

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

May 11, 2004

**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 Schwartz, Supervisor Rose, Supervisor Marshall, Supervisor Gray and Supervisor Centeno

Invocation: Gilbert Malcolm, Public Works Department

Report from Closed Session

County Counsel made the following announcements:

By a vote of 5-0, The Board of Supervisor's approved extension of leave with pay for an employee under investigation.

By a vote of 5-0, The Board of Supervisor's approved settlement of the Manning v. Sheriff claim for \$40,000.

Details of these announcements may be obtained in the Office of County Counsel.

Approval of Minutes of the May 4, 2004 meeting

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, to Approve the Minutes. The motion carried by the following vote:

Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Gray and Supervisor Centeno

Abstentions: 1 - Supervisor Marshall

Administrative Agenda

Resolutions to be Presented at 9:00 AM

A-1) SUPERVISOR CENTENO [File Reference No. 04-00447](#)

Adopt a Resolution of Commendation for Patti Stadler, of the Probation Department, as Santa Barbara County Employee of the Month for May, 2004.

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

RESOLUTION NO. 04-119

The motion carried unanimously.

A-2) SUPERVISOR CENTENO [File Reference No. 04-00457](#)

Adopt a resolution proclaiming May 9, 2004 to May 15, 2004 as National Hospital Week.

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

RESOLUTION NO. 04-120

The motion carried unanimously.

A-3) SUPERVISOR GRAY [File Reference No. 04-00434](#)

Adopt a resolution proclaiming May 10, 2004 through May 16, 2004 as "Cover the Uninsured Week".

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

RESOLUTION NO. 04-121

The motion carried unanimously.

A-4) SUPERVISOR CENTENO [File Reference No. 04-00448](#)

Adopt a resolution honoring Dr. Earl E. James upon his retirement from Allan Hancock College.

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

RESOLUTION NO. 04-122

The motion carried unanimously.

Honorary Resolutions

A-5) SUPERVISOR GRAY [File Reference No. 04-00446](#)

Adopt a Resolution of Commendation for Robert William Hefferman upon attaining the Rank of Eagle Scout.

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

RESOLUTION NO. 04-123

The motion carried unanimously.

Administrative Items

- A-6) COUNTY EXECUTIVE OFFICE [File Reference No. 04-00467](#)
- Approve Budget Revision requests. (SEE EXHIBIT A WITH POSTED AGENDA)
- A motion was made by Supervisor Gray, seconded by Supervisor Schwartz, that this matter be Approved. The motion carried unanimously.**
- A-7) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 04-00463](#)
- Execute Amendment No.1 to an agreement with the California Department of Alcohol and Drug Programs incorporating contract documents to the Combined Negotiated Net Amount/Drug Medi-Cal County/State contract, and increasing funding for Fiscal Year 2003-04 (Year 3) by \$1,245,091 for a total contract amount of \$6,123,750.
- A motion was made by Supervisor Gray, seconded by Supervisor Schwartz, that this matter be Approved; Chair to Execute. The motion carried unanimously.**
- A-8) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 04-00445](#)
- Consider recommendations regarding West Green Canyon Storm Drain Project (County Project No. SM8205), Fourth District, as follows:
- a) Award the construction contract to the lowest responsible bidder Papich Construction (not a local vendor), subject to the provisions of documents and certifications, as set forth in the plans and specification applicable to the project and as required by law, in the amount of \$2,733,719.00;
 - b) 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;
 - c) Approve a contingency fund in the amount of \$149,185.95;
 - d) Approve plans and specifications for the project;
 - e) Approve and execute an Agreement with Fugro West Inc. (not a local vendor) for construction inspection services, for the period of May 11, 2004 through May 10, 2005, in an amount not to exceed \$137,000;
 - f) Authorize a 15% contingency fund with Fugro West, Inc. in the amount of \$20,550 for additional work that may be needed to complete the project;
 - g) Authorize the Chair to execute the Cooperative Agreement with the City of Santa Maria to jointly construct the West Green Canyon Storm Drain Project and the West Main Trunk Project.

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

- a) Approved.
- b) Authorized; Chair to execute.
- c) and d) Approved.
- e) Approved; Chair to execute.
- f) Authorized.
- g) Authorized; Chair to execute.

The motion carried unanimously.

A-9) PLANNING AND DEVELOPMENT [File Reference No. 04-00443](#)

Approve and execute Amendment No. 1 to an agreement with URS Corporation (a local vendor) modifying the existing scope of work to include preparation and processing of the Environmental Impact Report (EIR) for the proposed Ocean Meadows project and Ellwood-Devereux Open Space and Habitat Management Plan, and increasing the amount by \$78,504 for a total revised contract amount not to exceed \$223,694.

