

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

April 15, 2003

**COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 EAST ANAPAMU STREET, SANTA BARBARA**

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: Eileen Monahan, Office of the County Administrator

Report from Closed Session

No reportable action taken.

County Administrator Michael F. Brown announced the following:

Valentin Alexeeff was appointed as Director of the Planning and Development Department. The appointment is at Step "D", and the use of relocation assistance for housing purposes has been authorized.

Approval of Minutes of the April 8, 2003 meeting

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, to Approve the Minutes. The motion carried unanimously.

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR ROSE[File Reference No. 03-00378](#)

Adopt a resolution proclaiming April 2003 as Fair Housing Month in Santa Barbara County.

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

RESOLUTION NO. 03-117

The motion carried unanimously.

A-2) SUPERVISOR SCHWARTZ[File Reference No. 03-00379](#)

Adopt a Resolution of Commendation for Ever-Bloom, Inc. and President, Ed Van Wingerden, upon being awarded an ISO 14001 Certification, the highest voluntary international standard for environmental management.

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

RESOLUTION NO. 03-118

The motion carried unanimously.

Administrative Items

- A-3) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT and BOARD OF SUPERVISORS [File Reference No. 03-00376](#)
- Approve a Resolution Restricting the Use of Real Property on a portion of certain property owned jointly by the Flood Control District and County for the Cold Springs Debris Basin Restricted Use Area (County Project Number SC8306) (Real Property Folio No. YB 3380), and authorize execution thereof by the Chairs of the Boards, First District.
- A motion was made by Supervisor Marshall, seconded by Supervisor Centeno, that this matter be Adopted**
- RESOLUTION NO. 03-119**
- The motion carried unanimously.**
- A-4) BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 03-00385](#)
- Approve Budget Revision requests. (SEE EXHIBIT A WITH POSTED AGENDA)
- A motion was made by Supervisor Marshall, seconded by Supervisor Centeno, that this matter be Approved. The motion carried unanimously.**
- A-5) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00381](#)
- Approve Budget Revision requests. (SEE EXHIBIT A WITH POSTED AGENDA)
- A motion was made by Supervisor Marshall, seconded by Supervisor Centeno, that this matter be Approved. The motion carried unanimously.**
- A-6) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 03-00368](#)
- Consider recommendations regarding a Declaration of Support for the National Housing Trust Fund Campaign, as follows:
- a) Approve the submission of a Declaration of Support endorsing the establishment of the National Housing Trust Fund Campaign;
- b) Authorize the Chair to execute letters to the County's Federal Legislative Delegation urging them to support the Trust Fund.
- A motion was made by Supervisor Marshall, seconded by Supervisor Centeno, that this matter be Acted on as follows:**
- a) **Approved.**
- b) **Authorized; Chair to execute.**
- The motion carried unanimously.**
- A-7) PUBLIC HEALTH [File Reference No. 03-00374](#)
- Approve the continued Local Emergency, Resolution Number 00-193, due to the spread and on-going epidemic of blood-borne viral hepatitis (Hepatitis B and C) and human immunodeficiency virus (HIV) infections among injection drug users and authorize Pacific Pride Foundation as the agent of the County to carry out the Syringe Exchange and Education Program.

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

A-8) PUBLIC HEALTH [File Reference No. 03-00380](#)

Approve and execute a revenue agreement with Rehabilitation Institute at Santa Barbara to provide radiological services for the period July 1, 2002 through June 30, 2004, in an amount of \$145,195.

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

A-9) PUBLIC WORKS [File Reference No. 03-00377](#)

Approve and execute the Real Property Purchase Contract and Escrow Instructions for the acquisition of a permanent easement for sidewalk, roadway and public utility purposes from Kenneth and Christine Pursell for 1015 Camino Pescadero Road (APN 075-211-001) for the Isla Vista Sidewalk Project (County Project Number 310300) (Real Property Folio No. YS 3354), in the amount of \$2,560, Isla Vista area, Third District.

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

A-10) PUBLIC WORKS [File Reference No. 03-00383](#)

Approve and execute an Amendment to the Agreement (BC 03023) for the management of the Community Household Hazardous Waste Collection Center with the Community Environmental Council in the amount of \$40,840 for additional disposal costs, for the period of July 1, 2002 through June 30, 2003, for a total contract in an amount not to exceed \$601,499, First, Second and Third Districts.

