

ORDINANCE NO. 5176
ORDINANCE ADDING NEW CHAPTER 7.126 RELATING
TO THE CULTIVATION OF MEDICAL CANNABIS

The Board of Supervisors of Santa Cruz County hereby finds and declares the following:

WHEREAS, in 1992 the voters of the County of Santa Cruz enacted Measure "A", adding Chapter 7.122 to the Santa Cruz County Code which declared support for making cannabis available for medical use; and

WHEREAS, in 1996, the voters of the State of California approved Proposition 215 (codified as California Health and Safety Code section 11362.5, and entitled "The Compassionate Use Act of 1996").

WHEREAS, the intent of Proposition 215 was to enable persons who are in need of cannabis for medical purposes to use it without fear of criminal prosecution under limited, specified circumstances. The proposition further provides that "nothing in this section shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of cannabis for non-medical purposes." The ballot arguments supporting Proposition 215 expressly acknowledged that "Proposition 215 does not allow unlimited quantities of cannabis to be grown anywhere"; and

WHEREAS, the Board of Supervisors added Chapter 7.124 to the Santa Cruz County Code which implemented provisions of Proposition 215 by establishing a medical cannabis identification card program operated by the County; and

WHEREAS, in 2004, the Legislature enacted Senate Bill 420 (codified as California Health and Safety Code sections 11362.7 et seq.) to clarify the scope of Proposition 215, and to provide qualifying patients and primary caregivers who collectively or cooperatively cultivate cannabis for medical purposes with a limited defense to certain specified State criminal statutes; and

WHEREAS, Health and Safety Code section 11362.83 expressly allows cities and counties to adopt and enforce ordinances that are consistent with Senate Bill 420; and

WHEREAS, following enactment of Senate Bill 420, Chapter 7.124 was amended to establish local guidelines consistent with the new State law for the possession and cultivation of medical cannabis used by qualified patients and caregivers; and

WHEREAS, the Federal Controlled Substances Act, 21 U.S.C. §§ 801 et seq., classifies cannabis as a Schedule I Drug, which is defined as a drug or other substance that has a high potential for abuse, that has no currently accepted medical use in treatment in the United States, and that has not been accepted as safe for use under medical supervision. The Federal Controlled Substances Act makes it unlawful, under federal law, for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense, cannabis. The Federal Controlled Substances Act contains no exemption for the cultivation, manufacture, distribution, dispensation, or possession of cannabis for medical purposes; and

WHEREAS, the county's unique geographic and climatic conditions, which includes dense forested areas receiving substantial precipitation, are favorable to cannabis cultivation; and

WHEREAS, Proposition 215 and Senate Bill 420 primarily address the criminal law, providing qualifying patients and primary caregivers with limited immunity from state criminal prosecution under certain identified statutes. Proposition 215, Senate Bill 420, the relevant provisions of the Santa Cruz County Code, the Attorney General's August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use adopted pursuant to Senate Bill 420, do not provide comprehensive civil regulation of premises used for cannabis cultivation. The unregulated cultivation of cannabis in the unincorporated area of Santa Cruz County can adversely affect the health, safety, and well-being of the county and its residents. Comprehensive civil regulation of premises used for cannabis cultivation is proper and necessary to avoid the risks of criminal activity, degradation of the natural environment, obnoxious smells, and indoor electrical fire hazards that may result from unregulated cannabis cultivation, and that are especially significant if the amount of cannabis cultivated at a location is not regulated and substantial amounts of cannabis are thereby allowed to be concentrated in one place; and

WHEREAS, on May 6, 2013, the California Supreme Court unanimously ruled in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc. ("Inland Empire")*, that California's medical cannabis laws do not preempt local ordinances that ban medical cannabis facilities. The Court found that the local police power derived from Article XI, section 7, of the California Constitution includes broad authority to determine, for purposes of public health, safety, and welfare, the appropriate uses of land within a local jurisdiction's borders, and that "[n]othing in the CUA or the MMP expressly or impliedly limits the inherent authority of a local jurisdiction, by its own ordinances, to regulate the use of its land, including the authority to provide that facilities for the distribution of medical cannabis will not be permitted operate within its borders"; and

