

County of Santa Barbara BOARD OF SUPERVISORS

ACTION SUMMARY

April 23, 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

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: Claudia Lujan, Office of the County Administrator

Report from Closed Session

No reportable action taken.

County Counsel announced the following:

The United States Court of Appeals for the Ninth Circuit issued a new and final opinion in *Hill-Daniel v. County of Santa Barbara*, affirming the trial court's decision that the County's acceptance of an offer to dedicate property for beach access did not constitute a taking.

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

Approval of Minutes and Addendum of the April 16, 2002 meeting

A motion was made by Supervisor Urbanske, seconded by Supervisor Schwartz, to Amend the minutes, as follows:

Amended minutes to reflect a continuance date of May 28, 2002 for recommendation "m" of item A-22).

Approved minutes as amended. The motion carried unanimously.

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR GRAY [File Reference No. 02-00433](#)

Adopt a Resolution of Commendation for Meridian Vineyards/ Hampton Farming Company, winner of the Completing the Cycle Award.

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

RESOLUTION NO. 02-149

The motion carried unanimously.

A-2) SUPERVISOR ROSE [File Reference No. 02-00428](#)

Adopt a resolution proclaiming April 2002 as Fair Housing Month.

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

RESOLUTION NO. 02-150

The motion carried unanimously.

A-3) SUPERVISOR SCHWARTZ [File Reference No. 02-00422](#)

Adopt a resolution proclaiming the week of April 14 through April 20, 2002 as Infant Immunization Week and the Month of May 2002 as Toddler Immunization Month.

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

RESOLUTION NO. 02-151

The motion carried unanimously.

A-4) SUPERVISOR URBANSKE [File Reference No. 02-00434](#)

Adopt a resolution proclaiming April 28 through May 4, 2002 as Compost Awareness Week.

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

RESOLUTION NO. 02-152

The motion carried unanimously.

Honorary Resolutions

A-5) SUPERVISOR GRAY [File Reference No. 02-00437](#)

Adopt a resolution proclaiming April 28 through May 4, 2002 as Law Week.

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

RESOLUTION NO. 02-153

The motion carried unanimously.

Administrative Items**A-6) CHILD SUPPORT SERVICES [File Reference No. 02-00429](#)**

Approve and execute Amendment No. 3 to the Town Center Tower Office Lease with Burt E. Fugate, Trustee of the Burt E. Fugate Trust and Anne LeFever Trust, successors in interest to Santa Maria Office Investments No. Two adding approximately 1,740 square feet of commercial office space (Suite 210) located at 201 South Miller Street, Santa Maria, in the amount of \$2,436 per month and adding two renewal options for three-years each, Fifth District.

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

A-7) COUNTY EXECUTIVE OFFICE [File Reference No. 02-00431](#)

Approve and execute a Lease Agreement between the County of Santa Barbara and C-Four investments, Inc. for the lease of approximately 1,500 square feet of office space located at 218 W. Carmen Lane, Suite 111, Santa Maria, for the Early Care & Education Office, for the period of May 1, 2002 through June 30, 2003 with three options to renew for three-years each, in the amount of \$1,425 per month, Fifth District.

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

A-8) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 02-00198](#)

Approve and execute an agreement with Liebert Cassidy Whitmore for negotiation and consulting services pertaining to employee relations matters on an hourly rate basis for the period of February 1, 2002 through January 31, 2003.

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

A-9) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 02-00439](#)

Adopt one (1) resolution, effective April 15, 2002, as follows:

Establish the job classification of Social Services Staff Development Coordinator (Class 7058), Range 540 (\$3,585-\$4,377 per month);

Delete the job classification of Program Assistant-Social Services (Class 0031), Range 535 (\$3,497-\$4,269 per month);

SOCIAL SERVICES (#5810):

Delete: One (1.0 FTE) Program Assistant-Social Services (Class 0031);

Add: One (1.0 FTE) Social Services Development Coordinator (Class 7058).

