

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

**ACTION SUMMARY**

**February 03, 2004**

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

**Invocation: Pat Gabel, Housing and Community Development Department**

**Report from Closed Session**

County Counsel made the following announcement:

By a vote of 4-0, (Supervisor Rose - Absent), the Board authorized a petition for review in the California Supreme Court of the Court of Appeal decision in Childs v. County of Santa Barbara, in which the appellate court reversed summary judgment for the County.

Details of this announcement may be obtained in the Office of County Counsel.

**Approval of Minutes of the January 27, 2004 meeting**

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

Ayes: 3 - Supervisor Schwartz, Supervisor Marshall and Supervisor Centeno  
Abstentions: 1 - Supervisor Gray  
Absent: 1 - Supervisor Rose

**Administrative Agenda****Resolutions to be Presented at 9:00 AM**A-1) SUPERVISOR CENTENO[File Reference No. 04-00122](#)

Adopt a Resolution of Commendation for Ken Masuda, Agricultural Commissioner's Office, as Santa Barbara County Employee of the Month for February 2004.

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

**RESOLUTION NO. 04-021**

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

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

Absent: 1 - Supervisor Rose

**Honorary Resolutions**

A-2) SUPERVISOR SCHWARTZ [File Reference No. 04-00116](#)

Adopt a resolution honoring the celebration of the 100th Anniversary of the Santa Barbara Club's Grand Opening of their New Clubhouse.

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

**RESOLUTION NO. 04-022**

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

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

Absent: 1 - Supervisor Rose

**Administrative Items**

A-3) COUNTY EXECUTIVE OFFICE [File Reference No. 04-00126](#)

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

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

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

Absent: 1 - Supervisor Rose

A-4) GENERAL SERVICES [File Reference No. 04-00115](#)

Consider recommendations regarding the Santa Barbara Courthouse Hall of Records Rehabilitation (Site # F02001 Project # 8644), First District, as follows:

a) Approve the plans and specifications for the historic rehabilitation of the Hall of Records including cabinets, furniture, mechanical equipment, lighting fixtures, and installation of an elevator, accessible restrooms and upgraded electrical system;

b) Authorize the General Services Department to advertise the project for public bidding.

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

**a) Approved.**

**b) Authorized.**

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

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

Absent: 1 - Supervisor Rose

A-5) GENERAL SERVICES [File Reference No. 04-00119](#)

Consider recommendations regarding the Santa Barbara County Courthouse Hall of Records Rehabilitation and Geothermal System Project (Site # F02001; Project # 8644), First District, as follows:

- a) Award a Construction Agreement in the amount of \$385,400 to Schock Contracting Corporation (a local vendor) subject to provisions of the documents and certifications as set forth in the plans and specifications applicable to the project and as required by California Law;
- b) Authorize the Chair to execute the Construction Contract upon return of the contractor's executed contract documents, and the review and approval of County Counsel, Auditor-Controller, and Risk Manager or their authorized representatives;
- c) Authorize the Director of General Services to approve change orders in the aggregate amount of 10% of the contract amount.

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

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

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

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

A-6) GENERAL SERVICES

[File Reference No. 04-00117](#)

Approve and execute an Easement Deed granting an easement to the City of Lompoc to provide for the installation and maintenance of one electric transformer on a fifteen by fifteen square foot portion of County-owned property in the City of Lompoc, which will allow the City to provide electrical service to the County's Lompoc Wellness Center (Folio No. 003438), as well as other surrounding properties, Fourth District.

**A motion was made by Supervisor Marshall, seconded by Supervisor Schwartz, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**

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

A-7) GENERAL SERVICES

[File Reference No. 04-00124](#)

Approve the limits of settlement authority for Risk Management in the pursuit of processing Workers' Compensation, General Liability and Medical Malpractice claims. The delegation to Risk Management is subject to the authority of county counsel to defend civil actions against the County (Gov. Code Sec. 26529) and the direction and control of the Board of Supervisors over county litigation (Gov. Code Sec. 25203).

**A motion was made by Supervisor Schwartz, seconded by Supervisor Centeno, that this matter be Withdrawn from the agenda. The motion carried by the following vote:**

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

A-8) PUBLIC HEALTH [File Reference No. 04-00120](#)

Approve and execute an Agreement (#03-75750) with the State Department of Health Services, Sexually Transmitted Disease Control Branch for the Chlamydia Screening Project for the period of October 1, 2003 through June 30, 2005, in the amount of \$78,750.

**A motion was made by Supervisor Marshall, seconded by Supervisor Schwartz, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**

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

A-9) PUBLIC HEALTH [File Reference No. 04-00121](#)

Approve the continued 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 Foundation as the agent of the County to carry out the Syringe Exchange and Education Program.

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

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

A-10) PUBLIC WORKS [File Reference No. 04-00113](#)

Adopt a resolution rescinding Resolution Nos. 78-071 and 98-036, which established several no parking zones on the west and north side of Burton Mesa Boulevard, Vandenberg Village Area, Fourth District.

