

County of Santa Barbara BOARD OF SUPERVISORS

ACTION SUMMARY

January 22, 2002

**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

8:00 A.M. Convened and Recessed to Closed Session

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

9:00 A.M. Reconvened to Regular Session

Roll Call

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

Invocation: Jack Finnegan, Parks Department

Report from Closed Session

The Board took the following actions:

By a vote of 5-0, the Board approved participation as amicus curiae in *Gardner v. Sonoma County*, a case under review by the State Supreme Court involving the validity of antiquated maps.

Approval of Minutes of the January 15, 2002 meeting

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

Administrative Agenda

Honorary Resolutions

- A-1) SUPERVISOR GRAY [File Reference No. 02-00114](#)
Adopt a resolution recognizing the Kiwanis Club of Lompoc on its 75th Anniversary.
A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted RESOLUTION NO. 02-022. The motion carried unanimously.
- A-2) SUPERVISOR GRAY [File Reference No. 02-00105](#)
Adopt a resolution proclaiming January 21, 2002 as the 18th Annual Carousel of Cultures Day.
A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted RESOLUTION NO. 02-023. The motion carried unanimously.
- A-3) SUPERVISOR ROSE [File Reference No. 02-00092](#)
Adopt a resolution commending Rob Williams and Susan Uesugi for completion of their 3,500 mile bicycle ride for the Spondylitis Association of America.
A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted RESOLUTION NO. 02-024. The motion carried unanimously.
- A-4) SUPERVISOR SCHWARTZ [File Reference No. 02-00082](#)
Adopt a Resolution of Commendation for the 2001 Carpenterian of the Year.
A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted RESOLUTION NO. 02-025. The motion carried unanimously.
- A-5) SUPERVISOR SCHWARTZ [File Reference No. 02-00083](#)
Adopt a Resolution of Commendation for the 2001 Junior Carpenterian of the Year.
A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted RESOLUTION NO. 02-026. The motion carried unanimously.

Administrative Items

- A-6) AGRICULTURAL COMMISSIONER [File Reference No. 02-00085](#)
Authorize the Agricultural Commissioner to execute the Memorandum of Understanding approving the participation of Santa Barbara County in a cooperative agreement along with the Santa Barbara County Cattlemen's Association, Santa Barbara Chapter of the Audubon Society, the California Native Plant Society, City of Santa Barbara and various other public and private agencies to establish the Santa Barbara County Weed Management Area, and authorize the Agricultural Commissioner to execute subsequent MOUs for this purpose.
A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Approved; Chair to Execute. The motion carried unanimously.
- A-7) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 02-00084](#)
Consider recommendations regarding the Franciscan Sediment Basin Project, First District, as follows:

a) Approve plans and specifications for the project;

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

a) Approved.

b) Authorized.

The motion carried unanimously.

A-8) FIRE [File Reference No. 02-00090](#)

Adopt a resolution, effective January 21, 2002, adding one (0.5 FTE) Computer Systems Specialist I/II (Class 2171/2174) Range 545/575 (\$3,676-\$4,488/ \$4,269-\$5,212 per month).

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted RESOLUTION NO. 02-027. The motion carried unanimously.

A-9) FIRE [File Reference No. 02-00093](#)

Authorize the acceptance of \$22,334 as a donation to be used by the Fire Department toward the purchase of two Community Emergency Response Team trailers to be used as mobile training for the community.

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

A-10) GENERAL SERVICES [File Reference No. 02-00098](#)

Approve and execute the professional services contract with Ramji P. Shah, NCRAB, as Architect for the period of February 4, 2002 through February 3, 2004, in an amount not to exceed \$170,000, All Districts.

