

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

**ACTION SUMMARY**

**September 07, 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, Supervisor Gray and Supervisor Centeno

**Invocation: Nancy Ramirez, Public Defender's Office**

**Report from Closed Session**

No reportable action taken. Continued the Closed Session to Wednesday, September 8, 2004 at 12:30 PM in the Board of Supervisors Private Conference Room, County Administration Building, Fourth Floor, 105 E. Anapamu Street, Santa Barbara.

**Approval of Minutes of the August 17, 2004 meeting**

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

**Administrative Agenda**

**Honorary Resolutions**

A-1) SUPERVISOR MARSHALL [File Reference No. 04-00856](#)

Adopt a Resolution of Commendation for Judy Hinchcliffe upon her retirement from the Probation Department.

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

**RESOLUTION NO. 04-241**

**The motion carried unanimously.**

### Administrative Items

A-2) AGRICULTURAL COMMISSIONER [File Reference No. 04-00868](#)

Approve the appointment of Sam Frye, nominated by the Santa Barbara Farm Bureau, as an alternate to the Agricultural Advisory Committee.

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

A-3) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 04-00879](#)

Approve and execute Negotiated Net Amount (NNA) treatment service agreements for the period of July 1, 2004 through June 30, 2005, in a provisional amount of \$619,728, as follows:

a) Approve and execute and agreement with Casa Serena, Inc. (a local vendor) for alcohol and other drug residential and outpatient treatment services for a maximum contract amount of \$144,500;

b) Approve and execute and agreement with Family Life Counseling Services (a local vendor) for alcohol and drug treatment services for a maximum contract amount of \$124,475;

c) Approve and execute and agreement with Mental Health Systems (not a local vendor) for Substance Abuse Treatment Court (SATC) and Substance Abuse Crime Prevention Act (SACPA) alcohol and drug outpatient treatment services for a maximum contract amount of \$350,753.

d) Authorize the Director of Alcohol, Drug, and Mental Health Services to approve amendments to the proposed contracts, providing that any such amendments or modifications do not exceed ten percent (10%) of the total contract value.

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

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

**d) Authorized.**

**The motion carried unanimously.**

A-4) AUDITOR-CONTROLLER [File Reference No. 04-00852](#)

Adopt a resolution and tax rate establishing a 2004-05 Rate of Tax Levy for the Santa Maria Valley Water Resource Conservation District in the County of Santa Barbara.

**A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Withdrawn from the agenda. The motion carried unanimously.**

- A-5) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 04-00854](#)
- Accept a Quitclaim Deed for real property (flood control basin) from Cal-Westgate Ranch, LLC, a California Limited Liability Company (APN 117-240-007) and authorize the Clerk of the Board to execute the Certificate of Acceptance, City of Santa Maria, Fifth District (4/5 vote).
- A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Accepted. The motion carried unanimously.**
- A-6) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 04-00855](#)
- Accept a Permanent Basin Easement from Marguerite E. Noto-Bianchi and John R. Bianchi (APN 029-041-007) associated with the El Encanto Debris Basin Project and authorize the Clerk of the Board to execute the Certificate of Acceptance, City of Santa Barbara, First District (4/5 vote).
- A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Accepted. The motion carried unanimously.**
- A-7) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 04-00858](#)
- Approve and authorize Chair to execute the Owner's Agreement to construct and maintain private drainage improvements with Patterson Plus, LLC, owners of Patterson Packing Development (Case File No. 01-DP-006, APNs 069-160-052 & 054), Goleta area, Second District.
- A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Approved; Chair to Execute. The motion carried unanimously.**
- A-8) COUNTY EXECUTIVE OFFICE [File Reference No. 04-00887](#)
- Approve Budget Revision requests. (SEE EXHIBIT A WITH POSTED AGENDA)
- A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Approved. The motion carried unanimously.**
- A-9) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 04-00881](#)
- Consider recommendations regarding Predevelopment HOME Funding for G & College Apartments, Lompoc area, Fourth District, as follows:
- a) Find that the Mitigated Negative Declaration that was performed by the City of Lompoc for this affordable housing project, a copy of which is on file with the County Clerk, was considered by the Board of Supervisors and that there is no substantial evidence that the project will have a significant effect on the environment;
  - b) Approve the commitment of a predevelopment loan in the amount of \$486,000 in County HOME funding to the Lompoc Housing Assistance Corporation (LHAC) for the predevelopment costs of the G & College Family Apartments in Lompoc;
  - c) Authorize the Director of Housing and Community Development to execute a Loan Agreement, Deed of Trust and a Regulatory Agreement with the Lompoc Housing Assistance Corporation (LHAC) for the construction of this project, consistent with the terms and conditions included in the Board letter dated September 7, 2004 and attachments.

