

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

December 07, 2004

**COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 EAST ANAPAMU STREET, SANTA BARBARA**

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

Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at:
www.countyofsb.org

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

9:00 A.M. Reconvened to Regular Session

Roll Call

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

Invocation: Claude Garciacelay, Parks Department

Report from Closed Session

County Counsel Stephen Shane Stark announced the following:

By a vote of 5 to 0, the Board approved the appointment of Sandy Simons as Interim Director of Child Support Services, effective January 3, 2005.

By a vote of 4 to 1 with Supervisor Marshall voting No, the Board directed staff to post an appeal bond in the Adam Bros. v. County of Santa Barbara case bonding the punitive damages award, subject to a reservation of rights.

Details of these announcements may be obtained in the Office of County Counsel.

Approval of Minutes of the November 22, 2004 meeting

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

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

Approval of Minutes of the November 23, 2004 meeting

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

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

Absent: 1 - Supervisor Gray

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

A-1) SUPERVISOR CENTENO [File Reference No. 04-01139](#)

Adopt a Resolution of Commendation for Greg Benton, Sari Domingues, Gary Boyd, and Lynn Bohlman of the Alcohol Drug and Mental Health Services Department, as Employees of the Month for December 2004.

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

RESOLUTION NO. 04-340.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

Honorary Resolutions

A-2) SUPERVISOR CENTENO [File Reference No. 04-01122](#)

Adopt a resolution proclaiming December 6 through December 12, 2004 as Flood Awareness Week in the County of Santa Barbara.

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

RESOLUTION NO. 04-341.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

A-3) SUPERVISOR MARSHALL [File Reference No. 04-01155](#)

Adopt a resolution commending Janet Wolf for her service on the Goleta Union School District Board of Trustees.

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

RESOLUTION NO. 04-342.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

A-4) SUPERVISOR MARSHALL [File Reference No. 04-01156](#)

Adopt a resolution commending Doug Martin for his service on the Goleta Union School District Board of Trustees.

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

RESOLUTION NO. 04-343.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

A-5) SUPERVISOR SCHWARTZ [File Reference No. 04-01141](#)

Adopt a resolution honoring Rita Madden upon her retirement as Executive Director of the Community Action Commission of Santa Barbara County and for her outstanding service to the community.

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

RESOLUTION NO. 04-344.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

Administrative Items

A-6) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 04-01136](#)

Rescind the designation of Cottage Hospital as a Lanterman-Petris-Short Act (LPS) facility for the involuntary detention, evaluation and treatment of mentally ill persons (California Code of Regulations (CCR), Title 9, Subchapter 3, and California Welfare and Institutions Code (WIC), Chapter 2, Part 1, Division 5, Section 5000 et seq.)

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

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

Absent: 1 - Supervisor Gray

A-7) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 04-01143](#)

Consider recommendations regarding acceptance of Federal Substance Abuse and Mental Health Services Administration (SAMHSA) Grant and a California State Incentive Grant (SIG Grant), as follows:

- a) Authorize the Director of Alcohol, Drug and Mental Health Services (ADMHS) to accept funding awarded by the Federal Substance Abuse and Mental Health Services Administration (SAMHSA) to provide residential treatment for pregnant and postpartum women and residential treatment for women and their children for the period of October 1, 2004 through September 30, 2007 for a provisional amount of \$500,000 per year for three years;

b) Authorize the Director of Alcohol, Drug and Mental Health Services (ADMHS) to accept funding awarded by the California State Incentive Grant (SIG Grant) Project that funds initiatives to reduce binge drinking and related problems among youth and young adults in Isla Vista for the three-year period commencing October 1, 2004 through September 30, 2007, at the first year amount of \$237,444, and a provisional amount of \$750,000, over the three year period;

c) Authorize a change in the Department's Position Funding Allocation by a combined 1.5 FTE to be filled through the contractor on payroll process;

d) Authorize the Director of ADMHS to negotiate terms related to the Notice of Grant Awards, including future amendments provided that the results of any such negotiations do not materially change the scope of the grants as originally supported by the Board.

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

a) through d) Authorized. The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

A-8) ARTS COMMISSION

[File Reference No. 04-01140](#)

Authorize the execution of an Amendment to a License Agreement with the City of Santa Barbara for Public Art project implementation to add certain additional locations in the 600 and 700 block of State Street for a program for ongoing and temporary (less than 12 months) display of borrowed art pieces and to extend the term of the License Agreement from June 30, 2004 to June 30, 2008.

