

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

May 03, 2005

**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

(CONVENED AT 9:30 AM)

Roll Call

Present: Supervisor Carbajal, Supervisor Rose, Supervisor Firestone, Supervisor Gray and Supervisor Centeno

Invocation: Will Reed, Housing and Community Development

Report from Closed Session

County Counsel made the following announcement

By a vote of 5-0, The Board of Supervisors approved a four year contract for County Executive Officer Michael F. Brown and directed that the contract be placed on the public agenda for Board consideration.

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

Approval of Minutes of the April 26, 2005 meeting

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

Ayes: 4 - Supervisor Carbajal, Supervisor Rose, Supervisor Firestone and Supervisor Centeno

Abstentions: 1 - Supervisor Gray

Administrative Agenda

Resolutions to be Presented at 9:00 AM or shortly thereafter

HEARING TIME: 10:06 AM - 10:30 AM (24 MIN.)

A-1) SUPERVISOR CARBAJAL [File Reference No. 05-00448](#)

Adopt a resolution proclaiming May 6, 2005 as National Nurses Day and May 6 through May 12, 2005 as National Nurses Week.

A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno, that this matter be Adopted

RESOLUTION NO. 05-130

The motion carried unanimously.

A-2) SUPERVISOR CARBAJAL [File Reference No. 05-00464](#)

Adopt a resolution proclaiming May 1 through May 8, 2005 as Cover the Uninsured Week in Santa Barbara County.

A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno, that this matter be Adopted

RESOLUTION NO. 05-131

The motion carried unanimously.

A-3) SUPERVISOR FIRESTONE [File Reference No. 05-00465](#)

Adopt a Resolution of Commendation for Raul Jimenez, Alcohol, Drug and Mental Health Services, upon his retirement after 26 years of service to the County of Santa Barbara.

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

RESOLUTION NO. 05-132

The motion carried unanimously.

A-4) SUPERVISOR GRAY [File Reference No. 05-00455](#)

Adopt a resolution proclaiming May 1 through May 7, 2005 as National Correctional Officers' Week.

A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno, that this matter be Adopted

RESOLUTION NO. 05-133

The motion carried unanimously.

A-5) SUPERVISOR ROSE [File Reference No. 05-00453](#)

Adopt a Resolution of Commendation for Senior Deputy Brian Dickey, Sheriff's Department, as Santa Barbara County Employee of the Month for May 2005.

A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno, that this matter be Adopted

RESOLUTION NO. 05-134

The motion carried unanimously.

Honorary Resolutions

A-6) SUPERVISOR CARBAJAL [File Reference No. 05-00458](#)

Adopt a Resolution of Commendation for Naomi Schwartz for recognition by the League of Women Voters.

A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno, that this matter be Adopted

RESOLUTION NO. 05-135

The motion carried unanimously.

A-7) SUPERVISOR FIRESTONE [File Reference No. 05-00466](#)

Adopt a Resolution of Commendation for Gail Marshall for recognition by the League of Women Voters.

A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno, that this matter be Adopted

RESOLUTION NO. 05-136

The motion carried unanimously.

Administrative Items

A-8) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 05-00474](#)

Consider recommendations regarding Santa Barbara County Substance Abuse Crime Prevention Plan for FY 2005-06, as follows:

- a) Approve the Santa Barbara County Plan for FY 05-06, which is required by the Substance Abuse and Crime Prevention Act of 2000 (SACPA);
- b) Adopt a Resolution to approve and submit to the State Alcohol and Drug Programs (State ADP) the FY 2005-2006 County Plan for SACPA and to authorize the Department of Alcohol, Drug and Mental Health Services' (ADMHS) Director, or designee, to revise and submit to the State ADP any future amendments that reduce funding or are non-monetary for SACPA and Drug Testing (S.B. 223), in concert with the SACPA Policy Council.

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

a) Approved.

b) Adopted.

RESOLUTION NO. 05-137

The motion carried unanimously.

A-9) BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 05-00469](#)

Consider recommendations regarding application for Grant Funds from the California Department of Fish and Game for the Tri-County FISH (Funding for Improved Salmonid Habitat) Team, as follows:

- a) Adopt a Resolution to apply for grant funding from the California Department of Fish and Game (DFG) for the Tri-County FISH Team;

b) Authorize the Public Works Director to enter into the Grant Agreement and all other subsequent agreements or amendments to receive grant funding for the Tri-County FISH Team, if it is awarded;

c) Authorize the Public Works Director to execute any necessary agreements to transfer administrative responsibilities for this project to another entity by the end of the calendar year.