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

A-11) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 02-00088](#)

Adopt a resolution, effective January 21, 2002, as follows:

a) ESTABLISH JOB CLASSIFICATIONS

Human Resources Technician, (Class #005698), Range 466 (\$2,479-\$3,011 per month);

Human Resources Technician-Restricted (Class #005699), Range 473 (\$2,567-\$3,134 per month).

b) RECLASSIFY POSITIONS

Human Resources (#1010)

Delete: Three (3.0 FTE) Office Assistant Senior-Restricted (Class 1706), Range 448 (\$2,266-\$2,766 per month);

Add: Three (3.0 FTE) Human Resources Technician-Restricted (Class #5699), Range 473 (\$2,567-\$3,134 per month);

Public Works Department (#1610)

Delete: One (1.0 FTE) Administrative Services Clerk (Class 0250), Range 466 (\$2,479-\$3,011 per month);

Add: One (1.0 FTE) Human Resources Technician (Class 5698), Range 466 (\$2,479-\$3,011 per month);

Sheriff (#3110)

Delete: Two (2.0 FTE) Office Assistant, Senior (Class 1702), Range 439 (\$2,167-\$2,645 per month);

Add: Two (2.0 FTE) Human Resources Technician (Class 5698), Range 466 (\$2,479-\$3,011 per month);

Fire (#3710)

Delete: One (1.0 FTE) Office Assistant, Senior (Class 1702), Range 439 (\$2,167-\$2,645 per month);

Add: One (1.0 FTE) Human Resources Technician (Class 5698), Range 466 (\$2,479-\$3,011 per month);

Public Health Department (#5210)

Delete: Two (2.0 FTE) Office Assistant, Senior (Class 1702), Range 439 (\$2,167-\$2,645 per month);

Add: Two (2.0 FTE) Human Resources Technician (Class 5698), Range 466 (\$2,479-\$3,011 per month);

Alcohol Drug and Mental Health Services (#5250)

Delete: Two (2.0 FTE) Office Assistant, Senior (Class 1702), Range 439 (\$2,167-\$2,645 per month);

Add: Two (2.0 FTE) Human Resources Technician (Class 5698), Range 466 (\$2,479-\$3,011 per month);

Social Services (#5810)

Delete: Three (3.0 FTE) Office Assistant, Senior (Class 1702), Range 439 (\$2,167-\$2,645 per month);

Add: Three (3.0 FTE) Human Resources Technician (Class 5698), Range 466 (\$2,479-\$3,011 per month).

Parks (#7620)

Delete: One (1.0 FTE) Administrative Services Clerk-Restricted (Class 0252), Range 473 (\$2,567-\$3,134 per month);

Add: One (1.0 FTE) Human Resources Technician-Restricted (Class 5699), Range 473 (\$2,567-\$3,134 per month).

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted RESOLUTION NO. 02-028. The motion carried unanimously.

A-12) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[File Reference No. 02-00089](#)

Approve an Application for Destruction of Records prior to December 31, 1997, that are no longer required by law to be retained.

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

A-13) PARKS

[File Reference No. 02-00102](#)

Consider application for grant funds for the acquisition and development of the Goleta Old Town Neighborhood Park and public access and habitat enhancement at More Mesa Open Space, Second District, as follows:

- a) Adopt a resolution approving the filing of applications to the California Department of Parks and Recreation through the Riparian and Riverine Habitat grant program;
- b) Authorize the Director of Parks to act as agent for the County of Santa Barbara to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the project.

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

a) Adopted.

RESOLUTION NO. 02-029.

b) Authorized.

The motion carried unanimously.

A-14) PARKS

[File Reference No. 02-00104](#)

Adopt a resolution, effective January 21, 2002, as follows:

Add one full-time (1.0) Civil Engineering Associate III (1547), Range 587 (\$4,533 - \$5,533 per month);

Delete one, three-quarter-time (0.75) Civil Engineering Associate III (1547), Range 587 (\$4,533 - \$5,533 per month).

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted RESOLUTION NO. 02-030. The motion carried unanimously.

A-15)

[File Reference No. 02-00096](#)

Receive the final report on the 2001 Charitable Giving Campaign.

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

A-16) PUBLIC HEALTH

[File Reference No. 02-00091](#)

Approve and execute a lease agreement with Burt E. Fugate, Trustee, for office space located at 201 South Miller Street, Suite 209, Santa Maria, for the Teenage Pregnancy and Parenting Program, for the period of February 2002 through February 28, 2005, in the amount of \$2,268 per month gross rent, Fifth District.

