

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

February 22, 2005

**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

7:50 A.M. Convened and Recessed to Closed Session

9:00 A.M. Reconvened to Regular Session

Roll Call

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

Invocation: Rachel Emerick, Office of County Counsel

Report from Closed Session

Approval of Minutes of the February 15, 2005 meeting

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, to Approve the Minutes. The motion carried unanimously.

Administrative Items

A-1) AUDITOR-CONTROLLER [File Reference No. 05-00224](#)

Approve the request for destruction of records no longer required by law to be maintained.

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

A-2) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 05-00235](#)

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

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

A-3) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 05-00225](#)

Approve and authorize the Chair to execute Amendment No. 1 to the Agreement for trucking services with RLF Trucking (a local vendor), for the period through June 30, 2005, to clean out flood control facilities in response to the 2005 Storm in the amount of \$500,000 for a total not to exceed \$800,000.

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

A-4) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00234](#)

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

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

A-5) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00222](#)

Adopt a resolution to reaffirm the existence of a Local Emergency due to the January 2005 storm, Resolution Number 05-006, and reaffirming the waiver of the competitive bidding process, Resolution Number 05-018, pursuant to Public Contract Code 22050.

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

RESOLUTION NO. 05-042

The motion carried unanimously.

A-6) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00223](#)

Adopt a resolution authorizing certain County officials to file applications for State and Federal Disaster assistance on behalf of the County of Santa Barbara.

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

RESOLUTION NO. 05-043

The motion carried unanimously.

A-7) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00231](#)

Consider the appointment of Third District Supervisor Brooks Firestone to serve as a regular member of the Indian Gaming Local Community Benefit Committee.

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

A-8) DISTRICT ATTORNEY [File Reference No. 05-00215](#)

Approve and execute an agreement with Computer Support Services, Inc. (not a local vendor) to continue operation of the Non-Sufficient Fund (NSF) Bad Check Collection and Restitution Program on behalf of the District Attorney, effective February 1, 2005 through January 31, 2008.

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

A-9) GENERAL SERVICES

[File Reference No. 05-00217](#)

Consider recommendations regarding a request by Culligan International Company for an Assignment of Access and Use Agreement, First District, as follows:

a) Approve and execute the Consent to Assignment granting Water Applications & Systems Corporation (WASC), a private equity fund managed by Clayton, Dublier & Rice, Inc., the right to assume responsibility for remediation of the UST site at 1020 Santa Barbara Street, which affects the County's Garden Street employee parking lot pursuant to the terms and conditions of the Access and Use Agreement dated July 27, 2004, and subsequent amendment dated October 26, 2004, from Culligan International Company;

b) Authorize the General Service Department to execute on behalf of the County, any permits which require property owner's signature in order to facilitate the Permitted Activities associated with the Access and Use Agreement.

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

a) **Approved; Chair to execute.**

b) **Authorized.**

The motion carried unanimously.

A-10) GENERAL SERVICES

[File Reference No. 05-00218](#)

Approve and authorize the chair to execute Amendment No. 4 to the Lease Agreement (Folio: 003029) with Buellton Property Investment for the lease of office space in Buellton extending the lease for three years for the period of March 1, 2005 to February 28, 2008, including two renewal options of one year each for a total of five years, under the same terms and conditions of the original lease and subsequent amendments, in the amount of \$2,448.45 per month for the first year.

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

A-11) GENERAL SERVICES

[File Reference No. 05-00220](#)

Approve and execute the First Amendment to the Lease Agreement between the County of Santa Barbara and the Santa Maria YMCA at Waller Park, which amends the master plan and recognizes the existing skate park and the barbecue and picnic area on the premises, and updates the Indemnification and Insurance provisions (Folio No. 001029), Fourth District.