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

A-10) PLANNING AND DEVELOPMENT [File Reference No. 04-00444](#)

Authorize the issuance of a grading permit for Tremigo Condominiums (02GPA-00000-00005, 01RZN-00000-00007, 02TRM-00000-00006, 02DVP-00000-00025) pursuant to County Code Chapter 21-8-C4, prior to the recordation of the Final Map, upon approval of Planning and Development.

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

A-11) PUBLIC HEALTH [File Reference No. 04-00449](#)

Approve and execute Amendment No. 1 to an agreement with the California Department of Health Services for Preventive Health Care for the Aging (PHCA) for the period of July 1, 2003 through June 30, 2006, increasing the amount by \$34,800 for a total contract amount of \$221,226.

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

A-12) PUBLIC HEALTH [File Reference No. 04-00450](#)

Consider recommendations regarding Bioterrorism Preparedness Agreement for Professional Services and Personnel Resolution in the Public Health Department, as follows:

- a) Execute the Certification Against Supplanting for the Santa Barbara Public Health Preparedness and Response to Bioterrorism Program;
- b) Request the Board of Supervisors authorize the Director of Public Health to sign any subsequent Certifications Against Supplanting, which will be a component of future reporting requirements.

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

a) Approved; Chair to execute.

b) Authorized.

The motion carried unanimously.

A-13) PUBLIC WORKS [File Reference No. 04-00466](#)

Require the subdivider to post a certified check in the amount of \$1,000 to guarantee the setting of the interior monumentation for Tract No. 14,606, Tremigo Condominiums, pursuant to section 66496 of the State Subdivision Map Act, Goleta Area, Second District.

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

A-14) PUBLIC WORKS [File Reference No. 04-00459](#)

Adopt a resolution establishing a "No Parking" zone on Francine Lane in the Orcutt area, Fourth District.

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

RESOLUTION NO. 04-124

The motion carried unanimously.

A-15) PUBLIC WORKS [File Reference No. 04-00461](#)

Adopt a resolution establishing "No Parking" zones on Foxenwood Lane, Orcutt area, Fourth District.

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

RESOLUTION NO. 04-125

The motion carried unanimously.

A-16) PUBLIC WORKS [File Reference No. 04-00453](#)

Adopt a resolution establishing a "No Parking" zone on Rice Ranch Road, Orcutt area, Fourth District.

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

RESOLUTION NO. 04-126

The motion carried unanimously.

A-17) PUBLIC WORKS [File Reference No. 04-00454](#)

Adopt a resolution authorizing the Public Works Department to file a claim with the Santa Barbara County Association of Governments (SBCAG) for allocation of fiscal year 2004-05 Transportation Development Act funds in the amount of \$1,472,474.

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

RESOLUTION NO. 04-127

The motion carried unanimously.

A-18) PUBLIC WORKS [File Reference No. 04-00455](#)

Approve and authorize the chair to execute the Cooperative Agreement between Santa Barbara County Public Works Department and the City of Goleta for the design of the San Jose Creek North Class I Bikeway (County Project # 862085) Goleta area, Second District.

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

A-19) PUBLIC WORKS [File Reference No. 04-00458](#)

Consider recommendations regarding storm damage repair at three locations on Kinevan Road (Storm Damage Location R016, County Project No. 01STRM - R016) Third District, as follows:

- a) Accept Notice of Completion for work performed by Schock Contracting Corporation, and authorize the Clerk of the Board to record;
- b) Review and approve the Statement of Final Quantities for work performed and materials supplied for the project by Schock Contracting Corporation, in the amount of \$160,086.43.

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

a) Accepted.

b) Approved.

The motion carried unanimously.

A-20) PUBLIC WORKS [File Reference No. 04-00462](#)

Approve and execute a Real Property Purchase Contract and Escrow Instructions for the acquisition of a permanent easement for sidewalk, roadway and public utility purposes at 6598 and 6594 Madrid Road, Isla Vista (APNs 075-112-017 and -018, County Project No. 310307), in the amount of \$14,400 from Edwin J. Martin and Emily D. Martin, Trustees of the Martin Family Trust dated July 23, 1993, Third District.

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

Board of SupervisorsA-21) SUPERVISOR ROSE [File Reference No. 04-00469](#)

Approve the appointment of Alicia V. Dondero to the Advisory Board on Alcohol and Drugs, Second District.

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

A-22) SUPERVISOR GRAY [File Reference No. 04-00468](#)

Approve the appointment of Joseph P. Stetz to the Advisory Board on Alcohol and Drug Problems, Fourth District.

