

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

February 12, 2002

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

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, Redevelopment Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

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

8:00 A.M. Convened and Recessed to Closed Session

9:00 A.M. Reconvened to Regular Session

Roll Call

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

Invocation: Jeanne Sparks, Fifth District Office, and Sultan Mahmud

Report from Closed Session

No reportable action taken.

Approval of Minutes of the February 5, 2002 meeting

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

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

Abstentions: 1 - Supervisor Marshall

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR GRAY and SUPERVISOR URBANSKE [File Reference No. 02-00162](#)

Adopt a resolution proclaiming February 2002 as Scouting Anniversary Month in Santa Barbara County.

A motion was made by Supervisor Gray, seconded by Supervisor Urbanske, that this matter be Adopted RESOLUTION NO. 02-047. The motion carried unanimously.

Administrative Items

A-2) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 02-00171](#)

Approve and execute a contract for Children's Mental Health Services with Sojourn Inc. (a local vendor) for the period of January 1, 2002 through June 30, 2002, in the amount of \$263,592.

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

A-3) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 02-00175](#)

Approve and execute Amendment No. 3 to the Lease Agreement between the County of Santa Barbara and Golden State Holdings, Inc. (formerly the Roman Bauernfeind Corporation) for office space located at 114 East Haley Street, Suites I-P to delete Suites "E" and "F" from the Leased Space, extend the term for the remaining space for three years, in the amount of \$11,907.49 per month and grant two options to extend the Agreement for two terms of one year each, First 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-4) COUNTY EXECUTIVE OFFICE [File Reference No. 02-00177](#)

Approve a Notice of Exemption for Dissolution of Summerland Lighting District and Reorganization of County Service Area 11, pursuant to CEQA Guidelines, § 15319 and § 15320.

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

A-5) COUNTY EXECUTIVE OFFICE [File Reference No. 02-00178](#)

Approve Budget Revision requests. (EXHIBIT A WITH POSTED AGENDA)

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

A-6) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 02-00170](#)

Appoint in lieu of election, pursuant to § 7228 of the California Elections Code, candidates who filed nomination papers for County Central Committee offices for the March 5, 2002 Direct Primary.

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

A-7) GENERAL SERVICES [File Reference No. 02-00163](#)

Consider recommendations regarding the Santa Barbara Juvenile Hall Re-Roof, located at 4500 Hollister Avenue, Santa Barbara, Second District, as follows:

a) Approve and authorize the Chair to award and execute the Construction Agreement with the lowest qualified bidder Cambron Roofing (a local vendor) in the amount of \$168,721 for the project, subject to the provisions of the documents and certifications as set forth in the plans and specifications, and as required by California law;

b) Authorize the Director of General Services to approve change orders in the aggregate amount of 10% of the contract amount.

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

a) Approved and Authorized; Chair to execute.

b) Authorized.

The motion carried unanimously.

A-8) GENERAL SERVICES

[File Reference No. 02-00176](#)

Approve and execute a Lease Agreement between the County of Santa Barbara and the City of Carpinteria for the leasing of a portion of the Carpinteria Veteran's Building for a period of ninety-nine (99) years commencing on the date executed by the County. As compensation for this lease, the City of Carpinteria will assume responsibility for the management and operation of the entire building and the County will reimburse the City as requested for operating expenses including janitorial for the County occupied portions of the building during the lease term.

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) GENERAL SERVICES

[File Reference No. 02-00164](#)

Consider recommendations regarding the Vehicle Operations Facility Addition, Calle Real Campus, Santa Barbara, Second District, as follows:

a) Adopt the CEQA Notice of Exemption for the project;

b) Approve plans and specifications for the project;

c) Authorize the General Services Department to advertise the project for public bidding;

d) Authorize the Chair to execute the Construction Agreement with the lowest responsive bidder, subject to provision of the documents and certifications as set forth in the plans and specifications, and as required by California law;

e) Authorize the Director of General Services to approve change orders in the aggregate amount of 10% of the contract amount.

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

- a) Adopted.
- b) Approved.
- c) Authorized.
- d) Authorized; Chair to execute.
- e) Authorized.

The motion carried unanimously.

A-10) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[File Reference No. 02-00174](#)

Approve and authorize the Chair to execute a letter to CPS - Merit System Services regarding the County Civil Service Code's exemption from Civil Service of the Child Support Executive Staff.

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

A-11) PLANNING AND DEVELOPMENT

[File Reference No. 02-00166](#)

Set date to consider the request of Wise Acres, LLC for one Agricultural Preserve Replacement Contract (Case No. 00-AP-013) located near the terminus of Brinkerhoff Road, off Figueroa Canyon Ranch Road (APN 141-080-061), Santa Ynez area, Third District. (SET DATE FOR APRIL 2, 2002 ON THE ADMINISTRATIVE AGENDA)

A motion was made by Supervisor Gray, seconded by Supervisor Urbanske, that this matter be Set on the Administrative Agenda, as follows: April 2, 2002. The motion carried unanimously.