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

a) Adopted.

RESOLUTION NO. 05-138

b) and c) Authorized.

The motion carried unanimously.

A-10) COUNTY COUNSEL [File Reference No. 05-00409](#)

Consider and approve the updated and amended conflict of interest code for the Santa Barbara County Association of Governments (SBCAG).

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

A-11) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00470](#)

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

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

A-12) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00452](#)

Approve a request for destruction of records for Equal Opportunity Office documents no longer required by law to be maintained.

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

A-13) DISTRICT ATTORNEY [File Reference No. 05-00467](#)

Adopt a resolution authorizing the District Attorney to renew the Criminal Restitution Compact with the State Victim Compensation and Government Claims Board in the amount of \$91,500 annually for fiscal years 2005-06 and 2006-07.

A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno, that this matter be Adopted

RESOLUTION NO. 05-139

The motion carried unanimously.

A-14) DISTRICT ATTORNEY [File Reference No. 05-00468](#)

Consider recommendations regarding victim compensation and claims, as follows:

a) Adopt a resolution authorizing the District Attorney to execute a Joint Powers agreement with the State Victim Compensation and Government Claims Board for two year continuation of victim claims verification services through June 2007;

b) Adopt a resolution authorizing the District Attorney to execute an agreement with the Victim Compensation and Government Claims Board to sustain expedited payment of funeral/ burial expenses, crime scene clean-up and emergency domestic violence and sexual assault relocation expenses.

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

a) Adopted.

RESOLUTION NO. 05-140

b) Adopted.

RESOLUTION NO. 05-141

The motion carried unanimously.

A-15) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[File Reference No. 05-00471](#)

Adopt one resolution, effective April 25, 2005, regarding reconciliation of allocated positions, as follows:

a) SALARY INCREASE

Assistant Alcohol, Drug and Mental Health Services Director-Administration (Class 5163), from Range 6694 (\$6,837-\$8,346 per month) to Range 6894 (\$7,554 - \$9,222 per month);

b) ESTABLISH JOB CLASSIFICATION

Children and Family Services Director (Class 1535), Range 6694 (\$6,837-\$8,346 per month);

DELETE JOB CLASSIFICATION

Project Manager-Children and Families First (Class 6073), Range 6504 (\$6,219-\$7,592 per month);

NON-DEPARTMENTAL/PROP 10 (#0110)

Add: 1.0 FTE Children and Family Services Director (Class 1535)

Delete: 1.0 FTE Project Manager-Children and Families First (Class 6073);

c) DELETE JOB CLASSIFICATION

Hydrogeological Associate (Class 4095), Range 5958 (\$4,736-\$5,782 per month)

A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno, that this matter be Adopted

RESOLUTION NO. 05-142

The motion carried unanimously.

A-16) PARKS

[File Reference No. 05-00463](#)

Approve the reallocation of \$102,500 from the Proposition 12 Roberti Z'Berg-Harris per capita funds from the Santa Maria Levee Bikeway project to the replacement of pedestrian bridges at Richardson Park, Fifth District.

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

A-17) PUBLIC HEALTH [File Reference No. 05-00451](#)

Approve the continued 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 Foundation as the agent of the County to carry out the Syringe Exchange and Education Program.

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

A-18) PUBLIC WORKS [File Reference No. 05-00459](#)

Approve and authorize the Chair to execute Contract Change Order No. 3 to an agreement with Griffin Company increasing the scope of work for construction of Bridge No. 51C-0346 (County Project No. 863019, Federal Project No. BRLS-5951 (21)) on Old Coast Highway at Nojoqui Creek in the County of Santa Barbara, in the amount of \$357,242 for a new contract total of \$2,011,266.69.

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

A-19) PUBLIC WORKS [File Reference No. 05-00460](#)

Consider recommendations regarding construction of 2003-04 County Wide Measure 'D' Asphalt Concrete Overlay (Project No. 810517), all districts, as follows:

- a) Accept Notice of Completion for work performed by the Contractor, Union Asphalt, Inc. (a local vendor) and authorize Clerk to record.
- b) Review and approve the Statement of Final Quantities for work performed and materials supplied for this project by the Contractor, in the amount of \$1,437,829.22.

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

a) Accepted.

b) Approved.

The motion carried unanimously.