WHEREAS; on December 10, 2013, the Board of Supervisors adopted an ordinance deleting then reenacting Chapter 7.124 of the Santa Cruz County Code, which prohibited medical cannabis businesses, but also granted a limited immunity from enforcement for such businesses that did not violate the restrictions and limitations added by that Chapter; and WHEREAS, cultivation of any amount of cannabis at locations or premises within six hundred feet of a school or public park, creates unique risks that the cannabis plants may be observed by juveniles, and therefore be especially vulnerable to theft or recreational consumption by juveniles. Further, the potential for criminal activities associated with cannabis cultivation in such locations poses heightened risks that juveniles will be involved or endangered. Therefore, cultivation of any amount of cannabis in such locations or premises is especially hazardous to public safety and welfare, and to the protection of children and the person(s) cultivating the cannabis plants; and

WHEREAS, as recognized by the Attorney General's August 2008 Guidelines for the Security and Non-Diversion of cannabis grown for medical use, the cultivation or other concentration of cannabis in any location or premises without adequate security increases the risk that surrounding homes or businesses may be negatively impacted by nuisance activity such as loitering or crime; and

WHEREAS, it is the purpose and intent of this chapter to implement State law by providing a means for regulating the cultivation of medical cannabis in a manner that is

consistent with State law and which balances the needs of medical patients and their caregivers and promotes the health, safety, and welfare of the residents and businesses within the unincorporated territory of Santa Cruz County. The intent and purpose of this chapter is to establish reasonable regulations upon the manner in which cannabis may be cultivated, including restrictions on the amount of cannabis that may be individually, collectively, or cooperatively cultivated in any location or premises, *in* order to protect the public health, safety, and welfare in Santa Cruz County; and

WHEREAS, the limited right of qualified patients and their primary caregivers under state law to cultivate cannabis plants for medical purposes does not confer the right to create or maintain a public nuisance. By adopting the regulations contained in this chapter, Santa Cruz County will achieve a significant reduction in the aforementioned harms caused or threatened by the unregulated cultivation of cannabis in the unincorporated area of the County; and

WHEREAS, nothing in this ordinance shall be construed to allow the use of cannabis for non-medical purposes, or allow any activity relating to the cultivation, distribution, or consumption of cannabis that is otherwise illegal under State or federal law. No provision of this chapter shall be deemed a defense or immunity to any action brought against any person by the Santa Cruz County District Attorney, the Attorney General of the State of California, or the United States of America.

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

SECTION I

The Santa Cruz County Code is hereby amended adding new Chapter 7.126 to read as follows:
Sections:

Chapter 7.126 Medical Cannabis Cultivation

7;126.010 Purpose

7.126.020 Definitions

7.126.030 Prohibited business activities

7.126.040. Limited immunity for medical cannabis cultivation business.

7.126.050 No vested or nonconforming rights.

7.126.060 Limited severability

7.126.070 Enforcement.

7.126.080 No Duty to Enforce.

7.126.010. The purpose of this Chapter is to prohibit medical cannabis cultivation while granting limited inununity from the enforcement of its prohibition to those medical cannabis cultivation activities that do not violate the restrictions and limitations set forth in this Chapter.

It is also the purpose of this Chapter to mitigate the negative impacts and secondary effects associated with ongoing medical cannabis cultivation activity including, but not limited

to, demands placed on law enforcement and administrative resources; neighborhood disruption; the exposure of children to medical cannabis; robberies; burglaries; assaults; drug trafficking and other violent crimes; and the damage to the natural environment resulting from destructive

cultivation activity. This Chapter is not intended to conflict with federal or State law. It is the intention of the County that this Chapter be interpreted to be compatible with federal and State enactments and in furtherance of the public purposes that those enactments encompass.

