day worker center staff is to self-monitor, self-police and self-report periodically to the County Planning staff. At the end of a 6 month period, the center would be reviewed by Planning and a public hearing would be held to see what changes, if any, need to be applied to the operation. The "Center Rules" are supposed to resolve all problems that may arise. Even if the center does not operate as projected or becomes a public nuisance, only incremental changes are envisioned. Thus, once it is in operation it would be very difficult, if ever, to close it down. S.O.S firmly believes that this day worker center, a commercial enterprise, is in the wrong location, it does not meet CEQA environmental standards, is a threat to the health and safety of the neighbors and it will have long lasting negative impacts on this residential neighborhood. For all these reasons and more, S.O.S. Save Our Street believes that this project should not be allowed to proceed.

Petition:

Santa Cruz County Planning Department : STOP the day worker center from opening on 7th Ave in Live Oak.

Day worker center proposed for wrong spot!

Send a message to the Santa Cruz County Planning Department and the Santa Cruz County Board of Supervisors.

Stop the day worker center from opening on 7th Avenue in Live Oak.

Require that day worker centers be located in commercial districts.

Give the community the opportunity to comment on proposed day worker centers BEFORE approval.

Subject day worker centers to appropriate public scrutiny and environmental review!

Background

Ignoring an upswell of opposition from the community, a Santa Cruz County zoning administrator approved, on March 3rd, an application to permit a day worker center to be established on 7th Avenue - a quiet, mainly residential Live Oak neighborhood.

Local residents object to the LOCATION of the center and have formed a community group, SOS (Save Our Street), which has filed an appeal of the Zoning Administrator's decision. The hearing on the appeal will take place at the meeting of the five-member County Planning Commission on June 13, 2012.

The proposed day worker center would be located adjacent to a sidewalk used by students of two elementary schools and a high school – and across the street from a senior citizen residential complex.

Residents feel that the proposed location represents an unreasonable risk to those who are most vulnerable.

Day worker centers should be located in commercial districts.

Regardless of any good intentions the day worker center advocates may have, their efforts are misplaced if the center has a negative impact on the community at large.

Day worker centers are known to impact traffic; and that is why those who travel 7th Avenue to access Hwy 1, Twin Lakes Beach, the yacht Harbor, and the community at large have real concerns about the traffic congestion that would be created by the center. 7th Avenue has only one lane in each direction and has extremely limited parking. Contractors stopping to pick up and drop off workers would likely block traffic and cause gridlock. Traffic might also spill over onto Soquel and Capitola roads.

Among the other reasons neighbors object the location of the day worker center:

Inadequate space.

The proposed Center is expected to serve hundreds of day workers and their potential employers in an existing 1,000 sq. ft. bungalow having a front porch, a single bathroom and a small yard.

Inadequate parking.

Parking for workers and employers will be limited to 5 rented parking spaces next door at the VFW outpost.

Inadequate staffing.

The proposed Center, to be open daily Tuesday through Sunday, would be staffed by one female employee.

No security.

The proposed day worker center will not employ security staff or have anyone, volunteer or otherwise, to police the workers. To quote day worker center proponents: "The day workers will police themselves."

Proponents have failed to answer the concerns of the community.

What's frustrating residents is that objections to the day worker center's LOCATION are being interpreted as an objection to the program itself. Therefore, program backers continue selling the program's concept without regard for the neighborhood.

The Santa Cruz County Zoning Administrator acknowledged that the day worker center's location was "less than ideal," but because of existing zoning, the center was greenlighted without the need for the typical scrutiny required to obtain a zoning variance.

If the proposed center were subject to even a cursory examination, it would be revealed that current zoning is the primary reason why proponents are pushing for the proposed center to be located on 7th Ave. near Rodriguez Street.

According to the US Dept. of Justice; day worker centers are a "problem" for law enforcement, yet input from local law enforcement is noticeably absent in this case. Thus the residents in opposition to the location feel that putting such a center in front of a Senior Citizen Community and just steps away from Green Acres Elementary School, the VHM Christian School and Harbor High School represents an unreasonable risk.

Even the local bus service is a point of contention. METRO Santa Cruz only serves the location of the proposed day worker center twice a day, and via a supplemental school service.

Opponents have numerous other concerns but all are being rebuffed, and all without the benefit of review by an objective third party.

The day worker center would be much better received if it were proposed for a more appropriate location, but obtaining a zoning variance is difficult, as it would subject the proposal to public review and an environmental impact study. The site on 7th Ave. is apparently located in an area where such scrutiny can be avoided.

For more information visit: <http://www.facebook.com/sosliveoak>

Name	City	State	Zip	Country	SignedOn	Comment
Eve Roberson	Santa Cruz	CA	95060	United States	5/8/2012	Because I live in this residential neighborhood and this commercial enterprise does not belong there and would have negative impacts on the quality of life here.
Gail Gardner	Santa Cruz	CA	95062	United States	5/8/2012	I am an elderly woman who lives right across the street. It makes me uneasy having a lot of men congregating so close to our senior complex. Also, there are children of all ages walking to several schools along that street. It may seem petty, but it just doesn't seem to be the best location for such an endeavor, worthy as it may be. Sorry.
Jocelyn Brown	Santa Cruz	CA	95062	United States	5/8/2012	Day laborers and their employers would be much better served in a commercial setting closer to where they currently congregate in the cities of Santa Cruz and Capitola. The reality of the traffic impact this center will create on 7th Avenue was negligently disregarded in the study approved by the planning commission. This is dumping not planning. The supervisor's let's see how it goes approach may have grave consequences when day laborers, contractors, parents and children are all rushing to get to work and school on the same block of 7th Ave. at 8am in the morning. Its negligent of the planning commission not to realistically consider this.
Deborah Routley	Santa Cruz	CA	95062	United States	5/8/2012	The long term plan for the neighborhood is low density. It does not make sense for the workers, the persons they wish to attract or the neighborhood to have the center tucked away in a neighborhood away from the very people they are trying to serve. For the safety and success of all persons involved, please, let's put our heads together and find the right place so everyone will benefit instead of trying to make the center fit where it does not just because they are getting a good deal. No good business plan for this type of center would ever select a very small house with one bathroom and no parking in a low density neighborhood to serve so many people.
soren coats	santa cruz	CA	95062	United States	5/8/2012	The traffic in the area has tripled in the last 10 years, add in this additional commercial building and associated traffic is not good for anybody..... I like the idea of a day laborer center but not in the middle of a neighborhood... This should be located near Home Depot or similar.....
George Jack	Soquel	CA	95073	United States	5/8/2012	This location is unsuitable for the purpose.
cindy Yang	Santa Cruz	CA	95062	United States	5/8/2012	It does not belong in a residential district with schools.
charles paulden	santa cruz	CA	95062	United States	5/8/2012	This seems to be the wrong place for this type of business. There are many other labor centers that cater to local workers. Please treat all the people fairly.
Virgil Kester III	Santa Cruz	CA	95063	United States	5/9/2012	I live on Rodriguez Street, I do not wish to have a DWC around the corner from me. My street is already a major road used by cars avoiding traffic on Soquel Ave/Dr, and I do not feel the children attending our local schools that walk by the want to be DWC is very bad. I see how the workers treat people at 41st and River St, it will be much worse on the younger kids that use 7th Ave daily. The want to be DWC on 7th is the WRONG location, County Planning/zoning staff are way off base on this one!
Steve Routley	Santa Cruz	CA	95062	United States	5/11/2012	Traffic and safety for those that travel the street including seniors, the disabled and school children

Name	City	State	Zip Code	Country	Signed On
SOS Live Oak					5/8/2012
John Berg	Santa Cruz	California	95063	United States	5/8/2012
Ben Gregg	Santa Cruz	California	95060	United States	5/8/2012
Eve Roberson	Santa Cruz	California	95062	United States	5/8/2012
Don Schwartz	Aptos	California	95003	United States	5/8/2012
Eric Havel	Oakland	California	94602	United States	5/8/2012
Lilli Colbasso	Santa Cruz	California	95062	United States	5/8/2012
BRADLEY PIPER	santa cruz	California	95062	United States	5/8/2012
Erin Thomas	Santa Cruz	California	95062	United States	5/8/2012
Janice Berg	Santa Cruz	California	95062	United States	5/8/2012
Gene Young	Santa Cruz	California	95063	United States	5/8/2012
Gail Gardner	Santa Cruz	California	95062	United States	5/8/2012
Jocelyn Brown	Santa Cruz	California	95062	United States	5/8/2012
Deborah Routley	Santa Cruz	California	95062	United States	5/8/2012
Marcia Smith	Santa Kcruz	California	95062	United States	5/8/2012
Alan Roche	Oakland	California	94606	United States	5/8/2012
Michael Mizer	santa cruz	California	95062	United States	5/8/2012
soren coats	santa cruz	California	95062	United States	5/8/2012
peter gustafson	santa cruz	California	95062	United States	5/8/2012
emanuel kester	santa cruz	California	95060	United States	5/8/2012
Sabrina Carrillo	Santa Cruz	California	95062	United States	5/8/2012
George Jack	Soquel	California	95073	United States	5/8/2012
Robert Yates jr	Rancho Cordov	California	95842	United States	5/8/2012
cindy yang	Santa Cruz	California	95062	United States	5/8/2012
Shannon Williams	Santa Cruz	California	95062	United States	5/8/2012
Jan Krebs	Live Oak/Santa	California	95062	United States	5/8/2012
Steve Arnold	Santa Cruz	California	95062	United States	5/8/2012
charles paulden	santa cruz	California	95062	United States	5/8/2012
Heather Arnold	Santa Cruz	California	95062	United States	5/8/2012
Bill Smallman	Felton	California	95018	United States	5/8/2012
Jennifer Carole	Santa Cruz	California	95062	United States	5/8/2012
Marge Smith	Santa Cruz	California	95062	United States	5/8/2012
Joy Montgomery Guerra	Santa Cruz	California	95062	United States	5/8/2012
Michael Thomas	Colfax	California	95713	United States	5/9/2012
Patricia Williams	Santa Cruz	California	95062	United States	5/9/2012
Ryan Coons	Edinboro	Pennsylvania	16412	United States	5/9/2012
Jean Brocklebank	Santa Cruz	California	95062	United States	5/9/2012
Doug Barsanti	Santa Cruz	California	95062	United States	5/9/2012
Mchael Lewis	Santa Cruz	California	95062	United States	5/9/2012
Heidi Koronkowski	Santa Cruz	California	95062	United States	5/9/2012
Rachel Dean	Felton	California	95018	United States	5/9/2012
Jessica Hankemeier	Springfield	Oregon	97478	United States	5/9/2012
Coressa Shipley	Santa Cruz	California	95062	United States	5/9/2012
Michael Shipley	Santa cruz	California	95062	United States	5/9/2012
Kristine Walz	Santa Cruz	California	95062	United States	5/9/2012
Kitty Kester	Santa Cruz	California	95062	United States	5/9/2012

Virgil Kester III	Santa Cruz	California	95063 United States	5/9/2012
Michele Gross	Santa Cruz	California	95062 United States	5/9/2012
Marsha Guerra	Santa Cruz	California	95062 United States	5/9/2012
Kathleen Ritter	Santa Cruz	California	95062 United States	5/9/2012
Rachelle Piper	Santa Cruz	California	95062 United States	5/10/2012
Scott Biggane	Santa Cruz	California	95062 United States	5/10/2012
Steve Routley	Santa Cruz	California	95062 United States	5/10/2012
John Edgar	Santa Cruz	California	95062 United States	5/10/2012
James Nee	Santa Cruz	California	95062 United States	5/10/2012
Valerie More	Santa Cruz	California	95062 United States	5/10/2012
Salvatore Mendolia	Santa Cruz	California	95062 United States	5/10/2012
Shannon Ellis	Santa Cruz	California	95003 United States	5/10/2012
Cathi Burnham	Santa Cruz	California	95062 United States	5/10/2012
Melanie Defe	Santa Cruz	California	95062 United States	5/11/2012
DIANA COOPER	SANTA CRUZ	California	95062 United States	5/11/2012
Michael Lesh	Santa Cruz	California	95062 United States	5/11/2012
Tiffany Oldham	Santa Cruz	California	95062 United States	5/11/2012
Michelle Fluent	Scotts Valley	California	95066 United States	5/11/2012
William Philipps	Santa Cruz	California	95062 United States	5/11/2012
Hayley Hoey	Soquel	California	95073 United States	5/11/2012
elysia boosalis	Hayward	California	94541 United States	5/11/2012
jennifer perry	Boulder Creek	California	95006 United States	5/11/2012
Anna Ritter	Santa Cruz	California	95062 United States	5/11/2012
Debby Cardinale	Santa Cruz	California	95062 United States	5/11/2012
Christen Goody	Santa Cruz	California	95062 United States	5/11/2012

May 9, 2012

Chair, Planning Commission
701 Ocean Rm 400
Santa Cruz, CA

Chair:


There are Three serious problems with
the proposed day worker center on 7th Ave.

