

County of Santa Barbara BOARD OF SUPERVISORS

ACTION SUMMARY

January 15, 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

9:00 A.M. Reconvened to Regular Session

Roll Call

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

Invocation: Melissa Graeff, Parks Department

Report from Closed Session

No reportable action taken.

Approval of Minutes of the January 8, 2002 meeting

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

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR ROSE

[File Reference No. 02-00040](#)

Adopt a resolution honoring Jeffery R. Hixon upon achieving the rank of Eagle Scout.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted
RESOLUTION NO. 02-009. The motion carried unanimously.

A-2) SUPERVISOR ROSE[File Reference No. 02-00041](#)

Adopt a resolution honoring Jeffrey M. Peterson upon achieving the rank of Eagle Scout.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted
RESOLUTION NO. 02-010. The motion carried unanimously.**

Administrative ItemsA-3) BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT[File Reference No. 02-00069](#)

Adopt the Laguna County Sanitation District Sewer Design Specifications and Development Standards, Fourth and Fifth Districts.

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

A-4) BOARD OF SUPERVISORS and BOARD OF DIRECTORS,
FLOOD CONTROL AND WATER CONSERVATION
DISTRICT[File Reference No. 02-00068](#)

Approve and execute an Easement Deed (Permanent Easement) for the conveyance of a mitigation bank easement across portions of APN 077-160-043, -046 and -058, known as Lake Los Carneros County Park, from the County of Santa Barbara to the Santa Barbara County Flood Control and Water Conservation District, Third District.

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

A-5) FIRST 5, CHILDREN AND FAMILIES COMMISSION[File Reference No. 02-00075](#)

Consider recommendations regarding the acceptance of a donation for the Second Annual Spruce Up for Kids Day, as follows:

a) Accept a \$150,000 donation from the Orfalea Family Foundation designated for the Second Annual Spruce Up for Kids Day;

b) Approve a Budget Revision establishing revenue and appropriation accounts earmarked for the Spruce Up for Kids Day program.

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

a) Accepted.

b) Approved budget revision.

The motion carried unanimously.

A-6) COUNTY EXECUTIVE OFFICE[File Reference No. 02-00063](#)

Consider recommendations regarding Annexation to County Services Area #11 (Carpinteria Valley), First District, as follows:

a) Adopt a resolution initiating procedures to concurrently dissolve the Summerland Lighting District and annex the area within the District, and three additional areas to County Service Area No. 11;

- b) Adopt a resolution initiating procedures to add "Road Maintenance" as one of the extended services that can be provided by CSA 11;
- c) Set a public hearing to receive any protests or testimony regarding adding "Road Maintenance" services to CSA 11, pursuant to Government Code Section 25210.32 (SET HEARING FOR FEBRUARY 19, 2002) (EST. TIME: 5 MIN.);
- d) Authorize the County Administrator to file the annexation application with the Local Agency Formation Commission (LAFCO).

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

RESOLUTION NO. 02-011

b) Adopted.

RESOLUTION NO. 02-012

c) Hearing set for February 19, 2002.

d) Authorized. The motion carried unanimously.

A-7) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00064](#)

Adopt a resolution providing for the negotiated exchange of property tax revenues pertaining to the Prato Reorganization, an annexation to the City of Carpinteria, the Carpinteria Street Lighting District No. 1 and Carpinteria Sanitary District and detachment from County Service Areas 11 and 13, First District.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted
RESOLUTION NO. 02-013.

The motion carried unanimously.

A-8) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00065](#)

Consider recommendations regarding the Transfer of Program Quality Improvement Project from the Santa Barbara County Education Office to the Santa Barbara County, Office of the County Administrator, as follows:

- a) Approve the transfer of the Program Quality Improvement project and fiscal management from Santa Barbara County Education Office to Santa Barbara County, County Administrator's Office, Office of Early Care and Education effective February 1, 2002;
- b) Adopt a Personnel Resolution adding one Early Care and Education Program Quality Improvement Coordinator position (Class 1702) Range 602 (\$4,885 - \$5,963 per month) and one Office Assistant Senior position, (Class 2411) Range 439 (\$2,167 - \$2,645 per month), effective January 7, 2002;
- c) Approve a Budget Revision establishing budget appropriations for Program Quality Improvement project from unanticipated revenue in the amount of \$751,174.

