

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

**ACTION SUMMARY**

**March 08, 2005**

**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](http://www.countyofsb.org)

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

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

**Roll Call**

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

**Invocation: David Martell, Auditor-Controller's Office**

**Report from Closed Session**

County Counsel made the following announcement:

By a vote of 5-0, The Board of Supervisors directed staff to initiate proceedings to declare two county-owned parcels in Del Playa Courts, Isla Vista, as surplus property, with the ultimate objective of acquiring other bluff top property in Isla Vista for public use.

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

**Approval of Minutes of the March 1, 2005 meeting**

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

**Administrative Agenda**

**Administrative Items**

- A-1) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00278](#)  
Approve Budget Revision requests. (SEE EXHIBIT A WITH POSTED AGENDA)  
**A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Approved. The motion carried unanimously.**
- A-2) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00275](#)  
Adopt a resolution to reaffirm the existence of a Local Emergency due to the January 2005 storm, Resolution Number 05-006, and reaffirming the waiver of the competitive bidding process, Resolution Number 05-018, pursuant to Public Contract Code 22050 and Request that the Governor and President to Extend the Disaster Incident Period to February 28, 2005.  
**A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Adopted**  
**RESOLUTION NO. 05-054**  
**The motion carried unanimously.**
- A-3) COUNTY COUNSEL [File Reference No. 05-00266](#)  
Set date to consider and approve amendments to the Santa Barbara County Single Comprehensive Conflict of Interest Code for County "Local Agencies", as follows:  
  
a) Adopt a resolution that amends Exhibit AA-2 of Resolution No. 95-450, as amended, to add (1) the Santa Barbara County Housing and Community Development Department, and (2) the Montecito Board of Architectural Review to the Single Code;  
  
b) Approve Amendment No. 11 to the Single Code adopted by the Santa Barbara County Clerk-Recorder-Assessor (Clerk-Recorder) for agencies specified in Resolution No. 95-450, as amended.  
(SET DATE FOR MARCH 22, 2005 ON ADMINISTRATIVE AGENDA)  
**A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set on the Administrative Agenda, as follows: March 22, 2005 in Santa Maria. The motion carried unanimously.**
- A-4) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 05-00271](#)  
Adopt one resolution, effective February 28, 2005, establishing the salary of Child Support Services Director (Class 1521) from Range 7064 (\$8,222-\$10,038 per month) to Range 7172 (\$8,677-\$10,593 per month).  
**A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Adopted**  
**RESOLUTION NO. 05-055**  
**The motion carried unanimously.**
- A-5) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 05-00276](#)  
Adopt a resolution increasing salaries for classifications in Bargaining Units 12 and 13 by 3.8% effective March 14, 2005, pursuant to contractual obligations arising from the Memorandum of Understanding entered into in 2001 with Santa Barbara County Fire Fighters Union, Local 2046.

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

**RESOLUTION NO. 05-056**

The motion carried unanimously.

A-6) PLANNING AND DEVELOPMENT

[File Reference No. 05-00281](#)

Receive the Director's report regarding Emergency Permit No. 05EMP-0000-00012 issued to James Gelb for the demolition of a portion of an existing apartment building and associated structures located on the coastal bluff at 6701 Del Playa Drive to alleviate an existing hazard to public safety, Isla Vista Area, Third District.

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

A-7) PUBLIC HEALTH

[File Reference No. 05-00269](#)

Approve and execute an amendment to the prior year Agreement with the State of California Health Services Department (Contract Number: 00-90513) for Medi-Cal Administrative Activities (MAA) allowable for Federal financial participation (FFP), to increase the contract amount by \$406,527 from \$600,000 to \$1,006,527 for the period of July 1, 2002 through June 30, 2003.

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

A-8) PUBLIC WORKS

[File Reference No. 05-00274](#)

Consider recommendations regarding an Order to Vacate of a portion of Mail Road, Santa Ynez area, Third District, as follows:

a) Approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines regarding vacating the County's right-of-way easement to a portion of Mail Road which crosses APN 83-150-010 near the township of Santa Ynez;

b) Adopt a Resolution, Summary Order to Vacate, vacating the above referenced portion of Mail Road (4/5 vote required).

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

a) Approved.

b) Adopted.

**RESOLUTION NO. 05-057**

The motion carried unanimously.