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

A-12) GENERAL SERVICES

[File Reference No. 05-00221](#)

Consider recommendations regarding Declaration of Surplus Property for the Santa Maria Animal Shelter, located at 3415 Orcutt Road (APN 111-120-024), Santa Maria, Fourth District, as follows:

a) Adopt the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines for the above-referenced project;

- b) Adopt a resolution declaring the county owned Santa Maria Animal Shelter located at 3415 Orcutt Road as surplus;
- c) Authorize the Facilities Services Division, Real Estate Services Section of General Services to sell APN 111-120-024, in compliance with applicable Government Codes;
- d) Authorize that the funds derived from the sale of the Property be directed to the Public Health Department, Capital Outlay Designation of the Special Revenue Fund.

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

a) Adopted.

b) Adopted.

RESOLUTION NO. 05-044

c) and d) Authorized.

The motion carried unanimously.

A-13) PLANNING AND DEVELOPMENT

[File Reference No. 05-00219](#)

Approve and authorize the Chair to execute Amendment No. 2 to the existing, applicant-funded contract with Envicom Corporation in the amount of \$98,873.50, for a total not to exceed cost of \$ 375,664.50 extending the contract to December 31, 2005 in order to complete additional field work and prepare appropriate revisions to the draft final Environmental Impact Report (EIR) for the proposed Preserve at San Marcos residential project.

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

A-14) PLANNING AND DEVELOPMENT

[File Reference No. 05-00236](#)

Consider recommendations regarding Interpretive Guidelines for Land Use Development Policy #4 and CEQA Threshold for projects served by bedrock aquifer water wells, as follows:

- a) Adopt Interpretive Guidelines for Land Use Development Policy #4 with regard to the adequacy of water resources derived from bedrock aquifers for proposed discretionary development projects;
- b) Adopt a Threshold of Significance for environmental review under CEQA for impacts on water resources for development projects supported by extractions of groundwater from a bedrock aquifer amending the Groundwater Thresholds Manual section of the County of Santa Barbara Environmental Thresholds and Guidelines Manual;
- c) Accept the exemption from CEQA for the change in the adopted Threshold of Significance pursuant to Section 15061(b)(3) of the CEQA Guidelines.

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

a) and b) Adopted.

c) Accepted.

The motion carried unanimously.

A-15) PLANNING AND DEVELOPMENT[File Reference No. 05-00228](#)

Approve and execute a Coastal Resource Enhancement Fund grant contract (BC-05-136) with the Santa Maria Natural History Museum to design and install a 'Sand and Sea Learning Area' at the museum, for the period of February 22, 2005 through July 15, 2005, in the amount of \$30,000, Santa Maria, Fifth District.

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

A-16) PUBLIC WORKS[File Reference No. 05-00227](#)

Consider recommendations regarding an Order to Vacate portions of Main, Augusta & Waite Streets, Third District, as follows:

a) Approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines regarding vacating the County's right-of-way easement to portions of Main & Augusta Streets adjacent to APN 101-194-001 in the township of Los Alamos;

b) Adopt a Resolution, Summary Order to Vacate, vacating the above referenced portions of Main and Augusta Streets, Third District (4/5 vote required).

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

a) **Approved.**

b) **Adopted.**

RESOLUTION NO. 05-045

The motion carried unanimously.

Board of SupervisorsA-17) SUPERVISOR CARBAJAL[File Reference No. 05-00190](#)

Approve the reappointment of Miriam (Mickey) Flacks to the Housing Authority Board of Commissioners, First District.

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

A-18) SUPERVISOR CARBAJAL[File Reference No. 05-00233](#)

Approve the reappointment of Wilson Elliott Brownlee to the Assessment Appeals Board No. 2, First District.

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

A-19) SUPERVISOR FIRESTONE[File Reference No. 05-00232](#)

Approve the appointment of Neil Baker to the Library Advisory Committee, Third District.

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

Hearing Requests

A-20) PLANNING AND DEVELOPMENT [File Reference No. 05-00226](#)

Set hearing to receive a briefing regarding Planning and Development's "Interpretive Guidelines for Protection of Urban Oaks and Other Native and Specimen Trees".

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: March 15, 2005 (EST. TIME: 45 MIN.) The motion carried unanimously.