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

a) Adopted.

b) Approved.

c) Authorized.

The motion carried unanimously.

A-10) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[File Reference No. 04-00851](#)

Adopt a resolution, effective August 30, 2004, to implement changes approved during fiscal year 2004-05 budget hearings as follows:

DEPARTMENT OF SOCIAL SERVICES (#5810)

Delete: 1.0 FTE Accounting Assistant II (Class 0061), Range 4366(\$2,141-\$2,614 per month);

Add: 1.0 FTE Accountant III (Class 0016), Range 5686 (\$4,135-\$5,048 per month).

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

**RESOLUTION NO. 04-242**

The motion carried unanimously.

A-11) PLANNING AND DEVELOPMENT

[File Reference No. 04-00869](#)

Consider adoption of a resolution to amend procedural rules governing planning, zoning and subdivision hearings Section 4.2, as follows:

a) Find that the amendment is not subject to the California Environmental Quality Act pursuant to Section 15378(b)(5) of the Guidelines for Implementation of CEQA;

b) Adopt a Resolution amending procedural rules governing planning, zoning and subdivision hearings Section 4.2 to revise the public comment letter submittal deadline for the Montecito Planning Commission and to change references from Resource Management Department to Planning and Development Department and to add a reference to the Montecito Planning Commission.

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

a) Adopted.

b) Adopted.

**RESOLUTION NO. 04-243**

The motion carried unanimously.

A-12) PLANNING AND DEVELOPMENT

[File Reference No. 04-00875](#)

Set date to consider the request of Jennifer Trunk, Penfield and Smith, agent for Dean and Catherine Brown, for one Agricultural Preserve Replacement Contract (Case No. 98-AP-025) located approximately 5 ½ miles southwest of the intersection of Alisos Canyon and Foxen Canyon Roads (APN 133-110-059), Los Olivos area, Third District. (SET ON ADMINISTRATIVE AGENDA FOR SEPTEMBER 21, 2004)

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

A-13) PLANNING AND DEVELOPMENT

[File Reference No. 04-00876](#)

Set date to consider the request of Jennifer Trunk, Penfield and Smith, agent for Dean and Catherine Brown, for one Agricultural Preserve Replacement Contract (Case No. 98-AP-024) located approximately 5 ½ miles southwest of the intersection of Alisos Canyon and Foxen Canyon Roads (APN 133-110-057, -060), Los Olivos area, Third District. (SET ON ADMINISTRATIVE AGENDA FOR SEPTEMBER 21, 2004)

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

A-14) PROBATION

[File Reference No. 04-00850](#)

Approve and authorize Chair to execute an agreement with the Community Action Commission (a local vendor) to provide lunch to the Santa Barbara Juvenile Hall and the Villa Esperanza Counseling and Education Center and lunch and dinner meals to the Santa Maria Juvenile Hall for the period of July 1, 2004 to June 30, 2005 in an amount not to exceed \$327,636.

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

A-15) PUBLIC HEALTH

[File Reference No. 04-00878](#)

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

A-16) PUBLIC HEALTH

[File Reference No. 04-00889](#)

Consider renewal of Agreements for Animal Control Services with Cities of Goleta, Solvang and Guadalupe, as follows:

a) Approve and execute the Agreement with the City of Goleta to provide animal control services for the period July 1, 2004 to June 30, 2005 in the amount of \$157,813;

b) Approve and execute the Agreement with the City of Solvang to provide animal control services for the period July 1, 2004 to June 30, 2005 in the amount of \$27,198;

c) Approve and execute the Agreement with the City of Guadalupe to provide animal control services for the period July 1, 2004 to June 30, 2005 in the amount of \$31,380.