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

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

Absent: 1 - Supervisor Gray

A-9) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

[File Reference No. 04-01157](#)

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

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

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

Absent: 1 - Supervisor Gray

A-10) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

[File Reference No. 04-01119](#)

Accept Easement Deeds by authorizing the Clerk of Board to sign the Certificate of Acceptances from Antonio Ramasanta over portions of 22 and 29 West Cabrillo Blvd and 1, 17, and 29 State St. (APNs 033-102-02, 033-102-15, 033-102-16) for the Lower Mission Creek Flood Control Project, Santa Barbara area, Second District.

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

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

Absent: 1 - Supervisor Gray

- A-11) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 04-01121](#)
- Accept Easement Deed by authorizing the Clerk of the Board to sign the Certificate of Acceptance from Devereaux Creek Properties, Inc. over portions of 6925 Whittier Drive, (APN 073-090-062), for access and maintenance of the Lower Devereaux Creek Project, Goleta area, Third District.
- A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Accepted. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Centeno
Absent: 1 - Supervisor Gray
- A-12) BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT [File Reference No. 04-01123](#)
- Authorize the Public Works Director to execute the following agreement and appendices with the Pacific Gas & Electric Company related to self generation of electricity at the Laguna County Sanitation District wastewater reclamation plant for the Micro Turbine Cogeneration Project, Fourth District.
- Generating Facility Interconnection Agreement;
Agreement for Installation of Special Facilities for Parallel Operation of Nonutility-Owned Generation;
Special Agreement for Electrical Standby Service.
- A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Authorized. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Centeno
Absent: 1 - Supervisor Gray
- A-13) BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 04-01120](#)
- Approve and authorize the Chair to execute Site Use Agreement No. 5015 with Community Radio, Inc. in the amount of \$1,200 to provide land to conduct ground based cloudseeding operations for the period November 1, 2004 through October 31, 2005.
- A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Centeno
Absent: 1 - Supervisor Gray
- A-14) COUNTY EXECUTIVE OFFICE [File Reference No. 04-01158](#)
- Approve Budget Revision requests. (SEE EXHIBIT B WITH POSTED AGENDA)
- A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Approved. The motion carried by the following vote:**
- Ayes: 4 - Supervisor Schwartz, Supervisor Rose, Supervisor Marshall and Supervisor Centeno
Absent: 1 - Supervisor Gray

A-15) COUNTY EXECUTIVE OFFICE [File Reference No. 04-01154](#)

Adopt a resolution consenting to the purchase of the outstanding publicly held Class A common stock of Cox Communications, Inc. by subsidiaries of Cox Enterprises Inc.

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

RESOLUTION NO. 04-345.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

A-16) COUNTY CLERK-RECORDER-ASSESSOR and PUBLIC WORKS [File Reference No. 04-01137](#)

Participate in the dedication of the new county building located at 130 Victoria Street, Santa Barbara, scheduled for 11:45 AM on December 7, 2004.

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

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

Absent: 1 - Supervisor Gray

A-17) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 04-01142](#)

Adopt a resolution directing property tax reassessment of certain Del Playa Drive properties due to coastal erosion damage pursuant to Revenue and Taxation Code Section 170, Isla Vista area, Third District.

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

December 14, 2004 in Santa Maria.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

A-18) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 04-01151](#)

Adopt a personnel resolution, effective December 6, 2004 as follows:

CLERK-RECORDER-ASSESSOR (#0440)

Add: 4 (4.0 FTE) unfunded positions:

1.0 FTE Elections Assistant, (Class 3005), Range 4676 (\$2,499 - \$3,050/month)

1.0 FTE Office Assistant Senior, (Class 1702), Range 4536 (\$2,330 - \$2,845/month)

2.0 FTE Appraiser Aide, (Class 0509), Range 4476 (\$2,262 - \$2,761/month)

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

RESOLUTION NO. 04-346

The motion carried by the following vote:

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

A-19) GENERAL SERVICES [File Reference No. 04-01138](#)

Consider recommendations regarding the Calle Real Fueling Station Site # J04017 (Project # 8543), First District, as follows:

- a) Award a Construction Contract in the amount of \$153,110 to B&T Service Station Contractors (not a local vendor) subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the project and as required by California Law;
- b) Authorize the Chair to execute the Construction Contract upon return of the contractor's executed contract documents, and the review and approval of County Counsel, Auditor-Controller, and Risk Manager or their authorized representatives;
- c) Authorize the Director of General Services to approve change orders in the aggregate amount of 10% of the contract amount.

