

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

**ACTION SUMMARY**

**May 24, 2005**

**BETTERAVIA GOVERNMENT CENTER  
BOARD HEARING ROOM  
511 EAST LAKESIDE PARKWAY, SANTA MARIA**

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, Redevelopment Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at:  
[www.countyofsb.org](http://www.countyofsb.org)

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

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

*(CONVENED AT 9:10 AM)*

**Roll Call**

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

**Invocation: Jeanette Candau, Housing and Community Development**

**Report from Closed Session**

No reportable action taken.

**Approval of Minutes of the May 17, 2005 meeting**

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

**Administrative Agenda**

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

*HEARING TIME: 2:18 PM - 2:30 PM (12 MIN.)*

A-1) SUPERVISOR GRAY [File Reference No. 05-00519](#)

Adopt a resolution honoring Joe and Philomene Sesto for 55 years of service to Santa Barbara County and Vandenberg Air Force Base.

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

**RESOLUTION NO. 05-158**

**The motion carried unanimously.**

### **Administrative Items**

A-2) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 05-00527](#)

Consider recommendations regarding Westside Storm Drain Project Phase II (SC8320), First and Second Districts, as follows:

- a) Approve the Westside Storm Drain Project Phase II to complete a major underground storm drain system in the upper Westside of the City of Santa Barbara;
- b) Approve Plans and Specifications for the project;
- c) Authorize the Public Works Director to advertise and receive bids for the project.

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

**a) and b) Approved.**

**c) Authorized.**

**The motion carried unanimously.**

A-3) BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 05-00528](#)

Receive and file the Santa Barbara County 2004 Groundwater Report and authorize distribution of the report for County and public information, all districts.

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

A-4) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00210](#)

Receive and file the Fiscal Year 2005-06 Proposed Operating Plan and Budget for Santa Barbara County.

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

A-5) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00546](#)

Consider recommendations from the Legislative Program Committee meeting of May 16, 2005, as follows:

- a) Support AB 702 (Koretz) Nursing Education. AB 702 would require the Office of Statewide

Health Planning and Development to establish a statewide Registered Nurse Educator Scholarship Program to contract with colleges and universities to establish or expand related curriculum, and to provide education loans to registered nurses who are seeking a masters or doctorate degrees in nursing and who will commit to serving as registered nurse educators in California for a period of from 3 to 5 years upon completion of their studies. (Attachment 1: unanimous support of members present)

b) Conditionally Support AB 1090 (Matthews) Solid Waste: Diversion: Conversion. Condition support for AB 1090 on the outcome of air quality testing and the resolution of whether conversion technology should be eligible for waste diversion credits. AB 1090 adds recovery, through recycling, composting, conversion technology, or other beneficial use technologies to the existing waste management priorities for the California Integrated Waste Management Board (CIWMB). The bill also provides that local jurisdictions may use conversion technologies to meet their 50% waste diversion mandates required by existing law. (Attachment 2: unanimous support of members present);

c) Support ACA 16 (Gordon) Taxation to supplement public safety funding, approval by electorate. ACA 16 would allow a local government to impose, extend, or increase any special tax for the purpose of providing supplemental funding for the sheriff, police, or fire protection services, if that tax is submitted to the electorate and approved by a 55% (as opposed to the current 2/3 (67%)) vote of the voters voting on the measure. (Attachment 3: 3 ayes - members Rose, Brown, Geis; 1 abstain - member Stark; Member Stark abstained due to the anti-supplantation provision included in ACA 16);

d) Oppose SB 44 (Kehoe) General Plans: Air Quality Element. SB 44 would require each city and county to adopt an air quality element as part of its general plan, or amend appropriate elements of the general plan to include data and analysis, comprehensive goals, policies, and feasible implementation strategies intended to contribute to and complement other entities efforts to improve air quality. SB 44 would require local governments to comply with these provisions during their next general plan update. (Attachment 4: unanimous support of members present);