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

A-17) PUBLIC HEALTH[File Reference No. 02-00107](#)

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 Needle Exchange and Education Program.

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

A-18) PUBLIC HEALTH[File Reference No. 02-00109](#)

Consider recommendations regarding a professional services agreement with Sojourn Services, Inc. (a local vendor), as follows:

a) Approve and execute an Agreement with Sojourn Services, Inc. for professional services for the Welcome Every Baby (WEB) newborn home visitation project, as follows:

i) For the period of January 22, 2001 to June 30, 2002, in an amount not to exceed \$264,533 for home visitation direct services;

ii) For the period of July 1, 2001 to June 30, 2002 for Medi-Cal Administrative Activities and for Targeted Case Management services;

b) Authorize the Director of Public Health to execute an amendment with Sojourn Services, Inc. to increase the claimable amount of the Medi-Cal Administrative Activities and Targeted Case Management Activities once the State of California has approved an increase in the reimbursement;

c) Authorize the Director of Public Health to execute a Business Associate Agreement with Marian Medical Center to ensure compliance of patient choice and confidentiality for the WEB program as required under the Health Insurance Accountability and Portability Act (HIPAA) for the period of January 22, 2002 to June 30, 2004;

d) Authorize the Director of Public Health to execute a Business Associate Agreement with Cottage Health Systems to ensure compliance of patient choice and confidentiality for the WEB program as required under the Health Insurance Accountability and Portability Act (HIPAA) for the period January 22, 2002 to June 30, 2004.

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

a) Approved.

b) through d) Authorized.

The motion carried unanimously.

A-19) PUBLIC WORKS[File Reference No. 02-00086](#)

Require the subdivider to post a certified check in the amount of \$3,000 to guarantee interior monumentation of Tract No. 14,507, located 1/4 mile south of Clark Avenue on Orcutt Road, Orcutt area, pursuant to § 66496 of the State Subdivision Map Act, Fourth District.

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

A-20) PUBLIC WORKS

[File Reference No. 02-00087](#)

Require the subdivider to post a certified check in the amount of \$1,800 to guarantee interior monumentation of Tract No. 14,541, located on the north side of Hollister Avenue, Goleta area, pursuant to § 66496 of the State Subdivision Map Act, Third District.

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

A-21) PUBLIC WORKS

[File Reference No. 02-00095](#)

Consider recommendations regarding Tepusquet Road Summer Crossing Project at Mile Post 7.38, Fifth District, as follows:

a) Approve the project and Categorical Exemption pursuant to the County's California Environmental Quality Act guidelines for the project;

b) Authorize the Director of Public Works to advertise for construction bids for the project.

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

a) Approved.

b) Authorized.

The motion carried unanimously.

A-22) PUBLIC WORKS and GENERAL SERVICES

[File Reference No. 02-00099](#)

Approve and execute Amendment No. 2 to the agreement for services of independent contractor Campbell-Geo, Inc. for environmental work associated with the Leaking Underground Fuel Tank program (LUFT) extending the term of the contract end date from January 22, 2002 to July 1, 2003 and increasing the contract amount by \$221,565 for a total not to exceed \$420,892, First and Second Districts.

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

A-23) PUBLIC WORKS

[File Reference No. 02-00103](#)

Adopt a resolution concerning alternative administration of easement acquisition for sidewalk improvements without the use of eminent domain, wherever possible, in the unincorporated area of Santa Barbara County, Isla Vista area, Third District.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted RESOLUTION NO. 02-031. The motion carried unanimously.

A-24) PUBLIC WORKS

[File Reference No. 02-00110](#)

Consider the vacation of a portion of Camino Arroyo, Third District, as follows:

a) Adopt a Resolution of Intent to Vacate declaring that a portion of a 5' wide easement interest in the County road right-of-way named Camino Arroyo in the unincorporated area of the County of

Santa Barbara, Santa Ynez area, is no longer needed by the public for road or bike path purposes and that the Board intends to vacate said portion of road;

b) Direct the Clerk of the Board to set a date for adoption of the Order to Vacate said road property.
(SET DATE FOR FEBRUARY 26, 2002 ON THE ADMINISTRATIVE AGENDA)

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted and set on Administrative Agenda, as follows: a) Adopted.

