

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

**ACTION SUMMARY**

**January 27, 2004**

**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.

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

**Invocation: Will Reed, Housing and Community Development Department**

**Report from Closed Session**

No reportable action taken.

**Approval of Minutes of the January 20, 2004 meeting**

A motion was made by Supervisor Rose, 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  
Absent: 1 - Supervisor Gray

**Administrative Agenda**

**Resolutions to be Presented at 2:00 PM**

A-1) SUPERVISOR ROSE[File Reference No. 04-00106](#)

Adopt a Resolution of Commendation honoring Bronwen Armstrong, RN upon her retirement after 25 years of service to the Public Health Department.

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

**RESOLUTION NO. 04-017**

**The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

**Honorary Resolutions**A-2) SUPERVISOR SCHWARTZ[File Reference No. 04-00099](#)

Adopt a Resolution honoring Father Virgil Cordano's 85th Birthday.

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

**RESOLUTION NO. 04-018**

**The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

**Administrative Items**A-3) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 04-00096](#)

Consider recommendations regarding psychiatric nurse services, as follows:

a) Approve and execute a payroll contract for psychiatric nurse services with Elizabeth Padden, R.N., for the period of February 2, 2004 through June 30, 2004, in the amount of \$35,246;

b) Authorize the Director of Alcohol, Drug & Mental Health Services (ADMHS) to approve amendments to the proposed contract, providing that any such amendments do not exceed ten percent (10%) of the total contract value.

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

a) **Approved; Chair to execute.**

b) **Authorized.**

**The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

A-4) AUDITOR-CONTROLLER [File Reference No. 04-00100](#)

Receive and file the biennial audit report for the Probation Department for the two years ended June 30, 2003.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Received and filed.**

**The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

A-5) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 04-00110](#)

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

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

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

Absent: 1 - Supervisor Gray

A-6) COUNTY EXECUTIVE OFFICE [File Reference No. 04-00109](#)

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

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

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

Absent: 1 - Supervisor Gray

- A-7) COUNTY EXECUTIVE OFFICE [File Reference No. 04-00104](#)
- Approve the continued Local Emergency, Resolution Number 03-384, due to the ongoing earthquake emergency resulting from the December 22, 2003 San Simeon Earthquake.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Approved. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Centeno  
Absent: 1 - Supervisor Gray
- A-8) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 04-00101](#)
- Approve the appointments, in lieu of election, of candidates who filed nomination papers for County Central Committee offices for the March 2, 2004 Consolidated Presidential Primary, pursuant to Section 7228 of the California Elections Code.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Approved. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Centeno  
Absent: 1 - Supervisor Gray
- A-9) PARKS [File Reference No. 04-00105](#)
- Accept the Grant of Easement for Equestrian and Hiking Trail from Pacificor, Inc. (APNs 153-260-052 & 054) and authorize the Clerk of the Board to execute the Certificate of Acceptance, San Roque Area, Second District.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Accepted. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Centeno  
Absent: 1 - Supervisor Gray
- A-10) PLANNING AND DEVELOPMENT [File Reference No. 04-00098](#)
- Approve a Budget Revision request to transfer one time funding of \$25,000 from Housing and Community Development, and one time transfer of Isla Vista Code Enforcement costs to County Redevelopment Agency to make \$30,000 of General Fund available to Planning and Development to assist in long-range planning efforts.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Withdrawn from the agenda. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Centeno  
Absent: 1 - Supervisor Gray
- A-11) PUBLIC WORKS [File Reference No. 04-00091](#)
- Adopt a resolution establishing a No Parking Zone on South Padaro Lane, Summerland area, First District.
- A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Adopted**
- RESOLUTION NO. 04-019**
- The motion carried by the following vote:**

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

A-12) PUBLIC WORKS [File Reference No. 04-00093](#)

Approve and execute the Fourth Amendment to the Lease Agreement between the County of Santa Barbara and the Foxen Canyon Landfill Limited Liability Corporation, to allow for an operational change at the Foxen Canyon Landfill from a landfill to a recycle center/ transfer station, Third District.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, 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 Centeno  
Absent: 1 - Supervisor Gray

A-13) PUBLIC WORKS [File Reference No. 04-00095](#)

Adopt a resolution establishing a "One Directional" stop control (One-Way) at the intersection of Ballard Canyon Road (southbound) and Chalk Hill Road, Santa Ynez area, Third District.