Those problems are:

LOCATION
LOCATION
LOCATION

The site is too small for the expected
use. The site is in a residential
neighborhood, not in a commercial area.
The site has inadequate parking for
the expected use. The site is not
near convenient public transportation

There are better alternative sites for
the day worker center, e.g., inside a
church. There are over 100 churches
in the county. Surely one of them is
more suitable than the proposed site.

 JAMES NEE
2262 7th Ave.
Santa Cruz, CA 95062
831-464-7340

Scott Biggane
1316 Rodriguez St
Santa Cruz, CA 95062

To: Santa Cruz County Planning
Commission,

Dear Sir; or Madam;

I am AGAINST the
proposed Day Worker
Center in the Live
Oak Neighborhood.

Scott Biggane

Planning Commission of Santa Cruz County

I AM AGAINST the proposed spot for the day worker center. I ~~there~~ live in the area and feel that it will impact traffic, there's not enough parking and that it is not a good location for the day laborers to get work. There are no trade businesses in the area. Some place closer to 41st Ave would be more acceptable.

Once again I am against this proposal

Thank you,

Wendy Coats
2425 Paul Minnie Ave
Santa Cruz
831-479-9002

Lili Colbasso
1316 Rodriguez St.
Santa Cruz, CA
95062

Dear Planning Commission
of Santa Cruz County,
as a long term resident
of this town and neighborhood,
I am very concerned about
the proposed day labor center
on 7th Ave. My biggest concern
is parking, having more
people wandering in our area,
much more traffic, lingering
people around school children.
At present the VFW is considering

removing the 4 proposed
parking spaces. Where will
even one park? In our
neighborhood. Although I am
for this project, I am
against this project in
our neighborhood. You do not
have enough parking.
Respectfully,
Lili Colbasso

5-9-12

To whom it may concern
at the Planning Commission of
Santa Cruz County,

My name is Leslie
Goodland and I live at
260 Edgrace Ln.

I would like to
say that I am very
opposed to the proposed
Day Labor Center at
the VFW.

My concerns include
increased traffic, the
safety of children walking
to school and the safety
of the neighborhood.

Thank you for your
time, Leslie Goodland
Leslie Goodland

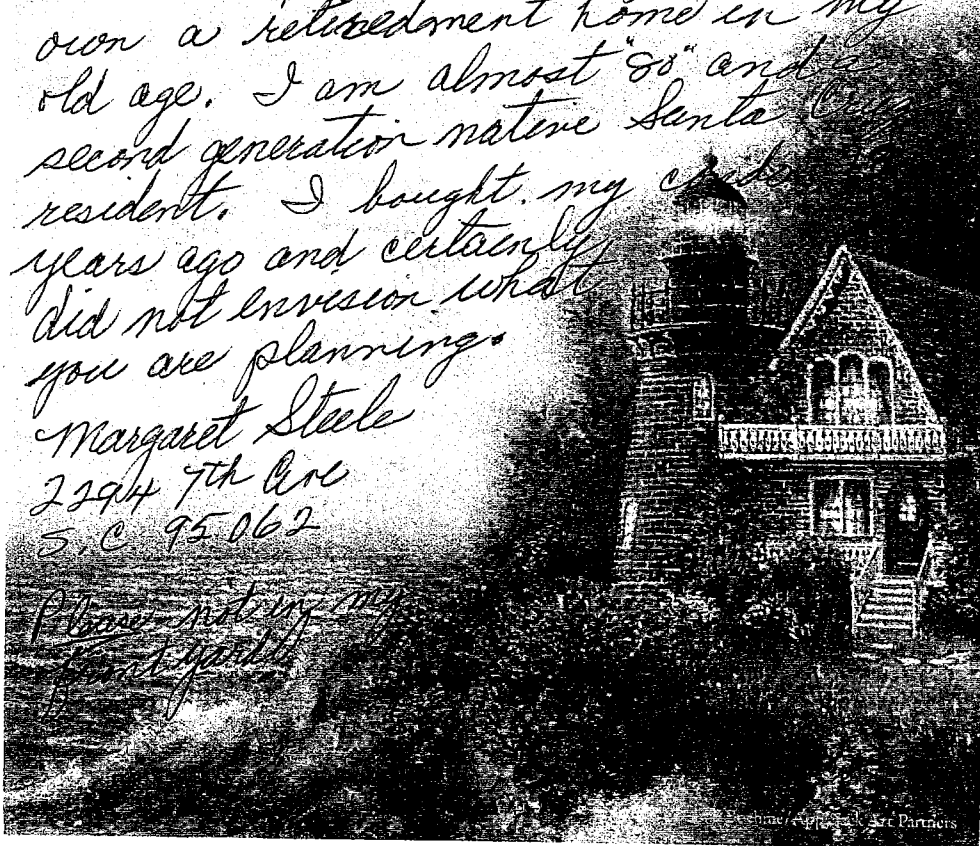
5/9/62

Planning Commission
Santa Cruz County

Please be advised I am not in
favor of your plan for a Day
Worker Center in our neighborhood.
I worked & saved all my life to
own a retirement home in my
old age. I am almost 80 and a
second generation native Santa Cruz
resident. I bought my crib
years ago and certainly
did not envision what
you are planning.

Margaret Steele
2294 7th Ave
S.C. 95062

Please not in my
front yard



Attn: Planning Commission, Santa Cruz County

We as residents at Casa La Familia on 7th Avenue, we hereby express our opposition to the proposed day worker center on 7th Avenue.

We are most concerned about our safety plus the safety of neighbors, many who are senior and disabled due to increased traffic and population. Additionally, as a corner teacher, there is concern for school children passing by.

The Day Worker Center is a marvelous idea; however, it must be located on a highly visible area suitable to commercial business. Moreover, it should be in an area with adequate traffic flow and parking.

Thank you,

Arnold Krager & Marcia Smith

2308 7th Ave.

Santa Cruz, CA 95062

(831) 600-7523

May 8, 2012

Jim More
1740 7th Ave
Santa Cruz, CA

TO: Planning Commission
Santa Cruz, County

I am opposed to the Day Worker Center on 7th Ave. The venue is all wrong, it belongs in a commercial setting. Increased foot and auto traffic is a problem.

I AM AGAINST IT

Jim More

To The Planning Commission

I do not want the labor center on 7th Ave
due to my concern for the safety of the school
children

Aaron Wallman
2400 7th Ave
Santa Cruz, Ca 95062

5/9/12

To Whom it may concern:

I am AGAINST THE DAY LABOR
CENTER IN OUR NEIGHBORHOOD,
7TH AVENUE. PLEASE RECONSIDER
THE APPROVAL OF THE CENTER. IT
WILL INCREASE TRAFFIC IN AN ALREADY
IMPACTED AREA. THIS ALONE POSES
MORE OF A SAFETY ISSUE THAN
ALREADY EXISTS WITH CHILDREN
WALKING TO THREE DIFFERENT SCHOOLS.

SINCERELY,

MELANIE DEFE

2335 7TH AVE, SANTA CRUZ, CA 95062

5-9-2012

To Planning Commission
Santa Cruz County.

Allowing the proposed day worker center
would have a huge impact on traffic, children
walking to school & seniors of our street.

Please insist (GAB) Search for
another Venue

Thank you,

Valerie More
1740 7th Ave
Santa Cruz, CA 95062

5-9-2012

To the Santa Cruz County
Planning Commission

I Larry Mencarini at 2294
Paul Minnie Ct. Am against
The Day Worker Center.

I feel with All the bussiness
that are Vacant do to the econom.
there should be a appropriate Place
Available to have a day workers
Center. Instead of disrupting
and increasing traffic in our
neighborhood. This is Wrong

Larry Mencarini
Larry Mencarini
2294 Paul Minnie
Ct Santa Cruz Ca. 95062

To The Planning Commission
of Santa Cruz County;

5/8/12

I James Land am vehemently
opposed to the the Proposed Day Worker
Center on 7th Ave & Rodriguez St.

I think the idea is a noble concept.
I however live across the st. at Casa
La Familia Housing. I've been there
nearly 5 yrs. Since the Neighborhood
project to put in sidewalks to beautify
& create a safer Neighborhood for folks
School Kids neighbors etc. However this
has given the legal perimeters to allow
this project to be OK'd by Housing Commission
w/out Public hearing or notice!

Since the Sidewalks were created
the road was widened & straightened, trees
cut which has led to traffic driving
through our Neighborhood at unsafe speeds
Accidents & near accidents have increased
and rather than becoming a Beautification
project it has created an unsafe roadway

for residents to pull into & out of driveways
and as many now drive through
our neighborhood w/out stopping at
the Stop sign at 7th & Rodriguez.

As a Senior & disabled member of
Casa La Familia I can no longer
get out & walk across 7th Ave.

Safely, I've almost been hit by
careless drivers at least a dozen times.

With all the traffic that will be brought
into our neighborhood, the Sidewalks will
become congested. Noise levels will be
a major factor. As a residential area
this project will bring in hundreds of
people unsupervised, with potential risky
behavior that will be unsafe for our
neighborhood.

This project in an area that is
conducive to such a monumental project
would be fine - I'm not opposed to the
idea. But ~~our~~ our neighborhood is not
the appropriate place & is being run

through w/out Public Hearing; there was no mention to most members of Casa La Familia we were not notified.

This has been pushed down our throat against overwhelmingly negative Neighborhood Residents.

Traffic will be dangerous for everyone as contractors will be driving into Casa La Familia Parking Lot which already is overcrowded & become dangerous to get into & out of.

Also our most vulnerable members of community - Seniors, School Kids from 3 schools will be subject to an element of out of neighborhood people with no safety provisions in place for potential incidents that might arise. The Day Care will not have suitable policing of our safety from people we have no idea who, where they come from, what they have in their background & history to know that we are safe. This is

an inappropriate project & I'm terribly
concerned for the Safety & Welfare
of our neighborhood residents & even
folks driving to Yacht Harbor, Traffic
will be a monumental mess & unsafe
dropping off & picking up workers in vehicles
that will completely congest 7th Ave.
This is being railroaded down our
throats & we have a right to be heard
from as we are the ones who will
be affected. Being disabled this is
a major concern for me & all I've talked
to. We are not going to allow the Project
to be rammed down our throats without
being heard of our concerns.

Please Stop this action.

Sincerely,

James Land

2306 7th Ave.

Santa Cruz, Ca 95062

475-8461

may 1, 2012

To: Santa Cruz County Planning Commission
To whom it may concern;

Because the building itself is inadequate
and the location for this DWC is inappro-
priate, I am against the day worker center
operating at 7th Ave. Find a better,
commercial location! Do it over
by Costco area, for example.

Thank you,

Erin Thomas
1440 Jose Ave #103
Santa Cruz, CA 95062

1752 7th Avenue

Santa Cruz, CA 95062

To:

Planning Commission, Santa Cruz County

Re: Proposed day workers' center on 7th Avenue

This is to express my strong opposition to the above center.

I am a resident of 1752 7th Avenue, Santa Cruz since August 1994.

In my opinion, the above plan is not well thought out.

This is a residential area, with a lot of foot traffic on 7th Avenue, mostly school children. There is not enough parking.

As building contractors are the people most profiting from day laborers. They should be the ones to provide for a day workers' center, not the residents of 7th Avenue.

Rita Garcia

MAY 8, 2012

Planning Commission

Santa Cruz County

Dear Planning Commission:

This letter is to express my opposition
to the proposed DAY LABOR CENTER. I LIVE
AT 2340 SEVENTH AVE, AND WITNESS
HUNDREDS IF NOT THOUSANDS OF CARS
AND TRUCKS, FIRE TRUCKS and several
AMBULANCES per day, (AS DOMINICAN
HOSPITAL IS NEARBY). I BELIEVE THERE IS
A HAZARD IN INVITING DOZENS OF TRUCKS
AND TRAILERS TRYING TO ACCESS THIS SMALL
1000 SQUARE FOOT BUILDING, ESPECIALLY SINCE
IT INHERENTLY DOES NOT HAVE THE
PARKING SPACES AVAILABLE.