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

a) through c) Approved; Chair to execute.

The motion carried unanimously.

A-17) PUBLIC WORKS

[File Reference No. 04-00853](#)

Approve and authorize Chair to execute an Amendment to the Agreement dated August 26, 2003 with

the City of Solvang to assist with implementation of a Storm Water Management Program pursuant to National Pollutant Discharge Elimination System Phase II regulations, extending the period from August 10, 2004 through June 30, 2005, in an amount not to exceed \$50,544.83.

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

A-18) PUBLIC WORKS [File Reference No. 04-00888](#)

Accept the offer to dedicate two feet of additional Public Road Easement along Refugio Road associated with TPM 14,545, from Kenneth and Jan Delunas, located north of Highway 246 in the Santa Ynez area, Third District.

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

A-19) PUBLIC WORKS [File Reference No. 04-00862](#)

Adopt a resolution establishing a passenger loading zone from 7 AM to 3 PM school days only on Valencia Road, Summerland area, First District.

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

**RESOLUTION NO. 04-244**

**The motion carried unanimously.**

A-20) PUBLIC WORKS [File Reference No. 04-00864](#)

Adopt a resolution establishing angle parking zones on Clark Avenue, Orcutt Area, Fourth District.

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

**RESOLUTION NO. 04-245**

**The motion carried unanimously.**

A-21) PUBLIC WORKS [File Reference No. 04-00866](#)

Adopt a resolution establishing a passenger loading zone from 7 AM to 3 PM school days only on the south side of Oak Knoll Road, Orcutt area, Fourth District.

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

**RESOLUTION NO. 04-246**

**The motion carried unanimously.**

A-22) PUBLIC WORKS [File Reference No. 04-00870](#)

Authorize the Chair to execute Amendment No. 3 to the agreement with Quincy Engineering Incorporated for engineering plans, specification and estimates for the Design of Gaviota Beach Road and Bridge Replacement Project (Project No. 862231) in the amount of \$150,000 for a total in the amount of \$548,489.30, Third District.

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

A-23) PUBLIC WORKS [File Reference No. 04-00871](#)

Reject the one (1) bid for the Construction of 2004-05 Measure 'D' Preventive Maintenance Application of Fog Seal Coat (County Project No. 820515) pursuant to Article 25, Section 20395 of the California Public Contract Code, First, Second, Third and Fourth Districts.

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

**The motion carried unanimously.**

A-24) PUBLIC WORKS [File Reference No. 04-00872](#)

Adopt a resolution establishing a preferential residential parking permit area in the Isla Vista community, establishing parking prohibitions and restrictions within the permit area, and designating coastal access parking.

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

**RESOLUTION NO. 04-247**

**The motion carried unanimously.**

A-25) SHERIFF [File Reference No. 04-00857](#)

Consider recommendations regarding Indian Gaming Community Benefit Committee Grants, as follows:

a) Adopt a Personnel Resolution adding five (5) Sheriff's Deputies (Class 6904/6905; Salary Range 5572/5972 \$3,907-\$4,769/\$4,769-\$5,822 p/mo.) to be assigned to the Santa Ynez Valley effective July 5, 2004, funded by an Indian Gaming Community Benefit Committee Grant;

b) Approve a Budget Revision that recognizes the receipt of \$525,160 of Indian Gaming Community Benefit Committee Grant funds and appropriates these funds to Salaries and Employee Benefits.

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

**a) Adopted.**

**RESOLUTION NO. 04-248**

**b) Approved.**

**The motion carried unanimously.**

A-26) SHERIFF [File Reference No. 04-00880](#)

Approve a destruction of records request for disposal of old jail records eligible for destruction pursuant to Government Code Section 26202.