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

**RESOLUTION NO. 04-020**

**The motion carried by the following vote:**

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

A-14) PUBLIC WORKS [File Reference No. 04-00102](#)

Approve and execute an agreement for Services of Independent Contractor with Severn Trent Laboratories, Incorporated (not a local vendor) for Environmental Analytical Work associated with the Leaking Underground Fuel Tank (LUFT) Program, for the period of January 14, 2004 to January 14, 2005, in the amount of \$140,000, First, Second and Third Districts.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, 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 Centeno  
Absent: 1 - Supervisor Gray

A-15) SHERIFF [File Reference No. 04-00094](#)

Approve an application for destruction of jail records no longer required by law to be retained, pursuant to Government Code Section 26202.

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

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

A-16) TREASURER-TAX COLLECTOR [File Reference No. 04-00103](#)

Consider recommendations regarding the Treasurer's Investment Pool, 2003-2004 Second Quarter (October-December), as follows:

- a) Receive and file the 2003-2004 Second Quarter (October-December) report on the Treasurer's Investment Pool, pursuant to Government Code section 53646(b);
- b) Approve the Investment Policy Statement and authorize the County Treasurer to manage the investment pool in accordance with the Policy, pursuant to sections 53646(a) and 53607 of the Government Code;
- c) Receive and file the Auditor-Controller's Review Report on the assets held in the Santa Barbara County Treasury Pool for the quarter ended December 31, 2003.

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

- a) Received and filed.
- b) Approved.
- c) Received and filed.

**The motion carried by the following vote:**

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

## Hearing Requests

A-17) PUBLIC WORKS [File Reference No. 04-00092](#)

Set a hearing to consider recommendations regarding a proposed underground utility district on El Colegio Road in Isla Vista, Third District, as follows:

- a) Receive a report from the Road Commissioner setting forth the boundary of the underground utility district, the project schedule and the estimate of project costs;
- b) Consider adoption of a resolution creating the proposed underground utility district.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: February 17, 2004 (EST. TIME: 10 MIN.) The motion carried by the following vote:**

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

A-18) PUBLIC WORKS [File Reference No. 04-00097](#)

Set a hearing to consider adoption of a resolution adjusting fees for services provided by the County Surveyor relating to subdivision map and document review.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: February 10, 2004 in Santa Maria (EST. TME: 15 MIN.) The motion carried by the following vote:**

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

A-19) SUPERVISOR MARSHALL [File Reference No. 04-00111](#)

Approve the appointment of Stacey Matson to the Santa Barbara Coastal Vector Control District.

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

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

A-20) PLANNING AND DEVELOPMENT

[File Reference No. 04-00112](#)

Set a hearing to accept a briefing on the revised schedule and approach for the 2003-2008 Housing Element adoption.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: February 3, 2004 (EST. TIME: 30 MIN.) The motion carried by the following vote:

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

### Approval of Administrative Agenda

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

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

[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: Flowers and Birthday Wishes to First District Supervisor Naomi Schwartz - Fifth District Supervisor Joseph Centeno addressed the Board.

RE: Flag / County Issues - Floyd Meyer addressed the Board.

RE: Birthday Wishes to Naomi Schwartz / Warehouse Donations for the Santa Barbara County Food Bank - Sister Janet Corcoran addressed the Board.

