

**County of Santa Barbara**  
**BOARD OF SUPERVISORS**

**ACTION SUMMARY**

**December 04, 2001**

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

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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](http://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 Marshall, Supervisor Rose, Supervisor Schwartz and Supervisor Urbanske  
Absent: Supervisor Gray

**Invocation: Jason Jewell, Clerk-Recorder-Assessor**

**Report from Closed Session**

**The Board took the following actions:**

County Counsel announced the following:

- 1) By a vote of 4-0 with Supervisor Gray absent, the Board authorized staff to approve the refinancing of the Cooney-Aimes affordable unit in the Mountain View Ranch subdivision, in the amount of up to \$125,000, in lieu of initiating litigation.
- 2) By a vote of 5-0, the Board approved the consideration of a Memorandum of Understanding staying the litigation in Kent v. County (Santa Clause case) and set the matter for the Board meeting of December 11, 2001 (administrative agenda).
- 3) Announced that the Superior Court approved the settlement in the Coordinated Retirement Cases, the class action involving items of compensation for retirement cases.
- 4) Announced that the Court of Appeals affirmed the trial court decision in People v. Ranger Insurance Company. The court held that the motion to vacate forfeiture of a bail bond was properly denied under Penal Code Section 1166.
- 5) Announced that the Court of Appeals affirmed the trial court decision in Nuevo Energy Company v. County, et al. The court affirmed the trial court's determination that the challenge to environmental review determinations was not ripe for judicial review.
- 6) Announced that the Assessment Appeals Board issued a decision in the Applied Magnetics Property tax appeal reducing the assessed valuation for two properties from about \$104 million to \$23 million.

Details of these actions may be obtained in the office of County Counsel.

### Approval of Minutes of the November 20, 2001 meeting

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

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

## Administrative Agenda

### Resolutions to be Presented

A-1) SUPERVISOR GRAY File Reference No. 01-01514

Adopt a Resolution of Commendation for Michael Hardling upon his retirement from the Sheriff's Department after 33 years of service.

A motion was made that this matter be Continued, as follows: December 11, 2001. The motion carried by the following vote:

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

A-2) SUPERVISOR ROSE and SUPERVISOR MARSHALL File Reference No. 01-01513

Adopt a resolution honoring Katrina De La Cruz as the 2000 Goleta Teen of the Year.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 01-402. The motion carried by the following vote:

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

**Honorary Resolutions**

A-3) SUPERVISOR SCHWARTZ File Reference No. 01-01512

Adopt a resolution honoring the Liberty Program at Saint Francis Medical Center.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted  
RESOLUTION NO. 01-401**

**The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

**Administrative Items**

A-4) AUDITOR-CONTROLLER File Reference No. 01-01463

Consider adoption of the Fiscal Year 2001-2002 resolutions setting appropriation limits for Santa Barbara County and the special districts governed by the Board.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Approved, as follows:

County of Santa Barbara..... \$420,352,126

RESOLUTION NO. 01-408

County Service Area #3.....\$3,117,394

RESOLUTION NO. 01-409

County Service Area #4.....\$39,684

RESOLUTION NO. 01-410

County Service Area #5.....\$187,650

RESOLUTION NO. 01-411

County Service Area #6.....\$109,225

RESOLUTION NO. 01-412

County Service Area #12.....\$1,092,257

RESOLUTION NO. 01-413

County Service Area #32.....\$56,457,329

RESOLUTION NO. 01-414

County Service Area #41.....\$218,452

RESOLUTION NO. 01-415

Fire Protection District .....\$50,221,328

RESOLUTION NO. 01-416

Comm. Facilities Dist. #210.....\$72,330

RESOLUTION NO. 01-417

North County Lighting District -\$550,081

RESOLUTION NO. 01-418

SB Co. Flood Control District...\$18,702,594

RESOLUTION NO. 01-419

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

A-5) AUDITOR-CONTROLLER

File Reference No. 01-01531

Authorize the Auditor-Controller to impound from various tax agencies up to \$10,400,000 of disputed property tax revenue resulting from taxpayer assessment appeals, per Government Code § 26906.1.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Authorized. The motion carried by the following vote:

