

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

August 10, 2004

**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

Roll Call

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

Invocation: Heather Bennett, Probation Department

Report from Closed Session

No reportable action taken.

Approval of Minutes of the July 27, 2004 meeting

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

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

Abstentions: 2 - Supervisor Rose and Supervisor Marshall

Approval of Minutes of the August 3, 2004 meeting

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

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

Abstentions: 1 - Supervisor Gray

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR CENTENO [File Reference No. 04-00799](#)

Adopt a Resolution of Commendation recognizing James Benjamin Armijo as a finalist in the 2004 American Foreign Service Association National High School Student Essay Contest.

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

RESOLUTION NO. 04-223

The motion carried unanimously.

A-2) SUPERVISOR SCHWARTZ [File Reference No. 04-00797](#)

Adopt a Resolution of Commendation for Carolyn Sellers, Alcohol, Drug and Mental Health Services, upon her retirement after 14 years of service to the County of Santa Barbara.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Continued, as follows:
August 17, 2004 The motion carried unanimously.

A-3) SUPERVISOR CENTENO [File Reference No. 04-00810](#)

Adopt a resolution proclaiming August 2004 as Child Support Awareness Month.

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

RESOLUTION NO. 04-224

The motion carried unanimously.

Administrative Items

A-4) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 04-00798](#)

Consider recommendations regarding contracts for services for mentally ill adults, as follows:

- a) Approve and execute a contract with Telecare Corporation (not a local vendor) to continue providing psychiatric, rehabilitation and mental health services to mentally ill adults for the period of July 1, 2004 through June 30, 2005, in the amount of \$2,900,000;
- b) Approve and execute a contract with Kindred Pharmacy Services (not a local vendor) to continue providing pharmacy services to indigent Santa Barbara County residents for the period of July 1, 2004 through June 30, 2005, in the amount of \$150,000
- c) Authorize the Director of ADMHS to approve amendments to the proposed contracts, provided that any such amendments do not exceed ten percent (10%) of the contract's dollar amount.

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

a) and b) Approved; Chair to execute.

c) Authorized.

The motion carried unanimously.

A-5) AUDITOR-CONTROLLER [File Reference No. 04-00805](#)

Receive and file report summarizing the annual allocations from the County Supplemental Law Enforcement Services Fund for fiscal year 2003-2004.

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

A-6) FIRST 5, CHILDREN AND FAMILIES COMMISSION [File Reference No. 04-00806](#)

Consider recommendations regarding the appointment of Members to the First 5 of Santa Barbara Children & Families Commission, as follows:

a) Reappoint Director of Alcohol, Drug and Mental Health James L. Broderick, Health Officer Elliot Schulman M.D., and the Director of Social Services Kathy Gallagher, regular "County Members" of the First 5 Santa Barbara Children and Families Commission for the term of July 1, 2004 to June 30, 2005;

b) Reappoint Patti Stewart as alternate "County Member" of the First 5 Children and Families Commission for the term of July 1, 2004 to June 30, 2005;

c) Reappoint Hugo Lara and Rita Madden, as "Regular Community Members" of the First 5 Santa Barbara Children and Families Commission for the term of July 1, 2004 to June 30, 2006;

d) Reappoint Dr. Mary P. Cederberg and Pattie Moore as "Alternate Community Members" of the First 5 Santa Barbara Children and Families Commission for the term of July 1, 2004 to June 30, 2006.

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

a) Through d) Approved.

The motion carried unanimously.

A-7) COUNTY EXECUTIVE OFFICE [File Reference No. 04-00807](#)

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

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

A-8) GENERAL SERVICES [File Reference No. 04-00801](#)

Consider recommendations regarding the Hall of Records Geothermal Project (# 8644), First District, as follows:

a) Approve Amendment No. 1 in the amount of \$43,307.83 and extending the contract termination date from April 30, 2004 to June 1, 2004, for a total contract in the amount of \$428,707.83;

b) Approve the Notice of Completion for the Courthouse Hall of Records Geothermal Loop Field.

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

a) and b) Approved.

The motion carried unanimously.

