

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

March 06, 2001

COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM
105 EAST ANAPAMU
SANTA BARBARA, CA 93101

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.

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

8:00 A.M. Convene and Recess to Closed Session

9:00 A.M. Reconvene to Regular Session

Roll Call

Present: Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: Supervisor Schwartz

Invocation: Suzanne Grimesey-Kirk, M.F.T., Alcohol, Drug and Mental Health Services

Report from Closed Session

No reportable action taken.

County Counsel announced that the California Supreme Court denied the Counties' petition for review in County of Sonoma v. Commission on State Mandates, in which the Court of Appeal held that the ERAF property tax shift was not a reimbursable state mandate.

County Counsel announced that the arbitrator in the National Tobacco Litigation had awarded the law firms representing California public entities \$637.5 million in fees to be paid by the tobacco companies. Claims for additional fees are pending against the County and other public entities.

Approval of Minutes of the February 27, 2001 meeting

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

Administrative Agenda

Administrative Items

- A-1) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT File Reference No. 01-00474

Consider recommendations regarding the Montecito Creek Debris Basin Project, First District, as follows:

- a) Approve plans and specifications for the project (SC8306);
- b) Award and authorize the Chair to execute an Agreement in the amount of \$2,675,512.92 to the apparent lowest bidder Zerimar (not a local vendor) subject to the provision of documents and certification as set forth in the plans and specifications applicable to the project and as required under California Law;
- c) Approve a contingency fund in the amount of \$150,000 for the project.

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

a) Approved.

b) Authorized; Chair to execute.

c) Approved. The motion carried by the following vote:

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

Absent: 1 - Supervisor Schwartz

- A-2) BOARD OF DIRECTORS, REDEVELOPMENT AGENCY File Reference No. 01-00475

Consider recommendations regarding a contract for administrative services for the Redevelopment Agency and the County of Santa Barbara, as follows:

Acting as the Board of Supervisors:

- a) Adopt a resolution approving the Agreement for Administrative and Other Services between the Redevelopment Agency of the County of Santa Barbara and the County of Santa Barbara;

Acting as the Redevelopment Agency Board of Directors:

- b) Adopt the Redevelopment Agency resolution approving the Agreement for Administrative and Other Services between the Redevelopment Agency of the County of Santa Barbara and the County of Santa Barbara.

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

a) Adopted.

RESOLUTION NO. 01 – 63

b) Adopted.

RESOLUTION NO. 01 –64 The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

A-3) COUNTY EXECUTIVE OFFICE File Reference No. 01-00473

Approve budget revision requests. (SEE EXHIBIT A WITH POSTED AGENDA)

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved

The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

A-4) Fire Department File Reference No. 01-00463

Approve an agreement with Carol English and Jane Joseph, property owners, granting the Santa Barbara County Fire Department permission to burn the buildings and contents located at 1, 7, 8 and 9 George Lane, Orcutt area, Fourth District.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved

The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

A-5) Personnel File Reference No. 01-00467

Adopt a resolution, pursuant to a Memorandum of Understanding with the Sheriff's Association, increasing salaries for classifications in Bargaining Units 14 and 15 by approximately 3.0% effective March 5, 2001.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved

RESOLUTION NO. 01 – 60 The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

A-6) Personnel File Reference No. 01-00468

Adopt a resolution making various changes to the departmental position allocation effective March 5, 2001, as funded in the adopted budget for Fiscal Year 2000-01.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved

RESOLUTION NO. 01-61 The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

A-7) PLANNING AND DEVELOPMENT File Reference No. 01-00464

Approve and execute a contract with the University of California, Santa Barbara to continue the monitoring and inventory of coastal and ecological resources, in the amount of \$130,048.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved; Chair to Execute

The motion carried by the following vote:

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

Absent: 1 - Supervisor Schwartz

A-8) PLANNING AND DEVELOPMENT

File Reference No. 01-00465

Approve and direct execution and recordation by the Clerk of the Board of a new replacement contract 98-AP-022, replacing a portion of the original Agricultural Preserve, 72-AP-178 (APN 099-210-068) located approximately 2 miles south of State Highway 246, at the southern terminus of Mail Road, known as 33 Mail Road, Lompoc area, Third District.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved

