

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

July 03, 2001

COUNTY ADMINISTRATION BUILDING
105 EAST ANAPAMU STREET
SANTA BARBARA, CA 93101

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. Convene and Recess to Closed Session

9:00 A.M. Reconvene to Regular Session

Roll Call

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

Invocation: Walter Witkowski, Treasurer-Tax Collector

Report from Closed Session

The Board took the following actions:

1. RE: Santa Claus Lane - By a vote of 4:0 with Supervisor Rose absent, authorized an agreement to toll statute of limitations regarding Historical Landmarks Advisory Commission's decision to designate Santa Claus as a place of historical merit.
2. RE: PG & E Bankruptcy – By a vote of 4:0 with Supervisor Rose absent, confirmed acceptance of PG&E's offer to pay 10% penalties on property taxes delinquent as of April 10, 2001, plus costs and attorneys' fees.
3. In the Case *Larner v. County*: County Counsel reported a Superior Court jury verdict for defendants, including County, in trial involving claims of damage from operations of Ballard dump.
4. In the Case *Palazzolo v. Rhode Island*: County Counsel reported a decision of United States Supreme Court involving land use takings claims (County was amicus curiae in support of Rhode Island).

Details of these announcements are available in the Office of County Counsel.

Approval of Minutes of the June 26, 2001 meetings and Budget Hearings of June 11, 13 and 15, 2001

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

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

Administrative Agenda

Honorary Resolutions

A-1) SUPERVISOR MARSHALL File Reference No. 01-00942

Adopt a resolution recognizing the contributions of Robert W. Kuntz, Vice Chancellor at the University of California, Santa Barbara.

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

RESOLUTION NO. 01 – 210 The motion carried by the following vote:

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

Administrative Items

A-2) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES File Reference No. 01-00933

Authorize the Director of Alcohol, Drug and Mental Health Services to accept the Supportive Housing Initiative Act Grant award from the California Department of Mental Health, to provide housing and services for adults with severe mental illness in the amount of \$2,715,490 for fiscal Years 2001-02, 2002-03 and 2003-04.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Authorized. The motion carried by the following vote:

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

A-3) BOARD OF DIRECTORS, WATER AGENCY File Reference No. 01-00937

local vendor) extending the contract end date from June 30, 2001 to September 30, 2001 for laboratory services for water quality sampling associated with Project Clean Water, All Districts.

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

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

Absent: 1 - Supervisor Rose

A-4) COUNTY EXECUTIVE OFFICE

File Reference No. 01-00935

Consider recommendations regarding the Board of Supervisors' response to the 2000-01 Grand Jury report entitled "Emergency Power", as follows:

a) Adopt the Sheriff's and Grneral Services Departments' responses as the Board's responses to the Grand Jury Findings and Recommendations on this subject which are directed to County Departments;

b) Authorize the Chair to execute a letter forwarding these responses to Presiding Judge of the Superior Court.

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

a) **Adopted.**

b) **Authorized; Chair to execute. The motion carried by the following vote:**

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

Absent: 1 - Supervisor Rose

A-5) PUBLIC HEALTH

File Reference No. 01-00931

Receive a staff report on the effectiveness of the re-implemented dog noise ordinance (No. 4397), adopted by the Board in April 2000.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Received and filed. The motion carried by the following vote:

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

Absent: 1 - Supervisor Rose

A-6) PUBLIC WORKS

File Reference No. 01-00934

Consider recommendations regarding a Grant Agreement under the State of California Wildlife Conservation Board's (WCB) California Riparian Habitat Conservation Program, Third District, as follows:

a) Concur with and accept the terms and conditions of the Grant Agreement for funding for the Santa Rosa Creek Riparian Restoration Project;

b) Authorize the Director of the Public Works Department or his designee to enter into a Grant Agreement and all subsequent agreements with the WCB to receive grant funds for up to \$327,000.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Received and filed. The motion carried by the following vote:

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

Board of Supervisors

A-7) SUPERVISOR GRAY File Reference No. 01-00940

Approve the appointment of Connie M. Setlock to the Human Services Commission, Fourth District.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Approved. The motion carried by the following vote:

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

A-8) SUPERVISOR GRAY File Reference No. 01-00941

Approve the reappointment of Dusty Rapis to the Veterans Services Advisory Committee, Fourth District.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Acted on as follows:. The motion carried by the following vote:

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

A-9) SUPERVISOR ROSE File Reference No. 01-00936

Approve the reappointment of Dorothy Brilliant to the Library Advisory Committee, Second District.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Acted on as follows:. The motion carried by the following vote:

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

A-10) SUPERVISOR ROSE File Reference No. 01-00939

Approve the reappointment of Barbie Deutsch to the Human Services Commission, Second District.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Acted on as follows:. The motion carried by the following vote:

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

Hearing Requests

A-11) PUBLIC WORKS File Reference No. 01-00932

Set a hearing to consider recommendations regarding the Union Valley Parkway Extension, Fourth District, as follows:

- a) Consider the Mitigated Negative Declaration (E-99-60) 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 approval;

c) Authorize the Director of Public Works to proceed with negotiations for the acquisition of permanent easements and temporary rights-of-entry with adjacent property owners.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Withdrawn from the agenda. The motion carried by the following vote:

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

Absent: 1 - Supervisor Rose

A-12) SUPERVISOR ROSE

File Reference No. 01-00938

HEARING - Receive a report from the Community Housing Action Group on the recent Adult Education series on housing issues in Santa Barbara County and transmit the recommendations to the new County Housing and Community Development Department when it is formed. (EST. TIME: 30 MIN.)

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: July 10, 2001. The motion carried by the following vote:

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

Absent: 1 - Supervisor Rose

Approval of Administrative Agenda

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

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

Absent: 1 - Supervisor Rose

Public Comment Period

RE: Introduction of Erin Holloway, Graduate of Righetti High School, as Fourth District Supervisor of the Day - Fourth District Supervisor Joni Gray addressed the Board.

RE: The Unholy and Incomplete Relationship of the Temporal to the Eternal Division of Arts and Science as Defined by the Genius of the Next Renaissance - Ken Loch addressed the Board.

RE: Energy Conservation Issues - Sister Janet Corcoran addressed the Board.

Departmental Agenda -- Public Hearings1) AUDITOR-CONTROLLER File Reference No. 01-00863

HEARING - Consider the adoption of a resolution to remove the unitary tax roll from the "Teeter" property tax distribution plan beginning with the Fiscal Year 2001-02. (EST. TIME: 30 MIN.)

Department requests withdrawal from the agenda.

A motion was made by Supervisor Marshall, seconded by Supervisor Schwartz, that this matter be Withdrawn from the agenda. The motion carried by the following vote:

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

Absent: 1 - Supervisor Rose

2) PUBLIC WORKS File Reference No. 01-00809

HEARING - Consider recommendations regarding the FY Solid Waste Collection Rates, as follows: (EST. TIME: 1 HR. 30 MIN.)

a) Receive a report prepared by R.W. Beck regarding the Solid Waste and Utilities Division's current fiscal situation and proposed remedies;

b) Accept the recommendation utilizing a balanced financial approach which implements Block 1 cost reductions of \$3.4 million and revenue enhancements of \$2 million;

c) Adopt a resolution setting the fee schedules for the following:

i) Solid Waste Program Fee of 8% charged by the County to cover solid waste management program costs, effective October 1, 2001;

ii) Solid waste handling and disposal fees at County facilities, effective October 1, 2001;

iii) Solid waste collection rates in the unincorporated area, effective October 1, 2001;

d) Adopt a resolution amending § 3-201 of the Santa Barbara County Rules and Regulations for unscheduled solid waste handling services;

e) Direct staff to prepare a twenty-year strategic plan and to return to the Board with an update in Spring 2002.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

September 18, 2001. The motion carried by the following vote:

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

Absent: 1 - Supervisor Rose

3) PLANNING AND DEVELOPMENT File Reference No. 01-00770

Project (APN 077-490-039) located on the north side of Calle Real, west of Glen Annie, approximately 150 feet east of Ellwood Station Road, addressed as 7388 Calle Real, Goleta area, Third District, as follows: (EST. TIME: 1 HR.)