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

Hearing Requests

A-11) COUNTY EXECUTIVE OFFICE and
AUDITOR-CONTROLLER

[File Reference No. 03-00382](#)

Set a hearing for May 13, 2003 for the Third Quarter Fiscal Year 2002-03 Budget Update, as follows:

- a) Accept and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2002-03 Financial Status Report as of March 31, 2003 showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors;
- b) Accept an update on the forecasted FY 02-03 County financial condition on June 30, 2003;
- c) Set a hearing on May 27, 2003 to receive a report on the proposed FY 2003-04 State budget including the Governor's "May Revise" proposals and their potential impacts on the County.

A motion was made, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: a) and b) Hearing set for May 13, 2003 in Santa Maria

c) Hearing set for May 27, 2003 (EST. TIME 1 HR.) The motion carried unanimously.

Approval of Administrative Agenda

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

Public Comment Period

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: Take Your Child To Work Day - Ann Goodrich addressed the Board.

RE: Health Care Insurance Issues - Sister Janet Corcoran addressed the Board.

RE: Funding for AIDS/ HIV Prevention Education - Scott McCann addressed the Board.

RE: Funding for AIDS/ HIV Prevention Education - Randall Sunday addressed the Board.

RE: Tax Exemption Issues - George M. Kuhl addressed the Board.

RE: Funding for AIDS/ HIV Prevention Education - Isabel Blagborn/ Reverend Ford addressed the Board.

RE: Funding for AIDS/ HIV Prevention Education - Rafael Cosio addressed the Board.

RE: Jury Pay Issues - Floyd Meyer addressed the Board.

RE: Child Care Funding - Eileen Monahan addressed the Board

RE: Introduced Nathan Owen, a senior at Cabrillo High School, as Fourth District Supervisor of the Day - Fourth District Supervisor Joni Gray addressed the Board.

Departmental Agenda -- Public Hearings

1) PLANNING AND DEVELOPMENT

[File Reference No. 02-00147](#)

HEARING - Consider recommendations regarding the Oak Protection and Regeneration Program, as follows: (EST. TIME: 1 HR.)

a) Certify the proposed final environmental impact report (EIR), 00-EIR-07, dated April 2001 including the EIR Revisions document (RV1) dated February 13, 2003, which describes the possible environmental effects of the final revised Program and includes errata and the Mitigation Monitoring and Reporting Program for the final Oak Tree Protection and Regeneration Program (Exhibit 3 of Attachment A);

b) Consider the following components of the Oak Tree Protection and Regeneration Program:

i. Adopt the Findings and Statement of Overriding Considerations supporting the Board's final action in adopting the Oak Tree Protection and Regeneration Program (Attachment B);

ii. Adopt a Resolution amending the Comprehensive Plan Land Use Element and Conservation Element, Case Numbers 00-GPA-5 and 00-GPA-6 and the amendment to the County of Santa Barbara Environmental Thresholds and Guidelines Manual (Attachment C);

iii. Adopt an Ordinance amending Chapter 35 of the County Code by adding Article IX (Deciduous Oak Tree Protection and Regeneration), Case Number 02-ORD-6 (Attachment D);

iv. Consider the adoption (Second Reading) of proposed amendments to Chapter 14 of the County Code (Grading Ordinance), Case Number 02-ORD-5 (Attachment E);

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Certified as reflected in Planning and Development staff Memorandum dated April 10, 2003.

b) i) Adopted findings and Statement of Overriding Considerations as amended by the Board at the public hearing of March 25, 2003.

ii) Adopted.

RESOLUTION NO. 03-120

iii) Adopted as amended by the Board at the public hearings of March 25 and April 15, 2003.

ORDINANCE NO. 4490

iv) Read by title, waived reading of ordinance in its entirety. Introduction (first reading) approved as amended by the Board at the public hearings of March 25 and April 15, 2003; adoption (second reading) set for April 22, 2003.

The motion carried by the following vote:

Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Gray

Noes: 1 - Supervisor Centeno

2) PUBLIC WORKS [File Reference No. 03-00372](#)

HEARING - Consider recommendations regarding the abatement of the public nuisance located at 3872 Crescent Drive (APN 057-041-038), Santa Barbara area, Second District, as follows: (EST. TIME: 20 MIN.)

