

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

June 03, 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

9:00 A.M. Reconvened to Regular Session

Roll Call

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

Invocation: Fire Captain Martin Johnson, Fire Department

Report from Closed Session

No reportable action taken.

County Counsel made the following announcement:

Announced a defense jury verdict for the County in *Yarrell v. County of Santa Barbara, et al.* A Federal Civil Rights Act case tried in the U.S. District Court for the Northern District of California.

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

Approval of Minutes of the May 27, 2003 meeting

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

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

Absent: 1 - Supervisor Centeno

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR SCHWARTZ[File Reference No. 03-00556](#)

Adopt a Resolution of Commendation for Francisco Ortiz, Park Ranger II, as Santa Barbara County Employee of the Month for June 2003.

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

RESOLUTION NO. 03-173

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

Honorary Resolutions

- A-2) SUPERVISOR GRAY [File Reference No. 03-00544](#)
- Adopt a resolution recognizing Righetti High School as a California Distinguished School.
- A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted**
- RESOLUTION NO. 03-174**
- The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Gray
Absent: 1 - Supervisor Centeno
- A-3) SUPERVISOR GRAY [File Reference No. 03-00562](#)
- Adopt a resolution recognizing the Marine Corps League State Convention in Santa Maria.
- A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted**
- RESOLUTION NO. 03-175**
- The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Gray
Absent: 1 - Supervisor Centeno
- A-4) SUPERVISOR SCHWARTZ [File Reference No. 03-00535](#)
- Adopt a resolution honoring Pat Moorhouse MacPhee for her service teaching and coaching at Santa Barbara City College upon her retirement.
- A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted**
- RESOLUTION NO. 03-176**
- The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Gray
Absent: 1 - Supervisor Centeno
- A-5) SUPERVISOR SCHWARTZ [File Reference No. 03-00537](#)
- Adopt a Resolution of Commendation for Santa Barbara partners in Education and the Santa Barbara County Education office for bridging the digital divide in our community.
- A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Adopted**
- RESOLUTION NO. 03-177**
- The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Gray
Absent: 1 - Supervisor Centeno

A-6) SUPERVISOR SCHWARTZ [File Reference No. 03-00536](#)

Adopt a resolution honoring Carmen Dipaolo for his service teaching and coaching at Santa Barbara City College upon his retirement .

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

RESOLUTION NO. 03-178

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

Administrative Items

A-7) AUDITOR-CONTROLLER [File Reference No. 03-00541](#)

Authorize the Auditor-Controller to authorize total additional payments of \$19,400 related to the County's financial audit contract with the joint venture of KPMG LLP and Stoltey CPAs (a local vendor) for a total contract of \$116,400 for Fiscal Year 2001-02.

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

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

Absent: 1 - Supervisor Centeno

A-8) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 03-00552](#)

Authorize the Public Works Director to execute and transmit a letter to the City of Santa Barbara and the US Army Corps of Engineers reaffirming the County's support for the City's Mission Creek Section 206 Project for fish passage, First and Second Districts.

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

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

Absent: 1 - Supervisor Centeno

A-9) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 03-00560](#)

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

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

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

Absent: 1 - Supervisor Centeno

- A-10) BOARD OF DIRECTORS, LAGUNA COUNTY [File Reference No. 03-00553](#)
SANITATION DISTRICT
- Authorize the Purchasing Agent to amend the contract with Zenon Environmental Corporation (not a local vendor) to include sales tax on the purchase of the ZenoGem Membrane Bioreactor for the Laguna County Sanitation District Wastewater reclamation plant, in the amount of \$75,598.76 Fourth and Fifth Districts.
- A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Authorized. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Gray
Absent: 1 - Supervisor Centeno
- A-11) BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 03-00554](#)
- Approve and authorize the Chair to execute Amendment No. 3 to the Agreement with Geosyntec Consultants (not a local vendor) amending the end date from July 1, 2003 to October 1, 2004 for the Urban Treatment Control Best Management Practices Project, First, Second and Third Districts.
- A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Gray
Absent: 1 - Supervisor Centeno
- A-12) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00565](#)
- Approve and authorize the Chair to execute a comment letter to the U.S. Environmental Protection Agency Region IX regarding issuance of new National Pollutant Discharge Elimination System permit for the Santa Ynez Band of Chumash Indians Wastewater Treatment Plant.
- A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Gray
Absent: 1 - Supervisor Centeno
- A-13) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00561](#)
- Approve Budget Revision requests. (SEE EXHIBIT B WITH POSTED AGENDA)
- A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Approved. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Gray
Absent: 1 - Supervisor Centeno
- A-14) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 03-00551](#)
- Authorize the County Purchasing Manager to procure the hardware components for an upgrade of the Clerk-Recorder Records Information and Imaging Management System (RIIMS) Server from DFM Associates (not a local vendor) in the amount of \$52,709.70 (plus applicable sales tax and shipping), without being required to conduct a formal bid process.
- A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Authorized. The motion carried by the following vote:**

