

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

January 24, 2006

**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

CONVENED AT 9:02 AM

Roll Call

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

Pledge of Allegiance

Report from Closed Session

No reportable action taken.

Approval of Minutes of the January 17, 2006 Meeting.

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

Administrative Agenda

Resolutions to be Presented at 9:00 AM

HEARING TIME: 9:07 AM - 9:17 AM (10 MIN.)

A-1) SUPERVISOR CENTENO [File Reference No. 05-01188](#)

Adopt a Resolution of Commendation Honoring Deanna Lewotsky for 17 years of dedicated service to the Santa Barbara County Petroleum Office.

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

RESOLUTION NO. 06-020

The motion carried unanimously.

Honorary Resolutions

A-2) SUPERVISOR CARBAJAL [File Reference No. 06-00098](#)

Adopt a Resolution of Commendation Honoring the 2005 Carpinterian of the Year.

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

RESOLUTION NO. 06-021

The motion carried unanimously.

A-3) SUPERVISOR CARBAJAL [File Reference No. 06-00099](#)

Adopt a Resolution of Commendation Honoring the 2005 Junior Carpinterian of the Year.

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

RESOLUTION NO. 06-022

The motion carried unanimously.

Administrative Items

A-4) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 06-00055](#)

Consider the recommendations regarding the facilities maintenance services contracts with Robert Crombie and Mike Kuhn, as follows:

a) Approve and authorize the Chair to execute a contract in the amount of \$31,937, including County-mandated Contractor-on-Payroll benefits, effective July 1, 2005 through June 30, 2006, with Robert Crombie, a local vendor, to provide facilities maintenance services to ADMHS;

b) Approve and authorize the Chair to execute a contract in the amount of \$26,500, including County-mandated Contractor-on-Payroll benefits, effective September 26, 2005 through June 30, 2006, with Mike Kuhn, a local vendor, to provide facilities maintenance services to ADMHS; and

c) Authorize the Director of ADMHS to approve amendments to the proposed contracts, provided that

A motion was made by Supervisor Firestone, seconded by Supervisor Rose, that this matter be Continued, as follows:
February 7, 2006 in Santa Barbara. The motion carried unanimously.

A-5) GENERAL SERVICES [File Reference No. 05-01004](#)

Accept and authorize the Clerk of the Board to execute the Certificate of Acceptance regarding the Director Deed to the real property conveyed from the State of California, Department of Transportation, and situated at the Northeast corner of the intersection of Burton Mesa and Harris Grade Road in Lompoc, (05-SB-01 PM 21.9 Caltrans Parcel 2267-01-01; Real Estate Services Folio No. 003491), Fourth District.

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

A-6) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 06-00092](#)

Consider the recommendations regarding the Ellwood Apartments Project, Third District, as follows:

a) Find that on June 17, 2002, the Ellwood Apartments Project was determined by the City of Goleta to be CEQA exempt per Section 15332 and 15061(b)(3) for the project;

b) Approve the commitment of \$200,000 of City of Goleta HOME funds for permanent financing costs for the Ellwood Apartments, located at 360 Ellwood Beach Drive, Goleta, CA ; and

c) Authorize the Director of Housing and Community Development to execute the Loan Agreement in the total amount of \$200,000 and a Regulatory Agreement, and any required subordinations, all in substantially the form of the attachments to this Board letter, for the development of this project.

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

a) and b) Approved.

c) Authorized.

The motion carried unanimously.

A-7) PLANNING AND DEVELOPMENT [File Reference No. 06-00091](#)

Set the 2006 window dates for acting on proposed Land Use Element and Local Coastal Program Amendments, as follows:

a) Set February 7, May 16, July 25 and October 17, 2006 for proposed Comprehensive Plan Amendments; and

b) Set March 21, July 25 and October 17, 2006 for proposed Local Coastal Program Amendments.

A motion was made by Supervisor Firestone, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows:

a) Set for February 7, May 16, July 25, and Oct. 17, 2006 for proposed Comprehensive Plan Amendments.

b) Set for March 21, July 25, and Oct. 17, 2006 for Local Coastal Program Amendments.

The motion carried unanimously.