e) Oppose SB 326 (Dunn) Land Use: Housing Element. Existing Planning and Zoning Law, requires a multifamily residential housing project to be a "permitted use" not subject to a conditional use permit on any parcel zoned for multifamily housing if certain requirements are met. SB 326 changes the term "multifamily residential housing" to "attached housing development," and defines "attached housing development" as a structure containing two or more dwelling units. (Attachment 5: unanimous support of members present; member Firestone absent);

f) Oppose SB 1059 (Escutia) Electric Transmission Corridors, unless amended to respect local land use authority and private property rights. SB 1059 would authorize the State Energy Resources Conservation and Development Commission to designate a transmission corridor zone on its own motion or by application of a person who plans to construct a high-voltage electric transmission line within the state (Attachment 6: unanimous support of members present; member Firestone absent)

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

- a) Supported AB 702
- b) Conditionally Supported AB 1090
- c) Supported ACA 16
- d) Opposed SB 44
- e) Opposed SB 326
- f) Opposed SB 1059

The motion carried unanimously.

A-6) EMPLOYEES' RETIREMENT SYSTEM

[File Reference No. 05-00529](#)

Receive and file report from the Retirement System actuary, Mellon Human Resources & Investor Solutions, showing estimated long-term impacts if a defined contribution (DC) plan is implemented.

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

Received and filed report. Directed the County Executive Officer to work with the Auditor-Controller, Treasurer Tax-Collector, and the Retirement System Administrator to set a hearing on the Departmental agenda to consider a report on Defined Contribution vs Defined Benefit retirement options.

The motion carried unanimously.

A-7) HOUSING AND COMMUNITY DEVELOPMENT

[File Reference No. 05-00526](#)

Authorize the Director of the Housing and Community Development Department to develop and submit a countywide comprehensive application to the United States Department of Housing and Urban Development for the Fiscal Year 2005 Continuum of Care Homeless Assistance Programs.

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

A-8) HOUSING AND COMMUNITY DEVELOPMENT

[File Reference No. 05-00537](#)

Consider recommendations regarding the Economic Vitality Committee, as follows:

a) Approve the appointment of Robert Hatch, Workforce Investment Board member and President/CEO of the Santa Maria Chamber of Commerce, as the Workforce Development Sector Representative;

b) Accept the resignation of Richard Melsheimer from the Economic Vitality Committee.

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

- a) Approved.
- b) Accepted.

The motion carried unanimously.

- A-9) PARKS [File Reference No. 05-00491](#)
- Approve a budget revision to transfer \$26,000 from General Fund Contingency to the Parks Department's extra help account to address an increase in the lifeguard service costs for FY 2004-05 and reduce the General Fund allocation to the Parks Department by \$201,000 for four deferred maintenance capital projects to help offset the Department's anticipated revenue shortfall in FY 2004-05.
- A motion was made by Supervisor Carbajal, seconded by Supervisor Firestone, that this matter be Approved. The motion carried unanimously.**
- A-10) PROBATION [File Reference No. 05-00536](#)
- Approve and execute a contract with the City of Santa Maria to provide shelter services for youth for Fiscal Year 2004-05, in the amount of \$12,000.
- A motion was made by Supervisor Carbajal, seconded by Supervisor Firestone, that this matter be Approved; Chair to Execute. The motion carried unanimously.**
- A-11) PROBATION [File Reference No. 05-00538](#)
- Approve and execute Modification No. 1 to the Agreement 04-CO11050700048 between USDA Forrest Service and Santa Barbara County in the amount of \$40,279.90 for additional expenses associated with the Los Prietos Boys Camp housing demolition project, for a total agreement amount of \$196,947.15.
- A motion was made by Supervisor Carbajal, seconded by Supervisor Firestone, that this matter be Approved; Chair to Execute. The motion carried unanimously.**
- A-12) PUBLIC WORKS [File Reference No. 05-00531](#)
- Direct Public Works Resource Recovery & Waste Management to form a project team (consisting of staff from the County Executive Office, Resource Recovery, Real Property and the Parks Department) to study the feasibility of declaring all or part of the County-owned property at Baron Ranch as surplus to County needs and report back to the Board in six months (Real Property Folio # R-211), Third District.
- A motion was made by Supervisor Carbajal, seconded by Supervisor Firestone, that this matter be Authorized. The motion carried unanimously.**
- A-13) PUBLIC WORKS [File Reference No. 05-00532](#)
- Consider recommendations regarding a purchase of natural gas from California Department of General Services for the Micro Turbine Cogeneration Project, Fourth District, as follows:
- a) Authorize the Public Works Director or designee (Laguna County Sanitation District Manager) to execute a Natural Gas Services Program Gas Services Agreement with the California Department of General Services;
  - b) Authorize the Public Works Director or designee (Laguna County Sanitation District Manager) to execute a Master Service Contract with the Southern California Gas Company.

