

# **County of Santa Barbara BOARD OF SUPERVISORS**

## **ACTION SUMMARY**

**June 04, 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](http://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 Marshall, Supervisor Gray, Supervisor Rose, Supervisor Schwartz and Supervisor Urbanske

**Invocation: Sergeant Sal Navarro, Sheriff's Department**

### **Report from Closed Session**

**The Board took the following action:**

County Administrator Michael F. Brown announced that, by a vote of 5-0, the Board of Supervisors appointed Deputy Director Rick Wheeler as Interim Parks Director as of Saturday June 8, 2002.

### **Approval of Minutes of the May 28, 2002 meeting**

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

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

Abstentions: 1 - Supervisor Rose

### **Administrative Agenda**

**Resolutions to be Presented at 2:00 PM**

A-1) SUPERVISOR MARSHALL [File Reference No. 02-00574](#)

Adopt a Resolution of Commendation for Jennifer Briggs, Director of Parks, for 26 years of dedicated service to the Parks Department and County of Santa Barbara.

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

RESOLUTION NO. 02-204

The motion carried unanimously.

A-2) SUPERVISOR MARSHALL [File Reference No. 02-00575](#)

Adopt a Resolution of Commendation for Pat Compton, Office of the Treasurer-Tax Collector, as employee of the month for June 2002.

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

RESOLUTION NO. 02-205

The motion carried unanimously.

A-3) SUPERVISOR SCHWARTZ [File Reference No. 02-00572](#)

Adopt a resolution honoring the 25th Anniversary of the Environmental Defense Center.

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

RESOLUTION NO. 02-206

The motion carried unanimously.

### Honorary Resolutions

A-4) SUPERVISOR ROSE [File Reference No. 02-00582](#)

Adopt a Resolution of Commendation for Dianne Munns for her 30 years of service to veterans.

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

RESOLUTION NO. 02-207

The motion carried unanimously.

A-5) SUPERVISOR SCHWARTZ [File Reference No. 02-00577](#)

Adopt a resolution honoring the 150th Anniversary of Wells Fargo & Company.

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

RESOLUTION NO. 02-208

The motion carried unanimously.

### Administrative Items

A-6) AUDITOR-CONTROLLER[File Reference No. 02-00573](#)

Accept and file the biennial audits for the two years ended June 30, 2001 for the Probation Department and Sheriff Inmate Welfare Services.

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

A-7) AUDITOR-CONTROLLER[File Reference No. 02-00584](#)

Consider recommendations regarding the contract for audit services with the joint venture of KPMG LLP and Stotley CPAs, as follows:

a) Approve an amendment to the contract with the joint venture of KPMG LLP and Stotley CPAs (a local vendor) to include audit work on OCJP/DOJ grants for an additional \$5,000 per year, for a total in the amount of \$97,000 for Fiscal year 2001-02 and \$100,000 for FY 2002-03;

b) Authorize the Auditor-Controller to approve payments on the contract with the joint venture of KPMG LLP and Stotley CPAs in the amount of 10% of the contract amount.

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

**a) Approved.**

**b) Authorized.**

**The motion carried unanimously.**

A-8) COUNTY EXECUTIVE OFFICE[File Reference No. 02-00585](#)

Authorize the County Administrator to submit a reimbursement claim to the California Victim Compensation and Government Claims Board for certain activities conducted as a result of September 11th terrorist attacks on the World Trade Center, the Pentagon and Pennsylvania.

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

A-9) COUNTY EXECUTIVE OFFICE[File Reference No. 02-00586](#)

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

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

A-10) GENERAL SERVICES[File Reference No. 02-00578](#)

Consider recommendations regarding the Courthouse Lockers/Shower Project, First District, as follows:

a) Authorize the Chair to award and execute a Construction Agreement with JW Bailey Construction Company (a local vendor) subject to provisions of the documents and certifications as set forth in the plans and specifications and as required by California Law, in the amount of \$126,975;

b) Authorize the General Services Director to approve change orders in the aggregate amount of 10% of the contract amount.

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

a) Authorized; Chair to execute.

b) Authorized.

The motion carried unanimously.

A-11) PLANNING AND DEVELOPMENT

[File Reference No. 02-00576](#)

Approve and authorize the Chair to execute the General Agreement with the National Parks Service granting \$27,808 from the Santa Barbara County Fisheries Enhancement Fund to the National Parks Service for the purchase and installation of a weather station on the east end of Anacapa Island and for the maintenance of the station for a period of five years from the date of execution.