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

A-6) BOARD OF DIRECTORS, LAGUNA COUNTY File Reference No. 01-01536  
SANITATION DISTRICT

Adopt a resolution authorizing the Public Works Director or his designee to execute a contract for a loan from the State Water Resources Control Board and any amendments or change orders thereto on behalf of the District for the TDS Reduction and Water Recycling Project, in the amount of \$9,150,000, Fourth and Fifth Districts.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 01-421. The motion carried by the following vote:**

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

A-7) BOARD OF DIRECTORS, LAGUNA COUNTY File Reference No. 01-01538  
SANITATION DISTRICT

Approve and execute an agreement with Milo Ferini, representing Betteravia Farms, to use recycled water for the period of October 29, 2001 through December 31, 2003, Fifth District.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**

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

A-8) BOARD OF DIRECTORS, WATER AGENCY File Reference No. 01-01539

Adopt a resolution Adopting the Santa Barbara County Water Conservation Plan as required pursuant to § 210 of the Reclamation Reform Act of 1983 (Public Law 97-293; 43 USC 390jj).

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 01-422. The motion carried by the following vote:**

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

A-9) COUNTY EXECUTIVE OFFICE File Reference No. 01-01534

Consider co-sponsoring the 2001 Toys for Tots Campaign and the Christmas Unity food drive for contributions from Santa Barbara County Employees.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Approved. The motion carried by the following vote:**

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

A-10) COUNTY EXECUTIVE OFFICE File Reference No. 01-01535

Consider recommendations regarding a letter related to the Indian Gaming Special Distribution Fund, as follows:

a) Endorse a letter to State Senator Jim Battin's Office concerning receipt and use of money in the Indian Gaming Special Distribution Fund;

b) Authorize staff presentation at a meeting in Sacramento on December 10, 2001 to discuss issues pertaining to the fund.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Acted on as follows: a) Approved.**

**b) Authorized.**

**The motion carried by the following vote:**

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

A-11) COUNTY EXECUTIVE OFFICE

File Reference No. 01-01537

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

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Approved. The motion was tied by the following vote:**

Ayes: 0  
Absent: 1 - Supervisor Gray

A-12) DISTRICT ATTORNEY

File Reference No. 01-01524

Adopt a personnel resolution, effective November 26, 2001, adding two (2.0 FTE) Truancy Program Supervisor positions (Class 7532) Range 555 (\$3,864-\$4,717 per month), which will replace two contractor on payroll positions.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 01-405. The motion carried by the following vote:**

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

A-13) GENERAL SERVICES

File Reference No. 01-01532

Approve a Memorandum of Agreement (FB4610-00326-734) with the United States Department of the Air Force 30th Space Wing at Vandenberg Air Force Base, for a County communication site on Federal Property known as Sudden Peak (Building 88), Third District. The County will bear the cost of electricity to the site.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted. The motion carried by the following vote:**

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

A-14) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

File Reference No. 01-01529

Adopt a resolution, effective November 26, 2001, as follows:

a) Establish the job classification of Transportation Planner, Supervising (Class 7465) Range 607 (\$5,008-\$6,114 per month);

b) Add one (1.0 FTE) Transportation Planner, Supervising in the Public Works Department.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 01-406. The motion carried by the following vote:**

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

A-15) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES File Reference No. 01-01530

Adopt a resolution, effective November 26, 2001, to establish the job classification of Truancy Program Supervisor (Class 7532) Range 555 (\$3,864-\$4,717 per month).

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 01-407. The motion carried by the following vote:**

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

A-16) PLANNING AND DEVELOPMENT File Reference No. 01-01376

Approve and direct execution and recordation by the Clerk of the Board, two Agricultural Preserve Replacement contracts (01AGP-00000-00004 and -00005) revising the boundaries within the original Berman Agricultural Preserve (75-AP-59), based on consistency with the Uniform Rules, located at 6625 Casitas Pass Road (APN 001-090-006) Carpinteria area, First District.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted. The motion carried by the following vote:**

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

A-17) PLANNING AND DEVELOPMENT File Reference No. 01-01452

Consider the Harboe Agricultural Preserve Non-Renewal (74-AP-023), located at 4512 Foothill Road (APN 155-180-091), Carpinteria area, First District.

