

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

November 15, 2005

**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

HEARING TIME: 9:15 AM

Roll Call

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

Pledge of Allegiance

Report from Closed Session

No reportable action taken.

Approval of Minutes of the November 8, 2005 Meeting

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

Administrative Agenda

Honorary Resolutions

A-1) SUPERVISOR CARBAJAL [File Reference No. 05-01080](#)

Adopt a Resolution of Commendation honoring Steven Timbrook for his 19 years of service as Director of Ganna Walska Lotusland.

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

RESOLUTION NO. 05-324

The motion carried unanimously.

A-2) SUPERVISOR GRAY [File Reference No. 05-01072](#)

Adopt a Resolution of Commendation honoring Wesley M. Forman, Probation Department Manager, for 26 years of service to Santa Barbara County.

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

RESOLUTION NO. 05-325

The motion carried unanimously.

Administrative Items

A-3) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 05-01075](#)

Consider recommendations regarding the Via Rueda Interceptor Project, (County Project No. SC8340), Second District, as follows:

- a) Approve the Via Rueda Interceptor Project and the attached CEQA Notice of Exemption (post);
- b) Authorize the Flood Control District to proceed with negotiations and acquisition of an easement or fee title on a portion of APN: 061-362-001 for construction and maintenance of the project; and
- c) Authorize the Public Works Director to advertise and receive bids for the project.

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

a) Approved.

b) and c) Authorized.

The motion carried unanimously.

A-4) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 05-01079](#)

Approve Budget Revision Requests. (SEE EXHIBIT B WITH POSTED AGENDA)

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

A-5) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 05-01062](#)

Consider appointment of Special District Board of Directors in Lieu of Election for the Goleta Sanitary District and Goleta West Sanitary District.

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

A-6) COUNTY COUNSEL and PUBLIC WORKS

[File Reference No. 05-01076](#)

Consider recommendations regarding agreement for legal services for Tajiguas Landfill Permit Review, Third District, as follows:

- a) Approve a Fee/Retainer Agreement between the County of Santa Barbara and the law firm of Remy, Thomas, Moose and Manley, LLP, for legal services associated with the Tajiguas Landfill closure plan permit review;
- b) Approve a reciprocal waiver of a potential conflict of interest; and
- c) Authorize County Counsel Stephen Shane Stark, or his designee, to execute the Retainer Agreement and Reciprocal Waiver on behalf of the County.

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

- a) and b) Approved.
- c) Authorized.

The motion carried unanimously.

A-7) COUNTY EXECUTIVE OFFICE

[File Reference No. 05-01078](#)

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

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

A-8) DISTRICT ATTORNEY

[File Reference No. 05-01064](#)

Adopt a Resolution authorizing the District Attorney's Office to execute its' agreement with the State Department of Justice for the Domestic Violence Prosecution Grant Program in the amount of \$66,523 with a 20% Santa Barbara County General Fund match for FY 05-06.

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

RESOLUTION NO. 05-326

The motion carried unanimously.

A-9) FIRE

[File Reference No. 05-01081](#)

Authorize the Fire Department to accept 500 pairs of firefighting brush pants, valued at approximately \$66,000, as a gift from the Santa Barbara Firefighters Alliance.

A motion was made by Supervisor Centeno, seconded by Supervisor Firestone, that this matter be Acted on as follows: Authorized and directed the County Executive Officer to look into and report back on County Policy with regards to receiving "Gifts" and return to the Board as appropriate.

The motion carried unanimously.

A-10) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 05-01068](#)

Consider recommendations regarding the 2005 Community Development Block Grant (CDBG) Application, Enterprise Funds for Microenterprise Program as follows:

- a) Adopt a resolution approving up to a \$300,000 Economic Development Allocation CDBG grant application to the State Department of Housing and Community Development and authorize the Director of Housing and Community Development to submit the \$300,000 grant application to the California State Department of Housing and Community Development for funds to provide Microenterprise Assistance to the County unincorporated area and certain incorporated cities within the State CDBG program;
- b) Authorize the HCD Director to sign all documents required for submittal of the CDBG application, grant agreement, drawdown of funds, and submittal of minor amendment requests consistent with the purpose of the grant and grant administration; and
- c) Authorize a Sub-Recipient Agreement with Women's Economic Ventures to assume all performance responsibilities of the grant other than General Administration, which will be performed by the County.

