

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

July 10, 2001

**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. Convene and Recess to Closed Session

9:00 A.M. Reconvene to Regular Session

Roll Call

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

Invocation: Carlos Jimenez, Treasurer-Tax Collector

Report from Closed Session

No reportable action taken.

County Counsel announced that Superior Court had sustained the County's demurrer to the fourth amended complaint in Adam Bros. V. County without leave to amend.

Approval of Minutes of the July 3, 2001 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 Marshall, Supervisor Gray, Supervisor Urbanske and Supervisor Schwartz

Abstentions: 1 - Supervisor Rose

Administrative Agenda

Resolutions to be Presented

- A-1) SUPERVISOR GRAY File Reference No. 01-00943
Adopt a Resolution of Commendation for Lorrie Hintz, Office of the District Attorney, as Santa Barbara County Employee of the Month for July 2001.
A motion was made by Supervisor Urbanske, seconded by Supervisor Schwartz, that this matter be Adopted RESOLUTION NO. 01- 214. The motion carried unanimously.
- A-2) SUPERVISOR GRAY File Reference No. 01-00944
Adopt a resolution of recognition for Christopher Allen Ladwig, upon obtaining the rank of Eagle Scout.
A motion was made by Supervisor Urbanske, seconded by Supervisor Schwartz, that this matter be Adopted RESOLUTION NO. 01- 215. The motion carried unanimously.
- A-3) SUPERVISOR GRAY File Reference No. 01-00945
Adopt a resolution to honor "Scoop" Nunes, Santa Maria Indians General Manager.
A motion was made by Supervisor Urbanske, seconded by Supervisor Schwartz, that this matter be Adopted RESOLUTION NO. 01- 216. The motion carried unanimously.
- A-4) SUPERVISOR URBANSKE File Reference No. 01-00901
Adopt a resolution honoring Vivian Brown for a lifetime of work in arts and education.
A motion was made by Supervisor Urbanske, seconded by Supervisor Schwartz, that this matter be Adopted RESOLUTION NO. 01 - 219. The motion carried unanimously.

Administrative Items

- A-5) BOARD OF DIRECTORS, LAGUNA COUNTY File Reference No. 01-00958
SANITATION DISTRICT
Consider recommendations regarding the construction of the total Dissolved Solids and Recycled Water Project (BRINEX #860031), Fourth and Fifth Districts, as follows:
- a) Approve plans and specifications for construction of the project;
 - b) Award and authorize the Chair to execute the construction contract in the amount of \$7,998,000 to the lowest responsible bidder, Cushman Contracting Corporation (a local vendor), 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) Approve a contingency fund in the amount of \$150,000 for construction of the Total Dissolved Solids and Recycled Water Project.

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

- a) Approved.
- b) Approved; Chair to execute.
- c) Approved. The motion carried unanimously.

A-6) BOARD OF DIRECTORS, LAGUNA COUNTY File Reference No. 01-00959
SANITATION DISTRICT

Amend the Resolution of Necessity as attached on a portion of the property known as APN 113-100-026, owned by Green Canyon, LLC to reflect a change from a permanent easement acquisition to fee simple acquisition for the Reverse Osmosis Project (BRINEX), Fourth and Fifth Districts.

A motion was made by Supervisor Urbanske, seconded by Supervisor Schwartz, that this matter be Adopted RESOLUTION NO. 01-227. The motion carried unanimously.

A-7) COUNTY EXECUTIVE OFFICE File Reference No. 01-00955

Approve the Economic Development Advisory Committee (EDAC) recommended changes to the EDAC by-laws, as follows:

- a) Add the Small Business Development Center and Women's Economic Ventures to EDAC membership;
- b) Change the ex officio member representing the County of Santa Barbara Workforce Investment Board from Chairperson to Vice-Chairperson;
- c) Establish a standing Executive Committee;
- d) Add the Office of Secretary with the County representative serving in that office.

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

A-8) COUNTY EXECUTIVE OFFICE File Reference No. 01-00956

Reschedule the hearing to adopt Board of Supervisors' responses to the Grand Jury Report, released on May 16, 2001, entitled "A New Look at Child Welfare Services" from August 7, 2001 to July 24, 2001.

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

A-9) GENERAL SERVICES File Reference No. 01-00706

Receive a staff presentation regarding enhancing the Internet Web Infrastructure for the County computer network.

Department requests withdrawal from the agenda.

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

A-10) Personnel File Reference No. 01-00954

Consider the reconciliation of allocated positions and classification study, as follows:

a) Adopt a resolution making various changes to the departmental position allocation effective July 9, 2001, adopted as part of the Fiscal Year 2001-02 Budget;

b) Modify overtime eligibility for the classifications of Public Health Microbiologist (Class 6300) and Public Health Microbiologist, Senior (Class 6303) to allow payment of overtime after 40 hours in a seven-day work period.