I personally tried to develop my property
in Santa Cruz BUT BECAUSE I DID NOT HAVE
THE APPROPRIATE OFF STREET PARKING IT WAS
IMMEDIATELY SHOT DOWN. I URGE YOU TO
NOT ALLOW THIS PROJECT!

Sincerely, Reef Sammet

EXHIBIT F

Marydore HINTERMEISTER
2296 7th Ave
Santa Cruz, CA
95062

May 9, 2012

Planning Dept
Santa Cruz County, Ca

To Whom It May Concern:

I really feel the 7th Ave location
for a Day Workers Center is
inappropriate for the neighborhood.

1. It is a walk zone for 3 schools.
2. A Traffic study has not been done
3. An environmental study has not been done.

Small businesses in the neighborhood
had to do the traffic & environmental
studies, DWC must also be
required to do these studies!

Mrs Hintermeister

2316 7th Avenue
Santa Cruz CA 95062
May 7, 2012

Planning Commission
County of Santa Cruz

Gentlemen:

I wish to state my opposition to
the application for Day Worker Center on
7th Avenue, 94 is appropriate location for
such a facility.

I am against it.

Respectfully Yours

John Elymer

2316 7th Ave
Santa Cruz, CA 95062

40:

Commissioner

MAY 9, 2012.

Planning Commission of Santa Cruz County,


Sirs,

@ I AS A HOMEOWNER @ 2101 JOSE AVE, SC.//
// Cross St. Rodriguez - AM AGAINST using the
ADDRESS @ 2261 - 7th AVE SANTA CRUZ, as the
location of the Day Worker Center -

there is NOT ENOUGH PROPER INFRASTRUCTURE
Parking lot SPACES - AND AS A RESIDENTIAL ZONE
AREA - this kind of COMMERCIAL ACTIVITY IS
TOTALLY INAPPROPRIATE!

Please Reconsider this location -

Thank you for your
Consideration,


SARAH MENDOLIA

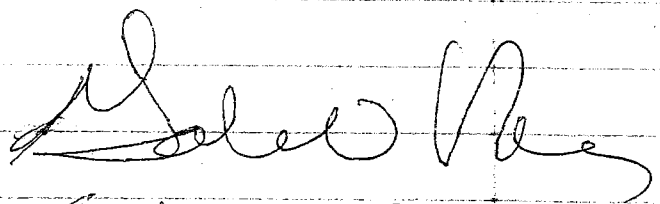
5/9/12

To: Planning Commission
Santa Cruz County
Don Worker Center Appeal

I am Writing to state that
I am against the Don Worker
Center in Live Oak.

They should be required to
follow the same guidelines
and regulations for any other
businesses.

I am concerned about Traffic
Increases in our area.



Gabriel Reyes
2294 Paul Minnie Ct
Santa Cruz CA 95076

gab2294@aol.com

Samantha Haschert

From: Scott Biggane [volleyballer58@gmail.com]
Sent: Wednesday, May 09, 2012 9:29 PM
To: Samantha Haschert
Subject: To Kathleen Prevesich and Samantha Haschert

To Kathleen Prevesich and Samantha Haschert;

I am AGAINST the Day Workers Center in the Live Oak neighborhood (2261 7th Ave).

Scott Biggane
1316 Rodriguez St
Santa Cruz, CA 95062

Signed,
Scott Biggane

Samantha Haschert

Subject: 111195 appeal PUBLIC COMMENTS
Entry Type: Phone call
Start: Thu 5/10/2012 8:30 AM
End: Thu 5/10/2012 8:30 AM
Duration: 0 hours

Phone Messages Received May 10, 2012:

Names may be spelled incorrectly

Jim Moore- Opposed to Day Laborer Center

Reed Sammit (7th Ave) – Opposed to center due to potential traffic impacts, poor circulation plan, and not enough parking on site.

Valarie Moore (7th Ave) – Opposed to Day Laborer Center

Scott Bigane (Rodriguez) – Opposed to Day Laborer Center; supports idea of center just not in proposed location, urges PC to consider an alternative location.

Ruth Garsia (7th Ave.) – Opposed to Day Laborer Center

Sally Moore – Opposed to Day Laborer Center

Sal Mandolia – (7th Ave) – Opposed to Day Laborer Center, feels it's in the wrong location and that there are better placed in the County, would negatively impact the harbor, the harbor commission and harbor income as activity would happen at the same time and will conflict, center will create congestion.

Ricky Pierce (Jose Ave) – Against Day Laborer Center; afraid of people walking around all the time

Shelley Roberson – works in the Live Oak area; opposed to center, concerned with the safety of students walking to and from school.

Debra Routley – opposed to Day Laborer Center; not opposed to center but feels it's in the wrong location, not safe to put center next to residents, doesn't understand how offsite parking is permitted, concerned about operation and logistics of traffic flow, increases in traffic would impact children, seniors, and disabled people who currently travel the streets, traffic is already intense, feels that there are a lot of vacant buildings available and that they should look at other locations.

Gerald Hoover (7th Ave) – Opposed to Day Laborer Center

May 9, 2012

Dear Planning Commission,

RE: Appeal to Planning Commission re: Proposed Day Worker Center –m 2261 7th Avenue

I write to you today regarding the proposed Day Worker Center for 7th Avenue. I am not writing to argue the idea or purpose of the center. I am writing to you regarding the selected location of the center. The long range plan for the area selected is for a "low density" neighborhood. In reading the final report written by the Community Task Force and from listening to the backers of the proposed center I have many concerns.

Most importantly:

- the **inappropriate use** of a structure (it is a small house with one bathroom) – hardly big enough to accommodate the number of people they wish to serve
- the **increased traffic** it will bring – an already very busy street with much foot traffic - children from three nearby schools and seniors that live across the street and close by
- the **lack of parking** - I believe the house has only one or two spaces. There is no off street parking on 7th avenue. Definitely not enough to support the proposed activity.

When asked why this site was chosen the answer has been because they could not find another suitable place. This seems unbelievable. There are many vacant buildings in the Santa Cruz area with ample parking that are closer to the proximity a highway and where contractors and others go to pick up materials for their jobs. There is even a new two story community center on 17th near Capitola Road. I believe that this site was selected because the church has either donated it or provided it at a very discounted price. This is generous, but this alone does not make this an appropriate site.

Just today I spoke with a young blind woman that walks her children to and from school every day on 7th avenue. She did not know about the plan for the center. I asked her what she thought. She was quite concerned. She recently moved here from the Los Angeles area. She said that there are Day Labor Centers down there that are a real problem. She explained that they are located in commercial areas with lots of parking as are extremely busy. She went on to say that most people do not actually use the center. They workers stand on the street corners close to the center. They want to be the first person to get to the prospective employer before anyone else. The employers do not want to register and are in a real hurry; they pull over to the side of the street and make a deal right on the street without even going in to the center itself.

In closing, I realize there are many influential persons behind this project. Please understand and let me be clear that I am not trying to stop the project. I am extremely concerned for the safety of the persons that use 7th Avenue each day. I am asking that you give great consideration to where this center is located. It needs to be in a more suitable place that ensures its success and is appropriate for all persons involved.

Thank you for taking time to read this and for taking these concerns into consideration.

Most Sincerely,
Deborah Routley



May 11, 2012

Planning Commission
Santa Cruz County

Re: Appeal -- Day Worker Center, Zoning Administrator's Decision 3/3/12

Dear Members of the Commission:

I would like to explain why I joined the effort to appeal the decision of the zoning administrator to greenlight this project.

As a resident living directly across the street from the site for the proposed day worker center, I saw and heard first-hand the immediate reaction of my neighbors when the intentions of the proponents first became known to us. Frankly, everyone was appalled.

Since those early days, I have canvassed the neighborhood more than once, and with the exception of 2 individuals, everyone I've spoken with believes the proponents, not matter how well-intentioned, have -- to put it as diplomatically as possible -- shown extremely poor judgment in the matter of site selection.

I and a co-writer summed up our views and those of our neighbors in an op-ed submitted to the Sentinel in March, soon after the zoning administrator's approval of the project.

Since the piece was never printed, I am attaching it to help you understand why it is the choice of location for this project that has motivated the neighbors to ask you to act to reverse this unwise decision.

Cordially,



Sandra Brauner

2298 7th Avenue
Santa Cruz, CA 95062

DAY WORKER CENTER ZONING IMPACTS NEIGHBORHOOD

A Day Worker Center, a commercial land use project proposed in the Live Oak area at 2261 7th Avenue, was approved by the County Zoning Administrator on March 2, 2012 over the protests of neighbors living in the mainly residential area. The neighbors' protests were overruled due to the property's PF (Public & Community Facilities) zoning, which apparently allows for a day worker center without the need for a zoning change -- which would have required much greater scrutiny.

Neighbors cited the negative impacts of the proposed project, which could bring hundreds of day workers and their employers into the residential neighborhood. Neighbors also expressed their concern for the safety of the residents of the senior complex across the street and the children from three local schools, as well as the impact on the environment. Proponents concentrated on the positive qualities of the workers and the individual benefits to each of them from use of the Center. Support for the project was largely from representatives of several statewide social service agencies comprised of individuals who do not live in the neighborhood.

Major corporations, including ProBuild on River Street and Home Depot on 41st Avenue, are presently impacted by day workers congregating in their parking lots and streets. These corporations, which have been unwilling to cooperate with the day worker proponents, may now benefit from the proposed Center. However, it was noted that all experts on day worker centers do stress that these commercial locations are best because: "In order to be effective, the day worker centers must be visible and centrally located near where day workers search for jobs and where employers look for workers."

The proposed Center is expected to serve hundreds of day workers and their potential employers in the existing 1,000 sq. ft. bungalow having a front porch, a single bathroom and a small yard. Parking for workers and employers will be limited to 5 rented spaces next door at the VFW. The property is on a two-lane street which serves as a major feeder street to several neighborhood schools, the Yacht Harbor and the beach.

The proposed Center, to be open daily Tuesday through Sunday, would be staffed by one female employee and several volunteers. The staff and volunteers will process applications and schedule jobs as well as monitor workers on the street. Law enforcement will be expected to prevent workers from congregating along the public street, although they do not now prevent that at the informal day worker sites.

Neighbors suggested placing the proposed Day Worker Center in a commercial district where workers and employers now congregate, and where materials and supplies are readily available, a location that would not impact residential neighborhoods, a location that would work well for all concerned. Proponents rejected that suggestion and instead opted for a location that offered the easiest path through the County planning bureaucracy. Now, with the blessing from the County Zoning Administrator, proponents plan to open the Day Worker Center this summer.

-- By Sandra Brauner and Ben Gregg

May 11, 2010

Hand delivered

To: Kathleen Molloy Prevesich, Planning Director
Samantha Haschert, Project Planner
701 Ocean St. #400
Santa Cruz, CA 95060

Re: Appeal to Planning Commission – Proposed Day Worker Center on 7th Ave.

I would like to share with the Planning Commission my own personal view of the situation on this proposed day worker center. I can think of no better way to do that than by offering them my article that was recently printed in our local newspaper and which I have enclosed.

Thank you for providing it in the Planning Commission's packet.

Sincerely,



Eve Roberson
2304 7th Ave., Santa Cruz, CA 95062
Roberson.eve@gmail.com

Enclosure

4-15-12

Day worker center location makes no sense

EVE ROBERSON

As a community we try to protect the most vulnerable of our population, our young and our elderly, from unsafe situations. So, you have to wonder: What was the county zoning administrator thinking when he recently approved a proposal to establish a day worker center — an enterprise that can only be characterized as inherently commercial — in a relatively quiet residential area of Live Oak?

The proponents of this project want to put it just a few yards from the entrance to Holy Cross Cemetery,

adjacent to the sidewalk used daily by students of several nearby schools, and just across the street from a senior citizen community.

This proposed day worker center is estimated to attract anywhere from 60 to 100 workers daily, plus the contractors who will pick them up in the morning and return them at night to the 1,000-square-foot bungalow on this already busy two-lane street, with only five parking spaces available for the use of all these visitors to the center.

These are the day workers who now gather on the sidewalks on River Street and 41st Avenue, at commercial businesses and garden centers where

building materials and contractors are available. Commercial locations such as these are, in fact, the exact type of location recommended by experts on day worker centers in the U.S.

A recent development has added an urgency for the neighbors who are opposing the location of the day worker center on Seventh Avenue and who have filed an appeal of the zoning administrator's decision. A decision by the U.S. Supreme Court last month determined that day workers have a constitutional right to remain on any sidewalk while searching for work from passing cars. Since the proposed Seventh Avenue day worker center will inevitably attract many strangers

into this residential area, they will be allowed to stand on the sidewalks that are also the walk zones for children to the nearby schools and for the elderly whose unsecured parking and apartments are directly across the street.

