

GRAND JURY TAKES A HARD LOOK

Highway widening, rail link endorsed

By BRIAN SEALS
SENTINEL STAFF WRITER

SANTA CRUZ — Blood-pressure-boosting waits on Highway 1 and bumper-to-bumper commutes over the hill were on the minds of Santa Cruz County civil grand jurors.

Among the top concerns addressed in the 2002-03 grand jury's final report, released Friday, was the length of time county residents spend getting from point A to point B.

"I commuted to the grand jury on Highway 1," juror Mary Reed said with a smile.

The 19-member panel offered recommendations on how to improve transportation in the county. Some supported work under way and encouraged it be expedited, while others suggested thinking outside the box.

Among the recommendations:

- Proceed with Highway 1 widening plans.
- Conduct an in-depth study of potential solutions for easing congestion on Highway 17.
- Pursue commuter rail service.

The familiar projects

Of course, widening Highway 1 topped the list. The jury recommended transportation planners proceed at full steam with the often-discussed project that pits no-growth advocates against frustrated commuters.

Juror Tim Sylvester said the project's time had come. He disputed the contention that it would only beget more traffic.

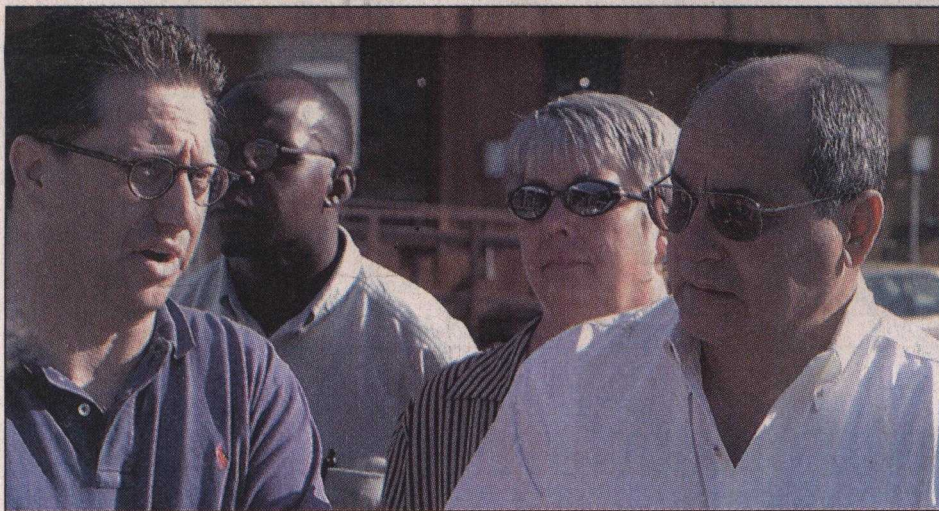
"Not widening Highway 1 punishes the people who already live here," Sylvester said. "It doesn't make sense that it is growth-inducing." The group urged the Regional Transportation Commission to begin an education campaign aimed at winning a half-cent sales-tax increase to fund a road-work initiative on the ballot in 2004.

Over 30 years, revenue from the increase could generate \$1.1 billion, the jury estimated, which would pay



Shmuel Thaler/Sentinel

One of the top concerns addressed by the 2002-03 grand jury was the amount of time it takes to get from point A to point B.



Nick Lovejoy/Sentinel

Juror Tim Sylvester, right, and foreman Chris Camacho, discuss the report Friday.

Supervisors misuse their authority, interfere with planners, jury alleges

By KURTIS ALEXANDER
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Neighbors of Hallcrest Vineyards in Felton have long complained about the busy operations of the winery next door. A report released Friday suggests these complaints may be more than sour grapes.

According to an investigation by the county Grand Jury, the Felton winery is one of several places where the county's top elected leaders have inappropriately wielded their power and prevented staff from fairly responding to land-use concerns.

County supervisors, the grand jury contends, often interfere with the day-to-day work of county planners in possible attempts

"to facilitate special treatment" for constituents.

The charges are part of an annual evaluation of public affairs — written by a panel of 19 volunteers that make up the civil grand jury.

The panel's allegations on land-use planning this year run deep. What county residents are allowed to build and how they are permitted to use their property is an issue that has long triggered debate in Santa Cruz County — where neighbors living side by side pursue dreams as varied as launching small-scale industries to living small-town lives.

Suggestions of "impropriety" over the

Civil grand jury at a glance:

WHAT: Santa Cruz has two types of grand juries — civil and criminal. The civil grand jury is a 19-member investigative body that evaluates the operations of local governments, among other matters, and issues recommendations. The criminal grand jury is called up on a case-by-case basis to deal with indictments only.

WHO: Volunteers, paid \$15 per day.

WHY: Required annually by the state constitution.

WHAT'S NEXT: Local governments have 60 to 90 days to respond to reports aimed at them.