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

a) Approved.

b) Adopted.

RESOLUTION NO. 02-014.

c) Approve budget revision.

The motion carried unanimously.

A-9) COUNTY EXECUTIVE OFFICE

[File Reference No. 02-00067](#)

Approve budget revision requests. (SEE EXHIBIT A WITH POSTED AGENDA)

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

A-10) COUNTY CLERK-RECORDER-ASSESSOR

[File Reference No. 02-00051](#)

Consider recommendations regarding the State-County Property Tax Administration Program for Fiscal Year 2001-02, as follows:

a) Adopt a resolution electing to Participate in the State Assembly approved State-County Property Tax Administration Program for Fiscal Year 2001-02;

b) Direct the Clerk-Recorder-Assessor to consult with the Auditor-Controller, County Administrator, Treasurer-Tax Collector, Clerk of the Board and County Counsel to discuss the needs of the program for the duration of the contractual agreement and for presentation of a contract to the Board of Supervisors in March, 2002.

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

a) Adopted.

RESOLUTION NO. 02-015

b) Approved.

The motion carried unanimously.

A-11) COUNTY CLERK-RECORDER-ASSESSOR

[File Reference No. 02-00052](#)

Approve an amendment to the lease agreement with DFM Associates, Inc. extending the contract period for software maintenance services for the Election Information Management System (EIMS), from July 1, 2001 through June 30, 2006, in the annual amount of \$112,064 for a total contract amount of \$560,320.

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

A-12) FIRE

[File Reference No. 02-00049](#)

Authorize acceptance of Emergency Response Equipment valued at approximately \$28,000 as a donation from Paula Ferguson to be used by the Fire Department for Hazardous Materials Emergency Response.

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

A-13) FIRE [File Reference No. 02-00050](#)

Authorize the Purchasing Manager to procure one Tractor Mounted Articulating Chipper Mower in an amount not to exceed \$96,000 under the terms and conditions of the United States Department of Agriculture (USDA) Economic Recovery Program (Grant No. 01-DG-11050754-031) from the sole source vendors, John Deere Co. and Tiger Mowers (not a local vendor).

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

A-14) GENERAL SERVICES [File Reference No. 02-00061](#)

Approve and execute a Memorandum of Understanding authorizing General Services Vehicle Operations Division to perform maintenance and repair work on light duty vehicles owned and operated by Santa Barbara City College on an ongoing basis until terminated by either party. Fees collected for the services will offset costs of providing services.

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

A-15) GENERAL SERVICES [File Reference No. 02-00078](#)

Approve and execute a License Agreement between the County of Santa Barbara (Licensor) and Al Cahoon and Cheryl Nawrocki (D.B.A. "Obadogg") for the right to place a mobile vending cart on a portion of the County owned sidewalk area of the Lompoc Civic Center located at 401 East Cypress Avenue, Lompoc. The term of the license shall commence February 1, 2002, terminating on January 31, 2003 in the amount of \$200.00 per month. If the Licensee is in good standing at the end of the license term and requests an extension, the license may be extended on a year-to-year basis by the Director of General Services. Licensee's request to extend shall be in writing and submitted 90 days prior to the expiration of the then-current term.

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

A-16) GENERAL SERVICES [File Reference No. 02-00062](#)

Consider recommendations regarding the Casa Nueva Office Building, located at 260 N. San Antonio Road, Santa Barbara area, Second District, as follows:

- a) Adopt the CEQA findings and project approval findings specified in Exhibit 1 of the Board Letter dated January 15, 2002;
- b) Adopt the Final Mitigated Negative Declaration 01-ND-052, including the Mitigation Monitoring program, specified in Exhibit 2 of the Board Letter dated January 15, 2002;
- c) Approve Plans and Specifications for the project;
- d) Authorize the General Services Department to advertise the project for public bidding;
- e) Authorize the Chair to award and execute the Construction Agreement with the lowest responsive bidder, subject to provision of the documents and certifications as set forth in the plans and specifications, and as required by California Law;

f) 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 Schwartz, seconded by Supervisor Rose, that this matter be Acted on as follows:

a) and b) Adopted.

c) Approved.

d) through f) Authorized.

