

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

September 11, 2001

BETTERAVIA GOVERNMENT CENTER
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 Gray, Supervisor Marshall, Supervisor Rose, Supervisor Schwartz and Supervisor Urbanske

Invocation: Bob Geis, Auditor-Controller

Report from Closed Session

The Board took the following actions:

By a vote of 5:0, the Board authorized County Counsel to execute a settlement agreement and release in the California Tobacco Litigation Attorneys fees dispute. The Agreement provides for the county to pay to the law firm of Loeff, Cabreser, Heimann & Bernstein the base amount of \$326,397.00.

Approval of Minutes of the September 4, 2001 meeting

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

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR GRAY File Reference No. 01-01206

Adopt a Resolution of Commendation for Michael Clair Poquette, Sheriff's Sergeant, upon his retirement after 30 years of service to the County of Santa Barbara.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Adopted RESOLUTION NO. 01-288. The motion carried unanimously.

A-2) SUPERVISOR ROSE File Reference No. 01-01205

Adopt a resolution proclaiming September as School Children's Pedestrian Safety Awareness Month.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Continued, as follows: September 25, 2001. The motion carried unanimously.

Honorary Resolutions

A-3) SUPERVISOR SCHWARTZ File Reference No. 01-01204

Adopt a Resolution of Commendation for Sue Adams for her leadership and service to the Coalition to Provide Shelter and Support to Santa Barbara Homeless.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Adopted RESOLUTION NO. 01-287 The motion carried unanimously.

Administrative Items

A-4) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT File Reference No. 01-01221

Approve and authorize the Chair to execute an agreement for revegetation and maintenance services with Enviroscaping, Inc. (a local vendor) for the period of September 11, 2001 through September 30, 2002, in an amount not to exceed \$125,000, All Districts.

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

A-5) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT File Reference No. 01-01222

Consider recommendations regarding the acceptance of a Flood Control easement from RRSM 2000, LLC owners of River Oaks North Tract 5778 Units 1, 2, 3 and 4, Santa Maria, Fifth District, as follows:

a) Accept the easement as dedicated by RRSM 2000, LLC, owners of River Oaks North Tract 5778 Unit 1, and authorize the Clerk of the Board to endorse thereon the Board's acceptance of said easement on the final map;

b) Accept the easement as dedicated by RRSM 2000, LLC, owners of River Oaks North Tract 5778 Units 2 and 3, and authorize the Clerk of the Board to endorse thereon the Board's acceptance of said easement on the final map;

c) Accept the easement as dedicated by RRSM 2000, LLC, owners of River Oaks North Tract 5778 Unit 4, and authorize the Clerk of the Board to endorse thereon the Board's acceptance of said easement on the final map.

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

A-6) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT File Reference No. 01-01223

Approve budget revision requests. (SEE EXHIBIT B WITH POSTED AGENDA)

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

A-7) BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT File Reference No. 01-01225

Accept the Easement Deed by authorizing the Clerk of the Board to execute the Certificate of Acceptance for the real property conveyed to the Laguna County Sanitation District for the Dutard Solomon Trunk Sewer Line, Fourth and Fifth Districts, by the following property owners:

Elaine Grisingher, Patricia Weatherby and Mary Katherine Darin (APN 111-240-030);
Robert J. and Heather L. Martinez (APN 105-010-078);
David G. and Donna J. Thompson (APN 105-010-038);
Pauline T. Stubblefield, Helen E. Goodchild and Neil Lambert Toy (APN 105-380-033).

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

A-8) BOARD OF DIRECTORS, WATER AGENCY File Reference No. 01-01224

Approve and authorize the Chair to execute the agreement with Zymax Envirotechnology (not a local vendor) for laboratory services for water quality sampling associated with Project Clean Water, for the period of October 1, 2001 through June 30, 2002, in the amount of \$160,000, First, Second, Third and Fourth Districts.

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

A-9) CHILD SUPPORT SERVICES File Reference No. 01-01208

Consider recommendations regarding the interjurisdictional employee exchange between the California Department of Child Support Services and the Santa Barbara County Department of Child Support Services for the position of Assistant Public Information Officer, as follows:

a) Authorize the Department of Child Support Services to enter into an agreement with the California Department of Child Support Services to provide the services of one employee, Lynn Cavanaugh, to serve the California Department of Child Support Services in the capacity of Assistant Public Information Officer for the period of September 3, 2001 through September 2, 2003 at no cost to the County;

b) Adopt a Personnel Resolution, effective September 3, 2001, adding one permanent Public Information Specialist (Class 6338) Range 555 (\$3,864-\$4,717 per month);

c) Approve a Budget Revision Request increasing appropriations and revenue by \$59,539 for Fiscal Year 2001-02.

