

County of Santa Barbara BOARD OF SUPERVISORS

ACTION SUMMARY

July 16, 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: Sonja Delk, Social Services

Report from Closed Session

No reportable action taken.

Approval of Minutes of the July 9, 2002 meeting

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

Administrative Agenda

Resolutions to be presented at 9:00 AM

A-1) SUPERVISOR SCHWARTZ

[File Reference No. 02-00743](#)

Adopt a Resolution of Commendation for Carolyn Wylie for her service to the First District and to Santa Barbara County.

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

RESOLUTION NO. 02-260

The motion carried unanimously.

A-2) SUPERVISOR MARSHALL

[File Reference No. 02-00746](#)

Adopt a resolution proclaiming July 14 through July 20, 2002 as Probation, Parole and Community Supervision Officers' Week.

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

RESOLUTION NO. 02-261

The motion carried unanimously.

Honorary Resolutions

- A-3) SUPERVISOR GRAY [File Reference No. 02-00744](#)
Adopt a resolution honoring Wray Stich Lompoc Valley Chamber of Commerce Man of the Year for 2002.
A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Adopted
RESOLUTION NO. 02-262
The motion carried unanimously.
- A-4) SUPERVISOR GRAY [File Reference No. 02-00745](#)
Adopt a resolution honoring Patrica Brady Lompoc Valley Chamber of Commerce Woman of the Year for 2002.
A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Adopted
RESOLUTION NO. 02-263
The motion carried unanimously.
- A-5) SUPERVISOR GRAY [File Reference No. 02-00748](#)
Adopt a resolution honoring Kevin Merrill for his dedicated service to the community.
A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Adopted
RESOLUTION NO. 02-264
The motion carried unanimously.
- A-6) SUPERVISOR GRAY [File Reference No. 002-00749](#)
Adopt a resolution honoring Paul and Susie Righetti for their dedicated service to the community.
A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Adopted
RESOLUTION NO. 02-265
The motion carried unanimously.
- A-7) SUPERVISOR GRAY [File Reference No. 02-00750](#)
Adopt a resolution honoring Brad Lundberg for his dedicated service to the community.
A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Adopted
RESOLUTION NO. 02-266
The motion carried unanimously.
- A-8) SUPERVISOR GRAY [File Reference No. 02-00751](#)
Adopt a resolution honoring Norma DeBernardi for her dedicated service to the community.

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

RESOLUTION NO. 02-267

The motion carried unanimously.

A-9) SUPERVISOR GRAY

[File Reference No. 02-00752](#)

Adopt a resolution honoring Gary Leffew on his induction into the Professional Rodeo Cowboy Hall of Fame.

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

RESOLUTION NO. 02-268

The motion carried unanimously.

Administrative Items

A-10) AGRICULTURAL COMMISSIONER

[File Reference No. 02-00727](#)

Consider recommendations regarding the appointment of members to the Agricultural Advisory Committee, as follows:

a) Approve the appointment of the following as regular members to the Agricultural Advisory Committee:

Dorothy Laine - Nominated by California Women for Agriculture
Daren Gee - Nominated by California Strawberry Commission
Landon Stableford - Nominated by Santa Barbara County Farm Bureau

b) Approve the appointment of Peter Adam - Nominated by Santa Barbara County Farm Bureau as alternate member.

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

a) and b) Approved.

The motion carried unanimously.

A-11) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00741](#)

Consider cancellation of the regularly scheduled Board of Supervisors meeting of August 27, 2002.

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

A-12) GENERAL SERVICES

[File Reference No. 02-00736](#)

Approve and execute a professional services agreement with Thomas Alvarez, CPA, for risk management claims administration for the period of August 19, 2002 through February 18, 2005, in the amount of \$130,000 per year.

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

A-13) PARKS[File Reference No. 02-00735](#)

Approve a request from the Santa Barbara Bowl Foundation for six (6) additional mid-week variances during the 2002 concert season at the Santa Barbara Bowl, First District.