RESOLUTION NO. 02-032.

b) Set date for February 26, 2002 on the Administrative Agenda.

The motion carried unanimously.

A-25) PUBLIC WORKS

[File Reference No. 02-00111](#)

Consider the vacation of a portion of St. Joseph Street, Third District, as follows:

a) Adopt a Resolution of Intent to Vacate declaring that a portion of a 30' wide easement interest and a portion of a 40' wide easement interest in the County road right-of-way named St. Joseph Street in the unincorporated area of the County of Santa Barbara, Los Alamos area, is no longer needed by the public for road or bike path purposes and that the Board intends to vacate said portion of road;

b) Direct the Clerk of the Board to set a date for adoption of the Order to Vacate said road property.
(SET DATE FOR FEBRUARY 12, 2002 ON THE ADMINISTRATIVE AGENDA)

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Adopted and set on Administrative Agenda, as follows: a) Adopted.

RESOLUTION NO. 02-033.

b) Set date for February 12, 2002 on the Administrative Agenda.

The motion carried unanimously.

A-26) TREASURER-TAX COLLECTOR

[File Reference No. 02-00100](#)

Approve the release of designation to procure a new Public Administrator/ Public Guardian/ Protective Pay system from Panoramic Software, Inc. (not a local vendor), in the amount of \$99,114.

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

Approved budget revision request.

The motion carried unanimously.

A-27) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00121](#)

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

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

Hearing Requests

A-28) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00080](#)

Set a hearing to review the feasibility study on Area Planning Commissions with consideration of Montecito as an initial pilot project.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: February 26, 2002. The motion carried unanimously.

A-29) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00094](#)

Set a hearing to recognize the month of February as "Black History Month" and introduce the presentation of six resolutions honoring local African-American individuals, with a short reception to follow in the Board Conference Room.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: February 5, 2002. The motion carried unanimously.

A-30) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00120](#)

Set a hearing to consider the second quarter Fiscal Year 2001-02 Budget Update and FY 2002-03 Budget Workshop, as follows:

a) Accept and file, per provisions of Government Code § 29126.2, the Fiscal Year 2001-02 Financial Status Report as of December 31, 2001 showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors;

b) Accept an update on the forecasted FY 2001-02 financial condition on June 30, 2002, significant exposures facing the County and some leading indicators of possible financial challenges facing the County starting FY 2002-03;

c) Approve setting the Roads Designation for FY 2002-03 at \$500,000.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: This matter has been rescheduled to be heard on February 5, 2002. The motion carried unanimously.

A-31) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[File Reference No. 02-00115](#)

Reschedule the hearing for the Employee Service Award presentation in Santa Barbara from February 5, 2002 to February 26, 2002 at 2:00 PM.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: February 26, 2002. (EST. TIME: 1 HR.) The motion carried unanimously.

A-32) PARKS

[File Reference No. 02-00081](#)

Set a hearing to consider approval of the Goleta Beach County Park Long Term Shoreline Erosion and Management Plan.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: March 5, 2002. (EST. TIME: 1 HR. 30 MIN.) The motion carried unanimously.

A-33) PLANNING AND DEVELOPMENT

[File Reference No. 02-00101](#)

Set a hearing to consider the removal or relocation and demolition of the Santa Claus figure, First District, as follows:

a) Adopt the required findings for the project, including CEQA findings;

b) Accept the CEQA § 15164 Addendum to the Toro Canyon Plan EIR (2000-EIR-1) and adopt the mitigation monitoring program contained in the conditions of approval;

c) Approve the Coastal Development Permit subject to conditions;

d) Direct the Building and Safety Division to issue a permit to allow the Removal/ Relocation and Demolition of the Santa Claus figure.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: Monday, February 25, 2002. (EST. TIME: 1 HR.) The motion carried unanimously.