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

A-15) PUBLIC HEALTH [File Reference No. 03-00546](#)

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 Rose, that this matter be Approved. The motion carried by the following vote:

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

A-16) PUBLIC HEALTH [File Reference No. 03-00555](#)

Approve and execute an Agreement (03-75090) with the State of California Health Services Department for Medi-Cal Administrative Activities (MAA) allowable for Federal Financial Participation (FFP), for the period of July 1, 2003 through June 30, 2006, in the amount of \$2,550,000.

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

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

A-17) PUBLIC WORKS [File Reference No. 03-00539](#)

Accept the Replacement Easement Deed between the County of Santa Barbara and the Chamberlin Ranch Limited Liability Corporation by executing the Certificate of Acceptance attached to said Deed (Real Property Folio No. YP 3039), Third District.

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

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

A-18) PUBLIC WORKS [File Reference No. 03-00542](#)

Consider recommendations regarding storm damage repair at Santa Rosa Road Bridge 51C-020 (County Project No. 98R288), Third District, as follows:

a) Approve the Project and Categorical Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the construction of Storm Damage Repair at Santa Rosa Road 51C-020, County Project No. 98R288;

b) Authorize the Director of Public Works to advertise for construction bids for the Storm Damage Repair at Santa Rosa Road Bridge 51C-020, County Project No. 01STRM-R038.

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

a) Approved.

b) Authorized.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

A-19) PUBLIC WORKS

[File Reference No. 03-00547](#)

Adopt a resolution establishing angle parking zones on Broadway in the Orcutt Area, Fourth District.

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

RESOLUTION NO. 03-179

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

A-20) PUBLIC WORKS

[File Reference No. 03-00559](#)

Adopt a resolution authorizing the Public Works Director to file a claim with the Santa Barbara County Association of Governments for an allocation of Transportation Development Act funds for Fiscal Year 2003-04 in the amount of \$1,260,623.

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

RESOLUTION NO. 03-180

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

A-21) PUBLIC WORKS[File Reference No. 03-00549](#)

Consider recommendations regarding proposed amendments to exclusive Solid Waste Collection Franchise Agreements, as follows:

- a) Approve proposed amendments to the Amended and Restated Agreement Between the County of Santa Barbara and MarBorg Industries, Inc. for Exclusive Solid Waste, Recyclables and Organics Collection and Transportation to Disposal and Processing Facilities and Organics Sites for Zone One approved and executed on April 25, 2000 (Exhibit 1);
- b) Approve proposed amendments to the Amended and Restated Agreement Between the County of Santa Barbara and BFI Waste Systems of North America, Inc. for Exclusive Solid Waste, Recyclables and Organics Collection and Transportation to Disposal and Processing Facilities and Organics Sites for Zone Two approved and executed on November 7, 2000 (Exhibit 2);
- c) Approve proposed amendments to the Amended and Restated Agreement Between the County of Santa Barbara and MarBorg Industries, Inc. for Exclusive Solid Waste, Recyclables and Organics Collection and Transportation to Disposal and Processing Facilities and Organics Sites for Zone Three approved and executed on April 25, 2000 (Exhibit 3);
- d) Approve proposed amendments to the Amended and Restated Agreement Between the County of Santa Barbara and Health Sanitation Services for Exclusive Solid Waste, Recyclables and Organics Collection and Transportation to Disposal and Processing Facilities and Organics Sites for Zone Four executed and approved on May 11, 1999 (Exhibit 4);
- e) Approve proposed amendments to the Amended and Restated Agreement Between the County of Santa Barbara and Health Sanitation Services for Exclusive Solid Waste, Recyclables and Organics Collection and Transportation to Disposal and Processing Facilities and Organics Sites for Zone Five (Exhibit 5).

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

a) through e) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

A-22) SHERIFF[File Reference No. 03-00543](#)

Approve a destruction of records request of Internal Affairs files, at least five years old and no longer required by law to be retained.

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

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

Absent: 1 - Supervisor Centeno

A-23) SOCIAL SERVICES[File Reference No. 03-00540](#)

Approve the Department of Social Services' request for authorization to destroy designated case records, which the Department is no longer required by law to retain.