A-9) PLANNING AND DEVELOPMENT

[File Reference No. 04-00809](#)

Set date to consider the request of Maria Murdock, to consider an Agricultural Preserve Replacement Contract (Case No. 03AGP-00000-00030) located approximately 1 ½ miles, northwest of the intersection of Highway 101 and Santa Rosa Road, known as 8700 Santa Rosa Road (APN 083-180-007) Buellton area, Third District. (SET DATE FOR SEPTEMBER 21, 2004 ON ADMINISTRATIVE AGENDA)

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set on the Administrative Agenda, as follows: September 21, 2004. The motion carried unanimously.

A-10) PUBLIC HEALTH

[File Reference No. 04-00803](#)

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

A-11) PUBLIC WORKS

[File Reference No. 04-00808](#)

Require the subdivider to post a certified check in the amount of \$7,000 to guarantee the setting of the interior monumentation for Tract No. 14,499 Bluffs at Mesa Oaks Phase 2 & 3 pursuant to Section 66496 of the State Subdivision Map Act, Fourth District.

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

Hearing Requests

A-12) GENERAL SERVICES

[File Reference No. 04-00800](#)

Set a special hearing for August 17, 2004 beginning at 8:30 AM in the Santa Barbara County Courthouse Mural Room, as follows:

- a) Hold a ceremonial hearing of the Board of Supervisors in the Mural Room of the historic County Courthouse to commemorate the 75th anniversary of the dedication of the Courthouse;
- b) Receive presentations and proclamations from community leaders regarding the importance of the Courthouse locally, nationally and internationally;
- c) Join the Native Sons of the Golden West in rededicating the Courthouse with the setting of a plaque commemorating this special day;
- d) Join the community at a reception under the main arch immediately following the rededication

ceremony, hosted by the Santa Barbara Courthouse Legacy Foundation.
(Time estimate 90 minutes)

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: August 17, 2004 (EST. TIME: 90 MIN.) The motion carried unanimously.

A-13) PLANNING AND DEVELOPMENT

[File Reference No. 04-00802](#)

Set a hearing to consider initiation of amendments to the Local Coastal Program, the Land Use Element and the Inland Zoning Ordinance, as follows:

a) Initiate textual amendments to the County's Coastal Plan and Coastal Zoning Ordinance, eliminating the designation of Gaviota as a consolidated oil/gas processing site, eliminating the designation of Gaviota as a consolidated oil and gas planning area, adding the designation of Gaviota as a consolidated pipeline terminal, and enabling the operation of a consolidated pipeline terminal as a legal conforming use in the Agriculture II zone district;

b) Initiate map amendments to the County's Gaviota Coast Rural Region Land Use Designations Map and the Gaviota Coast Rural Region Zoning District Map as follows:

i. Revise the land-use designation of the former Gaviota consolidated oil and gas processing facility (currently APN 081-130-070) from Coastal-Dependent Industry (ICD) to Agriculture II (A-II);

ii. Revise the zone district of the former Gaviota consolidated oil and gas processing facility (currently APN 081-130-070) from Coastal-Dependent Industry (M-CD) to Agriculture II (AG-II-320).

c) Initiate map amendments to the County's Gaviota Coast Rural Region Land Use Designations Map and the Gaviota Coast Rural Region Zoning District Map as follows:

i. Revise the land-use designation of the former Gaviota Marine Terminal (currently APNs 081-130-060 and 081-130-019) from Coastal-Dependent Industry (ICD) to Park and Recreation (REC);

ii. Revise the zone district of the former Gaviota Marine Terminal (currently APNs 081-130-060 and 081-130-019) from Coastal-Dependent Industry (M-CD) to Recreation (REC)

d) Initiate textual amendments to the County's Coastal Plan, repealing Policies 6-13A through 6-13D that establish criteria for siting new oil tank farms in the Coastal Zone.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: September 7, 2004 (EST. TIME: 60 MIN.) The motion carried unanimously.

A-14) PLANNING AND DEVELOPMENT

[File Reference No. 04-00804](#)

Set a hearing to consider amendments to the Santa Barbara County Comprehensive Plan and the Santa Barbara County Code, adding policies to the Coastal Plan and Land Use Element, and adding regulations to the Coastal and Inland Zoning Codes, to address abandonment of certain oil and gas facilities, as recommended by the County Planning Commission.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: September 21, 2004 (EST. TIME: 90 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

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

[File Reference No. 04-00316](#)

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) (04-00,316)**

RE: Food Bank / Prop. 172 Funds - Sister Janet Corcoran addressed the Board.