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

RESOLUTION NO. 02-154

The motion carried unanimously.

A-10) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 02-00426](#)

Adopt a resolution, effective April 29, 2002, increasing salaries for classifications in Bargaining Units 44 and 45 by approximately 4% pursuant to a Memorandum of Understanding with the Sheriff's Manager's Association.

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

RESOLUTION NO. 02-155

The motion carried unanimously.

A-11) GENERAL SERVICES[File Reference No. 02-00421](#)

Authorize the destruction of all original workers' compensation claim files as detailed in the Schedule of Records for Destruction and miscellaneous workers' compensation incident files which never resulted in the filing of a claim, no longer required by law to be maintained.

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

A-12) GENERAL SERVICES[File Reference No. 02-00425](#)

Consider recommendations regarding the Courthouse Lockers/ Showers Project, First District, as follows:

- a) Approve the plans and specifications for a project to construct showers and locker facilities in the east wing of the Courthouse for Sheriff Civil Division;
- b) Authorize the General Services Department to advertise the project for public bidding.

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

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

The motion carried unanimously.

A-13) PROBATION[File Reference No. 02-00432](#)

Consider recommendations regarding an application to pursue second year allocation funding under the Juvenile Justice Crime Prevention Act (Formerly the Schiff-Cardenas Crime Prevention Act of 2000), as follows:

- a) Appoint Chief Probation Officer Susan J. Gionfriddo as the Chair of the Santa Barbara County Juvenile Justice Coordinating Council and as lead agent for the Juvenile Justice Crime Prevention Act;
- b) Adopt a resolution authorizing the Chief Probation Officer, or the Chair of the Board of Supervisors, to submit and/or execute Santa Barbara County's Application for Approval of the JJCPA funding for the period of July 1, 2002 through June 30, 2003, and to execute related amendments and extensions with the State of California that contain the same terms as those set forth in the grant application;

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 Gray, seconded by Supervisor Urbanske, that this matter be Acted on as follows:

a) Approved.

b) Adopted.

RESOLUTION NO. 02-156

c) Approved.

The motion carried unanimously.

A-14) PUBLIC HEALTH [File Reference No. 02-00430](#)

Approve and execute Amendment No. 7 with the State Department of Health Services for the Women, Infants and Children Program for the period of October 1, 2001 through September 30, 2002, in the amount of \$100,145 in unanticipated revenue, for a total contract amount of \$1,694,521.

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

A-15) PUBLIC WORKS [File Reference No. 02-00424](#)

Adopt a resolution establishing a 15 Minute Parking zone (7am-6pm) on Embarcadero Del Norte, Isla Vista Area, Third District.

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

RESOLUTION NO. 02-157

The motion carried unanimously.

A-16) PUBLIC WORKS [File Reference No. 02-00427](#)

Adopt a resolution establishing a No Parking zone on Hummel Drive, Orcutt area, Fourth District.

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

RESOLUTION NO. 02-158

The motion carried unanimously.

A-17) PUBLIC WORKS [File Reference No. 02-00435](#)

Approve the appointment by the City of Goleta of Michael Emmons as interim City Surveyor for the City of Goleta.

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

A-18) SHERIFF [File Reference No. 02-00420](#)

Approve and execute Amendment No. 1 with Prison Health Services redefining the performance measure regarding staffing levels, for the provision of medical services in the county jail.

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

A-19) SOCIAL SERVICES[File Reference No. 02-00423](#)

Approve and execute Amendment No. 1 to the contract with the Santa Barbara County Education Office to provide youth employment and training activities for the period of July 1, 2001 through June 30, 2002 in the amount of \$123,862 for a total not to exceed \$961,165.

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

Board of SupervisorsA-20) SUPERVISOR ROSE[File Reference No. 02-00436](#)

Rescind the April 9, 2002 reappointment of Peter Rojas to the Affirmative Action Commission, as it is unnecessary at this time, and approve the reappointment of Alex Rodriguez to the Affirmative Action Commission, Second District.