**Departmental Agenda -- Public Hearings**1) PUBLIC WORKS[File Reference No. 04-00048](#)

HEARING - Consider adoption (Second Reading) of an ordinance approving the annexation of territory to the Santa Barbara North County Lighting District, creating a new zone of benefit and imposing an annual assessment. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

**ORDINANCE NO. 4524**

**The motion carried by the following vote:**

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

Absent: 1 - Supervisor Gray

2) PLANNING AND DEVELOPMENT[File Reference No. 04-00059](#)

HEARING - Consider options and provide direction in response to the California Coastal Commission's action to certify, with changes, the coastal portion of the Toro Canyon Plan, First District. (EST. TIME: 2 HRS.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

**Conducted public hearing and received and filed staff report.**

**A motion was made by Supervisor Rose, seconded by Supervisor Marshall as follows:**

**Designated Supervisor Naomi Schwartz as the Board of Supervisors' representative in discussions/negotiations between County and California Coastal Commission staff on suggested modifications to the coastal portion of the Toro Canyon Plan.**

**The motion carried as follows:**

**Ayes: Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Centeno**

**Noes: None**

**Absent: Gray**

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose as follows:**

**Approved Option 3, as reflected on page 2 and 3 of Planning and Development staff report dated January 27, 2004.**

**Continued matter to March 23, 2004. Public Hearing closed. Testimony on March 23, 2004 will be limited to new information presented at hearing.**

**The motion carried as follows:**

**Ayes: Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Centeno**

**Noes: None**

**Absent: Gray**



3) PUBLIC HEALTH [File Reference No. 03-01152](#)

HEARING - Receive a report from the Public Health Department on the requirements of the Medical Marijuana Identification Card Law (SB 420) and the status of plans for implementing a Medical Marijuana Identification Card Program in the State and in Santa Barbara County. (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

Conducted public hearing and received and filed staff report.

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

**Planning Items and Public Hearings**

4) BOARD OF DIRECTORS, WATER AGENCY and PARKS [File Reference No. 04-00057](#)

HEARING - Consider approval and execution of a Memorandum of Understanding between the County of Santa Barbara, the Santa Barbara County Water Agency, the Cachuma Conservation Release Board and the Santa Ynez River Water Conservation District, Improvement District No. 1. regarding the Surcharge of Lake Cachuma and the Protection of Recreational Resources, Third District. (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION:

**A motion was made by Supervisor Schwartz, seconded by Supervisor Centeno, that this matter be Acted on and continued, as follows: Conducted public hearing. Received and filed staff report and continued the matter to February 10, 2004 in Santa Maria. The motion carried by the following vote:**

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

Absent: 2 - Supervisor Rose and Supervisor Gray

5) PLANNING AND DEVELOPMENT [File Reference No. 04-00043](#)

HEARING - Consider recommendations regarding an amendment to the County Subdivision Regulations, as follows: (EST. TIME: 1 HR.)

a) Consider the introduction (First Reading) of Case No. 03ORD-00000-00006 that proposes to amend the text of the Subdivision Regulations for the County of Santa Barbara, Chapter 21 of the County Code. The proposed amendment would revise Division 3.2 by adding a process whereby property owners may apply to modify conditions that regulate the development of lots created by unrecorded lot splits approved by the County pursuant to Ordinance No. 791 (as amended);

b) Approve the Final Negative Declaration (03-ND-027);

c) Adopt the CEQA findings;

d) Approve Case No. 03ORD-00000-00006 (First Reading) amending the text of the Subdivision Regulations, Chapter 21 of the County Code;

e) Set a hearing for the Second Reading on February 10, 2004.

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

Conducted public hearing and received staff report.

a) Read title; waived reading of ordinance in its entirety. Introduction approved. adoption (second reading) of Ordinance set for February 10, 2004 in Santa Maria.

b) Approved.

c) Adopted.

d) Approved.

e) Continued to February 10, 2004 in Santa Maria. The motion carried by the following vote:

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

Absent: 1 - Supervisor Rose

**Adjourn to February 3, 2004**

**County Administration Building**

**Board Hearing Room**

**105 East Anapamu Street , Fourth Floor**

**Santa Barbara**

**Adjourn**

**Announcements**

THE MEETING OF JANUARY 27, 2004 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, JANUARY 29, 2004 AT 5:00 P.M. ON GATV CHANNEL 20.

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