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

a) and b) Authorized.

The motion carried unanimously.

A-14) PUBLIC WORKS [File Reference No. 05-00533](#)

Adopt a resolution to authorize the submittal of a regional application for a Fiscal Year 2005-06 Local Government Used Oil Block Grant in the amount of \$45,347 from the California Integrated Waste Management Board.

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

RESOLUTION NO. 05-159

The motion carried unanimously.

A-15) PUBLIC WORKS [File Reference No. 05-00535](#)

Authorize the Director of Public Works to advertise for bids for construction of the Tajiguas Landfill Access Road Realignment (County Project No. 720684, Solid Waste Project No. 828349), Third District.

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

A-16) PUBLIC WORKS [File Reference No. 05-00539](#)

Adopt a resolution removing a 3200-foot portion of Santa Ynez Airport Road, located on the Santa Ynez Airport property, from the County maintained system, Third District.

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

RESOLUTION NO. 05-160

The motion carried unanimously.

A-17) PUBLIC WORKS [File Reference No. 05-00540](#)

Adopt a resolution authorizing the filing of a claim with the Santa Barbara County Association of Governments (SBCAG) for an allocation of Transportation Development Act funds for Fiscal Year 2005-06, in the amount of \$1,417,345 .

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

RESOLUTION NO. 05-161

The motion carried unanimously.

A-18) SHERIFF [File Reference No. 05-00530](#)

Approve the transfer of ownership of Sheriff Canine "Fritz" to Senior Deputy Mike Durant for the sum of One Dollar.

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

A-19) SHERIFF [File Reference No. 05-00547](#)

Consider recommendations regarding agreement for North County Jail architectural services (Project No. 2126), Fifth District, as follows:

a) Approve and execute Amendment No. 3 to the Professional Services Agreement with LM & R Consultants, Joint Venture, for continuing architectural services associated with Program Updating, Master Planning and Schematic Design for the North County Jail Campus, extending the contract completion date from October 23, 2002 to June 30, 2006;

b) Approve an expenditure for the continued services of the architect, LM & R Consultants, by \$916,265, which includes reimbursable expenses.

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

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

b) **Approved.**

**The motion carried unanimously.**

A-20) SOCIAL SERVICES [File Reference No. 05-00542](#)

Approve and authorize the Chair to execute Amendment No. 16 to the agreement between the California Case Data System Counties and Electronic Data Systems Corporation (not a local vendor) for maintenance of a computerized welfare case data system for the period of July 1, 2005 through June 30, 2006 in the amount of \$389,082.

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

A-21) TREASURER-TAX COLLECTOR [File Reference No. 05-00521](#)

Consider recommendations regarding the Short Term Financing Program for Fiscal Year 2005-06, as follows:

a) Adopt a resolution regarding the borrowing of funds for FY 2005-06 and the issuance and sale of county 2005-06 tax and revenue anticipation notes;

b) Adopt a resolution affirming that moneys in self-insurance funds are available only for designated purposes and are reasonably required;

c) Authorize the Treasurer - Tax Collector to execute the Contract of Purchase for the issuance of non-taxable Tax and Revenue Anticipation Notes in accordance with State and Federal law to meet General Fund cash flow requirements during FY 2005-06, in an amount not to exceed \$70,000,000 and at a yield not to exceed 5 percent;

d) Approve and authorize an agreement with Orrick, Herrington, and Sutcliffe, LLP to perform legal services as bond counsel incident to the execution and delivery of 2005-06 Tax and Revenue Anticipation Notes in an amount not to exceed \$15,000;

e) Authorize the Treasurer - Tax Collector, with consultation of the Debt Advisory Committee, to

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

a) Adopted.

