

25. Adopt an “Ordinance Amending and Restating Chapter 2.14 of the Santa Cruz County Code Regarding the Director of the Department of Community Development and Infrastructure” (Approved in concept April 29, 2025) ()



County of Santa Cruz Board of Supervisors

Agenda Item Submittal

From: Clerk of the Board of Supervisors

Subject: Ordinance Amending Santa Cruz County Code Chapter 2.14

Meeting Date: May 20, 2025

Formal Title: Adopt an “Ordinance Amending and Restating Chapter 2.14 of the Santa Cruz County Code Regarding the Director of the Department of Community Development and Infrastructure” (Approved in concept April 29, 2025)

Recommended Actions

Adopt an “Ordinance Amending and Restating Chapter 2.14 of the Santa Cruz County Code Regarding the Director of the Department of Community Development and Infrastructure,” as approved in concept on April 29, 2025.

Executive Summary

n/a

Discussion

On April 29, 2025, the Board of Supervisors approved the ordinance in concept and scheduled it for second reading/final adoption on May 20, 2025.

Financial Impact

There is no financial impact associated with the recommended actions.

Strategic Initiatives

N/A

Submitted By:

Carlos J. Palacios, County Executive Office

Recommended By:

Carlos J. Palacios, County Executive Officer

Artificial Intelligence Acknowledgment:

Artificial Intelligence (AI) did not significantly contribute to the development of this agenda item.

ORDINANCE NO. _____

AN ORDINANCE AMENDING AND RESTATING CHAPTER 2.14 OF THE SANTA CRUZ COUNTY CODE REGARDING THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT AND INFRASTRUCTURE

The Board of Supervisors of the County of Santa Cruz (the “Board”) hereby finds and declares the following:

WHEREAS, there exists within the administrative structure of the County of Santa Cruz a Department of Community Development and Infrastructure and a Department of General Services; and

WHEREAS, the Director of the Department of Community Development and Infrastructure is the administrative head of the Department of Community Development and Infrastructure and the Director of the Department of General Services is the administrative head of the Department of General Services; and

WHEREAS, there exists within the administrative structure of the County of Santa Cruz a Division of Real Property, which administers all real property acquired, owned, leased, licensed, and conveyed by the County; and

WHEREAS, prior to July 1, 2024, the Division of Real Property was a constituent part of the Department of Community Development and Infrastructure; and

WHEREAS, effective July 1, 2024, the Division of Real Property was transferred from the Department of Community Development and Infrastructure to the Department of General Services; and

WHEREAS, certain legal authorities regarding real property are currently granted by ordinance to the Director of the Department of Community Development and Infrastructure; and

WHEREAS, with transfer of the Division of Real Property to the Department of General Services it is appropriate to simultaneously grant certain legal authorities regarding real property to the Director of the Department of General Services and rescind corresponding authorities previously granted to the Director of the Department of Community Development and Infrastructure; and

WHEREAS, it is appropriate for the Director of the Department of Community Development and Infrastructure to retain the authority to approve and accept the acquisition of minor interests in real property; and

WHEREAS, to effectuate the changes required regarding the authorities granted to the Director of the Department of Community Development and Infrastructure, this Ordinance will amend and restate Chapter 2.14 of the Santa Cruz County Code;

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz hereby ordains as follows:

SECTION I

Chapter 2.14 of the Santa Cruz County Code is amended and restated to read as follows:

CHAPTER 2.14

DIRECTOR OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT AND INFRASTRUCTURE

Sections:

- 2.14.010 Powers and duties.
- 2.14.020 Administration of the Department of Community Development and Infrastructure.
- 2.14.030 Authority to approve contract change orders.
- 2.14.040 Authority to approve and accept the acquisition of minor interests in real property.