RE: Support for Libraries / Annual Chicken B-B-Q and Health Fair on Saturday, September 18, 2004 / Book Fair on Saturday, August 14, 2004 - Hinda Beaman addressed the Board.

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

Departmental Agenda -- Public Hearings

Department requests continuance of Departmental Item No. 1) to October 26, 2004.

- 1) PLANNING AND DEVELOPMENT [File Reference No. 04-00070](#)
HEARING - Consider recommendations regarding the Zoning Ordinance Reformatting Project.
A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Continued, as follows: October 26, 2004 (EST. TIME: 60 MIN.) The motion carried unanimously.

- 2) PUBLIC WORKS [File Reference No. 04-00686](#)
HEARING - Consider the adoption (Second Reading) of an ordinance amending Section 23-13.5 of the Santa Barbara County Code, adding weight limit restrictions of 14,000 pounds gross to several roads in the Butterfly Beach area, First District. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE
A motion was made by Supervisor Schwartz, seconded by Supervisor Gray, that this matter be Adopted

ORDINANCE NO. 4544

The motion carried unanimously.

- 3) COUNTY EXECUTIVE OFFICE [File Reference No. 04-00773](#)
HEARING - Consider the Board of Supervisors Response to the FY 2003-2004 Grand Jury Report entitled: "Criminal Justice and Detention Facilities", as follows: (EST. TIME: 30 MIN)

a) Adopt the recommended responses as the Board of Supervisors' responses to the 2003-04 Grand Jury Report on "Criminal Justice and Detention Facilities";

b) Authorize the Chair to execute the letter forwarding the responses to the Presiding Judge.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE
A motion was made by Supervisor Schwartz, seconded by Supervisor Gray, that this matter be Acted on as follows:

Received and filed staff report and conducted public hearing.

a) **Adopted.**

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

The motion carried unanimously.

- 4) PLANNING AND DEVELOPMENT [File Reference No. 04-00762](#)
HEARING - Consider the Planning Commission's recommendation to approve the Planning and Development Department's request to rezone the commercial district of the community of Casmalia from "Retail Commercial" (C-2) to "Limited Commercial" (C-1) (APNs 113-311-004; 113-312-006; 113-313-001, -002, -003, -004, -005; 113-314-001, -002, -003, -004, -013, -014; 113-316-001 (western portion); 113-319-001 (western portion); and 113-319-005 (western portion), Casmalia area, Fourth District, as follows: (EST. TIME: 30 MIN.)

- a) Adopt the required findings for 04RZN-00000-00004 specified in the Planning Commission Action Letter dated June 17, 2004;
- b) Approve Negative Declaration 04NGD-00000-00014;
- c) Adopt an Ordinance to rezone a portion of the Casmalia community from 'C-2' to 'C-1' (04RZN-000000-00004).

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- a) Adopted.
- b) Approved.
- c) Adopted.

ORDINANCE NO. 4545

The motion carried unanimously.

5) PLANNING AND DEVELOPMENT

[File Reference No. 04-00441](#)

HEARING - Consider the Clevenger/Pahler appeal of the Planning Commission's April 14, 2004 denial of 03TPM-00000-00001 involving an application to approve a Tentative Parcel Map dividing a 10.75 acre parcel into two parcels of 5.75 acres and 5 acres in the AG-I-5 Zone District under Art. III, located on Alamo Pintado Road (APN 137-110-053) Solvang Area, Third District, as follows:

- a) Adopt the required findings for the project (Attachment B to the Board letter dated June 22, 2004);
- b) Deny the appeal, upholding the Planning Commission's de facto denial (based on failure of motion to pass) of Tentative Parcel Map application 03TPM-00000-00001;
- c) Deny the Tentative Parcel Map 03TPM-00000-00001.

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

Received and filed staff report and conducted public hearing. Continued matter to October 12, 2004 in Santa Maria for Board deliberation.

The motion carried unanimously.

6) COUNTY EXECUTIVE OFFICE

[File Reference No. 04-00682](#)

HEARING - Consider recommendations regarding the Providence Landing Community Facilities District, as follows: (EST. TIME: 30 MIN.)