A-9) SOCIAL SERVICES

[File Reference No. 05-00273](#)

Consider amendments to Nurse Workforce Initiative (NWI) contracts for the provision of licensed vocational nurse training and retention services, as follows:

a) Authorize the Chair to execute Amendment No. 1 to approve revisions of appropriations and services to the contract with Santa Barbara Community College District (a local vendor) to increase the contract in the amount of \$29,494, for a total contract in the amount of \$229,494;

b) Authorize the Chair to execute Amendment No. 1 to approve revisions of appropriations and services to the contract with Allan Hancock College (a local vendor) to reduce funding in the amount of \$40,810, for a new total contract in the amount of \$159,190.

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

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

**The motion carried unanimously.**

A-10) SOCIAL SERVICES

[File Reference No. 05-00277](#)

Consider recommendations regarding In-Home Supportive Services Advisory Committee By-Laws and appointments, as follows:

a) Approve an amendment to the In-Home Supportive Services Advisory Committee By-Laws to change the term of office for members from two (2) to three (3) years;

b) Approve appointments of Ms. Angel Dusablon, as consumer representative, and Ms. Carolyn Sarver, as IHSS provider representative, to the In-Home Supportive Services (IHSS) Advisory Committee.

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

**a) and b) Approved.**

**The motion carried unanimously.**

## Board of Supervisors

A-11) SUPERVISOR ROSE

[File Reference No. 05-00272](#)

Approve the reappointment of Soma F. Baldwin to the Law Library Board of Trustees, as attorney-at-large.

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

## Hearing Requests

A-12) COUNTY COUNSEL [File Reference No. 05-00268](#)

Set a hearing to consider recommendations regarding Carpinteria-Summerland Fire Protection District Fire Mitigation Fees, as follows:

- a) Consider the introduction (First Reading) of an Ordinance Amending Santa Barbara County Code, Chapter 15, Article IIIA (Carpinteria-Summerland Fire Protection District Fire Mitigation Fee);
- b) Set a hearing for March 22, 2005 to consider the adoption (Second Reading) of an Ordinance Amending Santa Barbara County Code, Chapter 15, Article IIIA (Carpinteria-Summerland Fire Protection District Mitigation Fee);
- c) Adopt a resolution approving the Development Impact Fee Nexus Calculation Report for the Carpinteria-Summerland Fire Protection District, dated December 1, 2004;
- d) Adopt a resolution establishing a Fire Protection Mitigation Fee Schedule for Development Within a Portion of the County of Santa Barbara on behalf of the Carpinteria-Summerland Fire Protection District;
- e) Approve and execute a Hold Harmless and Indemnification Agreement between the County of Santa Barbara and the Carpinteria-Summerland Fire Protection District.

**A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: March 15, 2005 (EST. TIME: 10 MIN.) The motion carried unanimously.**

A-13) GENERAL SERVICES [File Reference No. 05-00267](#)

Set a hearing to receive a presentation from the Sheriff, Fire and Probation departments regarding Departmental Injury Illness Prevention Programs in the County of Santa Barbara.

**A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: April 5, 2005 (EST. TIME: 45 MIN.) The motion carried unanimously.**

A-14) PUBLIC HEALTH [File Reference No. 05-00270](#)

Set a hearing to receive a presentation regarding Departmental Operations from the Public Health Department.

**A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: April 19, 2005 (EST. TIME: 90 MIN.) The motion carried unanimously.**

A-15) SUPERVISOR CARBAJAL [File Reference No. 05-00279](#)

Set hearing to consider adoption of a resolution to prohibit the use of alcohol in certain recreation areas specifically Butterfly Beach and Hammond's Meadow within the community of Montecito, First District.

**A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: April 5, 2005 (EST. TIME: 45 MIN.) The motion carried unanimously.**

## Approval of Administrative Agenda

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

[File Reference No. 05-00051](#)

#### 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) (05-00051)**

RE: AB654 - the " Compassionate Choice Act" - Sister Janet Corcoran addressed the Board.

RE: "Process Improvement Oversight Committee" Dave Cross addressed the Board.

RE: Directed County Administrator Michael Brown, to work with the "Process Improvement Oversight Committee" - Fifth District Supervisor Joe Centeno addressed the Board.

RE: Human Resource Issues - John Quain addressed the Board.

RE: Advocate for Children / San Marcos Foothill Project - David Diaz addressed the Board.

RE: The Passing of Santa Barbara County Deputy Public Defender Mary Spear - Chuck Stacy, Pastor, St. Marks Episcopal Church addressed the Board.

