

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

**ACTION SUMMARY**

**January 16, 2001**

**COUNTY ADMINISTRATION BUILDING**  
**105 EAST ANAPAMU STREET**  
**SANTA BARBARA, CA 93101**

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)

**8:00 A.M. .... Convene and Recess to Closed Session**

**9:00 A.M. .... Reconvene to Regular Session**

**Roll Call**

Present: Supervisor Rose, Supervisor Marshall, Supervisor Gray, Supervisor Urbanske and Supervisor Schwartz

**Invocation: Dan Reid, Public Health**

**Report from Closed Session**

No reportable action taken.

The Board directed that the report from Closed Session be amended to add direction to County Counsel to draft a letter to the Governor requesting that the Governor initiate action in Federal Court against the Santa Ynez Band of the Mission Indians for failure to comply with the Indian Gaming Compact. Approved minutes of January 9, 2001.

**Approval of Minutes of the January 9, 2001 meeting**

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

## Administrative Agenda

### Honorary Resolutions

A-1) SUPERVISOR GRAY [File Reference No. 00-00192](#)

Adopt a resolution to honor Mickey Flacks for her service on the Santa Barbara County Affirmative Action Commission.

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

**RESOLUTION NO. 01-11.**

**The motion carried unanimously.**

A-2) SUPERVISOR MARSHALL [File Reference No. 00-00126](#)

Adopt a resolution commending Lansing Duncan for his work on the Planning Commission.

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

**RESOLUTION NO. 01-10.**

**The motion carried unanimously.**

### Administrative Items

A-3) ARTS COMMISSION [File Reference No. 00-00199](#)

Adopt a resolution approving the State and Local Partnership Program grant application and authorizing execution of the grant contract with the California Arts Council. Designate Patrick H. Davis, as Executive Director of the Santa Barbara County Arts Commission, to execute the 2001-02 State and Local Partnership Program grant contract with the California Arts Council, contingent upon approval of the application by the California Arts Council.

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

**RESOLUTION NO. 01-12.**

**The motion carried unanimously.**

A-4) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 00-00212](#)

Authorize the Chair to execute Amendment No. 1 to the Agreement with Penfield & Smith (a local vendor) for the East Santa Maria Drainage Improvement Project, Fifth District, as follows:  
(01-21,922)

- a) Increase the amount from \$84,400 to a maximum of \$162,463;
- b) Increase the 15% contingency fund by \$12,660 to not exceed \$24,369.45;
- c) Extend the contract end date from January 1, 2001 to December 31, 2001.

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

a) through c) Approved; Chair to execute.

The motion carried unanimously.

A-5) COUNTY EXECUTIVE OFFICE

[File Reference No. 00-00209](#)

Adopt a resolution granting an extension of the non-exclusive cable television franchise to Cox Communications, Inc. from December 1, 2000 to May 31, 2001, First, Second and Third Districts.

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

RESOLUTION NO. 01-18.

The motion carried unanimously.

A-6) COUNTY EXECUTIVE OFFICE

[File Reference No. 00-00210](#)

Approve budget revision requests. (SEE EXHIBIT A WITH POSTED AGENDA)

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

A-7) PARKS

[File Reference No. 00-00207](#)

Consider recommendations regarding a request for funds for Boat Launching Facility Improvements at Lake Cachuma County Park, Third District, as follows: (01-21,930)

a) Adopt a resolution requesting additional funds in the amount of \$1,400,000 from the Department of Boating and Waterways for Boat Launching Facility Improvements at Cachuma Lake County Park, for a total grant of \$2,674,000;

b) Authorize the Director of Parks to execute and submit all documents to the Department of Boating and Waterways, including but not limited to agreements, amendments, etc. which may be necessary for the completion of the aforementioned project, subject to the approval of the Board of Supervisors.

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

a) Adopted.

RESOLUTION NO. 01-17.

b) Authorized.

The motion carried unanimously.

A-8) PLANNING AND DEVELOPMENT

[File Reference No. 00-00205](#)

Adopt a resolution approving the submittal of a grant application to the California Department of Housing and Community Development Code Enforcement Incentive Program to fund expansion of the Isla Vista Inspection Program and authorizing the Director of Planning and Development to sign all documents required for application submittal and execution of the grant. The total County grant request is in the amount of \$178,156 with a total of \$166,155 in local matching funds, to be provided

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

Should the County be successful in this grant application, the Board directed staff to return as appropriate for a noticed public hearing prior to the expansion of the IV Inspection Program.

**RESOLUTION NO. 01-16.**

The motion carried unanimously.

