

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

## **ACTION SUMMARY**

**March 05, 2002**

**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.

Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at:  
[www.countyofsb.org](http://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 Marshall, Supervisor Gray, Supervisor Rose, Supervisor Schwartz and Supervisor Urbanske

**Invocation: Kirsten Zecher, Planning and Development**

### **Report from Closed Session**

No reportable action taken.

County Counsel announced the following:

The Court of Appeals for the 4th District, in *Hughes Aircraft Co. v. County of Orange*, ruled that certain personal property used by defense contractors in the performance of government contracts was owned by the United States government and was not subject to property taxation. County counsel wrote a friend of the court brief in support of Orange County.

### **Approval of Minutes of the February 25 and February 26, 2002 meetings**

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, to Approve the Minutes of February 25, 2002. The motion carried by the following vote:

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

Abstain: 1 - Supervisor Gray

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, to Approve the Minutes of February 26, 2002. The motion carried unanimously.

## **Administrative Agenda**

### **Resolutions to be Presented at 2:00 PM**

A-1) SUPERVISOR MARSHALL

[File Reference No. 02-00242](#)

Adopt a Resolution of Commendation for the Accounting Unit of the Department of Child Support Services - Marcia Patrick, Richard Bunke, Jennifer Casas-Hughes, Lorena Diaz, Teresa Diltz, Carrie Feland, Diamond Galarza, Tonia Geise, Natalie Jackson, Mindy Wei and Cindy Pyle as Santa Barbara County Employees of the Month for March 2002.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 02-074. The motion carried unanimously.**

A-2) SUPERVISOR SCHWARTZ

[File Reference No. 02-00216](#)

Adopt a Resolution of Commendation for John Contreras for his 36 years of service to the County of Santa Barbara.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 02-075. The motion carried unanimously.**

**Honorary Resolutions**A-3) SUPERVISOR URBANSKE[File Reference No. 02-00247](#)

Adopt a resolution honoring Nathan Lipscomb for his extraordinary courage under fire during the battle of Iwo Jima.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 02-076. The motion carried unanimously.**

**Administrative Items**A-4) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT[File Reference No. 02-00246](#)

Consider recommendations regarding the Franciscan Sediment Basin Project (SC8314), First District, as follows:

- a) Award the construction contract in the amount of \$685,153.25 to the lowest responsible bidder, Elevation General Engineering Contractors (a local vendor) subject to the provision of documents and certifications, as set forth in the plans and specifications applicable to the project and as required by California law;
- b) Authorize the Chair to execute the construction contract upon return of the contractor's executed contract documents and the review and approval of the County Counsel, Auditor-Controller and Risk Manager or their authorized representatives;
- c) Approve a contingency fund in the amount of \$46,757.66 for the project.

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

- a) **Approved.**
- b) **Authorized; Chair to execute.**
- c) **Approved.**

**The motion carried unanimously.**

A-5) GENERAL SERVICES[File Reference No. 02-00254](#)

Consider recommendations regarding a Resolution of Intent regarding the transfer of real property to the City of Goleta, Third District, as follows:

- a) Adopt a Resolution transferring all interest in any and all public roads and highways within the boundaries of the new City of Goleta which have not been transferred by operation of law, pursuant to California Government Code § 57385;
- b) Authorize the Chair to execute the Grant Deed transferring all County-owned property within the incorporated area of Goleta to the City of Goleta, subject to the exceptions stated herein;
- c) Authorize the Chair to execute the Grant Deed transferring Los Carneros Park from the County to the City of Goleta, with the exception of a portion to be reserved for use by the County Fire

Department;

d) Authorize the Chair to execute the Grant Deed transferring Santa Barbara Shores Park, with the exception of a portion to be reserved for use by the County Fire Department.