A-12) PLANNING AND DEVELOPMENT

[File Reference No. 02-00167](#)

Set date to consider the request of Wise Acres, LLC for one Agricultural Preserve Replacement Contract (Case No. 96-AP-026) located near the terminus of Brinkerhoff Road, off Figueroa Canyon Ranch Road (APN 141-080-062), Santa Ynez area, Third District. (SET DATE FOR APRIL 2, 2002 ON THE ADMINISTRATIVE AGENDA)

A motion was made by Supervisor Gray, seconded by Supervisor Urbanske, that this matter be Set on the Administrative Agenda, as follows: April 2, 2002. The motion carried unanimously.

A-13) PUBLIC WORKS

[File Reference No. 02-00111](#)

Consider the vacation of a portion of Saint Joseph Street located easterly 30 feet of the northern terminus of Saint Joseph Street and 40 feet westerly of the northern terminus of Saint Joseph Street (Project No. 762006), Los Alamos area, Third District, as follows:

- a) Adopt a Resolution of Order to Vacate a portion of the County's easement interest in the abandonment of the easterly 30 feet of the northern terminus of Saint Joseph Street (adjacent to APN 101-110-40) which portion of the road right-of-way is no longer needed by the public for road or bike path purposes;
- b) Adopt a Resolution of Order to Vacate a portion of the County's easement interest in the abandonment of the westerly 40 feet of the northern terminus of Saint Joseph Street (adjacent to APN 101-110-38) which portion of the road right-of-way is no longer needed by the public for road or bike path purposes;

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

a) Adopted.

RESOLUTION NO. 02-048.

b) Adopted.

RESOLUTION NO. 02-049.

The motion carried unanimously.

A-14) PUBLIC WORKS

[File Reference No. 02-00169](#)

Adopt a resolution to authorize the submittal of an application for a Local Government Used Oil Opportunity Grant from the California Integrated Waste Management Board in the amount of \$282,021.

A motion was made by Supervisor Gray, seconded by Supervisor Urbanske, that this matter be Adopted
RESOLUTION NO. 02-050. The motion carried unanimously.

A-15) PUBLIC WORKS

[File Reference No. 02-00172](#)

Approve and authorize the Chair to execute Change Order No. 1 to the contract with Sully-Miller for the rehabilitation of Bristol Place (Project No. 810462), in the amount of \$37,666.80, Goleta area, Third 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-16) PUBLIC WORKS

[File Reference No. 02-00173](#)

Accept the offer of road easement for the extension of Shaw Street, offered on Tract Map 14,295, for Shaw Street Extension Phase III, Los Alamos area, Third District.

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

Board of Supervisors

A-17) SUPERVISOR ROSE

[File Reference No. 02-00179](#)

Approve the reappointment of Soma F. Baldwin to the Attorney-at-Large position on the Law Library Board of Trustees.

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

Hearing Requests

A-18) PLANNING AND DEVELOPMENT

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

Set a hearing for a briefing on the Oak Protection Program and the Rural Resource Protection Program, 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 Urbanske, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: March 12, 2002 in Santa Maria. The motion carried by the following vote:

Ayes: 3 - Supervisor Gray, Supervisor Rose and Supervisor Urbanske

Noes: 2 - Supervisor Marshall and Supervisor Schwartz

A-19) PUBLIC HEALTH

[File Reference No. 02-00168](#)

Set a hearing to accept a report from Public Health Animal Services entitled Animal Services Annual Report.

A motion was made by Supervisor Gray, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: March 12, 2002 in Santa Maria. The motion carried unanimously.

A-20) SUPERVISOR MARSHALL

[File Reference No. 02-00165](#)

Set a hearing to present the California State Association of Counties (CSAC) 2001 Challenge Award to the Probation Department and the Merit Award to the Sheriff Department.

A motion was made by Supervisor Gray, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: March 12, 2002 in Santa Maria. 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

Approved

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: Support of the Santa Maria Public Library - Hinda Beaman addressed the Board.

RE: California Report Card on Economic Health and Impoverished Children - Sister Janet Corcoran addressed the Board.

Departmental Agenda -- Public Hearings

- 1) COUNTY EXECUTIVE OFFICE and [File Reference No. 02-00120](#)
AUDITOR-CONTROLLER

HEARING - Consider the second quarter Fiscal Year 2001-02 Budget Update and FY 2002-03 Operating Plan Workshop, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Accept and file, per provisions of Government Code § 29126.2, the Fiscal Year 2001-02 Financial Status Report as of December 31, 2001 showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors;
- b) Accept an update on the forecasted FY 2001-02 financial condition on June 30, 2002, significant exposures facing the County and some leading indicators of possible financial challenges facing the County starting FY 2002-03;
- c) Approve setting the Roads Designation for FY 2002-03 at \$500,000.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) and b) Approved.