The motion carried by the following vote:

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

Absent: 1 - Supervisor Schwartz

A-9) PROBATION

File Reference No. 01-00466

Consider recommendations regarding a grant application for Repeat Offender Prevention Program funding, as follows:

a) Authorize the Chief Probation Officer, as lead agent, to increase the application for grant funds from \$500,000 to \$665,095 in order to implement and operate a Repeat Offender Prevention Program serving Santa Barbara County from July 1, 2001 through June 30, 2002;

b) Adopt a resolution authorizing the Chief Probation Officer to sign the grant application for funding, including application amendments or extensions, with the State of California and authorize the Board of Supervisors to enter into the grant contract;

c) Assure that the County, if awarded funding, will adhere to the California Board of Corrections' contract terms and statutory requirements, participate in the collection of the required data and use grant funding to supplement and not supplant existing programs.

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

a) Authorized.

b) Adopted.

RESOLUTION NO. 01 – 59

c) Approved. The motion carried by the following vote:

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

Absent: 1 - Supervisor Schwartz

A-10) PUBLIC HEALTH

File Reference No. 01-00458

Consider recommendations regarding the Newborn Home Visitation Grant, as follows:

a) Approve and execute an Agreement with the Children and Families Commission of Santa Barbara County in the amount of \$1,300,000 for the Public Health Department to act as lead agency for the

Newborn Home Visitation Project for the period of February 1, 2001 through June 30, 2002;

b) Approve and execute an Agreement with Kate Mrgudic, M.A., a contractor on payroll, in the amount of \$101,133 to be the Home Visitation Project Manager for the period of March 5, 2001 through June 30, 2002;

c) Authorize the Director of Public Health to execute contractor on payroll agreements with a north county and a south county liaison in amounts not to exceed \$157,440 for the period of March 5, 2001 through June 30, 2002;

d) Authorize the Director of Public Health to execute agreements with community-based organizations for planning and direct services in amounts not to exceed \$332,300 for the period of February 1, 2001 through June 30, 2002.

**A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Acted on as follows:
a) and b) Approved; Chair to execute.**

c) and d) Authorized. The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

A-11) PUBLIC HEALTH

File Reference No. 01-00459

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 Needle Exchange and Education Program.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved

The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

A-12) PUBLIC WORKS

File Reference No. 01-00460

Consider recommendations regarding the Ellwood Pedestrian/ Bicycle Overcrossing, Third District, as follows:

a) Consider the Mitigated Negative Declaration (00-ND-24) pursuant to the County's California Environmental Quality Act guidelines as adequate environmental review for the Ellwood Pedestrian Overcrossing;

b) Adopt the mitigation monitoring program included in the Mitigated Negative Declaration as conditions of project approval;

c) Authorize the County Public Works Department to proceed with negotiations for the acquisition of permanent easements and temporary rights-of-entry with adjacent property owners.

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

a) Approved.

b) Adopted.

c) Authorized.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Schwartz

A-13) PUBLIC WORKS

File Reference No. 01-00461

Consider recommendations regarding a blanket waiver of bids, All Districts, as follows:

a) Issue a blanket waiver of bids allowing the Purchasing Agent to procure traffic signal parts and supplies used in the repair and construction of traffic signals without competitive bids on an as-needed basis:

b) Approve waiver effective date through December 31, 2003.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved

The motion carried by the following vote:

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

Absent: 1 - Supervisor Schwartz

A-14) PUBLIC WORKS

File Reference No. 01-00462

Consider recommendations regarding the Purisima Road Dedication/ La Purisima Highlands Subdivision Development, Fourth District, as follows:

a) Approve the Department of Public Works' Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the dedication of "Parcel 1";

b) Consider the City of Lompoc's La Purisima Highlands Environmental Impact Report (SCH#91071059) dated December 1991 and supplement dated April 1994 as adequate environmental review for the dedication of "Parcel 2";

c) Adopt the findings required by CEQA Guidelines § 15091;

d) Accept a Grant Deed to the real property conveyed from B&K Lompoc Homes LLC to the County of Santa Barbara by authorizing the Clerk of the Board to sign the Certificate of Acceptance attached thereto.