RE: Toro Canyon Property Issues - John Thorndike IV addressed the Board.

RE: Report on Trip to Washington as Board of Supervisors' Representative at the National Association of Counties Legislative Conference - First District Supervisor Salud Carbajal addressed the Board.

**Departmental Agenda -- Public Hearings**1) PUBLIC WORKS[File Reference No. 05-00156](#)

HEARING - Consider recommendations regarding 2005-06 through 2009-10 Measure "D" Five-Year Local Program of Projects, as follows:

- a) Adopt a Resolution for the Measure "D" Five-Year Local Program of Projects for Fiscal Years 2005/06 through 2009/10, for submittal to the Santa Barbara County Local Transportation Authority for acceptance;
- b) Reaffirm Resolution 89-465, which established priorities and policies related to the use of the local portion of the one-half cent sales tax for transportation needs in Santa Barbara County;
- c) Approve Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the above;
- d) Reaffirm or consider revisions to Measure "D" distribution formula for allocation of revenues within Supervisorial Districts;
- e) Direct staff to prepare Fiscal Year 2005-06 Road Maintenance Annual Plan

**A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Continued, as follows: March 15, 2005 (EST. TIME: 45 MIN.) The motion carried by the following vote:**

Ayes: 4 - Supervisor Carbajal, Supervisor Rose, Supervisor Gray and Supervisor Centeno  
Absent: 1 - Supervisor Firestone

2) COUNTY EXECUTIVE OFFICE, AUDITOR-CONTROLLER  
and COUNTY COUNSEL[File Reference No. 05-00239](#)

HEARING - Receive report regarding the Mission County formation review process and provide direction as appropriate. (EST. TIME: 1 HR)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

**Acted on and continued, as follows:**

**Received and filed staff presentation and conducted public hearing.**

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

**Request that the Mission County Formation Review Commission adopt a condition of formation that would prohibit the use of public properties, financed with Certificates of Participation, for 'private business use' in a manner which could impair the tax exempt status of the bonded indebtedness.**

**The motion carried unanimously**

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

**That this matter be continued to March 15, 2005.**

**The motion carried unanimously.**

3) COUNTY EXECUTIVE OFFICE[File Reference No. 05-00280](#)

HEARING - Consider recommendations from the Legislative Program Committee meeting of February 22, 2005, as follows: (EST. TIME: 30 MIN.)

a) Reaffirm support for the County's State Legislative Priorities (Attachment 1) as amended by the Committee to include the following:

Additional Priorities:

- i. Seek opportunities to support legislation to enhance the County's and State's economic and business climate;
- ii. Seek opportunities to fund alternative transportation projects;
- iii. Support the efforts of the County Sheriff to seek an author for legislation to fund the unfunded costs of the Michael Jackson trial;

Amended Priorities:

- iv. Amend existing priority to seek an author for legislation to receive 20% share of state tidelands oil royalty revenue from leases within the County by expanding the permissible uses of funding to include alternative transportation projects;

Delete Priorities:

- v. Delete priority of seeking an author for legislation to permit local governments to impose a fee on the sale, transfer, or conveyance of property for purposes of funding affordable/workforce housing;

b) Reaffirm support for the County's Federal Legislative Priorities (Attachment 2) as amended to include the following additional priorities in the Emerging Opportunities - Monitoring and Reporting issue area: funding for alternative transportation, and for identified costs arising from County services provided to undocumented individuals (similar to State Criminal Alien Assistance Program (SCAAP) funding but also for identified costs in the area of public health, safety, law, justice, social programs, etc.;

c) Receive a copy of CSAC's DRAFT Guiding Principles for 2005-2006 Pension Reform and consider the following recommendations (Attachment 3):

- i. Endorse the DRAFT Guiding Principles without judgment on specific reform proposals;
- ii. Request a presentation before the Board of Supervisors on the DRAFT Guiding Principles and specific reform proposals;
- iii. Authorize the County Administrator to form a project team to prepare an analysis of CSAC's DRAFT Guiding Principles and Specific Reform Proposals to include an evaluation of the cost, savings, and efficacy of each;

d) Support AB 192 (Tran) Tort Claims Act. AB 192 would limit the liability of public entities in actions for injury to \$250,000 per individual or \$500,000 per occurrence (Attachment 4).

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY



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

- a) through c) approved.
- d) Adopted a 'Monitor' position on AB 192 (Tran).

The motion carried unanimously.

