

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

## **ACTION SUMMARY**

**July 02, 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 Rose, Supervisor Marshall, Supervisor Schwartz, Supervisor Gray and Supervisor Urbanske

**Invocation: Kris Klink, Social Services**

### **Report from Closed Session**

The Board took the following actions:

County Administrator Michael F. Brown announced that on June 25, 2002, by a vote of 5-0, the Board approved the appointment of Terri Maus-Nisich as Santa Barbara County Parks Director.

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

### **Approval of Minutes of the June 25, 2002 meeting**

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

X-1) SUPERVISOR SCHWARTZ

[File Reference No. 02-00723](#)

HEARING - Consider recommendation to reaffirm Board of Supervisors' support for reciting the Pledge of Allegiance in its present form at all Board meetings.

Acted on as follows:

A motion was made by Supervisor Schwartz, Seconded by Supervisor Rose, to approve the consideration of X-1).

The motion carried unanimously.

A motion was made by Supervisor Schwartz, Seconded by Supervisor Gray, that the Board reaffirm it's support for reciting the Pledge of Allegiance in its present form at all Board meetings and will continue to do so until directed otherwise by the highest court in the land.

The motion carried unanimously.

### **Administrative Agenda**

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

A-1) SUPERVISOR MARSHALL

[File Reference No. 02-00676](#)

Adopt a Resolution of Commendation for Diane Green, Agricultural Commissioner's Office, as Santa Barbara County Employee of the Month for July 2002.

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

RESOLUTION NO. 02-241

The motion carried unanimously.

#### **Honorary Resolutions**

A-2) SUPERVISOR URBANSKE

[File Reference No. 02-00684](#)

Adopt a Resolution of Commendation for Rita Rosengren R.N. for her dedicated service to the County of Santa Barbara.

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

RESOLUTION NO. 02-242

The motion carried unanimously.

#### **Administrative Items**

A-3) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES

[File Reference No. 02-00675](#)

Adopt a resolution authorizing the State Department of Mental Health (DMH) to withhold \$30,000 of Early and Periodic Screening, Diagnosis and Treatment funds for Fiscal Year 2002-03 on behalf of Alcohol, Drug and Mental Health Services and allow the transfer of these funds to the California Mental Health Directors Association to fund an Administrative Services Organization for Medi-Cal eligible children from Santa Barbara County who are placed out-of-county.

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

RESOLUTION NO. 02-243

The motion carried unanimously.

A-4) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES

[File Reference No. 02-00679](#)

Consider recommendations regarding a contract with John Fitton, LCSW, for inpatient clinical

services, as follows:

- a) Approve and execute a contract with John Fitton, LCSW, for the period of July 8, 2002 through December 31, 2002, in an amount not to exceed \$26,557;
- b) Authorize the Director of Alcohol, Drug and Mental Health services to approve amendments to the proposed contract, providing that any such amendments do not exceed ten percent (10%) of the contract's original dollar amount.

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

**a) Approved; Chair to execute.**

**b) Authorized.**

**The motion carried unanimously.**

**A-5) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES**

[File Reference No. 02-00680](#)

Consider recommendations regarding the reassignment of the contract with BHC Vista Del Mar Hospital for accomodating involuntary admissions within a psychiatric facility for up to 72 hours, as follows:

- a) Approve and execute the acceptance letter for the assignment of the current contract with BHC Vista del Mar Hospital, Inc. to the new buyer of the facility, Aurora Health Services (the new name of the facility will be Aurora Vista Del Mar Hospital);
- b) Approve and execute an amendment in the amount of \$143,000 to the contract with Aurora Vista Del Mar Hospital, for the period of January 1, 2001 through June 30, 2002 for a total contract in the amount of \$373,000.

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

**a) and b) Approved; Chair to execute.**

**The motion carried unanimously.**

**A-6) AUDITOR-CONTROLLER**

[File Reference No. 02-00689](#)

Accept and file the audit report dated May 10, 2002, regarding the Probation Department Grant Contractor - Girls Inc. of Santa Barbara.