For these reasons, among others, Live Oak neighbors have formed an organization, SOS, for Save Our Street, and filed an appeal to the county Planning Commission. But we have to wonder, what was the zoning administrator thinking to approve such a flawed project in the first place?

Eve Roberson is with Save Our Street.

Hand Delivered

May 11, 2012

Kathleen Molloy Prevesich, Planning Director
Samantha Haschert, Project Planner
701 Ocean St. #400
Santa Cruz, CA 95060

Re: Appeal to Planning Commission from Proposed Day Worker Center 2261 7th Ave.

I am opposed to allowing a day worker center at 2261 7th Avenue. The attached **Questions and Answers (Q&A)** outlines the reasons for my opposition.

Please enter this letter and attachment as part of the record being provided to the Planning Commission before the hearing on June 13, 2012.

Thank you.

Respectfully,



Eve Roberson
2304 7th Avenue, Santa Cruz, CA 95062
831-454-8747

Attachment

S.O.S. - SAVE OUR STREET

May 2, 2012

QUESTIONS AND ANSWERS (Q&A)

Re: PROPOSED DAY WORKER CENTER in Live Oak, Santa Cruz

Q What is the current situation on the proposed day worker center at 2261 7th Avenue?

A On March 2, 2012 the County Zoning Administrator approved this day worker center at 2261 7th Avenue, Live Oak area, on property owned by the Catholic Diocese of Monterey, CA. S.O.S. Save Our Street has filed an appeal on this decision to the Planning Commission. The date for the hearing on the appeal is: **Wednesday, June 13, 9 a.m. at the County Building, Room 525.**

Q What is S.O.S.?

A S.O.S. consists of neighbors of the proposed center and others who've banded together to stop this inherently commercial project from being established in our mainly residential area.

Q What is the basis of S.O.S.' appeal of the Zoning Administrator's approval in March?

A The proponents used the PF (Public Facilities District) zoning on the property to avoid normal zoning requirements and public notice for such a project. The Zoning Administrator waived review by California Environmental Quality Act (CEQA) although there would be significant impacts to the environment. 7th Avenue is a walk zone for the 4 schools in the area and there is concern that the center would attract many strangers into this area. There is a senior citizen community across the street from the proposed center with a parking lot that would likely be used for turn-around traffic.

Q How would day workers use this center?

A According to proponents, the workers would have to follow "Center Rules," which would require them to register with the center and wait for jobs inside the 1,000 sq.ft. building. However, S.O.S. believes this rule is unenforceable for two main reasons: (1) both day workers who do not care to register, as well as employers looking for workers, can simply congregate on the sidewalks and streets nearby, just as they do on 41st Avenue and River St., and (2) The U.S. Supreme Court on February 21, 2012 ruled that day laborers have a constitutional right to congregate on sidewalks while seeking work from passing cars.

Q Who is proposing to establish and operate the day worker center?

A The applicant for the permit to open the center is the Community Action Board (CAB), part of a state-wide organization. Locally the CAB annual budget is \$3,139,562 and it is funded by federal grants and other donations. It has an executive director and 40

employees. It has already expended approximately \$4,000 for permits for the proposed day worker center on 7th Avenue, to be the first one in Santa Cruz County.

Q What is the business plan for the proposed day worker center?

A The center would "register" day workers (but will do no background checks on them) and match them with prospective employers. The 1,000 sq.ft. house has only one unisex bathroom, although it plans to serve 40-60 workers a day. The only paid staff is to be a young female, assisted by two volunteers. She is to answer all phone calls, interview and match workers with contractors and control all activities inside and outside the center. Only 5 parking spaces are available in an adjoining property and proponents say that all workers would either ride bikes, bus or carpool to the center. Hours are Tuesday through Sunday from 7 a.m. to 1:30 p.m. Unenforceable "Center Rules" state there will be no "worker early arrivals" nor any "late contractor drop offs" allowed outside of these hours. S.O.S. believes this is an unrealistic business plan which will have long term negative effects on the neighborhood by creating increased traffic on the already busy two lane street which provides community and heavy tourist access to beaches and boat harbors.

Q What do the professionals say about day worker centers?

A Professors Valenzuela and Theodore stated in their conclusive report that in order to be effective, "*day labor centers should be visible and centrally located near where day laborers search for jobs and where employers look for workers.*" Other professionals note that day laborers in centers actually get less work than those at informal sites. The County Zoning Administrator admitted "it is not an ideal location" for the day labor center, even as he approved it. The 7th Avenue site does not meet the minimum standards for a successful location for a day worker center as recommended by all professionals.

Q Who would monitor activities at the center and determine its future?

A The day worker center staff is to self-monitor, self-police and self-report periodically to the County Planning staff. At the end of a 6 month period, the center would be reviewed by Planning and a public hearing would be held to see what changes, if any, need to be applied to the operation. The "Center Rules" are supposed to resolve all problems that may arise. Even if the center does not operate as projected or becomes a public nuisance, only incremental changes are envisioned. **Thus, once it is in operation it would be very difficult, if ever, to close it down.** S.O.S firmly believes that this day worker center, a commercial enterprise, is in the wrong location, it does not meet CEQA environmental standards, is a threat to the health and safety of the neighbors and it will have long lasting negative impacts on this residential neighborhood. For all these reasons and more, S.O.S. Save Our Street believes that this project should not be allowed to proceed.

May 10, 2012
208 Windham St.
Santa Cruz, Ca 95062

S.C. Cty Planning Commissioners & Supervisors

I disagree with proposed Day Labor Center at 2261 7th Ave. It is in a neighborhood that is inappropriate for this type of project. It fails to provide physical building space & inadequate parking. Proper hearings & zoning laws have been replaced with variants & legal loop holes to try & push this project into the neighborhood. Now that the Supreme Court has ruled that you can ask for work while standing on the sidewalk, leave the day workers at there present locations. The present sidewalk system works and is now legal as it is. Save this 7th Ave neighborhood & save taxpayers money.

Henry Cappelli
Henry Cappelli



SOS LiveOak < sosliveoak@gmail.com >

labor center

1 message

deanbola@baymoon.com < deanbola@baymoon.com >

Sun, Mar 25, 2012 at 12:35 PM

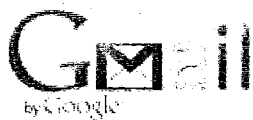
To: "sosliveoak@gmail.com" <sosliveoak@gmail.com>

I guess what confuses me the most, and I don't live there, are:

1. why a second labor center is needed?
2. who will be funding the staffing for this program? if it is the Government, wasn't John Leopold the one that wanted to look at nonprofits for duplicative services?
3. How will the success or continuation of the center be gauged? No traffic and everyone taking the bus/bikes? No day laborers in front of Home Depot 41st Avenue and Probuild Santa Cruz?
4. Will anyone be looking at the surrounding streets for people parking there and then walking in?

Usually, when these kinds of projects are approved, no one will ever say it is anything but a success, let alone that it is a failure. good luck. it is a bad location and no one would be allowed to use another parking lot for what should be onsite parking. Good luck in getting your concerns addressed.

EXHIBIT F



SOS LiveOak <sosliveoak@gmail.com>

No Day Labor Center on 7th!

1 message

dan bolger <dahnb2010@gmail.com>

Wed, Mar 28, 2012 at 3:22 PM

To: sosliveoak@gmail.com

Hi,

Please put my wife and I down as 2 more votes against the proposed Day Labor Center on 7th!

Good concept. Wrong location.

Thanks,

Dan & Carla Bolger

1750 15th Avenue

Santa Cruz, CA 95062



SOS LiveOak< sosliveoak@gmail.com>

day worker center

1 message

Jean Brocklebank< jeanbean@baymoon.com>

Mon, Apr 16, 2012 at 7:43 AM

To: SosLiveOak@gmail.com

Hello ~

I am interested in your appeal of the Day Worker Center. At the hearing, I spoke against it. We live on 7th Avenue (between Capitola Road and Brommer Street. We deal with thousands of vehicles every day.

Please keep me informed and perhaps we can contribute to the \$1200 cost of the appeal, even if its only \$20. At the very least, we will want to attend any appeal hearing and testify.

Thank you,
Jean Brocklebank



SOS LiveOak < sosliveoak@gmail.com >

Re: http://www.santacruzsentinel.com/opinion/ci_20251304/john-berg-day-worker-center-proposed-wrong-spot

1 message

Douglas Deitch < ddeitch@got.net >

Sun, Mar 25, 2012 at 4:30 AM

To: sosliveoak@gmail.com, [Ddeitch <ddeitch@pogonip.org>](mailto:Ddeitch@pogonip.org)

Re: http://www.santacruzsentinel.com/opinion/ci_20251304/john-berg-day-worker-center-proposed-wrong-spot

"Douglas Deitch · Top Commenter · Owner and Founder at FreeMLS, llc

[http://www.facebook.com/photo.php?](http://www.facebook.com/photo.php?fbid=308506222548813&set=a.157848917614545.38960.104290419637062&type=1&theater)

[fbid=308506222548813&set=a.157848917614545.38960.104290419637062&type=1&theater](http://www.facebook.com/photo.php?fbid=308506222548813&set=a.157848917614545.38960.104290419637062&type=1&theater)

----- Original Message -----

Subject: Demand to Immediately Rescind Zoning Administrator Approval of Application 111195/"Day Worker Center"-2261 7th Avenue, Santa Cruz

Date: Tue, 13 Mar 2012 06:01:28 -0700

From: Douglas Deitch <ddeitch@got.net>

To: ellen.pirie@co.santa-cruz.ca.us, mark.stone@co.santa-cruz.ca.us, john.leopold@co.santa-cruz.ca.us, greg.caput@co.santa-cruz.ca.us, mark.stone@co.santa-cruz.ca.us, [Ddeitch<ddeitch@pogonip.org>](mailto:Ddeitch@ddeitch@pogonip.org)

Dear Santa Cruz County Board of Supervisors,

On Friday, March 2, 2012, your County Zoning Administrator, Mr. Steve Guiney, approved Application # 111195 regarding 2261 7th Avenue, Santa Cruz, "Proposal to change the use within an existing building from a non-conforming residential use to a day worker center", over the substantial neighborhood and other legal objections to this illegal project.

It is specifically contemplated and planned that undocumented and, therefore "illegal alien" day workers and others, including those documented and otherwise going there to also illegally hire these undocumented workers, will frequent this facility to find and secure jobs, training, food/succor/and other services and assistance.

Approval of this project by the Zoning Administrator of the County of Santa Cruz is an illegal act, and, therefore, a nullity and of no force and effect. Therefore, it is not subject to a formal appeal process.

Approval and establishment of this facility for it's stated and contemplated purposes, under both State and Federal law, is a felony ("aiding and abetting") which subjects members of the Board of Supervisors to incarceration, fines, or both. This approval must be immediately, proactively, and affirmatively reversed and rescinded by the Board of Supervisors on their own initiative at their next meeting Tuesday (w/o any appeal through planning, etc...since the approval is a "nullity" and of no force and effect , in the first instance) immediately or a formal complaint will be tendered to both the appropriate both State and Federal criminal law enforcement and prosecutorial authorities.

This kind of activity by our county is called "aiding and abetting"...

http://en.wikipedia.org/wiki/Aiding_and_abetting

"Criminal

Aiding and abetting is an additional provision in United States criminal law, for situations where it cannot be shown the party personally carried out the criminal offense, but where another person may have carried out

the illegal act(s) as an agent of the charged, working together with or under the direction of the charged party, who is an accessory to the crime. Internationally, it is comparable to other laws governing the actions of accessories, including the similar provision in England and Wales under the Accessories and Abettors Act 1861.

It is derived from the United States Code (U.S.C.), section two of title 18:

(a) Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal.

(b) Whoever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal."

Count on at least 3 results from this illegal project for primarily illegal workers illegally here:

1. At least as many, if not now more, illegal workers in front of Lumbers and Home Depot.
2. More unemployed legal local workers whose jobs have been stolen from them by illegal criminal employers and illegal foreign workers.
3. Significantly reduced County revenues from property taxes and other business revenues from businesses and properties proximate to this project and adversely affected and further and otherwise stigmatized by it.

It is claimed again and again by proponents of illegal immigration that "undocumented folks come here to do dignified work that no one in Santa Cruz County is willing to do, such as landscaping, construction and painting." If this is true, what are the rest of the approximately 85,000 impoverished undocumented campesinos/as here with the rest of the 650,000 of us legally here in Santa Cruz and Monterey Counties - the highest proportion of undocumented in the country?, doing?)