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

a) and b) Approved.

c) Adopted.

d) Accepted. The motion carried by the following vote:

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

Absent: 1 - Supervisor Schwartz

A-15) TREASURER-TAX COLLECTOR File Reference No. 01-00469

Adopt a resolution authorizing the Tax Collector to cancel certain Fiscal Year 2000-01 property tax late penalties and costs for those new owners who were not mailed a tax bill, due to a failure on the part of the County, and who subsequently pay the taxes within a specified time period.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 01-62 The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

A-16) TREASURER-TAX COLLECTOR File Reference No. 01-00470

Approve the revised County of Santa Barbara Homebuyer Assistance Program Guidelines.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved

The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

Hearing Requests

A-17) COUNTY EXECUTIVE OFFICE File Reference No. 01-00471

HEARING - Consider recommendations regarding the County organizational structure for housing and community development, as follows:

(EST. TIME: 1 HR. 30 MIN.)

- a) Receive and file a report entitled Housing and Community Development;
- b) Direct the County Administrator to return with an appropriate ordinance or resolution creating a new County Department entitled Office of Housing and Community Development;
- c) Adopt a personnel resolution adding the position of Director of Housing and Community Development;
- d) Authorize the County Administrator to recruit for a Director of Housing and Community Development.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: March 20, 2001.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Schwartz

A-18) COUNTY EXECUTIVE OFFICE File Reference No. 01-00472

HEARING - Receive a staff presentation and recommendations on the Revenue Neutrality Agreement for the incorporation of the proposed City of Goleta and provide direction to staff as appropriate.

(EST. TIME: 1 HR. 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: March 20, 2001. The motion carried by the following vote:

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

Absent: 1 - Supervisor Schwartz

A-19) SUPERVISOR GRAY File Reference No. 01-00476

Receive a presentation of the annual Volunteer of the Year Award from the Caltrans Adopt-A-Highway program.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows:

April 10, 2001.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Schwartz

Approval of Administrative Agenda

Public Comment Period

RE: Opening of the County Emergency Operation Center in Response to Severe Weather and Storm Warnings – Bruce Carter, Office of Emergency Operations Supervisor addressed the Board

RE: County Public Works Department Response Severe Weather Conditions – Public Works Director Phil Demery, addressed the Board.

RE: Recognition and Thank You to the County Disaster Counsel for Their Ongoing Efforts – Fourth District Supervisor Joni Gray addressed the Board.

RE: Homeless Issues – Bob Hanson addressed the Board.

RE: Flooding Issues and Public Funding Issues – Andy Caldwell addressed the Board.

RE: Orcutt Election - Gilbert Armijo addressed the Board.

RE: Pedestrian Traffic Issues – Christopher Brown addressed the Board.

RE: Guadalupe Flooding Issues – George Alvarez addressed the Board.

RE: Energy Conservation – Sister Janet Corcoran addressed the Board.

Departmental Agenda -- Public Hearings

- 1) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES File Reference No. 01-00436

HEARING - Receive the 2000 community indicators report from the Fighting Back Program as part of the environmental scan. (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved

The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

- 2) COUNTY COUNSEL File Reference No. 01-00333

HEARING - Consider adoption of a resolution proclaiming the Canby House, located at 1696 East Valley Road, Santa Barbara (APN 007-120-040), as an historical landmark, First District. (EST. TIME: 10 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 01-65 The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

- 3) COUNTY EXECUTIVE OFFICE File Reference No. 01-00301

HEARING - Consider recommendations regarding the Five-Year Capital Improvement Program (CIP) and Fiscal Year 2001-02 Capital Budget, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Approve in concept the projects included in the Fiscal Year 2001-02 CIP;
- b) Approve in concept the \$76,781,000 included in the CIP for the FY 2001-02 Capital Budget;
- c) Refer the CIP to the Planning Commission and request analysis of major public works projects recommended for planning, initiation or construction during FY 2001-02 for conformity with the County Comprehensive Plan;
- d) Take final action to adopt the FY 2001-02 Capital Budget in June after considering the Proposed 2001-02 Operating Budget.

