

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

March 18, 2003

**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.

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: Dwayla Patterson, Public Health

Report from Closed Session

No reportable action taken.

The Board took the following action regarding Closed Session:

A motion was made by Supervisor Gray, Seconded by Supervisor Marshall as follows:

Added to the afternoon Closed Session a discussion regarding the Mecay/Hotchkiss Lot Line Adjustment, General Plan Amendment, Rezone and Coastal Development Permit due to potential or threatened litigation.

The motion carried unanimously.

Approval of Minutes of the March 11, 2003 meeting

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

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR MARSHALL [File Reference No. 03-00209](#)

Adopt a Resolution of Commendation for White Rose Farm for meeting Target 3 of the Innovative Building Review Program and demonstrating an exceptionally high level of energy efficiency.

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

RESOLUTION NO. 03-069

The motion carried unanimously.

A-2) SUPERVISOR GRAY [File Reference No. 03-00291](#)

Adopt a resolution proclaiming March 20, 2003 as National Agriculture Day in Santa Barbara County.

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

RESOLUTION NO. 03-070

The motion carried unanimously.

A-3) SUPERVISOR SCHWARTZ [File Reference No. 03-00290](#)

Adopt a resolution honoring the Community Action Commission of Santa Barbara County for providing 38 years of Head Start services in our community.

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

RESOLUTION NO. 03-071

The motion carried unanimously.

Honorary Resolutions

A-4) SUPERVISOR SCHWARTZ [File Reference No. 03-00178](#)

Adopt a Resolution of Commendation for Patricia J. Meier for her 35 years of service to the Department of Alcohol, Drug and Mental Health Services and Santa Barbara County.

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

RESOLUTION NO. 03-072

The motion carried unanimously.

A-5) SUPERVISOR SCHWARTZ [File Reference No. 03-00286](#)

Adopt a resolution honoring the 2002 Santa Barbara Foundation Woman of the Year.

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

RESOLUTION NO. 03-073

The motion carried unanimously.

A-6) SUPERVISOR SCHWARTZ

[File Reference No. 03-00287](#)

Adopt a resolution honoring the 2002 Santa Barbara Foundation Man of the Year.

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

RESOLUTION NO. 03-074

The motion carried unanimously.

Administrative ItemsA-7) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 03-00268](#)

Consider recommendations regarding County participation in the 2002-03 State-County Property Tax Administration Program, as follows:

- a) Authorize the Chair to execute an Agreement for 2002-03 State-County Property Tax Administration Program with the State of California;
- b) Authorize the Clerk-Recorder-Assessor and County Administrator, to notify the State Department of Finance of Santa Barbara County's election to begin a new grant contract with the State providing for the State-County Property Tax Administration Program in the amount of \$926,817.

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

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

The motion carried unanimously.

A-8) GENERAL SERVICES [File Reference No. 03-00276](#)

Approve and execute the First Amendment to Lower Campus Lease Agreement with Rehabilitation Institute at Santa Barbara allowing the Institute to continue to use County land under their modular units identified as "H" and "L", located at 420 Camino del Remedio for storage purposes only, extending the term for a period of 3 years wherein either party may terminate by giving the other 365 days written notice. Additionally, in lieu of rent and utility fees, Institute will transfer title and interest in a modular identified as "G" to County.

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

A-9) GENERAL SERVICES [File Reference No. 03-00277](#)

Consider the Public Defender Office Addition, Santa Maria area (Project No. G00135/8641), Fifth District, as follows:

- a) Award a Construction Contract to S. J. Deferville Construction Company, Inc. (a local vendor) in the amount of \$404,000, subject to the 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;
- d) Approve a budget revision in order to completely fund the project.

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

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

The motion carried unanimously.

A-10) PARKS [File Reference No. 03-00280](#)

Consider recommendations regarding acceptance of private donations for construction of a new playground at University Circle Open Space, Goleta area, Second District, as follows:

- a) Accept donations from the University Circle Playground Committee, received through the Santa Barbara County Park Foundation for use toward the construction of a new playground at University Circle Open Space, in the amount of \$33,588;
- b) Approve a budget revision to appropriate \$33,588 in unanticipated revenue to the University Circle Playground capital project in the Park Capital Outlay Fund (0030).