We have carpenters, landscapers, painters, etc...many union members, as well, whose jobs have been stolen by these criminal illegal workers and their criminal employers with the complicity of a criminal local government that follows neither it's laws, oaths of office, or LCPS, starting at the top with our county supervisors and Coastal Commission and pervading on downward through our whole system from there...?

No conditions were imposed with the approval by the Zoning Administrator which would have easily assured that all activities formally approved and sanctioned by the County through it's Zoning Administrator would be legal and not necessarily involve the illegal and criminal complicity by the County of Santa Cruz, AS THIS APPROVAL NOW DOES!

Looks to me like this decades old system and "community practice" pretty much satisfies the definition of "an ongoing organized criminal enterprise" subject to prosecution under our organized crime RICO Laws...).

Please formally end the County of Santa Cruz's official complicity and "aiding and abetting", approval, involvement, and sanction of these State and Federal felonies.

It is against our laws and your oath of office to us all to uphold them.

Respectfully,

Douglas Deitch

www.ThinkLocalActLocal.org

www.ThinkLocalActLocal.net

www.ThinkLocalActLocal.com

Aptos, California, 95003

Reply · Like · Unfollow Post · 2 seconds ago



Douglas Deitch · Top Commenter · Owner and Founder at FreeMLS, llc

Regarding....http://www.santacruzsentinel.com/opinion/ci_20200406/elizabeth-tapia-day-worker-center-makes-good-sense

It hit me like a bolt of lightening, Folks...

The legal and proper solution to all of this...and no dumping anything in Live Oak...and no formal county approvals, complicity, or "aiding and abetting" felonies required, Folks...

The Community facility is already extant and ready for use...

Aptos is far better and furthers our Community efforts at forwarding diversity, acceptance, and helping the specific target group of illegal laborers to get jobs, education, succor, and other forms of assistance....traffic is no problem because Cabrillo is very close...

(...and may I also add here that I am a supporting 35 year plus long term neighbor up the street who will/must drive by this facility frequently, I am an original nonmember contributor in 1989 to the construction of this Community facility w/ both my parents names (Dr. Benjamin V. Deitch and Eleanor Green Deitch) on leaves at the bottom of the contributor tree, am 100% Jewish w/ both my long deceased parents either Eastern European immigrant or nearly so and orphaned from 3 y/o in the Jewish Orphanage, Sunset Terrace, in the City (<http://www.facebook.com/pages/Dr-Benjamin-Deitch-and-Eleanor-Green/178125305558276>)...w/ my son even named after Raoul Wallenberg-the righteous gentile...

My suggested location, with the approval and support, of course, of Rabbi Rick, COPA, CAB, and the rest of the congregation (or a majority, 2/3s, or ?) and the illegal labor support "Community"...

Temple Beth El, of course...where else?
Tikkun olam.

EXHIBIT F



SOS LiveOak< sosliveoak@gmail.com>

Day Worker Center NO NO NO NO

1 message

MyKitiKat1@aol.com< MyKitiKat1@aol.com>

Wed, May 2, 2012 at 3:05 AM

To: sosliveoak@gmail.com

Who had the bright idea to put this Day Worker Center in the center of three schools?
Actually 4 schools if you count the 2nd school on Boswick Ln..

I say that if you give them an inch they will soon take a mile. The word will pass around and a hand full of workers may soon be an outrageous number and it will be a major problem for traffic, trash, students walking by. They do "Cat calls" to ladies walking by at Safeway on 41st so what kind of harassment can we expect to our young daughters not to forget joggers and kids on bikes on their way to and from school!

What about parking? What happens when the Vet Center has a function and needs all their overflow parking areas? That happens to be the only place that they have to park. You really think there will be no loitering outside the building? Have you never watched the proposed day workers acting out in the parking lot at Safeway?

I have many relatives that do the same work and have difficulty finding jobs because they expect a proper wage and are legal and do pay taxes and union dues. I foresee 7th ave. as being nothing but a clogged important artery used by beach goers and of course the people who live here and those who also need access to the Harbor not forgetting the businesses lining the ave. also.

The street is already backing up onto Soquel Ave. because of the two gas stations on the corner of 7th and Soquel.

Lastly, Rodriguez St. will no doubt be greatly affected. I live on Rodriguez where people already can't seem to read stop signs. Any animal daring to live outside of it's home usually has a short lived life. It is already congested with the overflow from 7th ave.

I will not be able to attend the meeting tomorrow night but will be happy to hear the outcome and sign any petition against the Day Worker Center.

What people don't realize, well many of them, is that once the Center is allowed and all these problems pop up, and they will, that it will be almost impossible to reverse the county decision.

God forsake someone's daughter disappears because of the tragic mistake of a Day Worker Center being planted right in the middle of the county's huge family neighborhood.

Most Sincerely,
Kitty Kester



SOS LiveOak< sosliveoak@gmail.com>

Day Worker Center

1 message

Susan McBride< mazy28@sbcglobal.net>

Sun, Mar 25, 2012 at 4:30 PM

To: sosliveoak@gmail.com

I don't even live in the proposed neighborhood for the Day Worker Center. However, have a few comments. This location is horrible. What makes anyone think that contractors will drive on Soquel Avenue and then into the 7th Avenue neighborhood to pick up workers. Workers will continue to be picked up near Home Depot, Orchard, Pro Build, etc etc. near where contractors PURCHASE and LOAD their supplies. That just makes sense!!!! Potential day workers will still hang out in these areas. That's where they will get work. What is the real reason you want this center? Don't understand.



SOS LiveOak <sosliveoak@gmail.com>

Live Oak Day Labor Center

1 message

Bradley Piper <bradleyjpiper@yahoo.com>

Thu, Apr 19, 2012 at 8:08 AM

To: SosLiveOak@gmail.com

Could you please include me on information regarding the day labor center in Live Oak. I live in the neighborhood and strongly oppose this center. It is unbelievable the county would support assisting non taxpaying workers, resulting in loss of work for legitimate taxpaying workers.

Thank you,
Brad Piper



SOS LiveOak< sosliveoak@gmail.com>

Proposed Day Worker Center

1 message

Karleen Quick< karleenquick@cruzio.com>

Thu, May 3, 2012 at 4:06 PM

To: sosliveoak@gmail.com

To whom it may concern:

I wish to express extreme opposition to the proposed location for the day worker center. This is an absolute invasion of our neighborhood.

Located in our residential neighborhood the impact is far reaching, beginning with a reduction in the value of the homes adjacent to the proposed site. Who wants to this next door?

Has anyone thought about the safety of the children travelling down 7th Avenue to the 5 schools in this neighborhood.

Who is going to monitor the men who will be hanging around this location during the day. My granddaughter who is now 16 dislikes going to places like Home Depot and Pro Build because she doesn't like the men staring at her. The influx of strangers to our neighborhood troubles me. Who are these people and where do they live, I want to know who my neighbors are.

Traffic throughout our neighborhood will increase.

Do not misunderstand me, I understand the need for a place for these workers to congregate (after all, who wants them hanging around the businesses) but a residential neighborhood is not an appropriate solution.

Thank you for considering this concern.

Karleen Quick

Live Oak Resident 30 years

EXHIBIT F

TIMOTHY J. MORGAN
ATTORNEY AT LAW
121 JEWELL STREET
SANTA CRUZ, CALIFORNIA 95060
(831) 429-9841
FACSIMILE (831) 429-2824
EMAIL TMORGAN@MORGANLAW.US

May 11, 2012

Santa Cruz County Planning Commission
701 Ocean St., 4th Floor
Santa Cruz, California 95060
Via Facsimile: (831)

Re: Appeal of Decision of Zoning Administrator
Application No. 111195
APN: 026-051-17
Applicant: Community Action Board
Owner: Roman Catholic Bishop of Monterey County
Project Planner: Samantha Haschert
Date of Decision: March 2, 2012

Dear Members of the Commission:

This office represents certain concerned neighbors and citizens with regard to the proposed day laborer center at 2261 7th Avenue (hereafter "the Center"), which is the subject of the above referenced application.

Some of our clients have previously filed a letter initiating an appeal of the decision of the Zoning Administrator to allow the proposed use, and this letter builds on that. We urge you to deny the use permit which is the subject of this application.

It is clear that the County Zoning Department has made unreasonable findings, unsupportable by fact or common sense in order to allow this politically-favored project to move forward. It has overlooked or ignored problems with the building and the proposed use, and is in favor of allowing a use which is completely out of character with the neighborhood.

The deficiencies with the proponent's plans for the Center, and the County Staff report and findings approving the Center are substantial and numerous. We have identified the following areas as problematic, or worse:

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1. This new use is totally out of character for the neighborhood.
2. The Center's proposed rules to mitigate impacts are unenforceable, and arguably unconstitutional
3. The Center's proposed rules are subject to change, vitiating the County's reliance on them to mitigate concerns about the Center's operations.
4. The County's analysis of impact from car trips to the Center is fraudulent and raises substantial equal protection concerns.
5. There has been no study of the traffic impacts due to this Center, and the County cannot rely on its fictitious numbers to ignore this problem.
6. The County has failed to analyze the impact of substantial numbers of bicycles in the area during morning traffic.
7. The available parking at the Center improperly relies on spaces at the neighboring VFW and is insufficient in any case.
8. The Center has not proposed or signed an agreement with the County regarding alternate transportation and parking availability.
9. Restroom facilities in the building are inadequate for the use.
10. The County is setting up a nuisance to passers by, especially the potential for harassment of young girls walking to school.
11. The proponents and County have failed to consider issues with meals for the occupants of the Center.
12. Quite aside from these other issues, the proponents and the County staff have failed to consider factors which will virtually guarantee that this Center is a failure.
13. By approving this use, the County is explicitly approving an arrangement which may be characterized as a conspiracy to violate federal law.

Several of these factors, individually, should be sufficient to prevent approval of this proposed use, but taken together there is **overwhelming** reason for the County Planning Commission to overrule the Zoning Administrator and deny this use permit application.

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1. The proposed use is totally out of character for the neighborhood

The neighborhood where this Center is to be placed is primarily a quiet residential neighborhood, with varying densities of residential units, a cemetery and a low-volume quasi-commercial use by an animal shelter. The proposed Center would add potentially dozens of idle day laborers to the neighborhood, giving them a place to loiter while waiting for jobs.

I use the word "loiter" intentionally as that word implies a set of undesirable behaviors on the part of the persons loitering. The proponents of this Center, and the County Staff that has uncritically repeated all of the unreasonable claims and predictions of the proponents, clearly understand that such loitering is a problem. This is why they are insistent that the rules governing the Center (which rules are entirely unenforceable) will keep the day laborers contained within the Center building or in its side yard area. If the presence of these workers was not understood to be a nuisance, there would be no reason to conceal their presence.

The block of 7th Street where this Center will be located is a quiet street. The immediately adjacent neighbors of the Center are a cemetery and the VFW Hall, which is unoccupied most of the time. Across the street are a senior housing condominium complex and the side of the animal shelter (importantly, the public enters the animal shelter from Rodriguez street). The rest of the block is single family homes. The proposed Center will add at least 40 car trips per day to and from this street¹, and, more importantly, add a significant number of persons simply loitering.

That the new use is in compliance with the zoning designation for that lot does not change the fact that the new use completely changes the nature and impact of the use for that lot. The former use - as a house for a groundskeeper for the cemetery - is entirely in keeping with the residential nature of this block of 7th Avenue. Limited car trips, quiet use, etc.

The new use will introduce dozens of, at least temporarily, idle laborers and their employers, making vastly more car trips, noise, and disruption of the neighborhood. For the Staff report to claim that this new use is in keeping with the neighborhood is specious and an abuse of their discretion.

Importantly, the benefit to the community at large is minor, at best, while the impact on this neighborhood could be very significant. The proponents believe there are between 200 and 400

¹ The County continuously uses a figure of 5 car trips, but this is utterly unsupportable and at variance with the County's own original figures and the figures presented by the proponents.

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potential day laborers who could make use of this Center, but that no more than 30 (often fewer) ever will. That represents between 7.5 and 15% of the total possible pool of laborers². If those laborers move to this facility, the impact on the other gathering sites will be minimal at best. However, adding those laborers to this residential street is major.

The community on this street is being asked to bear a totally disproportionate burden in exchange for a *very minor* benefit to the County at large.