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

b) Adopted.

RESOLUTION NO. 01-289

c) Approved.

The motion carried unanimously.

A-10) COUNTY EXECUTIVE OFFICE File Reference No. 01-01220

Approve budget revision requests. (SEE EXHIBIT A WITH POSTED AGENDA)

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

A-11) FIRE File Reference No. 01-01212

Approve a 90-day contract between the Santa Barbara County Fire Department and the City of Los Angeles Fire Department for the use of a LAFD tillered aerial ladder truck for training purposes, in the amount of \$1 per day.

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

A-12) GENERAL SERVICES File Reference No. 01-01217

Approve and execute the Lease Agreement between the County and Alpine PCS Operating, LLC (a local vendor) for the placement of a wireless communication facility, consisting of radio equipment cabinets and panel antennas, on the roof of the Betteravia Government Center located at 511 East Lakeside Parkway, Santa Maria. The lease term is for a period of five (5) years, commencing upon execution of the agreement, with three optional renewal periods of five (5) years each that may be exercised upon mutual agreement of the County and Alpine, in the amount of \$18,000 per year, Fifth District.

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

A-13) GENERAL SERVICES File Reference No. 01-01218

Consider recommendations regarding the sale of real property in Humboldt County, as follows:

a) Approve and execute the Grant Deed to allow the transfer of County's partial interest in unimproved land in Humboldt County known as Humboldt APNs 102-152-02 and 106-201-04 to Tom and Marilyn Moore, in the approximate amount of \$30,000;

b) Approve a Budget Revision allocating funds totaling approximately \$30,000 from the sale of the property to the General Services/ Facilities Services Division Deferred Maintenance Fund.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Approved, as follows: a) Approved; Chair to execute

b) Approved budget revision request. The motion carried unanimously.

A-14) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES File Reference No. 01-01226

Adopt one (1) resolution, effective September 3, 2001 adding one (1.0 FTE) Court Administered

Dispute Resolution Program Coordinator (Class #1971), Range 559 (\$3,942-\$4,812 per month) to Superior Court, adopted as part of the 2001-02 Budget.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Adopted RESOLUTION NO. 01-293 The motion carried unanimously.

A-15) PLANNING AND DEVELOPMENT

File Reference No. 01-01213

Receive and file a comment letter to the United States Bureau of Prisons regarding the Environmental Assessment for the Proposed Inmate Housing Units Federal Correctional Institution, Lompoc (500 bed project).

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

A-16) PROBATION

File Reference No. 01-01214

Consider recommendations regarding the termination of the Office of Child Abuse Prevention (OCAP) Juvenile Crime Prevention Project (Partnership for Families) in the Lompoc Valley, as follows:

a) Receive a report on the termination of the Partnership For Families grant from the Office of Child Abuse Prevention (OCAP), California State Department of Social Services, in the Lompoc Valley;

b) Recognize, along with the Probation Department, the following agencies and contractors for their commitment and service to the Lompoc Valley community over the past 6 1/2 years:

Family Services Agency
 Shelter Services for Women
 North County Rape Crisis Center
 Boys and Girls Club of Lompoc
 Lompoc Family YMCA
 Lompoc Parks and Recreation Department
 Community Mediation Program
 Lompoc Valley Senior Services
 Santa Barbara County Sheriff's Department
 Lompoc Police Department
 Lompoc Unified School District
 Santa Barbara County Public Health
 Santa Barbara County Arts Commission
 Christopher Ames
 Community Action Commission
 Santa Barbara County Education Office;

c) Approve a Budget Revision to reduce the Probation Department budget in the amount of \$844,986;

d) Adopt a personnel resolution, effective September 17, 2001, as follows:

Delete one (1.0 FTE) Deputy Probation Officer, Senior (Class 6062) Range 547;

Delete two (1.0 FTE) Deputy Probation Officer (Class 6061) Range 513;

Delete one (0.5 FTE) Accountant I/II Flex (Class 0014/0015) Range 510/526;

Delete one (1.0 FTE) Departmental Assistant (Class 2165) Range 497;

Delete one (1.0 FTE) Probation Assistant (Class 6051) Range 448;

Delete one (1.0 FTE) Office Assistant II (Class 1701) Range 403.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Acted on as follows: a) Received and filed.

b) Recognized agencies and contractors.

c) Approved budget revision request.

The motion carried unanimously.