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

**Board of Supervisors**

- A-27) SUPERVISOR CENTENO [File Reference No. 04-00860](#)  
Approve the appointment of Jo Ann Oliver to the Advisory Board on Alcohol and Drug Problems, Fifth District.  
**A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Approved. The motion carried unanimously.**
- A-28) SUPERVISOR CENTENO [File Reference No. 04-00877](#)  
Approve the reappointment of Dolores Ann Doran to the Arts Commission, Fifth District.  
**A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Approved. The motion carried unanimously.**
- A-29) SUPERVISOR MARSHALL [File Reference No. 04-00874](#)  
Approve the appointment of Nancy Vasquez to the Advisory Board on Alcohol and Drug Problems, Third District.  
**A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Approved. The motion carried unanimously.**

### Hearing Requests

- A-30) GENERAL SERVICES [File Reference No. 04-00859](#)  
Set a hearing to receive a staff presentation regarding Departmental Injury Illness Prevention Programs in the County of Santa Barbara.  
**A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: October 5, 2004 (EST. TIME: 45 MIN.) The motion carried unanimously.**
- A-31) GENERAL SERVICES [File Reference No. 04-00884](#)  
Set a hearing to consider recommendations regarding the Santa Barbara County Local Vendor Outreach Program, as follows:  
  - a) Accept the annual report of the results of the Local Vendor Outreach Program;
  - b) Direct the Director of General Services and the Purchasing Manager to prepare a proposal to create a "Local Vendor Advisory Board" to assist the Purchasing Manager in developing techniques for improving Local Vendor Outreach.**A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: September 21, 2004 (EST. TIME: 20 MIN.) The motion carried unanimously.**
- A-32) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 04-00873](#)  
Set a hearing to consider recommendations regarding County-wide Housing Needs Educational Program, as follows:  
  - a) Approve the Housing and Community Development Department's initiative to create and implement a County-wide Housing Needs Educational Program (Program) in direct collaboration with businesses, educational institutions, and community based organizations for the purpose of disseminating housing facts, i.e. who "attainable" housing is for, and the overall financial impacts of

housing on the community;

b) Authorize the Housing and Community Development Department to serve as the principal Fiduciary Agent for the Program, which includes accepting funds from outside sources, expending CDBG and HOME Funds for this Program and administering the funds solely for the purpose of the Program;

c) Authorize the County Auditor-Controller to establish a designated account for all funds received for the Program;

d) Approve the maximum amount of financial gifts that can be received from any one entity will not exceed \$15,000 per year and direct staff to follow all applicable Government Code and County Policy requirements regarding acceptance of funds.

**A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: September 28, 2004 (EST.TIME: 15 MIN.) The motion carried unanimously.**

A-33) PLANNING AND DEVELOPMENT

[File Reference No. 04-00865](#)

Set a hearing to consider approval of amendments to the Article III Zoning Ordinance and the Orcutt Community Plan designed to facilitate the revitalization of Old Town Orcutt, Fourth District.

**A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: September 21, 2004 (EST. TIME: 60 MIN.) The motion carried unanimously.**

A-34) PLANNING AND DEVELOPMENT

[File Reference No. 04-00883](#)

Set hearing to consider adoption of revisions to the Inclusionary Housing Program and In-Lieu Fee Policy (04GPA-00000-00010), In-Lieu Fee amounts and maximum affordable sale price formula; action items identified in the County's adopted Housing Element 2003-2008, as follows:

a) Find that the Negative Declaration 04NGD-00000-00004 previously adopted by the Board of Supervisors for the Housing Element 2003-2008 update on March 29, 2004 adequately describes the potential environmental effects of revisions to the Inclusionary Housing Program and In-Lieu Fee Policy (04GPA-00000-00010);

b) Adopt a resolution to adopt Housing Element Amendment 04GPA-00000-00010 amending the Inclusionary Housing Program and In-Lieu Fee Policy in the Housing Element 2003-2008;

c) Adopt a resolution to adopt revised In-Lieu Fees under the Inclusionary Housing Program, land donation criteria, affordable unit and household adjustment factors, and affordable income, rental rate formulas, and revised maximum affordable sale price formula.