A-21) PLANNING AND DEVELOPMENT [File Reference No. 05-00229](#)

Set hearing to consider zoning ordinance text amendment to Article II Coastal Zoning Ordinance, implementing Government Code Section 65892.13 by adopting regulations allowing for the installation of small wind energy systems in the unincorporated coastal zone portion of the County outside of urbanized areas (Case Nos. 02ORD-00000-00001), as follows:

- a) Find that the amendments are categorically exempt from the California Environmental Quality Act pursuant to Section 15308 of the Guidelines for Implementation of CEQA;
- b) Adopt findings for approval of the proposed amendment;
- c) Adopt a Resolution and Ordinance 02ORD-00000-00001 amending Article II of the Santa Barbara County Code.

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: March 15, 2005 (EST. TIME: 45 MIN.) The motion carried unanimously.

A-22) SOCIAL SERVICES [File Reference No. 05-00230](#)

Set a hearing to present the Child Friendly Awards to selected individuals or groups from each supervisorial district who have made outstanding contributions to children in our county and approve the Resolution for Child Abuse Prevention Month (10:00 AM TIME CERTAIN).

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: April 15, 2005 (EST. TIME: 30 MIN.) The motion carried unanimously.

Honorary Resolutions

A-23) SUPERVISOR CENTENO [File Reference No. 05-00237](#)

Adopt a resolution honoring Joyce Chrisman for being selected by the California Parks and Recreation Society (CPRS) District VIII as the 2004 Community Service Award winner.

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

RESOLUTION NO. 05-046

The motion carried unanimously.

A-24) PLANNING AND DEVELOPMENT [File Reference No. 05-00238](#)

Receive the Director's report regarding the Rincon Bridge Replacements and Highway 150 Realignment Emergency Permit (05EMP-00000-000010 issued to Caltrans on February 15, 2005, to authorize replacement of two bridges on Highway 150, realignment and upgrading of a .7-mile

segment of Highway 150, reconfiguration of Highway 150's intersection with Highway 192 (APNs 001-200-023, 001-200-024, 001-440-006, 001-450-002, and 001-450-007) and associated improvements to alleviate the existing hazards and restore service to Highway 150, Carpinteria area, First District.

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Received and filed. The motion carried unanimously.

A-25) PUBLIC WORKS

[File Reference No. 05-00254](#)

Approve and authorize the Chair to execute Amendment No. 1 to a Cooperative Agreement regarding Bradley-Solomon Sewer Truck Line Extension between the County of Santa Barbara, Laguna County Sanitation District and Wellmack, LLC. for the purpose of allowing Wellmack to assist in discussions with property owners, and if possible to acquire one or more easements, thereby facilitating and accelerating the process to acquire easement, complete construction, and dedication of the Bradley-Solomon Sewer Project improvements in a more timely and efficient manner.

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

Administrative Agenda

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

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

PUBLIC COMMENT

Accepted 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: "Storm Update" - Public Works Director Phil Demery addressed the Board.

RE: "No Medicaid Cuts" / Food Bank Donations - Sister Janet Corcoran addressed the Board.

RE: Transit Atlantic Relations/Social Security - Richard Robinson addressed the Board.

RE: Vector Control District Meeting Regarding The West Nile Virus - Andy Caldwell addressed the Board.

RE: Request for Hearing Regarding the Vector Control District and Issues Related to the West Nile Virus - Third District Supervisor Brooks Firestone addressed the Board.

RE: The Thorndike Domicile - "Vista De Montecito" - John P. Thorndike IV addressed the Board.

RE: The Need for Additional Probation Officers in the North County - George Alvarez addressed the Board.

RE: Article in the Santa Barbara News Press Regarding Lompoc Commuters - Fourth District Supervisor Joni Gray addressed the Board.

Departmental Agenda -- Public Hearings

Department requests continuance of Departmental Item No. 1) to March 22, 2005.

- 1) PUBLIC HEALTH [File Reference No. 05-00126](#)

HEARING - Receive a report on the Disease Prevention Demonstration Project.

**A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows:
March 22, 2005.**

The motion carried unanimously.