2. Center policies are unenforceable and possibly unconstitutional

Staff report concludes: "The day worker center will not be detrimental to the safety or welfare of persons residing or working in the neighborhood or the general public in that policies will ensure that workers will not stand or gather at the front of the site to loiter, solicit work from 7th Avenue, or wait for employers." This prohibition against day laborers standing in the front yard³ or on the sidewalk of the Center is the key policy as to the impact this Center might have on the local community.

And yet, this 'policy' against loitering in front of the building is completely unenforceable.

First, to the extent that this facility is being run by a private agency, such agency has no authority to physically restrict where the users of the facility stand or gather. They do not have police powers and while they could, theoretically, tell their clients that they will not assign them to work if they refuse to stay inside or in the rear of the facility, the fact remains that they cannot actually restrict where their clients stand.

Indeed, the United States Court of Appeals for the Ninth Circuit has recently determined that day laborers have a *First Amendment right* to gather on public streets with a view towards seeking employment from passers by. *Comite de Jornaleros v. City of Redondo Beach* (2011), 657 F.3d 936; 2011 U.S. App. LEXIS 19212, clearly finds that day laborers have a right to loiter on public sidewalks for the purpose of soliciting and accepting employment from the drivers of passing automobiles.

² The opponents of this Center recognize that it is equally possible that the proponents' estimates are *intentionally low* so as not to raise further alarm in the neighborhood, and, more importantly, not to upset the unreasonably low estimates underlying the assumptions made by the them and the County relating to traffic and other impacts in the neighborhood.

³ The status of the large front porch of the building is unclear. Are day laborers allowed to be on the porch? If so, they still constitute a visual problem, and the potential issue of harassment of passers by (discussed later herein) remains.

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The *Comite* case precisely mirrors this proposed use. In *Comite*, day laborers had taken to gathering on the sidewalks in front of commercial businesses with an intent to seek employment from passing drivers, just as such workers daily gather on River Street in Santa Cruz and 41st Avenue in Capitola. The City of Redondo Beach passed an ordinance prohibiting such loitering, citing such nuisances as littering, vandalism, public urination, blocking of public sidewalks, harassment of females, and damage to property. Cars and trucks stopping to negotiate employment and load up laborers disrupted traffic. The City found such a situation to be intolerable - even in a commercial district.

The court could not have stated this more clearly: "Solicitation constitutes protected expression under the *First Amendment*." [*Comite* at 945, numerous citations omitted.] The court continued: "Public streets and sidewalks 'occup[y] a special position in terms of First Amendment protection.'" *Comite* at 945, citing *Snyder v. Phelps*, 131 S.Ct 1207, 1218.

The court of appeals then went on to find that the City's ordinance did not meet the strict scrutiny review and was thrown out.

The net effect of this case is to essentially raise the act of standing on the sidewalk to solicit employment from a passer by to the level of Constitutionally-protected free speech. Is the County of Santa Cruz going to issue a permit to this Center to operate under a rule that cannot be enforced by the agency running the Center, and could not be enforced by the County should it try to get involved? The proposed policy of keeping the day laborers in the building, or in the rear of the building, is key to the project, and is totally untenable.

Other policies are equally unenforceable. The Center cannot *force* employers not to come pick up day laborers. The Center cannot *force* day laborers to leave the premises or neighborhood when their day is over. The Center cannot *force* people not to park improperly in adjacent lots or elsewhere on the local streets.

3. Center policies are subject to change.

The (unenforceable) policies described above are specifically built into the findings of the County Staff and many are made conditions of approval.

However, the Center's proponents also make clear that the governance of the Center is to be 'democratic' in nature with the day laborers themselves having a significant say in the operation of the Center. What will happen if the day laborers vote to change the hours of operation? Or if they vote to remove the restriction against loitering in front of the building? Or vote to change the incentives built into the Center's initial rules which discourage on-site pickup? If the proponents are to be taken at their word, that they intend to form what amounts to a workers'

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cooperative, then all of these matters of governance should be fair game for 'democratic' change. However, if they change these policies, they would be in violation of the use permit.

How can the County rely on a set of rules which the very structure of the new use puts in serious doubt? It cannot.

My clients have no faith that the County would later voluntarily suspend the use permit if the Center's policies were to change. Accordingly, if the County sees fit to go ahead with the permit for this Center, such permit should include an automatic trigger to revoke the use permit if the current proposed policies are changed, or if they are not followed to the letter. The County has already demonstrated its willingness to abuse its discretion in the approval process, and it must not be allowed to do so for any follow up determinations.

4. The County's analysis of impact from car trips to the Center is fraudulent and raises substantial equal protection concerns.

On page 6 of the Staff Report, under the heading Parking, there is a chart showing a total probable use of parking spaces by nine separate and unique users - which would constitute eighteen trips per day associated with this Center. Note that this figure relies on a laughably small estimate of only three employers per day actually coming to the facility to pick up and drop off workers.

On the same page, under Traffic, there is an estimate of only 5 trips per day attributable to the facility, and based on that "minimal" number the report concludes that "[n]o traffic impacts are expected on the surrounding road network as a result of the proposed use."

One would hope that the Staff Report would be consistent with itself, *at least on the same page*.

However, digging deeper into the report, it seems that the County is running a sleight-of-hand on this issue of the number of trips per day. When the Mr. Rivas of the Department of Public Works performed his initial review of the plan, it estimated 40 trips per day associated with the Center. This estimate was based on the actual number of persons expected to drive to and from the facility, which in turn was based on the proponents own projections. This analysis can be found on page 73 of Exhibit B, under "Road Engineering Review." Additionally, given the local Transportation Improvement fees for the Live Oak Area, to which this project would be subject, a fee of \$18,000 should be imposed on this project based on that number of trips. The review date for this determination is given as October 20, 2011.

However, apparently that result was unacceptable to the County Staff, insofar as it implied a much more significant impact for traffic (implicating the need for a CEQA review),

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demonstrated unequivocally that the available parking is totally insufficient, and likely made the project financially untenable for the proponents. So, the County determined that it would use the *fiction* of declaring that the trip calculations should be based on an assumption of 5 trips per 1,000 square foot of building space by determining that this property could be considered an "institutional land use." This new analysis is dated December 8, 2011, and is found at the bottom of Page 72 of the full report.

Note the language of this new analysis: "Upon request from Tom Burns, our department has reviewed the number of vehicular trips generated by this project and determined that **for TIA fees calculation**, the institutional land use category is acceptable for the proposed Day Worker Center. Therefore, TIA fees for a 1008 square foot building at 5 trips per ksf will result in 5 trips per day, or \$3,000 in TIA fees. However due to the TIA fee credit of \$6,000 for the existing residence⁴ there will not be any TIA fees due for this application. [Emphasis added]."

Apparently, pressure from Mr. Burns, the former County Planning Director, resulted in a modification of the staff's analysis - directly to the benefit of the project. As if by magic, 87.5% of the *actual trips* which will be generated by the project disappeared from the analysis, saving the applicants \$18,000 they probably do not have in their budget⁵. Moreover, this new fictitious figure, which was determined *for the purpose of making the fee calculation*, then made its way into the staff report and findings that the site would only generate five trips *for the purpose of traffic impact analysis*.

The "Staff Report to the Zoning Administrator", page 6, under heading "Traffic" relates the following:

For the purposes of evaluating traffic impacts on the surrounding road network, the Department of Public Works Road Engineering section has reviewed the proposed project and has determined that the use falls under the ITE's "institutional" use category. This land use is expected to generate 5 trips per 1000 square feet of building area; therefore given that the existing building is 1,008 square feet, it is estimated that the use will generate a minimal 5 trips per day. No traffic impacts are expected on the surrounding road networks as a result of the proposed use. [Emphasis added]

⁴ Note the utter unreality of this analysis: a single family home with only a few occupants is assumed to generate twice the daily number of trips as a use with as many as 50 daily users (workers, staff and employers)? This is farcical.

⁵ Is this a gift of public funds?

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The Department of Public Works Road Engineering section was abundantly clear that they revised the proposed number of trips "for TIA fees calculation." This gives the user a break on the fees, but it does not change the actual number of trips already determined by the DPW. The Staff Report summary fundamentally misconstrues the numbers generated by DPW, and then relies on that error to justify a finding that there will be an insignificant traffic impact.

Further, the Staff's "Development Permit Findings" found the following: "4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity." To justify that finding, the document relates:

The Department of Public Works Road Engineering section identifies the use as an institutional use that generates 5 trips per day which is too minimal to create impacts on the surrounding road network. Therefore, the level of traffic generated by the proposed project is not anticipated to adversely impact existing roads and intersections in the surrounding area..."

Again, the Staff has misconstrued the findings of the DPW and is relying on a fictional number of trips representing only 12.5% of the actual number of trips the DPW found would be the result of the use. This analysis borders on fraud.

What other project applications are granted these sorts of second reviews? Would a commercial business be able to get away with this? If this eventually gets to a lawsuit, Mr. Rivas' testimony on the preferential treatment afforded to this use will be quite interesting.

This preferential treatment raises an interesting question as to whether any other applicants might have an equal protection claim against the County if they were denied such a preference. Does the political preference of the Planning Department Staff determine what set of rules will be applied to a given use permit application? It would seem prudent for the Planning Commission to seek the opinion of the County Counsel as to the propriety of Mr. Rivas' putting his thumb on the scale in favor of this project, and then having County Staff misconstrue and use those entirely fictitious numbers to make a finding that cannot be supported by the County's own analysis.

5. There has been no study of actual traffic impacts

Given that no actual traffic study was done as to potential adverse impacts, and the fact that the County is relying on entirely fictional numbers of trips generated by the Center, the County cannot in good faith find that this facility will not impact the surrounding road network.

In addition to that fatal problem, there are numerous other issues with the Staff analysis of the traffic impact. The County Staff Report claims that the "existing roads and intersections in the

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surrounding area ... are not currently congested.” Exhibit B, Page 13. This finding cannot be supported without evidence to that effect, and no study appears to have been conducted, and none is cited, as part of this use permit application.

The County makes a further claim that the Center will not conflict with “peak evening traffic patterns.” Apparently, the proponents of the Center and the County Staff have forgotten that all of the employees who had to get to work must also *get home from work*. To the extent that they are picked up from the Center, they will, presumably, be dropped off at the Center. Those workers who took a bus from the Center to a workplace may have to return to retrieve their cars or bicycles. While the Center may technically be closed after 1:30 PM, the traffic hazards associated with returning workers, presumably during evening commute hours, is simply omitted from the Report.

The assumptions made by the proponents and the County Staff are incorrect and/or unsupported. Reliance on such assumptions fatally undermines any findings that there will be no traffic impact as a result of this use. Indeed, common sense dictates that there will be serious traffic issues with this Center, possibly serious issues. The County is not in a position to base its zoning approval on a faked number, and hoping for the best.

6. Bicycle traffic from this use has not been analyzed.

Interestingly, there is no consideration of the *bicycle* traffic which will be substantially increased on this road and in the area by the day laborers making their way to and from the Center. The proponents of this project expressly assume that a very substantial number of the day workers will arrive by bicycle.

An inspection of the roadway immediately in front of the Center indicates that the bicycle lane there is extremely narrow (with no additional shoulder) and there can be no doubt that a high volume of bicycles operating through that area in the morning will cause traffic issues. Given that narrow lane, there are significant safety issues represented by the high volume of bicycles moving through that area.

For their own safety, bicyclists might be tempted to use the sidewalks in the area, which would, in turn, present a substantial hazard to pedestrian traffic, including the many school children to walk through that area to reach one of the four local schools.

A study should be performed, and the report should be amended thereafter to consider the impact of the bicycle traffic added to the existing vehicular traffic.

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7. Parking - inadequate for actual use

The Center has one parking space on site. My clients received a letter of yesterday's date from the Commander of the VFW post, on which the proponents rely for parking, that after June 30, 2012, the VFW will no longer allow any parking for the Center on their property. A copy of this letter is attached and is being separately delivered to the County.

The Center will, thus, have **one** off-street parking space available. Leaving aside any other considerations, this should be the end of the analysis for this use permit and it should be denied on this single point alone.

However, it is worth noting that the proponents have assumed one full time staffer, and three volunteers - four people who would likely be in a position to drive to their work. They have assumed (utterly without substantiation) that only two day laborers would drive to the facility. That makes at least six people whose cars can be expected to be present all day. Add to that several employers who will be present at various times, and the Center has need of at least 9 parking spots. 7th Street in this area does not have on-street parking available.