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

a) Adopted.

RESOLUTION NO. 05-327

b) and c) Authorized.

The motion carried unanimously.

A-11) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 05-01073](#)

Approve the revised Homebuyer Assistance Program Guidelines.

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

A-12) PARKS [File Reference No. 05-01069](#)

Approve a budget revision to appropriate \$80,000 from the South Coast West Quimby Fee Trust Fund (#1400) for the installation of walkways, picnic tables, benches, and a drinking fountain at Calle Barquero Open Space in the Goleta area, Second District.

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

A-13) PARKS [File Reference No. 05-01070](#)

Approve a budget revision to appropriate \$66,377 from the South Coast West Quimby Fee Trust Fund (#1400) for the installation of a playground, walkway, picnic table, benches, and a drinking fountain at Rhoads Open Space in the Goleta area, Second District.

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

A-14) PARKS[File Reference No. 05-01071](#)

Consider recommendations regarding appropriation of \$52,000 from Santa Maria Quimby Fee Trust Fund, \$102,500 from Proposition 12 Grant, and \$480 from Sale of Bid Plans and Specifications; Approval of Plans and Specifications, and Execution of Contract for Construction of Richardson Park Pedestrian Bridges in New Cuyama; Project No. D61007, Fifth District, as follows:

- a) Approve a budget revision to appropriate \$52,000 from the Santa Maria Quimby Fee Trust Fund (#1403), \$102,500 from a Proposition 12 grant, and \$480 from the sale of bid plans and specs towards the construction of two pedestrian bridges within Richardson Park in New Cuyama;
- b) Approve the plans and specifications for the construction project; and
- c) Execute the construction contract, in the amount of \$188,240, to the lowest responsible bidder, Thomsen Landscape, 18800 Erwin Street, Reseda, CA 91335, subject to the provision of documents and certifications, as set forth in the plans and specifications applicable to the project and as required by law.

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

a) and b) Approved.

c) Approved; Chair to execute.

The motion carried unanimously.

A-15) PUBLIC WORKS[File Reference No. 05-01067](#)

Consider recommendations regarding Channel Clearing North of Santa Rosa Rd. at Mile Post 9.3, Third District, as follows:

- a) Reject all three (3) bids for the construction of Channel Clearing North of Santa Rosa Road at Mile Post 9.3, in the Third Supervisorial District of Santa Barbara County; Public Works Project No. 310310 pursuant to Article 25, Section 20393 of the California Public Contract Code; and
- b) Authorize the Director of Public Works to re-advertise for construction bids for Channel Clearing North of Santa Rosa Road at Mile Post 9.3, in the Third Supervisorial District of Santa Barbara County, Public Works Project No. 310310.

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

a) Rejected bids.

b) Authorized.

The motion carried unanimously.

A-16) PUBLIC WORKS[File Reference No. 05-01074](#)

Accept Notice of Completion for work performed on Old Coast Highway at Nojoqui Creek, Federal Project No. BRLS-5951 (21), County Project No. 863019, by the Contractor, Griffith Company (Not a Local Vendor), 12631 E. Imperial Highway, Suite F-230, Santa Fe Springs, California 90670, and authorize Clerk to record, Third District.

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

Hearing Requests

A-17) FIRE [File Reference No. 05-01083](#)

Set a hearing to consider recommendations regarding the Santa Barbara County Fire Department Fuels Crew as follows:

- a) Receive and file a report on the Fuels Crew implemented in July 2005; and
- b) Approve a seasonal Fuels Crew beginning in July 2006 and running through November 2006.

A motion was made by Supervisor Centeno, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: November 22, 2005 in Santa Maria (EST. TIME: 30 MIN.) The motion carried unanimously.

A-18) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 05-01082](#)

Set a hearing to receive presentation and request authorization of submission of Mental Health Services Act (Proposition 63) Plan to the State of California.

A motion was made by Supervisor Centeno, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: November 22, 2005 in Santa Maria (EST. TIME: 60 MIN.) The motion carried unanimously.