7.126.020 Definitions. As used in this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- (A) "Building" means any structure having a roof supported by columns or walls, for the housing, shelter or enclosure of persons, animals, chattels, or property of any kind.
- (B) "Cultivation" or "Cultivate" means the planting, growing, harvesting, drying, processing or storage of one or more cannabis plants or any part thereof in any location, indoor or outdoor, including within a fully enclosed and secure building.
- (C) "Enforcing Officer" means the Planning Director or any other peace officer, public official or employee duly authorized to enforce against violations of the County Code.
- (D) "Fence" means a wall or barrier connected by boards, masonry, rails, panels or any other materials for the purpose of enclosing space or separating parcels of land. For purposes of this Chapter, the term "Fence" does not include tarpaulins, scrap material, bushes or hedgerows.
- (E) "Garden canopy" means the net vegetative growth area measured by the combined diameters of individual cannabis plants.
- (F) "Hazardous Materials" means any substance that is "flammable, reactive, corrosive or toxic", as further defined in California Health and Safety Code Sections 25501 and 25503.5, as may be amended.
- (G) "Location" or "Parcel" means that unit of land assigned a unique Assessor's Parcel Number by the County Assessor, whether vacant or occupied by a building, group of buildings, or accessory buildings, and includes the buildings, structures, yards, open spaces, lot width, and lot area. Where contiguous legal parcels are under common ownership, such contiguous legal parcels shall be counted as a single "location" or "parcel" for purposes of this Chapter.
- (H) "Manager" means any person to whom a medical cannabis business has delegated discretionary powers to organize, direct, carry on or control its operations. Authority to control one or more of the following functions shall be prima facie evidence that such a person is a manager of the business: (1) to hire, select, direct, schedule or assign employees or staff, including volunteers; (2) to acquire facilities furniture, equipment or supplies other than the occasional replenishment of stock; (3) to disburse funds of the business other than for the receipt of regularly replaced items of stock; or (4) to make, or participate in making, policy decisions relative to operations of the business.
- (I) "Cannabis" shall be construed as the term marijuana is defined in California Health and Safety Code Section 11018 and further shall specifically include any product that contains cannabis or a derivative of cannabis.
- (J) "Cannabis plant" means any mature or immature cannabis plant, or any cannabis seedling, unless otherwise specifically provided herein.

(K) "Medical cannabis cultivation business" means any location where cannabis is started, planted, cultivated, harvested, dried or processed. Medical cannabis cultivation business shall not include:

(1) A qualified medical cannabis patient or person holding a valid identification card, or their designated primary caregiver, cultivating medical cannabis solely for the patient's personal use on a parcel that includes the residence of the patient or caregiver. The amount of cannabis grown shall not exceed one hundred (100) square feet of total garden canopy, as measured by the combined vegetative growth area and shall be subject to the following limitations:

(a) If the parcel is located within that area defined by section 2.04.030 of the Santa Cruz County Code, outdoor cultivation of cannabis is prohibited. If the parcel is located outside of that area defined by section 2.04.030 of the Santa Cruz County Code, evidence of cultivation taking place outdoors shall not be visible from any public right-of-way; and

(b) If cultivation takes place within a residence or a structure other than a residence: (i) lighting for cultivation purposes shall not exceed 1200 watts unless a written certification is first obtained from a licensed electrician that the cultivation site has all necessary electrical permits required by the California Building Codes to ensure that the growing operations can be carried out safely; (ii) the use of flammable products such as butane or alcohol for cultivation or processing purposes are prohibited; and (iii) exterior evidence of cultivation is prohibited.

(2) A cultivation site granted an exemption by the Planning Director pursuant to Santa Cruz County Code section 13.10.670 (g) as enacted by Ordinance #5090, so long as the area subject to cultivation is not expanded or enlarged beyond what existed at that location on January 1, 2012.

(L) "Outdoor" or "Outdoors" means any location that is not "indoors" within a fully enclosed and secure structure as defined herein.

(M) "Park" means any playground, hiking or riding trail, recreational area, beach, community center or building, historic structure or facility, owned, managed or controlled by any public entity.

(N) "Residence" means a fully enclosed structure, including any attached garage or ancillary structure, used as the primary dwelling unit of a "Person with an identification card" "Primary caregiver"; or "Qualified patient".

(O) "School" means any licensed preschool or any public or private school providing instruction in kindergarten or grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes.

(P) "Structure" means anything constructed or erected which is supported directly or indirectly on the earth, but not including any vehicle.

