

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

April 08, 2003

**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.

Live Web Streaming of the Board of Supervisors Meetings, 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, Supervisor Gray and Supervisor Centeno

Invocation: County Administrator Michael F. Brown

Report from Closed Session

No reportable action taken.

Approval of Minutes of the April 1, 2003 meeting

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

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR CENTENO

[File Reference No. 03-00218](#)

Adopt a resolution proclaiming April 13 through April 22, 2003 as National Infant Immunization Week and May as Toddler Immunization Month.

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

RESOLUTION NO. 03-111

The motion carried unanimously.

A-2) SUPERVISOR CENTENO

[File Reference No. 03-00370](#)

Adopt a Resolution of Commendation for Senior Deputy Probation Officer Susan Gordon Marquez upon her retirement.

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

RESOLUTION NO. 03-112

The motion carried unanimously.

A-3) SUPERVISOR SCHWARTZ

[File Reference No. 03-00360](#)

Adopt a resolution proclaiming April 6 through April 12, 2003 as Victims' Rights Week in Santa Barbara County.

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

RESOLUTION NO. 03-113

The motion carried unanimously.

A-4) SUPERVISOR SCHWARTZ

[File Reference No. 03-00361](#)

Adopt a resolution proclaiming April 7 through April 13, 2003 as Public Health Week.

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

RESOLUTION NO. 03-114

The motion carried unanimously.

A-5) SUPERVISOR SCHWARTZ

[File Reference No. 03-00345](#)

Adopt a resolution proclaiming April as Sexual Assault Awareness Month in Santa Barbara County.

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

RESOLUTION NO. 03-115

The motion carried unanimously.

Administrative Items

A-6) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES

[File Reference No. 03-00369](#)

Approve and execute a Letter of Agreement between Santa Barbara Regional Health Authority (SBRHA) and Alcohol, Drug & Mental Health Services (ADMHS) for mental health services provided to Healthy Families and Prenatal Plus 2 program participants for the period of January 1, 2003 through June 30, 2003, in the amount of \$5,000.

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

A-7) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 03-00357](#)

Consider recommendations regarding the Serenidad Interceptor Channel Project (SC8318), Second District, as follows:

- a) Approve the Serenidad Interceptor Channel Project (SC8318) and the attached CEQA Notice of Exemption (post);
- b) Approve plans and specifications for the project;
- c) Authorize the Public Works Director to advertise and receive bids for the project.

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

- a) and b) Approved.**
- c) Authorized.**

The motion carried unanimously.

A-8) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 03-00358](#)

Accept the dedication of a Grant Deed to convey a portion of APN 077-170-036 from the Fairview Shopping Center LLC and authorize the Clerk of the Board to execute the Certificate of Acceptance, Third District. (4/5 vote required)

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

A-9) BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT [File Reference No. 03-00365](#)

Approve and execute Amendment No. 3 to the agreement (BC 01176) with CH2MHill (not a local vender) for additional construction engineering and start-up services for the Laguna County Sanitation District's Total Dissolved Solids Reduction and Recycled Water project, in the amount of \$149,991 for a total contract in the amount of \$1,248,476, Fourth and Fifth Districts.

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

A-10) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00375](#)

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

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

A-11) HOUSING AND COMMUNITY DEVELOPMENT, PUBLIC HEALTH and ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 03-00352](#)

Consider recommendations regarding the 2003 Collaborative Initiative to Help End Chronic Homelessness Grant Application, as follows:

- a) Authorize the Director of Housing and Community Development to submit a collaborative grant application to the United States Interagency Council on the Homeless for their 2003 Collaborative Initiative to End Chronic Homelessness competitive grant program;
- b) Authorize the County Administrator (or designee), to execute all certifications and forms included with the submission of the grant application;
- c) Authorize the Directors of Housing and Community Development, Public Health and Alcohol, Drug and Mental Health to execute a Memorandum of Understanding in substantially the form attached to the Board Letter dated April 8, 2003.

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

a) through c) Authorized.

The motion carried unanimously.

A-12) PUBLIC WORKS [File Reference No. 03-00353](#)

Approve release of a monument deposit posted to insure the setting of the interior monumentation for Tract No. 14,281, Loromana Estates, in the amount of \$4,500, Second District.