A-17) PROBATION File Reference No. 01-01215

Approve and execute a contract with the Vocational Training Center (a local vendor) to provide lunch and dinner meals to the Santa Maria Juvenile Hall for the period of July 1, 2001 through June 30, 2002, in the amount of \$148,344.

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

A-18) PUBLIC HEALTH File Reference No. 01-01207

Approve and execute an Agreement between the Children and Families Commission of Santa Barbara County and Santa Barbara County Public Health Department Women, Infants and Children Program to increase breastfeeding services in the amount of \$120,000 for the period of July 1, 2001 through June 30, 2002.

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

A-19) PUBLIC WORKS File Reference No. 01-01209

Adopt a resolution establishing a No Parking zone on Sanja Cota Avenue in the Santa Ynez Valley area, Third District.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Adopted RESOLUTION NO. 01-290. The motion carried unanimously.

A-20) PUBLIC WORKS File Reference No. 01-01210

Adopt a resolution establishing a No Parking zone on Sagunto Street in the Santa Ynez Valley area, Third District.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Adopted RESOLUTION NO. 01-291. The motion carried unanimously.

A-21) PUBLIC WORKS File Reference No. 01-01227

Adopt a resolution establishing a "No Parking 7:00 AM to 3:00 PM" zone on Constellation Road, Vandenberg Village area, Fourth District.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Adopted RESOLUTION NO. 01-292 The motion carried unanimously.

A-22) PUBLIC WORKS File Reference No. 01-01211

Consider the acceptance of a Quit Claim and Grant of Easement for property adjacent to Alamo Pintado Road, Third District, as follows:

a) Accept the Quitclaim Deed from the Santa Ynez River Water Conservation District, Improvement District No. 1 (a public corporation) by executing the Certificate of Acceptance, releasing the District's easement interest in County-owned, unimproved parcel of land known as APN 137-110-066 (the District's pipeline does not lie within the easement being quitclaimed by the District);

b) Approve and execute the Easement Deed from the County to the District, replacing the easement quitclaimed above and correctly identifies the location of the District's pipeline.

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

A-23) SOCIAL SERVICES File Reference No. 01-01126

Adopt a resolution amending the Bylaws for the KIDS Network of Santa Barbara County, including proposed membership changes and updates to language.

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

A-24) SUPERIOR COURT File Reference No. 01-01219

Approve and execute Amendment No. 5 to the Lease Agreement between the County of Santa Barbara and Burt E. Fugate (Trustee of the Burt E. Fugate Trust and the Anne Le Fever Trust) for the use of approximately 2,440 square feet of office space located at 20 South Miller, Suite 208, Santa Maria, by the Superior Court Family Custody-Mediation Services staff in the amount of \$3,329.49 per month. The amendment 1) changes the name of the lessor, 2) amends the term to exercise the first renewal/ extension option, 3) amends the language to reflect the remaining renewal/ extension options and adds language granting the Trial Courts Executive Officer, or designee, the authority to exercise future options on behalf of the Board of Supervisors and 4) designates August 1 as the Occupancy Date for the purpose of CPI adjustment of rent for the extended term(s), Fifth District.

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

Hearing Requests

A-25) PARKS File Reference No. 01-01216

Set a hearing to consider the adoption of a resolution maintaining or revising group area fees in day use parks.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: October 2, 2001. The motion carried unanimously.

Approval of Administrative Agenda

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

Public Comment Period

RE: Announced the Retirement of Deputy Chief Probation Officer Dennis Shaughnessy After 30 Years of Service / Introduction of R. Scott DeuPree, New Deputy Chief in Charge of Juvenile Services and Wes Forman as Probation Manager, Juvenile Division. – Chief Probation Officer Susan J. Gionfriddo addressed the Board.

RE: Announced Veterans Center and Transition House in Need of Supplies -John Thorndike addressed the Board.

RE: Fourth District Supervisor Joni Gray Read a Letter by Sister Janet Corcoran Regarding Health Care Services – Fourth District Supervisor Joni Gray addressed the Board.

Departmental Agenda -- Public Hearings

- 1) SUPERVISOR MARSHALL and SUPERVISOR URBANSKE File Reference No. 01-01064
Set a hearing to receive a report from the Wine Industry Task Force.
A motion was made by Supervisor Urbanske, seconded by Supervisor Marshall, that this matter be Continued, as follows: November 13, 2001. The motion carried unanimously.
- 2) PLANNING AND DEVELOPMENT File Reference No. 01-01081
HEARING - Consider the introduction (First Reading) of an ordinance modifying Chapter 10 of the Santa Barbara County Code, § 10-11.2, to require safety fencing within five (5) feet of the bluff edge at occupied residential properties along the Isla Vista Bluffs. (EST. TIME: 30 MIN.)