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

a) Approved.

b) and c) Authorized. The motion carried by the following vote:

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

A-20) GENERAL SERVICES [File Reference No. 04-01150](#)

Approve and execute an Easement Deed and Agreement granting Parke Orcutt, LLC, a private developer, the permanent right to use a portion of Waller Park for the purpose of maintaining an underground storm water runoff pipeline connecting the developer's private development to an existing drainage system that runs through a portion of the adjacent County-owned Waller Park, Fifth District.

A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

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

A-21) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 04-01144](#)

Adopt one resolution, effective December 6, 2004, as follows:

RETITLE JOB CLASSIFICATION:

From: County Privacy Officer (Class 1950), Range 6504 (\$6,219-\$7,592 per month)

To: Health Insurance Portability and Accountability Act (HIPAA) Compliance Officer.

ESTABLISH JOB CLASSIFICATION

Management Specialist S (Class 005022), Range 5524 (\$3,814-\$4,656 per month).

SOCIAL SERVICES (#5810)

Delete: 1.0 FTE Project Manager CALWIN Technical Implementation (Class 006098), Range 6424 (\$5,975-\$7,295 per month).
Add: 1.0 FTE Management Specialist S (Class 005022).

RETITLE JOB CLASSIFICATION

From: Project Manager - Project Management Tracking System (Class 6079), Range 6614 (\$6,569-\$8,020 per month)
To: Project Manager - County Administrator's Office.

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

RESOLUTION NO. 04-347.

The motion carried by the following vote:

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

A-22) PARKS

[File Reference No. 04-01134](#)

Approve a budget revision to appropriate \$10,500 from the Santa Maria Quimby Fee Trust Fund (#1403) for structural design and permit costs for a new pedestrian bridge at Richardson Park in New Cuyama to replace the existing, deteriorating bridge, Fifth District.

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

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

A-23) PARKS

[File Reference No. 04-01135](#)

Consider recommendations regarding a Memorandum of Understanding regarding the transfer of ownership of the Santa Barbara Shores open space acquisition, Third District, as follows:

- a) Approve the Memorandum of Understanding between the County of Santa Barbara, City of Goleta and State of California, Department of Parks and Recreation regarding the transfer of ownership of the Santa Barbara Shores open space acquisition as required under the original Proposition 70 grant funding;
- b) Authorize the Director of County Parks to execute the Memorandum of Understanding (MOU) on behalf of the County of Santa Barbara.

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

a) **Approved.**

b) **Authorized. The motion carried by the following vote:**

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

A-24) PARKS

[File Reference No. 04-01147](#)

Approve a budget revision to appropriate \$9,750 from the South Coast West Quimby Fee Trust Fund (#1400) for the conversion of the ranger residence site at Tucker's Grove County Park to a park host site as well as adding additional day use space, Second District.

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

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

A-25) PARKS

[File Reference No. 04-01152](#)

Adopt a resolution authorizing a pass through of Goleta's previously approved portion of Santa Barbara County's Proposition 40 per capita funds to the City of Goleta in the amount of \$102,500 and Proposition 40 Roberti Z'Berg-Harris block grant funds in the amount of \$197,500 for the acquisition and development of Old Town Park, Second District.

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

RESOLUTION NO. 04-348.

The motion carried by the following vote:

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

A-26) PLANNING AND DEVELOPMENT

[File Reference No. 04-01159](#)

Receive the Director's report regarding an Emergency Permit issued to James Gelb for the demolition of a portion of two apartment buildings and associated structures located on the coastal bluff at Isla Vista Beach at 6741 and 6743 Del Playa Drive (APNs 075-193-042, 075-193-043) to alleviate an existing hazard to public safety, Isla Vista, Third District.

A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Received and filed. The motion carried by the following vote:

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

A-27) PLANNING AND DEVELOPMENT

[File Reference No. 04-01072](#)

Consider recommendations regarding Rancho Reata LLC Agricultural Preserve Non-Renewal (71-AP-057A), located approximately one mile southwest of the intersection of Alisos Canyon and Foxen Canyon Roads, known as 7300 Foxen Canyon Road, Los Olivos area, Third District, as follows:

- a) Accept the request for nonrenewal of Agricultural Preserve 71-AP-057A;
- b) Approve and execute the Notice of Nonrenewal by the County Land Conservation Contract for APN 133-110-047.