RESOLUTION NO. 05-162

b) Adopted.

RESOLUTION NO. 05-163

c) Authorized.

d) Approved.

e) Authorized.

The motion carried unanimously.

### Board of Supervisors

A-22) SUPERVISOR FIRESTONE [File Reference No. 05-00541](#)

Direct Planning & Development to decline to process applications for Comprehensive Plan Amendments in the Santa Ynez Valley Community Plan Area while the Community Plan process is underway, except in rare cases where the proposed project offers a significant community benefit, Third District.

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

A-23) SUPERVISOR FIRESTONE [File Reference No. 05-00548](#)

Approve and authorize the Chair to execute a letter to the Department of Alcohol Beverage Control (ABC) determining that public convenience will not be served by approving the new Off-Sale General License to the Isla Vista Deli Mart, a business located at 6549 Pardall Road #C, Isla Vista, Third District.

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

A-24) SUPERVISOR GRAY [File Reference No. 05-00544](#)

Approve the reappointment of Cherie Peake to the Arts Commission, Fourth District.

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

### Hearing Requests

A-25) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00405](#)

Set a hearing to appoint five individuals to the Blue Ribbon Budget Task Force.

A motion was made by Supervisor Carbajal, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: June 7, 2005 (EST. TIME: 15 MIN.) The motion carried unanimously.

A-26) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00524](#)



contract procedures.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: June 21, 2005 (EST. TIME: 120 MIN.) The motion carried unanimously.**

A-27) COUNTY EXECUTIVE OFFICE

[File Reference No. 05-00543](#)

Set a hearing to consider recommendations regarding the Five-Year Capital Improvement Program (CIP), as follows:

- a) Receive departmental responses regarding questions raised at the Five-Year Capital Improvement Program (CIP) presentation on April 5, 2005;
- b) Approve in concept the proposed capital budget of \$55,446,000 for Fiscal Year 2005-06, or approve a lesser amount and direct the County Executive Office to appropriately amend the FY 2005-2006 recommended budget.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: June 7, 2005 (EST. TIME: 30 MIN.) The motion carried unanimously.**

A-28) COUNTY EXECUTIVE OFFICE

[File Reference No. 05-00545](#)

Consider recommendations regarding County Formation Commission and Election update, as follows:

- a) Receive the Final Report of the Mission County Formation Review Commission;
- b) Set a hearing to consider recommendations, as follows:
  - i. Adopt a resolution proclaiming and noticing an election on June 6, 2006 for the purpose of determining whether the proposed Mission County shall be created;
  - ii. Receive and file a report regarding the adopted recommendations of the Board to the Mission County Formation Review Commission;
  - iii. Receive a report regarding county formation issues.

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

a) Received.

b) Set for June 28, 2005 in Santa Maria (EST. TIME: 45 MIN.)

**The motion carried unanimously.**

A-29) FIRE

[File Reference No. 05-00525](#)

Consider recommendations regarding the 2005 Hazard Reduction Program, as follows:

- a) Set a hearing to declare all properties whose owners have been notified to abate and have not complied as a fire nuisance, and authorize the issuance of misdemeanor citations and necessary abatement work relative to the 2005 Fire Department Hazard Reduction Program (Weed Abatement);
- b) Direct the Clerk of the Board to post the affected Property Owners List in a place easily accessible

A motion was made by Supervisor Carbajal, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: June 21, 2005 (EST. TIME: 5 MIN.) The motion carried unanimously.