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

a) Adopted.

RESOLUTION NO. 01- 218

b) Approved.

The motion carried unanimously.

A-11) PUBLIC HEALTH File Reference No. 01-00946

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 Needle Exchange and Education Program.

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

A-12) PUBLIC WORKS File Reference No. 01-00949

Consider recommendations regarding construction of STIP Fund Roadway Rehabilitation and Asphalt Concrete Overlay in Southern Santa Barbara County, Third District, as follows:

a) Approve plans and specifications for construction of the project;

b) Award and authorize the Chair to execute the construction contract in the amount of \$310,074 to the lowest responsible bidder Granite Construction Company (not a local vendor) subject to the project, as required under California law;

c) Approve a contingency fund in the amount of \$28,003.70 for the project.

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

A-13) SOCIAL SERVICES File Reference No. 01-00947

Approve and authorize the Chair to execute Amendment No. 1 to the contract with Trendsetters Marketing (not a local vendor) to provide marketing development and outreach services for the Workforce Resource Centers in the amount of \$122,350, for a total contract amount not to exceed \$249,950.

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

A-14) SOCIAL SERVICES File Reference No. 01-00948

Approve and execute Amendment No. 2 to the Lease Agreement with Santa Maria Associates for the use of a portion of the office building located at 1410 South Broadway, Santa Maria for the Workforce Resource Center to stipulate an occupancy date, change the lease from triple net to gross and to amend language in the Nonappropriation clause, Fifth District.

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

A-15) SUPERIOR COURT File Reference No. 01-00951

Adopt a personnel resolution adding three Assistant I/II (Class 4425/4426) positions for Proposition 36, effective July 9, 2001.

A motion was made by Supervisor Urbanske, seconded by Supervisor Schwartz, that this matter be Adopted RESOLUTION NO. 01 - 217. The motion carried unanimously.

A-16) SUPERIOR COURT File Reference No. 01-00952

Consider recommendations regarding funding of ADR/DRPA (Dispute Resolution Programs Act) dispute resolution programs for Fiscal Year 2001-02, as follows:

a) Approve and execute a contract with Community Mediation Program of Santa Barbara County in the amount of \$70,000 for grant funding from the Dispute Resolution Trust for the period of July 1, 2001 through June 30, 2002, as recommended by the Dispute Resolution Program Committee;

b) Approve funding from the Dispute Resolution Trust Fund to the Superior Court for purposes of Dispute Resolution Program administration during Fiscal Year 01-02 in an amount not to exceed 20% of the annual revenue of the Trust Fund, as provided in § 469 of the California Business and Professions Code.

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

a) Approved; Chair to execute.

b) Approved. The motion carried unanimously.

Board of Supervisors

A-17) SUPERVISOR SCHWARTZ File Reference No. 01-00960

Approve the reappointment of Pedro Paz to the Human Relations Commission, First District.

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

Hearing Requests

A-18) COUNTY EXECUTIVE OFFICE File Reference No. 01-00957

HEARING - Consider recommendations regarding the Board of Supervisors' Response to the 2000-01 Grand Jury Report on "Juvenile Probation," as follows: (EST. TIME: 15 MIN.)

a) Adopt the response, included in Attachment 1 of the Board Letter dated July 17, 2001, as the Board of Supervisors' Response to the "Juvenile Probation" report;

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 Urbanske, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: July 17, 2001. The motion carried unanimously.

A-19) COUNTY COUNSEL File Reference No. 01-00950

HEARING - Consider a Memorandum of Understanding staying the Glen Annie Golf Course appeal of the Planning Commission's January 24, 2001 permit violation determination pending processing and final decision on its application (91-CP-091 RV02), Third District. (EST. TIME: 1 HR.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Urbanske, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: August 7, 2001. The motion carried unanimously.

A-20) PLANNING AND DEVELOPMENT File Reference No. 02-00157

Consider recommendations regarding the Coastal Resource Enhancement Fund (CREF) Status Report of Grants for the 2002 cycle, as follows: (01-21,946)

a) Direct staff to commence the year 2002 CREF cycle on July 10, 2001;

b) Set a special hearing to take public testimony on 2002 CREF awards; (SET HEARING FOR JANUARY 21, 2002 AT 5:00 PM)

c) Receive and file the 2001 Status Report of CREF Grants and Loans.

A motion was made by Supervisor Urbanske, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: a) Approved.

b) Hearing set for January 28, 2001.

c) Received and filed. The motion carried unanimously.

SUPERVISOR GRAYFile Reference No. 01-00961

Adopt a resolution honoring Bob and Peggy Donlon as the recipients of the Santa Barbara County Fair Special Agriculture Award Livestock Producers of the Year.