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

Hearing Requests

A-23) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 04-00464](#)

Consider recommendations regarding the Flood Control Benefit Assessment for Fiscal Year 2004-05, All Districts, as follows:

- a) File the CEQA Notice of Exemption for the Flood Control Benefit Assessment Program for FY 2004-05;
- b) Set a hearing for June 1, 2004, as follows:
 - i. Consider the introduction (First Reading) of 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 2004-05;
 - ii. Receive Report regarding Flood Control Benefit Assessment for Fiscal Year 2004-05 and direct recordation;
 - iii. Receive and file an update from the March 1996 Voter Approved South Coast Benefit Assessment Increase Measure;
- c) Set a hearing for June 15, 2004, as follows:
 - i. Make a determination upon each assessment described in the report ordered filed by the Board at the June 1, 2004 meeting;
 - ii. Adopt a Resolution confirming Flood Control Benefit Assessment for Fiscal Year 2004-05 and authorize the Clerk of the Board to record a certified copy;
 - iii. Consider the adoption (Second Reading) of 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 2004-05.

A motion was made by Supervisor Gray, seconded by Supervisor Schwartz, that this matter be Acted on and set for a hearing, as follows:

- a) **Received and filed.**
- b) **Set for June 1, 2004.**
- c) **Set for June 15, 2004.**

The motion carried unanimously.

A-24) COUNTY EXECUTIVE OFFICE [File Reference No. 04-00452](#)

Set a hearing to consider recommendations regarding the Fiscal Year (FY) 2003-04 Third Quarter Budget Update, as follows:

- a) Accept and file, per the provisions of Government Code Section 29126.2, the fiscal year 2003-04

Financial Status Report as of March 31, 2004 showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors;

b) Accept an update on the forecasted FY 03-04 County financial condition on 6/30/04;

c) Accept a status report on Vehicle License Fee (VLF) revenue as of May 10, 2004 and recommended action, if necessary.

A motion was made by Supervisor Gray, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: May 18, 2004 (EST. TIME: 45 MIN.) The motion carried unanimously.

A-25) PLANNING AND DEVELOPMENT

[File Reference No. 04-00441](#)

HEARING - Consider the Clevenger/Pahler appeal of the Planning Commission's April 14, 2004 denial of 03TPM-00000-00001 involving an application to approve a Tentative Parcel Map dividing a 10.75 acre parcel into two parcels of 5.75 acres and 5 acres in the AG-I-5 Zone District under Art. III, located on Alamo Pintado Road (APN 137-110-053) Solvang Area, Third District, as follows:

a) Adopt the required findings for the project, specified in the Planning Commission Action Letter dated April 16, 2004;

b) Deny the appeal, upholding the Planning Commission's denial of Tentative Parcel Map application 03TPM-00000-00001.

A motion was made by Supervisor Gray, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: May 25, 2004 (EST. TIME: 60 MIN.) The motion carried unanimously.

A-26) PLANNING AND DEVELOPMENT

[File Reference No. 04-00442](#)

Set a hearing to consider the appeal of the Director of Planning and Development's approval of a Director's Amendment, 03AMD-00000-00015 to amend conditions set forth in 99-DP-038, a Final Development Plan to develop a 201,279 square foot shopping center, henceforth known as the Orcutt Plaza project, on the 22 acre site identified as Key Site 25 in the Orcutt Community Plan, (APNs 107-070-009, -046 and 109-200-029, -033) located at Santa Maria Way and College Drive, Orcutt area, Fourth District.

A motion was made by Supervisor Gray, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: June 1, 2004 (EST. TIME: 120 MIN.) The motion carried by the following vote:

Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Gray

Abstentions: 1 - Supervisor Centeno

A-27) PLANNING AND DEVELOPMENT

[File Reference No. 04-00451](#)

Set a hearing to consider the Planning Commission's recommendation of approval of the applicant's request for cancellation of .2 acre of an existing agricultural preserve contract (Agricultural Preserve Contract 70-AP-076B; Case No. 02AGP-00000-00029, APN 101-050-006), Santa Maria area, Fifth District.

A motion was made by Supervisor Gray, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: June 22, 2004 (EST. TIME: 30 MIN.) The motion carried unanimously.

A-28) PUBLIC WORKS

[File Reference No. 04-00465](#)

Set a hearing to consider recommendations regarding County Service Area 3, County Service Area 31 and North County Lighting District Benefit Assessment for Fiscal Year 2004-05 (no proposed

increase), Second, Third, Fourth and Fifth Districts, as follows:

- a) Adopt resolution setting a public hearing for June 1, 2004 regarding County Service Area 3, County Service Area 31 and North County Lighting District;;
- b) Receive and file a Fixed Charge Fee report regarding FY 2004-05 proposed benefit assessment for County Service Area 3, County Service Area 31 and North County Lighting District;
- c) Approve Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act Guidelines.

