

County of Santa Barbara BOARD OF SUPERVISORS

ACTION SUMMARY

August 20, 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 and Supervisor Urbanske
Absent: Supervisor Gray

Invocation: Elaine Smith, Probation Department

Report from Closed Session

No reportable action taken.

Approval of Minutes of the August 13, 2002 meeting

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

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

Administrative Agenda

Resolutions to be Presented at 9:00 AM

A-1) SUPERVISOR SCHWARTZ

[File Reference No. 02-00859](#)

Adopt a resolution proclaiming August 19 through August 25, 2002 as Italian Heritage Week.

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

RESOLUTION NO. 02-296

The motion carried unanimously.

Administrative Items

A-2) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 02-00862](#)

Accept fee ownership of property located within the San Pedro Creek flood corridor near Covington Way (APN 077-302-008, 077-305-002 and 077-331-023) and authorize the Clerk of the Board to execute the Certificate of Acceptance. Acceptance of the Grant Deed will transfer ownership from the County of Santa Barbara to the Santa Barbara County Flood Control and Water Conservation District. The transfer will clarify ownership of the parcels and allow the District to continue its flood control and maintenance operations, City of Goleta, Third District.

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

A-3) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 02-00857](#)

Consider recommendations regarding an application for funds under the Voting Modernization Bond Act of 2002, as follows:

a) Adopt a resolution approving the Application for Funds Under the Voting Modernization Bond Act of 2002;

b) Authorize the Clerk-Recorder-Assessor to submit the necessary application documents by the September 2, 2002 deadline to the Secretary of State.

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

a) Adopted

RESOLUTION NO. 02-297

b) Authorized.

The motion carried unanimously.

A-4) GENERAL SERVICES [File Reference No. 02-00863](#)

Approve and execute the Grant Deed conveying fee ownership of property located within the San Pedro Creek flood corridor near Covington Way (APN 077-302-008, 077-305-002 and 077-331-023). The Grant Deed will transfer ownership from the County of Santa Barbara to the Santa Barbara County Flood Control and Water Conservation District. The transfer will clarify ownership of the parcels and allow the District to continue its flood control and maintenance operations, City of Goleta, Third District.

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

A-5) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 02-00860](#)

Adopt one (1) resolution, effective August 19, 2002 to as follows:

a) ESTABLISH JOB CLASSIFICATION

In-Home Supportive Services Public Authority Director (Class 004150), Range 6360 (\$5,788-\$7,065 per month);

b) PUBLIC WORKS-ROADS (#4510)

Add: 1.0 FTE Departmental Assistant (Class 002165), Range 5080 (\$3,057-\$3,731 per month) (Approved as part of the Fiscal Year 2002-03 Budget).

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

RESOLUTION NO. 02-298

The motion carried unanimously.

A-6) PARKS[File Reference No. 02-00864](#)

Approve a budget revision to appropriate \$4,000 from the South Coast East Quimby Fee Trust Fund for the preparation of an appraisal of land pursuant to the dedication of a grant easement on the Franklin Trail by the property owner to the County of Santa Barbara.

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

A-7) PLANNING AND DEVELOPMENT[File Reference No. 02-00865](#)

Set date to consider the request of the Mendez Family Trust for an Agricultural Preserve Replacement Contract located south of State Route 246 at Tularosa Road, addressed as 4076 Highway 246 (APN 099-150-068), Lompoc area, Third District. (SET DATE FOR OCTOBER 1, 2002 ON ADMINISTRATIVE AGENDA)

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set on the Administrative Agenda, as follows: October 1, 2002. The motion carried unanimously.

A-8) PLANNING AND DEVELOPMENT[File Reference No. 02-00866](#)

Set date to consider the request of the County of Santa Barbara for the Brand Agricultural Preserve Non-Renewal (Case No. 97-AP-022) located approximately 1/4 mile north of the intersection of US Highway 101 frontage road and Price Ranch Road, known as 224 Price Ranch Road (APN 133-130-030, -032 and -036), Los Alamos area, Third District. (SET DATE FOR SEPTEMBER 17, 2002 ON ADMINISTRATIVE AGENDA)

A motion was made that this matter be Set on the Administrative Agenda, as follows: September 17, 2002. The motion carried unanimously.

A-9) PUBLIC HEALTH[File Reference No. 02-00868](#)

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 Urbanske, that this matter be Approved. The motion carried unanimously.

A-10) PUBLIC WORKS

[File Reference No. 02-00848](#)

Consider recommendations regarding the Gaviota Beach Road Bridge Replacement (County Project No. 862231), Third District, as follows:

- a) Approve and authorize the Chair to execute an agreement with Quincy Engineering, Inc. (not a local vendor) for preliminary and final engineering for the project, in the amount of \$398,489.30;
- a) Authorize the Director of Public Works to approve amendments to the agreement for supplemental work in an amount not to exceed \$20,000.