A-34) PLANNING AND DEVELOPMENT

[File Reference No. 02-00112](#)

Set a hearing to consider the request of Lisa Bodrogi for a consistency rezone, from Ordinance 661 to Article III, of five agriculturally zoned parcels, Santa Maria area, Fifth District. The Planning Commission recommends that the Board adopt an Ordinance rezone for APNs 101-050-007 and 129-210-038 amending the Inland Zoning Maps for the Santa Maria Valley Rural Zoning Districts.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: February 12, 2002. (EST. TIME: 30 MIN.) The motion carried unanimously.

A-35) PUBLIC WORKS

[File Reference No. 02-00108](#)

Set a hearing to consider recommendations regarding the South Coast Route 101 Deficiency Plan, First, Second and Third Districts, as follows:

a) Receive a presentation regarding Congestion Management Program and staff recommendations on the South Coast Route 101 Deficiency Plan;

b) Provide direction to staff to incorporate Board input and return to the Board for adoption of the South Coast Route 101 Deficiency Plan on March 5, 2002.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: February 26, 2002. (EST. TIME: 2 HRS.) The motion carried unanimously.

A-36) PLANNING AND DEVELOPMENT

[File Reference No. 02-00119](#)

Set a hearing to consider Planning Commission recommendations regarding Board of Supervisors adoption of the Highway 101 Landscape Master Plan, First, Second and Third Districts.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: February 26, 2002. (EST. TIME: 1 HR.) The motion carried unanimously.

A-37) SUPERVISOR ROSE

[File Reference No. 02-00097](#)

Set a hearing to receive a presentation from Southern California Wetlands Recovery Project (SCWRP) task force members representing Santa Barbara County on the activities of the SCWRP.

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Set for a hearing, as follows: February 5, 2002. (EST. TIME: 30 MIN.) The motion carried unanimously.

A-38) PLANNING AND DEVELOPMENT

[File Reference No. 02-00122](#)

Acknowledge the Irrevocable Offer To Dedicate An Open Space Easement from Oly Chadmar Sandpiper, General Partnership ("Grantors") to the County of Santa Barbara ("Grantee") for a Portion of Assessor Parcel No. 079-210-049, Residences at Sandpiper, Third District.

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

Approval of Administrative Agenda

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

[File Reference No. 02-00025](#)

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. 92-398) (02-00,025)**

RE: Introduction of Chris Loe, Senior at Cabrillo High School, as Fourth District Supervisor of the Day - Fourth District Supervisor Joni Gray addressed the Board.

RE: Employee Charitable Giving Campaign for 2001- James Egar, Public Defender, addressed the Board.

RE: North County Issues - Ernest Armenta addressed the Board.

RE: Unconscience Mind Issues - Christopher Brown addressed the Board.

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

Departmental Agenda -- Public Hearings

1) **GENERAL SERVICES**

[File Reference No. 02-00118](#)

HEARING - Receive a report regarding the County's Workers' Compensation Program.

REQUEST CONTINUANCE TO FEBRUARY 5, 2002.

A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Continued, as follows: February 5, 2002. The motion carried unanimously.

2) **PLANNING AND DEVELOPMENT**

[File Reference No. 02-00117](#)

HEARING - Consider the August 28, 2001 Zoning Administrator approval of the Summerland Certified Farmers Market, along an approximately 300 foot portion of the road right-of-way on Lillie Avenue, between Evans Avenue and Hollister Street, Summerland area, First District, as follows: (EST. TIME: 2 HRS.)

- a) Adopt the required findings for the project specified in the Zoning Administrator action letter dated August 29, 2001;
- b) Accept the exemption pursuant to § 15304(e) (Minor temporary use of land), of the State CEQA Guidelines;
- c) Approve the project, 01-CP-058, subject to the amended conditions of approval.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Adopted.

b) Accepted.

c) Denied the appeal of Myrna Davis of the Zoning Administrator's August 28, 2001 approval of 01-CP-058, Summerland Certified Farmers Market, and approved the project subject to the amended conditions of approval contained in Attachment B of Planning and Development Board Letter dated January 22, 2002. Directed staff as follows:

That staff return after six months with a review of Farmers Market compatibility with the Summerland Downtown Parking and Circulation Plan.