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

- a) Accepted.
- b) Approved.

The motion carried unanimously.

A-11) PLANNING AND DEVELOPMENT [File Reference No. 03-00288](#)

Reschedule the Land Use Element window date from February 18, 2003 to March 25, 2003.

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

A-12) PLANNING AND DEVELOPMENT [File Reference No. 03-00269](#)

Approve the reappointment of Bethany Clough to the licensed landscape architect position on the Board of Architectural Review.

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

A-13) PLANNING AND DEVELOPMENT [File Reference No. 03-00278](#)

Approve and execute a Coastal Resource Enhancement Fund contract (BC03-178) with the Community Environmental Council to fabricate new exhibits and make various improvements to the South Coast Watershed Resource Center, for the period of March 18, 2003 to February 15, 2005, in the amount of \$19,861, Second District.

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

A-14) PLANNING AND DEVELOPMENT[File Reference No. 03-00279](#)

Consider recommendations regarding the Fisheries Enhancement Fund's (FEF) Safety Equipment Reimbursement Program, as follows:

- a) Approve \$20,000 from the Fisheries Enhancement Fund to reimburse commercial fishers who demonstrate that they have purchased specified safety equipment for their fishing vessels;
- b) Direct staff to solicit eligible fishers for reimbursements.

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

a) Approved.

b) Directed.

The motion carried unanimously.

A-15) PUBLIC HEALTH[File Reference No. 03-00281](#)

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

A-16) PUBLIC WORKS[File Reference No. 03-00271](#)

Approve and execute the Cooperative Agreement between the County of Santa Barbara, Public Works Department and City of Goleta for Right-of-Way costs related to the Los Carneros Road Overhead Project (Project No. 860005) located in the City of Goleta, Third District.

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

A-17) PUBLIC WORKS[File Reference No. 03-00272](#)

Authorize the Purchasing Agent to amend Contract No. 8190574 with Quincy Engineering Inc. for additional professional services for the Bell Street Bridge Replacement project (Project No. 862042), in the amount of \$20,000, for a total contract in the amount of \$140,000, Third District.

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

A-18) PUBLIC WORKS[File Reference No. 03-00273](#)

Consider recommendations regarding Construction of 2002-03 TEA-21 (Lois Capps Demonstration Project) Surface Treatment (Federal Project No HP21L5951 (088), County Project No. 863030), Second, Third and Fourth Districts, as follows:

- a) Approve plans and specifications for the project;
- b) Award the construction contract to the lowest responsible bidder, Granite Construction Company (not a local vendor), in the amount of \$912,366, subject to the provisions of documents and

certification, as set forth in the plans and specifications applicable to the project, as required under California Law;

c) 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;

d) Approve a contingency fund in the amount of \$58,118.30 for the project.

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

a) **Approved.**

b) **Awarded.**

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

d) **Approved.**

The motion carried unanimously.

A-19) SHERIFF [File Reference No. 03-00282](#)

Approve an Application for Destruction of Records of closed property/ evidence sleeves that are at least two years old, and no longer required by law to be retained.

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

Board of Supervisors

A-20) SUPERVISOR ROSE [File Reference No. 03-00283](#)

Approve the appointment of Beatriz Molina-Ampan to the Affirmative Action Commission, Second District.

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

A-21) SUPERVISOR ROSE [File Reference No. 03-00284](#)

Approve the appointment of Silvia C. Rodriguez to the Civil Service Commission, Second District.

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

A-22) SUPERVISOR ROSE [File Reference No. 03-00285](#)

Approve the reappointment of Mel Hemmer to the Board of Architectural Review, Second District.

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

A-23) SUPERVISOR MARSHALL [File Reference No. 03-00289](#)

Consider recommendations regarding storm repair of a public alley in Los Olivos, from Grand Avenue to Nojoqui Road, Third District, as follows:

a) Find that repairs to the public alley in Los Olivos from Grand Avenue to Nojoqui Road are necessary to provide minimum public access for the protection or preservation of the health or safety of residents;

b) Authorize the Public Works Department to contract the repairs of the public alley from Grand Avenue to Nojoqui Road and utilize General Fund Fiscal Year 2002-03 Roads Designation for the repair work

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

a) Approved.

b) Authorized.