The motion carried unanimously.

A-17) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[File Reference No. 02-00060](#)

Adopt a resolution, effective January 7, 2002, as follows:

a) Establish the Job Classification of Early Care & Education Program Quality Improvement Coordinator, (Class #002411), Range 602 (\$4,885-\$5,963 per month);

b) Reallocate all Departmental Data Processing (restricted and non-restricted) positions (Class #2171 & 2173) and all Departmental Data Processing Senior (restricted and non-restricted) positions (Class #2174 & 2176) as flexibly staffed positions;

c) RETITLE JOB CLASSIFICATIONS

i) Retitle the job classification of Departmental Data Processing Specialist to Computer Systems Specialist I (Class #2171);

ii) Retitle the job classification of Departmental Data Processing Specialist Senior to Computer Systems Specialist II (Class #2174);

iii) Retitle the job classification of Departmental Data Processing Specialist-Restricted to Computer Systems Specialist I - Restricted (Class #2173);

iv) Retitle the job classification of Departmental Data Processing Specialist Senior - Restricted to Computer Systems Specialist II - Restricted (Class #2176).

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 02-016. The motion carried unanimously.

A-18) PLANNING AND DEVELOPMENT and PUBLIC WORKS

[File Reference No. 02-00047](#)

Consider recommendations regarding the North Jameson Lane Class II Bike Lanes and Bridge Replacements, County Project No. 863027, First District, as follows:

a) Adopt the required findings for the project (Attachment A to the Board Letter dated January 15, 2002), including CEQA findings;

b) Accept the Addendum to the Mitigated Negative Declaration (01-ND-27) dated November 21, 2001 and adopt the mitigation-monitoring program contained in the conditions of approval for the North Jameson Lane Class II Bike Lanes project;

c) Approve the project subject to the findings and conditions of approval included in the Conditional Use Permit (01CUP-00000-00089), dated December 4, 2001;

d) Authorize the County Public Works Department to proceed with negotiations for the acquisition of permanent easements and temporary rights-of-entry with adjacent property owners.

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

a) Adopted.

b) Accepted.

c) Approved.

d) Authorized.

The motion carried unanimously.

A-19) PLANNING AND DEVELOPMENT

[File Reference No. 02-00054](#)

Adopt a resolution designating Isla Vista Redevelopment Agency Project Area Committee members as General Plan Advisory Committee members.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted
RESOLUTION NO. 02-017.**

The motion carried unanimously.

A-20) PLANNING AND DEVELOPMENT

[File Reference No. 02-00055](#)

Approve and authorize an amendment to the contract with Science Applications International Corporation, in the amount of \$66,329 for a total not to exceed \$193,325, to prepare the Environmental Impact Report for the proposed Cabrillo Business Park project located at the intersection of Hollister Avenue and Storke Road at 6767 Hollister Avenue, Goleta area, Third District.

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

A-21) PLANNING AND DEVELOPMENT

[File Reference No. 02-00056](#)

Set the 2002 window dates for hearing proposed Land Use Element and Local Coastal Program Amendments, as follows:

a) Set February 19, May 14, August 20 and October 8, 2002 for proposed Comprehensive Plan Land Use Element amendments;

b) Set May 14, July 16 and October 15, 2002 for proposed Local Coastal Program Amendments.

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

Hearings set for February 19, May 14, August 20, and October 8, 2002 for proposed Comprehensive Plan Land Use Element amendments.

Hearings set for May 14, July 16, and October 15, 2002 for Local Coastal Program Amendments.

The motion carried unanimously.