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

A-12) PUBLIC WORKS

[File Reference No. 02-00588](#)

Approve and execute the Lease Agreement between the County of Santa Barbara, as Lessee, and William E. Poulis, as lessor, for the lease of approximately 3,200 square feet of office space located at 109 East Victoria Street for the period of April 1, 2002 through March 31, 2004, in the amount of \$6,464 per month plus utilities and property tax, for the Solid Waste division, First District.

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

A-13) TREASURER-TAX COLLECTOR

[File Reference No. 02-00567](#)

Adopt a resolution authorizing the County Administrator to execute an amendment to the Cooperative Agreement between the County of Santa Barbara and the cities of Buellton, Carpinteria, Goleta, Lompoc, Santa Maria and Solvang to renew a HOME consortium adding the city of Goleta.

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

RESOLUTION NO. 02-209

The motion carried unanimously.

A-14) TREASURER-TAX COLLECTOR

[File Reference No. 02-00568](#)

Consider recommendations regarding the Los Adobes de Maria II loan documents, located at 616 and 700 South Blosser Road, Santa Maria, Fifth District, as follows:

a) Approve the commitment of \$377,573 in HOME funds to Peoples' Self-Help Housing Corporation (PSHHC), a County-designated Community Housing Development Organization, for the land acquisition and project soft costs for the Los Adobes de Maria II farmworker apartments;

b) Authorize the Treasurer-Tax Collector to execute a Loan Agreement in the amount of \$423,288 (incorporating a previously executed \$45,715 Predevelopment Loan) and a Regulatory Agreement in substantially the forms included as Attachment A of the Board Letter dated June 4, 2002;

c) Find that the Mitigated Negative Declaration prepared for the project by the City of Santa Maria has been considered and adequately addresses the environmental impacts of the project.

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

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

The motion carried unanimously.

## Board of Supervisors

### A-15) SUPERVISOR ROSE

[File Reference No. 02-00587](#)

Approve the appointment of Beatriz Molina Amparan to the Commission for Women, Second District.

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

## Hearing Requests

### A-16) Assessment Appeals Board No. 1 and Assessment Appeals Board No. 2

[File Reference No. 02-00569](#)

Set a hearing to consider procedural rules for the conduct of Assessment Appeals Board Nos. 1 and 2 proceedings on 'complex' cases, as follows:

- a) Adopt a resolution establishing procedural rules for the Boards regarding 'complex' cases (cases over \$30 million in assessed valuation);
- b) Consider the introduction (First Reading) of an ordinance amending Article IV of Chapter 32 of the Santa Barbara County Code relating to Assessment Appeals Boards.

A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: June 18, 2002 (EST. TIME: 90 MIN.) The motion carried unanimously.

### A-17) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00589](#)

Set a hearing to adopt the Board of Supervisors' response to the 2000-2002 Grand Jury Report entitled Assessment of Santa Barbara County Business/Management Practices.

A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: June 18, 2002 (EST. TIME: 30 MIN.) The motion carried unanimously.

### A-18) PUBLIC WORKS

[File Reference No. 02-00580](#)

Set a hearing to consider recommendations regarding solid waste collection rates for Fiscal year 2002-03, All Districts, as follows:

- a) Consider proposed FY 2002-03 tipping fees for solid waste received at County facilities, solid waste collection rates unscheduled roll-off pull charges, parcel fee to be charged for waste disposal at the Ventucopa and New Cuyama Transfer Stations and consider increases to fees charged to small businesses at the South Coast Community Hazardous Waste Collection Center;
- b) Accept the Public Works Department's Notice of Exemption pursuant to the County's California

A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: June 25, 2002. The motion carried unanimously.

A-19) PUBLIC WORKS

[File Reference No. 02-00581](#)

Set a hearing to receive updates on the multi-jurisdictional Solid Waste Task Group Process and the Solid Waste and Utilities Strategic Business Plan, prepared by RW Beck, All Districts.

A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: Set hearing for June 25, 2002 to consider an update on the Solid Waste and Utilities Strategic Business Plan. (EST. TIME: 30 MIN.) Directed staff to return to the Board in August, 2002 as appropriate for update on the multi-jurisdictional Solid Waste Task Group process. The motion carried unanimously.

A-20) PUBLIC HEALTH

[File Reference No. 02-00590](#)

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

A-21) PUBLIC WORKS

[File Reference No. 02-00591](#)

Authorize the Public Works Department to reimburse Bob Robinson \$44,335 for funds he expended to acquire and improve a bike and pedestrian path between Puerto Drive and Calle Real for the proposed Ellwood Bicycle-Pedestrian Path in Goleta, Third District.