A-9) PUBLIC HEALTH [File Reference No. 00-00193](#)

Authorize the Director of the Public Health Department to execute an Agreement with Hannah Taylor for professional services as Quality Control/Data Collection Specialist for the Cancer Registry, for the period of January 22, 2001 through June 9, 2002, in the amount of \$39,960 directly to the contractor plus \$11,051 in estimated benefits and reimburseable expenses.

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

A-10) PUBLIC HEALTH [File Reference No. 00-00195](#)

Authorize the Director of the Public Health Department to execute the First Amendment to the Professional Services Agreement with Eli Zweifach contractor on payroll, in the additional amount of \$35,000 and extending the term through June 10, 2001.

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

A-11) PUBLIC HEALTH [File Reference No. 00-00196](#)

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 Marshall, seconded by Supervisor Urbanske, that this matter be Approved. The motion carried unanimously.

A-12) PUBLIC WORKS [File Reference No. 00-00200](#)

Accept the Easement Deeds to the real property located on Gobernador Canyon Road, Carpinteria, and conveyed from the property owners (Lila E. Thor, as trustee of the Deceased's Residuary Trust of the Lester C. Thor and Lila E. Thor Living Trust UTA March 29, 1991; Marlys J. Adams; Valerie Thor; Linda M. Scafer; Karen D. Steffen) to the County of Santa Barbara by authorizing the Clerk of the Board to sign the Certificates of Acceptance, First District.

A motion was made by Supervisor Marshall, seconded by Supervisor Urbanske, that this matter be Accepted. The motion carried unanimously.

A-13) PUBLIC WORKS [File Reference No. 00-00201](#)

Approve and authorize the execution of Contract Change Order No. 3 in the amount of \$8,732 for the Construction of the Bonita School Road Low Water Crossing Bridge, Santa Maria area, Project No. 862023, Fifth District.

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

A-14) PUBLIC WORKS [File Reference No. 00-00202](#)

Receive a Summary of Proceedings of the Traffic Engineering Committee (TEC) of November 9, 2000, all Districts.

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

**Received summary. Deferred acceptance of the Summary of Proceedings of the Traffic Engineering Committee on the following recommendations pending additional discussions;**

**Item 11-00-01: Santa Rosa Ln at San Leandro Ln.**

**Item 07-00-01: Magna Vista St. at Hollister Ave.**

**Item 07-00-02: Encina Rd. at Encina Ln.**

**The motion carried unanimously.**

A-15) PUBLIC WORKS [File Reference No. 00-00203](#)

Authorize the Chair to execute an agreement with LaurCal Incorporated (a local vendor) for field irrigation services at the Laguna County Sanitation District, for the period of January 8, 2001 through December 31, 2001, in an amount not to exceed \$150,000, Fourth and Fifth Districts.

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

A-16) PUBLIC WORKS [File Reference No. 00-00204](#)

Consider recommendations regarding the Cathedral Oaks Road Circulation Link Segment 3, Project No. 864007, Third District, as follows:

- a) Adopt a resolution to establish a county public road on County-owned APN 077-394-001 and terminating the temporary easement thereon;
- b) Adopt a resolution to establish a county public road on County-owned APN 079-120-092;
- c) Adopt a resolution to accept a one-foot (1') wide denial strip on Cathedral Oaks Road and establishing a county public road on the denial strip.

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

**a) through c) Adopted.**

**a) RESOLUTION NO. 01-13**

**b) RESOLUTION NO. 01-14**

**c) RESOLUTION NO. 01-15**

**The motion carried unanimously.**

A-17) SHERIFF [File Reference No. 00-00211](#)

Consider recommendations regarding the Federal State Criminal Alien Assistance Program Grant (SCAAP), as follows:

- a) Accept a one-time Federal SCAAP grant in the total amount of \$1,607,890;
- b) Authorize the Sheriff, or his designee, to process related grant documents.

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

- a) Accepted.**
- b) Authorized.**

**The motion carried unanimously.**

A-18) SOCIAL SERVICES [File Reference No. 00-00198](#)

Accept the 2000 Children's Scorecard for Santa Barbara County as produced by the KIDS Network in collaboration with the UCSB Gevirtz Graduate School of Education, various county departments and community-based agencies.

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

A-19) SUPERVISOR SCHWARTZ [File Reference No. 00-00213](#)

Approve the reappointment of Suzanne Neal Perkins to the Santa Barbara County Parks Commission, First District.

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

A-20) SUPERVISOR MARSHALL [File Reference No. 00-00214](#)

Approve the appointment of Lansing Duncan to the Santa Ynez Valley General Plan Advisory Committee, Third District.

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

A-21) SUPERVISOR GRAY [File Reference No. 00-00215](#)

Approve the reappointment of Soma Baldwin, Esq. to the Santa Barbara County Law Library Board of Trustees.