A-8) PLANNING AND DEVELOPMENT[File Reference No. 06-00096](#)

Authorize Planning and Development to approve and issue a grading permit, 05GRD-00000-00252 and a land use permit for the Oaks and Pine Creek neighborhoods (Rice Ranch) prior to recordation of TM 14,430 contingent upon all pre-grading conditions being met, located south of and adjacent to Rice Ranch and Stubblefield Roads (APNs 101-010-013, 101-020-004, and 105-140-016), Fourth District.

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

A-9) PUBLIC WORKS[File Reference No. 06-00053](#)

Consider the recommendations regarding the Preliminary Design and Environmental Services for the Tepusquet Low Water Crossing Replacement, County Project No. 862248, Fifth District, as follows:

- a) Authorize the Chair to execute an agreement with Quincy Engineering, Inc., not a local vendor, Sacramento, California, for preliminary design and environmental services for the Tepusquet Low Water Crossing Replacement, Project Number 862248, at a total cost of \$219,000; and
- b) Authorize the Director of Public Works to approve amendments to the agreement for supplemental work up to \$21,900.

A motion was made by Supervisor Firestone, seconded by Supervisor Rose, that this matter be Continued, as follows: February 7, 2006 in Santa Barbara. The motion carried unanimously.

A-10) PUBLIC WORKS[File Reference No. 06-00094](#)

Adopt a resolution establishing a "No Parking 2 AM to 5 AM" zone on Cathedral Oaks Road and Via Chaparral Road in the Goleta area, Second District.

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

RESOLUTION NO. 06-023

The motion carried unanimously.

A-11) PUBLIC WORKS[File Reference No. 06-00095](#)

Adopt a resolution establishing a "No Parking 2 AM to 5 AM" zone on Eucalyptus Lane in the Montecito area, First District.

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

RESOLUTION NO. 06-024

The motion carried unanimously.

Board of SupervisorsA-12) SUPERVISOR ROSE[File Reference No. 06-00100](#)

Approve the appointment of Pam Ferguson-Ettinger to the South County Regional Board of Architectural Review, Second District.

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

Hearing RequestsA-13) AUDITOR-CONTROLLER[File Reference No. 06-00093](#)

Set a hearing to consider the recommendation regarding Proposition 4/111 Appropriations Limit, as follows:

- a) Accept the KPMG LLP Independent Auditors' Report on the Appropriations Limit Worksheet for the year ended June 30, 2005;
- b) Accept the report of the Proposition 4/111 Appropriation Limits (GANN Initiative) as shown in Exhibits I through IV of the Board Letter dated January 24, 2006;
- c) Set a hearing for February 7, 2006 to consider ten resolutions, as follows:
 - i) Adopt a Resolution establishing an appropriation limit for FY 2005-06 for the County of Santa Barbara;
 - ii) Adopt a Resolution establishing an appropriation limit for FY 2005-06 for Santa Barbara County Service Area No. 3;
 - iii) Adopt a Resolution establishing an appropriation limit for FY 2005-06 for Santa Barbara County Service Area No. 4;
 - iv) Adopt a Resolution establishing an appropriation limit for FY 2005-06 for Santa Barbara County Service Area No. 5;
 - v) Adopt a Resolution establishing an appropriation limit for FY 2005-06 for Santa Barbara County Service Area No. 12;
 - vi) Adopt a Resolution establishing an appropriation limit for FY 2005-06 for Santa Barbara County Service Area No. 32;
 - vii) Adopt a Resolution establishing an appropriation limit for FY 2005-06 for Santa Barbara County Service Area No. 41;
 - viii) Adopt a Resolution establishing an appropriation limit for FY 2005-06 for the Santa Barbara County Fire Protection District;
 - ix) Adopt a Resolution establishing an appropriation limit for FY 2005-06 for the Santa Barbara County North County Lighting District; and
 - x) Adopt a Resolution establishing an appropriation limit for FY 2005-06 for the Santa Barbara County Flood Control and Water Conservation Districts.
- d) Select the change in the California Per Capita Personal Income as the price factor in determining the fiscal year 2005-06 limit for Santa Barbara County and the special districts, and ratify selections by recorded vote; and
- e) Select the change in population within Santa Barbara County and all contiguous counties as the

population factor in determining the fiscal year 2005-06 limit for Santa Barbara County, and the change in population within Santa Barbara County for the special districts, and ratify selections by recorded vote.

A motion was made by Supervisor Firestone, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: February 7, 2006 in Santa Barbara in Santa Barbara (EST. TIME: 5 MIN.) The motion carried unanimously.

