

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

March 28, 2006

**BETTERAVIA GOVERNMENT CENTER
BOARD HEARING ROOM
511 EAST LAKESIDE PARKWAY, SANTA MARIA**

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

7:50 A.M. Convened and Recessed to Closed Session

9:00 A.M. Reconvened to Regular Session

CONVENED AT 9:10 AM

Roll Call

Present: Supervisor Carbajal, Supervisor Rose, Supervisor Firestone, Supervisor Gray and Supervisor Centeno

Pledge of Allegiance

Report from Closed Session

No reportable action taken.

Approval of Minutes of the March 21, 2006 meeting.

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

Administrative Agenda

Administrative Items

A-1) GENERAL SERVICES

[File Reference No. 06-00269](#)

Consider the recommendations regarding Humboldt County Property (APNs 106-091-016, 106-091-017, 106-091-026 & 106-091-027) Real Estate Services Folio No. 003501, as follows:

a) Adopt the Resolution of Acceptance: Interest in Real Property, which Resolution accepts the interest in properties located in the County of Humboldt granted to the County of Santa Barbara by the "Judgment Settling First and Final Account and Report of Executor and Petition for its Settlement, and of Final Distribution," from the Santa Maria Superior Court of California, County of Santa Barbara executed June 16, 1980, and filed as No. SM 28727. The properties which are the subject of the above action are known as Humboldt County Assessor's Parcel Numbers 106-091-016, 106-091-017, 106-091-026 & 106-091-027, which parcels total approximately 136.80 acres (hereinafter the "Property");

b) Adopt the Resolution Declaring Real Property as Surplus and Directing the Sale of Real Property, which Resolution declares the above referenced Property as surplus to County needs and directs the sale of the Property;

c) Approve the original Purchase Agreement Addendum between the County of Santa Barbara and Don and Stacey Schoenhofer for the sale of the County's undivided 12/60, twenty percent (20%) ownership interest in properties in Humboldt County;

d) Approve a Budget Revision allocating funds totaling approximately \$175,000.00 from the sale of the Property to the General Services/ Support Services Division, Capital Maintenance fund; and

e) Authorize and approve the Director of General Services to execute the Grant Deed to allow the transfer of County's partial property interest in said Property.

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

a) Adopted.

RESOLUTION NO. 06-089

b) Adopted.

RESOLUTION NO. 06-090

c) Approved.

d) Approved. Directed staff to place funds into a County General Programs Designation.

e) Authorized.

The motion carried unanimously.

A-2) PLANNING AND DEVELOPMENT

[File Reference No. 06-00266](#)

Approve and authorize the Chair to execute a condominium subdivision agreement associated with

Tentative Parcel Map 14, 672 with Mr. Tim Gill and Ms. Laura Wilkinson to provide certain notices and protections to the tenants of 550 A and B San Ysidro Road, Montecito Area, First District.

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

A-3) PROBATION

[File Reference No. 06-00218](#)

Authorize the Chair to execute a contract with the Community Action Commission, a local vendor, to provide lunch to the Santa Barbara Juvenile Hall and the Villa Esperanza Counseling and Education Center, and lunch and dinner meals to the Santa Maria Juvenile Hall in an amount not to exceed \$361,288 between July 1, 2005 and June 30, 2006.

A motion was made by Supervisor Firestone, seconded by Supervisor Rose, that this matter be Approved; Chair to Execute

(Note: Supervisor Carbajal recused himself and did not participate in this matter)

The motion carried by the following vote:

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

Abstentions: 1 - Supervisor Carbajal

A-4) PUBLIC HEALTH

[File Reference No. 06-00267](#)

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

A-5) PUBLIC HEALTH

[File Reference No. 06-00268](#)

Approve and authorize the Chair to execute an agreement with Jennifer Eskridge, a local vendor, to provide professional services, Emergency Planner for Public Health Emergency Preparedness Program, for the period of March 27, 2006 through August 31, 2006 in an amount not to exceed \$17,600 plus benefits.

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

A-6) SHERIFF and SUPERIOR COURT

[File Reference No. 06-00270](#)

Approve and authorize the Chair to execute an agreement with the Superior Court of Santa Barbara County for the Sheriff's Department to provide Court Security Services at County Court facilities for FY 2005-2006.

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

Board of Supervisors

A-7) SUPERVISOR CARBAJAL

[File Reference No. 06-00224](#)

Approve the reappointment of Richard E. Weinberg to the Santa Barbara Metropolitan Transit District Board, First District.

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

Resolutions to be Presented at 9:00 A.M.