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

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

A-24) PUBLIC HEALTH

[File Reference No. 03-00550](#)

Consider recommendations regarding Multipurpose Senior Services Program (MSSP) Contract MS-0304-15, as follows:

a) Approve and execute an Agreement between the California Department of Aging and the County of Santa Barbara, Public Health Department (PHD) for the Multipurpose Senior Services Program (MSSP) for Fiscal Year 2003-04 in the amount of \$683,634;

b) Approve and execute Certification to legally bind the PHD to the following clauses: Statement of Compliance; Drug-Free Workplace Requirements; National Labor Relations Board Certification; Union Organizing; Conflict of Interest; and Corporate Qualifications to do Business in California.

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

a) and b) Approved; Chair to execute.

The motion carried by the following vote:

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

Board of Supervisors

A-25) SUPERVISOR ROSE and SUPERVISOR SCHWARTZ

[File Reference No. 03-00564](#)

Approve the appointment of Dave Davis to the Santa Barbara Metropolitan Transit District Board of Directors.

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

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

A-26) SUPERVISOR CENTENO

[File Reference No. 03-00545](#)

Approve the reappointment of Marvin Teixeira to the Sedgwick Ranch Agricultural Oversight Committee, Fifth District.

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

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

Hearing Requests

A-27) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00557](#)

Set a hearing to discuss and adopt the Board of Supervisors' responses to the Fiscal Year 2002-2003 Grand Jury Report on 'Certificates of Participation'.

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

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

A-28) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00558](#)

Set a hearing to discuss and adopt the Board of Supervisors' responses to the Fiscal Year 2002-2003 Grand Jury Report on 'Office of the Public Administrator - Guardian'.

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

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

A-29) SUPERVISOR MARSHALL and SUPERVISOR ROSE [File Reference No. 03-00563](#)

Set a hearing to consider directing the County Administrator to create a project team to identify county-owned sites suitable for use as a Homeless RV Park.

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: June 24, 2003 (EST. TIME: 60 MIN.) The motion carried by the following vote:

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

A-30) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 03-00567](#)

Consider recommendations regarding a grant application for additional funds from the State 1998 Community Development Block Grant Program - Disaster Recovery Initiative (DRI), First District, as follows:

a) Adopt a resolution approving the County's application for \$227,268 of Community Development Block Grant (CDBG) Disaster Recovery Initiative funds from the California Department of Housing and Community Development to assist in financing various County projects required as a result of the 1998 floods;

b) Authorize the County Administrator to sign all documents required for submittal of the CDBG application, grant agreement, drawdown of funds, submittal of amendment requests and grant administration.

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

a) **Adopted.**

RESOLUTION NO. 03-181

b) **Authorized.**

The motion carried by the following vote:

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

A-31) SUPERVISOR SCHWARTZ

[File Reference No. 03-00566](#)

Approve the appointment of William R. Peitzke to the Air Pollution Control District Community Advisory Committee, First District.

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

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

Approval of Administrative Agenda

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

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

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

[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: Banned from the American Legion Hall - George Kuhl addressed the Board.

RE: St. Frances/Cottage Hospital, Senior Mental Health Care Issues - Peter Marin addressed the Board.

RE: County Budget - Andy Caldwell addressed the Board.

RE: Drug Testing of County Employees/Jury Pay Issues - Floyd Meyer addressed the Board.

Departmental Agenda -- Public Hearings

1) FIRE [File Reference No. 03-00431](#)

HEARING - Consider recommendations regarding the 2001 California Fire Code and Permit Fee Resolution, as follows: (EST. TIME: 5 MIN.)

a) Consider the adoption (Second Reading) of an ordinance amending Chapter 15 of the Santa Barbara County Code;

b) Adopt a resolution setting Fire Code Permit Fees.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) **Adopted.**

ORDINANCE NO. 4494

b) **Adopted.**

RESOLUTION NO. 03-182

The motion carried unanimously.

2) PLANNING AND DEVELOPMENT [File Reference No. 03-00427](#)

HEARING - Consider recommendations regarding amending Chapter 10 of the Santa Barbara County Code regarding Current Uniform Model Codes for building construction, as follows: (EST. TIME: 5 MIN.)

a) Consider the adoption (Second Reading) of an ordinance amending Chapter 10 of the Santa Barbara County Code regarding Current Uniform Model Codes for building construction;

b) Adopt a fee resolution revising Building Permit fees for the Building and Safety Division.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) **Adopted.**

ORDINANCE NO. 4495

b) **Adopted.**

RESOLUTION NO. 03-183

The motion carried unanimously.

3) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 03-00460](#)

HEARING - Consider recommendations regarding the Flood Control Benefit Assessment Program for

Fiscal Year 2003-04, All Districts, as follows: (EST. TIME: 10 MIN.)