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

## Hearing Requests

A-22) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 00-00197](#)

HEARING - Approve the Agreement between Alcohol, Drug and Mental Health Services and the Auditor-Controller for the provision of accounting services to ADMHS by the Auditor-Controller as

specified in the agreement. (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

**A motion was made by Supervisor Marshall, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows:**

**Hearing set for January 23, 2001.**

**The motion carried unanimously.**

A-23) GENERAL SERVICES, PUBLIC WORKS and OFFICE OF EMERGENCY SERVICES

[File Reference No. 00-00208](#)

HEARING - Accept a staff presentation on the impacts of the volatility of electrical power supply and demand on County services and infrastructure. (EST. TIME: 45 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

**A motion was made by Supervisor Marshall, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows:**

**Hearing set for January 23, 2001.**

**The motion carried unanimously.**

A-24) PLANNING AND DEVELOPMENT

[File Reference No. 00-00206](#)

HEARING - Approve and authorize the Chair to execute a letter to the Minerals Management Service, commenting on the scope of the forthcoming five-year oil and gas-leasing program for Outer Continental Shelf (OCS) lands. (EST. TIME: 1 HR.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

**A motion was made by Supervisor Marshall, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows:**

**Hearing set for January 23, 2001.**

**The motion carried unanimously.**

### **Public Comment Period**

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) (99-21,156)

RE: Issues with the Closure of the Goleta Community Swap Meet – Elias Macana, Cruz Ito Cruz, Jose Munoz, and Vicki Lopez addressed the Board.

RE: Brown Act Noticing Issues – Ken Taylor addressed the Board.

RE: Oak Tree Protection on Private Property – Raymond Appleton and Mark Hudson addressed the Board.

RE: Pedestrians and Traffic Pollution Issues – Christopher Brown addressed the Board.

RE: California State Budget Issues/Education – Sister Janet Corcoran addressed the Board.

RE: No Report of Flooding During Recent Storm / New Franciscan Culvert in Carpinteria Successfully Drained Watershed Area – First District Supervisor Naomi Schwartz and Tom Fayram, Deputy Director of Flood Control and Water Resources, addressed the Board.

RE: Introduction of Greg Williams from Maple High School on Vandenberg Air Force Base as Fourth District Supervisor for the Day – Fourth District Supervisor Joni Gray addressed the Board.



## Departmental Agenda -- Public Hearings

### 1) PUBLIC WORKS

[File Reference No. 00-00172](#)

HEARING - Receive a report on staff's progress in evaluating the feasibility of a regional co-composting facility for the recycling of Santa Barbara County's compostable feedstocks in cooperation with sanitation districts countywide. (EST. TIME: 1 HR.)

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

**Received report and directed staff to proceed with the feasibility study. Further directed that staff include in the study a report on potential health and safety issues associated with bio-solids; to include information regarding the actions of other jurisdictions; to include responses to the four issues raised during the public testimony of Bob Engel and to return as appropriate with a report on the results of the study including potential financing options.**

**The motion carried unanimously.**

### 2) PLANNING AND DEVELOPMENT

[File Reference No. 00-00145](#)

HEARING - Receive the Director's report on the 2000 Annual Goleta Growth Management Report, Second and Third Districts, as follows: (FROM JANUARY 16, 2001) (EST. TIME: 15 MIN.)

a) Determine that public health and safety continue to be jeopardized by residential construction and find that although additional residential development in Goleta does adversely affect the levels of service provided to the existing community, the benefits of providing well designed, appropriately sited affordable housing may outweigh adverse effects on public services and collection of development impact mitigation fees will address these shortcomings in the future;

b) Find that the Goleta Growth Management Ordinance environmental impact report (88-EIR-20) and the Goleta Community Plan EIR (91-EIR-13) and supplemental EIR (95-SD-2) are adequate for review of the proposed ordinance amendment and no further environmental review is required pursuant to California Environmental Quality Act § 15162;

c) Adopt an amendment (Second Reading) to § 35A-13.1.1 of the Goleta Growth Management Ordinance to extend to 2005 the period of time within which an outpatient clinic operated and owned or leased by the federal government may receive a priority allocation.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) Conceptually approved and continued to January 23, 2001. Directed staff to add the following statement:

**".. and find that although additional residential development in Goleta does adversely affect the levels of service provided to the existing community, the benefits of providing well designed, appropriately sited affordable housing may outweigh adverse effects on public services and collection of development impact mitigation fees will address these shortcomings in the future; "**

**b) i) Conceptually approved and continued to January 23, 2001.**

**ii) Read title, waived reading of ordinance in its entirety. Introduction approved; adoption (second reading) set for January 23, 2001.**

**The motion carried unanimously.**

3) PARKS[File Reference No. 00-00177](#)

