

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

October 14, 2003

**BETTERAVIA GOVERNMENT CENTER
BOARD HEARING ROOM
511 EAST LAKESIDE PARKWAY, SANTA MARIA**

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, Redevelopment Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: www.countyofsb.org

7:50 A.M. Convened and Recessed to Closed Session

9:00 A.M. Reconvened to Regular Session

Roll Call

Present: Supervisor Schwartz, Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Centeno

Invocation: John McMillin, General Services

Report from Closed Session

By a vote of 5-0, the Board directed County Counsel to place an agenda item, setting the Appeal of Lambert Driveway Permit for hearing by the Board of Supervisors.

Details of this announcement may be obtained in the Office of County Counsel.

Approval of Minutes of the October 7, 2003 meeting

A motion was made by Supervisor Gray, seconded by Supervisor Marshall, to Approve the Minutes. The motion carried by the following vote:

Ayes: 4 - Supervisor Schwartz, Supervisor Marshall, Supervisor Gray and Supervisor Centeno
Abstentions: 1 - Supervisor Rose

Administrative Agenda

Resolutions to be Presented at 9:00 AM

A-1) SUPERVISOR CENTENO [File Reference No. 03-00938](#)

Adopt a Resolution of Commendation for Dr. John Karamitsos and Central Coast Center for Women's Health for dedicated service to the Santa Barbara County Public Health Department.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Adopted

RESOLUTION NO. 03-307

The motion carried unanimously.

A-2) SUPERVISOR GRAY [File Reference No. 03-00990](#)

Adopt a resolution proclaiming October 10 through October 18, 2003 as Peace Week.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Adopted

RESOLUTION NO. 03-308

The motion carried unanimously.

A-3) SUPERVISOR ROSE [File Reference No. 03-00981](#)

Adopt a resolution proclaiming October 2003 as Salmon and Steelhead Awareness Month in the County of Santa Barbara.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Adopted

RESOLUTION NO. 03-309

The motion carried unanimously.

A-4) SUPERVISOR GRAY [File Reference No. 03-00972](#)

Adopt a resolution honoring World War II Veterans of the 3rd Medical Battalion, 3rd Infantry Division, United States Army on the Occasion of their Annual Reunion.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Adopted

RESOLUTION NO. 03-310

The motion carried unanimously.

Honorary Resolutions

A-5) SUPERVISOR GRAY [File Reference No. 03-00979](#)

Adopt a Resolution of Commendation for Robert L. Helgesen, Public Defender, upon his retirement after 32 years of service to the County of Santa Barbara.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Adopted

RESOLUTION NO. 03-311

The motion carried unanimously.

Administrative Items

- A-6) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT and BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 03-00980](#)

Approve and authorize the Chair to execute the Joint Funding Agreement with the United States Geological Survey (USGS) to continue the cooperative streamgaging program from November 1, 2003 to October 31, 2004 at a cost to the Flood Control District of \$70,125 and to the Water Agency of \$182,085 for a total cost of \$252,210.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Approved; Chair to Execute. The motion carried unanimously.

- A-7) BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT [File Reference No. 03-00987](#)

Approve and execute Amendment No. 1 to the contract with Oliver, Barr, Sandifer, Murphy & Lee (BC No. 01267) in the amount of \$40,000 for legal services pertaining to eminent domain action for the acquisition of right-of-way for TDS Reduction and Recycled Water project for a total contract amount not to exceed \$115,000, Fourth and Fifth Districts.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Approved; Chair to Execute. The motion carried unanimously.

- A-8) BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT [File Reference No. 03-00988](#)

Approve and authorize the Chair to execute Contract Change Order No. 13 to the contract (BC 02029) with Cushman Contracting Corporation (a local vender) in the amount of \$38,875 for the Total Dissolved Solids (TDS) and Recycled Water project (BRINEX-860031) to provide for mechanical, electrical, and control modifications for a total contract in the amount of \$9,465,378, Fourth and Fifth Districts.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Approved; Chair to Execute. The motion carried unanimously.

- A-9) BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT [File Reference No. 03-00989](#)

Accept the Easement Deed and authorize the Clerk of the Board to execute the Certificate of Acceptance for the real property conveyed to the Laguna County Sanitation District by Darren and Laura C. Huebner (APN 105-010-029) for the Dutard-Solomon Trunk Sewer Line (DURSOL), Fourth and Fifth Districts.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Accepted. The motion carried unanimously.

- A-10) BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 03-00982](#)

Concur with a grant application to the California Coastal Conservancy to provide funds to the County Water Agency for planning, design and permitting of a select number of fish passage improvement projects on the South Coast of Santa Barbara County, in the amount of \$453,000, First, Second and Third Districts.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.

