



# PROCEEDINGS OF THE COUNTY OF SANTA CRUZ BOARD OF SUPERVISORS

April 23, 2019

## ACTION SUMMARY MINUTES

**APPROVED**

1. CALL TO ORDER – 9:02 AM

| Attendee Name   | Title                                  | Status  |
|-----------------|--|---------|
| John Leopold    | First District Supervisor              | Present |
| Zach Friend     | Second District Supervisor             | Present |
| Ryan Coonerty   | Chair, Third District Supervisor       | Present |
| Greg Caput      | Vice Chair, Fourth District Supervisor | Present |
| Bruce McPherson | Fifth District Supervisor              | Present |

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. CONSIDERATION OF LATE ADDITIONS TO THE AGENDA; ADDITIONS AND DELETIONS TO CONSENT AND REGULAR AGENDAS

Revision Sheet - Items 7, 8, 14.1, 19, 23, 26, 27, 53.1, 53.2

4. ANNOUNCEMENT BY BOARD MEMBERS OF ITEMS REMOVED FROM CONSENT TO REGULAR AGENDA

None

5. PUBLIC COMMENT

Nineteen people addressed the Board

6. ACTION ON THE CONSENT AGENDA (ITEMS 16-53.2)

Supervisor Leopold abstained -- Item 16 only  
Supervisor Caput voted "No" -- Item 53.1 only  
Additional direction -- Item 52

### REGULAR AGENDA

7. Public hearing (continued from March 26, 2019) on proposed amendments to the General Plan/Local Coastal Program and proposed amendments to County Code Chapter 13.10 (Local Coastal Program Implementing) to create a Permanent Room Housing (PRH) Combining Zone District, with CEQA Notice of Exemption, as outlined in the memorandum of the Planning Director

Reopened the continued public hearing on proposed amendments to the General Plan/Local Coastal Program and proposed amendments to County Code Chapter 13.10 (Local Coastal Program Implementing) to create a Permanent Room Housing (PRH) Combining Zone District, with CEQA Notice of Exemption;

VOTE 1:

- 1) ACCEPTED the CEQA Notice of Exemption;
- 2) DIRECTED staff regarding desired content of proposed amendments:
  - Under section 13.10.148 (C) [ordinance page 7], which deals with the five-year inspection, the inspection should consider other elements beyond health and safety, such as neighborhood impacts and that they remain affordable by design, and other impacts that

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- should be in the report;
  - Under subsection (D) [ordinance page 7], where it says that "The Planning Commission or Board of Supervisors may deny an application", change that language to "...may deny or revoke an application or permit..."; and
  - Under subsection (D)(5) [ordinance page 8]; as opposed to "three or more citations...", change that to "three or more complaints for violation of the County Code..."
- 3) Referred the proposed amendments back to the Planning Commission for review and recommendation;
  - 4) CONTINUED the public hearing to May 21, 2019, to review recommendations from the Planning Commission and consider adoption of a resolution and an ordinance amending the County Code; and [see VOTE 2]

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| <b>RESULT:</b>   | <b>APPROVED WITH ADDITIONAL DIRECTION [UNANIMOUS]</b> |
| <b>MOVER:</b>    | Bruce McPherson, Fifth District Supervisor            |
| <b>SECONDER:</b> | Ryan Coonerty, Chair, Third District Supervisor       |
| <b>AYES:</b>     | Leopold, Friend, Coonerty, Caput, McPherson           |

VOTE 2:

Additional direction -- Allow applicants the ability to offer short term rentals of 30 days or less under the following conditions:

- That the short term rentals were legal and established on the property prior to the application for the zoning district;
- That the property owners are current on their Transit and Occupancy Tax (TOT) remittance to the County; and
- That the maximum number of units available for short term rental be limited to 30 percent, as recommended previously by the Planning Commission

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| <b>RESULT:</b>   | <b>APPROVED [3 TO 2]</b>                        |
| <b>MOVER:</b>    | Bruce McPherson, Fifth District Supervisor      |
| <b>SECONDER:</b> | Ryan Coonerty, Chair, Third District Supervisor |
| <b>AYES:</b>     | Coonerty, Caput, McPherson                      |
| <b>NAYS:</b>     | Leopold, Friend                                 |