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

Hearing RequestsA-21) BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT[File Reference No. 02-00419](#)

Set a hearing to consider the Laguna County Sanitation District (LCSD) collection of service charges, connection fees and trunk line fees on the tax rolls, Fourth and Fifth Districts, as follows:

- a) Approve the introduction (First Reading) of an ordinance amending Ordinance No. 3130 which established service charges, connection fees and other rules and regulations for the LCSD;
- b) Approve the Notice of Exemption pursuant to Section 15273 of the California Environmental Quality Act guidelines.

A motion was made by Supervisor Gray, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: May 21, 2002. The motion carried unanimously.

A-22) COUNTY EXECUTIVE OFFICE[File Reference No. 02-00441](#)

HEARING - Consider recommendations regarding a comment letter from the Santa Barbara County Board of Supervisors to the Santa Ynez Band of Chumash Indians regarding the Tribe's Environmental Evaluation of the Chumash Casino Consolidation Project, as follows: (EST. TIME: 1 HR.)

- a) Review a comment letter from the Santa Barbara County Board of Supervisors to the Santa Ynez Band of Chumash Indians regarding the Tribe's Environmental Evaluation of the Chumash Casino Consolidation Project;
- b) Authorize the Chair to execute the comment letter and represent the Board at a public meeting held at the Chumash Pavilion in Santa Ynez on the Environmental Evaluation of the Chumash Casino Consolidation Project scheduled for May 10, 2002;
- c) Authorize staff to request a meeting and meet with the Tribe to discuss mitigation of significant off-reservation environmental impacts pursuant to the Tribal Environmental Ordinance.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Gray, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: May 7, 2002. The motion carried unanimously.

A-23) PUBLIC HEALTH[File Reference No. 02-00442](#)

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 Gray, seconded by Supervisor Urbanske, that this matter be Approved. The motion carried unanimously.

Approval of Administrative Agenda

A motion was made by Supervisor Gray, seconded by Supervisor Urbanske, 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: Oak Tree Protection - Christopher Brown addressed the Board.

RE: Human Relations Commission Issues - Christine Simms addressed the Board.

RE: Home Owners Associations - Dennis Story addressed the Board.

RE: Toro Canyon Property Issues - John P.Thorndike IV addressed the Board.

RE: Latino Action Voter Alliance - Nestor Hernandez addressed the Board.

RE: Introduction of Karen Nguyen, Lompoc High School Junior, as Fourth District Supervisor of the Day - Fourth District Supervisor Joni Gray addressed the Board.

RE: Human Relations Commission Issues - Isaac Garrett addressed the Board.

Departmental Agenda -- Public Hearings1) COUNTY EXECUTIVE OFFICE[File Reference No. 02-00333](#)

HEARING - Consider the introduction (First Reading) of an Ordinance amending Ordinance 4439, which granted a Cable Communications System Franchise to Cox Com, Inc., to make technical changes clarifying the role of the County and other government franchise authorities in establishing a new nonprofit corporate provider of public access television services. (EST. TIME: 10 MIN.)

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: May 7, 2002.

The motion carried unanimously.

2) COUNTY EXECUTIVE OFFICE[File Reference No. 02-00440](#)

HEARING - Confirm the following legislative advocacy parameters for Indian Lands/Gaming: (EST. TIME: 30 MIN.)

i) Full recognition of Tribal sovereignty, and support for Tribal efforts to ensure self-reliance and improve living conditions of Tribe members;

ii) Local public hearings on all Tribal Fee-to-Trust applications (Federal);

iii) Inclusion of local governments in a manner which provides for influencing the Federal-Tribal Fee-to-Trust decision-making process (Federal);

iv) Inclusion of local governments in any State-Tribal compact renegotiations (State);

v) Inclusion of local governments in State-Indian Gaming Special Distribution Fund allocation decision-making (State).