**A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: September 28, 2004 (EST. TIME: 180 MIN.) The motion carried unanimously.**

A-35) PLANNING AND DEVELOPMENT

[File Reference No. 04-00885](#)

Set a hearing to consider the Smullen appeal of the Planning Commission's June 9, 2004 decision to uphold the Planning and Development Department's approval of a land use permit (04LUP-00000-00377) for the Telesco detached garage, a 960 square foot detached garage containing a restroom and laundry area located approximately 400 feet southeast of the intersection of Refugio and Country Roads at 3060 Country Road (APN 141-330-013), Santa Ynez area, Third District.

A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: October 5, 2004 (EST. TIME: 60 MIN.) The motion carried unanimously.

A-36) PUBLIC HEALTH [File Reference No. 04-00867](#)

Set hearing to receive report regarding the status of Hepatitis C as it relates to the Needle Exchange Program.

A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: September 28, 2004 ( EST. TIME: 30 MIN.) The motion carried unanimously.

A-37) PUBLIC WORKS [File Reference No. 04-00861](#)

Set a hearing to consider recommendations regarding the proposed assignment of the Landfill Gas Lease and Operating Agreement between NEO Tajiguas LLC and the County of Santa Barbara executed on March 10, 1998, to Across America LFG, LLC, a Delaware limited liability company.

A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: September 28, 2004 (EST. TIME: 20 MIN.) The motion carried unanimously.

A-38) PUBLIC WORKS [File Reference No. 04-00863](#)

Set a hearing to consider introduction (First Reading) of an ordinance amending Chapter 23, Sections 23-15.5, of the Code of Santa Barbara County, pertaining to speed limits on Patterson Avenue, Second District.

A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: September 21, 2004 (EST. TIME: 15 MIN.) The motion carried unanimously.

A-39) SOCIAL SERVICES [File Reference No. 04-00882](#)

Set a hearing to receive a report on the status of the Workforce Investment Act and the Workforce Investment Board.

A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: October 19, 2004 (EST. TIME: 30 MIN.) The motion carried unanimously.

A-40) COUNTY EXECUTIVE OFFICE [File Reference No. 04-00901](#)

Consider amending the meeting schedule of the Board of Supervisors by canceling the regularly scheduled meeting of September 14, 2004.

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

A-41) COUNTY EXECUTIVE OFFICE [File Reference No. 04-00682](#)

Reschedule the hearing regarding the Providence Landing Community Facilities District from September 14, 2004 to October 12, 2004, to consider the following:

a) Adopt resolutions to form Providence Landing CFD by establishing boundaries; authorizing levy of special tax; approving types of facilities and services to be provided; setting special election to consider levy of Special Tax and establishing appropriations limit;

b) Hold special election for voters to consider levy of special tax and to establish appropriations limit;

c) Certify election results;

d) Consider the introduction (First Reading) of an ordinance to levy special tax for Providence Landing Community Facilities District.

**A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Rescheduled, as follows: October 12, 2004 in Santa Maria (EST. TIME: 60 MIN.) The motion carried unanimously.**

### **Approval of Administrative Agenda**

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

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

## 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) (04-00,316)**

**RE: Hospital Care / Food Bank Donations - Sister Janet Corcoran addressed the Board.**

**RE: Local 620 Negotiation Issues - Bruce Corsan, Crystal Neal, Murial Jones, Scott Quinn, Walter C. Hamilton addressed the Board.**

**RE: Vote in November - Floyd Meyer addressed the Board.**

**RE: Fire Issues in Toro Canyon - John Thorndike IV addressed the Board.**

**RE: Freedom in the USA - Richard Robinson addressed the Board.**

## **Departmental Agenda -- Public Hearings**

### **Department requests continuance of Departmental Item No. 1) to November 23, 2004.**

1) PLANNING AND DEVELOPMENT

[File Reference No. 04-00730](#)

HEARING - Consider the Sanders/Sierra Club/Krolak appeal of the Zoning Administrator's approval of Conditional Use Permit 00-CP-68, Caltrans' Rincon Bridge Replacements and realignment of a 0.7-mile section of Highway 150 along Rincon Creek in the AG-I Zone District bordering Ventura County, located primarily within the Caltrans right-of-way and would affect APNs 001-200-023, 001-200-024, 001-440-006, 001-450-002, and 001-450-007, Carpinteria area, First District.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Continued, as follows: November 23, 2004.**