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

### Approval of Administrative Agenda

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

[File Reference No. 02-00025](#)

### PUBLIC COMMENT

Accepted Public Comment

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 92-398)  
(02-00,025)

RE: Introduction of Denetria Walls, Junior at Chapman University - Vandenberg AFB, as Fifth District Supervisor of the Day - Fifth District Supervisor Tom Urbanske addressed the Board.

RE: Support for "Supervisor of the Day" Program - First District Supervisor Naomi Schwartz addressed the Board.

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

RE: The Arts in our Community and the Resignation of the Arts Director - Ken Loch addressed the Board.

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

**Departmental Agenda -- Public Hearings**

- 1) BOARD OF DIRECTORS, LAGUNA COUNTY [File Reference No. 02-00419](#)  
SANITATION DISTRICT

HEARING - Consider the Laguna County Sanitation District (LCSD) collection of service charges, connection fees and trunk line fees on the tax rolls, Fourth and Fifth Districts, as follows: (EST. TIME: 5 MIN.)

- a) Consider the adoption (Second Reading) of an ordinance amending Ordinance No. 3130 which established service charges, connection fees and other rules and regulations for the LCSD;
- b) Adopt a resolution regarding collection of service charges and connection fees on the tax roll.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) Adopted.

ORDINANCE NO. 4465

b) Adopted.

RESOLUTION NO. 02-210

The motion carried unanimously.



2) SUPERVISOR MARSHALL and SHERIFF[File Reference No. 02-00539](#)

HEARING - Consider recommendations regarding Isla Vista Community Safety, Third District, as follows: (EST. TIME: 5 MIN.)

- a) Consider the adoption (Second Reading) of an Ordinance adding sections 36-6 through 36-8 to Chapter 36 of the Santa Barbara County Code, regarding Community Safety in Isla Vista;
- b) Consider the adoption (Second Reading) of an Ordinance adding Section 24-34 to Chapter 24 of the Santa Barbara County Code regarding urinating and defecating in public.

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

**a) Adopted.**

**ORDINANCE NO. 4466**

**b) Adopted.**

**ORDINANCE NO. 4467**

**Directed staff to return to the Board in six months with a status report on the implementation of the ordinances.**

**The motion carried by the following vote:**

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

Absent: 1 - Supervisor Rose

3) COUNTY EXECUTIVE OFFICE[File Reference No. 02-00583](#)

HEARING - Consider recommendations regarding the Board of Supervisors' response to the 2001-02 Grand Jury Report entitled Criminal Justice Detention Facilities, as follows: (EST. TIME: 10 MIN.)

- a) Adopt the responses included as Attachment 1 to the Board Letter dated June 4, 2002 as the Board of Supervisors' Response to the report;
- b) Authorize the Chair to execute and forward the responses to the Presiding Judge of the Superior Court.

**COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE**

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

**a) Adopted.**

**b) Authorized; Chair to execute.**

**The motion carried unanimously.**

4) PUBLIC HEALTH[File Reference No. 02-00490](#)

HEARING - Consider recommendations regarding fee resolutions for Animal Services and Emergency Medical Services, as follows: (EST. TIME: 20 MIN.)

- a) Adopt a resolution, effective July 1, 2002, to increase Emergency Medical Technician (EMT) certification/recertification fees from \$10 to \$20 and Paramedic accreditation fees from \$20 to \$52 for initial accreditation and from \$20 to \$28 for re-accreditation;
- b) Adopt a resolution, effective July 1, 2002, to adjust the Animal Services fees to consumers;
- c) Approve the per capita fee methodology to be used for calculating incorporated area, full service contract costs for Animal Services, effective July 1, 2002.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- a) Adopted.

RESOLUTION NO. 02-211

- b) Adopted.

RESOLUTION NO. 02-212

- c) Approved.

The motion carried unanimously.

5) PLANNING AND DEVELOPMENT[File Reference No. 02-00530](#)

HEARING - Consider revisions to the land use fee resolution for Planning and Development. (EST. TIME: 15 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

RESOLUTION NO. 02-213

Directed staff to return to the Board as appropriate with a report on Land Use Appeals from the Planning Commission to the Board of Supervisors.

The motion carried unanimously.

6) FIRE[File Reference No. 02-00510](#)

HEARING - Consider recommendations regarding the Hazardous Materials Business Plans/ Waste Generator/ Underground Storage Programs, as follows: (EST. TIME: 30 MIN.)

- a) Adopt a Fee Resolution, effective July 1, 2002, for the Hazardous Materials Business Plan Program;
- b) Adopt a Fee Resolution, effective July 1, 2002, for the Hazardous Waste Control Program;

- c) Adopt a Fee Resolution, effective July 1, 2002, for the Underground Storage of Hazardous Substances Program;
- d) Adopt related Fee Schedules, effective July 1, 2002, which increase fees by 4% due to the increased cost of living;
- e) Adopt a Notice of Exemption under the California Environmental Quality Act.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

*Ordinance Test*

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

a) Adopted.