A-20) PUBLIC WORKS [File Reference No. 05-00462](#)

Adopt a resolution authorizing the submittal of a regional application for a 2005-06 Household Hazardous Waste (HHW) Grant in the amount of \$183,999 from the California Integrated Waste Management Board.

A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno, that this matter be Adopted

RESOLUTION NO. 05-143

The motion carried unanimously.

A-21) TREASURER-TAX COLLECTOR [File Reference No. 05-00454](#)

Consider recommendations regarding the Treasurer's Investment Pool, 2004-2005 Third Quarter (January-March), as follows:

- a) Accept for filing the 2004-2005, Third Fiscal Quarter (January-March) report on the Treasurer's Investment Pool;
- b) Receive and file the Auditor-Controller's Review Report on the assets held in the Santa Barbara County Treasurer's Investment Pool for the quarter ended March 31, 2005.

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

- a) **Accepted.**
- b) **Received.**

The motion carried unanimously.

Board of Supervisors

A-22) SUPERVISOR CARBAJAL [File Reference No. 05-00441](#)

Approve the appointment of Monique Limon to the Commission for Women, First District.

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

A-23) SUPERVISOR CENTENO [File Reference No. 05-00449](#)

Approve the reappointment of Julia F. McLanahan to the Advisory Board on Alcohol and Drug Problems, Fifth District.

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

A-24) SUPERVISOR CENTENO [File Reference No. 05-00450](#)

Approve the appointment of Richard C. Brenneman to the Riding and Hiking Trails Committee, Fifth District.

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

A-25) SUPERVISOR GRAY [File Reference No. 05-00447](#)

Approve the reappointment of Roxanne Ventriglia to the Affirmative Action Commission, Fourth District.

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

Hearing Requests

A-26) PLANNING AND DEVELOPMENT [File Reference No. 05-00473](#)

Set a hearing to consider the Mid Coast Cooling, Inc. Consistency Rezone and Conditional Use

Permit (APNs 128-097-001 & -002), located at 1750 East Betteravia Road, Santa Maria area, Fifth District, as follows:

- a) Adopt the required findings for 05RZN-00000-00001, including CEQA findings, proposing to rezone approximately 109 acres from 10-AG to AG-II-100 under the provisions of Santa Barbara County Code Chapter 35 of Article III;
- b) Adopt the required findings for 05CUP-00000-00015, including CEQA findings, for a Conditional Use Permit allowing the development of a phased expansion of an existing agricultural cooling facility for the processing of produce grown on and off the premises under the provisions of Article III;
- c) Accept the exemption pursuant to CEQA Section 15061 (b, 3) specified in Attachment C of the staff report dated March 25, 2005;
- d) Adopt an Ordinance amending the Inland Zoning Map for the Santa Maria Valley Rural Region Zoning District for APN 128-097-001 & -002, from 10-AG to AG-II-100
- e) Approve 05CUP-00000-00015.

A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: May 24, 2005 in Santa Maria (EST. TIME: 30 MIN.) The motion carried unanimously.

A-27) SHERIFF

[File Reference No. 05-00461](#)

Set a hearing to consider adoption of a resolution establishing booking fees for Fiscal Year 2005-2006.

A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: June 21, 2005 (EST. TIME: 30 MIN.) The motion carried unanimously.

A-28) COUNTY EXECUTIVE OFFICE

[File Reference No. 05-00475](#)

Consider recommendations regarding a request for Tribal sponsorship of Indian Gaming Community Benefit Grant applications, as follows:

- a) Receive a copy of the three Indian Gaming Community Benefit Grant Applications, totaling \$1,302,070 submitted by County Departments;
- b) Adopt the County Executive Office recommendations for assigning a priority to each of the Grant Applications;
- c) Authorize the County to request available reimbursement of up to \$26,000, for the demonstrated costs of the County Executive Office providing support to the Indian Gaming Community Benefit Committee and administering the Grant Process;
- d) Authorize the County Executive Office to submit the Grant Applications to the Santa Ynez Band of Chumash Indians.

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

a) Received.

b) Adopted.

c) and d) Authorized.

The motion carried unanimously.

A-29) PLANNING AND DEVELOPMENT[File Reference No. 05-00486](#)

Approve and authorize the Chair to execute a letter to the Minerals Management Service supporting the California Coastal Commission's request for additional time and information to review and consider Minerals Management Service's federal Coastal Zone Management Act consistency determinations for the proposed suspension of 41 Outer Continental Shelf oil and gas leases located offshore of Santa Barbara County.