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

- a) **Accepted.**
- b) **Approved.**

The motion carried by the following vote:

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

A-28) PLANNING AND DEVELOPMENT[File Reference No. 04-01083](#)

Consider the Knill Agricultural Preserve Non-Renewal (Case No. 75-AP-12) for non-renewal of an existing agricultural preserve contract located at 370 Ortega Ridge Road (APN 005-080-017), Montecito area, First District.

A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Continued, as follows: December 14, 2004 in Santa Maria.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

A-29) PLANNING AND DEVELOPMENT[File Reference No. 04-01146](#)

Reschedule the Local Coastal Program Amendment window date of July 20, 2004 to December 7, 2004.

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

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

Absent: 1 - Supervisor Gray

A-30) PUBLIC HEALTH[File Reference No. 04-01145](#)

Approve the continued Local Emergency, Resolution Number 00-193, due to the spread and on-going epidemic of blood-borne viral hepatitis (Hepatitis B and C) and human immunodeficiency virus (HIV) infections among injection drug users and authorize Pacific Pride Foundation as the agent of the County to carry out the Syringe Exchange and Education Program.

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

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

Absent: 1 - Supervisor Gray

A-31) PUBLIC WORKS[File Reference No. 04-01125](#)

Consider recommendations regarding construction of Storm Damage Repair on Maria Ygnacia Creek at Bridge 51C-026 on Hollister Avenue (Project No. 98R250) Goleta area, Second District, as follows:

a) Accept Notice of Completion for work performed by Elevation General Engineering, Inc. (a local vendor), and authorize Clerk to record;

b) Review and approve the Statement of Final Quantities for work performed and materials supplied for this project by the Contractor, in the amount of \$163,262.85.

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

a) Accepted.

b) Approved.

The motion carried by the following vote:

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

A-32) PUBLIC WORKS [File Reference No. 04-01126](#)

Consider recommendations regarding construction of Santa Ynez Valley Airport Apron Rehabilitation (Federal AIP Project No. 3-06-0243-04 & Federal Project No. 3-06-0243-05; Project No. 862242), Third District, as follows:

- a) Accept Notice of Completion for work performed by Union Asphalt Inc. (a local vendor) and authorize Clerk to record;
- b) Review and approve the Statement of Final Quantities for work performed and materials supplied for this project by the Contractor in the amount of \$833,301.60.

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

- a) **Accepted.**
- b) **Approved.**

The motion carried by the following vote:

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

A-33) PUBLIC WORKS [File Reference No. 04-01127](#)

Consider recommendations regarding execution of quitclaim for a portion of North Refugio Road running through or adjacent to APN 141-460-006, Santa Ynez area, Third District,

- a) Approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines regarding the proposed execution of a Quitclaim Deed from the County of Santa Barbara to the Wynona H. Gauld Trust;
- b) Approve and execute the Quitclaim Deed with Reservations regarding a portion of North Refugio Road running through or adjacent to APN 141-460-006 which is located in the unincorporated area of the County.

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

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

The motion carried by the following vote:

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

A-34) PUBLIC WORKS [File Reference No. 04-01128](#)

Consider recommendations regarding execution of Quitclaim regarding a portion of North Refugio Road running through or adjacent to APN 141-460-005, Santa Ynez area, Third District, as follows:

- a) Approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA)

guidelines regarding the proposed execution of a Quitclaim Deed from the County of Santa Barbara to the Old College Ranch LLC;

b) Approve and execute the Quitclaim Deed with Reservations for a portion of North Refugio Road running through or adjacent to APN 141-460-005.

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

a) **Approved.**

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

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

A-35) PUBLIC WORKS

[File Reference No. 04-01129](#)

Authorize the Chair to execute Amendment No. 2 to the agreement with Tartaglia Engineering (not a local vendor) for engineering and construction management services for the Santa Ynez Airport Apron Rehabilitation Project (Project No. 862242), in the amount of \$7,442.25 for a total in the amount of \$156,682.25, Third District.

A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

A-36) SHERIFF

[File Reference No. 04-01148](#)

Authorize sole source procurement of Taser equipment from ProForce Marketing Inc. (not a local vendor) for department-wide implementation and approve the acquisition of the above safety equipment, in an amount not to exceed \$250,000.