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

A-13) PUBLIC WORKS [File Reference No. 03-00354](#)

Accept Notice of Completion for work performed by Union Asphalt, Inc. (a local vendor), for Construction of 2000-01 Central & North County Measure "D" Asphalt Concrete Overlay (Project No. 810473) and authorize the Clerk of the Board to record, Third, Fourth and Fifth Districts.

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

A-14) PUBLIC WORKS [File Reference No. 03-00355](#)

Review and approve the Statement of Final Quantities for work performed and materials supplied by Security Paving Company, Inc. (not a local vendor) for the 2001-02 Measure 'D' Asphalt Concrete Overlay (County Project No. 810475), in the amount of \$1,967,729.94, First, Second and Third Districts.

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

A-15) PUBLIC WORKS [File Reference No. 03-00356](#)

Authorize the Purchasing Agent to amend Contract No. 8190387 with MNS Engineers Inc. (a local vendor) for professional services for the Gobernador Canyon Road Storm Damage Repair project (County Project No. 98R012), in the amount of \$20,000 for a total in the amount of \$118,800, First District.

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

A-16) PUBLIC WORKS [File Reference No. 03-00373](#)

Accept the Notice of Completion for work performed by John Madonna Construction (not a local

vendor) for the Sedimentation Control Structure at the Tajiguas Landfill (Solid Waste Project No. 828334), and authorize the Clerk of the Board to record, Third District.

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

A-17) PUBLIC WORKS

[File Reference No. 03-00347](#)

Consider recommendations regarding the North Jameson Lane Bike Lane and Bridge Replacement (County Project No. 863027) (Real Property Folio No. YS 3363), First District, as follows:

a) Adopt a Resolution of the Board of Supervisors to declare a public necessity for the taking of a Permanent Easement on a portion of APN 007-340-054 and initiate eminent domain proceedings to condemn such Easement;

b) Approve the Addendum to the Mitigated Negative Declaration pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the acquisition of the subject Easement.

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

a) **Adopted.**

RESOLUTION NO. 03-116

b) **Approved.**

The motion carried unanimously.

Board of Supervisors

A-18) SUPERVISOR CENTENO

[File Reference No. 03-00363](#)

Approve the reappointment of Rosalie Marquez to the Affirmative Action Commission, Fifth District.

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

A-19) SUPERVISOR CENTENO

[File Reference No. 03-00364](#)

Approve the reappointment of John P. Rodriguez to the Affirmative Action Commission, Fifth District.

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

A-20) SUPERVISOR SCHWARTZ

[File Reference No. 03-00344](#)

Approve the appointment of Rita Solinas to the Human Services Commission, First District.

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

Hearing Requests

- A-21) BOARD OF DIRECTORS, LAGUNA COUNTY [File Reference No. 03-00366](#)
SANITATION DISTRICT
- Set a hearing to consider recommendations regarding Laguna County Sanitation District Ordinance and resolution relative to collection of service charges, connection fees and trunk line fees on the tax rolls, Fourth and Fifth Districts, as follows:
- a) Consider the introduction (First Reading) of an ordinance amending Ordinance No. 3130 which established service charges, connection fees and other rules and regulations for the Laguna County Sanitation District;
- b) Approve the Notice of Exemption pursuant to Section 15273 of the California Environmental Quality Act (CEQA) Guidelines.
- A motion was made by Supervisor Rose, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: May 13, 2003 in Santa Maria. The motion carried unanimously.**
- A-22) BOARD OF DIRECTORS, LAGUNA COUNTY [File Reference No. 03-00367](#)
SANITATION DISTRICT
- Set a hearing to consider the introduction (First Reading) of an ordinance amending Chapter 29 of the County Code pertaining to new definitions, prohibited wastes, backflow prevention devices and the use of recycled water, Fourth and Fifth Districts.
- A motion was made by Supervisor Rose, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: May 13, 2003 in Santa Maria. The motion carried unanimously.**
- A-23) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00362](#)
- Set a hearing to consider County-specific privacy policies to implement the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule requirements.
- A motion was made by Supervisor Rose, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: April 15, 2003. (EST. TIME: 20 MIN.) The motion carried unanimously.**
- A-24) GENERAL SERVICES [File Reference No. 03-00359](#)
- Set a hearing to receive the Green Team's April 2002-April 2003 Annual Update and the Grounds Management Committee 2002 Annual Update on the Integrated Pest Management Strategy, as follows:
- a) Receive the Green Team's April 2002 - April 2003 Annual Update;
- b) Receive the Grounds Management Committee 2002 Annual Update on the Integrated Pest Management Strategy.
- A motion was made by Supervisor Rose, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: May 6, 2003. (EST. TIME: 45 MIN.) The motion carried unanimously.**
- A-25) PLANNING AND DEVELOPMENT [File Reference No. 03-00371](#)
- Set a hearing to consider the Anderson appeal of the Zoning Administrator's approval of the Santa Claus Lane Road Renaming to Seaside Village Drive (02RDN-00000-0000-00005) located off