The motion carried unanimously.

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

c) Approved.

The motion carried by the following vote:

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

- 2) PLANNING AND DEVELOPMENT [File Reference No. 02-00112](#)

HEARING - Accept the Planning Commission recommendation and staff recommendation regarding the request of Lisa Bodrogi to consider Case No. 01RZN-00000-00014, a consistency rezone, from Ordinance 661 to Article III, of five agriculturally zoned parcels, Third, Fourth and Fifth Districts, and take the following actions: (EST. TIME: 30 MIN.)

- a) Adopt the required findings, including CEQA findings, for the project specified in Attachment 1, Exhibit A to the Board Letter dated February 12, 2002;
- b) Accept the CEQA 15061 Exemption for APNs 101-050-007 and 129-210-038, included as Attachment 1 to the Board Letter dated February 12, 2002;
- c) Accept the CEQA 15164 Addendum to 88-EIR-17 for APNs 099-131-023 and 139-250-010, included as Attachment 1, Exhibit C to the Board Letter dated February 12, 2002;
- d) Adopt the Ordinance to rezone APNs 099-131-023, 101-050-007, 129-210-038, and 139-250-010, amending the Inland Zoning Maps (identified as Board of Supervisors Exhibit Nos. 35-204.110.2,

35-204.50.4, and 35-204.60.2), included as Attachment 1 Exhibit D to the Board Letter dated February 12, 2002;

e) Acknowledge withdrawal of the request for a rezone of the parcel known as APN 099-230-030.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Adopted.

b) and c) Approved.

d) Adopted.

ORDINANCE NO. 4443

e) Approved.

The motion carried unanimously.

2:00 P.M. Presentation of Resolutions and Awards**Planning Items and Public Hearings**3) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 02-00115](#)

HEARING - Adopt a resolution to officially recognize employees with 10, 15, 20, 25, 30, 35 and 40 years of service achieved in 2001 and present service awards to South County employees in categories of 20 years of service and over and elected officials in categories of 10 years of service and over. (EST. TIME: 45 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

Adopted

RESOLUTION NO. 02-051

4) SUPERVISOR MARSHALL[File Reference No. 02-00039](#)

HEARING - Consider the adoption (Second Reading) of an Ordinance adding Chapter 44 to the Santa Barbara County Code, supplementing the provisions of State law governing the rights and duties of residential landlords and tenants in the County of Santa Barbara. (EST. TIME: 1 HR. 30 MIN.)

Read by title; waived reading of the ordinance in its entirety. Introduction approved; adoption (second reading) set, as follows:

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, to delete Section 44-2, "Rights and Duties of Landlords and Tenants of Residential Property" related to Interest on Security Deposits.

The motion carried unanimously.

A motion was made by Supervisor Marshall, seconded by Supervisor Schwartz, that this matter be Read by title; waived reading of the Ordinance in its entirety. Introduction approved; adoption (Second Reading) set for February 19, 2002.

Further directed staff to amend ordinance to exempt "Three Day Notice to Pay Rent or Quit" from notification requirement.

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

Noes: 2 - Supervisor Gray and Supervisor Urbanske

5) PLANNING AND DEVELOPMENT[File Reference No. 02-00037](#)

HEARING - Consider recommendations regarding the Bluffs at Mesa Oaks project (98-DP-043) on Harris Grade Road in the Northern Lompoc area, Fourth District, as follows: (EST. TIME: 1 HR. 30 MIN.)

a) Adopt the required findings for the project (Attachment C to the Board Letter dated February 12, 2002) including CEQA findings, as may be amended at the hearing of February 12, 2002;

b) Certify the Proposed Final Environmental Impact Report 00-EIR-02 dated April 2001 and revised by CEQA § 15088.5(b) letter dated January 28, 2002 as adequate environmental review for the project;

c) Approve TM 14,499 and 98-DP-043 subject to the conditions included in the Planning

Commission action letter dated September 19, 2001 and as revised in the Board Letter dated February 12, 2002;

d) Adopt the mitigation monitoring and reporting plan contained within the conditions of approval.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- a) Adopted, as amended in attachment D, dated February 12, 2002.
- b) Certified.
- c) Approved.
- d) Adopted. Amended Conditions #54 and #55, in attachment D, dated February 12, 2002.

The motion carried unanimously.

Adjourned to February 19, 2002

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

ADJOURNED

Announcements

THE MEETING OF FEBRUARY 12, 2002 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, FEBRUARY 14, 2002 AT 5:00 P.M. ON GATV CHANNEL 20.

THE LEGISLATIVE PROGRAM COMMITTEE MEETING IS SCHEDULED TO BEGIN AT 12:00 PM ON FEBRUARY 19, 2001, 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>