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

A-14) PUBLIC HEALTH[File Reference No. 02-00731](#)

Consider recommendations regarding a professional services agreement for Obstetrics and Gynecology, as follows:

a) Approve and execute an agreement with Lawrence J. Bines, M.D., P.C. (a local vendor) to provide obstetrical and gynecological services in the Public Health Department's south coast and Lompoc regions for the period of July 1, 2002 through June 30, 2005, in an amount not to exceed \$1,935,452 (FY2002-03: \$634,897; FY 2003-04: \$645,049; and FY 2004-05: \$655,506);

b) Approve and execute the Amendment No. 1 to the Agreement with Lawrence J. Bines, M.D., P.C. to provide obstetrical services in the Public Health Department's south coast region for the period July 1, 2000 through June 30, 2002, increasing the contract in the amount of \$60,955 for a total not to exceed \$914,731;

c) Approve and execute the Amendment No. 1 to the Agreement with Lawrence J. Bines, M.D., P.C., to provide obstetrical and gynecological services in the Public Health Department's Lompoc region for the period August 1, 1999 through June 30, 2002, increasing the contract in the amount of \$5,760 for a total not to exceed \$407,772.

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

a) through c) Approved; Chair to execute.

The motion carried unanimously.

A-15) PUBLIC HEALTH[File Reference No. 02-00734](#)

Consider recommendations regarding Child Abuse and Neglect Prevention and Intervention Grants for Fiscal Years 2002-03, 2003-04 and 2004-05, as follows:

a) Approve the recommendations of the Human Services Commission for Child Abuse and Neglect Prevention and Intervention Grants for the period of July 1, 2002 through June 30, 2005;

b) Authorize the Child Abuse Prevention Council to approve an annual expenditure by the Santa Barbara County Child Abuse Prevention Council of up to \$20,000 from the Children's Trust Fund for child abuse prevention projects for the period beginning July 1, 2002 until authorization cancelled or modified.

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

a) Approved.

b) Authorized.

The motion carried unanimously.

A-16) PUBLIC HEALTH[File Reference No. 02-00740](#)

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 Gray, seconded by Supervisor Rose, that this matter be Approved. The motion carried unanimously.

A-17) PUBLIC WORKS[File Reference No. 02-00725](#)

Consider recommendations regarding 2001-02 General Fund Miscellaneous Concrete Repair and Asphalt Concrete Overlay (County Project No. 810480), First, Second, Third Districts and City of Goleta, as follows:

- a) Approve plans and specifications for the project;
- b) Award the construction contract in the amount of \$368,174 to the lowest responsible bidder, Granite Construction Company (not 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) 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 a contingency fund in the amount of \$ 30,908.70 for the project.

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

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

The motion carried unanimously.

A-18) PUBLIC WORKS[File Reference No. 02-00726](#)

Consider recommendations regarding Drainage Improvements & Class II Bike Lanes on Baseline Avenue and 2001-02 General Fund Asphalt Concrete Overlay in the town of Ballard in the Santa Ynez Valley (County Project No. 863004), Third District, as follows:

- a) Approve plans and specifications for the project;
- b) Award the construction contract in the amount of \$274,373 to the lowest responsible bidder, R. Burke Construction (not a local vendor), subject to the provision of documents and certification as set forth in the plans and specifications applicable to the project and as required by law;
- c) Authorize the Chair to execute the construction contract upon the return of the contractor's

executed contract documents, and review and approval of the County Council, Auditor-Controller and Risk Manager, or their authorized representatives;

d) Approve a contingency fund in the amount of \$26,219 for the project.

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

a) Approved.

b) Awarded.

c) Authorized; Chair to execute.

d) Approved.

The motion carried unanimously.

A-19) PUBLIC WORKS

[File Reference No. 02-00728](#)

Approve and execute Amendment No. 2 to the agreement with MNS Engineers for the construction of the Calle Real Bridge No 51C-156 Replacement and Roadway Widening, east of Kellogg Avenue (Project No. 863025) to increase the contract in the amount of \$37,495, for a total not to exceed \$260,595, Second District.