Request continuance to December 11, 2001 in Santa Maria.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Continued, as follows: December 11, 2001. The motion carried by the following vote:**

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

A-18) PLANNING AND DEVELOPMENT File Reference No. 01-01453

Consider the Petersen Agricultural Preserve Non-Renewal (70-AP-077), located west of Foxen Canyon Road, known as 7055 Foxen Canyon Road (APNs 101-050-011, -045), Santa Maria area, Fifth District.

Request continuance to December 11, 2001 in Santa Maria.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Continued, as follows: December 11, 2001. The motion carried by the following vote:**

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

A-19) PLANNING AND DEVELOPMENT File Reference No. 01-01528

Approve and execute a Fisheries Enhancement Fund agreement (BC-02-096) with the Commercial

Fishermen of Santa Barbara, Inc. to prepare a Fisheries Resource Assessment Project for the period of December 4, 2001 through November 15, 2002, in the amount of \$7,313.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Approved. The motion carried unanimously.**

A-20) PUBLIC HEALTH

File Reference No. 01-01515

Consider recommendations regarding the Public Health laboratory services for the Communicable Disease Control (CDC) Bioterrorism Response Network (Network), as follows:

a) Approve up to \$110,228 one-time General Fund Contingency to fund half of the cost of the upgrade to the Public Health Laboratory to meet the standards for a Level B Laboratory in the CDC Network;

b) Approve a waiver of the competitive bid requirement and authorize the Purchasing Manager to enter into an agreement with Budlong & Associates, Inc. (not a local vendor) to upgrade the Public Health Laboratory to CDC Level B requirements for bioterrorism spore exposure protection in the amount of \$130,000.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**

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

A-21) PUBLIC HEALTH

File Reference No. 01-01516

Consider recommendations regarding County Health Clinic expansion projects, as follows:

a) Approve three County Health Clinic expansion projects, as follows:

i) Design, purchase and install 7 singlewide portable buildings totaling 5,000 square feet on County-owned land located at 301 North R Street, Lompoc for a total cost of \$750,000-\$900,000 by June 30, 2002;

ii) Add 900 square feet of medical space to the County Health Clinic on County-owned land located at 931 Walnut, Carpinteria for a total cost of \$450,000-\$500,000 by January 15, 2003;

iii) Add a 9,000 square foot two-story addition and remodel 3,692 square feet of County Health Clinic space at the Franklin Center on City of Santa Barbara property at 1136 East Montecito Street for a total cost of \$3-\$3.5 million dollars by June 30, 2004;

b) Approve, in concept, a 50-year rent waiver lease with the City of Santa Barbara in exchange for the County's Franklin Center capital investment and direct staff to return with a negotiated lease by the time the building permit is issued.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Continued, as follows: December 11, 2001. The motion carried by the following vote:**

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

A-22) PUBLIC HEALTH

File Reference No. 01-01517



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 Schwartz, seconded by Supervisor Rose, that this matter be Approved. The motion carried by the following vote:**

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

A-23) PUBLIC WORKS File Reference No. 01-01520

Adopt a resolution establishing a No Parking zone on Tallwood Avenue, Ellwood area, Third District.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 01-403. The motion carried by the following vote:**

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

A-24) PUBLIC WORKS File Reference No. 01-01521

Adopt a resolution establishing a Passenger Loading Zone 7AM to 4PM during school days on Tallwood Avenue and Mirano Drive, Ellwood area, Third District.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 01-404. The motion carried by the following vote:**

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

A-25) PUBLIC WORKS File Reference No. 01-01522

Consider recommendations regarding the Old Coast Highway Bridge Project (Project No. 863019), Third District, as follows:

- a) Approve the project and the Mitigated Negative Declaration pursuant to the County's CEQA guidelines as adequate environmental review for the project;
- b) Adopt the mitigation monitoring program included in the Mitigated Negative Declaration as conditions of project approval;
- c) Authorize the Director of Public Works to advertise for construction bids for the project;
- d) Authorize the County Public Works Department to proceed with negotiations for the acquisition of permanent easement with adjacent property owners.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Acted on as follows: a) Approved.**

**b) Adopted.**

**c) and d) Authorized.**

**The motion carried by the following vote:**

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

A-26) PUBLIC WORKS File Reference No. 01-01523

Consider recommendations regarding the Disadvantaged Business Enterprise (DBE) Program for Fiscal Year 2001-02, All Districts, as follows:

a) Approve and execute the Federal FY 2001-02 DBE Program with an "established" Overall Annual DBE Goal;

b) Designate and authorize the Public Works Director to act on the County's behalf as the DBE Liaison Officer for the DBE Program, to negotiate and execute all documents pertaining to DBE program to the extent permitted by law.