County Administrator's Recommendation: Policy
A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted ORDINANCE NO. 4422 The motion carried unanimously.
- 3) COUNTY EXECUTIVE OFFICE File Reference No. 01-01176
Set a hearing to review and adopt the recommended Board of Supervisors' Response to the 2000-01 Grand Jury Report on Mental Health Services.
A motion was made by Supervisor Urbanske, seconded by Supervisor Marshall, that this matter be Acted on as follows: a) Adopted.
b) Authorized; Chair to execute. The motion carried unanimously.
- 4) COUNTY EXECUTIVE OFFICE File Reference No. 01-01049
Set a hearing to adopt the recommended Board of Supervisors' responses to the 2000-01 Grand Jury Report on "Natural Resources in the Santa Maria Valley".
A motion was made by Supervisor Urbanske, seconded by Supervisor Marshall, that this matter be Acted on as follows: a) and b) Adopted.
c) Authorized; Chair to execute. The motion carried unanimously.
- 5) COUNTY EXECUTIVE OFFICE File Reference No. 01-01115
HEARING -Consider recommendations regarding the Board of Supervisors' Response to the 2000-01 Grand Jury Report entitled "Data Sharing: Better Ways to Share", as follows: (EST. TIME: 30 MIN.)

a) Adopt the responses in Attachment 1 as the Board of Supervisors responses to the Grand Jury Report "Data Sharing: Better Ways to Share";

b) Authorize the Chair to execute a letter forwarding these 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 Acted on as follows: a) Adopted.

b) Authorized; Chair to execute. The motion carried unanimously.

6) FIRE File Reference No. 01-01034

HEARING - Receive a report regarding MTBE Ground Water Contamination in Santa Barbara County, and provide direction as appropriate. (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

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

7) SOCIAL SERVICES File Reference No. 01-01073

HEARING - Consider recommendations regarding the Adult and Aging Network's Community Report, as follows: (EST. TIME: 45 MIN.)

a) Accept a report on the Status of Older Adults in Santa Barbara County as a guide for prioritization and planning;

b) Approve the inclusion of the health and welfare of older adults in strategic planning for the County and the Department of Social Services, the Public Health Department, Alcohol, Drug and Mental Health Services, and the Sheriff's Department.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

b) Directed the inclusion of the health and welfare of older adults in strategic planning for the County and the Department of Social Services, the Public Health Department, Alcohol, Drug and Mental Health Services, and the Sheriff's Department. The motion carried unanimously.

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

Planning Items and Public Hearings

8) PLANNING AND DEVELOPMENT File Reference No. 01-01082

HEARING - Consider recommendations regarding the Oak Protection Program and Rural Resource Protection Program, as follows: (EST. TIME: 1 HR. 30 MIN.)

a) Receive a briefing on the status of the Technical Advisory Committee (TAC) and progress on the Rural Resource Protection Program and its relationship to the Oak Protection Program;

b) Direct staff to continue with previous Board direction to process the Oak Protection Program separately from the Resource Protection Program and to return to the Board in January 2002 with the Oak Protection Program for consideration;

c) Consider whether to direct the Resource Protection Program Technical Advisory Committee to consider oak protection within the context of the proposed management plan permit exemption.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

Continued, as follows:

September 18, 2001.

9) COUNTY COUNSEL File Reference No. 01-00604

HEARING - Consider the adoption (Second Reading) of an Ordinance amending Ordinance No. 1716 regarding composition and activities of the Historic Landmarks Advisory Commission. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

Continued, as follows:

September 18, 2001.

10) PUBLIC HEALTH File Reference No. 01-01022

HEARING - Consider recommendations regarding an amendment to Chapter 37 of the Santa Barbara County Code, the Tobacco Control Ordinance, as follows: (EST. TIME: 1 HR.)

a) Consider the introduction (First Reading) of proposed changes to Chapter 37 of the Santa Barbara County Code known as the Tobacco Control Ordinance #4173 to repeal, amend and add sections to this ordinance;

b) Consider a proposal to license tobacco retailers and direct County Counsel to return with draft language related to said licensure and an accompanying fee resolution for introduction on October 9, 2001;

c) Set a hearing for the second reading and adoption of the proposed changes to Chapter 37 of the County Code. (SET HEARING FOR OCTOBER 9, 2001)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

Continued, as follows:

September 25, 2001.

Adjourn to September 18, 2001.

COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 E. ANAPAMU STREET
SANTA BARBARA

Announcements

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