(Q) "Third-Party Standards and Certification Program" means a form of certification in which a medical cannabis cultivator's claim of conformity with growing and processing

standards is validated by a technically competent body other than one controlled by the cultivator. A third-party standards and certification program shall include, at a minimum, the following elements:

- (1) monitor compliance with state and local regulations including: (a) zoning, water quality, and building code requirements; (b) grading and riparian regulations; and (c) timber management practices;
- (2) certify that the medical cannabis cultivation business either owns or has the consent of the owner(s) to carry out cultivation activities on the property;
- (3) monitor the safety of products used in the cultivation process;
- (4) certify that the cannabis produced does not contain unacceptable levels of contaminants;
- (5) certify compliance with all labor laws and monitor worker safety practices;
- (6) certify adequate security plan.
- (7) a conflict of interest element containing the following requirements:
 - (a) Not certifying a cannabis production or handling operation if the certifying agent or a responsibly connected party of such certifying agent has or has held a commercial interest in the production or handling operation, including an immediate family interest or the provision of consulting services, within the 12-month period prior to the application for certification;
 - (b) Excluding any person, including contractors, with conflicts of interest from work, discussions, and decisions in all stages of the certification process and the monitoring of certified production or handling operations for all entities in which such person has or has held a commercial interest, including an immediate family interest or the provision of consulting services, within the 12-month period prior to the application for certification;
 - (c) Not permitting any employee, inspector, contractor, or other personnel to accept payment, gifts, or favors of any kind, other than prescribed fees, from any business inspected; and
 - (d) Requiring all persons who review applications for certification, perform on-site inspections, review certification documents, evaluate qualifications for certification, make recommendations concerning certification, or make certification decisions and all parties responsibly connected to the certifying-agent to complete an annual conflict of interest disclosure report.

(R) "Vehicle" means a device by which any person or property may be propelled, moved, or drawn upon a street, sidewalk or waterway, including but not limited to a device moved exclusively by human power.

(S) The following words or phrases when used in this Section shall be construed as defined in California Health and Safety Code Sections 1746, 11362.5, 11362.7, and 11834.02: "Alcoholism or drug abuse recovery or treatment facility"; "Hospice"; "Identification card"; "Person with an identification card"; "Primary caregiver"; and "Qualified patient".

7.126.030 Prohibited business activities.

(A) It is unlawful and shall constitute a public nuisance for any medical cannabis cultivation business to cultivate cannabis.

(B) The prohibition in Subsection (A), above, includes renting, leasing, or otherwise permitting a medical cannabis cultivation business to occupy or use a location.

7.126.040 Limited immunity for medical cannabis cultivation business.

Notwithstanding the activities prohibited by Section 7.126.030, and notwithstanding that a medical cannabis cultivation business is not and shall not become a permitted use or activity in the County for so long as this Chapter remains in effect, a medical cannabis cultivation business shall not be subject to the enforcement remedies set forth in the Santa Cruz County Code solely on the basis of: (1) an activity prohibited by Section 7.126.030; and (2) the fact that medical cannabis cultivation business is not a permitted use or activity in the County, provided however that, as authorized by California Health and Safety Code Section 11362.83, this limited immunity is available and may be asserted as an affirmative defense only so long as: (a) subsections (A) through (G) of this Section 7.126.040 remain in effect in their entirety; and (b) only if that medical cannabis cultivation business does not violate any of the following:

(A) Every medical cannabis cultivation business is prohibited that is not collectively or cooperatively cultivating cannabis for medicine: (1) for use among its members or (2) to provide medicine to a Santa Cruz County medical cannabis business as defined in and operating under Santa Cruz County Code Chapter 7.124;

(B) Every medical cannabis cultivation business is prohibited that does not operate in a manner that ensures the security of the crop and safeguards against diversion for non-medical purposes;

(C) Every medical cannabis cultivation business is prohibited that employs or otherwise allows a person twenty-one (21) years of age or younger unaccompanied by a parent or legal guardian to enter its premises;

(D) Every medical cannabis cultivation business is prohibited where cannabis is visible from any public right-of-way;

(E) Every medical cannabis cultivation business is prohibited that illuminates any portion of its premises between the hours of 6:00 p.m. and 9:00 a.m. by lighting that is visible from the exterior of the premises, except such lighting as is reasonably utilized for the security of the premises;