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

**b) Authorized. The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

A-27) SHERIFF File Reference No. 01-01525

Review and approve the annual statement of revenue and expenditures from the Inmate Welfare Fund and the Jail Commissary Store for Fiscal Year ending June 30, 2001.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Acted on as follows:. The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

A-28) SHERIFF File Reference No. 01-01526

Authorize the Purchasing Department to waive the competitive bid requirement and to purchase a computerized video editing system from AVID Technology, Inc. (not a local vendor), in the amount of \$34,945.03.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Authorized. The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

A-29) SOCIAL SERVICES File Reference No. 01-01519

Approve and authorize the Chair to execute Amendment No. 2 to the contract with Addus HealthCare for the continued provision of In-Home Supportive Services extending the term for one year, for the period of October 1, 2001 through September 30, 2002, in an amount not to exceed \$2,791,335, for a total contract amount of \$6,267,712.50.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

A-30) TREASURER-TAX COLLECTOR

File Reference No. 01-01533

Consider recommendations regarding local housing set-aside funding for the El Encanto Apartment project, located at 7388 Calle Real, Goleta area, Third District, as follows:

Acting as the Redevelopment Agency Board of Directors:

- a) Approve an amendment to the executed 5-year deferred, 3% interest 40-year term, \$366,500 Redevelopment Agency site acquisition loan to Santa Barbara Community Housing Corporation (CHC) for the El Encanto Apartment project to a 3%, residual receipts, 40-year term loan;
- b) Authorize the Treasurer-Tax Collector to execute a Revised and Restated Loan Agreement and Promissory Note with CHC, to reflect the new repayment terms all set forth in substantially the forms of Attachment A to the Board Letter dated December 4, 2001;
- c) Adopt a resolution to allow the Redevelopment Agency Loan and Regulatory Agreement to be subordinated to other financing;

Acting as the Board of Supervisors:

- d) Approve the commitment of a 3% residual receipts 35-year loan in the amount of \$326,246 in Countywide local funds for the development of the El Encanto Apartments by CHC;
- e) Authorize the Treasurer-Tax Collector to execute a Loan Agreement and a Regulatory Agreement with CHC in the amount of \$376,246 for development of the site, including a previously unsecured \$50,000 (Attachment C to the Board Letter dated December 4, 2001);
- f) Authorize the Treasurer-Tax Collector to execute subordination agreements subordinating the County Loan and Regulatory Agreement to other financing if such subordination is necessary for project feasibility.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Acted on as follows: a) Approved.**

**b) Authorized.**

**c) Adopted.**

**RESOLUTION NO. 01-420**

**d) Approved.**

**e) and f) Authorized.**

**The motion carried by the following vote:**

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

**Board of Supervisors**A-31) SUPERVISOR ROSE

File Reference No. 01-01540

District.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Acted on as follows:  
The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

### Hearing Requests

A-32) PUBLIC HEALTH File Reference No. 02-00158

Set a hearing to consider a report from the Public Health Department Emergency Medical Services on Emergency and Disaster Planning for Vulnerable Populations.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: February 5, 2002 The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

A-33) SHERIFF File Reference No. 02-00038

Set a hearing to consider recommendations regarding the addition of an electronic monitoring component to the Work Furlough/ Sheriff's Work Alternative Program (SWAP), as follows: (EST. TIME: 10 MIN.)

a) Consider the introduction (first Reading) of an Ordinance adding § 2-94 and 2-95 to Article XII, Chapter 2 of the Santa Barbara County Code relating to the Work Furlough/ SWAP;

b) Adopt the program rules and regulations.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: January 8, 2002. The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