A-30) FIRE [File Reference No. 05-00534](#)

Set a hearing to consider recommendations regarding establishment of a Fuels Crew, as follows:

- a) Receive a report on the County Fire Department's efforts to mitigate flammable vegetation;
- b) Approve establishment of a 14-person Fuels Crew effective immediately;
- c) Authorize the Fire Chief to enter into agreement with Ventura County Fire for the use of one Crew Carrying Vehicle at no cost.

A motion was made by Supervisor Carbajal, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: June 7, 2005 (EST. TIME: 60 MIN.) The motion carried unanimously.

A-31) PUBLIC WORKS [File Reference No. 05-00523](#)

Consider recommendations regarding County Service Area 12 (Mission Canyon Sewer District) sewer connection fees, sewer service charges and the collection of said charges on the tax roll, First District, as follows:

- a) Receive report entitled Mission Canyon Sewer District Sewer Charges Fee Report for Fiscal Year 2005/2006;
- b) Approve Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines. (Post);
- c) Set a hearing regarding the report entitled Mission Canyon Sewer District Sewer Charges filed with the Clerk of the Board April 26, 2005, which proposes the service charges for County Service Area 12, as follows;
  - i. Consider adoption of a resolution establishing a 32.2% increase in service charges (from \$404 per year to \$534 per year) for County Service Area 12 (Mission Canyon Sewer District) and provide for collection on the Tax Rolls for Fiscal Year 2005/2006.

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

- a) Received and filed.
- b) Approved.
- c) Set for June 21, 2005 (EST. TIME: 15 MIN.)

The motion carried unanimously.

A-32) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00549](#)

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

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

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

A-33) SUPERVISOR ROSE [File Reference No. 05-00553](#)

Adopt a Resolution of Commendation for Claudia Lujan, Equal Opportunity Manager, for her services to the County of Santa Barbara.

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

**RESOLUTION NO. 05-164**

**The motion carried unanimously.**

A-34) COUNTY EXECUTIVE OFFICE [File Reference No. 05-00552](#)

Approve a budget revision to transfer Contingency Funds in the amount of \$12,500 for staffing and other costs associated with the formal dedication ceremony of the Santa Barbara Courthouse as a National Historic Landmark.

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

A-35) SUPERVISOR ROSE [File Reference No. 05-00550](#)

Authorize establishment of an ad hoc subcommittee consisting of two members of the Board of Supervisors (2nd District and 3rd District) and two members of the Planning Commission (2nd District and 3rd District) and staff to focus on a strategy for gaining certification of the Housing Element from the State Housing and Community Development Department and to complete the Action Phase of the Housing Element.

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

A-36) SUPERVISOR ROSE [File Reference No. 05-00551](#)

Set a hearing to consider adoption of a resolution increasing the Santa Barbara County Law Library's portion of the filing fee for the Superior Court from \$35 to \$38 effective January 1, 2006 and from \$38 to \$41 effective January 1, 2007.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: June 7, 2005 (EST. TIME: 5 MIN.) The motion carried unanimously.**

### **Approval of Administrative Agenda**

*HEARING TIME: 9:10 AM - 9:50 AM (40 MIN.)*

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

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

PUBLIC COMMENT

**Accepted Public Comment**

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 03-282) (05-00051)

RE: Santa Barbara School District Issues - Kate Smith addressed the Board.

RE: Agenda Management/Calendar Issues and potential for scheduled breaks during the Board meetings - Fourth District Supervisor Joni Gray addressed the Board.

RE: Apologies to Members of the Public (Ann Crosby and Mary Whalen) with respect to conduct of the meetings - First District Supervisor Salud Carbajal and Second District Supervisor Susan Rose addressed the Board.

RE: Protesting the Tajiguas Canyon project - Thomas Young addressed the Board.

RE: Truancy Program Issues - Joan Esposito addressed the Board.

RE: Guadalupe Issues - George Alvarez addressed the Board.

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

RE: Veteran Exemption Issues - William Connell addressed the Board.

RE: Requesting Status on Tribal Agreement with the County - C.J. Jackson addressed the Board.