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

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

Absent: 1 - Supervisor Gray

A-37) SOCIAL SERVICES

[File Reference No. 04-01133](#)

Adopt a resolution approving the Revised Budget for 2004-05 for the Promoting Safe and Stable Families (PSSF) Program of Santa Barbara County due to an increased allocation from the California Department of Social Services in the amount of \$104,524 for a total in the amount of \$535,769.

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

RESOLUTION NO. 04-349.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

A-38) TREASURER-TAX COLLECTOR [File Reference No. 04-01149](#)

Adopt a resolution authorizing the College Elementary School District to issue and sell bonds on its own behalf, in accordance with Education Code Section 15140, in an amount not to exceed \$5,000,000.

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

RESOLUTION NO. 04-350.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

Board of Supervisors

A-39) SUPERVISOR GRAY [File Reference No. 04-01130](#)

Approve the reappointment of James E. Pearson to the Housing Authority Board of Commissioners as North County Tenant representative.

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

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

Absent: 1 - Supervisor Gray

A-40) SUPERVISOR GRAY [File Reference No. 04-01131](#)

Approve the reappointment of Alice Down to the Commission for Women, Fourth District.

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

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

Absent: 1 - Supervisor Gray

A-41) SUPERVISOR ROSE [File Reference No. 04-01132](#)

Approve the appointment of Fatima Matal Sol to the Affirmative Action Commission, Second District.

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

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

Absent: 1 - Supervisor Gray

A-42) SUPERVISOR MARSHALL [File Reference No. 04-01160](#)

Approve the reappointment of Gerry Winant to the Santa Barbara Coastal Vector Control District.

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

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

Absent: 1 - Supervisor Gray

Hearing RequestsA-43) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 04-01118](#)

Set a hearing to consider recommendations regarding Recapitalization of Housing Finance Loan Portfolio, as follows:

a) Approve Housing and Community Development Department's (HCD) negotiated loan of \$1.1 million dollars from South Coast Community Federal Credit Union to be collateralized solely by the \$3.2 million of its total loan portfolio, comprised of \$1.259 million Housing Rehabilitation (HR) and \$1.929 million Down Payment Assistance (DPA) programs loans, to be used by HCD to "write-down" the cost of housing in the private market place to attainable levels for low-income and workforce families who live and work in the County of Santa Barbara;

b) Approve and execute the Loan Agreement in the total amount of \$1,100,000.

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

December 14, 2004 in Santa Maria. (EST. TIME: 15 MIN.)

The motion carried by the following vote:

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

A-44) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 04-01124](#)

Set a hearing to receive report regarding the County's Tourism Promotion (Fulfillment) Program from the Santa Barbara Convention and Visitors Bureau-Film Commission, Santa Maria Valley Chamber of Commerce and other tourism organizations receiving program funds.

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

January 18, 2005. (EST. TIME: 90 MIN.)

The motion carried by the following vote:

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

A-45) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 04-01153](#)

Consider recommendations regarding HOME funding for Central Plaza Apartments, Santa Maria Area Fifth District, as follows:

a) Find that the Central Plaza Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines 15301 and 15280;

b) Approve the commitment of \$1,594,607 in County HOME and City of Santa Maria HOME funding from the County HOME Consortium to Central Plaza Limited Partners (CPLP) for the acquisition and rehabilitation of the Central Plaza Apartments in Santa Maria;

c) Authorize the Director of Housing and Community Development to execute a Loan Agreement

and a Regulatory Agreement with CPLP for the acquisition and rehabilitation of this project consistent with the terms and conditions detailed in this Board letter and its attachments, and any minor, nonsubstantive changes necessary to implement the execution of these documents.

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

a) and b) Approved.

c) Authorized.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

Approval of Administrative Agenda

A motion was made by Supervisor Rose, seconded by Supervisor Schwartz, to Approve the Administrative Agenda.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

Public Comment Period

A motion was made to 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) (04-00,316)

RE: A Meeting with Former Second District Supervisor Tom Rogers - First District Supervisor Naomi Schwartz addressed the Board.

RE: Mission County Formation - Richard Robinson addressed the Board.

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

RE: Potential Brown Act Violations at the November 23, 2004 Board of Supervisors meeting regarding the Inclusionary Housing Program - Gary Earl addressed the Board.