### Approval of Administrative Agenda

### Public Comment Period

**Departmental Agenda -- Public Hearings**

- 1) PUBLIC HEALTH File Reference No. 01-01022
- HEARING - Consider the adoption of a Fee Resolution regarding the Licensure of Tobacco Retailers (Ordinance No. 4438). (EST. TIME: 5 MIN.)
- COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY
- A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Adopted RESOLUTION NO. 01-425. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Marshall, Supervisor Rose, Supervisor Schwartz and Supervisor Urbanske  
Absent: 1 - Supervisor Gray
- 2) Clerk of the Board File Reference No. 01-01511
- HEARING - Consider the adoption of the 2002 Board of Supervisors' schedule of meeting dates and locations. (EST. TIME: 15 MIN.)
- COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE
- A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Marshall, Supervisor Rose, Supervisor Schwartz and Supervisor Urbanske  
Absent: 1 - Supervisor Gray
- 3) COUNTY EXECUTIVE OFFICE File Reference No. 01-01498
- HEARING - Consider recommendations regarding granting a cable franchise agreement to Cox Com Inc. for a thirteen-year period, with provision for an additional two-year extension (for a total of fifteen years) if all required construction for the County INET is completed within twenty months, commencing on the effective date of the ordinance, as follows: (EST. TIME: 1 HR.)
- a) Consider the Introduction (First Hearing) of an ordinance granting a cable communications system franchise to Cox Communications and setting forth terms and conditions of the franchise;
- b) Set a hearing to consider the following actions regarding the cable franchise agreement: (SET HEARING FOR DECEMBER 11, 2001 IN SANTA MARIA) (EST. TIME: 1 HR.)
- i) Consider the adoption (Second Hearing) of the ordinance;
- ii) Approve a budget revision recognizing as revenue a Government Access capital grant in the amount of \$1,150,000 to be provided by Cox within 60 days of the effective date of the franchise and appropriating as expenditure \$250,000 to the City of Goleta for capital equipment needs and connection costs for government access programming, and expending the remaining \$900,000 in subsequent fiscal years for County Government Access purposes;
- iii) Approve the following actions pertaining to I-Net services:
- iii).1 Approve budget revision recognizing as revenue a capital grant of \$400,000 for initial construction of facilities and installation costs for an Institutional Network (I-Net) to be

provided by Cox within 30 days of the effective date of the franchise, as provided in the ordinance, and appropriating an equal amount as expenditures for payment to Cox Com/ Cox Business Services for performing this work;

iii).2 Acknowledge and accept a commitment by Cox to provide a capital grant not to exceed \$200,000 for future additional I-Net locations and service upgrades to be provided by Cox as needed;

iii).3 Acknowledge and accept a letter from Cox regarding "Discounted Commercial Services" (Attachment B)

iv) Approve a budget revision recognizing as revenue a grant in the amount of \$208,000 to assist the Goleta Union School District with an initial payment to match its Universal Service Fund (USF) application and appropriating an equal amount as expenditure to be used by the Goleta Union School District for payment to CoxCom/ Cox Business Services for high speed I-Net services;

v) Consider approval of recommendations regarding Public and Educational Access as follows:

v).1 Convene immediately the Public Access Transition Team to facilitate the transition of management responsibility for public access from Cox to an independent non-profit access center;

v).2 Commit the County to make available a site for an access center facility no sooner than January 1, 2003;

vi) Acting as the Board of Directors of the Santa Barbara Fund for Public and Educational Access (SBFPEA):

vi).1 Approve By-Laws of the Santa Barbara Fund for Public and Educational Access (Attachment D to the Board Letter Dated December 4, 2001);

vi).2 Authorize the Auditor Controller as Chief Financial Officer to establish a special revenue fund for this non-profit entity and to deposit funds of the corporation with the Santa Barbara County Treasurer-Tax Collector;

vi).3 Approve a budget revision recognizing as revenue a voluntary, charitable donation of \$1,700,000 as described in the letter from Cox regarding "Public Access Commitments" (Attachment C to the Board Letter Dated December 4, 2001)

vi).4 Approve a budget revision recognizing as revenue \$1,000,000 as a capital endowment to be provided by Cox Com, Inc. within 30 days of the effective date of the franchise, for equipment and facilities for support of public and educational access;

vi).5 Approve a budget revision recognizing as revenue \$250,000 to be provided by Cox Com, Inc. within 30 days of the effective date of the franchise as a capital grant for equipment and facilities for support of public and educational access (and acknowledge Cox's commitment to make a subsequent grant of \$200,000 to the Access Center for capital purposes.)

vi).6 Appoint Scott Ullery, Deputy County Administrator, as a Vice-President of the

Corporation;

vi).7 Direct staff of the Santa Barbara Fund for Public and Educational Access to work with the Public Access Transition Team to arrange for the establishment and funding of a Public Access Center as a separate non-profit entity;

vii) Adopt a Resolution authorizing the County Treasurer to accept deposit of funds for local public agencies pursuant to provision of Government Code § 53684 and to accept funds of the Santa Barbara Fund for Public and Educational Access (Attachment E to the Board Letter Dated December 4, 2001).