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

**RESOLUTION NO. 04-023**

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

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

A-11) PUBLIC WORKS [File Reference No. 04-00114](#)

Approve and execute Real Property Purchase Contracts and Escrow Instructions (Permanent Easements) and Temporary Construction Easements for the purpose of acquiring public road easements for the Old Coast Highway Bridge Replacement Project (Project No. 863019) in the amount of \$5,348, Third District, with the following property owners:

Steven Van Vlack Stine (APN 081-020-024) in the amount of \$3,700;  
Nojoqui Falls Ranch Limited Partnership (APN 081-020-023) in the amount of \$824;  
Nojoqui Falls Ranch Limited Partnership and Alma M. Giorgi (APN 081-020-031) in the amount of \$824.

**A motion was made by Supervisor Marshall, seconded by Supervisor Schwartz, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**

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

A-12) PUBLIC WORKS [File Reference No. 04-00125](#)

Adopt two (2) resolutions establishing a stop and one-way street to allow the contractor to temporarily stop traffic at (3) three bridge locations and provide for one-way traffic during the construction of North Jameson Lane (Project No. 863027), Montecito area, First District.

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

**a) Adopted.**

**RESOLUTION NO. 04-024**

**b) Adopted.**

**RESOLUTION NO. 04-025**

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

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

Absent: 1 - Supervisor Rose

### Board of Supervisors

A-13) SUPERVISOR MARSHALL [File Reference No. 04-00118](#)

Approve the appointment of Martin Richard Paola to the Mental Health Commission, Third District.

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

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

Absent: 1 - Supervisor Rose

A-14) SUPERVISOR MARSHALL [File Reference No. 04-00127](#)

Approve the appointment of James R. Downing to the Library Advisory Committee, as City of Goleta representative.

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

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

Absent: 1 - Supervisor Rose

### Hearing Requests

A-15) COUNTY EXECUTIVE OFFICE [File Reference No. 04-00123](#)

Set a hearing to consider recommendations regarding Indian Gaming Revenues (SB621), as follows:

a) Receive a report on SB 621, which establishes the method for calculating and distributing \$25 million from the Indian Gaming Special Distribution Fund to local governments impacted by tribal gaming;

b) Consider adoption of a Resolution recognizing the creation of the Santa Barbara County Indian Gaming Local Community Benefit Committee (Committee), created by SB 621, and codified as

Government Code section 12715(b)(1). The primary purpose of the Committee is to select the local jurisdiction grants to be funded from the County Tribal Casino Account;

- c) Appoint two (2) representatives from the County to serve on the Committee;
- d) Direct staff to ask the City of Solvang to forward a recommendation for three (3) elected City Council Members, to be appointed by the Board of Supervisors, to serve on the Committee;
- e) Direct staff to ask the Santa Ynez Band of Chumash Indians to select two (2) representatives, to be appointed by the tribe, to serve on the Committee.

**A motion was made by Supervisor Marshall, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: February 10, 2004 in Santa Maria (EST. TIME: 45 MIN.) The motion carried by the following vote:**

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

A-16) COUNTY EXECUTIVE OFFICE

[File Reference No. 04-00130](#)

Set a hearing to consider, accept and forward to the Office of the Governor, Santa Barbara County Board of Supervisor nomination(s) of at least one member of a Board of Supervisors and/or at least one member of a City Council from San Luis Obispo, Santa Barbara and Ventura Counties for appointment as the South Central Coast Region representative on the California Coastal Commission.

**A motion was made by Supervisor Marshall, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: February 17, 2004 (EST. TIME: 15 MIN.) The motion carried by the following vote:**

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

A-17) GENERAL SERVICES

[File Reference No. 04-00131](#)

Set a hearing to consider adoption of a resolution establishing fees for use of parking spaces in certain designated areas of the parking lot located at the County Court Complex at 312 East Cook Street by the general public for the period February 11, 2004 through February 15, 2004, Fifth District.

**A motion was made by Supervisor Marshall, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: February 10, 2004 in Santa Maria (EST. TIME: 30 MIN.) The motion carried by the following vote:**

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

### Approval of Administrative Agenda

**A motion was made by Supervisor Marshall, seconded by Supervisor Schwartz, to Approve the Administrative Agenda as Amended. The motion carried by the following vote:**

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

[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-Home Supportive Services - Third District Supervisor Gail Marshall, Petra Lowen, Merlene Oyelowo, Marilyn Valenzuela, Miguael Cardenas, Michael McClure, Denise Brown, Cynthia Hanna, Rafael Moreno.

RE: Bootleg-Jury - Floyd Meyer addressed the Board.

RE: Lakeview Subdivision Issues - Third District Supervisor Gail Marshall, Fourth District Supervisor Joni Gray and John Cargasacchi addressed the Board.

### **Departmental Agenda -- Public Hearings**

1) **PLANNING AND DEVELOPMENT**

[File Reference No. 04-00112](#)

HEARING - Receive a briefing on the revised schedule and approach for the 2003-2008 Housing Element adoption. (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

Conducted public hearing and received and filed staff report.

### **Adjourn to February 10, 2004**

**Betteravia Government Center**  
**Board Hearing Room**  
**511 East Lakeside Parkway**  
**Santa Maria**

### **Adjourn**

### **Announcements**

THE MEETING OF FEBRUARY 3, 2004 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, FEBRUARY 5, 2004 AT 5:00 P.M. ON GATV CHANNEL 20.

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