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

A-20) PUBLIC WORKS

[File Reference No. 02-00730](#)

Consider recommendations regarding utility relocation agreements for North Jameson Bike Lane and Bridge Replacement (Project No. 863027), First District, as follows:

a) Approve the Utility Agreement Template Document to enable Public Works Department to negotiate the terms of the required utility relocations for the project;

b) Authorize the Director of Public Works to execute each Utility Agreement upon completion of negotiations with each utility company affected by the project.

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

a) Approved.

b) Authorized.

The motion carried unanimously.

A-21) PUBLIC WORKS

[File Reference No. 02-00739](#)

Authorize the Director of Public Works to advertise for the reconstruction of the all weather crossing at Baron Ranch (Project No. 828339), Third District.

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

A-22) SHERIFF

[File Reference No. 02-00732](#)

Approve a destruction of records request for certain crime and arrest reports, citations and case logs which have been converted to electronic media and are no longer required by law to be retained.

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

Board of Supervisors

A-23) SUPERVISOR GRAY

[File Reference No. 02-00747](#)

Approve the appointment of Dr. Gail M. Tissier to the Human Services Commission, Fourth District.

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

A-24) SUPERVISOR URBANSKE

[File Reference No. 02-00738](#)

Approve the reappointment of Lawrence C. Russell to the Mental Health Commission, Fifth District.

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

Hearing Requests

A-25) COUNTY EXECUTIVE OFFICE

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

Set a hearing to adopt the Board of Supervisors' response to the 2001-02 Grand Jury Report entitled Voter Intent.

A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: August 20, 2002 (EST. TIME: 30 MIN.) The motion carried unanimously.

A-26) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00737](#)

Set a hearing to consider an Ordinance authorizing City of Lompoc Redevelopment Agency to include a portion of currently unincorporated territory in its redevelopment area, as follows:

- a) Find that the Board has considered the Environmental Impact Report Old Town Lompoc Redevelopment Project, Amendment No. 2 that was performed for the project is adequate under CEQA;
- b) Consider the introduction (First Reading) of an Ordinance Authorizing the Redevelopment of a Specific Area in the County by the City of Lompoc and Transferring Redevelopment Authority Over that Specific Area to the Lompoc Redevelopment Agency.

A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: July 23, 2002 (EST. TIME: 15 MIN.) The motion carried unanimously.

A-27) PLANNING AND DEVELOPMENT

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

Set a hearing to consider the Development Impact Mitigation Fee Program, as follows:

- 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.

A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: August 20, 2002 (EST. TIME: 45 MIN.) The motion carried unanimously.

A-28) PLANNING AND DEVELOPMENT

[File Reference No. 02-00742](#)

Set a hearing to consider the appeals of Richard Monk, attorney and agent for the property owner, Lawrence Lambert, (APN 011-050-024 in the 2-E-1 Zone District under Article IV) currently addressed as 910 Hot Springs Road, (formerly known as 1330 Mountain Drive), Montecito area, First District, as follows:

- a) Consider the May 17, 2000 decision of the Planning Commission to deny the applicant's appeal (case no. 97-LUS-509 AP01) upholding the Planning & Development Department's revocation of the July 7, 1998 minor change to the Lambert New Driveway Land Use Permit (case no. 97-LUS-507-MO);
- b) Consider the July 26, 2000 decision of the Planning Commission to deny the applicant's (Lambert) appeal (case no. 99-LUS-506 AP01) upholding the Planning & Development Department's denial of the Lambert Pool Reconstruction Land Use Permit (case no. 99-LUS-506 MO);

c) Consider the July 26, 2000 decision of the Planning Commission to deny the applicant's (Lambert) appeal (case no. 99-LUS-585 AP01) upholding the Planning & Development Department's denial of the Lambert New Guesthouse Land Use Permit (case no. 99-LUS-585 MO);

d) Consider the July 26, 2000 decision of the Planning Commission to grant the neighbor's (Rutledge) appeal (case number 99-LUS-525 AP01) rescinding the Planning & Development Department's October 1, 1999 approval and deny the Lambert Retaining Wall Land Use Permit (case no. 99-LUS-525 MO).