Use the words "unimpeded access" in the conditions of approval with respect to the appellants access to and from property during Farmers Market.

To include clear language in conditions of approval that monitors shall be present during the set-up and break-down period before and after the Farmers Market.

That comments and complaints regarding the Farmers Market should be directed to Planning and Development during the six month review period.

The motion carried by the following vote:

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

Abstentions: 1 - Supervisor Gray

3) COUNTY EXECUTIVE OFFICE[File Reference No. 02-00066](#)

HEARING - Receive and file a staff presentation and briefing paper regarding Solid Waste Technology in Germany. (EST. TIME: 45 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Acted on as follows:
Received and filed presentation. The motion carried unanimously.

2:00 PM

Planning Items and Public Hearings

4) COUNTY EXECUTIVE OFFICE[File Reference No. 02-00113](#)

HEARING - Consider recommendations from the Legislative Program Committee meeting of January 14, 2002. (EST. TIME: 45 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Reconfirmed the Board's legislative priorities as adopted on March 6, 2001 and directed staff to continue to pursue sponsorship and passage of legislation to accomplish the following objectives:

- i) Provide retirement survivorship benefits to domestic partners.
- ii) Extend or eliminate the sunset date for oil revenue sharing.

Received and filed report on Statewide initiatives.

b) Adopted resolution in support of Proposition 40 - "The California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002."

RESOLUTION NO. 02-034

Approved endorsement of Proposition 41 - "The Voting Modernization Act of 2002."

c) Authorized the Chair to execute a letter to Assemblymember Hannah-Beth Jackson, regarding the County's State funding priorities.

d) Received and filed report on the status of California tax law as it relates to new Federal retirement plan provisions contained in the Economic Growth and Tax Relief Reconciliation Act of 2002; and

e) Received and filed report on the Franchise Tax Board Court ordered Debt Collection Program.

The motion carried by the following vote:

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

5) SOCIAL SERVICES[File Reference No. 02-00010](#)

HEARING - Consider recommendations regarding a Public Authority Ordinance for the In-Home Supportive Services Advisory Committee, as follows: (EST. TIME: 45 MIN.)

- a) Consider the introduction (First Reading) of an Ordinance to establish a Public Authority for the provision of In-Home Supportive Services;
- b) Approve the recommendation of the Department of Social Services and the IHSS Advisory Committee to move forward with consulting the Santa Barbara Regional Health Authority (SBRHA) and researching the cost of health care options with SBRHA as a possible health plan;
- c) Direct the Department of Social Services to recruit, conduct interview and make a recommendation on the Executive Director appointment for the Public Authority.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

A motion was made by Supervisor Gray, seconded by Supervisor Rose, that this matter be Read by title; waived reading of the ordinance in its entirety. Introduction approved; adoption (second reading) set, as follows: a) Adoption (Second Reading) set for February 5, 2002.

b) Approved.

c) Directed.

Further directed staff to present recommendations to the authority board regarding an employee relations resolution in early April 2002.

The motion carried unanimously.

6) PLANNING AND DEVELOPMENT

[File Reference No. 02-00116](#)

HEARING - Consider recommendations regarding the Toro Canyon Plan, First District, as follows:
(EST. TIME: 2 HRS.)

- a) Consider staff recommendations and public testimony on unresolved issues as presented in the staff memorandum to the Board dated January 11, 2002 and other items that may be identified at the hearing, and give final direction for additional changes to the Toro Canyon Plan text and maps and related zoning ordinance amendments;
- b) Close the public hearing on matters related to the content of the Toro Canyon Plan text and maps and related zoning ordinance amendments, select continuance date for final adoption of the Plan, and continue the following items (c) through (g) to the continuance date;
- c) Certify the Final EIR dated June 2000 along with appropriate revisions that address the possible environmental effects of changes to the initiated Preliminary Draft Plan, including the Board's final directions and action in adopting the Toro Canyon Plan, and adopt a Mitigation Monitoring and Reporting Plan for the adopted Plan;
- d) Adopt the Board of Supervisors Final Draft Toro Canyon Plan dated November 2001, subject to all changes that the Board may direct at this hearing;
- e) Adopt a Resolution and Ordinances amending the Local Coastal Program (Land Use Plan and Article II Zoning Ordinance text and maps);
- f) Adopt Resolutions and Ordinances amending the Land Use Element, Circulation Element, and Article III Zoning Ordinance text and maps;
- g) Adopt appropriate Findings and Statement of Overriding Considerations supporting the Board's final action in adopting the Toro Canyon Plan.