A-14) PLANNING AND DEVELOPMENT

[File Reference No. 06-00088](#)

Set a hearing to consider Mr. Sperling's appeal of the Montecito Planning Commission's denial of his project, the Sperling 10 Foot High Fence (05CUP-00000-00035), Appeal Case No. 05APL-00000-00035, First District.

...Body

A motion was made by Supervisor Firestone, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: February 21, 2006 in Santa Barbara (EST. TIME: 60 MIN.) The motion carried unanimously.

A-15) PLANNING AND DEVELOPMENT

[File Reference No. 06-00089](#)

Set a hearing to consider the Thorson appeal of the Planning Commission denial of Recorded Map and Development Plan Modifications to Allow Archaeological Testing at the recorded open space easement in the Shadow Hills condominium development, Shadow Hills Boulevard, located west of Highway 154 at the north end of Via Chaparral, Goleta Community Plan Area, APN 059-380-022, Appeal Case No. 05APL-00000-00031, Second District.

A motion was made by Supervisor Firestone, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: February 7, 2006 in Santa Barbara (EST. TIME: 60 MIN.) The motion carried unanimously.

A-16) PLANNING AND DEVELOPMENT

[File Reference No. 06-00090](#)

Set a hearing to consider the appeal by Jack Maxwell (agent for the owners) of the Montecito Planning Commission's approval with conditions of the following Conditional Certificates of Compliance: 04COC-00000-00007 & 04CDP-00000-00090 (APN 009-162-010 and 009-162-022), 04COC-00000-00008 & 04CDP-00000-00091 (APN 009-162-032 and 009-162-033), and 04COC-00000-00010 & 04CDP-00000-00092 (APN 009-162-011 and 009-162-028), Appeal Case No. 05APL-00000-00032, First District.

A motion was made by Supervisor Firestone, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: February 21, 2006 in Santa Barbara (EST. TIME: 120 MIN.) The motion carried unanimously.

A-17) SUPERVISOR CENTENO and SUPERVISOR GRAY

[File Reference No. 06-00103](#)

Approve the appointment of Craig Lewis Atkinson as an alternate to the North County Regional Board of Architectural Review, Fourth District and Fifth District.

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

A-18) SUPERVISOR CENTENO and SUPERVISOR GRAY

[File Reference No. 06-00104](#)

Approve the appointment of Kevin J. Small to the North County Regional Board of Architectural Review, Fourth District and Fifth District.

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

Approval of Administrative Agenda

HEARING TIME: 9:02 AM - 9:07 AM (5 MIN.)

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

[File Reference No. 06-00049](#)

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) (06-00049)**

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

RE: California State Association of Counties Retirement Benefit Conference in Sacramento - Fourth District Supervisor Gray addressed the Board.

Departmental Agenda**Public Hearing and Planning Matters**1) **PUBLIC HEALTH**

[File Reference No. 06-00023](#)

HEARING - Consider the Animal Services Program fee adjustments, as follows: (EST. TIME: 20 MIN.)

- a) Adopt a Resolution adjusting the Animal Services fees to consumers effective March 1, 2006; and
- b) Authorize the Director of the Public Health Department to automatically adjust to the State determined fees for future changes for four fee categories.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 9:23 AM - 9:27 AM (4 MIN.)

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

Received and filed staff report.

- a) **Adopted.**

RESOLUTION NO. 06-025

- b) **Authorized.**

The motion carried unanimously.

2) COUNTY EXECUTIVE OFFICE and COUNTY COUNSEL [File Reference No. 05-01178](#)

HEARING - Consider recommendations regarding revisions to the Oak Tree Preservation and Regeneration Program and initiation of an Agricultural Resources/Baseline Condition Study, as follows: (EST. TIME: 1HR. 15 MIN.)

- a) Approve revisions to the text amendments initiated July 26, 2005, to the Oak Tree Protection and Regeneration Ordinance (Article IX of Chapter 35 of the County Code);
- b) Retain previous Board initiation of amendments to the Oak Tree Protection and Regeneration Ordinance (Article IX of Chapter 35 of the County Code) and Grading Ordinance (Chapter 14) to include "Program Clean-Up Items" and move the existing Grading Guidelines for Native Oak Tree Removal from Appendix A of the Grading Ordinance to the Oak Tree Protection and Regeneration Ordinance;
- c) Authorize and approve funding of an Agricultural Resources/Baseline Condition Study describing baseline conditions, threats, and impacts to agriculture that can be incorporated into program and project EIRs concerning agriculture, including proposed revisions to the County's Grading Ordinance; and
- d) Authorize execution of a Memorandum of Understanding with appellants in Center for Environmental Equality et al. v. County, Santa Barbara County Superior Court, Cook Division, Case No. 01128385, for dismissal of the Appeal of the judgment in favor of County immediately upon the Board of Supervisors taking the actions identified in a); b); and c) above.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:35 AM - 11:20 AM (1 HR. 45 MIN.)