- a) Determine that a public nuisance exists at 3872 Crescent Drive (APN 057-041-038), Santa Barbara area, pursuant to County Code Chapter 17-66;
- b) Direct the Deputy Director of Public Works, Solid Waste and Utilities Division, to abate the public nuisance pursuant to Chapter 17, Article V of the County Code, and authorize the Deputy Director to retain an independent third party to assist in the removal of the solid waste or litter which constitutes the public nuisance and health and safety hazard.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- a) **Determined that a public nuisance exists at 3872 Crescent Drive, Santa Barbara.**
- b) **Directed. Further directed staff to assess the abatement cost and to report back to the Board as appropriate.**

The motion carried unanimously.

3) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00362](#)

HEARING - Consider County-specific privacy policies to implement the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule requirements, as follows: (EST. TIME: 20 MIN.)

- a) Adopt 24 County-specific privacy policies to implement the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule standards and requirements;
- b) Approve ten (10) County-specific operational procedures to implement the HIPAA Privacy Rule standards and requirements;
- c) Authorize the County Administrator to approve revisions to the operational procedures related to the County's privacy practices as may become necessary.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

- a) **Adopted.**
- b) **Approved.**
- c) **Authorized.**

The motion carried unanimously.

2:00 P.M. Presentation of Resolutions and Awards**Planning Items and Public Hearings**4) PLANNING AND DEVELOPMENT[File Reference No. 03-00258](#)

HEARING - Consider the appeal of Robert Kooyman, agent for the owner Pinecliff Homeowners Association, of the Zoning Administrator's December 2, 2002 decision to approve a Coastal Development Permit with Hearing (02CDH-00000-00021) to validate the unpermitted removal of a previously existing Monterey Cypress Tree from the County Road Right-of-Way, with a condition to require installation of a replacement 48" box Monterey Cypress tree, located at 1500 Miramar Beach (APN 009-420-CA) Montecito area, First District, as follows: (EST. TIME: 1 HR.)

- a) Adopt the required findings for the project specified in the Zoning Administrator Action Letter, dated December 3, 2002;
- b) Deny the above referenced appeal (03APL-00000-00001), thereby upholding the Zoning Administrator's approval of the Coastal Development Permit with Hearing 02CDH-00000-00021;
- c) Grant de novo approval of the Coastal Development Permit with Hearing 02CDH-00000-00021 included in the Zoning Administrator Staff Report dated October 24, 2002, subject to the conditions of approval included in the Zoning Administrator Action Letter dated December 3, 2002.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- a) **Adopted the required findings for the project specified in Attachment A, including CEQA findings;**
- b) **Denied the above referenced appeal (03APL-00000-0001), thereby upholding the Zoning Administrator's approval of the Coastal Development Permit with Hearing 02-CDH-00000-00021;**
- c) **Accepted the CEQA Exemption, included as Attachment B, pursuant to CEQA Section 15304 [Minor Alterations to Land]; and**
- d) **Granted de novo approval of the Coastal Development Permit with Hearing 02-CDH-00000-0021, subject to the amended Project Description and Conditions of Approval included in Attachment C as follows:**

Project Description should read: "The applicant would install a replacement 24" box Monterey Cypress tree..."

Condition 5 should read: "The 24" box replacement Monterey Cypress tree..."

Condition 16 added to include standard landscape maintenance provision. The motion carried unanimously.

5) PARKS[File Reference No. 03-00110](#)

HEARING - Consider recommendations regarding Goleta Beach County Park Long Term Visioning Process, Second District, as follows: (EST. TIME: 1 HR.)

- a) Receive staff report on a visioning process for developing community consensus on a comprehensive, ecologically sound, long term solution for Goleta Beach County Park;
- b) Affirm funding plan for use of Proposition 12/ Prop 40 per capita funds in the amount of \$500,000 to be used as matching funds toward environmental review and implementation of long term solutions at the park.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

- a) Received and filed staff report and conducted public hearing. Directed staff to return in July, 2003 with an update on the community wide visioning process.
- b) Affirmed funding plan for use of Proposition 12/Prop 40 per capita funds in the amount of \$500,000 to be used as matching funds toward environmental review and implementation of long term solutions at the park.

The motion carried unanimously.

Adjourn to April 22, 2003

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

Adjourn

Announcements

THE MEETING OF APRIL 15, 2003 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, APRIL 17, 2003 AT 5:00 P.M. ON GATV CHANNEL 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, APRIL 29, 2003; THIS IS A FIFTH TUESDAY (ORDINANCE NO. 3352). THE NEXT REGULAR MEETING WILL BE TUESDAY, MAY 6, 2003, IN SANTA BARBARA.

<http://www.countyofsb.org>