RE: Status Report Regarding the Tribal Agreement with the County to scheduled for the June 21, 2005 Agenda - County Counsel Stephen Shane Stark addressed the Board.

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

- 1) PLANNING AND DEVELOPMENT and AGRICULTURAL COMMISSIONER [File Reference No. 05-00357](#)

HEARING - Consider recommendations regarding the Oak Tree Protection and Regeneration Program, as follows: (EST. TIME: 1 HR.)

- a) Receive status report regarding the Oak Tree Protection and Regeneration Program;
- b) Direct staff to take actions required to incorporate any clean-up items recommended by the Board;
- c) Provide direction as appropriate.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

NOTE: PUBLIC HEARING CLOSED. PUBLIC TESTIMONY WILL BE LIMITED TO NEW MATTERS NOT DISCUSSED AT THE MAY 10, 2005 HEARING.

*HEARING TIME: 10:10 AM - 11:35 AM (1 HR. 25 MIN.)*

Acted on as follows:

Received staff presentation.

A motion was made by Supervisor Firestone, seconded by Supervisor Gray as follows:

Receive status report regarding the Oak Tree Protection and Regeneration Program.

The motion carried unanimously.

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

Directed staff to move forward on "Program Clean-Up Items" reflected on page 10 of the Oak Tree Protection and Regeneration Program Status Report.

The motion carried by the following vote:

Ayes: Carbajal, Rose, Firestone

Noes: Gray, Centeno

A motion was made by Supervisor Centeno, seconded by Supervisor Gray as follows:

Directed staff to move forward on points 1-5 presented by Supervisor Firestone at the May 24, 2004 hearing amended as follows:

Point 1) Amended to read as follows: "That the Chief Executive Officer, consulting with appropriate County staff and the Agricultural Advisory Committee, propose revisions to the Oak Tree Ordinances (a) to make any Oak Tree subject to the Ordinances, except for mitigation trees, that began growing after January 1, 2005, exempt from the Ordinances, and (b) to otherwise transfer the existing Grading Ordinance Guidelines for Native Oak Tree Removal from Appendix A of the Grading Ordinance to a separate chapter of the County Code."

The motion carried by the following vote:

Ayes: Firestone, Gray, Centeno

Noes: Carbajal, Rose

A motion was made by Supervisor Gray, seconded by Supervisor Centeno as follows:

Directed the County Executive Office to return with an analysis regarding the potential removal of Coast Live Oaks from the Oak Tree Protection and Regeneration Program.

The motion carried by the following vote:

Ayes: Firestone, Gray, Centeno

Noes: Carbajal, Rose

2) COUNTY CLERK-RECORDER-ASSESSOR

[File Reference No. 05-00376](#)

HEARING - Receive a presentation regarding Departmental Operations from the County Clerk-Recorder-Assessor. (EST. TIME: 1 HR.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 11:45 AM - 12:42 PM (57 MIN.)*

Received presentation.

3) COUNTY EXECUTIVE OFFICE and  
AUDITOR-CONTROLLER

[File Reference No. 05-00484](#)

HEARING - Consider recommendations regarding the Fiscal Year 2004-05 financial status report and

budget update, as follows: (EST. TIME: 15 MIN.)

- a) Accept and file, per the provisions of Government Code Section 29126.2, the FY 2004-05 Financial Status Report as of March 31, 2005 showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors;
- b) Receive an updated forecast of the General Fund budget financial condition on June 30, 2005;
- c) Receive an update on State budget impacts based on the Governor's "May Revision" to the FY 2005-06 State budget;
- d) Receive an updated five-year County General Fund financial projection for Fiscal Years 2005-06 through 2009-10.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 2:32 PM - 2:55 PM (23 MIN.)*

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

- a) Accepted and filed.
- b) through d) Received and filed.

The motion carried unanimously.

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

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

#### 4) PLANNING AND DEVELOPMENT

[File Reference No. 05-00473](#)

HEARING - Consider the Mid Coast Cooling, Inc. Consistency Rezone and Conditional Use Permit (APNs 128-097-001 & -002), located at 1750 East Betteravia Road, Santa Maria area, Fifth District, as follows: (EST. TIME: 30 MIN.)

