

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

October 01, 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 Schwartz, Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Urbanske

Invocation: Alan Seltzer, Office of County Counsel

Report from Closed Session

County Counsel announced the following:

By a Vote of 5-0, the Board appointed Edward L. Moses as Housing and Community Development Director for the County of Santa Barbara.

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

Approval of Minutes of the September 24, 2002 meeting

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

Reflect the actions regarding recommendations d) and e) of Departmental item 4) as follows:

d) Approved.

e) Read title, waived reading of Ordinance in its entirety. Introduction approved as amended: second reading (adoption) set for October 1, 2002.

Approved the minutes of September 24, 2002 as amended.

The motion carried unanimously.

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR MARSHALL [File Reference No. 02-00989](#)

Adopt a resolution proclaiming the week of October 6 through October 12, 2002 as National Fire Prevention Week.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted

RESOLUTION NO. 02-341

The motion carried unanimously.

A-2) SUPERVISOR MARSHALL [File Reference No. 02-01003](#)

Adopt a Resolution of Commendation for Mary McMaster, Office of County Counsel, as Santa Barbara County Employee of the Month for October 2002.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted

RESOLUTION NO. 02-342

The motion carried unanimously.

A-3) SUPERVISOR SCHWARTZ [File Reference No. 02-00980](#)

Adopt a resolution proclaiming October 2002 as A Month for Building Bridges in Santa Barbara County.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted

RESOLUTION NO. 02-343

The motion carried unanimously.

A-4) SUPERVISOR SCHWARTZ [File Reference No. 02-00999](#)

Adopt a Resolution of Commendation for Eloy U. Ortega as recipient of the Santa Barbara Hispanic Achievement Council 2002 Achievement Award.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted

RESOLUTION NO. 02-344

The motion carried unanimously.

A-5) SUPERVISOR SCHWARTZ

[File Reference No. 02-01000](#)

Adopt a Resolution of Commendation for Annette Cordero for a dedicated lifetime promoting education, social and economic justice.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted

RESOLUTION NO. 02-345

The motion carried unanimously.

Honorary Resolutions

A-6) SUPERVISOR URBANSKE

[File Reference No. 02-00995](#)

Adopt a resolution proclaiming October 6 through October 12, 2002 as Mental Illness Awareness Week.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted

RESOLUTION NO. 02-346

The motion carried unanimously.

Administrative Items

A-7) AGRICULTURAL COMMISSIONER, FIRE and OFFICE OF
EMERGENCY SERVICES

[File Reference No. 02-01002](#)

Ratify the request for United States Department of Agriculture (USDA) Secretarial Drought Declaration regarding ranchers impacted by the drought emergency and that USDA Livestock Assistance Programs be made available to eligible Santa Barbara County ranchers.

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

A-8) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-01001](#)

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.

A-9) COUNTY CLERK-RECORDER-ASSESSOR

[File Reference No. 02-00993](#)

Appoint members of special district Board of Directors in lieu of election pursuant to Section 10515 of the California Elections Code.