RE: Food Bank Donations - Sister Janet Corcoran addressed the Board.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

Departmental Agenda -- Public Hearings

1) SUPERVISOR MARSHALL[File Reference No. 04-01034](#)

HEARING - Consider recommendations regarding design and planning of a Community Center, Isla Vista, Third District, as follows:

- a) Consider dedicating funds from the Redevelopment Agency's Isla Vista Project Area to the Isla Vista Recreation and Park District to be used for the design and planning of a Community Center;
- b) Direct the Planning and Development Department and County Counsel to develop the necessary agreements to facilitate the contribution and assist in the design and planning of the community center.

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

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

Absent: 1 - Supervisor Gray

2) PLANNING AND DEVELOPMENT[File Reference No. 04-00936](#)

HEARING - Consider the Planning Commission's recommendation to approve the Ocean Meadows Residences project, located at 6925 Whittier Drive near Storke Road in the Goleta area (APNs 073-090-062 and -013) (03GPA-00000-00003, 03RZN-00000-00002, 03DVP-00000-00022, 03DVP-00000-00044, 03TRM-00000-00002, 04CDP-00000-00078, 04CUP-00000-00020, 04CUP-00000-00038, and 04CUP-00000-00046), Third District, as follows:

- a) Approve Case Numbers 03DVP-00000-00022, 03DVP-00000-00044, 03TRM-00000-00002, 04CDP-00000-00078, 04CUP-00000-00020, 04CUP-00000-00038, and 04CUP-00000-00046, subject to the conditions of approval;
- b) Adopt the required findings for approval of Case Numbers 03DVP-00000-00022, 03DVP-00000-00044, 03TRM-00000-00002, 04CDP-00000-00078, 04CUP-00000-00020, 04CUP-00000-00038, and 04CUP-00000-00046, including the CEQA findings;
- c) Certify the Environmental Impact Report and adopt the mitigation monitoring program as set forth in the conditions of approval;
- d) Obtain proof of easement or right of access to the project site from Whittier Drive and Storke Road prior to approval of 03DVP-00000-00022, 03DVP-00000-00044, 03TRM-00000-00002, and 04CDP-00000-00078;
- e) Consider the applicant's request, as submitted following the Planning Commission's hearing, that a fee deferral and waiver be granted for proposed affordable housing units pursuant to Section 35-144C.4 of Article II (Coastal Zoning Ordinance).

A motion was made by Supervisor Marshall, seconded by Supervisor Schwartz, that this matter be Continued, as follows: January 18, 2005. The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

3) COUNTY CLERK-RECORDER-ASSESSOR[File Reference No. 04-00990](#)

HEARING - Consider the adoption (Second Reading) of an ordinance to provide the County with the authority to exempt low-value Property from tax assessment. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

ORDINANCE NO. 4556

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

4) PLANNING AND DEVELOPMENT[File Reference No. 04-01010](#)

HEARING - Consider zoning ordinance text amendments to Articles II, III and IV of Chapter 35 of the Santa Barbara County Code (Case Nos. 04ORD-00000-00021 - Article II Coastal Zoning Ordinance; 04ORD-00000-00022 - Article III Inland Zoning Ordinance and 04ORD-00000-00023 - Article IV Montecito Zoning Ordinance) and submittal of the amendment to Article II, the Coastal Zoning Ordinance, to the California Coastal Commission for review and certification as an amendment to the Local Coastal Program, as follows: (EST. TIME: 2 HRS.)

- a) Find that these amendments are categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b) (3) of the Guidelines for Implementation of CEQA;
- b) Adopt findings for approval of the proposed amendments;
- c) Adopt a Resolution and Ordinance 04ORD-00000-00021 amending Article II, Coastal Zoning Ordinance (Attachment C) and direct staff to submit this amendment to the Local Coastal Program to the California Coastal Commission;
- d) Adopt 04ORD-00000-00022 amending Article III, Inland Zoning Ordinance;
- e) Adopt 04ORD-00000-00023 amending Article IV, Montecito Zoning Ordinance.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Adopted findings.

b) Adopted findings.

c) Adopted, as amended. Added the following language approved by the Monticito Planning Commission: "not allow for the importation of Agricultural products produced off-site."

RESOLUTION NO. 04-351

ORDINANCE NO. 4557

d) Adopted, as amended.