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

**a) Adopted.**

**RESOLUTION NO. 02-077.**

**b) through d) Authorized; Chair to execute.**

**The motion carried unanimously.**

A-6) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[File Reference No. 02-00244](#)

Receive and file the Personnel Management Program Review Report of Findings from Cooperative Personnel Services, Merit System Services.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Received and filed.**

**The motion carried unanimously.**

A-7) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[File Reference No. 02-00245](#)

Adopt a resolution, effective March 4, 2002, increasing salaries for classifications in Bargaining Units 14 and 15 by approximately 3.5%, pursuant to a Memorandum of Understanding with the Deputy Sheriff's Association.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted  
RESOLUTION NO. 02-078. The motion carried unanimously.**

A-8) PLANNING AND DEVELOPMENT

[File Reference No. 02-00243](#)

Approve and authorize the Chair to execute an agreement with the consulting firm Opticos Design (not a local vendor) for the preparation of a master plan for Isla Vista for the period of March 15, 2002 through June 30, 2005, in the amount of \$396,080, Third District.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Withdrawn from the agenda. The motion carried unanimously.**

A-9) PUBLIC HEALTH

[File Reference No. 02-00252](#)

Approve the 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 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 unanimously.**

A-10) PUBLIC WORKS

[File Reference No. 02-00238](#)

Authorize the Director of Public Works to advertise for construction of the replacement of a portion of the West Side 48" diameter Storm Drain at the Tajiguas Landfill, County Project No. 828718, Third District.

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

A-11) PUBLIC WORKS [File Reference No. 02-00239](#)

Authorize the Director of Public Works to advertise for the Reconstruction of the Construction and Demolition Pad for the Foxen Canyon Transfer Station, County Project No. 828709, Third District.

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

A-12) PUBLIC WORKS [File Reference No. 02-00240](#)

Approve an amendment in the amount of \$14,200.26 to the contract with Granite Construction for the reconstruction of a portion of Tajiguas Landfill Access Road, County Project No. 720612, for a total contract amount not to exceed \$114,032.96, Third District.

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

A-13) PUBLIC WORKS [File Reference No. 02-00241](#)

Consider recommendations regarding the Ballard Canyon Landfill final closure, Project No. 828336, Third District, as follows:

a) Approve the project and accept the Categorical Exemption pursuant to the County's California Environmental Quality Act guidelines;

b) Authorize the Director of Public Works to advertise for construction bids for the project.

**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 unanimously.**

A-14) PUBLIC WORKS [File Reference No. 02-00248](#)

Consider recommendations regarding 1998 Storm Damage Repairs at Alisos Avenue Bridge 51C-190, County Project No. 98R047, Third District, as follows:

a) Approve the project and Categorical Exemption pursuant to the County's California Environmental Quality Act guidelines for the project;

b) Authorize the Director of Public Works to advertise for construction bids for the project.

**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 unanimously.**

A-15) PUBLIC WORKS [File Reference No. 02-00249](#)

Approve and execute a contract with Jason J. Sunukjian for Real Property Management Services, for the period of March 4, 2002 through March 3, 2004, in an amount not to exceed \$146,487.25, All

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

A-16) SHERIFF

[File Reference No. 02-00250](#)

Approve and execute a revenue agreement with Calvary Chapel for supplemental security services for the period of April 1, 2000 through June 30, 2003, in an amount that reimburses actual direct costs.

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

A-17) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00256](#)

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 carried unanimously.

### Board of Supervisors

A-18) SUPERVISOR MARSHALL

[File Reference No. 02-00255](#)

Approve and authorize the Chair to execute a letter of support for KCET's grant proposal to the US Department of Commerce's National Telecommunications and Information Administration/ Public Telecommunications Facilities Program to help fund an increase in signal strength of the transmitter/repeater on Broadcast Peak.

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

### Hearing Requests

A-19) COUNTY COUNSEL

[File Reference No. 02-00237](#)

Consider recommendations regarding a Memorandum of Understanding for the Naples Townsite, Third District, as follows:

a) Receive a staff report and public testimony on the proposed Memorandum of Understanding ("MOU") between Naples property owners and County;

a) Approve and authorize execution of the MOU.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: March 19, 2002.

The motion carried unanimously.