8. DELETED ITEM (6965)

9. Consider ordinance repealing Santa Cruz County Code Chapter 9.56 (Abandoned and Wrecked Vehicles on Private and Public Property, Excluding Streets and Highways), and schedule final adoption for the next available agenda, as outlined in the memorandum of the Deputy CAO, Director of Public Works

- 1) APPROVED in concept an ordinance repealing Santa Cruz County Code Chapter 9.56, Abandoned and Wrecked Vehicles on Private and Public Property, Excluding Streets and Highways;
- 2) SCHEDULED final adoption of the ordinance on May 14, 2019

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| <b>RESULT:</b>   | <b>APPROVED IN CONCEPT [UNANIMOUS]</b>      |
| <b>MOVER:</b>    | Zach Friend, Second District Supervisor     |
| <b>SECONDER:</b> | Bruce McPherson, Fifth District Supervisor  |
| <b>AYES:</b>     | Leopold, Friend, Coonerty, Caput, McPherson |

10. Consider final appointment of Nanette Mickiewicz to the Santa Cruz-Monterey-Merced Managed Medical Care Commission, as an at-large hospital representative, for a term to expire April 1, 2023 (nomination accepted April 16, 2019)

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| <b>RESULT:</b>   | <b>APPOINTED [UNANIMOUS]</b>                       |
| <b>MOVER:</b>    | John Leopold, First District Supervisor            |
| <b>SECONDER:</b> | Greg Caput, Vice Chair, Fourth District Supervisor |
| <b>AYES:</b>     | Leopold, Friend, Coonerty, Caput, McPherson        |

11. Consider final appointment of Nicholas Lorig-Roach to the Hazardous Materials Advisory Commission, as an at-large community representative, for a term to expire April 1, 2021 (nomination accepted April 16, 2019)

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| <b>RESULT:</b>   | <b>APPOINTED [UNANIMOUS]</b>                       |
| <b>MOVER:</b>    | Greg Caput, Vice Chair, Fourth District Supervisor |
| <b>SECONDER:</b> | John Leopold, First District Supervisor            |
| <b>AYES:</b>     | Leopold, Friend, Coonerty, Caput, McPherson        |

12. Consider final reappointment of Richard F. Schmale to the Housing Authority Board of Commissioners, as an at-large tenant representative over 62 years of age, for a term to expire May 12, 2021 (nomination accepted April 16, 2019)

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| <b>RESULT:</b>   | <b>APPOINTED [UNANIMOUS]</b>                       |
| <b>MOVER:</b>    | Greg Caput, Vice Chair, Fourth District Supervisor |
| <b>SECONDER:</b> | John Leopold, First District Supervisor            |
| <b>AYES:</b>     | Leopold, Friend, Coonerty, Caput, McPherson        |

13. Consider final appointment of Caitlin Brune to the Community Health Centers Co-Applicant Commission, as an at-large community representative, for a term to expire December 11, 2022 (nomination accepted April 16, 2019)

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| <b>RESULT:</b>   | <b>APPOINTED [UNANIMOUS]</b>                |
| <b>MOVER:</b>    | John Leopold, First District Supervisor     |
| <b>SECONDER:</b> | Bruce McPherson, Fifth District Supervisor  |
| <b>AYES:</b>     | Leopold, Friend, Coonerty, Caput, McPherson |

14. Consider report on Cannabis Licensing Office operations and providing additional direction to the Cannabis Licensing Office regarding potential changes to Santa Cruz County Code Chapters 7.128 and 13.10 that could increase the number of licensees in the program and reduce the time it takes to achieve licensure, as outlined in the memorandum of the County Administrative Officer

- 1) DIRECTED the Cannabis Licensing Office to return May 14, 2019 with draft recommendations on the issues of nursery license, canopy definition, eligibility, canopy limits, processing license applications, advertising and use permit review; and additionally
- 2) DIRECTED the Cannabis Licensing Office and Planning Department to include a plan of how we are at 75 licenses by this time next year