- a) Receive Report regarding Flood Control Benefit Assessment for Fiscal Year 2003-04 and direct recordation;
- b) Approve the introduction (First Hearing) of an ordinance entitled, "An Ordinance Amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services";
- c) Receive an update from the March 26, 1996 Voter Approved South Coast Benefit Assessment Increase Measure.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Centeno, seconded by Supervisor Marshall, that this matter be Acted on and continued, as follows: a) Received and filed report.

b) Read by title; waived reading of the ordinance in its entirety. Introduction approved; adoption (second reading) set, as follows: June 17, 2003.

c) Received and filed. The motion carried unanimously.

4) BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT

[File Reference No. 03-00366](#)

HEARING - Consider recommendations regarding Laguna County Sanitation District Ordinance and resolution relative to collection of service charges, connection fees and trunk line fees on the tax rolls, Fourth and Fifth Districts, as follows: (EST. TIME: 5 MIN.)

- a) Consider the adoption (Second Reading) of an Ordinance Amending Ordinance No. 3130, which establishes service charges, connection fees and other rules and regulations for the Laguna County Sanitation District;
- b) Adopt a resolution relative to the collection of service charges and connection fees on the tax rolls.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Adopted.

ORDINANCE NO. 4496

b) Adopted.

RESOLUTION NO. 03-184

The motion carried unanimously.

5) BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT

[File Reference No. 03-00367](#)

HEARING - Consider the adoption (Second Reading) of an ordinance amending Chapter 29 of the County Code pertaining to new definitions, prohibited wastes, backflow prevention devices and the use of recycled water, Fourth and Fifth Districts. (EST. TIME: 5 MIN.)

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

ORDINANCE NO. 4497

The motion carried unanimously.

6) PUBLIC WORKS

[File Reference No. 03-00454](#)

HEARING - Adopt a resolution regarding County Service Area 3, County Service Area 31 and North County Lighting District Benefit Assessment for Fiscal Year 2003-04, Second, Third, Fourth and Fifth Districts. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Adopted (County Service Areas 3 and 31).

RESOLUTION NO. 03-185

b) Adopted (North County Lighting District).

RESOLUTION NO. 03-186

The motion carried unanimously.

7) PUBLIC WORKS

[File Reference No. 03-00455](#)

HEARING - Adopt a resolution establishing service charges and connection fees for County Service Area 12 (Mission Canyon Sewer District) and provide for collection on the Tax Rolls for Fiscal Year 2003-04. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

RESOLUTION NO. 03-187

The motion carried unanimously.

8) FIRST 5, CHILDREN AND FAMILIES COMMISSION

[File Reference No. 03-00514](#)

HEARING - Consider recommendations regarding the Board of Supervisors' Response to the 2002-03 Grand Jury Report "Up In Smoke", as follows: (EST. TIME: 20 MIN.)

a) Adopt the responses of the Children and Families Commission (Attachment B) as the Board of Supervisors' responses to the 2002-03 Grand Jury Report "Up In Smoke";

b) Authorize the Chair to execute the letter from the Board of Supervisors (Attachment C) forwarding these responses to the Presiding Judge of the Superior Court.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Adopted.

b) Authorized; 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

10:30 AM TIME CERTAIN

9) COUNTY CLERK-RECORDER-ASSESSOR

[File Reference No. 03-00487](#)

HEARING - Consider recommendations regarding State reimbursement of Proposition 41 funds for Vote tabulation system upgrades, as follows: (EST. TIME: 15 MIN.)

a) Accept \$1,000,266. 57 from the State of California for a Proposition 41 reimbursement equal to 75% of the cost the county incurred to upgrade to the Global Election Optical Scan Vote Tabulation system;

b) Authorize the establishment of the Prop. 41 designation and approve a Budget Revision placing these monies from the State into this designation. (Defer recommendation b to Fiscal Year 2003-04 Budget hearings)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE (a) AND DEFER (b) TO BUDGET HEARINGS.

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

a) Accepted.

b) Deferred action on recommendation b) to FY 2003-04 Budget Hearings.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Rose

10) PLANNING AND DEVELOPMENT

[File Reference No. 03-00451](#)

HEARING - Consider the appeal of Larry Schaub, owner, of the Zoning Administrator's February 18, 2003 decision to deny the request for the construction of a new guesthouse of approximately 800 square feet with an attached garage/tack room of approximately 800 square feet (02CDH-00000-00012 and 03APL-00000-00007) located at Parcel 27, Hollister Ranch (APN 083-670-002), Third District, as follows: (EST. TIME: 1 HR.)

a) Adopt the required findings for the project, specified in the Zoning Administrator Action Letter dated February 21, 2003;

b) Deny the appeal, upholding the Zoning Administrator's denial of Coastal Development Permit application 02CDH-00000-00012.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

Received and filed staff report and conducted public hearing. Upheld the appeal of Larry Schaub. Directed staff to return on July 1, 2003 with findings for approval. Directed staff to work with applicant to mitigate/reduce impacts to native vegetation at the project site.