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

- A-10) GENERAL SERVICES [File Reference No. 02-00988](#)
- Approve a Notice of Completion for the Courthouse Showers/Lockers Project (Project No. 8622), and authorize the Clerk of the Board to record, First District.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Approved. The motion carried unanimously.**
- A-11) PLANNING AND DEVELOPMENT [File Reference No. 02-00865](#)
- Approve and direct the Clerk of the Board to execute and record the Mendez Agricultural Preserve Replacement Contract (00-AP-003) replacing a portion of the original Agricultural Preserve (69-AP-086) located south of State Route 246 at Tularosa Road, addressed as 4076 Highway 246 (APN 099-150-068), Lompoc area, Third District.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Approved. The motion carried unanimously.**
- A-12) PLANNING AND DEVELOPMENT [File Reference No. 02-00986](#)
- Approve and execute a Coastal Resource Enhancement Fund (CREF) grant contract with the City of Santa Barbara to enhance Shoreline Drive with a pedestrian/ bikeway, for the period of October 1, 2002 through December 15, 2003, in the amount of \$50,281.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Approved; Chair to Execute. The motion carried unanimously.**
- A-13) PLANNING AND DEVELOPMENT [File Reference No. 02-00990](#)
- Set date to consider the Van Wingerden Agricultural Preserve Non-Renewal (Case No. 96-AP-002) located at 5154 Foothill Road (APN 004-004-037), Carpinteria area, First District. (SET DATE FOR OCTOBER 22, 2002 ON ADMINISTRATIVE AGENDA)
- A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set on the Administrative Agenda, as follows: October 22, 2002. The motion carried unanimously.**
- A-14) PLANNING AND DEVELOPMENT [File Reference No. 02-00994](#)
- Set date to consider the request of Scott and Claudia Matthews for an Agricultural Preserve Replacement Contract (Case No. 00-AP-007) located southeast of the intersection of Happy Canyon and Armour Ranch Roads, known as 5200 Armour Rand Road (APN 141-240-039), Santa Ynez area, Third District. (SET DATE FOR NOVEMBER 5, 2002 ON ADMINISTRATIVE AGENDA)
- A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set on the Administrative Agenda, as follows: November 5, 2002. The motion carried unanimously.**
- A-15) PROBATION [File Reference No. 02-00985](#)
- Approve and execute a contract with the Vocational Training Center (a local vendor) to provide lunch and dinner meals to the Santa Maria Juvenile Hall, for the period of July 1, 2002 through June 30, 2003, in an amount not to exceed \$159,304.
- 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) PUBLIC HEALTH [File Reference No. 02-00987](#)
- Approve and execute an agreement with the Santa Barbara Regional Health Authority for Nutrition Education, beginning October 1, 2002, in the approximate amount of \$35,000 per year.
- 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) PUBLIC HEALTH [File Reference No. 02-00992](#)
- Adopt a personnel resolution, effective September 30, 2002, adding one (1.0 FTE) Staff Physician I/II (Class 7102-7103) Range 7018E/7118E (\$9,810-\$10,312 per month), to replace a contractor on payroll position.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted**
- RESOLUTION NO. 02-347**
- The motion carried unanimously.**
- A-18) PUBLIC HEALTH [File Reference No. 02-00991](#)
- 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-19) PUBLIC WORKS [File Reference No. 02-00982](#)
- Accept Notice of Completion for work performed by Granite Construction Co. Inc. (a local vendor) for the construction of 2001-02 Measure D Asphalt Concrete Overlay (Project No. 810474) and authorize the Clerk of the Board to record, Third District.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Accepted. The motion carried unanimously.**
- A-20) PUBLIC WORKS [File Reference No. 02-00983](#)
- Accept Notice of Completion for work performed by Union Asphalt, Inc. (a local vendor) for the construction of 2000-01 Measure D Asphalt Concrete Overlay (Project No. 810427) and authorize the Clerk of the Board to record, Third, Fourth and Fifth Districts.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Accepted. The motion carried unanimously.**
- A-21) PUBLIC WORKS [File Reference No. 02-00984](#)
- Accept Notice of Completion for work performed by Mendez Concrete, Inc. (not a local vendor) for the construction of 2001-02 Measure D Concrete Repair, Tree Removal, Tree Root Pruning and Shielding (Project No. 820482) and authorize the Clerk of the Board to record, Third, Fourth and Fifth Districts.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Accepted. The motion carried unanimously.**

A-22) PUBLIC WORKS[File Reference No. 02-00997](#)

Consider recommendations regarding the Hollister Avenue Scour Protection Project Final Mitigated Negative Declaration 02-ND-04 (Project No. 98R250), Second District, as follows:

- a) Approve the project and Mitigated Negative Declaration, pursuant to the County's California Environmental Quality Act 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.

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

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

The motion carried unanimously.

