

October 7, 2008

**THIRD REQUEST TO AMEND ORDINANCES
PLEASE PUT ON AGENDA IMMEDIATELY
SECOND REQUEST TO AMEND ORDINANCES**

September 23, 2008

Attn: Board of Supervisors

Please put on the September 30, 2008, Board of Supervisors Regular Agenda, **Ordinance 1.04.080 section E.1.** and **Ordinance 1.05.050** for review and discussion with the public. It is necessary to correct the misleading and incorrect time limits being ignored by the County that disadvantages citizens and remain in conflict with higher general Federal and State laws.

Kindly respect published *Travis v. County of Santa Cruz* where Travis prevailed with the Appellate Court ruling that **California Civil Code of Procedure 338** allows three years to commence legal action, the **State Statute of Limitations** allows four years for contracts, **Federal Civil Rights statutes** Title 24, Chapter 21, Subchapter I, Sec. 1983 and Sec. 1985 (3) allow two years for civil rights violations, and **Government Code 911.6** allows for excusable neglect, inadvertence and mistake. Your 90 day and 6 -12 month limitations in these outdated ordinances are unlawful. In addition, the **California State Constitution** Article IV sec. 16 requires: (a) All laws of a general nature have uniform operation, (b) A local or special statute is invalid in any case if a general statute can be made applicable. Further, in *Leslie v. Superior Court* the court ruled that counties cannot contradict where preemptive State general laws exist. Contradiction is your practice, in my opinion. My request to amend is now on the record twice. Please amend accordingly on September 30, 2008.

Reverend Oracle

Reverend Oracle
P. O. Box 969
Aptos, CA 95001

September 9, 2008

Board of Supervisors
701 Ocean St., 5th Floor
Santa Cruz, CA 95060

**Re: Ordinance 1.04.080 section E. 1 - Time Limitation for Commencement of Court Proceeding
and Ordinance 1.05.050 - Time Limitation**

This letter hereby requests the above Ordinances be placed on the Board of Supervisors Agenda within approximately two weeks for amendment.

A discussion is required to review precedent court rulings and preemptive State law that supports that the State Statute of Limitations takes priority here. The Supervisors must replace the wording in these ordinances to, "State Statute of Limitations" time allowances, as **the County does not have legal standing to shorten** State Statute of Limitations.

The Supervisors, Planning Department and County Counsel are overdue in amending these ordinances.

For liberty and protection of rights,

Reverend Oracle

Attach: Ordinance 1.04.080 and Ordinance 1.05.050 (supplied 9.9.08)