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

### **Planning Items and Public Hearings**

- 4) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 05-00256](#)

HEARING - Consider recommendations regarding a 10-year plan to end chronic homelessness, as follows: (EST. TIME: 30 MIN.)

- a) Authorize the Housing and Community Development Department to develop a 10-year plan to end chronic homelessness;
- b) Authorize Housing and Community Development to hire a contracted employee to coordinate an intergovernmental committee, including representatives from the Cities of Santa Maria, Lompoc and Santa Barbara to develop a 10-year plan to end chronic homelessness.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

Received and filed staff report and conducted public hearing.

a) and b) Directed staff to return to the Board on April 19, 2005 with additional information related to program objectives, costs, staffing and time lines as enumerated at the March 8, 2005 hearing. Further directed staff to provide letters from each city in the County acknowledging participation in the program.

The motion carried unanimously.

- 5) GENERAL SERVICES [File Reference No. 05-00265](#)

HEARING - Receive an update regarding the Santa Barbara Countywide Space Plan. (EST. TIME: 1 HR.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Acted on as follows: Received and filed staff report and conducted public hearing. The motion carried unanimously.

- 6) TREASURER-TAX COLLECTOR [File Reference No. 05-00170](#)

HEARING - Consider recommendations regarding 2005 Certificates of Participation, as follows: (EST. TIME: 30 MIN.)

- a) Authorize the County Treasurer-Tax Collector to execute the Contract of Purchase for the issuance of non-taxable 2005 Certificates of Participation in accordance with State and Federal law, in an amount not to exceed \$25,000,000, at a yield not to exceed 5%, and for a term not to exceed 20 years;

- b) Authorize the financing of the following capital improvements:
- i. Clerk - Recorder - Assessor: Storage Building;
  - ii. Sheriff: Isla Vista Foot Patrol Building;
  - iii. Sheriff: Technical Services Building;
  - iv. Sheriff: Fire Station 51/Sheriff's Station Building (joint project with Fire);
  - v. Fire: Fire Station 51/Sheriff's Station Building (joint project with Sheriff);
  - vi. Alcohol, Drug, & Mental Health Services: Children's Services Building;
- c) Reconsider and authorize the financing of the following additional capital improvement projects:
- i. Clerk - Recorder - Assessor: Hall of Records Restoration;
  - ii. Fire: Los Alamos Land Purchase;
  - iii. Alcohol, Drug, & Mental Health Services: Building Acquisition;
- d) Approve and authorize the Chair to execute a contract appointing Orrick, Herrington & Sutcliffe as Bond Counsel; accept a proposal for Trustee, Registrar, and Paying Agent Services from US Bank Corporate Trust Services;
- e) Direct the County Treasurer-Tax Collector, County Auditor-Controller, County Counsel, and General Services to proceed with all necessary actions required to issue the 2005 Certificates of Participation;
- f) Authorize the Treasurer-Tax Collector, in consultation with the Debt Advisory Committee, to abandon the issuance if market conditions are deemed to have become financially unfavorable;
- g) Adopt a resolution authorizing the execution and delivery of a Lease, a Sublease, an Assignment Agreement, a Trust Agreement, a Contract of Purchase, and Approving Execution of Certificates of Participation to Finance Certain Capital Improvements; approving an Official Statement for said Certificates of Participation; authorizing the execution and delivery of a Continuing Disclosure Agreement; and authorizing certain other actions in connection with the Lease financing.

COUNTY ADMINISTRATOR'S RECOMMENDATIONS: POLICY

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

Received and filed staff report and conducted public hearing.

a) and b) Authorized.

c) Authorized.

i. Clerk - Recorder - Assessor: Hall of Records Restoration;

ii. and iii. Based upon further analysis and additional information received, financing for the Fire Department Los Alamos land purchase and the Alcohol, Drug, and Mental Health Services building acquisition will not be included in the 2005 Certificates of Participation. Fire and Alcohol, Drug, and Mental Health Services are working with the County Administrator's Office and other appropriate departments to develop alternate sites and financing to address their needs.

d) Approved; Chair to execute.

e) Directed.

f) Authorized.

g) Adopted.

RESOLUTION NO. 05-058

The motion carried unanimously.

### **Adjourn to March 15, 2005**

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

### **Adjourn**

### **Announcements**

THE MEETING OF MARCH 8, 2005 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, MARCH 10, 2005 AT 5:00 P.M. ON GATV CHANNEL 20.

**<http://www.countyofsb.org>**