HEARING - Consider recommendations regarding the Santa Barbara Shores Park Preliminary Master Plan, Third District, as follows: (EST. TIME: 30 MIN.)

a) Direct the Parks Department to abandon the current Project Description for Santa Barbara Shores Master Plan in order to address new information regarding biological resources located on the project site;

b) Direct the Parks Department to develop a new project description that will include a workshop and approval process through the County Parks Commission to determine the most appropriate active and/or passive recreational uses for the site;

c) Authorize the substitution of the Parks Commission approved revised Master Plan project description for purposes of environmental review as part of the previously initiated amendments to the Ellwood Beach/Santa Barbara Shores Specific Plan (89-SP-02 RV 03).

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

a) and b) **Directed.**

c) **Authorized. The motion carried unanimously.**

**2:00 P.M. .... Presentation of Resolutions and Awards****Planning Items and Public Hearings**4) PLANNING AND DEVELOPMENT[File Reference No. 00-21,801](#)

HEARING - Consider recommendations regarding the Blau appeal of the McDonald's Camino Real Drive-Through conditional use permit (99-CP-009) and Revised Development Plan (95-DP-026 RV01), located on the northwest corner of Storke Road and Marketplace Drive, Camino Real Marketplace, 6900 Marketplace Drive, Goleta area, Third Supervisorial District as follows: (EST. TIME 1 HR. 30 MIN.)

a. Grant the appeal of Jude A. Blau, et al. of the Planning Commission's decision to approve the request of Carlos Madrigal, agent for McDonald's Corporation, for a Conditional Use Permit under the provisions of Article III, Zoned Shopping Center, to add a drive-through facility to the existing fast food restaurant and a Revised Development Plan to make physical changes to the site to accommodate the drive through facility;

b. Adopt the required findings for the project specified in Attachment A of the Planning Commission action letter;

c. Accept the addendum dated November 16, 1999 to 96-EIR-3 and adopt the mitigation monitoring program contained in the conditions of approval; and

d. Approve 99-CP-009 and 95-DP-026 RV01 subject to the conditions of approval included as Attachments B and C to the Planning Commission action letter.

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

- a) Approved.
- b) Adopted findings.
- c) Approved.
- d) Denied 99-CP-009 and 95-DP-026 RV01. The motion carried unanimously.

5) COUNTY EXECUTIVE OFFICE [File Reference No. 00-00158](#)

HEARING - Receive the Santa Barbara South Coast Community Indicators report for 2000. (EST. TIME: 45 MIN.)

A motion was made by Supervisor Urbanske, seconded by Supervisor Marshall, that this matter be Received and filed. The motion carried unanimously.

6) COUNTY EXECUTIVE OFFICE [File Reference No. 00-00032](#)

Receive a status report on proposed legislation to grant spouse-related retirement rights and benefits to domestic partners and direct staff to seek enactment as determined appropriate. (EST. TIME: 30 MIN.)

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

Directed staff to continue exploring options for sponsorship with other jurisdictions and to return with a report in April 2001 as appropriate. The motion carried unanimously.

7) COUNTY EXECUTIVE OFFICE and COUNTY COUNSEL [File Reference No. 01-00273](#)

Approve and authorize the Chair to execute two letters regarding the Chumash Casino Expansion Project, Third District, as follows:

- a) Authorize the Chair to execute a letter to the Airport Land Use Commission requesting that the Commission consider the Casino Expansion Project for consistency with the Santa Ynez Airport Land Use Plan;
- b) Authorize the Chair to execute a letter to the State of California requesting the Governor initiate an action in federal court against the Tribe for failure to comply with the Indian Gaming Compact.

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

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

Directed staff to prepare a letter to the Chumash Tribal Council in order to continue discussions with County Officials on the proposed expansion. Further directed that staff include in these discussions the possibility of a public hearing on the issue.

The motion carried unanimously.

**ADJOURNMENT****Adjourn to January 23, 2001****County Administration Building****105 East Anapamu Street****Santa Barbara****Announcements**

IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.

THE MEETING OF JANUARY 16, 2001 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, JANUARY 18, 2001 AT 5:00 P.M. ON GATV CHANNEL 20.

THE LEGISLATIVE PROGRAM COMMITTEE MEETING IS SCHEDULED TO BEGIN AT 12:00 PM ON JANUARY 16, 2001, IN THE BOARD OF SUPERVISORS 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.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, JANUARY 30, 2001; THIS IS A FIFTH TUESDAY (ORDINANCE NO. 3352). THE NEXT REGULAR MEETING WILL BE TUESDAY, FEBRUARY 6, 2001, IN SANTA BARBARA.

**<http://www.co.santa-barbara.ca.us>**