- a) Adopt the required findings for the project (05RZN-00000-00001 and 05CUP-00000-00015), including CEQA findings, specified in Attachment A of the Planning Commission Action Letter dated April 7, 2005;
- b) Accept the Exemption pursuant to CEQA Section 15061 (b, 3) specified in Attachment B of the Planning Commission staff report dated March 25, 2005;
- c) Adopt an Ordinance amending the Inland Zoning Map for the Santa Maria Valley Rural Region Zoning District for APN 128-097-001 & -002, from 10-AG to AG-II-100;
- d) Approve 05CUP-00000-00015 subject to the conditions included as Attachment C of the Planning Commission Action Letter dated April 7, 2005.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 2:55 PM - 3:30 PM (35 MIN.)*

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

Received and filed staff report. Conducted public hearing.

a) Adopted the required findings of the project (05RZN-00000-00001) and 05CUP-00000-00015), including CEQA findings, specified in Attachment A of the Planning Commission Action Letter Dated April 7, 2005 and as revised at the May 24, 2005 hearing to change references from AG-II-100 to AG-II-40 in Finding 2.1.1 and to the total square footage of the project in Finding 2.2.1.

b) Accepted the Exemption pursuant to CEQA Section 15061 (b, 3) specified in Attachment B of the Planning Commission staff report dated March 25, 2005 and as revised at the May 24, 2005 hearing to change references from AG-II-100 to AG-II-40 to the total square footage for the project.

c) Adopted Ordinance amending 10-AG to AG II-40 as reflected at the May 24, 2005 hearing.

ORDINANCE NO. 4569

d) Approved 05CUP-00000-00015 subject to the conditions included as Attachment C of the Planning Commission Action Letter dated April 7, 2005 and as revised at the May 24, 2005 hearing to change the Project Description Condition of Approval 1 to change references from AG-II-100 to AG-II-40 and to the total square footage of the project.

The motion carried unanimously.

5) COUNTY EXECUTIVE OFFICE and PLANNING AND DEVELOPMENT [File Reference No. 05-00478](#)

HEARING - Consider recommendations regarding the Process Improvement Plan for Planning and Development, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Receive a status report on the Planning and Development process improvement efforts;
- b) Approve the criteria and five priorities for process improvement in Planning and Development and the plan for completing those priorities.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 3:40 PM - 5:20 PM (1HR. 50 MIN.)*

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

- a) Received and filed staff report.
- b) Approved.

The motion carried unanimously.

6) PLANNING AND DEVELOPMENT [File Reference No. 05-00439](#)

HEARING - Consider recommendations regarding the Comprehensive Planning Division 2005-2008 Three Year Work Program, as follows: (EST. TIME: 1 HR.)

- a) Review and consider Planning and Development's recommendation for Fiscal Year (FY) 2005-06 to complete in-progress multi-year projects and initiate one new project;
- b) Review and consider Planning and Development's recommendation for FY 2006-07 and 2007-08 to initiate and complete multi-year projects;

- c) Direct staff to finalize the 2005-2008 Three Year Work Program.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

*HEARING TIME: 5:26 PM - 6:31 PM (55 MIN.)*

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

- a) and b) Reviewed and considered.

- c) Directed staff to adopt year 1 recommendations and retain year's 2 and 3 as place holders for further deliberation.

The motion carried unanimously.

**Adjourn to June 7, 2005**

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

**Adjourn**

**Adjourned at 6:31PM**

**Announcements**

THE MEETING OF MAY 24, 2005 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, MAY 26, 2005 AT 5:00 P.M. ON GATV CHANNEL 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, MAY 31, 2005; THIS IS A FIFTH TUESDAY (ORDINANCE NO. 3352). THE NEXT REGULAR MEETING WILL BE TUESDAY, JUNE 7, 2005, IN SANTA BARBARA.

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