A-19) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 05-01077](#)

Set a hearing to consider recommendations regarding New Passport Photo Service and Associated Fee as follows:

- a) Set a hearing for December 6, 2005 to consider the introduction (first reading) of an ordinance setting a Passport Photo Service Fee for the Office of the County Clerk-Recorder-Assessor as follows:

Adopt an ordinance amending Section 2-10.7 of Article 1 of Chapter 2 of the Santa Barbara County Code entitled Office of the County Clerk, Recorder and Assessor Fees. This amendment of said Section 2-10.7 only adds a passport photo fee in the amount of \$12.00, and all other fees set forth in said section 2-10.7 before the adoption of this ordinance are not increased by this amendment and remain in full force and effect. The analysis on the cost shall be available for public inspection at least 10 days before the hearing date at the County Clerk-Recorder-Assessor, 105 East Anapamu, Room 204; Santa Barbara, CA., week days between 8:00 AM and 5:00 PM.

- b) Set a hearing for January 3, 2006 to consider the adoption (second reading) of the ordinance.

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

- a) Set for December 6, 2005 introduction (first reading).
- b) Set for January 3, 2006 for adoption (second reading).

The motion carried unanimously.

A-20) COUNTY EXECUTIVE OFFICE [File Reference No. 05-01065](#)

Set a hearing to receive a jail planning study including options for constructing and operating a new

County Jail as well as alternatives for relieving current overcrowding conditions at the existing jail, and to provide direction to staff as appropriate.

A motion was made by Supervisor Centeno, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: December 13, 2005 in Santa Maria (EST. TIME: 150 MIN.) The motion carried unanimously.

A-21) GENERAL SERVICES

[File Reference No. 05-01063](#)

Set a hearing to consider recommendations regarding the Local Vendor Outreach Program as follows:

- a) Approve a definition of a "Local Vendor" that will be used in all bids placed by the County of Santa Barbara;
- b) Authorize the Purchasing Manager to provide a 6% local vendor preference for all bids for personal property (tangible goods) placed by the County of Santa Barbara; and
- c) Receive the FY 2004-2005 report on Local Vendor Outreach.

A motion was made by Supervisor Centeno, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: December 13, 2005 in Santa Maria (EST. TIME: 45 MIN.) The motion carried unanimously.

Board of Supervisors

A-22) SUPERVISOR FIRESTONE

[File Reference No. 05-01066](#)

Approve amendments to the membership of the Agricultural Preserve Advisory Committee, as follows:

- a) Expand the membership on the Agricultural Preserve Advisory Committee (APAC) from five members to seven;
- b) The two additional seats on the APAC be representatives from production agriculture;
- c) The Agricultural Advisory Committee be established as the official body to make recommendations for the appointments to the additional seats on the APAC;
- d) The Planning and Development representative on the APAC be drawn from the Development Review Division; and
- e) Policy issues outside the Williamson Act and Uniform Rules consistency determinations for projects be addressed by the Agricultural Advisory Committee.

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

- a) and e) Approved.**

The motion carried unanimously.

Approval of Administrative Agenda

HEARING TIME: 9:15 AM - 9:35 AM (20 MIN.)

A motion was made by Supervisor Centeno, 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: Special Election Results - County Clerk-Recorder-Assessor, Joe Holland addressed the Board.

RE: Agenda Management / Jury Pay Issues - Floyd Meyer addressed the Board.

Departmental Agenda -- Public Hearings1) SHERIFF [File Reference No. 05-01025](#)

HEARING - Consider approval of \$731,340 in resource and use allocation of State COPs funds for supplemental law enforcement equipment, programs and/or personnel in Fiscal Year 2005-06. (EST. TIME 15 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:43 AM - 9:46 AM (3 MIN.)

A motion was made by Supervisor Firestone, seconded by Supervisor Centeno, that this matter be Approved Received and filed staff report. The motion carried unanimously.

2) BOARD OF DIRECTORS, LAGUNA COUNTY [File Reference No. 05-00934](#)
SANITATION DISTRICT and BOARD OF SUPERVISORS

HEARING - Consider recommendations regarding the annexation of Stonegate Ranch (TM 14,481) into the North County Lighting District and Formation of a Streetlighting Zone of Benefit, Fourth District, as follows: (EST. TIME 15 MIN.)

- a) Receive testimony that a written protest has not been filed;
- b) Count written property owner ballot(s);
- c) Consider the adoption (second reading) of an ordinance approving the annexation of Stonegate Ranch Tract 14,481 to the North County Lighting District, creating a zone of benefit and imposing an annual assessment for street lighting services.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 9:47 AM - 9:49 AM (2 MIN.)