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

**A-7) AUDITOR-CONTROLLER**

[File Reference No. 02-00669](#)

Direct that KPMG audit staff and County internal audit staff working at the direction of KPMG properly cause an examination (audit) of the records of the County Clerk-Recorder Assessor under the scope of and in accordance with the contract between the County and the independent financial audit firm of KPMG. During the course of such audit the Clerk-Recorder-Assessor shall make available any and all information, records, and documents required by KPMG in the performance of the annual audit of the County's financial statements, and cooperate with the auditors in accomplishing said audit.

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

A-8) COMMUNICATIONS FOR REFERRAL[File Reference No. 02-00686](#)

City of Buellton - Approve the request of the City of Buellton to consolidate a General Municipal Election to be held on November 5, 2002 with the Statewide General Election, pursuant to Section 10403 of the Elections Code. (APPROVE AND REFER TO THE COUNTY CLERK-RECORDER-ASSESSOR)

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

A-9) COMMUNICATIONS FOR REFERRAL[File Reference No. 02-00687](#)

City of Lompoc - Approve the request of the City of Lompoc to consolidate a General Municipal Election to be held on November 5, 2002 with the Statewide General Election, pursuant to Section 10403 of the Elections Code. (APPROVE AND REFER TO THE COUNTY CLERK-RECORDER-ASSESSOR)

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

A-10) COMMUNICATIONS FOR REFERRAL[File Reference No. 02-00688](#)

City of Solvang - Approve the request of the City of Solvang to consolidate a General Municipal Election to be held on November 5, 2002 with the Statewide General Election, pursuant to Section 10403 of the Elections Code. (APPROVE AND REFER TO THE COUNTY CLERK-RECORDER-ASSESSOR)

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

A-11) COUNTY EXECUTIVE OFFICE[File Reference No. 02-00692](#)

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 Withdrawn from the agenda. The motion carried unanimously.**

A-12) PLANNING AND DEVELOPMENT[File Reference No. 02-00677](#)

Approve and execute a contract with Storrer Environmental Services (a local vendor) for Integrated Environmental Quality Assurance Program field monitoring for oil and gas projects for the period of July 1, 2002 through June 30, 2004, in the amount of \$362,039.80, plus a 10% contingency in the amount of \$36,203.98, for a total not to exceed \$398,243.78.

**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) PUBLIC HEALTH[File Reference No. 02-00681](#)

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-14) PUBLIC WORKS** [File Reference No. 02-00682](#)

Approve and authorize the Chair to execute the Memorandum of Understanding between the Santa Barbara County Public Works Department and Isla Vista Recreation and Park District for the installation of public sidewalks as part of the development plan for Camino Pescadero Park (County Project No. 310300), Third 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-15) SOCIAL SERVICES** [File Reference No. 02-00674](#)

Approve and execute Amendment No. 3 to the Lease Agreement between the County of Santa Barbara, as lessee, and Roger P. and Carol J. Duncan, as Lessor, to extend the term for the period of August 1, 2002 through July 31, 2003, in the amount of \$12,516.10 per month, for approximately 5,477 square feet of office space located at 228 W. Carrillo Street, Santa Barbara, Second District.

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

**Board of Supervisors****A-16) SUPERVISOR SCHWARTZ** [File Reference No. 02-00678](#)

Approve the appointment of George Eskin to the Human Services Commission, First District.

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

**A-17) SUPERVISOR URBANSKE** [File Reference No. 02-00685](#)

Approve the appointment of Nasra M. Kwentus to the Commission for Women, Fifth District.

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

**Hearing Requests****A-18) COUNTY EXECUTIVE OFFICE and  
AUDITOR-CONTROLLER** [File Reference No. 02-00690](#)

Set a hearing to receive the Fiscal Year 2002-03 Budget Review and an update on the impact of the State's FY 2002-03 Budget on the County and provide direction as appropriate to deal with expected fiscal consequences.

**A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: August 13, 2002. (EST. TIME: 180 MIN.) The motion carried unanimously.**

**A-19) COUNTY EXECUTIVE OFFICE** [File Reference No. 02-00691](#)

Set a hearing to adopt the Board of Supervisors' response to the 2000-2002 Grand Jury Report entitled "Housing the Citizens of Santa Barbara County."