The motion carried unanimously.

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

- 11) SUPERVISOR MARSHALL and SUPERVISOR GRAY [File Reference No. 03-00401](#)

HEARING - Review and clarify the definition of the term 'premises' as used in the Santa Barbara County Agricultural Preserve Program Uniform Rule No. 9, paragraph 4 as applied to the White Hawk Winery Application. (EST. TIME: 1 HR.)

**A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Acted on as follows:
Conducted public hearing and took the following action;**

Regarding the White Hawk Winery project, the Board interprets the term "Premises" in Uniform Rule "9" to mean the entire Agricultural Preserve contract, rather than an individual parcel. This Interpretation is based on the fact that White Hawk began processing their project at the time the Agricultural Preserve Advisory Committee specified as part of the Gainey Winery project that "premises" would be the Agricultural Preserve contract, not parcel and therefore it should be treated similarly.

The motion carried unanimously.

- 12) PUBLIC WORKS [File Reference No. 03-00449](#)

HEARING - Consider recommendations regarding the adoption of a Resolution of Public Necessity to condemn a portion of APN 007-340-054 (County Project No. 863027) (Real Property Folio No. YS 3363) as part of the Jameson Lane Bike Lane and Bridge Replacement Project, First District, as follows: (EST. TIME: 10 MIN.)

- a) Adopt a Resolution rescinding Resolution No. 03-116 adopted April 4, 2003 to declare a public necessity for the taking of a Permanent Easement on a portion of APN 007-340-054 and initiate eminent domain proceedings to condemn such Easement;
- b) Approve the Revised Addendum to the Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) guidelines for the acquisition of the subject Easement;
- c) Find the addendum and the mitigated Negative Declaration comply with CEQA and are adequate for the revision to the project.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

**A motion was made by Supervisor Schwartz, seconded by Supervisor Centeno, that this matter be Acted on as follows:
Received and filed staff report, conducted public hearing and took the following action:**

- a) Adopted.**

RESOLUTION NO. 03-188

- b) Approved.**

- c) Approved.**

The motion carried unanimously.

13) 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 Acted on as follows:
Received and filed staff report and took the following action:**

- a) **Granted the appeal, and denied 99-DP-052.**
- b) **Adopted the findings for denial of the project, included as Attachment A of Planning and Development staff reports dated February 4, 2003 and March 6, 2003.**

The motion carried unanimously.

14) SOCIAL SERVICES[File Reference No. 03-00509](#)

HEARING - Consider agreements with four vendors to provide youth employment and training activities pursuant to the Workforce Investment Act for the period July 1, 2003 through July 5, 2005, as follows: (EST. TIME: 30 MIN.)

- a) Approve and execute an agreement with Community Action Commission (a local vendor) in the amount of \$150,000;
- b) Approve and execute an agreement with Channel Islands YMCA - Noah's Anchorage Branch (a local vendor) in the amount of \$73,000;
- c) Approve and execute an agreement with Santa Ynez People Helping People (a local vendor) in the amount of \$75,000;
- d) Approve and execute an agreement with Santa Barbara County Education Office (a local vendor) in the amount of \$162,000.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Acted on as follows: Received staff report, conducted public hearing and took the following action:

- a) through d) Approved; Chair to execute.

The motion carried unanimously.

Adjourn to Monday June 9, 2003
Fiscal Year 2003-04 Budget Hearings

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

Adjourn

Fiscal Year 2003-04 Budget Hearings Announcement

Announcements

THE MEETING OF JUNE 3, 2003 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, JUNE 5, 2003 AT 5:00 P.M. ON GATV CHANNEL 20.

DUE TO BUDGET HEARINGS, THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, JUNE 10, 2003; THE NEXT REGULAR MEETING WILL BE TUESDAY, JUNE 17, 2003 IN SANTA BARBARA.

THE MEETING OF JUNE 9, 2003 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING TUESDAY JUNE 10, 2003 AT 9:00 A.M. ON GATV CHANNEL 20.

THE LEGISLATIVE PROGRAM COMMITTEE MEETING IS SCHEDULED TO BEGIN AT 2:30 PM ON MONDAY JUNE 16, 2003, 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.

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