A motion was made by Supervisor Urbanske, seconded by Supervisor Schwartz, that this matter be Adopted RESOLUTION NO. 01 - 220. The motion carried unanimously.

SUPERVISOR GRAYFile Reference No. 01-00962

Adopt a resolution honoring Daren Gee as recipient of the Santa Barbara County Fair Special Agriculture Award Farmer of the Year.

A motion was made by Supervisor Urbanske, seconded by Supervisor Schwartz, that this matter be Adopted RESOLUTION NO. 01 - 221. The motion carried unanimously.

Approval of Administrative Agenda

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

Public Comment Period

RE: Introduction of Kimberly Peng, Graduating Valedictorian of St Joseph's High School, as Fourth District Supervisor for the Day – Fourth District Supervisor Joni Grey addressed the Board.

RE: Issue with Fees Assessed to Non-Profit Organizations Using County Facilities – Darrell Freese addressed the Board.

RE: Support for Child Care Programs – Sister Janet Corcoran addressed the Board.

RE: Unification of Arts and Science – Ken Loch addressed the Board.

Departmental Agenda -- Public Hearings

- 1) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT File Reference No. 01-00790

HEARING - Consider recommendations regarding the Flood Control Benefit Assessment Program for Fiscal Year 2001-02, All Districts, as follows: (EST. TIME 5 MIN.)

- a) Make a determination upon each assessment described in the report ordered filed by the Board at the June 19, 2001 meeting;
- b) Adopt a Resolution confirming Flood Control Benefit Assessment for Fiscal Year 2001-02 and authorize the Clerk of the Board to record a certified copy;
- c) Approve the adoption (Second Reading) of an ordinance entitled "An Ordinance Amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services" imposing Flood Control Benefit Assessments for Fiscal Year 2001-02.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) Approved.

b) Adopted.

RESOLUTION NO. 01 -222

c) Adopted.

ORDINANCE NO. 4417 The motion carried unanimously.

- 2) COUNTY EXECUTIVE OFFICE File Reference No. 01-00784

HEARING - Conduct a public hearing to consider the Local Agency Formation Commission (LAFCO) resolution of approval for incorporating the City of Goleta, as follows: (EST. TIME: 1 HR.)

- a) Receive all testimony and written protests as provided for in the Cortese-Knox Local Government Reorganization Act of 1985;
- b) Adopt a resolution ordering the incorporation of a new city as set forth in LAFCO Resolution 99-20, and calling for a special election to be held on 6 November 2001 for the purpose of submitting the question to the voters to confirm the incorporation order.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Conducted public hearing, received verbal and written testimony. The Board concluded that there was not a majority protest.

b) Adopted.

RESOLUTION NO. 01 -223 The motion carried unanimously.

3) PARKS, PLANNING AND DEVELOPMENT and PUBLIC WORKS File Reference No. 01-00675

Consider recommendations regarding the nomination of County Transportation Projects for Regional Flexible Funding, All Districts, as follows: (EST. TIME: 1 HR.)

- a) Prioritize and approve revisions to the projects (listed in Table 1 of the Board Letter dated July 10, 2001) for the Regional Flexible Funding Program;
- b) Direct staff to return to the Board on August 28, 2001 to approve a resolution identifying final grant requests, matching funds and total cost amounts and authorize staff to submit Project Study Reports and cost estimates to the Santa Barbara County Association of Governments (SBCAG);
- c) Accept a report on the progress of the Regional Transportation Plan, approve and execute a letter to SBCAG from the Board recognizing SBCAG commitment and request SBCAG to return to the Board during the first quarter in 2002 to discuss milestones;
- d) Accept a report on the PTA School Zone Safety Project.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

**A motion was made by Supervisor Urbanske, seconded by Supervisor Rose, that this matter be Acted on as follows:
a) and b) Approved.**

c) Directed Public Works to send a letter to SBCAG in support of the expansion of Highway 166 from Santa Maria to Guadalupe.

d) Received and filed report. Directed Planning and Developments staff to send a letter to SBCAG expressing the Boards support of the PTA School Zone Safety Project by way of a separate action independent of the general priority ranking including consideration of an endowment to fund project. The motion carried unanimously.

4) GENERAL SERVICES File Reference No. 01-00826

HEARING - Consider recommendations regarding the Certificates of Participation (COPs) Facility Program Annual Update, All Districts, as follows: (EST. TIME: 45 MIN.)