A-22) PROBATION[File Reference No. 02-00059](#)

Adopt (2) personnel resolutions relating to the Repeat Offender Prevention Program Grant, as follows:

a) Adopt a resolution, effective January 1, 2002 through June 30, 2002, extending the term of one (1.0 FTE) Deputy Probation Officer, Range 514 (\$3,149-\$3,845 per month);

b) Adopt a resolution, effective July 8, 2002, deleting one (1.0 FTE) Deputy Probation Officer, Range 514 (\$3,149-\$3,845 per month).

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

a) Adopted.

RESOLUTION NO. 02-018.

b) Adopted.

RESOLUTION NO. 02-019.

The motion carried unanimously.

A-23) PUBLIC WORKS[File Reference No. 02-00045](#)

Accept a Notice of Completion for work performed by Western States Surfacing, Inc. for Construction of Countywide Measure D Preventive Maintenance Application of Fog Seal Coat, Project No. 820459, All Districts.

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

A-24) PUBLIC WORKS[File Reference No. 02-00046](#)

Adopt the Santa Ynez Valley Airport Layout and Land Use Plan, Project No. 783703, Third District.

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

A-25) SHERIFF[File Reference No. 02-00048](#)

Review, accept and forward an update to the 2000-01 Santa Barbara County Grand Jury Report entitled Detention Facilities and Sheriff's Department Issues regarding video arraignment.

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

A-26) SOCIAL SERVICES[File Reference No. 02-00042](#)

Approve a 5.31% wage increase for In-Home Supportive Services Individual Providers, effective February 1, 2002.

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

A-27) SOCIAL SERVICES [File Reference No. 02-00043](#)

Approve the current membership of the County of Santa Barbara Child Care Planning Council and execute the Certification Statement Regarding Composition of Local Planning Council Membership.

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

A-28) SOCIAL SERVICES [File Reference No. 02-00044](#)

Accept the 2001 Children's Scorecard for Santa Barbara County as produced by the KIDS Network in collaboration with the UCSB Gevirtz Graduate School of Education, the Children and Families Commission and various County departments and community-based agencies.

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

A-29) SOCIAL SERVICES [File Reference No. 02-00076](#)

Adopt a resolution approving the County of Santa Barbara Family Preservation and Support Program Revised Budget for FY 2001-02.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Adopted RESOLUTION NO. 02-020.

The motion carried unanimously.

A-30) SOCIAL SERVICES [File Reference No. 02-00077](#)

Approve and execute an agreement with the Santa Barbara County Education Office (a local vendor) to provide youth employment and training activities for the period of July 1, 2001 through June 30, 2002, in an amount not to exceed \$837,303.

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

Board of Supervisors

A-31) SUPERVISOR SCHWARTZ [File Reference No. 02-00070](#)

Approve the appointment of Louis Weider to the Mental Health Commission, First District.

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

Hearing Requests

A-32) COUNTY EXECUTIVE OFFICE [File Reference No. 02-00066](#)

Set a hearing to receive a staff presentation and briefing paper regarding Solid Waste Technology Systems in Germany.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: January 22, 2002. The motion carried unanimously.

A-33) COUNTY CLERK-RECORDER-ASSESSOR[File Reference No. 02-00053](#)

Set a hearing to consider adoption of a resolution revising fees for services performed in the Elections Division office.

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

A-34) PLANNING AND DEVELOPMENT[File Reference No. 02-00057](#)

Set a hearing to receive the Planning and Development Director's 2001 Annual Goleta Growth Management Report, Second and Third Districts, as follows:

- a) Determine that health and safety continue to be jeopardized by residential construction;
- b) Direct Planning and Development to conduct workshops before the Planning Commission to produce recommendations regarding whether and in what form to continue growth management in the unincorporated portion of the Goleta Planning Area.

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

The motion carried unanimously.

A-35) PLANNING AND DEVELOPMENT[File Reference No. 02-00058](#)

Set a hearing to consider the introduction (First Reading) of an Ordinance adding § 25B to the Santa Barbara County Code, entitled Change of Owner, Operator or Guarantor for Certain Oil and Gas Facilities.

A motion was made by Supervisor Schwartz, seconded by Supervisor Rose, that this matter be Set for a hearing, as follows: March 19, 2002.