A-11) BOARD OF DIRECTORS, WATER AGENCY[File Reference No. 03-00983](#)

Consider recommendations regarding the Cloud Seeding Program for 2003-04, as follows:

a) Concur with the Planning and Development Department's finding that CEQA Section 15164 is applicable to 00-ND-29 and that this document is adequate to meet the requirements of CEQA for the Santa Barbara County-Twitchell Reservoir Cloud Seeding Program;

b) Approve the 2003-2004 cloud seeding program and authorize the Chair to execute the agreement with North American Weather Consultants, Inc., (not a local vendor) for cloud seeding for the period of October 14, 2003 through June 30, 2004 unless earlier terminated, in an amount not to exceed \$242,260.00;

c) Approve and authorize the Chair to execute the Extension and Renewal of Lease Agreements with property owners for ground based cloud seeding activities for the period of November 1, 2003 through October 31, 2004, as follows:

Joseph M. Graham, et al, in the amount of \$600;

Clear Channel Santa Barbara, in the amount of \$600;

Young America's Foundation, in the amount of \$1,200;

Earl J. Dolcini, in the amount of \$900;

Goleta Water District (Corona Del Mar facility) at no charge.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Acted on as follows:

a) Approved.

b) and c) Approved; Chair to execute.

The motion carried unanimously.

A-12) FIRE[File Reference No. 03-00976](#)

Adopt a Resolution authorizing the Office of Emergency Services Manager to execute a Grant Agreement with the California Office of Spill Prevention and Response to revise the County's Oil Spill Contingency Plan and continued participation in the Area Contingency Planning process as required by the terms of the Grant for the period of January 1, 2004 to December 31, 2004, in the amount of \$5,000.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Adopted

RESOLUTION NO. 03-312

The motion carried unanimously.

A-13) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 03-00978](#)

Adopt a resolution, effective October 13, 2003, as follows:

RECLASSIFICATION - AUDITOR-CONTROLLER (#0410)

FROM: .6 Accountant Auditor I/II/III (Classes 0020/0021/0022), Ranges 5270/5430/5620 (\$2016-\$2461/\$2,184-\$2,666/\$2,401-\$2,931 per month)

TO: .75 Cost Analyst I/II (Classes 1878/1879), Ranges 5720/5920 (\$2,944-\$3,595/\$3,253-\$3,971 per month).

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Adopted

RESOLUTION NO. 03-313

The motion carried unanimously.

A-14) PLANNING AND DEVELOPMENT

[File Reference No. 03-00977](#)

Set date to consider the request of Brent Daniels, agent for Kenneth J. Ruiz, for an Agricultural Preserve Replacement Contract (Case No. 02AGP-00000-00033) addressed as 5142 #B Foothill Road (APN 155-180-057), Carpinteria Area, First District. (SET DATE ON ADMINISTRATIVE AGENDA FOR NOVEMBER 25, 2003)

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Set on the Administrative Agenda, as follows: November 25, 2003 The motion carried unanimously.

A-15) PLANNING AND DEVELOPMENT

[File Reference No. 03-00992](#)

Adopt a Personnel Resolution, effective October 13, 2003, as follows:

DELETE:

.75 FTE Accountant III (Class 0016) Range 5620 (\$4,001-4,885);
.75 FTE Business Manager II (Class 1361) Range 6090 (\$5,058-6,175);
.60 FTE Accounting Assistant II (Class 0061) Range 4300 (\$2,071-2,529);

ADD:

.80 FTE Business Manager II (Class 1361) Range 6090 (\$5,058-6,175);
1.0 FTE Accounting Assistant II (Class 0061) Range 4300 (\$2,071-2,529).

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Adopted

RESOLUTION NO. 03-314

The motion carried unanimously.

A-16) PUBLIC WORKS

[File Reference No. 03-00985](#)

Adopt a Resolution approving the proposed Five Year Countywide Integrated Waste Management Plan (CIWMP) Review Report.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Adopted

RESOLUTION NO. 03-315

The motion carried unanimously.

Board of Supervisors

A-17) SUPERVISOR GRAY [File Reference No. 03-00984](#)

Approve the appointment of Kathy Gallagher to the Santa Barbara Regional Health Authority Board of Directors as Santa Barbara County Representative.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.

Hearing Requests

A-18) AUDITOR-CONTROLLER [File Reference No. 03-00975](#)

Consider recommendations regarding Proposition 4/111 Appropriations Limits, as follows:

- a) Accept the KPMG LLP Independent Auditors' Report for Appropriations Limitation Verification for the year ended June 30, 2003;
- b) Accept the report of the Proposition 4/111 Appropriation Limits (GANN Initiative) as shown in Exhibits I through IV;
- c) Set October 28, 2003 as the date to adopt ten resolutions for Fiscal Year 2003-2004 setting appropriation limits for the County of Santa Barbara and the special districts governed by the Board;
- d) Select the change in the per capita personal income as the cost of living factor in determining the fiscal year 2003-2004 limit for Santa Barbara County and the special districts, and ratify selections by recorded vote;
- e) Select the change in population within Santa Barbara County and all contiguous counties as the population factor in determining the Fiscal Year 2003-2004 limit for Santa Barbara County, and the change in population within Santa Barbara County for the special districts, and ratify selections by recorded vote.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Acted on and continued, as follows: a) and b) Accepted.

c) Set hearing for October 28, 2003.

d) and e) Approved. The motion carried unanimously.