2.14.010 Powers and duties.

The Director of the Department of Community Development and Infrastructure shall be the administrative head of the Department of Community Development and Infrastructure, and shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities, and carry out and effect all purposes vested in the Director by this section or any other provision of law. Such duties shall include, but not be limited to, the following:

- (A) Supervise, prepare or obtain designs and plans for roads, bridges, County buildings, water supply systems, sewage plants and drainage facilities, or other public works projects as directed by the Board of Supervisors;
- (B) Perform all the duties of the Road Commissioner as defined by law;
- (C) Act as engineer of work in assessment district proceedings, as ordered by the Board of Supervisors or the Board of Supervisors acting as board of directors of a special district;
- (D) Act as District Engineer for all special districts for which the Board of Supervisors sits as board of directors;
- (E) Process all technical matters pertaining to public improvements within subdivisions;
- (F) Inspect County roads, bridges, County water supply systems, sewage plants and drainage facilities;
- (G) Recommend the awarding of contracts for the construction and maintenance of all facilities under the supervision of the Director;
- (H) Supervise the maintenance and operation of County solid waste disposal areas;
- (I) Supervise the operation of the Public Works vehicle repair shops;

(J) Supervise all matters pertaining to water development and management under the control of the Board of Supervisors;

(K) Perform all the duties relating to traffic safety and control;

(L) Perform any and all other activities and duties that may be ordered by the Board of Supervisors.

2.14.020 Administration of the Department of Community Development and Infrastructure.

The Director of the Department of Community Development and Infrastructure may create divisions within the Department in order to carry out the purpose of this chapter and change or abolish those divisions from time to time.

2.14.030 Authority to approve contract change orders.

(A) The Director of the Department of Community Development and Infrastructure is hereby granted the authority to approve and execute certain contract change orders for County highway contracts pursuant to Public Contract Code Section 20395 and for County construction contracts pursuant to Public Contract Code Section 20142, subject to the limitations specified in this section.

(B) Where unexpected site or other conditions cause a need for work not covered by the contract, contract change orders may be approved and executed by the Director of the Department of Community Development and Infrastructure in an amount not to exceed the limits established by Public Contract Code Sections 20395 and 20142, respectively, as they may be amended from time to time.

2.14.040 Authority to approve and accept the acquisition of minor interests in real property.

(A) Pursuant to Government Code Section 25350.60, the Director of the Department of Community Development and Infrastructure is hereby authorized to approve and accept the acquisition of interests in real property, subject to the limitations and procedures specified in this section.

(B) The authority granted in this section shall be limited to those real property interests of a minor nature. For purposes of this section “minor nature” means those real property interests with a value of \$25,000 or less.

(C) The authority granted in this section shall include signature authority on all documentation required to approve and accept the acquisition of real property interests of a minor nature, including, but not limited to, purchase and sale agreements, permanent easements, temporary construction easements, escrow documents, certificates of acceptance, and all other related documents that would normally be executed by the Chair of the Board of Supervisors in order to effectuate the transfer of real property to the County. The Director of the Department of Community Development and Infrastructure shall follow all normal and standard procedures for

the acquisition of real property interests by the County and shall be subject to all applicable State and Federal regulations pertaining to the acquisition of real property by a local public agency.

(D) Pursuant to Government Code Section 25350.60, subdivision (c), the authority granted under this section shall expire five years from the date the Board of Supervisors grants this authority and must be reauthorized every five years after that via resolution in order to remain effective.

SECTION II

The Board of Supervisors finds that the proposed amendments to the County Code are consistent with other provisions of the County Code and with State law.

SECTION III

Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION IV

This ordinance shall take effect on the 31st day following final adoption.


PASSED AND ADOPTED this ____ day of _____, 2025, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Felipe Hernandez
Chairperson of the Board of Supervisors

ATTEST: _____
Juliette Rezzato
Clerk of the Board

APPROVED AS TO FORM:

Signed by:
 4/14/2025

FD318C222C994D0
Arthur G. Wille
Assistant County Counsel

Certificate Of Completion

Envelope Id: 2E9B2C45-F9E3-4037-BA77-B03BD79C737D

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County of Santa Cruz

Assistant County Counsel

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Timestamp

Witness Events

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Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

Envelope Sent

Hashed/Encrypted

4/14/2025 11:44:04 AM

Envelope Updated

Security Checked

4/14/2025 1:43:33 PM

Envelope Updated

Security Checked

4/14/2025 1:43:33 PM

Certified Delivered

Security Checked

4/14/2025 1:28:57 PM

Signing Complete

Security Checked

4/14/2025 1:51:43 PM

Completed

Security Checked

4/14/2025 1:51:43 PM

Payment Events

Status

Timestamps

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You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

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To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

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