The motion carried unanimously.

A-36) PUBLIC HEALTH[File Reference No. 02-00079](#)

Consider recommendations regarding the Inter Region Cooperative Agreement and Amendments No. 1 and 2 with the County of Los Angeles for a Tuberculosis Detention Program, as follows:

- a) Approve and execute and Agreement with the County of Los Angeles Department of Health Services for civil detention of non-cooperative sputum smear positive tuberculosis patients for Santa Barbara County Public Health Department through June 30, 2001;
- b) Approve and execute Amendment No. 1 with the County of Los Angeles Department of Health Services which clarifies issues related to billing and payment, patient admission/discharge, patient monitoring and the services offered at different levels of care;
- c) Approve and execute Amendment No. 2 with the County of Los Angeles Department of Health Services, extending the term of the agreement through June 30, 2004.

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

- a) through c) Approved; Chair to execute. The motion carried unanimously.**

Approval of Administrative Agenda

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

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

PUBLIC COMMENT

Accepted

Persons desiring to address the Board must complete and deliver to the Clerk the form that 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: "The Unconscience Mind" - Christopher Brown addressed the Board.

RE: Happy New Year - Joe Armendariz addressed the Board.

RE: Athletes for Christ - Ken Loch addressed the Board.

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

RE: Congratulations and Support for the Santa Maria Valley Bikeway Levee Opening - Sister Janet Corcoran addressed the Board.

RE: Tax Issues - Andy Caldwell addressed the Board.

RE: Introduction of Alma Figueroa from Santa Maria High School as Fifth District Supervisor of the Day - Fifth District Supervisor Tom Urbanske addressed the Board.

Departmental Agenda -- Public Hearings1) **SHERIFF**[File Reference No. 02-00038](#)

HEARING - Consider recommendations regarding the Work Furlough and Sheriff's Work Alternative Program, as follows: (EST. TIME: 5 MIN.)

a) Consider the adoption (Second Reading) of an ordinance adding § 2-95 to Article XII, Chapter 2, of the Santa Barbara County Code to add an Electronic Monitoring component to the Work Furlough and Sheriff's Work Alternative Program;

b) Adopt program rules and regulations.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Adopted.

ORDINANCE NO. 4440.

b) Adopted.

The motion carried unanimously.

2) **PUBLIC WORKS**[File Reference No. 02-00074](#)

Adopt a Resolution supporting Proposition 42 for Safer Roads and Traffic Relief Without Higher Taxes, All Districts. (EST. TIME: 10 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Rose, seconded by Supervisor Urbanske, that this matter be Adopted
RESOLUTION NO. 02-021. The motion carried unanimously.

3) **PLANNING AND DEVELOPMENT**[File Reference No. 02-00072](#)

HEARING - Consider the appeal of Loraine Toms of the Planning Commission's August 27, 2001 decision to deny a lot split application TPM 14,524 to subdivide a 20.09 acre parcel located at 925 Toro Canyon Road, First District, as follows: (EST. TIME: 2 HRS.)

a) Uphold the Planning Commission's August 27, 2001 decision to deny the appeal;

b) Deny the appeal.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

2:00 P.M. Presentation of Resolutions and Awards**Planning Items and Public Hearings**

4) SUPERVISOR MARSHALL[File Reference No. 02-00039](#)

HEARING - Consider the introduction (First Reading) of an Ordinance adding Chapter 44 to the Santa Barbara County Code, entitled "Rights and Duties of Landlords and Tenants of Residential Property in the County of Santa Barbara". (EST. TIME: 30 MIN.)

A motion was made by Supervisor Schwartz, 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: February 12, 2002 in Santa Maria.