(F) Every medical cannabis cultivation business is prohibited unless it is outside of the urban area defined by both the Urban Services Line and Rural Services Line, located in a zone district designated as SU (Special Use), TP (Timber Production), CA (Commercial Agriculture), A (Agriculture), AP (Agriculture Preserve) or RA (Residential Agriculture) by the Santa Cruz County Zoning Ordinance;

(G) Every medical cannabis cultivation business is prohibited that prints, publishes, advertises or disseminates in any way or means of communication, or causes to be printed, published, advertised or disseminated in any way or means of communication, including, but not limited to the use of the internet, any notice or advertisement with respect to either seeking or

offering the availability of space to cultivate cannabis, regardless of whether the space is within a structure or outdoors;

(H) Every medical cannabis cultivation business is prohibited that is located within: (1) six hundred (600) feet from a school; or (2) six hundred (600) feet from a park. The distance specified in this paragraph shall be the horizontal distance measured in a straight line from the property line of the school or park, to the closest property line of the lot on which the medical cannabis cultivation business is located without regard to intervening structures;

(I) Every medical cannabis cultivation business is prohibited that fails to maintain the following information and thereafter make said information immediately available upon the request of any law enforcement officer or enforcing officer: (1) the name of the person or business to which the cannabis is supplied; (2) the address of the location to which the cannabis is supplied; (3) written documentation from the owner of the property where the cannabis cultivation takes place that he or she has agreed to the use of the site for cultivation of specialty crops; and (4) if the cannabis is being cultivated indoors, a written certification from a licensed electrician that the cultivation location has all necessary electrical permits required by the California Building Codes to ensure that the growing operations can be carried out safely.

(J) Every medical cannabis cultivation business is prohibited that allows the transfer or delivery of cannabis except to a Santa Cruz County medical cannabis business as defined in and operating under Santa Cruz County Code Chapter 7.124. Except as otherwise provided by this subdivision, the distribution, delivery, dispensing, or sale of cannabis by a medical cannabis cultivation business is prohibited;

(K) Every medical cannabis cultivation business is prohibited if:

- (1) It is located on a parcel less than one acre in size;
- (2) It is located on a parcel zoned RA (Residential Agriculture) which is less than five acres in size;
- (3) It is located on any parcel within that area defined by section 2.04.030 of the Santa Cruz County Code which is less than five acres in size;
- (4) The location contains more than ninety-nine (99) cannabis plants; or
- (5) If the total garden canopy for any parcel exceeds the following limits:
 - (a) For a parcel of one acre but less than five acres in size: one thousand (1,000) square feet of garden canopy with all cannabis plants set back at least one hundred (100) feet from any habitable structure located on an adjacent parcel;
 - (b) For a parcel greater than five acres but less than ten acres in size: two thousand (2,000) square feet of garden canopy with all cannabis plants set back at least two hundred (200) feet from any habitable structure located on an adjacent parcel;
 - (c) For a parcel greater than ten acres in size: three thousand (3,000) square feet of garden canopy with all cannabis plants set back at least three hundred (300) feet from any habitable structure located on an adjacent parcel.

(L) The cultivation of cannabis outdoors by a medical cannabis cultivation business is prohibited unless the area cultivated is fully enclosed by an opaque fence at least six (6) feet in height. The fence must be adequately secured by a locked gate to prevent unauthorized entry. Evidence of cultivation shall not be visible from a public right-of-way;

(M) No person owning, leasing, occupying, or having charge or possession of any parcel

within the county shall cause, allow, suffer, or permit such premises to be used for the outdoor or indoor cultivation of cannabis plants in violation of this Chapter;

(N) The cultivation of cannabis shall be carried out in compliance with all requirements of Title 16 (entitled "Environmental and Resource Protection") of the Santa Cruz County Code and those applicable provisions of Title 7 (entitled "Health and Safety") of the Santa Cruz County Code relating to water used in the commercial cultivation of cannabis including, but not limited to Chapter 7.69 entitled "Water Conservation"; Chapter 7.70 entitled "Water Wells"; Chapter 7.71 entitled "Water Systems"; and Chapter 7.73 entitled "Individual Water Wells."

(O) A medical cannabis cultivation business shall only operate if it is subject to a third-party standards and certification program.