A-8) SUPERVISOR FIRESTONE [File Reference No. 06-00271](#)

Adopt a Resolution of Commendation Honoring Derek Johnson for his Achievement and Service with the Isla Vista Recreation and Parks District.

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

RESOLUTION NO. RES 06-091

The motion carried unanimously.

A-9) SUPERVISOR GRAY [File Reference No. 06-00272](#)

Adopt a Resolution Proclaiming March 19-25, 2006 as the 33rd Anniversary of National Agricultural Week.

A motion was made by Supervisor Firestone, seconded by Supervisor Rose, that this matter be Approved

RESOLUTION NO. RES 06-092

The motion carried unanimously.

Approval of Administrative Agenda

HEARING TIME 9:10 AM - 9:38 AM (28 MIN.)

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

[File Reference No. 06-00049](#)

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. 03-282) (06-00049)

RE: Mobile Home Rent Control Issues - Ron Bettencouet addressed the Board.

RE: Lakeview Subdivision Issues - Peter Cargasacchi addressed to the Board.

RE: Immigration issues - George Alvarez addressed the Board.

RE: Introduction of Bob Nisbet as new General Services Director for the County of Santa Barbara - Michael F. Brown, County Executive Officer, addressed the Board.

RE: Introduction of Derek Johnson as new Project Manager for the Comprehensive Planning Division of the County Executive Office - Third District Supervisor Brooks Firestone addressed the Board.

Departmental Agenda
Public Hearings and Planning Matters

- 1) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 06-00239](#)
- HEARING - Receive information from Colonel Alex Dornstauder, District Engineer of the Los Angeles District Corps of Engineers regarding funding and action items for protection of the Santa Maria River Levee, Fourth and Fifth Districts. (EST TIME: 1 HR.)
- COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE
- HEARING TIME: 9:48 AM - 10:46 AM (58 MIN.)*
- Received and filed staff presentation and conducted public hearing.**
- 2) COUNTY EXECUTIVE OFFICE [File Reference No. 06-00185](#)
- HEARING - Receive and file report from Santa Barbara County Association of Governments regarding renewal of Measure D. (EST. TIME: 30 MIN.)
- COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE
- HEARING TIME: 10:57 AM - 12:18 PM (1 HR. 21 MIN.)*
- Received and filed staff presentation and conducted public hearing.**
- 3) COUNTY EXECUTIVE OFFICE [File Reference No. 06-00259](#)
- HEARING - Consider the recommendations from the Legislative Program Committee meeting of February 27, 2006, as follows: (EST. TIME: 15 MIN.)
- a) Receive a copy of two letters, sent in the matter of William Connell and the Veterans' tax exemption, to our local State Legislators and State Board of Equalization seeking clarification of the language, legislative intent, interpretation and application of California Public Code Section 16102;
- b) Consider taking a position, without a recommendation from the Legislative Program Committee, for the following bills which ease State regulation of levee maintenance and flood control work;
- i) AB 1877 (Nakanishi) as introduced on February 19, 2006. AB 1877 would amend Section 1602 of the Fish and Game Code to provide that if an entity proposes an activity that involves the routine maintenance of a levee or flood control system, and that proposed activity is substantially equivalent to a prior activity relating to that levee or flood control system that was conducted in accordance with Section 1602, the entity shall only be required to submit written notification regarding the proposed maintenance before undertaking the maintenance;
- ii) AB 2026 (Aghazarian) as introduced on February 14, 2006. AB 2026 would exempt actions undertaken by the Reclamation Board in the Department of Water Resources ("Board") or local agencies for the routine maintenance of levees from the California Environmental Quality Act. Further, AB 2026 would amend Section 8608 of the Water Code to specify that the Board shall establish and enforce standards for the maintenance and operation of levees, channels, and other flood

control works an in so doing shall give the highest consideration to its mission to protect the health and safety of the public and shall give due consideration to fish and wildlife, recreation, and environmental factors;

iii) AB 2029 (Villines) as introduced on February 14, 2006. AB 2029 adds to the definition of "State of Emergency" to include an imminent breach or failure flood threat emergency, as declared by the Governor;

c) Oppose SB 1210 (Torlakson) as introduced on January 26, 2006. SB 1210 would place statutory restrictions on the use of eminent domain, as well as change provisions relating to court findings of just compensation. The bill would require that an entity pay twice the difference between an entity's final offer and the amount of compensation determined by the court if the court determines that the market value of the property is greater than the final offer submitted by the public entity. Finally, it provides that a redevelopment agency may only extend the time it may conduct eminent domain proceedings if it prepares a new resolution of necessity; and

d) Oppose AB 1209 (Yee) as introduced on February 22, 2006. AB 1209 repeals one of the provisions of recent Workers Compensation reform legislation by eliminating the limit on the maximum number of chiropractic, occupational therapy, and physical therapy visits an employee is entitled to receive per industrial injury.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:26 PM - 1:47 PM (21 MIN.)