A-20) PLANNING AND DEVELOPMENT

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

Reschedule the hearing for a briefing on the Oak Protection Program and the Rural Resource Protection Program from March 12 to April 9, 2002, as follows:

a) Receive a briefing on the status of the Technical Advisory Committee (TAC) and progress on the Rural Resource Protection Program and its relationship to the Oak Protection Program;

b) Direct staff to continue with previous Board direction to process the Oak Protection Program

separately from the Resource Protection Program and to return this Fiscal Year with the Oak Protection Program to the Board for consideration.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Rescheduled, as follows: April 9, 2002 in Santa Maria.

Further directed that staff recommendations to be considered on April 9, 2002 be amended to read as follows:

- a) Receive briefing on the status of the Technical Advisory Committee (TAC) and progress on the Rural Resource Protection Program and its relationship to the Oak Protection Program.
- b) Provide direction to staff regarding continued work with the TAC and the Rural Resource Protection Program.
- c) Direct staff to continue with previous Board direction to process the Oak Protection Program separately from the Resource Protection Program and to return to the Board this fiscal year for consideration of the Oak Protection Program. Provide direction on Oak Protection Program alternatives and program components for Board consideration when staff returns.

The motion carried unanimously.

A-21) SUPERVISOR URBANSKE

[File Reference No. 02-00251](#)

Set a hearing to consider submitting letters to major television networks and their local affiliates urging them not to air hard liquor ads and to submit a letter to the California State Association of Counties asking other counties to do the same.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: March 12, 2002 in Santa Maria. (EST. TIME: 30 MIN.)

The motion carried unanimously.

### Approval of Administrative Agenda

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

[File Reference No. 02-00025](#)

### PUBLIC COMMENT

#### Accepted Public Comment

Persons 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) (02-00,025)

RE: Domestic Violence Prevention - Dr. Gail M. Tissier addressed the Board.

RE: Report on North County Open House, Hosted by The Planning and Development Department - Fourth District Supervisor Joni L. Gray addressed the Board.

RE: Report on National Association of Counties Conference and Meetings with County Federal Legislative Delegation and Advocates, in Washington D.C. - Deputy County Administrator Jim Laponis and First District Supervisor Naomi Schwartz addressed the Board.

### **Departmental Agenda -- Public Hearings**

1) **COUNTY CLERK-RECORDER-ASSESSOR**

[File Reference No. 02-00053](#)

HEARING - Consider adoption of a resolution revising fees for services performed in the Elections Division office.

REQUEST CONTINUANCE TO MARCH 26, 2002.

**A motion was made by Supervisor Rose, seconded by Supervisor Urbanske, that this matter be Continued, as follows: March 26, 2002. The motion carried unanimously.**

2) **GENERAL SERVICES**

[File Reference No. 02-00209](#)

HEARING - Consider the introduction (First Reading) of an ordinance to amend Chapter 12A of the Santa Barbara County Code regarding Facilities Policy Framework and Master Planning procedures for County-owned property.

REQUEST CONTINUANCE TO MARCH 12, 2002.

**A motion was made by Supervisor Urbanske, seconded by Supervisor Schwartz, that this matter be Continued, as follows: March 12, 2002. The motion carried unanimously.**

3) **PARKS**

[File Reference No. 02-00081](#)

HEARING - Consider approving the Goleta Beach Long Term Beach Restoration and Shoreline Management Plan (Plan) as required by the California Coastal Commission as a condition prior to the issuance of further permits for protective sand berms at the park, Second District, as follows: (EST. TIME: 90 MIN.)

a) Direct staff to, in cooperation with the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON), monitor the effectiveness of the proposed BEACON Demonstration Project anticipated to commence in Fall 2002 at Goleta Beach County Park. Report back in Fall 2003, approximately 1 year after the completion of the BEACON project, or earlier if necessary, to direct further action depending on the following potential alternative scenarios:

i) An effective BEACON beach nourishment project:

Continue monitoring and report back in successive years;

ii) A partially effective BEACON beach nourishment project:

Consider continuing sand berm construction and seeking funding for either a second beach nourishment project and/or hard structure protection as recommended in the Long Term Management Plan;

iii) An ineffective BEACON beach nourishment project:

Consider continuing sand berm construction and /or seek funding for hard structure protection as recommended in the Long Term Management Plan;

b) Direct staff to pursue a multi-year permit from the regulatory agencies to continue placement of a protective sand berm at Goleta Beach County Park with specific criteria and field conditions to be developed that would warrant placement of the berm each year as recommended in the Long Term Management Plan;



c) Direct staff to seek a permit from the regulatory agencies for the existing revetments to remain in place at the east and west ends of the park as recommended in the Long Term Management Plan.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

Approved the Goleta Beach Long Term Beach Restoration and Shoreline Management Plan and associated staff recommendations a) through c).