- 2) COUNTY EXECUTIVE OFFICE, COUNTY COUNSEL and [File Reference No. 05-00075](#)
COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

HEARING - Consider recommendations regarding amending Chapter 2, Article X of the Santa Barbara County Code, as follows: (EST. TIME: 30 MIN.)

a) Consider the introduction (first reading) of an ordinance to Amend Chapter 2, Article X of the Santa Barbara County Code Relating to the Establishment and Duties, Responsibilities and Authorities of the County Executive Officer;

b) Set March 1, 2005 to consider the adoption (second reading) of the ordinance to Amend Chapter 2, Article X of the Santa Barbara County Code Relating to the Establishment and Duties, Responsibilities and Authorities of the County Executive Officer.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

Received and filed staff report and conducted public hearing.

a) Read by title; waived reading of the ordinance in its entirety. Introduction of ordinance approved as amended at hearing, as follows:

The last sentence of subsection (f) of the ordinance shall read as follows: "The County Executive Officer shall brief the Board of Supervisors regarding the execution of these responsibilities."; and

The last two sentences of subsection (j) shall be deleted from the ordinance.

Adoption (second reading) set, as follows: March 1, 2005

b) Set March 1, 2005 to consider adoption (second reading) of ordinance.

The motion carried unanimously.

- 3) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00159](#)

HEARING - Consider recommendations regarding the second quarter Fiscal Year 2004-05 Budget Update, as follows: (EST. TIME: 45 MIN.)

a) Accept and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2004-05 Financial Status Report as of December 31, 2004, showing the status of appropriations and financing

for all departmental budgets adopted by the Board of Supervisors;

- b) Approve a budget revision updating anticipated discretionary General Fund revenue to reflect revenue “shifts” and “swaps” included in the adopted FY 04-05 State budget;
- c) Receive an updated forecast of the General Fund budget's financial condition on June 30, 2005 with revenue and expenditure forecasts reflecting the budget revision and receive an updated financial projection for FY 05-06.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

Received and filed staff report and conducted public hearing.

- a) **Accepted.**
- b) **Approved budget revision request.**
- c) **Received and filed.**

The motion carried unanimously.

4) TREASURER-TAX COLLECTOR

[File Reference No. 05-00170](#)

HEARING - Consider recommendations regarding 2005 Certificates of Participation, as follows:
(EST. TIME: 1 HR.)

- a) Consider projects for inclusion in the issuance of a 2005 Certificates of Participation financing;
- b) Authorize County Officials and staff to take all actions necessary to pursue financing of any individual, or all of the above, projects, as approved by the Board, and pending Board final approval on March 8, 2005 of the financing and financing documents;
- c) Set a hearing for March 8, 2005 for final approval of documents for the issuance of the 2005 Certificates of Participation;
- d) Adopt a resolution enabling the County to reimburse construction expenditures incurred prior to issuance of the COPs with proceeds from the initial issuance.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Received and filed staff report on potential projects and conducted public hearing.

b) Conceptually authorized pending final Board of Supervisors action on March 8, 2005. Directed staff to provide additional information on the following proposed projects on March 8, 2005:

Fire Department - Proposed land purchase in Los Alamos for equipment complex/warehouse;

Alcohol Drug and Mental Health Services - Building Acquisition in Santa Barbara; and

Clerk-Recorder-Assessor - Proposed Hall of Records Restoration.

Further directed staff to provide an update on the Space Inventory Needs Assessment related to County departments on March 8, 2005.

c) Set hearing for March 8, 2005.

d) Adopted.

RESOLUTION NO. 05-047

The motion carried unanimously.

5) GENERAL SERVICES

[File Reference No. 05-00214](#)

HEARING - Receive report regarding the logistics associated with the People v Michael Jackson trial, Santa Maria, Fifth District. (EST. TIME: 1 HR.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

Received and filed staff report and conducted public hearing. Directed staff to continue to mitigate, to the greatest extent possible, the impacts of the continuing trial on the citizens of the City of Santa Maria.

The motion carried unanimously.

Adjourn to March 1, 2005

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

Adjourn

Announcements

THE MEETING OF FEBRUARY 22, 2005 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, FEBRUARY 24, 2005 AT 5:00 P.M. ON GATV CHANNEL 20.

<http://www.countyofsb.org>