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

Received and filed staff report and conducted public hearing.

- a) **Approved revision to previously initiated text amendments with modifications in Attachment 2 and 3 presented at the January 24, 2006 hearing.**
- b) **Approved.**
- c) **Authorized and approved.**
- d) **Authorized.**

The motion carried by the following vote:

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

Noes: 2 - Supervisor Carbajal and Supervisor Rose

3) COUNTY EXECUTIVE OFFICE and PLANNING AND DEVELOPMENT [File Reference No. 05-01176](#)

HEARING - Receive the second quarterly report on the Process Improvement Plan for the Planning and Development Department. (EST. TIME: 60 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:28 AM - 11:50 AM (22 MIN.)

A motion was made by Supervisor Firestone, 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.

4) PLANNING AND DEVELOPMENT

[File Reference No. 05-01164](#)

HEARING - Consider the recommendations of the County and Montecito Planning Commissions regarding the adoption of zoning ordinance text amendments to Articles II, III and IV of Chapter 35 of the Santa Barbara County Code, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Find that these amendments are categorically and statutorily exempt from the California Environmental Quality Act pursuant to Sections 15061(b)(3) and 15378(b)(5) of the Guidelines for Implementation of CEQA;
- b) Adopt findings for approval of the proposed amendments;
- c) Adopt a Resolution and direct staff to submit the following Local Coastal Program amendments to the California Coastal Commission for certification:
 - i) Amendment to the Article II, Coastal Zoning Ordinance, regarding revisions to noticing procedures (05ORD-00000-00016); and
 - ii) Amendment to the Article II, Coastal Zoning Ordinance, regarding revisions to appeals procedures (05ORD-00000-00019);
- d) Adopt an Ordinance amending Article III, Inland Zoning Ordinance, regarding revisions to noticing procedures (05ORD-00000-00017);
- e) Adopt an Ordinance amending Article IV, Montecito Zoning Ordinance, regarding revisions to noticing procedures (05ORD-00000-00018);
- f) Adopt an Ordinance amending Article IV, Montecito Zoning Ordinance, regarding revisions to appeal procedures (05ORD-00000-00020);
- g) Adopt an Ordinance amending Article III, Inland Zoning Ordinance, to add the new Orcutt Pilot Program (05ORD-00000-00021); and
- h) Approve the Orcutt Pilot Program Checklist as an appendix to Article III.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 11:55 AM - 12:50 PM

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

a) Approved.

b) Adopted.

c) Adopted as revised in the handout presented at the January 24, 2006 hearing.

i) RESOLUTION NO. 06-026

ORDINANCE NO. 4594

ii) RESOLUTION NO. 06-027

ORDINANCE NO. 4595

d) Adopted as revised in the handout presented at the January 24, 2006 hearing.

ORDINANCE NO. 4596

e) Adopted as revised in the handout presented at the January 24, 2006 hearing.

ORDINANCE NO. 4597

f) Adopted.

ORDINANCE NO. 4598

g) Adopted.

ORDINANCE NO. 4599

h) Approved with revisions to Attachment "H" of the "Orcutt Pilot Program" presented at the January 24, 2006 hearing, amended the term "Approval" of the Orcutt (BAR) Board of Architectural Review to "Review" of the Orcutt (BAR) Board of Architectural Review.

The motion carried unanimously.

ADJOURNED AT 12:50 PM

Adjourn to
Tuesday, February 7, 2006, 9:00 AM

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

Announcements

The meeting of January 24, 2006, will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, January 26, 2006, at 5:00 PM on CSBTv Channel 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, JANUARY 31, 2006; THIS IS A FIFTH TUESDAY (ORDINANCE NO. 3352). THE NEXT REGULAR MEETING WILL BE TUESDAY, FEBRUARY 7, 2006, IN SANTA BARBARA.

<http://www.countyofsb.org>