Scheduled Presentations:

Introduction - County Administrator's Office (EST. TIME: 5 MIN.)

Public Works Projects (EST. TIME: 30 MIN.)

Parks Projects (EST. TIME: 5 MIN.)

County Building and Deferred Building Maintenance Projects
(EST. TIME: 25 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) and b) Conceptually approved.

c) and d) Approved. The motion carried by the following vote:

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

Absent: 1 - Supervisor Schwartz

2:00 P.M. Presentation of Resolutions and Awards**Planning Items and Public Hearings**4) TREASURER-TAX COLLECTOR File Reference No. 01-00449

HEARING - Authorize a \$100,000 General Fund advance to Planning and Development Deposit Agency Fund No. 1415, in order to fund Planning and Development permit processing fees for affordable housing projects that are to receive subsidies from the Housing Finance and Development Division. An additional \$100,000 may be requested in future years.(EST. TIME: 30 MIN.)

A motion was made by Supervisor Rose, seconded by Supervisor Marshall, that this matter be Continued, as follows: March 20, 2001. The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

5) COUNTY EXECUTIVE OFFICE File Reference No. 01-00477

HEARING - Consider the following Legislative Program Committee recommendations: (EST. TIME: 20 MIN.)

a) Adopt the County's 2001 State Legislative Priorities and direct staff to forward a copy of the Priorities to the County's State representatives;

b) Authorize the Chair to sign a letter to the State Legislative Analyst expressing concerns about the potential cost of implementing legislation to respond to the utility crisis and requesting that the LAO prepare an analysis of the cost to local governments of proposed legislative solutions.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) Adopted.

b) Authorized; Chair to execute. The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

6) PLANNING AND DEVELOPMENT File Reference No. 00-00144

HEARING - Consider recommendations regarding the Magid appeal of the Zoning Administrator's denial of a Minor Conditional Use Permit for a Detached Residential Second Unit, located at 4799 Baxter Street (APN 065-202-003), Goleta Area, Second District, as follows: (EST. TIME: 45 MIN.)

a) Uphold the Zoning Administrator's action and deny the originally submitted project (Case No. 00-CP-006) a Minor Conditional Use Permit for a Detached Second Unit,

b) Accept the revised project, including the revised findings for approval and Notice of Exemption and approve the appeal (00-CP-006 AP01) subject to the Conditions of Approval.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Rose, seconded by Supervisor Marshall, that this matter be Approved

The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

7) PLANNING AND DEVELOPMENT

File Reference No. 01-00412

HEARING - Consider recommendations regarding the appeal of Wayne Rottner, landowner, of the Zoning Administrator's November 20, 2000 decision to deny Case No. 99-CDP-221H (a request for a Coastal Development Permit to construct a single family dwelling and to validate an existing barn), located about 3,000 feet north of the coast between Canada de la Cuarta and Canada del Sacate, known as Parcel 101 of Hollister Ranch (APN 083-690-019), Third District, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Uphold the Zoning Administrator's November 20, 2000 decision to deny Case No. 99-CDP-221H;
- b) Deny the appeal.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Upheld the Zoning Administrator's November 20, 2000 decision to deny Case No. 99-CDP-221H.

b) Denied the appeal without prejudice. The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske
Absent: 1 - Supervisor Schwartz

ADJOURNMENT

Betteravia Government Center
Board Hearing Room
511 East Lakeside Parkway
Santa Maria

IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.

Announcements

THE MEETING OF MARCH 6, 2001 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, MARCH 8, 2001, AT 5:00 P.M. ON GATV CHANNEL 20.

<http://www.co.santa-barbara.ca.us>