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| <b>RESULT:</b>   | <b>ACCEPTED AND FILED WITH ADDITIONAL DIRECTION [UNANIMOUS]</b> |
| <b>MOVER:</b>    | John Leopold, First District Supervisor                         |
| <b>SECONDER:</b> | Ryan Coonerty, Chair, Third District Supervisor                 |
| <b>AYES:</b>     | Leopold, Friend, Coonerty, Caput, McPherson                     |

- 14.1 Presentation from Cradle to Career Parent Leadership Committee, as outlined in the memorandum of Supervisor Leopold

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| <b>RESULT:</b> | <b>PRESENTATION</b> |
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### **CLOSED SESSION AGENDA**

15. SCHEDULE A CLOSED PERSONNEL AND LITIGATION SESSION TO BE HELD AT THE CONCLUSION OF THE BOARD'S CONSENT OR REGULAR AGENDA, OR AT ANY OTHER TIME DURING THE COURSE OF THE MEETING ANNOUNCED BY THE CHAIRPERSON OF THE BOARD

#### **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

A. Public Employee Performance Evaluation pursuant to subdivision (b) of Government Code section 54957: County Administrative Officer

B. Public Employee Performance Evaluation pursuant to subdivision (b) of Government Code section 54957: County Counsel

Report of County Counsel - will be given at the conclusion of the closed session on any reportable action(s) taken in the closed session

Scheduled closed personnel and litigation session held as outlined in the agenda  
No report was given

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| <b>RESULT:</b> | <b>CLOSED SESSION HELD</b> |
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**CONSENT AGENDA**

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| <b>RESULT:</b>   | <b>APPROVED AS AMENDED [UNANIMOUS]</b>      |
| <b>MOVER:</b>    | Zach Friend, Second District Supervisor     |
| <b>SECONDER:</b> | John Leopold, First District Supervisor     |
| <b>AYES:</b>     | Leopold, Friend, Coonerty, Caput, McPherson |

16. APPROVAL OF MINUTES
  - a. Board of Supervisors - Regular Meeting - Apr 16, 2019 9:00 AM  
*[NOTE: Corrected minutes scheduled for approval on 5/14/2019]*
17. Accept claims as approved by the FaçadeController-Treasurer-Tax Collector
18. Approve the reading by title of any ordinance considered for adoption that may appear on this agenda, and further waive a detailed reading of said ordinance, as recommended by County Counsel
19. Introduce and adopt ordinances (1) amending Santa Cruz County Code Chapters 13.10 and 13.20 establishing the Seascape Beach Estates Combining Zone (“SBE”) District, and (2) amending Santa Cruz County Code Chapter 13.10 by adding the “SBE” District to Certain Parcels (requires Coastal Commission certification after County adoption); and adopt Resolution accepting CEQA exemption determination, making findings of GP/ LCP consistency and approving Minor Variation to Permit 4119-U (public hearing held April 16, 2019)  
Resolution No. 88-2019  
Ordinance No. 5294  
Ordinance No. 5295
20. Reject the claim of Anjali Ward, Claim No. 819-072, and refer to County Counsel
21. Accept and file the Treasurer’s Investment Transaction Report for the month of March 2019, as recommended by the FaçadeController-Treasurer-Tax Collector
22. Defer to May 14, 2019 the jurisdictional hearing to consider appeal of application 171372 (APN 030-081-32), as recommended by Clerk of the Board
23. Approve amendment to agreement with Carahsoft Technology Corporation, extending the contract end date from April 19, 2019 to June 30, 2019, and take related actions, as recommended by Clerk of the Board
24. Defer updates to the Cannabis Equity Program until further action by the State, as recommended by the County Administrative Officer
25. Set Aside, Invalidate and Void Board Approvals of Application 171179, Resolution 129-2018 and Ordinance 5274, as recommended by County Counsel

26. Award contract to Paving Construction Services, Inc. in the amount of \$47,124 for the Center for Public Safety Repaving Project, set aside \$4,712 for change order requests, adopt resolution accepting unanticipated revenue in the amount of \$51,836, and take related actions, as recommended by the Director of General Services

Resolution No. 89-2019

27. Award contract to Acco-Wilson, Inc. in the amount of \$127,219 for the 1020 Emeline Server Room Cooling Equipment Project, set aside \$12,722 for change order requests, adopt resolution accepting unanticipated revenue in the amount of \$140,000, and take related actions, as recommended by the Director of General Services