- a) Adopt the required findings for the project specified in Attachment A of the staff report dated February 14, 2001, including CEQA findings as amended at the Planning Commission hearings of March 28 and April 4, 2001;
- b) Approve the Final Negative Declaration 00-ND-38, and adopt the mitigation monitoring program contained in the conditions of approval as amended at the Planning Commission hearings of March 28 and April 4, 2001 and at the Board of Supervisors hearing of June 26, 2001;
- c) Approve the General Plan Amendment 99-GP-008, to amend the Comprehensive Plan Land Use Element, Goleta Community Plan land use designation for the project site from Neighborhood Commercial to Residential 12.3 units per acre, with an Affordable Housing Overlay (AHO) of Residential 18 units per acre and adopt the Resolution included as Attachment C of the staff report dated February 14, 2001;
- d) Approve the Rezone 99-RZ-010, to change the zoning designation of the parcel from Shopping Center to Design Residential 12.3 units per acre, with an Affordable Housing Overlay (AHO) of DR-16 and adopt the Ordinance included as Attachment D of the staff report dated February 14, 2001;
- e) Approve the Development Plan 99-DP-45, with modifications as presented in the staff report prepared for the February 28, 2001 Planning Commission hearing subject to the conditions included as Attachment E of the staff report dated February 14, 2001, as amended at the Planning Commission hearings of March 28 and April 4, 2001 and at this Board of Supervisors hearing of June 26, 2001;
- f) Approve the Minor Conditional Use Permit 00-CP-107, subject to the conditions included as Attachment F of the staff report dated February 14, 2001, as amended at the Planning Commission hearings of March 28 and April 4, 2001 and at the Board of Supervisors hearing of June 26, 2001;
- g) Adopt the Resolution of Intent to Vacate the County's fee simple absolute interest for the 4,016 square feet of Calle Real right-of-way, stretching across the project frontage (Attachment A to the Board Letter dated June 26, 2001);
- h) Direct Public Works to conditionally grant the surplus 4,016 square feet of road property owned in fee by the County to Santa Barbara Community Housing Corporation upon adoption of a future Order to Vacate and set September 25, 2001 as the hearing date for this action;
- i) Direct Public Works to schedule and complete full width improvements to Calle Real (3-lane configuration) giving the project a priority such that construction would be completed by December 2002 or as soon thereafter as possible, if feasible.

Note: Public hearing closed. Public testimony will be limited to new matters not discussed at the June 26, 2001 hearing.

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

a) Adopted.

b) Approved.

c) Approved.

RESOLUTION NO. 01-211

d) Approved.

ORDINANCE NO. 4416

e) through i) Continued to Monday August 13, 2001. The motion carried by the following vote:

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

Absent: 1 - Supervisor Rose

4) PUBLIC WORKS

File Reference No. 01-00808

HEARING - Consider recommendations regarding County Service Area 3, County Service Area 31 and North County Lighting District Benefit Assessment for Fiscal Year 2001-02, Second, Third, Fourth and Fifth Districts, as follows: (EST. TIME: 30 MIN.)

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

b) Adopt a resolution establishing street lighting charges at existing rates for the above subject lighting districts for Fiscal Year 2001-02.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Approved.

b) Adopted.

RESOLUTION NO. 01-212 The motion carried by the following vote:

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

Absent: 1 - Supervisor Rose

5) BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT

File Reference No. 01-00835

HEARING - Consider recommendations regarding the Laguna County Sanitation District, Board Ordinance and Resolution relative to collection of service charges, connection fees and trunk line fees on the tax roll, Fourth and Fifth Districts, as follows: (EST. TIME: 10 MIN.)

a) Consider the adoption (Second Reading) of an ordinance entitled An Ordinance Amending Ordinance 3130, to increase service charges and connection fees and maintain other rules and regulations for the Laguna County Sanitation District;

- b) Receive a Report on Proposed Service Charges and Connection Fees;
- c) Adopt a resolution approving a report listing service and connection fees in the Laguna County Sanitation District and providing for collection on the tax rolls.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Urbanske, 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, as follows: August 14, 2001 in Santa Maria. The motion carried by the following vote:

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

6) PUBLIC WORKS

File Reference No. 01-00810

HEARING - Consider recommendations regarding service charges for County Service Area 12 (Mission Canyon Sewer District) and provide for collection on the Tax Rolls for FY 2001-02, First Supervisorial District, as follows: (EST. TIME: 5 MIN.)

- a) Consider the report entitled Mission Canyon Sewer District Fixed Charges, received by the Board on June 5, 2001, which proposes service charges for County Service Area 12;
- b) Adopt a resolution establishing service charges at existing rates for County Service Area 12 and provide for collection on the Tax Rolls for Fiscal Year 2001-02.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- a) **Received and filed report.**
- b) **Adopted.**

RESOLUTION NO. 01-213 The motion carried by the following vote:

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

Adjourn to Monday July 9, 2001

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

<http://www.co.santa-barbara.ca.us>