**A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: July 9, 2002. (EST. TIME: 30 MIN.) The motion carried unanimously.**

**A-20) PLANNING AND DEVELOPMENT** [File Reference No. 02-00147](#)

Set a hearing to consider recommendations regarding the Oak Protection Program, as follows:

- a) Receive a briefing on the Agricultural Advisory Committee's continued collaborative work on the Oak Protection Program;
- b) Receive additional information from staff on issues raised by the public and Board of Supervisors at the hearing of June 4, 2002.

**A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: July 23, 2002.**

**The motion carried unanimously.**

A-21) PLANNING AND DEVELOPMENT

[File Reference No. 02-00693](#)

Set a hearing to consider the introduction (First Reading) of an ordinance repealing the Goleta Growth Management Ordinance No. 4350.

**A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Set for a hearing, as follows: July 16, 2002. (EST. TIME: 45 MIN.)**

**The motion carried unanimously.**

A-22) PUBLIC WORKS

[File Reference No. 02-00683](#)

Consider recommendations regarding speed zones, First, Third and Fourth Districts, as follows:

- a) Receive the Traffic Engineering Committee (TEC) proceedings of May 29, 2002;
- b) Set a hearing to consider the introduction (First Reading) of an Ordinance amending Chapter 23, Section 23-15.2 through 23-15.5 of the Santa Barbara County Code, pertaining to speed limits on certain County roads.

**A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Acted on and set for a hearing, as follows: a) Received.**

**b) Hearing set for July 16, 2002. 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**

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) (02-00,025)

RE: Agricultural Issues - Andy Caldwell addressed the Board.

RE: Eternal Standards for Teacher/Student Relationships - Ken Loch addressed the Board.

RE: Toro Canyon Property / Fire Safety - John P.Thorndike addressed the Board.

RE: Recall Issues - Joe Armendariz addressed the Board.

RE: Reinstate Civility at Board meetings - David Fortson addressed the Board.

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

RE: Support for Marion Hospital - Fifth District Supervisor Tom Urbanske addressed the Board.

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

- 1) Assessment Appeals Board No. 1 and Assessment Appeals Board No. 2 [File Reference No. 02-00569](#)

HEARING - Consider the adoption (Second Reading) of an ordinance amending Article IV of Chapter 32 of the Santa Barbara County Code regarding procedural rules for the conduct of Assessment Appeals Board Nos. 1 and 2 proceedings on 'complex' cases, as follows: (EST. TIME: 5 MIN.)

#### COUNTY ADMINISTRATOR'S RECOMMENDATION:

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

#### ORDINANCE NO. 4470

Approved Notice of Exemption pursuant to the California Environmental Quality Act.

The motion carried unanimously.

- 2) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 02-00551](#)

HEARING - Consider recommendations regarding the Flood Control Benefit Assessment Program for Fiscal Year 2002-03, All Districts, as follows: (EST. TIME: 5 MIN.)

- a) Make a determination upon each assessment described in the report ordered filed by the Board at the June 18, 2002 hearing;
- b) Adopt a resolution confirming Flood Control Benefit Assessment for FY 2002-03 and authorize the Clerk of the Board to record;
- c) Approve the adoption (Second Reading) of an Ordinance Amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services;

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

a) Approved.

b) Adopted.

Resolution No. 02-244

c) Adopted.

ORDINANCE NO. 4471

The motion carried unanimously.

3) PLANNING AND DEVELOPMENT

[File Reference No. 02-00631](#)

HEARING - Consider the Los Olivos Improvement Association appeal of the Planning Commission's April 10, 2002 approval of a land use permit for the Urquidez Commercial Building, a 4,940 square foot commercial building, located at the intersection of San Marcos Avenue and Jonata Street known as 2948 San Marcos Avenue (APN 135-102-011) Los Olivos area, Third District, as follows: (EST. TIME: 15 MIN.)

a) Adopt the required findings for the project;

b) Deny the Los Olivos Improvement Association appeal, and uphold the Planning and Development Department's approval of Land Use Permit 01LUP-00000-01043, and its conditions of approval;

c) Grant de novo approval of the original Land Use Permit 01LUP-00000-01043 and its conditions of approval.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