FINDINGS:

- Highway 1 widening should be pursued.
- County supervisors are too involved in Planning Department.
- Annexation of some unincorporated lands, like Live Oak, is recommended.
- County Public Works Department has improperly billed many residents.
- County may be unprepared for emergencies like terrorist threats and natural disasters.
- Deficits at schools are likely to continue if districts retain facilities, continue to fund mandated programs and experience enrollment decline.
- Local governments rely on redevelopment agencies for more purposes than intended.
- Mosquito-control district should be expanded beyond South County in light of the West Nile virus threat.
- Report available online at www.co.santa-cruz.ca.us/grandjury/.

COUNTY GRAND JURY REPORT

Traffic

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for widening and leave money for other transportation projects.

The cost of widening the highway from the Fishhook interchange to State Park Drive in Aptos is estimated at \$300 million, with an extension on to the Larkin Valley/San Andreas Road exit estimated at \$89 million.

Jurors said the tax should be pursued even as the possibility looms that the state will increase sales taxes statewide to help fill California's budget deficit.

As with any potential project, the widening has been a hot-button issue. Opponents say newly built highways only attract more cars.

Mid-County resident Paul Elerick, a member of the anti-widening group Sensible Transportation, said the project won't bring the benefits touted by its backers.

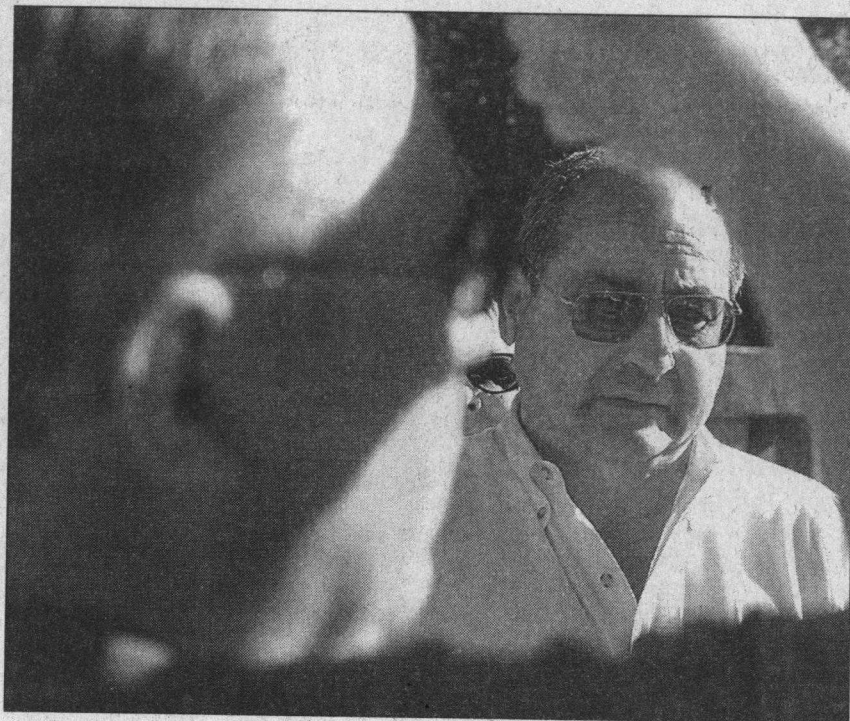
"(Widened highways) fill up really fast," Elerick said. "All the people on the surface streets will have it good for maybe three years. They'll be paying for it for 30 years."

County Supervisor Jan Beautz said the push for improvements on the highway was a good suggestion.

Widening might well increase volume on the road, she said, but would also absorb motorists from surface streets and neighborhoods.

"The highway is where they should be," Beautz said.

Supervisor Mardi Wormhoudt said it's important to be informed and answer funding questions about the project in 2004, but like others, she questions the wisdom of doling out so much money for



Grand jury foreman Chris Camacho attends a press conference Friday morning outside the County Government Building, after the panel's report was released.

Nick Lovejoy/Sentinel

a single project.

"I don't think we can afford to spend all our transportation money on extending the highway six miles," Wormhoudt said.

The other highway

The jury also wants the Regional Transportation Commission to place more emphasis on Highway 17.

The recommendations don't call for widening the main link to San Jose, but suggest an study similar to a 1998 examination of Highway 1 to look for ways to improve commutes on the clogged mountain road that carries 66,000 vehicles per day.

"Most of us recognized the physical constraints; we didn't discuss widening," juror Bruce Korb said.

The panel also said a more con-

venient park-and-ride lot should be built in Scotts Valley, contending the existing one is poorly located for drivers coming from Santa Cruz who could pick up carpools along the way.

There is a lot at Highway 17 and Summit Road, and one well away from the highway on Blue Bonnet Lane.

"I've always had trouble getting carpools because there's no good place to meet," Korb said.

Alternative work

Besides addressing the main traffic arteries, the panel also recommended pursuing other transportation options, such as commuter rail and a faster bus system linking Watsonville and Santa Cruz.

The Transportation Commis-

sion voted in May to apply for state money to buy the Union Pacific rail link from Watsonville to Davenport, with future transportation needs in mind.

Meanwhile, neighboring Monterey County for years has vigorously pursued extending Caltrain commuter rail service from Gilroy to Salinas, via Pajaro.

Thus far, Santa Cruz County transportation officials plan to use the rail line, should it be acquired, only as a tourist trolley linking Capitola to Seascape.