A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: September 17, 2002 (EST. TIME: 120 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

A motion was made by Supervisor Gray, seconded by Supervisor Rose, 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: Introduction of Kimberly Coombs, a senior at Cabrillo High School, as Fourth District Supervisor of the Day - Fourth District Supervisor Joni Gray addressed the Board.

RE: Affordable Housing Issues - Sister Janet Corcoran addressed the Board.

RE: "Living on a True Foundation" - Ken Loch addressed the Board.

RE: Violence against Women and Women's Shelter Issues - Committee for Social Justice, Peter Marin addressed the Board.

Departmental Agenda -- Public Hearings

1) **PUBLIC WORKS**

[File Reference No. 02-00683](#)

HEARING - Consider the introduction (First Reading) of an Ordinance amending Chapter 23, Section 23-15.2 through 23-15.5 of the Santa Barbara County Code, pertaining to speed limits on certain County roads, First, Third and Fourth Districts. (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Schwartz, seconded by Supervisor Gray, that this matter be Read by title; waived reading of the ordinance in its entirety. Introduction approved; adoption (second reading) set, as follows: July 23, 2002.

The motion carried unanimously.

2) **COUNTY EXECUTIVE OFFICE**

[File Reference No. 02-00695](#)

HEARING - Review, execute and submit a comment letter from the Santa Barbara County Board of Supervisors to the Department of the Interior, Bureau of Indian Affairs, regarding the Santa Ynez band of Mission Indians fee-to-trust application. (EST. TIME: 45 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Acted on as follows: Approved submission of letter; Chair to execute. Directed staff to amend letter as follows:

Include explanation of County tax/financing structure to clarify and correct statements included in fee-to-trust application with respect to this issue; Reiterate County request(s) that local public hearings be held regarding the fee-to-trust application; Include the Casino Consolidation Project comment letter as an additional attachment to be submitted.

The motion carried unanimously.

3) **PLANNING AND DEVELOPMENT**

[File Reference No. 02-00693](#)

HEARING - Consider recommendations regarding an ordinance to repeal the Goleta Growth Management Ordinance as it applies to the unincorporated portion of the Goleta Planning area, as follows: (EST. TIME: 45 MIN.)

a) Find that this project is not subject to the California Environmental Quality Act pursuant to Section 15061(b)(3) (No significant impact) of the Guidelines for Implementation of CEQA (Attachment A);

b) Consider the introduction (First Reading) of an ordinance (Case No.02 ORD-00000-00005) repealing Ordinance No. 4350 (as amended), the Goleta Growth Management Ordinance;

c) Set a hearing for adoption (Second Reading) of the ordinance (Case No.02 ORD-00000-00005) for August 6, 2002.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

b) Read title; waived reading of ordinance in its entirety. Introduction approved. Adoption (Second Reading) of ordinance set for August 6, 2002.

c) Hearing set for August 6, 2002.

The motion carried unanimously.

4) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00699](#)

HEARING - Adopt the recommended response (included as Attachment 1 to the Board Letter dated July 16, 2002) as the Board of Supervisors' response to the 2001-02 Grand Jury Report entitled County Polarization. (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Continued, as follows: July 23, 2002. The motion carried unanimously.

Adjourn to July 23, 2002

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

Adjourn

Announcements

THE MEETING OF JULY 16, 2002 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, JULY 18, 2002 AT 5:00 P.M. ON GATV CHANNEL 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, JULY 30, 2002; THIS IS A FIFTH TUESDAY (ORDINANCE NO. 3352). THE NEXT REGULAR MEETING WILL BE TUESDAY, AUGUST 6, 2002, IN SANTA BARBARA.

<http://www.countyofsb.org>