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

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

The motion carried unanimously.

A-11) PUBLIC WORKS

[File Reference No. 02-00849](#)

Consider recommendations regarding the construction of Tajiguas Landfill Sedimentation Control Structure (County Project No. 720625), Third District, as follows:

- a) Approve plans and specifications for the project;
- b) Award the contract to the lowest responsible bidder, John Madonna Construction (not a local vendor) in the amount of \$337,255 subject to the provisions of documents and certification, as set forth in the plans and specifications applicable to the project, as required under California Law;
- c) 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;
- d) Approve contingency fund in the amount of \$29,362.75 for the project.

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

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

The motion carried unanimously.

A-12) PUBLIC WORKS

[File Reference No. 02-00858](#)

Approve and execute Amendment No. 1 to the agreement between the County of Santa Barbara and the Community Environmental Council to extend a Used Oil Opportunity Grant contract term from April 30, 2002 to August 31, 2002, without an increase in the contract amount.

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

A-13) SHERIFF

[File Reference No. 02-00867](#)

Approve the destruction of records request for jail records for the period of 1995 through 1998 that are no longer required by law to be retained.

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

A-14) SOCIAL SERVICES

[File Reference No. 02-00861](#)

Consider recommendations regarding a contract with Addus Healthcare, Inc (not a local vendor) for the provision of In-Home Supportive Services, as follows:

a) Approve and authorize the Chair to execute a contract with Addus HealthCare, Inc., for the period of October 1, 2002 through June 30, 2004, in an amount not to exceed \$4,889,070;

b) Authorize the Director of the Department of Social Services to exercise the County's renewal option provided for in the contract, for a period not to exceed one year and a cost not to exceed \$3,072,553.

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

a) Approved; Chair to execute.

b) Authorized.

The motion carried unanimously.

A-15) SUPERIOR COURT

[File Reference No. 02-00833](#)

Adopt a personnel resolution establishing salary range adjustments of 2 1/2% for Court Special Services employees to implement cost of living salary increases for Fiscal Year 2002-03.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Continued, as follows: September 3, 2002. The motion carried unanimously.

Board of Supervisors

A-16) SUPERVISOR SCHWARTZ

[File Reference No. 02-00854](#)

Approve the reappointment of Josephine U. Black to the Affirmative Action Commission, First District.

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

A-17) SUPERVISOR SCHWARTZ

[File Reference No. 02-00855](#)

Approve the reappointment of Anthony E. Brown to the Sedgwick Ranch Agricultural Oversight Committee, First District.

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

Hearing RequestsA-18) PLANNING AND DEVELOPMENT[File Reference No. 02-00856](#)

Set a hearing to consider the Bodrogi appeal of the July 24, 2002 Planning Commission action to deny the applications of Ken Plam, landowner, for the Plam/ Mission Meadows Winery Development Plan and Tentative Parcel Map (Case Nos. 01DVP-00000-00002 AP01 & TPM # 14,563 AP01) located north of Alisal River Golf Course, east of Alamo Pintado Creek, Solvang area, Third District.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: October 1, 2002 (EST. TIME: 120 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, 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: Santa Barbara Chamber of Commerce - Michael Magne addressed the Board.

RE: Nursing Reinvestment Act/Child Care - Sister Janet Corcoran addressed the Board.

RE: Bradley Ranch Annexation - Ernest Armenta addressed the Board.

Departmental Agenda -- Public Hearings

Request continuance of Item No. 1 to October 1, 2002, as follows:

- 1) PLANNING AND DEVELOPMENT [File Reference No. 02-00761](#)

HEARING - Consider comments to the Advanced Notice of Proposed Rulemaking published by the National Oceanic and Atmospheric Administration in the Federal Register regarding the implementation of the Coastal Zone Management Act regarding Offshore Oil and Gas Leasing and Development.

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

October 1, 2002. The motion carried unanimously.

- 2) COUNTY EXECUTIVE OFFICE [File Reference No. 02-00837](#)

HEARING - Consider the adoption of a resolution increasing the 2002-03 library special tax rate in County Service Area #3 (Goleta) by 2.7% CPI adjustment for 2001. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

Resolution No. 02-299

The motion carried unanimously.

- 3) PUBLIC WORKS [File Reference No. 02-00803](#)

HEARING - Consider the introduction (First Reading) of an ordinance amending Section 23-11.3 of Chapter 23 of the Santa Barbara County Code, regarding one hour parking regulations, All Districts. (EST. TIME: 10 MIN.)