The motion carried unanimously.

4) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00253](#)

HEARING - Receive and file a staff presentation regarding the process and law related to the County Formation Proposal and provide direction to staff as appropriate. (EST. TIME: 1 HR.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

Directed staff to return within 60 days with additional fiscal analysis related to the County Formation Proposal including potential impacts to County Fiscal Year 2002-03 budget and with recommendations for the expansion of the public dialog as it relates to the proposal.

The motion carried by the following vote:

Ayes: 3 - Supervisor Marshall, Supervisor Rose and Supervisor Schwartz

Noes: 2 - Supervisor Gray and Supervisor Urbanske

**2:00 P.M. .... Presentation of Resolutions and Awards**

**Planning Items and Public Hearings**

5) PLANNING AND DEVELOPMENT

[File Reference No. 02-00157](#)

Consider recommendations regarding the allocation of year 2002 Coastal Resource Enhancement Funds (CREF), as follows: (EST. TIME: 30 MIN.) (PUBLIC HEARING CLOSED)

a) Approve 12 CREF awards in the 2002 cycle pursuant to staff recommendations that appear on page 10 of the staff report, and approve staff recommended preliminary conditions of award contained in Appendix A of the staff report;

b) Direct staff to prepare the required contractual agreements with grantees, including final grant conditions, for approval by the Board of Supervisors.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- a) Approved 14 CREF awards in the 2002 cycle. See Attachment "A" dated March 5, 2002 for award details.
- b) Directed staff to prepare the required contractual agreements with grantees, including final grant conditions, and to return at a later date for approval by the Board of Supervisors.

The motion carried by the following vote:

Ayes: 3 - Supervisor Marshall, Supervisor Rose and Supervisor Schwartz

Noes: 1 - Supervisor Urbanske

Absent: 1 - Supervisor Gray

6) PUBLIC WORKS and PLANNING AND DEVELOPMENT

[File Reference No. 02-00108](#)

HEARING - Consider recommendations regarding the South Coast Route 101 Deficiency Plan, First, Second and Third Districts, as follows: (EST. TIME: 15 MIN.)

- a) Adopt a resolution approving the South Coast Route 101 Deficiency Plan;
- b) Receive summary of comments submitted to Santa Barbara County Association of Governments SBCAG and staff response on the draft South Coast Route 101 Deficiency Plan.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- a) Adopted.

RESOLUTION NO. 02- 079

- b) Received presentation.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

**Adjourned to March 12, 2002**

**Betteravia Government Center**

**Board Hearing Room**

**511 East Lakeside Parkway**

**Santa Maria**

**ADJOURNED**

**Announcements**

THE MEETING OF MARCH 5, 2002 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, MARCH 7, 2002 AT 5:00 P.M. ON GATV CHANNEL 20.

THE LEGISLATIVE PROGRAM COMMITTEE MEETING IS SCHEDULED TO BEGIN AT 2:30 PM ON MONDAY MARCH 18, 2002, IN THE BOARD OF SUPERVISORS CONFERENCE ROOM, 105 E. ANAPAMU STREET, SANTA BARBARA, CA. THE COMMITTEE MEETS TO REVIEW LEGISLATIVE ISSUES AND MAKE RECOMMENDATIONS ON THEM TO THE BOARD OF SUPERVISORS. AN AGENDA PACKET IS AVAILABLE AT BOTH THE COUNTY ADMINISTRATOR'S OFFICE AND THE CLERK OF THE BOARD'S OFFICE, LOCATED AT THE COUNTY ADMINISTRATION BUILDING, 105 E. ANAPAMU STREET, SANTA BARBARA, CA.

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