A motion was made by Supervisor Gray, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: June 1, 2004 (EST. TIME: 5 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

A motion was made by Supervisor Gray, seconded by Supervisor Schwartz, 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: In Support of the New Regional Santa Maria Library - Hinda Beaman addressed the Board.

RE: "Educational Reform" - Kate Smith addressed the Board.

RE: Toro Canyon Property Issues - John Thorndike IV addressed the Board.

RE: In Support of Community Based Organization Funding - Virginia Pelletier, Marylee Latulippe, Rita Madden, David Celho, Rita Madden for Tom Urbanske, Penny Leach addressed the Board.

RE: Health Care for All / Food Drive - Sister Janet Corcoran addressed the Board.

RE: Health Care Reform - Paulina Conn, Peter Conn addressed the Board.

RE: Various County Issues - Floyd Meyer addressed the Board.

Departmental Agenda -- Public Hearings

1) COUNTY EXECUTIVE OFFICE [File Reference No. 04-00432](#)

HEARING - Consider recommendations regarding the county formation process, as follows:

- a) Receive an update on the status of the county formation process;
- b) Authorize the County Administrator to take such actions as are necessary to assist the County Formation Review Commission in its start-up phase (if requested by the Commission).

A motion was made by Supervisor Rose, seconded by Supervisor Marshall, that this matter be Acted on and continued, as follows: a) Received and filed staff report and conducted public hearing.

b) Authorized the County Administrator and staff to assist the Commission if requested and to return on June 1, 2004 for an update. The motion carried unanimously.

2) GENERAL SERVICES [File Reference No. 04-00232](#)

HEARING - Receive and file a report regarding the Local Vendor Outreach Program. (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

3) PUBLIC WORKS [File Reference No. 04-00380](#)

HEARING - Consider the introduction (First Reading) of an Ordinance amending Chapter 15A of the Santa Barbara County Code relating to Flood Plain Management. (EST. TIME: 10 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Read by title; waived reading of the ordinance in its entirety. Introduction approved; adoption (second reading) set, as follows: May 25, 2004 (EST. TIME: 10 MIN.) The motion carried unanimously.

4) TREASURER-TAX COLLECTOR [File Reference No. 04-00388](#)

HEARING - Consider recommendations regarding establishment of fees for Treasurer - Tax Collector, as follows: (EST. TIME: 15 MIN.)

- a) Consider the introduction (First Reading) of an ordinance adding Section 2-10.8 to the Santa Barbara County Code to establish fees for the office of the Treasurer - Tax Collector;
- b) Adopt a report regarding costs related to certain fees charged by the Santa Barbara Treasurer - Tax Collector (available for public inspection at least ten (10) days prior to the hearing date at the Treasurer - Tax Collector, 105 East Anapamu Street, Room 110, Santa Barbara, CA; week days 8:00 am - 5:00 pm)

COUNTY ADMINSTRATOR'S RECOMMENDATION: POLICY

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

a) Received and filed staff report. Conducted public hearing. Read title: waived reading of the ordinance in it's entirety. Introduction approved; adoption (second reading) set for May 18, 2004.

b) Adopted.

The motion carried unanimously.

5) COUNTY EXECUTIVE OFFICE

[File Reference No. 04-00470](#)

HEARING - Consider recommendations regarding tribal sponsorship of Indian Gaming Community Benefit Grant Applications, as follows: (EST. TIME: 30 MIN.)

a) Receive a copy of the Request for Sponsorship for seven Indian Gaming Community Benefit Grant Applications as submitted to the Santa Ynez Band of Chumash Indians;

b) Confirm concurrence with the Seven Grant Applications submitted and their priorities;

c) Provide direction as appropriate to County representatives on the Indian Gaming Community Benefit Committee.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

Received and filed staff report.

a) Received and filed.

b) Approved.

c) No action taken.

The motion carried unanimously.

6) PUBLIC WORKS

[File Reference No. 04-00051](#)

HEARING - Consider recommendations regarding the Lompoc-Casmalia Road, as follows: (EST. TIME: 1 HR.)

a) Receive and file a Cost Analysis for Reopening and Maintaining Lompoc-Casmalia Road;

b) Direct Public Works to commence the process of removing this portion of Lompoc-Casmalia Road from the County maintained system.

COUNTY ADMINSTRATOR'S RECOMMENDATION: POLICY

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

a) Received and filed staff report and conducted public hearing.

b) Directed Pubic Works to close the Lompoc-Casmalia Road as described in Alternative #3 as reflected in the Public Works board letter dated May 11, 2004 and to explore outside funding opportunities to re-open the road in the future.

The motion carried unanimously.

Adjourn to May 18, 2004

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

Announcements

THE MEETING OF May 11, 2004 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, May 13, 2004 AT 5:00 P.M. ON GATV CHANNEL 20.

<http://www.countyofsb.org>