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

Approved the facilitated recommendation by the following actions:

a) Adopted the required findings for the project specified in Attachment A of Planning and Development staff report dated March 27, 2002.

b) Granted de novo approval of the original land use permit (01LUP-00000-01043) and conditions of approval included in attachment C of Planning and Development staff report dated March 27, 2002, as revised at the Planning Commission hearing of April 10, 2002 and at the Board of Supervisors hearing of July 2, 2002.

c) Directed the following: Required that prior to issuance of the land use permit, final plans shall be reviewed and approved by Planning and Development that lowers the overall building height by 3.5 feet from the previously approved plans dated February 4, 2002, with at least 2 of those feet accomplished by a reduction in the elevation in the building pad.

d) Accepted the withdrawal of the appeal.

The motion carried unanimously.

4) PLANNING AND DEVELOPMENT

[File Reference No. 02-00496](#)

HEARING - Consider recommendations regarding the Planning and Development Program for compliance with the National Pollutant Discharge Elimination System (NPDES) Phase II Storm Water Regulations, as follows: (EST. TIME: 1 HR.)



- a) Receive a report on Planning and Development's program for compliance with the National Pollutant Discharge Elimination System (NPDES) Phase II Storm Water Regulations;
- b) Approve CEQA Notices of Exemption for the Grading Ordinance revisions and amendments to the County of Santa Barbara Environmental Thresholds and Guidelines Manual;
- c) Adopt the following components of Planning and Development's program for compliance with the National Pollutant Discharge Elimination System (NPDES) Phase II Storm Water Regulations:
  - i. Policy Interpretive and Implementation Guidelines for Hillside and Watershed Protection Policies 3, 4, 5 and 7 (Coastal Plan Policy equivalents 3-15, 3-16, 3-17 and 3-19);
  - ii. A resolution to amend the County Environmental Thresholds and Guidelines Manual creating a new section addressing surface and storm water quality impacts;
  - iii. Best management practices manuals for construction site runoff control identified in Attachment D to the Board Letter dated June 25, 2002.
- d) Consider the introduction (First Reading) of an Ordinance amending Chapter 14 of the Santa Barbara County Code (Santa Barbara County Grading, Erosion and Sediment Control Ordinance).

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Rose, seconded by Supervisor Gray, that this matter be Continued, as follows: August 6, 2002. The motion carried unanimously.

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

**Planning Items and Public Hearings**

5) COUNTY CLERK-RECORDER-ASSESSOR

[File Reference No. 02-00628](#)

HEARING - Consider recommendations regarding recall petition and election, as follows: (EST. TIME: 2 HRS.)

- a) Issue order to set a special election;

OR

- b) Do not issue order to set a special election;
- c) If election is set for November 5, 2002, order that the election be consolidated with the statewide general election.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

Acted on as follows:

Supervisor Gail Marshall Recused herself and did not participate in this Item.

A motion was made by Supervisor Rose, Seconded by Supervisor Schwartz that the Board take no action on this item.

The motion failed by the following vote:

Ayes: 2 - Supervisor Schwartz, Supervisor Rose

Noes: 1- Supervisor Gray

Abstain: 1 - Supervisor Urbanske

A Motion was made by Supervisor Gray, Seconded by Supervisor Urbanske, that the Board set a special election for October 1, 2002.

The motion failed by the following vote:

Ayes: 2 - Supervisor Gray, Supervisor Urbanske

Noes: 2 - Supervisor Schwartz, Supervisor Rose

No action taken.

### **Adjourn to July 9, 2002**

### **Betteravia Government Center**

### **Board Hearing Room**

### **511 East Lakeside Parkway**

### **Santa Maria**

### **Adjourn**

### **Announcements**

THE MEETING OF JULY 2, 2002 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, JULY 4, 2002 AT 5:00 P.M. ON GATV CHANNEL 20.

THE LEGISLATIVE PROGRAM COMMITTEE MEETING IS SCHEDULED TO BEGIN AT 2:30 PM ON MONDAY JULY 15, 2002, IN THE COUNTY ADMINISTRATORS 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>**