The most logical alternative is for additional employers (and employees) to improperly park in the VFW lot in spaces which are not allocated for that use. The proponents seem to think that they can police this matter, but at the end of the day their goal is to get people to use this facility, not drive them away. Enforcement of the parking rules, primarily on potential employers, would simply drive business elsewhere and the operators of the Center will have little incentive to actually enforce any parking rules.

Additionally, there is no indication that any analysis has been performed relating to the intended use of the facility as a classroom for day laborers. The proponents specifically intend to hold ESL, work skills, and other types of classes at the Center. There is no analysis of where teachers will park, whether or not additional day laborers are expected to attend during such classes, etc.

8. Parking - inadequate per County code

In any case, the number of parking spaces required for the Center is prescribed by County Code, and, of course, one space does not meet these requirements.

County Code Section 13.10.552 "Schedule of off-street parking space requirements." provides a table of uses and required spaces. Subsection B of that code section proscribes the number of off-street, but *on-site*, parking spaces which must be available for a variety of different uses. The use which seems most to match the proposed Center is "Places of public assembly: churches, community centers, private clubs, auditoriums." That use requires .25 spaces per seat, or 30 per

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1000 square feet of gross area. Assuming a maximum projected occupancy of 34 persons (30 day laborers and 4 staff/volunteers, at .25 spaces per person, that would equal 8.5 (9) spaces. Assuming the maximum legal occupancy of the building (49), that would require 12.25 (13) spaces. The Center would have one on-site parking space.

Additionally, the Code, at Section 13.10.553(B) allows for a decrease in the required available off-street parking when two or more entities enter into a sharing agreement. A maximum decrease of 10% is allowed in such situations. So, the Center should have at least 8 parking spaces available, or perhaps 12. The Zoning Administrator has required the Center have ten. It can count one now that the VFW is not renewing its permission to use its parking lot⁶.

While we appreciate the claim that the majority of the day laborers will arrive at the Center by some alternative means of transportation, no where in the County Code is there provision for such an allowance. Where there is allowance for reduction in required parking due to alternative transportation (13.10.553(D), the Code requires a "detailed alternate transportation and parking program" to be provided by the applicant. It is clear from the language of the Code section that such "alternate transportation program" includes proactive steps on the part of the applicant: encouraging carpooling, providing shuttle buses, providing financial incentives for use of alternate transportation, etc. This Center's "alternate transportation program" is entirely passive; it relies principally on the hope that the day laborers will use transportation other than individual cars. The proponents here have provided some bus schedules and a bare assertion that most of the day laborers would use the buses or bicycles to arrive at the Center. Approval of that as a "detailed alternate transportation and parking program" would be an abuse of discretion on the part of the County.

Additionally, that same provision requires that the applicant enter into a written agreement with the County, reviewed by County Counsel, and in a form to be recorded:

Where an alternate transportation and parking program is employed and plans approved which reduce the number of required off-street parking spaces for a development, a written agreement between the landowner(s) and the County must be approved. Such an agreement must be in satisfactory form and content to County Counsel and is subject to approval by all appropriate approving bodies. This agreement shall be in a form capable of and subject to being recorded to constitute

⁶ Reliance on the VFW's lot is misplaced in any case as the VFW needs its lot for its own purposes, including weekly use on Friday mornings by the Grey Bears to distribute food to local seniors who drive in to collect their food, use for private events such as weddings, and its own uses, typically later in the day but which would still overlap use by day laborers who have left their cars in the lot all day.

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a covenant running with the land. The agreement shall include:

(a) A guarantee that the program will not be diminished, suspended, eliminated, or in any way be operated at a lower level of effort on the part of those responsible for its implementation without prior County approval.

(b) A provision for bi-annual certification of the program by the County which will include, among other things, review of past year's effort to encourage employee's and customer's use of alternative transportation, and an accounting of the number of persons targeted by the program that actually and regularly employ techniques promoted by the program. Such a report shall update that section of the plan outlining efforts to increase participation in the program during the coming years. The County shall retain the option to require changes, including, but not limited to, the uses' intensity and program as are needed to achieve the required reduction in peak parking demand.

The public record for this application discloses no such proposed agreement.

There is no justification under the County Code to allow this use without *at least* eight parking spots available to it. It has one. Approval of this use with this set of parking spaces, and no written parking agreement with the County, violates County Code. Moreover, approval of a use permit with a requirement the proponents *demonstrably cannot meet* is an abuse of discretion.

9. Restroom facilities in the building are inadequate for the use.

As is indicated in the plans, this facility has a single bathroom with a single water closet toilet and a single sink. According to the proponents, as many as 34 persons, of (presumably) mixed gender, could be on site at any given time (during the early morning, presumably).

The California Building Code provides minimum requirements for toilets. It is not clear which category this use would fall into (and County Staff either did not consider the point or intentionally failed to raise it). However, there are only a few uses where a single unisex bathroom is acceptable, including office buildings with fewer than 10 occupants and small retail establishments with 10 or fewer customers.

Assuming the number of occupants is correct, this facility should have a minimum of two gender-specific bathrooms, and the men's room should have a urinal in addition to a stall enclosing a water closet toilet. In the absence of any obvious exemption, the 'missing' men's room would have to comply with the Americans with Disabilities Act. It is not clear what space in the existing building could be used for that purpose and still maintain the space necessary to

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maintain their legal occupancy limit of 45 persons within the building. If substantial floor space is given up for an ADA-complaint bathroom, the total occupancy of the building must be revised down, perhaps to a number lower than the proponent's projected maximum actual use.

This building will not be in compliance with building codes as designed and the facility should be required to add an additional bathroom, with a stall enclosing a water closet and a separate urinal and lavatory. In the absence of the additional bathroom, the use permit should be denied.

10. The County is setting up a nuisance to passers by, especially the potential for harassment of young girls walking to school.

There are two elementary age schools within one quarter mile (road distance) of the proposed Center. The entrance to Green Acres Elementary School is .25 miles away, North on 7th and East on Bostwick Ln. The 7th Street entrance to VHM Christian School (K-8), is approximately .17 miles down 7th Ave. Tierra Pacific Charter School, (K-8) is also located on Bostwick Lane.

More importantly, Harbor High School is near the location of this Center.

Many children and teenagers in the neighborhood are known to walk to school, and pass the proposed location of the Center. Young children, and specifically young girls, will be walking past this facility. While it is not politically correct to point this out, harassment of young girls by day laborers was one of the specific nuisances cited by the City of Redondo Beach when it sought to outlaw day laborers using the public sidewalks to solicit employment.

There is no reason to believe that the day laborers in Santa Cruz will behave any differently from day laborers elsewhere, and so this project is simply introducing the hazard and nuisance of harassment for these girls into the neighborhood.

Undoubtedly the proponents of the Center and the County Staff will point out the rules which are to govern the Center's operations and relegate the workers to the interior or rear of the facility, but we have already pointed out that such rules are unenforceable.

By permitting this use, the County would be knowingly creating an unsafe environment for those school children, especially the young girls.

11. The proponents and County have failed to consider issues with meals for the occupants of the Center.

Day laborers are expected to be on site during the hours of 7:00 AM through 1:30 PM, including attending classes at the facility. This time period includes two traditional meal times, and it can

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be expected that both the day laborers and the staff will eat meals during the open hours of the Center. As to the staff, they will presumably be served by the kitchen available to them in the existing building.

However, what provision is made for the day laborers? Is proper refrigerated food storage to be made available for those day laborers who bring their own meals? What about re-heating? Where would the day laborers eat? There are to be picnic tables in the rear of the building, but will the inside have provision for tables? If so, what effect would such tables have on available space for the workers?

Are there to be rules against the Center providing food directly to the day laborers, or if the Center is going to provide food will the Center be required to have the appropriate permits and licenses and undergo the appropriate inspections? Insofar as there is no proposal for the Center to provide food to the day laborers, a specific condition should be added to prevent the Center from providing food, beyond pre-packaged shelf-stable 'snack' foods, to the day laborers.

There are two gas stations and a liquor store in the general vicinity of the Center, but these likely do not constitute a good source of food for the day laborers.

That leaves the possibility, and indeed the likelihood, that 'catering trucks' might present themselves to cater to the day laborers (remembering that the day laborers are not expected to have their own cars available). Especially during morning hours when the day laborers are gathering and most numerous, it could make sense for such a truck to make meals available to the day laborers. Such a truck could only park in the VFW lot as there is no room on the Center's own site, and there is no shoulder on 7th Avenue. How would the VFW feel about their parking lot being used as an unapproved commercial eatery, including the inevitable refuse and food waste that would accumulate. If that were to happen, the VFW could, and likely would, close off their lot and leave the Center stranded with only one parking spot.

Finally, my clients understand that the VFW frequently hosts open low-cost meals in the late afternoon and evening at their facility, which may have the effect of drawing returning day laborers and keeping them present longer, without the supervision of the Center's staff.

At the very least, the proponents of this Center should be required to address the question of food and food-related matters in their application before such application is approved.

- 12. Quite aside from these other issues, the proponents and the County staff have failed to consider factors which will virtually guarantee that this Center is a failure.**

The proponents and County Staff make many unreasonable, but explicit, assumptions about the

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operation of the Center, and the behavior of the day laborers. Hardly addressed at all is the behavior of the potential employers.

It bears remembering how the current system works. An employer shows up at the day laborer gathering place. He asks for workers who have certain skills (statistics demonstrate that most of the work is relatively or totally unskilled). The employers tells the laborers how much he is willing to pay, and then he picks up however many workers he needs, and takes them to the job site. At the end of the day, he brings them back. This system is easy, fast, and guarantees that the employer will have as many workers on site as he needs, when he needs them. It also allows for near complete anonymity on the part of the employer.

The proponents of the Center imagine a totally different method for hiring. They believe that an employer will call the Center and describe what he needs. Maybe the Center staff haggles with the employer over the price or labor conditions - something which would actively discourage participation by the employer. Assuming there is agreement between the Center and the employer on terms, the Center then essentially gets to pick which laborers are assigned⁷. These laborers then set out on their own, relying on public transportation to get to the job site (not terribly effective if the job is deep in the hills or far away from a bus line). The employer simply has to hope they show up. If they do not, then that employer, especially if he is a contractor who has no laborers, may suffer serious harm from the cost of delay, etc. It would take very few failures of this new system to drive any employer back to using the old system.

Is that second scenario likely to appeal to potential employers? The proponents and City Staff are engaging in (very) wishful thinking, not proper analysis, when they assume that employers will be eager to use this Center to meet their labor requirements.⁸

A. Most workers will still be at Home Depot or ProBuild

First, given that only 15%, at most, of the day laborers available for work will be using this facility, there is no incentive for potential employers to use this facility. Why would employers modify the routine they are accustomed to, and invite the scrutiny of the staff of the Center when

⁷ Are the Center staff knowledgeable in the building trades such that they can choose the appropriate workers for the job? What provision is there for the employer to contest their choice?

⁸ My clients take no position on the relative social justice merits of the current day labor 'system' versus the proposed activities of the Center, they merely wish to point out the fallacious assumptions underpinning the proposal for the Center.

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most of their potential workers will not be at the Center anyway?

We are aware of other programs for Day Laborers which have been more or less successful, such as Kansas City, but there the police and city staff were engaged to encourage all of the potential workers to use the facilities and actively discourage employers from picking up day laborers from any site other than the designated facilities. There is no such coercion by the police assumed in the plan for this Center.

B. Employers would be reticent to have social workers interfering with their employment transactions

The most significant incorrect assumptions about the employers - one that is not expressly made but which underlies the entire project - is that employers will be willing to have a third party involved in their what they probably believe to be an *illegal transaction*. Every contractor, and virtually every private homeowner or other employer who comes looking for a day laborer will know that these day laborers are probably undocumented and that hiring them and paying them 'under the table' is probably illegal. For example, hiring an undocumented worker is a violation of 8 United States Code §1324⁹. This is why these transactions are, probably to the last, cash only transactions. All parties willingly engage in a 'don't ask, don't tell' policy as to the legal status of these laborers.

Additionally, contractors would understand that they may be violating workers' compensation laws, probably violating other labor laws, and might be putting their contractor's license in jeopardy (and potentially imposing liability on their clients¹⁰) by using the services of illegal

⁹ For example: 8 United States Code §1324: (a) Making employment of unauthorized aliens unlawful

(1) In general

It is unlawful for a person or other entity—

(A) to hire, or to recruit or refer for a fee, for employment in the United States an alien knowing the alien is an unauthorized alien (as defined in subsection (h)(3) of this section) with respect to such employment, or

(B)

(I) to hire for employment in the United States an individual without complying with the requirements of subsection (b) of this section [verification of documentation proving right to work]

¹⁰ Under California Workers' Compensation laws, when an contractor fails to carry workers' compensation insurance for his workers (as many small contractors do), then the client of the contractor is liable for work related injury claims.