ORDINANCE NO. 4558

e) Adopted, as amended.

ORDINANCE NO. 4559

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

2:00 P.M. Presentation of Resolutions and Awards**Planning Items and Public Hearings**5) **PUBLIC WORKS** [File Reference No. 04-01014](#)

HEARING - Consider annexation of Tract 14,303, Mesa Verde, into the Santa Barbara North County Lighting District and creation of the Zone of Benefit, Fourth District, as follows: (EST. TIME: 10 MIN)

a) Consider the introduction (First Reading) of an ordinance approving the annexation of territory (Tract 14,303) to the Santa Barbara North County Lighting District, creating a new zone of benefit and imposing an annual assessment for street lighting services;

b) Approve the Notice of Exemption pursuant to Section 15320 of the California Environmental Quality Act (CEQA) Guidelines.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) **Read by title; waived reading of the ordinance in its entirety. Introduction approved; adoption (second reading) set, as follows:**

December 14, 2004, in Santa Maria.

b) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

6) **PUBLIC WORKS** [File Reference No. 04-01106](#)

HEARING - Ascertain the need for forming a proposed Underground Utility District along East Valley Road and Olive Mill Road in Montecito and consider adoption of a resolution creating the proposed utility undergrounding district., First District. (EST. TIME: 20 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

RESOLUTION NO. 04-352

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

7) **PLANNING AND DEVELOPMENT** [File Reference No. 04-01063](#)

HEARING - Receive a briefing regarding the UCSB North Campus housing projects and the Comstock Homes project in the City of Goleta, Third District. (EST. TIME: 1 HR)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

Received and filed

8) PLANNING AND DEVELOPMENT

[File Reference No. 04-00687](#)

HEARING - Consider recommendations regarding 2005 Coastal Resource Enhancement Fund (CREF) Grant allocation, as follows: (EST. TIME: 45 MIN.)

- a) Approve CREF awards and staff recommendations for the 2005 CREF cycle on page 19 of the attached staff report, along with the specific preliminary conditions of awards in Appendix A of the staff report;
- b) Direct staff to prepare the required contractual agreements with grantees, including final grant conditions required, for approval by the Board of Supervisors of the non-County CREF awards.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- a) **Approved CREF awards and staff recommendations for the 2005 CREF cycle (as amended by Planning and Development Exhibit 1 presented at hearing dated December 7, 2004 and Planning and Development Staff Memorandum dated December 7, 2004) in addition to specific conditions of awards as reflected in Appendix A of the staff report. Board approved an additional allocation of \$6,800 to the Wildlife Care Center, Seabird Care Compound.**

Directed staff to return to the Board on December 14, 2004 to consider adoption of a resolution to amend a California Resources Agency grant to the County in the amount of \$350,000. This grant is currently slated to assist the Land Trust in acquiring one or more conservation easements on the Gaviota Coast. The amendment would shift this grant to assist the Trust for Public Lands in acquiring the Ellwood-Mesa properties.

- b) **Directed staff to prepare the required contractual agreements with grantees, including final grant conditions required, for approval by the Board of Supervisors of the non-County CREF awards.**

The motion carried unanimously.

9) SUPERVISOR MARSHALL, PARKS and ALCOHOL, DRUG AND MENTAL HEALTH SERVICES

[File Reference No. 04-01056](#)

HEARING - Consider recommendations regarding restriction of consumption of alcohol within the community of Isla Vista, Third District, as follows: (EST. TIME: 45 MIN.)

- a) Consider the introduction (First Reading) of an ordinance to amend Chapter 26 of the County Code to provide for restriction on alcohol consumption in certain County parks, recreation areas, beach access ways and/or recreation properties owned by the Redevelopment Agency;
- b) Consider adoption of a resolution to provide for use of alcohol by permit only in certain County parks, recreation areas, beach access ways and Redevelopment Agency recreation areas within the Community of Isla Vista.

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

a) Read by title; waived reading of the ordinance in its entirety. Introduction approved (second reading) set, as follows:

December 14, 2004, in Santa Maria.

b) Continued to December 14, 2004, in Santa Maria.

Directed staff to amend the resolution to include a provision that a permit may be denied if previous fines have not been paid and to report back to the Board at a future date on the effectiveness of the permitting process.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

Adjourn to December 14, 2004

Betteravia Government Center

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

Adjourn

Announcements

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

<http://www.countyofsb.org>