The limited immunity provided by this Section shall not be available to and shall not be asserted as an affirmative defense to any violation of law except as expressly set forth in this Chapter. Further, nothing contained in this limited immunity is intended to provide or shall be asserted as a defense to a claim for violation of law brought by any county, State, or federal governmental authority. Finally, the limited immunity provided by this Section shall be available and may be asserted only so long as each and every provision and clause of subsections (A) through (O) and of this Section 7.126.040 remain valid, effective and operative.

7.126.050 No vested or nonconforming rights.

(A) This Chapter prohibits medical cannabis cultivation businesses. Neither this Chapter, nor any other provision of this Code or action, failure to act, statement, representation, certificate, approval, or permit issued by the county or its departments, or their respective representatives, agents, employees, attorneys or assigns, shall create, confer, or convey any vested or nonconforming right or benefit regarding any medical cannabis cultivation business. Any immunity or benefit conferred by this Chapter shall expire permanently and in full upon repeal of this Chapter.

(B) All existing medical cannabis cultivation businesses must immediately cease operation; except that any medical cannabis cultivation business that that does not violate any of the medical cannabis cultivation business prohibitions described in Section 7.126.040, Limited Immunity, may continue to operate but only so long as subsections (A) through (O) of Section 7.126.040 remain valid, effective and operative.

7.126.060 Limited severability.

(A) If any provision or clause of Sections 7.126.040 and/or 7.126.070 of this Chapter are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall invalidate every other provision, clause and application of the invalidated Section, and to this end the provisions and clauses of Section 7.126.040 and 7.126.070 of this Chapter are declared to be inseverable.

(B) Except for the inseverability of the provisions, clauses and applications of Sections 7.126.040 and/or 7.126.070 on the terms set forth hereinabove, if any other provision or clause of this Chapter is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect those provisions, clauses or applications of this

Chapter which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this Chapter other than Sections 7. 126.040 and/or 7.126.070 are declared to be severable.

7.126.070 Enforcement.

(A) Enforcement of this Chapter may be pursued by one or more of those alternatives set forth in subsection (A) of County Code section 19.01.030. It shall be a separate offense for each and every day during any portion of which any violation of, or failure to comply with, any provision of this Chapter is committed, continued or permitted.

(B) Whenever the Enforcing Officer determines that a public nuisance as defined in this Chapter exists at any location within the unincorporated area of Santa Cruz County, he or she is authorized to issue a Notice of Violation pursuant to County Code section 1. 12.070, except that the violator shall be provided with notice of the opportunity to remedy the violation within seven (7) calendar days without civil penalties. .

(C) In the event a court of competent jurisdiction preliminarily or permanently enjoins, or holds to be unconstitutional or otherwise invalid, any enforcement remedy provided for in this Section, then the remainder of the enforcement remedies provided for by this Section shall remain in full force and effect.

7.126.080 No Duty to Enforce

Nothing in this Chapter shall be construed as imposing on the Enforcing Officer or the County of Santa Cruz any duty to issue a notice of violation, nor to abate any unlawful cannabis business activity or cultivation, nor to take any other action with regard to any unlawful cannabis business activity or cultivation, and neither the Enforcing Officer nor the county shall be held liable for failure to issue an order to abate any unlawful cannabis business activity or cultivation, nor for failure to abate any unlawful cannabis business activity or cultivation, nor for failure to take any other action with regard to any unlawful cannabis business activity or cultivation.

SECTION II

This ordinance shall take effect on the 31st day after the date of final passage.

PASSED AND ADOPTED this 25th day of February , 2014, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: Leopold, McPherson, Coonerty, Caput and Friend

NOS: None

ABSENT: None

ABSTAIN: None

ZACH FRIEND

Chairperson of the
Board of Supervisors

Attest: **TESS FITZGERALD**

-Clerk of the Board
cc: County Administrative Office
Planning Director

I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT
IS CORRECT COPY OF THE ORIGINAL ON A J. N. . JHE
OFFICE ATTEST MY HAND AND SEAL THIS – 25th Day of Feruary 2014
SUSAN A. MAURIELLO, C It-ITY ADMINISTRATIVE OFFICER
AND EX-OFFICIO CLERK OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF S TA CRUZ, CALIFORNIA.