The motion carried unanimously.

Hearing Requests

A-24) SUPERVISOR GRAY

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

Set a hearing to consider a request for a fee waiver for the Loading Dock, in the amount of \$6,414, Orcutt area, Fourth District.

A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: April 8, 2003 in Santa Maria (EST. TIME: 20 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

A motion was made by Supervisor Gray, seconded by Supervisor Rose, to Approve the Administrative Agenda. 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: Jury Pay - Floyd Meyer addressed the Board.

RE: Health Care / World Peace - Sister Janet Corcoran addressed the Board.

RE: Old Town Orcutt Issues - Harrell Fletcher addressed the Board.

RE: Memorial for Al Gionfriddo at the Santa Ines Mission on Friday, March 21, 2003 at 1:30 pm. - Third District Supervisor Gail Marshall addressed the Board.

RE: Introduced Danielle Linse, from Lompoc High School as Fourth District Supervisor of the Day - Fourth District Supervisor Joni Gray addressed the Board.

RE: Report on Legislative Conference meeting of The National Association of Counties - First District Supervisor Naomi Schwartz addressed the Board.

Departmental Agenda -- Public Hearings1) GENERAL SERVICES [File Reference No. 03-00223](#)

HEARING - Receive a staff presentation on the status of the Workers Compensation Fund for the County of Santa Barbara. (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

Acted on as follows:

Received and filed presentation.

2) PLANNING AND DEVELOPMENT [File Reference No. 02-01171](#)

HEARING - Consider the Farr appeal of the Planning Commission's August 28, 2002 decision to deny the Patterson Area Neighborhood Association's (PANA) Appeal 02APL-00000-00003 of the ARCO Gas Station project (99-DP-052), an approximately 1,327 square foot gas station and associated fueling pumps, located on the corner of Patterson Avenue and US Highway 101, Second District, as follows: (EST. TIME: 30 MIN.)

a) Grant the appeal, and deny approval of Development Plan 99-DP-052, as revised at the PC hearing of August 28, 2002;

b) Adopt the findings for denial of the project, included as Attachment A of the report dated March 6, 2003.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Rose, seconded by Supervisor Marshall, that this matter be Continued, as follows: April 22, 2003.

The motion carried unanimously.

3) SUPERVISOR MARSHALL [File Reference No. 03-00196](#)

HEARING - Consider adoption of a resolution opposing the transportation of spent nuclear fuel and radioactive waste by train, truck or barge through Santa Barbara County. (EST. TIME: 15 MIN.)

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

March 25, 2003. The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

11:00 AM TIME CERTAIN

- 4) Commission For Women [File Reference No. 03-00018](#)

HEARING - Consider the Women's History Month Awards Presentation, as follows: (EST. TIME: 45 MIN.)

- a) Adopt a Resolution proclaiming March as Women's History Month;
- b) Receive the Women's History Month Awards Presentation honoring one Woman of the Year and one Young Teen Woman of the Year from each Supervisorial District, as follows:

Woman of the Year - Donna Jordan (First District), Eleanor Van Cott (Second District), Pegeen Soutar (Third District), Olga Howard (Fourth District), Franziska Muller Shepard (Fifth District);

Young Teen Woman of the Year - Chelsea Didier (First District), Kathleen Joanne Solis (Second District), Devan Larsen (Third District), Emily Barranco (Fourth District), Eunice Calderon (Fifth District).

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

- a) Adopted.

RESOLUTION NO. 03-075

- b) Presented Women's History Month Awards to the Woman of the Year and the Young Teen Woman of the Year from each Supervisorial District.

The motion carried unanimously.

2:00 P.M. Presentation of Resolutions and Awards**Planning Items and Public Hearings**

- 5) PLANNING AND DEVELOPMENT [File Reference No. 03-00242](#)

HEARING - Consider the Mecay/ Hotchkiss Lot Line Adjustment, General Plan Amendment, Rezone and Coastal Development Permit located at 2305 and 2311 Finney Street (western terminus of Finney Street, the eastern extent of Lookout Park, known as Morris Place, and the southern extent of Cary Place and the Morris Place (APN 005-240-001 and -002), Summerland area, First District, as follows: (EST. TIME: 2 HRS.)