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Read by title; waived reading of the ordinance in its entirety. Introduction approved; adoption (second reading) set, as follows: December 11, 2001. The motion carried by the following vote:**

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

4) PLANNING AND DEVELOPMENT

File Reference No. 01-01411

HEARING - Consider recommendations regarding a comment letter to the US Fish and Wildlife Department regarding the Draft Recovery Plan for the Western Snowy Plover, Pacific Coast population, as follows: (EST. TIME: 30 MIN.)

- a) Review a comment letter from the Santa Barbara County Board of Supervisors to the US Fish and Wildlife Service regarding their Draft Recovery Plan for the Western Snowy Plover, Pacific Coast Population;
- b) Authorize the Chair to execute a comment letter to the US Fish and Wildlife Service.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

**A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Acted on as follows: a) Reviewed comment letter.**

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

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

5) Human Relations Commission

File Reference No. 01-01423

HEARING - Present the Human Relations Commission awards and hold a reception for recipients (reception to take place during the lunch recess). (11:40 AM TIME CERTAIN) (EST. TIME: 20 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Accepted. The motion carried by the following vote:**

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

**2:00 P.M. .... Presentation of Resolutions and Awards****Planning Items and Public Hearings**6) PLANNING AND DEVELOPMENTFile Reference No. 02-00072

HEARING - Consider the appeal of Loraine Toms of the Planning Commission's August 27, 2001 decision to deny a lot split application TPM 14,524 to subdivide a 20.09 acre parcel located at 925 Toro Canyon, First District. (EST. TIME: 2 HRS)

Request Continuance to January 15, 2002.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Continued, as follows: January 15, 2001. The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

7) PLANNING AND DEVELOPMENTFile Reference No. 01-01410

HEARING - Consider recommendations regarding the Union Pacific Railroad/ Hayward Lumber Lot Line Adjustment and Rezone/General Plan amendment located immediately east of the northern terminus of South La Patera Lane (APNs 073-010-012, 073-080-074), Goleta area, Third District, as follows: (EST. TIME: 30 MIN.)

a) Approve the Negative Declaration (01-ND-42) and adopt the mitigation monitoring program contained in the conditions of approval;

b) Adopt the findings (specified in § 2.1 of Attachment A to the Board Letter dated December 4, 2001) and approve 98-LA-004, subject to the conditions contained in Attachment B to the Board Letter dated December 4, 2001;

c) Adopt the Historic Landmark findings (specified in § 2 of Attachment A to the Board Letter dated December 4, 2001).

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY



A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved, as follows:  
a) through c) Approved.

Findings revised by staff and approved by the Board as follows:

6.2 Comprehensive Plan Consistency Historical and Archaeological Sites Policies in Planning and Development's Board Letter dated December 4, 2001 to include all four structures associated with the Shrode Building as County Historic Landmarks.

Attachment B: Conditions of Approval, II Mitigation Measures from the Environmental Document in Planning and Development's Board Letter dated December 4, 2001.

Part 5.

Applicant shall finance an article featuring the Shrode Produce Company and the Goleta Lemon Association which describes the historical significance of dry farming, tomato packing, and the lemon industry.

Part 6.