Hearing Requests**A-23) GENERAL SERVICES [File Reference No. 02-00998](#)**

Set a hearing to consider an urgency ordinance amending Ordinance No. 679, extending the term for two (2) years through November 4, 2004 granting a continuance of the franchise to Southern California Edison to construct, alter, operate and maintain a system for the distribution and transmission of electricity upon public streets and highways. (4/5 vote required)

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: October 15, 2002 (EST. TIME: 15 MIN.) The motion carried unanimously.

A-24) PLANNING AND DEVELOPMENT [File Reference No. 02-00996](#)

Set a hearing to review and comment on the Santa Barbara County Association of Governments (SBCAG) Regional Housing Needs Plan.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: October 15, 2002 (EST. TIME: 60 MIN.) The motion carried unanimously.

A-25) PUBLIC WORKS [File Reference No. 02-00981](#)

Mission Canyon Sewer District (CSA 12) - Set a hearing regarding the preparation of a study to assess the feasibility of extending a sewer main line in Tunnel Road, First District.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: October 22, 2002 (EST. TIME: 10 MIN.) The motion carried unanimously.

A-26) GENERAL SERVICES [File Reference No. 02-01004](#)

Set a hearing to consider an urgency ordinance amending Chapter 2 Article XI Section 2-82 Section 8 (Franchise Fees) of the Santa Barbara County Code to permit the increase of franchise fees generated from Gas, Oil, Electric and Water public utilities, or to any person, firm or corporation furnishing services or commodities in the unincorporated area of Santa Barbara County. (4/5 vote required)

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: October 15, 2002 (EST. TIME: 5 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

People desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 92-398) (02-00,025)

RE: Presentation of Property Tax Statements to the Members of the Board and County Counsel - Treasurer-Tax Collector Gary Feramisco addressed the Board.

RE: Introduction of Erin Bullo, Sophomore at Allan Hancock College, as Fourth District Supervisor of the Day - Fourth District Supervisor Joni Gray addressed the Board.

RE: Homeless Issues and Fire Safety - John Thorndike IV addressed the Board.

RE: Recreational Vehicle Parking Issues in Santa Barbara - Bruce Rittenhouse addressed the Board.

RE: Recreational Vehicle Parking Issues in Santa Barbara - Davida Willis addressed the Board.

RE: Recreational Vehicle Parking Issues in Santa Barbara - First District Supervisor Naomi Schwartz, Second District Supervisor Susan Rose and Fifth District Supervisor Tom Urbanske addressed the Board.

RE: State Propositions 46 and 47/School Funding - Fifth District Supervisor Tom Urbanske addressed the Board.

RE: Affordable Housing and Homeless Issues in Santa Barbara County - Sister Janet Corcoran addressed the Board.

Departmental Agenda -- Public Hearings

1) **PLANNING AND DEVELOPMENT**

[File Reference No. 02-00761](#)

HEARING - Authorize the Chair to execute a letter commenting on Advanced Notice of Proposed Rulemaking for regulation implementing the Coastal Zone Management Act regarding offshore oil and gas leasing and development, published by the National Oceanic and Atmospheric Administration in the Federal Register (Vol. 67, No. 127, Tuesday July 2, 2002, pp. 44407-44410). (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Acted on as follows: Authorized execution of letter as amended to strike reference to comments from the California Coastal Commission; Chair to execute.

The motion carried by the following vote:

Ayes: 3 - Supervisor Schwartz, Supervisor Rose and Supervisor Marshall
Noes: 2 - Supervisor Gray and Supervisor Urbanske

2) **PUBLIC WORKS**

[File Reference No. 02-00926](#)

HEARING - Receive a presentation on the Solid Waste and Utilities Division's surface water testing of Pila Creek and provide direction as appropriate, Third District. (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

Conducted public hearing and received and filed staff presentation. Continued matter to October 22, 2002.

The motion carried unanimously.

3) **SOCIAL SERVICES**

[File Reference No. 02-00907](#)

HEARING - Receive a report on the implementation of the federally mandated Food Stamp Electronic Benefit Transfer (EBT) system that will also be used to distribute CalWORKS and General Relief cash benefits in Santa Barbara County. (EST. TIME: 20 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

Conducted public hearing and received and filed staff presentation.