a) Conducted public hearing and acted on as follows:

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, to approve staff's recommendation to allow "home occupations" to be included as a permitted use within the MT-TORO District as reflected on pp. 2-4 of the Planning and Development staff report dated January 22, 2002.

The motion carried unanimously.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, to approve staff's recommendation to allow for "unconditional guaranteed replacement" of nonconforming agricultural support structures due to calamity as reflected on p. 4 of the Planning and Development staff report dated January 22, 2002, and in Attachment 1, Article III of the Revised draft Ordinance Amendments, page 9.

The motion carried unanimously.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, to allow for the reconstruction, structural repair, and expansion of certain nonconforming agricultural support structures by adding text to the proposed Art. II and III zoning ordinance amendments and amending the Plan's Development Standards 5.1, 5.3, 7.5, and 7.8, as reflected on pp. 4-6 of the Planning and Development staff report dated January 22, 2002.

The motion carried by the following vote:

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

Noes: 2 - Supervisor Gray and Supervisor Urbanske

A motion was made by Supervisor Schwartz, seconded by Supervisor Gray, to eliminate both the ESH and the designated "area of potential biological merit" from the Hromadka property located at 3197 Padaro Lane. Additionally, to leave the record open regarding ESH mapping on the Tumbler and White properties to allow staff biologist to revisit each site, as reflected as reflected on pp. 6-7 of the Planning and Development staff report dated January 22, 2002.

The motion carried unanimously.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, to use longer EIR habitat descriptions in the body of the Toro Canyon Plan, and to eliminate Appendix "H" from the Plan. In addition, to revise the description of sensitive habitats, Action BIO-TC-1.2, to allow future flexibility in considering whether specific habitat areas meet ESH definitions, as reflected on pp 7-8 of the Planning and Development staff report dated January 22, 2002 and in Attachment 2: Revised draft Biological Resources Section, pp. 1-10 and 12-13.

The motion carried by the following vote:

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

Abstaining: Supervisor Gray

A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, to revise DevStd BIO-TC-7.6.a, which deals with development on parcels entirely covered with ESH, to use percentages rather than ratios, as reflected on pp. 9-10 of the Planning and Development staff report dated January 22, 2002, and in Attachment 2: Revised draft Biological Resources Section, p.20.

The motion carried unanimously.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, to change and re-structure Coastal and Inland ESH standards (DevStds BIO-TC-4.2, -4.3, -7.7) and ESH-TCP Overlay to allow vegetation fuel management within 100' of structures without a permit, and other clarifying changes regarding Fuel Management Plans. In addition, to change ESH-TCP Overlay to require no permits for native vegetation removal of less than ½ acre, as reflected on pp. 10-11 of the Planning and Development staff report dated January 22, 2002, and in Attachment 1: Revised draft Article III Ordinance Amendment, p.5, and in Attachment 2: Revised draft Biological Resources Section, pp. 16-17 and 20.

The motion carried by the following vote:

*Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall, and Supervisor Urbanske
Noes: 1 - Supervisor Gray*

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, to revise DevStds FIRE-TC-2.5, -2.6, & -2.7 to eliminate language explicitly stating that County decision-makers shall accept or reject modifications or waivers recommended by the applicable fire protection agency the recommended changes do not affect the County's authority on discretionary projects, as reflected on pp. 11-12 of the Planning and Development staff report dated January 22, 2002, and in Attachment 3: Revised draft Fire Protection/Hazards Section, p 6.