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

- a) **Received and filed staff report.**
- b) **Counted one ballot in support.**
- c) **Adopted.**

ORDINANCE NO. 4580

The motion carried unanimously.

3) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 05-01037](#)

HEARING - Consider the appointment of the four most qualified candidates to the Cachuma Resource Conservation District Board of Directors no later than December 1, 2005. (EST. TIME 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 9:49 AM - 10:07 AM (18 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 and conducted public hearing. Appointed Timothy Campbell, Ernest Righetti II, Richard Russell and LeRoy Scolari to the Cachuma Resource Conservation District Board of Directors. The motion carried unanimously.

4) PLANNING AND DEVELOPMENT

[File Reference No. 05-01007](#)

HEARING - Consider recommendations regarding the Annual Status Report on Resources in the Montecito Community Plan Area and to extend the Montecito Growth Management Ordinance (Case No. 05ORD-00000-00013), First District, as follows: (EST. TIME 30 MIN.)

a) Accept the Planning & Development Director's report pursuant to Section 35B-12.2 of the Montecito Growth Management Ordinance (MGMO), determining that the public health and safety continues to be jeopardized by residential construction;

b) Consider the introduction (First Reading) of an ordinance amending Chapter 35B of the Santa Barbara County Code, Montecito Growth Management Ordinance (No. 3916, as amended by Ord. 4105, 4133, 4140, 4148, 4190 and 4381), and set second reading for December 6, 2005, as follows:

i. Approve text amendments that extend the life of the ordinance beyond December 31, 2005;

ii. Accept 90-EIR-15, together with its Addendum, dated November 10, 1999, as adequate environmental review for the project.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:07 AM - 11:17 AM (70 MIN.)

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

a) Accepted.

b) Read by title; waived reading of the ordinance in it's entirety. Introduction approved.

c) Set for adoption (second hearing) on December 6, 2005.

The motion carried by the following vote:

Ayes: 3 - Supervisor Carbajal, Supervisor Rose and Supervisor Centeno

Noes: 2 - Supervisor Firestone and Supervisor Gray

5) COUNTY EXECUTIVE OFFICE and PLANNING AND DEVELOPMENT

[File Reference No. 05-01040](#)

HEARING - Consider recommendations regarding the Quarterly Report on the County Comprehensive Planning 2005-2008 three Year Work Program as follows: (EST. TIME 1 HR.)

a) Accept the quarterly report on the Comprehensive Planning Division's 2005-2008 Three Year Work Plan;

b) Allocate funding from the Vehicle License Fee (VLF) State repayment for a consultant to prepare a Housing Element EIR in the amount of \$160,000 in FY 05-06.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:28 AM - 12:08 PM (40 MIN.)

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

a) Accepted.

b) Approved.

The motion carried unanimously.

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

Planning Items and Public Hearings

6) **PLANNING AND DEVELOPMENT**

[File Reference No. 05-01000](#)

HEARING - Consider the San Marcos Foothills Coalition and Small Wilderness Area Preserve Appeals of the Planning Commission approval of the Preserve at San Marcos project, located in the San Marcos Foothills on the east side of Highway 154, north of Foothill Road (01TRM-00000-00005, TM 14,585, 01DVP-00000-00071, 04EIR-00000-00003; Appeal Case No. 05APL-00000-00019), Second District. (EST. TIME 3 HRS)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 2:10 PM - 6:10 PM (4 HRS.)

Acted on and continued, as follows:

Received and filed staff report and conducted public hearing.

A motion was made by Supervisor Gray, seconded by Supervisor Firestone to not accept late distribution dated November 15, 2005.

The motion carried unanimously.

A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno to continue the matter to Monday, November 21, 2005 at 1:00 PM.

The motion carried Unanimously.

Public Hearing Closed.

Adjourn to Monday, November 21, 2005

1:00 PM

County Administration Building

Board Hearing Room

105 East Anapamu Street, Fourth Floor

Santa Barbara

Announcements

The meeting of November 15, 2005, will be telecast live on Government Access TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, November 17, 2005, at 5:00 PM on GATV Channel 20.

<http://www.countyofsb.org>