Resolution No. 90-2019

28. Award contract to Garland/DBS Inc., in the amount of \$990,311 for the 1080 Emeline Roof Replacement Project; adopt two resolutions accepting and appropriating unanticipated revenue in the amount of \$990,311, and take related actions, as recommended by the Directors of General Services and Health Services Agency

Resolution No. 91-2019 (HSA)

Resolution No. 92-2019 (Plant)

29. Approve plans, specifications and engineer's estimate for the Davenport Landing Restroom Project, direct the General Services Department to advertise for bids and set the bid opening for 3:00 PM on May 23, 2019, authorize the Director of Parks to award the contract to lowest responsive bidder and to approve any change orders, and take related actions, as recommended by the Director of General Services and Director of Parks, Open Space and Cultural Services

30. Adopt resolution accepting unanticipated revenues in the amount of \$53,411 from Supplemental Law Enforcement Services Funds and Drug Forfeiture Proceeds to purchase furniture for the office remodel project, as recommended by the District Attorney

Resolution No. 93-2019

31. Adopt resolutions accepting unanticipated revenues, in the amount of \$25,000 from the District Attorney's Consumer Fraud Penalty Trust and \$30,000 from the Sheriff's Small County Rural Crime Trust, to purchase furniture for related office space in the Aptos Village Service Center, as recommended by the District Attorney

Resolution No. 94-2019

Resolution No. 95-2019

32. Approve agreements with United Way of Santa Cruz County in the amount of \$190,605, Community Action Board of Santa Cruz County, Inc. in the amount of \$136,780, and Applied Survey Research in the amount of \$92,400 to continue the Project Thrive program through a U.S. Department of Justice grant extension to September 30, 2020, and take related actions, as recommended by the Chief Probation Officer
33. Approve emergency facade restoration and waterproofing at the Sheriff's Headquarters (5200 Soquel Avenue) and Science building (5400 Soquel Avenue) in the total amount of \$126,564; and authorize the Personnel Department to make payments from the Risk Management – Property and Liability fund to International Waterproofing, Roofing and Building Restoration for the repair work, as recommended by the Sheriff-Coroner
34. Approve submittal of a grant application in the amount of \$1,000,000 for funding through the California Health Facilities Financing Authority to remodel County property located at 271 Water Street to expand the capacity of the Sheriff's Recovery Center and take related actions, as recommended by the Sheriff-Coroner
35. Accept and file report on Alcohol Nuisance Abatement Program, as recommended by the Sheriff-Coroner
36. Authorize reallocation of a fixed asset purchase for the Health Services Agency from two power exam tables in the amount of \$10,468 to one Midmark Barrier-Free Power Podiatry Chair in the amount of \$8,935 for the Homeless Persons Health Project, as recommended by the Director of Health Services
37. Adopt resolution appointing Dr. David Ghilarducci, MD, FACEP, FAEMS to serve as interim County Health Officer due to the planned retirement of the current Health Officer, as recommended by the Director of Health Services  
Resolution No. 96-2019
38. Approve increase to General Assistance grant amounts, to align with a statewide 10 percent increase to the CalWORKs Maximum Aid Payment level, effective April 1, 2019, as recommended by the Director of Human Services
39. Adopt resolution accepting unanticipated revenue in the amount of \$278,248 to provide CalWORKs housing support related services, as recommended by the Director of Human Services  
Resolution No. 97-2019