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

Approval of Administrative Agenda

HEARING TIME: 9:30 AM - 10:05 AM (35 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno, to Approve the Administrative Agenda as Amended. The motion carried unanimously.

[File Reference No. 05-00051](#)

PUBLIC COMMENT

Accepted Public Comment

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. 03-282) (05-00051)

RE: A Moment of silence for the Passing of Retired Santa Maria City Manager, Robert Grogan - Fifth District Supervisor Joe Centeno addressed the Board.

RE: Introducing Nicolas Firestone - The Grandson of Third District Supervisor Brooks Firestone and student at Cate School, as "Supervisor for the Day" - Third District Supervisor Brooks Firestone addressed the Board.

RE: "Cover the Uninsured Week" - Peter Conn addressed the Board.

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

RE: Fee-To-Trust Application Filed by the Santa Ynez Band of Chumash Indians - C.J. Jackson addressed the Board.

RE: Voter Fraud / Annexation in Guadalupe - George Alvarez addressed the Board.

HEARING TIME: 10:30 AM - 10:52 AM (22 MIN.)

Departmental Agenda -- Public Hearings1) PUBLIC WORKS [File Reference No. 05-00319](#)

HEARING - Consider the introduction (first reading) of an ordinance approving the annexation of Harp Springs Tract 14,478 to the North County Lighting District, creating a zone of benefit and imposing an annual assessment for street lighting services. (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:52 AM - 11:54 AM (2 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Read by title; waived reading of the ordinance in its entirety. Introduction approved; adoption (second reading) set, as follows: May 10, 2005 in Santa Maria.

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Rose, Supervisor Gray and Supervisor Centeno

Absent: 1 - Supervisor Firestone

2) PUBLIC WORKS [File Reference No. 05-00389](#)

HEARING - Consider recommendations regarding the Road Maintenance Annual Plan for Fiscal Year 2005-06, as follows: (EST. TIME: 45 MIN.)

- a) Adopt the FY 2005-06 Road Maintenance Annual Plan (RdMap);
- b) Approve the funded projects listed for Maintenance Program (County Forces) and Surface Treatment Program (Contracts) within the Road Maintenance Annual Plan;
- c) Approve Notice of Exemptions pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the above; (POST)
- d) Authorize the Director of Public Works to advertise the above mentioned projects contained within the FY 2005-06 Road Maintenance Annual Plan;

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:55 AM - 11:58 AM (3 MIN.)

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

Received and filed staff report and conducted public hearing.

a) Adopted.

b) and c) Approved.

d) Authorized.

The motion carried unanimously.

3) SUPERVISOR CARBAJAL and SUPERVISOR FIRESTONE [File Reference No. 05-00405](#)

HEARING - Consider a proposal establishing an advisory Blue Ribbon Budget Task Force and adopt

HEARING TIME: 11:59 AM - 12:44 PM (45 MIN.)

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

Received and filed staff report and conducted public hearing.

Directed staff to move forward with the establishment of a Task Force as reflected in the County Executive Office board letter dated May 3, 2005, and to return to the Board in one month with recommendations/options for a recruitment process. Further directed that members of the Task Force shall receive reimbursement for travel and other necessary expenses; that the Task Force is advisory only; that the membership will include a total of five individuals, one nominated by each Supervisor and approved by the board; and that the Task Force shall remain active for a period of six months with an option for one additional six month period if necessary.

The motion carried unanimously.

4) HOUSING AND COMMUNITY DEVELOPMENT

[File Reference No. 05-00416](#)

HEARING - Receive and file report regarding an update to the Affordable Housing Program compliance monitoring by the Housing and Community Development Department. (EST. TIME: 45 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:55 AM - 11:50 AM (55 MIN.)

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

Received and filed staff report and conducted public hearing.

Directed that the County Auditor-Controller be requested to design a plan for a baseline audit of the compliance monitoring program and to return to the Board with suggested parameters for such an audit. Further directed that a project team consisting of the County Executive Officer, the Auditor-Controller, County Counsel and the Housing Director conduct a management review of the compliance monitoring program and return to the Board with recommendations as appropriate.

The motion carried unanimously.

Adjourn to May 10, 2005

Betteravia Government Center

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

Adjourn

(Adjourned at 12:45 PM)

Announcements

THE MEETING OF MAY 3, 2005 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, MAY 5, 2005 AT 5:00 P.M. ON GATV CHANNEL 20.