**A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Continued, as follows:
September 3, 2002.**

The motion carried unanimously.

- 4) PUBLIC WORKS [File Reference No. 02-00814](#)

HEARING - Consider recommendations regarding County Service Area 3, County Service Area 31 and North County Lighting District Benefit Assessment for Fiscal Year 2002-03 Second, Third, Fourth and Fifth Districts, as follows: (EST. TIME: 10 MIN.)

a) Approve the Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines. (Post);

b) Adopt a resolution maintaining street lighting charges at current levels for the above subject lighting districts for the Fiscal Year 2002/2003.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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. 02-300

The motion carried unanimously.

5) PUBLIC WORKS

[File Reference No. 02-00815](#)

HEARING - Adopt a resolution maintaining service charges at current levels for County Service Area 12 (Mission Canyon Sewer District) and provide for collection on the Tax Rolls for Fiscal Year 2002-03, First District. (EST. TIME: 10 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

Resolution No. 02-301

The motion carried unanimously.

6) PLANNING AND DEVELOPMENT

[File Reference No. 02-00729](#)

HEARING - Consider the Development Impact Mitigation Fee Program, as follows: (EST. TIME: 45 MIN.)

a) Approve the 2001-02 annual report for the Countywide, Orcutt and Goleta Development Mitigation Fee Programs;

b) Receive a report on the annual fee adjustment based on the Engineering Construction Cost Index.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) Received and filed report.

b) Approved annual fee adjustment.

The motion carried unanimously.

7) PARKS

[File Reference No. 02-00794](#)

HEARING - Consider a report on the Park Development Mitigation Fee Reduction Program for Beneficial Projects in the South Coast West Recreation Demand Area, Second and Third Districts, as follows: (EST. TIME: 30 MIN.)

a) Receive a report on the fee reductions granted for the period July 1999 to July 2002 on Park Development Mitigation Fees in the South Coast West Recreation Demand Area;

b) Determine whether or not to continue the Fee Reduction Program pursuant to Resolutions 99-251 and 99-252.

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

a) Received and filed report.

b) Approved continuation of Fee Reduction Program pursuant to Board Resolutions 99-251 and 99-252.

The motion carried unanimously.

8)

COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00733](#)

HEARING - Consider recommendations regarding the Board of Supervisors' response to the 2001-02 Grand Jury Report entitled "Voter Intent", as follows:
(EST. TIME: 30 MIN.)

a) Adopt the recommended responses, included as Attachment 1 to the Board Letter dated August 20, 2002, as the Board of Supervisors' response to the 2001-02 Grand Jury Report entitled "Voter Intent";

b) Authorize the Chair to execute and forward the responses to the Presiding Judge.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) Adopted as amended.

b) Authorized; Chair to execute.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Gray

2:00 P.M.

Planning Items and Public Hearings

9) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00785](#)

HEARING - Consider recommendations regarding the Board of Supervisors' response to the 2001-02 Grand Jury Report entitled "Voter Registration", as follows: (EST. TIME: 30 MIN.)

- a) Adopt the recommended responses, included as Attachment B to the Board Letter dated August 20, 2002, as the Board of Supervisors' response to the 2001-02 Grand Jury Report entitled "Voter Registration";
- b) Authorize the Chair to execute and forward the responses to the Presiding Judge.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

- a) Adopted.
- b) Authorized; Chair to execute.

The motion carried unanimously.

10) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00787](#)

HEARING - Consider recommendations regarding the Board of Supervisors' and Redevelopment Agency Board of Directors' response to the 2001-02 Grand Jury Report entitled "Isla Vista - Who's in Charge" as follows: (EST. TIME: 1 HR.)

- a) Adopt the recommended responses, included as Attachment A to the Board Letter dated August 20, 2002, as the Board of Supervisors' and Redevelopment Agency Board of Directors' response to the 2001-02 Grand Jury Report entitled "Isla Vista - Who's in Charge";
- b) Authorize the Chair to execute and forward the responses to the Presiding Judge;
- c) Accept the Isla Redevelopment Project Area Committee's review comments (Attachment B to the Board Letter dated August 20, 2002).

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

- a) Adopted.
- b) Authorized; Chair to execute.
- c) Accepted.

The motion carried unanimously.

Adjourn to September 3, 2002

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

Adjourn**Announcements**

THE MEETING OF AUGUST 20, 2002 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, AUGUST 22, 2002 AT 5:00 P.M. ON GATV CHANNEL 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, AUGUST 27, 2002; THE NEXT REGULAR MEETING WILL BE HELD ON TUESDAY, SEPTEMBER 3, 2002, IN SANTA BARBARA.

<http://www.countyofsb.org>