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workers. Maintaining confidentiality is of the utmost importance to the employer in such an illegal transaction.

Given that, how likely is it that contractors would call this Center and willingly provide names, rates of pay, perhaps negotiate working conditions, work locations, all coupled with dates and times? The last thing any contractor wants is a *record* of this illegal activity. The operators of this Center would have no immunity or privilege they could assert against revealing those records to an appropriate government authority - thus placing any contractor at risk of losing his license, being fined or prosecuted by both the state and federal government for failing to maintain appropriate workers' compensation insurance, report taxes, etc. It is a potential landmine for the employer, who will want to steer very clear of this Center. At best, the employers would still rely on the proven method of simply showing up at a day laborer gathering point and picking up laborers on their own terms - without involving the staff of the Center in the transaction.

Thus, assuming that any day laborers still wanted to use the Center after it becomes clear that most *employers* will not want to use the Center, all this facility does is move the gathering point for day laborers from the big parking lots at Home Depot and ProBuild, in clearly commercial districts, to the sidewalk of a small street in a residential neighborhood.

C. Interference with pricing and other terms of employment

Additionally, the proponents of the Center have made it clear that they have as goals the betterment of the working conditions of the day laborers using the Center. It appears that the assumption is that day laborers are underpaid and work under less than ideal conditions. No doubt that is true, and while working to improve such conditions may be a laudable goal, the reality is that all this achieves is pricing those workers out of the market. Again, given that, at most, 15% of the available workforce would be serviced by this Center, the remaining 85% or more of workers will simply undercut the Center's workers, leaving them without work. The workers may quickly tire of not being hired.

D. Employers willingness to rely workers' alternative transportation?

A significant goal of the day laborer program at the Center is to reduce the number of trips made by employers to pick up their employees. Instead, these employees are expected to rely on alternative transportation, including busses, bicycles, etc., to reach their workplaces. That leaves employers at the mercy of public transportation and the possibility that their workers simply will not show up. The only way to guarantee that their workers arrive *on time* at the *correct place* is to pick them up. It makes no sense for the employer to rely on the workers to get to the work site on their own.

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Ultimately, there is literally no incentive, and many disincentives, for an employer to use this facility. Once the workers figure out that the employers do not want to use this facility, they will not use the facility.

For my clients, this is not a bad result - this program is so poorly designed as to be almost guaranteed to fail, but my clients cannot take the chance that it will succeed and must work to put a stop to it to preserve their neighborhood.

13. By approving this use, the County is explicitly approving an arrangement which may be characterized as a conspiracy to violate federal law

One issue that my clients wish to raise is more of a philosophical question. While the proponents never expressly say so, there is doubt that the Center is designed specifically to assist undocumented workers find employment¹¹. By definition their employment is illegal under federal and state law. Thus, the Center is designed to facilitate both employers and employees *breaking the law*. While there may be questions of the social justice associated with laws against the employment of undocumented workers, the fact remains that it is illegal to do so, and this Center actively promotes such illegality.

The County will be knowingly permitting a use which is breaking the law, and which could put the employers, laborers, and staff and volunteers of the Center at risk of prosecution for conspiring to break both federal and state employment laws.

Perhaps County Counsel might be consulted for a review of whether or not Santa Cruz County, by knowingly permitting and condoning activities which constitute a violation of federal immigration law, might be putting itself in jeopardy of losing federal funding for the, no doubt numerous, programs supported by federal grants and funds. One would think that the County would want to tread very lightly in this area of interfering with Federal jurisdiction, and might want to know just what it is risking by allowing this project to move forward.

Conclusion

¹¹. The offices of the California Employment Development Department is located approximately two miles away on 40th Avenue in Capitola. The County of Santa Cruz maintains three career centers, one is co-located with the EDD, and one is four miles away on Encinal Street. Job seekers with legal work status have a plethora of local employment assistance available. There is no reasonable doubt that this Center is designed to help those persons whose work status is illegal as they cannot get assistance from the local government agencies.

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At the end of the day, County Staff has prepared a report using only the rosiest of assumptions in order to allow a project that is undoubtedly politically popular within the County government to move forward. They have consistently downplayed any potential impact on the local community and overlooked or ignored concerns which would have the effect of putting any significant roadblocks in front of this project.

Most importantly, County Staff improperly used 'cooked books' to generate fictitious numbers to make a finding that this Center will not impact traffic on a narrow two-lane road. That finding can, no doubt, be challenged successfully in Court should it come to that.

The facility lacks adequate restroom facilities, and the Staff simply overlooked this problem. It violates building codes¹² and cannot be approved as to its current design.

This proposed use is entirely out of character with the surrounding neighborhood and may well create a hazard and nuisance where none currently exists, and all for an almost negligible benefit to the County as a whole.

One is left with the inescapable conclusion that the County has intentionally failed to review this project with appropriate scrutiny, and this failure almost certainly derives from the politically favored nature of this project. It hardly bears stating allowing the planning process to be used to favor one applicant over others, especially for political reasons, is entirely inappropriate and cannot be condoned. There is little doubt that any reviewing court would look askance at this process, should it come to that.

I respectfully urge the Commission, on behalf of my clients, to deny the use permit for this Center.

Respectfully,

Timothy J. Morgan

Timothy J. Morgan

¹² Another safety issue is the question of sprinklers. Would this use require the installation of a fire sprinkler system?

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Neighbors embrace Day Worker Center

City extends hours of new building on Escuela Avenue

After a year of operation, the Day Worker Center of Mountain View has not drawn any complaints from the neighbors about its new building at 117 Escuela Avenue, spurring city staff to authorize extended operating hours.

"My wife and I were the original opponents for having the Day Worker Center move into the neighborhood," said Escuela Avenue resident Vince Raciti. "They have been good neighbors. I haven't had any problems."

Zoning Administrative Peter Gilli approved the request April 25 to extend daily operating hours by four hours on Mondays, Wednesdays and Fridays to allow classes to be taught at the center until 9 p.m. Workers there currently learn English and job skills such as sewing, and volunteer teachers and workers will have an easier time making it after regular business hours, said director Maria Marroquin.

Gilli also approved a request to hold four garage sales a year, allowing the center to raise funds by selling donated goods.

City planner Nancy Minicucci said that the center's operating permit has been reviewed quarterly since it was first approved in late 2011, and "city staff has not received any negative input from the community."

"I think it is very telling that after the first year of operation nobody in the audience has any complaint about the Day Worker Center," said Gilli. "That is very positive."

There were a few minor concerns, however. Raciti mentioned seeing a few people loitering in front of the center on Sundays, and another neighbor said the smell of cooking in the kitchen could be pretty strong. Gilli said police could make the center a regular patrol location on Sundays to deal with the loitering.

Gilli approved the request on the condition that the nighttime hours would not be used for employee placement.

The Center is also in the midst of a three-month jobs drive.

"The workers at the Center are extremely under-employed and can barely get by financially," said Craig Sherod in an email pitch for the drive. "A worker who comes to the Center daily is likely to receive eight hours of work a week, and at \$12 an hour, that works out to less than \$500 a month. Rent is typically \$300 a month so you can see what I mean by 'barely getting by.' And for workers who have loved ones back home needing support too, that's clearly impossible with the current number of jobs at the Center."

The goal of the drive is to increase the number of jobs by 50 percent between April 15 and July 15.

"Currently, we have about 60 to 70 workers a day vying for about 20 to 25 jobs a day at the Center," Sherod wrote. "That means we need an additional 10 to 12 jobs a day at the Center."

The Center is asking the community to help in a variety of ways, not just by hiring workers to do a project, but also to spread the word by arranging speaking opportunities for the workers or by posting testimonials on Yelp and neighborhood email lists. Sherod adds that there are many types of "piece work" that can be dropped off at the center, such as envelope stuffing, sewing and upholstery.

SUBMITTED BY: MIREIA GOMEZ-CONTRERAS 5/22/12

EXHIBIT F

Samantha Haschert

From: Craig Hausmann [mailto:change.org]
Sent: Monday, May 21, 2012 3:11 PM
To: Samantha Haschert
Subject: STOP the day worker center from opening on 7th Ave. in Live Oak.

Greetings,

I just signed the following petition addressed to: Santa Cruz County Planning Department / Board of Supervisors.

STOP the day worker center from opening on 7th Ave in Live Oak.

Day worker center proposed for wrong spot!

Send a message to the Santa Cruz County Planning Department and the Santa Cruz County Board of Supervisors.

Stop the day worker center from opening on 7th Avenue in Live Oak.

Require that day worker centers be located in commercial districts.

Give the community the opportunity to comment on proposed day worker centers BEFORE approval.

Subject day worker centers to appropriate public scrutiny and environmental review!

Background

Ignoring an upswell of opposition from the community, a Santa Cruz County zoning administrator approved, on March 3rd, an application to permit a day worker center to be established on 7th Avenue -- a quiet, mainly residential Live Oak neighborhood.

Local residents object to the LOCATION of the center and have formed a community group, SOS (Save Our Street), which has filed an appeal of the Zoning Administrator's decision. The hearing on the appeal will take place at the meeting of the five-member County Planning Commission on June 13, 2012.

The proposed day worker center would be located adjacent to a sidewalk used by students of two elementary schools and a high school -- and across the street from a senior citizen residential complex.

Residents feel that the proposed location represents an unreasonable risk to those who are most vulnerable.

Day worker centers should be located in commercial districts.

Regardless of any good intentions the day worker center advocates may have, their efforts are misplaced if the center has a negative impact on the community at large.

Day worker centers are known to impact traffic; and that is why those who travel 7th Avenue to access Hwy 1, Twin Lakes Beach, the yacht Harbor, and the community at large have real concerns about the traffic

congestion that would be created by the center. 7th Avenue has only one lane in each direction and has extremely limited parking. Contractors stopping to pick up and drop off workers would likely block traffic and cause gridlock. Traffic might also spill over onto Soquel and Capitola roads.

Among the other reasons neighbors object the location of the day worker center:

Inadequate space.

The proposed Center is expected to serve hundreds of day workers and their potential employers in an existing 1,000 sq. ft. bungalow having a front porch, a single bathroom and a small yard.

Inadequate parking.

Parking for workers and employers will be limited to 5 rented parking spaces next door at the VFW outpost.

Inadequate staffing.

The proposed Center, to be open daily Tuesday through Sunday, would be staffed by one female employee.

No security.

The proposed day worker center will not employ security staff or have anyone, volunteer or otherwise, to police the workers. To quote day worker center proponents: "The day workers will police themselves."

Proponents have failed to answer the concerns of the community.

What's frustrating residents is that objections to the day worker center's LOCATION are being interpreted as an objection to the program itself. Therefore, program backers continue selling the program's concept without regard for the neighborhood.

The Santa Cruz County Zoning Administrator acknowledged that the day worker center's location was "less than ideal," but because of existing zoning, the center was greenlighted without the need for the typical scrutiny required to obtain a zoning variance.

If the proposed center were subject to even a cursory examination, it would be revealed that current zoning is the primary reason why proponents are pushing for the proposed center to be located on 7th Ave. near Rodriguez Street.

According to the US Dept. of Justice; day worker centers are a "problem" for law enforcement, yet input from local law enforcement is noticeably absent in this case. Thus the residents in opposition to the location feel that putting such a center in front of a Senior Citizen Community and just steps away from Green Acres Elementary School, the VHM Christian School and Harbor High School represents an unreasonable risk.

Even the local bus service is a point of contention. METRO Santa Cruz only serves the location of the proposed day worker center twice a day, and via a supplemental school service.

Opponents have numerous other concerns but all are being rebuffed, and all without the benefit of review by an objective third party.

The day worker center would be much better received if it were proposed for a more appropriate location, but obtaining a zoning variance is difficult, as it would subject the proposal to public review and an environmental impact study. The site on 7th Ave. is apparently located in an area where such scrutiny can be avoided.

For more information visit: <http://www.facebook.com/sosliveoak>

Sincerely,

Oppose the day worker site. Not enough information is known about what rules will be enforced for the day workers regarding loitering/pickup/drop-off/leaving the site and wandering the surrounding area, etc

Craig Hausmann
Santa Cruz, California

Note: this email was sent as part of a petition started on Change.org, viewable at
<http://www.change.org/petitions/c-o-john-leopold-stop-the-day-worker-center-from-opening-on-7th-ave-in-live-oak>. To respond, [click here](#) 