The report recommends, however, transportation officials look for ways — and work with their Monterey County counterparts — to bring commuter rail from Pajaro to Santa Cruz.

The report suggests putting a portion of the revenue from the half-cent sales tax hike into a rail fund and use it to leverage state and federal grants.

Wormhoudt agreed with that suggestion, saying commuter rail could provide a clean, efficient way to move people around the county.

However, Beautz was leery about sinking money into rail. She pointed to a study showing the cost of bringing rail service as far as the Boardwalk would approach the cost of highway widening, but is predicted to serve only 5,000 commuters.

"That's just a lot of money per person," she said. "The grand jury doesn't have to worry about funding things. There is a financial reality to all of this."

Jurors said transportation planning needs to be done despite the current state of the economy.

"Either you'll have long-term planning or you'll have to plan as crises arise," jury foreman Chris Camacho said.

While most of these ideas have been volleyed back and forth, in some cases for decades, at least one novel idea found its way into the report.

Jurors endorsed a method used in places such as Curitiba, Brazil,

that lays out dedicated bus lanes in a rapid-transit style. Riders pay a fee before the bus arrives at a stop, and can therefore board quickly.

The panel envisioned such a system traveling from Santa Cruz to Watsonville, saying existing bus service faces the same congestion-driven delay that plagues motorists on the highway.

"Anybody who has ridden the Watsonville to Santa Cruz Express knows that it's not an express," Sylvester said.

Additional recommendations include:

■ Improving Soquel Avenue before Highway 1 work begins, to provide an alternative route for motorists.

■ A comprehensive transportation base in the Harvey West area that would include a train station, bust stop, commuter parking lot and access to the eastern side of UC Santa Cruz.

■ A joint effort by Capitola, the county and the state Department of Transportation to ease congestion at the intersection of 41st Avenue and Highway 1.

Interfere

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volatile issue come to the disbelief of at least one county supervisor.

"The analysis is pretty superficial," said Supervisor Jeff Almquist, who acknowledged working with planners to address concerns at Hallcrest Vineyards.

He said jurors failed to recognize the realities of land-use planning, which necessitate a hands-on approach.

"For decades, supervisors have seen it as their role to play a part in the planning process," he said. "For many residents who have problems with the Planning Department, I'm the only person they can turn to."

But the grand jury sees it differently. When supervisors selectively get involved in land-use decisions, the rules are applied and enforced inconsistently, the report states.

"You have an elected official who is there voicing an opinion," said Chris Camacho, grand jury foreman.

Grand jurors suggest Almquist was biased toward Hallcrest Vineyards, a place where he was known to have participated in an event for the Democratic Party.

Almquist denied charges of bias, noting he was equally attentive to the concerns of all parties involved.

But the problem of inappropriate communications between county supervisors and members of the Planning Department was not limited to the one incident, Camacho said.

He cited more than 3,000 pages of e-mails and memos that passed between supervisors and planners during a recent 18-month period — communication in which supervisors could potentially express an inappropriate bias, Camacho said.

Beyond the Felton winery, how-

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ever, Camacho would not detail specific incidents in which supervisors may have overstepped their bounds.

Jurors also refused to comment on whether the practice was prevalent in other county departments.

Planning Department Director Alvin James suggested the jury's allegations about his department may stem from frustrations about the bulk of land-use laws that county residents are forced to navigate.

"Our process, I admit, is very complex," James said, and implementing change or getting a new project approved can be a cumbersome, time-consuming process.

As to whether the involvement of county supervisors in that process was inappropriate, James was less decisive.

"Do they influence us? Yes," he said. "Do they unduly influence us? It depends on who you talk to."

In addition to the allegations of interference by county supervisors, the grand jury report alleges obstruction within the Planning Department.

"The planning and code-compliance staff, below the level of Planning Director, attempted to carry out their responsibilities and enforce the code. They were directed to do otherwise by their

superiors," the report states.

James said this would be the case under extraordinary circumstances.

An example is Hallcrest Vineyards.

Complaints from neighbors that the winery was not adhering to its 1976 use permit prompted planners in 1997 to issue the vineyard a "red tag," an official notice of an alleged violation.

A number of infractions were cited by the county. Among them were boosting production beyond allowable limits, as well as cursory problems like improper signs and hosting visitors at non-permitted times, according to the Planning Department.

The problem, the grand jury report says, began when county planners didn't follow up on the red tag and enforce all of the regulations that the winery presumably had violated.

James said the county was slow to follow through because the winery's use permit, dating back more than 25 years, was too vague to enforce. The winery, if it fought the county's charges, might be able to continue practices that the neighbors objected to, James said.

Almquist worked with the parties to reach a compromise, as did James.

"I specifically asked our staff to go slow," he said.

Grand jurors, however, note the issue remains unresolved. They call the length of time that the winery's alleged violations have continued "ridiculous."

Supervisors are required by law to respond to all charges in the report within 60 days. The Planning Department must respond within 90 days.

The report calls for an ordinance that would strictly regulate correspondence between supervisors and planners.

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