Finding to include any artifacts related to the Shrode Produce Company and its dry farming and tomato packing activities as well as the Goleta Lemon Association.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

8) PUBLIC HEALTH

File Reference No. 01-01394

HEARING - Consider recommendations of the Tobacco Settlement Advisory Committee regarding funding allocations for Fiscal Year 2002-03, as follows: (EST. TIME: 1 HR.)

a) Approve allocating 20% of FY 2002-03 tobacco settlement revenues, as reduced by the projected private attorney fee payments, to the TSAC endowment. (Total TSAC revenues for FY 2002-03 are estimated to be \$4,727,000. The payment of private attorney fees is projected to be \$554,875, leaving \$4,172,125 available. The 20% distribution to the TSAC endowment would be \$834,425);

b) Allocate the balance of FY 2002-03 tobacco settlement revenues (estimated at \$3,337,700) plus interest projected to be earned in FY 2001-02 (estimated at \$178,553 for a total of \$3,516,253), as follows:

1. \$806,000 for tobacco prevention, treatment and education
2. \$500,000 for the MISC (Multi-agency Integrated System of Care) Program
3. \$500,000 for hospital and emergency room care
4. \$500,000 for specialty medical care
5. \$259,000 for Project Clean Water
6. \$150,000 for the County's drug court program
7. \$150,000 for specialty care testing
8. \$100,000 for dental care
9. \$100,000 for emergency room physicians
10. \$85,000 for the Air Pollution Control District
11. \$76,000 for ADMHS infrastructure
12. \$50,000 for the Adult and Aging Network
13. \$50,000 for SB Neighborhood Clinics Hepatitis C program
14. \$50,000 for SB Neighborhood Clinics outreach program
15. \$140,000 to cover administrative overhead and evaluation costs;

- c) Allocate FY 2003-2004 revenues to tobacco prevention, treatment, and education in the amount of \$806,000, and to infrastructure in the amount of \$555,000 (\$300,000 for Alcohol, Drug and Mental Health Services, and \$255,000 for the Public Health Department);
- d) In the event that the funding received for the FY 2002-03 tobacco settlement is less than \$3,516,000, decrease the funding recommended in items B1-B15 above proportionately;
- e) In the event that the funding received for the FY 2002-03 tobacco settlement is more than \$3,516,000, allocate the additional funding to infrastructure for the Public Health and Alcohol, Drug, and Mental Health Departments.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

Acted on as follows:

Urbanske/Schwartz

- a) **Approved.**
- b) **Allocated all funding excluding item 5. (Project Clean Water).**
- c. **Allocated.**
- d) and e) **Approved.**

No: Rose

Absent: Gray

Schwartz/Rose

Approved \$259,000 for Project Clean Water.

No: Urbanske

Absent: Gray

9) PLANNING AND DEVELOPMENT

File Reference No. 02-00071

HEARING - Consider the appeals of Wanda Michalenko, representing the Santa Barbara Urban Creeks Council, and Diane Conn, representing Citizens for Goleta Valley, and uphold the Planning Commission's actions regarding the Residences at Sandpiper project, located on the north side of Hollister Avenue near its western terminus, Goleta area, Third District, as follows: (EST. TIME: 2 HRS.)

- a) Adopt the required findings for the project, including CEQA findings and Statement of Overriding Considerations, specified in Attachment A of staff's memo dated October 24, 2001, as revised at the hearing of October 31, 2001, and reflected in the PC's action letter dated November 8, 2001;
- b) Certify the Supplemental Environmental Impact Report (01-SD-02) and adopt the mitigation monitoring program contained in the conditions of approval, as revised at the hearing of October 31, 2001, and reflected in the PC's action letter dated November 8, 2001;
- c) Grant the requested modifications to ordinance standards 1) to allow minimum residential front yard setbacks measuring five feet from the right of way of internal private roadways rather than 20

feet and 2) to allow the parking required for the studio dwelling units to be uncovered rather than covered;

d) Approve Vesting Tentative Tract Map 14,541 subject to the conditions included as Attachment B of staff's memo dated October 24, 2001, as revised at the hearing of October 31, 2001, and reflected in the PC's action letter dated November 8, 2001;

e) Approve 99-DP-051 subject to conditions included as Attachment C of staff's memo dated October 24, 2001, as revised at the hearing of October 31, 2001, and reflected in the PC's action letter dated November 8, 2001.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

*a) Conceptually approved project of approximately 109 units as presented to the Board. Directed staff to return to the Board with findings per Board direction on December 4, 2001.*

*b) through e) Continued to January 15, 2001.*

A motion was made by Supervisor Marshall, seconded by Supervisor Schwartz, that this matter be Continued, as follows: **January 15, 2001.**

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

**Adjourn to December 11, 2001**

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

**Announcements**

**<http://www.countyofsb.org>**