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

3) PLANNING AND DEVELOPMENT[File Reference No. 02-00323](#)

HEARING - Consider the Farber Appeal of the Rau Accessory Structure, a 640 square foot accessory structure with a 490 square foot deck and associated landscaping, located at 1051 Alston Road (APN 009-091-006), Montecito area, First District, as follows: (EST. TIME: 1 HR.)

a) Adopt the required findings for the project, specified in the Planning Commission Action Letter dated February 15, 2002;

b) Deny the appeal, upholding the Planning Commission's approval of Land Use Permit 01LUP-00000-00864 for the Rau Accessory Structure;

c) Grant de novo approval of the project subject to the conditions of approval specified in the Planning Commission Action Letter dated February 15, 2002.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Adopted findings for the project.

b) Denied the appeal.

c) Approved the project subject to the conditions of approval.

The motion carried unanimously.

4) PUBLIC WORKS[File Reference No. 02-00320](#)

HEARING - Consider recommendations regarding Measure D 1/2 Cent Sales Tax for Transportation Five Year Program of Projects, as follows: (EST. TIME: 1 HR.)

a) Adopt a resolution for the Measure D Five-Year Program of Projects for Fiscal Years 2003-08, for submittal to the Santa Barbara County Local Transportation Authority for acceptance;

b) Reaffirm Resolution 89-465, which established priorities and policies for the use of the local portion of the 1/2 cent sales tax for the transportation needs in Santa Barbara County;

c) Approve the Notice of Exemption pursuant to the County's California Environmental Quality Act guidelines for the project.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

Acted on and continued, as follows:

A motion was made by Supervisor Urbanske, seconded by Supervisor Gray, as follows:

Amend the road maintenance allocation formula to be calculated using 50% population and 50% lane miles. The motion failed by the following vote:

Ayes: 2 - Supervisor Gray and Supervisor Urbanske

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

A motion was made by Supervisor Gray, Seconded by Supervisor Rose that this matter be continued as follows: May 7, 2002.

The motion carried unanimously.

2:00 P.M. Presentation of Resolutions and Awards**Planning Items and Public Hearings**

- 5) SUPERVISOR MARSHALL and SUPERVISOR ROSE [File Reference No. 02-00438](#)

HEARING - Consider recommendations regarding the Ballfields at Girsh Park, Goleta, as follows:
(EST. TIME: 30 MIN.)

a) Dedicate an additional \$200,000 from the South Coast West Quimby and Development Mitigation Fee Trust Funds toward the acquisition of the Ball fields at Girsh Park;

b) Approve and execute the Grant Agreement for the Acquisition of Recreational Facilities to facilitate deposit into an escrow account in the total amount of \$1,000,000 toward the purchase of the Ball Fields.

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

a) Dedicated additional \$200,000 toward acquisition of the Ball fields at Girsh Park.

b) Approved; Chair to execute Grant Agreement and Revenue Transfer.

The motion carried unanimously.

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

HEARING - Consider recommendations regarding a Memorandum of Understanding for the Naples Townsite, Third District, as follows: (EST. TIME: 3 HRS.)

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 the Chair to execute the MOU.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Conducted public hearing and received and filed staff report.

b) Approved; Chair to execute. Directed staff to docket the fully executed Memorandum of Understanding on the Administrative Agenda at a later date as appropriate.

The motion carried unanimously.

Adjourned to May 7, 2002

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

Adjourned

Announcements

THE MEETING OF APRIL 23, 2002 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, APRIL 25, 2002 AT 5:00 P.M. ON GATV CHANNEL 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, APRIL 30, 2002; THIS IS A FIFTH TUESDAY (ORDINANCE NO. 3352). THE NEXT REGULAR MEETING WILL BE TUESDAY, MAY 7, 2002, IN SANTA BARBARA.

<http://www.countyofsb.org>