A-19) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00991](#)

Set a hearing to appoint one member of the Board of Supervisors as the 2004 Santa Barbara County representative on the CSAC Board of Directors and one member as the alternate representative.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: October 21, 2003 (EST. TIME: 10 MIN.) The motion carried unanimously.

A-20) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00993](#)

Set a hearing to consider the introduction (First Reading) of an ordinance increasing the compensation paid to Assessment Appeals Boards Members as follows:

Eliminate the half-day stipend of \$125;

Increase single day compensation, for non-complex cases from \$200 (current) to \$250;

Establish single day compensation rate for "complex" cases (As defined per Board of Supervisors Resolution No. 02-228) of \$300.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: October 28, 2003 (EST. TIME: 15 MIN.) The motion carried unanimously.

A-21) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 03-00986](#)

Set a hearing to consider the Comprehensive Economic Development Strategy (CEDS), as follows:

- a) Receive report and presentation by Housing and Community Development staff and University of Southern California, Center for Economic Development (USC-CED) on the draft Comprehensive Economic Development Strategy (CEDS);
- b) Receive public comment on draft CEDS;
- c) Approve submission of the final CEDS document by the HCD Director to the Department of Commerce, Economic Development Administration (EDA).

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: November 25, 2003 (EST. TIME: 60 MIN.) The motion carried unanimously.

A-22) SUPERVISOR MARSHALL [File Reference No. 03-00995](#)

Set a hearing to consider awarding a \$25,000 grant from the Santa Ynez Valley Development Fee Trust Fund (Quimby) and re-allocate \$50,000 from the County's Proposition 40 allocation originally dedicated to the City of Solvang's Alamo Pintado Triangle Park for the City of Solvang's Skate Park, Third District.

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: November 25, 2003 (EST. TIME: 30 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, to Approve the Administrative Agenda as Amended. The motion carried unanimously.

[File Reference No. 03-00094](#)

PUBLIC COMMENT

Accepted Public Comment

People desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 92-398) (03-00,094)

RE: Announced the Retirement of Public Defender Robert L. Helgesen after 32 years of dedicated service to the County of Santa Barbara - Fourth District Supervisor Joni Gray addressed the Board.

RE: "World Food Day" - Sister Janet Corcoran addressed the Board.

RE: VeteranTax Issues - William Connell addressed the Board.

RE: County Issues - Floyd Meyer addressed the Board.

RE: Veterans Memorial at Elings Park - John Thorndike addressed the Board.

Departmental Agenda -- Public Hearings1) AUDITOR-CONTROLLER[File Reference No. 03-00930](#)

HEARING - Consider the adoption (Second Reading) of an ordinance amending Chapter 2 of the Santa Barbara County Code by amending Section 2-23.2. requiring that the County Auditor perform a quarterly review and an annual audit of assets in the County Treasury. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Marshall, seconded by Supervisor Centeno, that this matter be Adopted

ORDINANCE NO. 4510

The motion carried unanimously.

2) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT[File Reference No. 03-00858](#)

HEARING - Consider recommendations regarding the West Green Canyon Drainage Improvement Project (03-ND-16), Fifth District, as follows: (EST. TIME: 15 MIN.)

- a) Approve the West Green Canyon Drainage Improvement Project;
- b) Approve the Plans and Specifications for the project;
- c) Approve the Mitigated Negative Declaration (03-ND-16) for the Project pursuant to the California Environmental Quality Act (CEQA) Guidelines;
- d) Authorize the Public Works Director to advertise and receive bids for the project.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Acted on as follows:

Received and filed staff report and conducted public hearing.

a) through c) Approved.

d) Authorized.

The motion carried unanimously.

3) COUNTY EXECUTIVE OFFICE[File Reference No. 03-00815](#)

HEARING - Consider recommendations regarding the proposed annexation of Mahoney Ranch to the City of Santa Maria, Fourth District, as follows: (EST. TIME: 1 HR 30 MIN.)

- a) Approve the detachment of Mahoney Ranch from the Laguna Sanitation District upon annexation to the City of Santa Maria;
- b) Approve the detachment of Mahoney Ranch from the County Fire District upon annexation to the City of Santa Maria;
- c) Approve terms for a negotiated tax exchange agreement for the Mahoney Ranch annexation whereas the City of Santa Maria is allocated 20% and the County General Fund is allocated 12% of negotiable property taxes;
- d) Approve terms for a housing credit transfer wherein the City of Santa Maria and the County equally share (50%/50%) proposed housing allotments on the Mahoney Ranch annexation.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Acted on as follows: Received and filed staff report and conducted public hearing.

a) through d) Approved.

e) Directed staff to ensure that the tax agreement contain a finding that the agreement is a compromise of a disputed question based on unique circumstances and is not regarded as a precedent or model for future annexations and further directed staff to return the concluded agreement for final ratification on a future administrative agenda.

The motion carried unanimously.

Adjourn to October 21, 2003

County Administration Building
Board Hearing Room
105 East Anapamu Street , Fourth Floor
Santa Barbara

Adjourn**Announcements**

THE MEETING OF OCTOBER 14, 2003 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, OCTOBER 16, 2003 AT 5:00 P.M. ON GATV CHANNEL 20.

<http://www.countyofsb.org>