**The motion carried unanimously.**

2) COUNTY EXECUTIVE OFFICE

[File Reference No. 04-00841](#)

HEARING - Consider adoption of a fee resolution to increase the 2004-05 library special tax rate in County Service Area #3 (Goleta) by 2.6% CPI adjustment for 2003. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

**RESOLUTION NO. 04-249**

**The motion carried unanimously.**

3) COUNTY EXECUTIVE OFFICE

[File Reference No. 04-00766](#)

HEARING - Consider the adoption (Second Reading) of an ordinance extending Ordinance No. 4514

for one year to enable dwelling vehicle parking at the County Administration Building parking lot in Santa Barbara to August 31, 2005, First District. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

**ORDINANCE NO. 4547**

The motion carried unanimously.

4) BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 04-00765](#)

HEARING - Consider recommendations regarding Santa Barbara County Regional Water Shortage and Drought Planning Efforts, as follows: (EST. TIME: 15 MIN.)

- a) Receive and file the Santa Barbara County Regional Water Shortage/Drought Plan;
- b) Direct staff to hold a public workshop on drought planning and response.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

Conducted public hearing.

- a) Received and filed staff presentation.
- b) Directed staff to conduct several workshops in conjunction with the local water purveyors as appropriate.

The motion carried unanimously.

5) PUBLIC WORKS [File Reference No. 04-00833](#)

HEARING - Consider recommendations regarding revised Congestion Mitigation Air Quality Grant for enhanced transit in Isla Vista and the Santa Ynez Valley, Third District, as follows: (EST. TIME: 30 MIN.)

- a) Support the Santa Barbara County Association of Governments Board of Director's approval of proposed amendments to the 1999 Congestion Mitigation Air Quality Grant (CMAQ), as follows:
  - i. Fund capital costs and the first 3 years of operations and maintenance costs associated with Isla Vista Electric Shuttle Service;
  - ii. Fund operation and maintenance costs associated with the first 3 years of the Santa Ynez Commuter bus service (a.k.a. Valley Express).

- b) Authorize the Director of Public Works to execute the Memorandum of Agreement between the County of Santa Barbara and the Santa Barbara Metropolitan Transit District (MTD) for the Isla Vista Electric Shuttle Service.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Marshall, seconded by Supervisor Schwartz, that this matter be Continued, as follows: September 21, 2004 (EST. TIME: 30 MIN.) The motion carried unanimously.

6) GENERAL SERVICES[File Reference No. 04-00849](#)

HEARING - Accept a staff presentation on the Workers' Compensation Injury Prevention Project for the County of Santa Barbara. (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

7) PLANNING AND DEVELOPMENT[File Reference No. 04-00758](#)

HEARING - Consider the Becket/Davidson appeal of the Zoning Administrator's approval of the Horvath Detached Residential Second Unit, 04CUP-00000-00007 (Case No. 04APL-00000-00011) located at 3184 Baseline Avenue (APN 141-100-005) Santa Ynez area, Third District, as follows: (EST. TIME: 1 HR.)

- a) Adopt the required findings for the project, specified in the Zoning Administrator's Action Letter dated May 27, 2004;
- b) Deny the appeal, upholding the Zoning Administrator's approval of 04CUP-00000-00007;
- c) Grant de novo approval of 04CUP-00000-00007 and its conditions of approval included in the Zoning Administrator's Action Letter dated May 27, 2004.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

**Received and filed staff report.**

**a) Adopted.**

**b) Denied.**

**c) Granted de novo approval of 04CUP-00000-00007, including a revision to the project description, Condition 1.0, addressing landscape screening requirements.**

**The motion carried unanimously.**

**2:00 P.M. .... Presentation of Resolutions and Awards****Planning Items and Public Hearings**8) PLANNING AND DEVELOPMENT[File Reference No. 04-00747](#)