- a) Receive an annual update on the COPs Facility Program;
- b) Approve and execute a Professional Services Agreement with Cearnal Architects Incorporated (a local vendor) to provide complete design, construction documents and construction administration for the District Attorney building in the lump sum amount of \$348,500;
- c) Approve the addition of a new project to the Program to construct a one-deck parking structure at the Garden Street parking lot;
- d) Approve the modification of the scope of the Rehabilitation Building project to demolish the building and replace it with a like-sized building instead of remodeling it;
- e) Adopt a resolution enabling the County to reimburse construction expenses incurred prior to issuance of the COPs with proceeds from the initial issuance;
- f) Approve a Budget Revision to transfer funds from the Courthouse Construction Fund and Criminal

Justice Facility Fund to cover design expenses anticipated during FY 2001-02 for the projects cited in the Revision.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) through d) Approved; Chair to execute.

e) Adopted.

RESOLUTION NO. 01 -224

f) Approved budget revision.

The motion carried unanimously.

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

Planning Items and Public Hearings

5) 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 Rose, seconded by Supervisor Marshall, that this matter be Continued, as follows: August 13, 2001. The motion carried unanimously.

6) COUNTY EXECUTIVE OFFICE

File Reference No. 01-00829

HEARING - Consider recommendations regarding the organizational structure for the Department of Housing and Community Development, as follows: (EST. TIME: 30 MIN.)

a) Receive a follow-up report regarding the Department of Housing and Community Development;

b) Consider the adoption (Second Reading) of an Ordinance amending Article X Section 2-75 of the County Code, regarding the County Administrator's duties to include the appointment and removal of that Director of Housing and Community Development subject to approval of the Board of Supervisors.

County Administrator's Recommendation: Policy

A motion was made by Supervisor Marshall, seconded by Supervisor Urbanske, that this matter be Continued, as follows: August 14, 2001 in Santa Maria. The motion carried unanimously.

7) SOCIAL SERVICES

File Reference No. 01-00802

HEARING - Consider recommendations from the In-Home Supportive Services (IHSS) Employer of Record Advisory Committee, as follows: (EST. TIME: 1 HR.)

a) Approve a recommendation from the IHSS Employer of Record Advisory Committee that the Board establish an IHSS Public Authority for the purpose of serving as Employer of Record for IHSS Individual Providers;

- b) Approve a recommendation from the IHSS Project Team that the governing body of the Public Authority be the Santa Barbara County Board of Supervisors;
- c) Direct the Department of Social Services to return to the Board in April 2002, with an Ordinance establishing a Public Authority to become effective on January 1, 2003.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Approved, as follows:
a) and b) Approved.

c) Directed the Department of Social Services to return to the Board by January 2002 with an Ordinance establishing a Public Authority, an employee resolution, funding information, and health insurance options to become effective January 1, 2003. The motion carried unanimously.

8) PLANNING AND DEVELOPMENT

File Reference No. 01-00512

HEARING - Consider Planning Commission recommendations regarding Board of Supervisors adoption of Amendments to the Orcutt Community Plan (OCP), as follows: (EST. TIME: 2 HRS.)

- a) Adopt a resolution incorporating new and amended policies, development standards, programs and actions and maps as part of the OCP, excluding Water Policies;
- b) Adopt a resolution incorporating OCP water policy amendments based on one of the following options:
 - i) Planning Commission recommendation that new development will not be served by new ground water extractions and will be limited to that which can be served by the Cal-Cities State Water entitlement until such time as the supply and the delivery of supplemental water can be determined adequate by County decision-makers;
 - ii) Planning and Development recommendation to the Planning Commission assuring that adequacy of water supply will be determined in public hearings during discretionary project review based on improved development standards;
 - iii) Other OCP water policy amendments;
- c) Adopt an Ordinance amending Chapter 35 Article III of the County Code rezoning selected parcels in Old Town Orcutt and rural agriculture within the Orcutt Planning Area;
- d) Approve Addendum No. 2, dated March 7, 2001, to the 1995 Program EIR for the Orcutt Community Plan;
- e) Adopt the Findings including the Mitigation Monitoring and Reporting and Implementation Summary;
- f) If the Board chooses to adopt other OCP Water Policy amendments, direct staff to return with revised supporting documents.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Adopted.

RESOLUTION NO. 01 – 225

b) Adopted a resolution based on Option ii), incorporating OCP water policy amendments as modified in EDC letter dated July 6, 2001, as follows, " Policy WAT-O-1 and Policy WAT-O-2, an "or" should be added before the number 2 in the "supplemental" water definition.

RESOLUTION NO. 01 – 226

c) Adopted.

ORDINANCE NO. 4418

d) Approved.

e) Adopted.

f) No action taken.

g) Further directed that during discretionary project review, best available information on supply reliability of the State Water Project, as determined by the State Department of Water resources, currently 80%, will be used; and that Water Agency staff report any changes to the Board during its annual report.

The motion carried unanimously.

Adjourn to July 17, 2001

County Administration Building

Board Hearing Room

105 East Anapamu Street , Fourth Floor

Santa Barbara

Announcements

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