- a) Receive presentation on proposed creation of Providence Landing Community Facilities District (CFD) to fund operation and maintenance costs of a community park;
- b) Find that the Board has considered the environmental effects of the community park which is proposed to be funded by the proposed Community Facilities District and find that environmental review that has already been performed for the Providence Landing Subdivision is adequate for the

formation of the Community Facilities District;

c) Adopt a resolution of intention to create a Providence Landing Community Facilities District and to approve proposed CFD boundaries; designate the name of the CFD; identify types of facilities and services to be provided; declare intention to form the CFD and intention to levy special tax; set a time and place of public hearing; and establish voting procedures for a landowner election;

d) Direct the County Parks Director to file a report with the Board containing a brief description of the services that will be provided and the estimate of costs to provide those services.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) Received and filed staff report.

b) Approved.

c) Adopted.

RESOLUTION NO. 04-225

d) Directed.

The motion carried unanimously.

2:00 PM . . . Presentation of Resolutions and Awards

Planning Items and Public Hearings

7) PLANNING AND DEVELOPMENT

[File Reference No. 04-00608](#)

HEARING - Consider adoption of a resolution formally initiating the Comprehensive Plan amendments, including related rezones, proposed by the Santa Ynez Valley Community Plan - Initiation Draft Project Description. (EST. TIME: 2 HRS.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

NOTE: PUBLIC HEARING CLOSED. PUBLIC TESTIMONY WILL BE LIMITED TO NEW MATTERS NOT DISCUSSED AT THE AUGUST 3, 2004 HEARING.

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

Received and filed staff report and conducted public hearing.

Adopted a Resolution initiating the Project Description for the Santa Ynez Valley Community Plan as described in Appendix B of the July 13, 2004 Planning and Development staff report and amended as follows at the August 10, 2004 hearing:

Directed staff to delete the proposed Mountainous land use and the Mountainous zoning designation from the rural lands; to delete Appendix B.3.b from the project description (proposed Mountainous Area - Santa Ynez Valley Ordinance); to delete Appendix B.3.c from the project description (proposed "D" Design Control Overlay District Ordinance) and to move that to the alternatives for analysis.

To amend the proposed zoning maps from the July 13, 2004 Planning and Development staff report to delete proposed new application of the "D" Design Control Overlay District.

RESOLUTION NO. 04-226

The motion carried by the following vote:

Ayes: 3 - Supervisor Schwartz, Supervisor Rose and Supervisor Marshall
Noes: 2 - Supervisor Gray and Supervisor Centeno

8) PLANNING AND DEVELOPMENT[File Reference No. 04-00643](#)

HEARING - Consider options regarding the Legacy Estates Tract Map appeal of the Planning Commission's April 14, 2004 split decision (2-2) resulting in a de facto denial of the map request, located mostly west of Den St. and south of Coiner St. in the southwest corner of the township of Los Alamos (APNs 101-201-001, 101-202-001, 101-231-001, 101-232-001, 101-233-001, 101-234-001, & 101-242-001), and provide direction as appropriate, Third District, as follows: (EST. TIME: 1 HR.)

- a) Retain jurisdiction over the appeal and direct staff to calendar the appeal after completion of the EIR;
- b) Remand the project back to the Planning Commission (after the EIR has been prepared);

OR

- c) Direct staff to reagendaize the item after completion of the EIR and then decide to either retain jurisdiction or remand the project back to the Planning Commission.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- a) No action taken.
- b) Approved. Directed that the project be remanded back to the Planning Commission after the preparation of the EIR.
- c) No action taken.

The motion carried unanimously.

Adjourn to August 17, 2004

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

Recess and Reconvene at 8:30 AM

County Courthouse Mural Room
1100 Anacapa Street, Santa Barbara, CA

Recess and Reconvene at 10:00 AM

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

Adjourn**Announcements**

THE MEETING OF AUGUST 10, 2004 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, AUGUST 12, 2004 AT 5:00 P.M. ON GATV CHANNEL 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, AUGUST 24, 2004. IN ADDITION, THE BOARD WILL NOT MEET ON TUESDAY AUGUST 31, 2004; THIS IS A FIFTH TUESDAY (ORDINANCE NO. 3352). THE NEXT REGULAR MEETING WILL BE TUESDAY, SEPTEMBER 7, 2004, IN SANTA BARBARA.

<http://www.countyofsb.org>