40. Approve and authorize County of Santa Cruz participation in the California statewide automated welfare system consortium joint exercise of powers agreement and the related memorandum of understanding; approve agreement with DXC Technology Services LLC in the amount of \$7,928,424 and with California State Association of Counties in the amount of \$489,338 to operate the mandated public assistance systems and provide related support and reassignment of these agreements; direct Human Services Department to return by March 2020 with a status report on migration to the statewide automated welfare system, and take related actions, as recommended by the Director of Human Services
41. Approve amendment to agreement with Optimal Solutions Consulting increasing the contract amount by \$26,125 for a new total of \$167,275 to provide consultant services for Collective of Results and Evidence-based (CORE) Investments, as recommended by the Director of Human Services
42. Defer Climate Action Strategy Annual Report to May 21, 2019, as recommended by the Planning Director
43. Defer award of contract for construction of the Eureka Canyon Road PM 0.36, Storm Damage Repair project and direct staff to return on or before May 14, 2019, with a recommendation for award of contract, as recommended by the Deputy CAO, Director of Public Works
44. Approve specifications and engineer's estimate, and authorize calling for bids for the La Madrona Drive Guardrail project; set bid opening on May 23, 2019, in the Department of Public Works at 2:15 p.m.; direct Public Works to return on June 11, 2019 with a recommendation for award of the contract, and take related actions, as recommended by the Deputy CAO, Director of Public Works
45. Approve MNS Engineers, Harris & Associates, Quincy Engineering, and WSP for on-call construction management services through April 23, 2022; approve independent contractor agreements in the not-to-exceed amount of \$3,000,000, and take related actions, as recommended by the Deputy CAO, Director of Public Works
46. Accept and file status report for the Boulder Creek Library project, as recommended by the Deputy CAO, Director of Public Works
47. Approve road closure for the May 18, 2019, Davenport May Festival subject to the conditions on the permit, and direct Public Works to issue the permit upon receipt of the processing fee, as recommended by the Deputy CAO, Director of Public Works
48. Approve road closures for the 2019 Surfer's Path Marathon and Capitola Half Marathon, scheduled for May 19, 2019, and take related actions, as recommended by the Deputy CAO, Director of Public Works



49. Approve permit for 2019 Strawberry Fields Forever Bicycle Ride event, scheduled for May 19, 2019, and take related actions, as recommended by the Deputy CAO, Director of Public Works
50. Approve plans, specifications and engineer's estimate, and authorize calling for bids at 2:15 p.m. on May 9, 2019, for the Grove Street & Mountain Street Storm Damage Repair project; direct staff to return June 11, 2019 with recommendation for award of contract, and take related actions, as recommended by the Deputy CAO, Director of Public Works
51. Accept and file report regarding the Santa Cruz County Capital Facilities Planning Opportunities and Challenges Study, approve Request for Qualifications for consultant services for preparation of a the Santa Cruz County Long-Range Facilities and Campus Master Plans, authorize Public Works to begin distribution of the Request for Qualifications, direct Public Works to return on or before August 6, 2019 with a recommendation for award of award of contract and take related actions, as recommended by the Deputy CAO, Director of Public Works
52. Approve Road Maintenance and Rehabilitation Account project list for projects funded by Senate Bill 1, and take related actions, as recommended by the Deputy CAO, Director of Public Works

Additional direction – Staff to return in October [2019] with any changes to this [RMRA Project] list; if there are any changes in dates, mark those and explain why

53. **AS THE BOARD OF DIRECTORS OF THE DAVENPORT COUNTY SANITATION DISTRICT, Reschedule a public hearing for June 11, 2019 at 9:00 a.m. or thereafter, to consider adoption of an ordinance amending the District Code for Davenport County Sanitation District water and sewer service charges for 2019-2020, and take related actions, as recommended by the District Engineer**
- 53.1 Authorize the Chair of the Board to sign a letter of support for Senate Bill (SB) 276, authored by Senator Richard Pan, which would require the State Department of Public Health to develop a statewide standardized medical exemption request form, require the State Public Health Officer to approve or deny a medical exemption request, require the department to create and maintain a database of approved medical exemption requests, and to make the database accessible to local health officers, as recommended by Supervisors Friend and Coonerty  
Supervisor Caput voted "No"
- 53.2 Direct the Chair of the Board to sign a letter of support for Assembly Bill 1162, sponsored by Assemblymember Kalra, to ban single use personal care products in hotel rooms, as recommended by Supervisor Friend



Approved: \_\_\_\_\_ **RYAN COONERTY** \_\_\_\_\_  
Chair, Board of Supervisors

Attest: \_\_\_\_\_ **SUSAN GALLOWAY** *Susan Galloway* \_\_\_\_\_  
Clerk of the Board

Date: \_\_\_\_\_ May 14, 2019 \_\_\_\_\_

NOTE: This set of Board of Supervisors Minutes is scheduled for approval by the Board on May 14, 2019