The motion carried by the following vote:

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

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, to revise Santa Claus Lane's "western seaside vernacular" design standards to include reference to slate-like roofing materials. In addition, since removal of the Santa structure will eliminate the remaining associative historic significance of the rest of the former "Santa's Village" complex, the Santa Claus Lane addresses shall be removed from Table IV.D-1 (Historic Resources within the Plan area) and Fig. IV.D-2 (Historic Resources on Santa Claus Lane) shall be removed, with corresponding text changes on pp. IV.D-3 & -6. DevStd HA-TC-2.3 shall be revised as follows: "No permits shall be issued for any development or activity that would adversely affect the historic value of the properties listed in Table IV.D-1, unless a professional evaluation of the proposal has been performed pursuant to the County's most current Regulations Governing Archaeological and Historical Projects, reviewed and approved by Planning and Development and all feasible mitigation measures have been incorporated into the proposal.

Directed staff to DELETE THE FOLLOWING TWO SENTENCES: (1) If any of the buildings in the building complex identified in Table IV.D-1, (3785-3821 Santa Claus Lane, but not 3813) are

to be demolished, in addition to any other feasible mitigation measures, the building complex shall first be documented with photographs according to County of Santa Barbara Cultural Resource Guidelines standards for Phase 3 historical resources. (2) The photographs shall be curated in the archives of the Carpinteria Valley Historical Society." as reflected on p. 12 of the Planning and Development staff report dated January 22, 2002, and in the additional materials provided by staff at the hearing (presentation materials, and revised draft History and Archaeology section dated January 2002).

The motion carried unanimously.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, to change maps to reflect A-II-100 land use designation and AG-II-100 zoning on the entirety of APNs 155-020-18 (Chamlee) and -19 (Dunstone) at the upper end of Toro Canyon Road, in recognition of existing agricultural uses, as reflected on p. 13 of the Planning and Development staff report dated January 22, 2002 and in Attachment 4: Map showing Dunstone & Chamlee properties.

The motion carried unanimously.

A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, to change the proposed land use and zoning designations on the Miller property and other properties west of the Miller property to Toro Canyon Road from A-I-40/AG-I-40 to A-I-20/AG-I-20.

The motion carried unanimously.

A motion was made by Supervisor Schwartz, seconded by Supervisor Gray, to add the definitions of the terms "shall", "should", and "may" at the end of Section I of the Toro Canyon Plan, as reflected on p. 13 of the Planning and Development staff report dated January 22, 2002.

The motion carried unanimously.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, to:

b) Close public hearing on matters related to the content of the Toro Canyon Plan text and maps and related zoning ordinance amendments, with the exception of the ESH mapping on the Tumbler and White properties as previously noted.

c) through g) Continued to 1:30 PM on Monday February 25, 2002.

The motion carried unanimously.

Acted on and continued, as follows:

February 25, 2002.

Adjourned to Monday January 28, 2002

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

Monday January 28, 2002

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

5:00 PM

PLANNING AND DEVELOPMENT

HEARING - Receive staff presentations and public testimony regarding the Year 2002 Coastal Resource Enhancement Fund Grant Proposals, as follows: (EST. TIME: 3 HRS.)

- a) Approve 12 CREF awards in the 2002 cycle pursuant to staff recommendations;**
- b) Direct staff to prepare the required contractual agreements with grantees, including final grant conditions, for approval by the Board of Supervisors.**

Adjourn to February 5, 2002

COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 E. ANAPAMU STREET, SANTA BARBARA

ADJOURN

Announcements

THE MEETING OF JANUARY 22, 2002 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, JANUARY 24, 2002 AT 5:00 P.M. ON GATV CHANNEL 20.

THE MEETING OF JANUARY 28, 2002 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 5:00 P. M., AND WILL BE REBROADCAST ON THE FOLLOWING SAURDAY, FEBRUARY 2, 2002 AT 12:00 P.M. ON GATV CHANNEL 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, JANUARY 29, 2002; THIS IS A FIFTH TUESDAY (ORDINANCE NO. 3352). THE NEXT REGULAR MEETING WILL BE TUESDAY, FEBRUARY 5, 2002, IN SANTA BARBARA.

<http://www.countyofsb.org>