HEARING - Consider adoption of a resolution initiating amendments to the Santa Barbara Coastal Plan, Land Use Element and Zoning Ordinances, for the purpose of updating Oil Transportation Policies and related regulations. (EST. TIME: 1 HR.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

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

**Adopted resolution.**

**RESOLUTION NO. 04-250**

**The motion carried unanimously.**

9) PLANNING AND DEVELOPMENT[File Reference No. 04-00802](#)

HEARING - Consider adoption of a resolution initiating amendments to the Santa Barbara County Comprehensive Plan and Zoning Code to update oil and gas consolidation policies and regulations, as follows: (EST. TIME: 1 HR.)

a) Amend the Coastal Plan by repealing policies 6-13A through 6-13D that address siting criteria for new oil tank farms in the Coastal Zone, and adding new policies 6-13A through 6-13C, along with a brief preamble, addressing consolidation of pipeline terminals;

b) Amend Policy 6-6D of the Coastal Plan and South Coast Policy 5 of the Land Use Element, replacing the designation of the consolidated oil and gas processing site at Gaviota (APNs 81-130-07, 052, and 053) with new designation as a consolidated pipeline terminal;

c) Amend the Gaviota Coast Rural Region Land Use Map of the Local Coastal Program, revising the land-use designation of the former Gaviota Interim Marine Terminal (APNs 081-130-060 and 081-130-019) from Coastal-Dependent Industry (I-CD) to Park and Recreation (REC)

d) Amend the Gaviota Coast Rural Region Zoning Map of the Local Coastal Program, revising the zone district of the former Gaviota Interim Marine Terminal (APNs 081-130-060 and 081-130-019) from Coastal-Dependent Industry (M-CD) to Recreation (REC);

e) Amend the Coastal Zoning Ordinance (Article II, Chapter 35, Santa Barbara County Code) as follows:

i. Revise Division 2 by repealing the definition of "Gaviota and Las Flores Canyon Consolidated Planning Areas";

ii. Revise Sec. 35-69, "AG II Agriculture II," to add consolidated pipeline terminals as a permitted use;

- iii. Revise Sec. 35-150, the "Purpose and Intent" section for Division 9, "Oil and Gas Facilities," to reflect a change in the designation of the former Gaviota oil and gas processing site (APNs 81-130-07, 52, and 53) from a consolidated oil and gas processing site to a consolidated pipeline terminal;
- iv. Revise Sec. 35-154, "Oil Processing Facilities Necessary or Related to Offshore Oil and Gas Development," to eliminate reference to the former Gaviota processing site (APNs 81-130-07, 52, and 53) as a consolidate oil and gas processing site in subsection 35-154.4B.d.
- v. Revise Sec. 35-157, "Oil and Gas Pipelines," to clarify the applicability of this section to pump stations;
- vi. Revise Sec. 35-158, "Onshore Exploration and/or Production of Offshore Oil and Gas Reservoirs," to eliminate applicability of this section to the Gaviota Planning Area;
- vii. Add a new section 35-159 that prescribes the permitting process and requirements for consolidated pipeline terminals;
- f) Amend the Inland Zoning Ordinance (Article III, Chapter 35, Santa Barbara County Code), revising Sec. 35-296, "Treatment and Processing Facilities," to delete reference to Gaviota as a consolidated oil and gas processing site;
- g) Direct staff to work with the State of California to realize conversion of the GTC site into public recreational use following reclamation of the site as a former oil terminal.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

Received and filed staff report and conducted public hearing.

RESOLUTION NO. 04-251

The motion carried by the following vote:

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

Noes: 1 - Supervisor Centeno

**Adjourn to September 21, 2004**

**County Administration Building**

**Board Hearing Room**

**105 East Anapamu Street , Fourth Floor**

**Santa Barbara**

**Adjourn**

**Announcements**

THE MEETING OF SEPTEMBER 7, 2004 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, SEPTEMBER 9, 2004 AT 5:00 P.M. ON GATV CHANNEL 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, SEPTEMBER 14, 2004. THE NEXT REGULAR MEETING WILL BE TUESDAY, SEPTEMBER 21, 2004 IN SANTA BARBARA.

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