- a) Adopt the required findings for the project specified in Attachment A of the Planning Commission Action Letter dated February 21, 2003, including CEQA findings;
- b) Approve Negative Declaration 02-ND-32 and adopt the mitigation monitoring program contained in the conditions of approval;
- c) Approve Lot Line Adjustment 00-LA-018, subject to the conditions included in Attachment B;

- d) Approve the Coastal Development Permit 02CDH-00000-00041 subject to the conditions included as Attachment C;

- e) Adopt a resolution approving Comprehensive Plan Amendment 00-GP-009, and changing the land use designation for the subject parcels on the Coastal Plan Land Use Designations Map of the Land Use Element from Existing Public or Private Park/Recreation or Open Space to Residential 4.6 units per acre maximum density;

- f) Consider the adoption of an Ordinance, Rezone 00-RZ-007, rezoning the subject portions of Morris Place Street from Recreation to Single Family Residential (7-R-1).

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

Acted on as follows:

A motion was made by Supervisor Centeno, seconded by Supervisor Schwartz to accept into the record, a late letter from the Union Pacific Railroad Company.

Motion carried unanimously.

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

Conducted public hearing, received and filed report and took the following actions:

a) Adopted.

b) Approved.

c) Approved Lot Line Adjustment 00-LA-018 with the following amendments:

Amended Attachment B, Project description #2 to read as follows:

"Any future structures such as fences or gates located within the development exclusion area shall not exceed a height of four feet above the existing ground surface."

Amended Attachment B, Project description #8 to read as follows:

"The Applicants shall improve two beach access trails to Park Department standards and specifications. Requirements and Timing: Two trail improvement plans (one for Lookout Park and one at a location to be designated by the County in the Summerland vicinity) shall be submitted to Planning and Development and Park Department staff for review and approval. Trail improvement plans shall include the specific alignment, landscaping, fencing, and signage and physical construction requirements. The plans and performance security, in an amount not to exceed \$15,000.00 shall be submitted prior to recordation of the Lot line adjustment. The trails shall be improved prior to approval of any permits for development on either the Mecay or Hotchkiss parcels or within one year of recordation of the lot line adjustment, whichever occurs first. If the applicant is prevented from completing the trail improvements in the specified timeframe due to a third party dispute, the performance security required to ensure the completion of the trail will be used by the County for a second public access improvement in the Summerland area and approval of permits for development on both the Mecay and Hotchkiss properties shall not be delayed hereafter. Monitoring: Planning and Development and Parks shall ensure plans and securities are adequate prior to recordation of the lot line adjustment and shall monitor construction of the trail improvements."

d) Approved the Coastal Development Permit with the following amendment:

Amended the last sentence of Attachment C, of Exhibit A to read as follows:

"The improvements include signage at Wallace Avenue designating coastal access and directing beach goers across a controlled railroad crossing, signage at the trailhead where Cary Place meets Finney Street, and minor improvements such as widening and possible placement of at grade wooden stair steps in steeper portions of the trail."

e) Adopted.

RESOLUTION NO. 03-076

f) Adopted.

ORDINANCE NO. 4489

The motion carried unanimously.

6) PLANNING AND DEVELOPMENT

[File Reference No. 03-00275](#)

HEARING - Adopt a resolution and direct staff to submit Local Coastal Program (LCP) amendments to the California Coastal Commission, as follows: (EST. TIME: 5 MIN.)

a) Commercial and Non-Commercial Telecommunications Amendments (01-OA-005);

b) Interim Amendments to the County's 1993 Housing Element (01ORD-00000-00002);

c) Amendments to Regulate the Installation and Use of Small Wind Energy Systems Outside of Urbanized Areas (02ORD-00000-00001);

d) Mecay/Hotchkiss General Plan Amendment and Rezone (00-GP-009 and 00-RZ-007).

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

RESOLUTION NO. 03-077

The motion carried by the following vote:

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

Absent: 1 - Supervisor Marshall

Adjourn to March 25, 2003

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

Adjourn

Announcements

THE MEETING OF MARCH 18, 2003 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, MARCH 20, 2003 AT 5:00 P.M. ON GATV CHANNEL 20.

<http://www.countyofsb.org>