Highway 101 near Padaro Lane (APNs 005-450-001, -002, -003, -006, -007, -008, -009, -012, -013, -014, and -015), Summerland area First District, as follows:

- a) Adopt the required findings for the project, specified in the Zoning Administrator Action Letter dated February 21, 2003;
- b) Deny the appeal, upholding the Zoning Administrator's approval of the Road Renaming 02RDN-00000-00005.

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

A-26) PUBLIC WORKS

[File Reference No. 03-00372](#)

Consider recommendations regarding the abatement of a public nuisance in accordance with Chapter 17 of the Santa Barbara County Code, located at 3872 Crescent Drive (APN 057-041-038), Santa Barbara area, Second District, as follows:

- a) Receive report and Investigation File (IRS# 076 98/99);
- b) Set a hearing to review and consider report regarding the abatement of the public nuisance, as follows:
 - i. Determine that a public nuisance exists at 3872 Crescent Drive (APN 057-041-038), Santa Barbara area, pursuant to County Code Chapter 17-66;
 - ii. Direct the Deputy Director of Public Works, Solid Waste and Utilities Division, to abate the public nuisance pursuant to Chapter 17, Article V of the County Code, and authorize the Deputy Director to retain an independent third party to assist in the removal of the solid waste or litter which constitutes the public nuisance and health and safety hazard.

A motion was made by Supervisor Rose, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: April 15, 2003. (EST. TIME: 20 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

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

[File Reference No. 03-00094](#)

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) (03-00,094)

RE: Board & Commission Public Service Training Session, April 18, 2003 - County Counsel Stephen Shane Stark addressed the Board.

RE: County Split - Ernest Armenta addressed the Board.

RE: Upward Bound Pre-School - Terry Murdoch addressed the Board.

RE: Veterans Issues - George Pierce addressed the Board.

RE: Health Care Issues - Sister Janet Corcoran addressed the Board.

RE: Jury Pay Issues - Floyd Meyer addressed the Board.

Departmental Agenda -- Public Hearings

- 1) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 03-00306](#)

HEARING - Consider recommendations regarding State Water Project and Proposed Settlement of "Monterey Amendment" Litigation, as follows: (EST. TIME: 30 MIN.)

- a) Approve and authorize the Chair to execute the Settlement Agreement;
- b) Approve and authorize the Chair to execute the related contract Amendment 19 to the State Water Project;
- c) Approve and authorize the Chair to execute the Agreement with the State Department of Water Resources to pay a share of the settlement costs. (The District's share of settlement costs is to be borne by the Central Coast Water Authority.);
- d) Direct staff to provide an update of State Water Project reliability as part of the annual "Ground Water Report" submitted to the Board by the Water Agency.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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.

a) through d) Approved recommendations.

The motion carried unanimously.

- 2) PLANNING AND DEVELOPMENT [File Reference No. 03-00264](#)

HEARING - Consider work program tasks and budget estimates for amending the County's Uniform Rules implementing preserves under the Williamson Act, 1965 and provide direction as appropriate. (EST. TIME: 1 HR.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

Received and filed staff report and conducted public hearing.