The motion carried unanimously.

4) **SOCIAL SERVICES**

[File Reference No. 02-00701](#)

HEARING - Receive a report from the Santa Barbara County Regional Health Authority, the Social Services Department and the Public Health Department regarding the impending health care crisis in Santa Barbara County and provide direction as appropriate. (EST. TIME: 1 HR.)

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

Conducted public hearing and received and filed staff presentation. Directed staff to place a request on the agenda of October 8, 2002 to set a public hearing for November 5, 2002 to consider short and long term strategies to address the impending health care crisis in Santa Barbara County.

The motion carried unanimously.

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

Planning Items and Public Hearings

5)

COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00945](#)

HEARING - Consider recommendations regarding potential uses of the County-owned Garden Street Parking lot, Santa Barbara, First District, as follows: (EST. TIME: 1 HR.)

- a) Receive a report regarding the potential uses of the County-owned Garden Street parcel;
- b) Provide policy direction for use of the Garden Street Parking Lot parcel as:
 - i. Affordable Housing
 - ii. County Office Space
 - OR
 - iii. Mixed-Use;
- c) Direct staff to return with detailed analysis and financial impact of the Board directed option.

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) Conducted public hearing and received and filed staff report.
- b) Determined that Mixed-Use is the desired option.
- c) Directed staff to return to the Board as appropriate with recommendations and analysis related to a Mixed-Use option that would include parking, the potential for County owned office space that would allow the elimination of leased space, and for affordable housing units. Additionally, staff should include information for the Board related to the other options. Further directed staff to refer the matter to the Debt Advisory Committee for recommendations related to debt financing prior to the return to the Board.

The motion carried unanimously.

6)

PLANNING AND DEVELOPMENT

[File Reference No. 02-00496](#)

HEARING - Consider the adoption (Second Reading) of an Ordinance amending Chapter 14 of the Santa Barbara County Code (Santa Barbara County Grading, Erosion and Sediment Control Ordinance), regarding compliance with the National Pollutant Discharge Elimination System (NPDES) Phase II Storm Water Regulations. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted

ORDINANCE NO. 4477

The motion carried by the following vote:

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

Noes: 1 - Supervisor Urbanske

7)

PLANNING AND DEVELOPMENT

[File Reference No. 02-00856](#)

HEARING - Consider the appeal of Lisa Bodrogi, agent for Ken Plam, of the July 24, 2002 Planning Commission deemed denials of the Mission Meadows Winery Development, (Case No. 01DVP-00000-00002), for approval of a Final Development Plan under the provisions of Article III of the AG-II-40 Zone District, to develop a winery and manager's residence; and case number TPM 14,563, for approval under County Code Chapter 21 to divide 93.54 acres into two parcels of 52.75 acres and 40.79 acres in the AG-II-40 Zone District under Article III, located north of the Alisal River Golf Course (APN 139-250-010), Solvang area, Third District, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Adopt the required findings for the project 01DVP-00000-00002 specified in Attachment A of the staff report dated July 17, 2002, including CEQA findings;
- b) Approve the Negative Declaration and adopt the mitigation monitoring program contained in the conditions of approval contained in Attachment C of the staff report dated July 17, 2002;
- c) Uphold the appeal and Approve Case No. 01DVP-00000-00002 subject to the conditions included as Attachment B of the staff report dated July 17, 2002;
- d) Adopt the required findings for denial of case number TPM 14,563.
- e) Deny the appeal and deny case number TPM 14,563 based upon the project's inconsistency with the Comprehensive Plan and the inability to make the required findings.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Acted on and continued, as follows: Conducted public hearing, received and filed staff presentation and continued matter to November 5, 2002.

The motion carried unanimously.

Adjourn to October 8, 2002

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

Adjourn

Announcements

THE MEETING OF OCTOBER 1, 2002 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, OCTOBER 3, 2002 AT 5:00 P.M. ON GATV CHANNEL 20.

<http://www.countyofsb.org>