RESOLUTION NO. 02-214

b) Adopted.

RESOLUTION NO. 02-215

c) Adopted.

RESOLUTION NO. 02-216

d) Adopted.

e) Adopted.

The motion carried unanimously.

7) COUNTY EXECUTIVE OFFICE and PLANNING AND DEVELOPMENT

[File Reference No. 02-00080](#)

HEARING - Consider recommendations regarding an amendment to Chapter 2 of the Santa Barbara County Code (Case No. 02ORD-00000-00004) to amend Article V providing for the establishment of a Montecito Planning Commission and Montecito Board of Architectural Review that would have jurisdiction over certain development proposed within the Montecito Planning Area, First District, as follows: (EST. TIME: 1 HR.)

- a) Find that the project is not subject to the California Environmental Quality Act pursuant to Section 15378(b)(5) of the Guidelines for Implementation of CEQA;
- b) Consider the introduction (First Reading) of an Ordinance amending the text of Section 2 of Chapter 2 of the County Code regarding the establishment of a Montecito Planning Commission and Montecito Board of Architectural Review;
- c) Set a hearing for the adoption (Second Reading) of the Ordinance for June 18, 2002.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Schwartz, 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 as amended (per draft Ordinance dated May 31, 2002). Adoption (second reading) of Ordinance amending the text of Article V of Chapter 2 of the County Code establishing a Montecito Planning Commission and Montecito Board of Architectural Review set for June 18, 2002.

c) Approved.

Directed staff to return to the Board prior to Fiscal Year 04-05 with status report and fiscal analysis on the Montecito Planning Commission and Montecito Board of Architectural Review.

The motion carried by the following vote:

Ayes: 3 - Supervisor Marshall, Supervisor Rose and Supervisor Schwartz

Noes: 2 - Supervisor Gray and Supervisor Urbanske

**2:00 P.M. .... Presentation of Resolutions and Awards****Planning Items and Public Hearings**8) **PLANNING AND DEVELOPMENT**[File Reference No. 02-00147](#)

HEARING - Consider recommendations regarding the Oak Protection Program, as follows: (EST. TIME: 2 HRS.)

- a) Receive a briefing on the Planning Commission-recommended Oak Protection Program for deciduous oaks;
- b) Receive a briefing on an alternative modified version of the Planning Commission recommendation;
- c) Receive a briefing on the voluntary live oak protection and regulatory deciduous oak protection programs being developed by the Agricultural Advisory Committee and environmental groups;
- d) Direct staff as appropriate on how to proceed with the Oak Protection Program.

**COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY**

A motion was made by Supervisor Urbanske, seconded by Supervisor Gray, that this matter be Acted on as follows: a) through c) Conducted public hearing and received and filed report.

d) Directed staff to schedule a new hearing for July 23, 2002 to consider the Oak Protection Program recommendations of the Agricultural Advisory Committee in conjunction with representatives from the Environmental Task Force group.

The motion carried unanimously.

9) **PLANNING AND DEVELOPMENT**[File Reference No. 02-00493](#)

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

- a) Receive a report on the Rural Resource Protection Program and the Technical Advisory Committee;
- b) Direct staff as appropriate on how to proceed with the Rural Resource Protection Program.

**COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY**

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

a) Conducted public hearing and received and filed report.

b) Approved Option 2 as reflected in Rural Resource Protection Program supplemental handout listed as Exhibit A dated June 4, 2002.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Urbanske

**Adjourned to Monday, June 10, 2002**

**BUDGET HEARINGS**

**County Administration Building**

**Board Hearing Room**

**105 East Anapamu Street , Fourth Floor**

**Santa Barbara**

**Adjourned**

**Announcements**

BUDGET HEARINGS ARE SCHEDULED FOR MONDAY, JUNE 10, WEDNESDAY, JUNE 12 AND FRIDAY, JUNE 14, 2002 CONTINUING, IF NECESSARY, THROUGH FRIDAY, JUNE 21, 2002. THE BOARD OF SUPERVISORS MEETING OF TUESDAY, JUNE 1, 2002 HAS BEEN CANCELLED; THE NEXT REGULAR MEETING WILL TAKE PLACE ON TUESDAY, JUNE 18, 2002 IN SANTA BARBARA.

THEN MEETING OF JUNE 4, 2002 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A.M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, JUNE 6, 2002 AT 5:00 P.M. ON GATV CHANNEL 20.

**<http://www.countyofsb.org>**