- 3) SUPERVISOR GRAY [File Reference No. 03-00270](#)

HEARING - Consider a waiver of Planning and Development fees in the amount of \$1,100 and Public Works fees in the amount of \$5,414 for the Loading Dock, Orcutt area, Fourth District. (EST. TIME: 30 MIN.)

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

Directed that Public Works fees will be paid for by the Fourth District Supervisor's Office. Planning and Development fees are to be waived. Further directed that the County Administrator, Economic Development staff and Planning and Development work with the community to explore incentives for economic development in the Orcutt area.

The motion carried unanimously.

2:00 P.M. Presentation of Resolutions and Awards**Planning Items and Public Hearings**4) PLANNING AND DEVELOPMENT[File Reference No. 02-00711](#)

HEARING - Consider the appeal of Jeff Hopson of the Planning Commission's May 8, 2002 approval of the Harp Springs Project (98-DP-017, TM 14,478, 02APL-00000-00018), located at the terminus of Harp Road, Orcutt, Fourth District, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Approve the Addendum to Environmental Impact Report 95-EIR-01 (revised in the Board Letter dated April 8, 2003) and find that together with 95-EIR-01 it is adequate to comply with the requirements for environmental review of the project;
- b) Adopt the required findings for the project (revised in the Board Letter dated April 8, 2003) specified in the Planning Commission action letter dated May 17, 2002;
- c) Approve TM 14,478 and 98-DP-017 subject to the conditions included in the Planning Commission action letter dated May 17, 2002, as revised by the Board;
- d) Adopt the mitigation monitoring and reporting plan contained within the conditions of approval;
- e) Approve road naming, 98-RN-010, to name the public roadways Hollysprings Lane and Cosima Court;
- f) Deny the appeal of Jeff Hopson.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- a) Approved the Addendum to Environmental Impact Report 95-EIR-01 (as revised in Planning and Development Board Letter dated April 8, 2003) and found that together with 95-EIR-01 it is adequate to comply with the requirements for environmental review of the project;
- b) Adopted the required findings for the project (as revised in Planning and Development Board Letters dated April 8, 2003 and November 27, 2002, Section III) specified in the Planning Commission action letter dated May 17, 2002;
- c) Approved TM 14,478 and 98-DP-017, with the project description amended to include "Installation of signal lights at the Harp Road/Clark Avenue intersection and all related improvements would be at the expense of the developer.", subject to the conditions included in the Planning Commission action letter dated May 17, 2002, as revised by the Board;
- d) Adopted the mitigation monitoring and reporting plan contained within the conditions of approval;
- e) Approved road naming, 98-RN-010, to name the public roadways Hollysprings Lane and Cosima Court;
- f) Denied the appeal Jeff Hopson;

Board also approved corrections and clarifications that staff recommended to be included in the final Supplemental Water Agreement, as outlined on page 6, of Planning and Development Board Letter dated April 1, 2003, with revision to Page 3, Section 4a deleting the following sentence: "It is a policy determination by your Board as to whether this contract provision affects the adequacy of the Agreement to achieve consistency with OCP policy."

The motion carried unanimously.

Adjourn to April 15, 2003

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

Adjourn

Announcements

THE MEETING OF APRIL 8, 2003 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, APRIL 10, 2003 AT 5:00 P.M. ON GATV CHANNEL 20.

THE LEGISLATIVE PROGRAM COMMITTEE MEETING IS SCHEDULED TO BEGIN AT 2:30 PM ON MONDAY APRIL 21, 2003 IN THE BOARD OF SUPERVISORS CONFERENCE ROOM, 105 E. ANAPAMU STREET, SANTA BARBARA, CA. THE COMMITTEE MEETS TO REVIEW LEGISLATIVE ISSUES AND MAKE RECOMMENDATIONS ON THEM TO THE BOARD OF SUPERVISORS. AN AGENDA PACKET IS AVAILABLE AT BOTH THE COUNTY ADMINISTRATOR'S OFFICE AND THE CLERK OF THE BOARD'S OFFICE, LOCATED AT THE COUNTY ADMINISTRATION BUILDING, 105 E. ANAPAMU STREET, SANTA BARBARA, CA.

<http://www.countyofsb.org>