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Carbajal, Seconded by Supervisor Centeno as follows:

a) Approved.

The motion carried unanimously.

A motion was made by Supervisor Firestone, Seconded by Supervisor Centeno as follows:

Approved support of AB 1877 (Nakanishi), AB 2026 (Aghazarian) and AB 2029 (Villines) as reflected in recommendation b) i,ii and iii.

The motion carried by the following vote:

Ayes: 3 - Supervisor Firestone, Supervisor Gray and Supervisor Centeno

Noes: 2 - Supervisor Carbajal and Supervisor Rose

A motion was made by Supervisor Centeno, Seconded by Supervisor Firestone as follows:

Oppose SB 1210 (Torlakson) as reflected in recommendation c).

The motion carried by the following vote:

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

Noes: 1 - Supervisor Carbajal

A motion was made by Supervisor Firestone, Seconded by Supervisor Centeno as follows:

Oppose AB 1209 (Yee) as reflected in recommendation d).

The motion failed by the following vote:

Ayes: 2 - Supervisor Firestone and Supervisor Centeno

Noes: 2 - Supervisor Carbajal and Supervisor Gray

Abstentions: 1 - Supervisor Rose

No action taken on recommendation d).

4) COUNTY EXECUTIVE OFFICE

[File Reference No. 06-00264](#)

HEARING - Adopt a Personnel Resolution effective March 27, 2006, adding two (2.0 Pos.) Deputy District Attorneys I/II/III/IV/SR (Classes 2250-2254), Ranges 6032-7132 (\$4,914-\$10,384 per month), to the District Attorney department, and adding one (1.0 Pos.) Deputy Public Defenders I/II/III/IV/SR (Classes 2300-2304), Ranges 6032-7132 (\$4,914-\$10,384 per month), to the Public Defender department. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 12:18 PM - 12:20 PM (2 MIN.)

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

RESOLUTION NO. 06-093

The motion carried unanimously.

5) GENERAL SERVICES[File Reference No. 06-00214](#)

HEARING - Consider findings and recommendations from the Staff Report regarding the development of a Regional Conservation Strategy to protect the California Tiger Salamander (CTS) and provide relief to property owners impacted by its listing as an endangered species, as follows: (EST. TIME: 2 HRS.)

- a) Adopt the method of a Conservation Strategy similar to Sonoma County's approach, in the pursuit of a regional habitat conservation strategy limited to the range of the CTS, but with the requirement that the approach be re-evaluated before development of a Memorandum Of Understanding with wildlife agencies, or other implementation effort;
- b) Authorize staff, in partnership with the US Fish & Wildlife and the City of Santa Maria, to develop a Conservation Strategy Team structure for consideration by the Board at a later hearing; and
- c) Approve a budget revision in the amount of \$130,000 for additional staff and consulting costs, to be released from the Vehicle License Fee Gap Loan.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATIONS: POLICY

HEARING TIME: 1:47 PM - 2:59 PM (1 HR. 12 MIN.)

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

- a) **Adopted.**
- b) **Authorized.**
- c) **Approved budget revision request.**

The motion carried by the following vote:

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

Abstentions: 1 - Supervisor Firestone

6) PUBLIC WORKS[File Reference No. 06-00232](#)

HEARING - Consider recommendations regarding the Road Maintenance Annual Plan for Fiscal Year 2006-07, as follows: (EST. TIME: 1 HR.)

- a) Adopt the FY 2006/07 Road Maintenance Annual Plan (RdMap);
- b) Approve the funded projects listed for Maintenance Program (County Forces) and Surface Treatment Program (Contracts/County Forces) within the Road Maintenance Annual Plan;
- c) Approve Notice of Exemptions pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the above; and
- d) Authorize the Director of Public Works to advertise the above mentioned projects contained within the FY 2006/07 Road Maintenance Annual Plan.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 3:11 PM - 3:15 PM (4 MIN.)

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

- a) Adopted.
- b) and c) Approved.
- d) Authorized.

The motion carried unanimously.

ADJOURNED AT 3:15 PM

Adjourn to

Tuesday, April 4, 2006

County Administration Building

Board Hearing Room

105 East Anapamu Street , Fourth Floor

Santa Barbara

Announcements

The meeting of March 28, 2006, will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 30, 2006, at 5:00 PM on CSBTV Channel 20.

<http://www.countyofsb.org>