Directed staff to develop a standardized 'Notice to Quit' form, and incorporate this modification into the Ordinance. The motion carried by the following vote:

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

Noes: 2 - Supervisor Gray and Supervisor Urbanske

5) PLANNING AND DEVELOPMENT[File Reference No. 02-00071](#)

HEARING - Consider the appeals of Wanda Michalenko, representing the Santa Barbara Urban Creeks Council, and Diane Conn, representing Citizens for Goleta Valley, and conditionally approve the Residences at Sandpiper project (Case Nos. TM 14,541 and 99-DP-051), located on the north side of Hollister Avenue near its western terminus, Goleta area, based upon the project's consistency with the Comprehensive Plan, including the Coastal Plan and the Goleta Community Plan, and based on the ability to make the required findings and certify 01-SD-02, supplement to 94-EIR-9, Third District, as follows: (EST. TIME: 1 HR. 30 MIN.)

a) Adopt the required findings for the project, including CEQA findings and Statement of Overriding Considerations (Attachment A to the Board Letter dated January 15, 2002);

b) Certify the Supplemental Environmental Impact Report (01-SD-02) and adopt the mitigation monitoring program contained in the conditions of approval (Attachments B and C to the Board Letter dated January 15, 2002);

c) Grant the requested modifications to ordinance standards 1) to allow minimum residential front yard setbacks measuring five feet from the right of way of internal private roadways rather than 20 feet and 2) to allow the parking required for the studio dwelling units to be uncovered rather than covered;

d) Approve Vesting Tentative Tract Map 14,541 subject to the conditions included as Attachment B to the Board Letter dated January 15, 2002;

e) Approve 99-DP-051 subject to conditions included as Attachment C to the Board Letter dated January 15, 2002.

COUNTY ADMINSTRATOR'S RECOMMENDATION: POLICY

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

a. Adopted.

Directed staff to amend findings 1.3.3, 2.1.3.3 and 3.1.1 to disclose the site specific characteristics distinguishing on-site biological resources.

b. Certified 01-SD-02; adopted mitigation monitoring plan.

c. Granted.

d. Approved.

Directed staff to amend Condition 1 (Attachment C to the Board Letter dated January 15, 2002) to require the applicant to provide an annual report and sufficient funds to allow County to monitor compliance annually, in perpetuity, of the maintenance program applicable to the open space easement/ landscape preservation area Roads Division amended its condition letter to provide for consistency with the Local Coastal Plan, thereby revising condition 69 (e).

e. Approved.

Directed staff to amend Condition 1 (Attachment C to the Board Letter dated January 15, 2002) to reflect the revised project description including varying affordability levels and to require the applicant to provide an annual report and sufficient funds to allow County to monitor compliance annually, in perpetuity, of the maintenance program applicable to the open space easement/ landscape preservation area. Roads Division amended its condition letter to provide for consistency with the Local Coastal Plan, thereby revising condition 77 (e).

The motion carried by the following vote:

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

Noes: 1 - Supervisor Marshall

6) **PLANNING AND DEVELOPMENT**

[File Reference No. 02-00073](#)

Consider recommendations regarding the Fairview Shopping Center Remodel and Expansion, case nos. 99-DP-055 and 99-OA-015, located at 125 to 299 Fairview Avenue, Third District, as follows:
(EST. TIME: 1 HR. 30 MIN.)

a) Adopt the required findings for the project specified in Attachment A of the Planning Commission Action Letter of October 24, including CEQA findings;

b) Approve the Final Mitigated Negative Declaration 01-ND-18, as revised by staff memorandum dated October 23, 2001, and adopt the mitigation monitoring program contained in the conditions of approval, Attachment B of the Planning Commission Action Letter of October 24;

c) Adopt the point allocation of five (5) under the Goleta Growth Management Ordinance;

d) Approve 99-OA-015 and adopt the ordinance included as Board Letter Exhibit 1;

e) Approve the Development Plan 99-DP-055, subject to the conditions, Attachment B of the Planning Commission Action Letter of October 24, 2001;

f) Direct Public Works Transportation Division staff to conduct signal warrant analyses of the Shirrel Way/Fairview Avenue intersection and the Fairview Shopping Center main entrance on Calle Real (as part of annual monitoring for Goleta intersection signalization needs), and to review the walkway leading from the Fairview Overpass to Calle Real for pedestrian routing to the signalized intersection

and for ADA compliance.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

Acted on as follows:

A motion was made by Supervisor Marshall, seconded by Supervisor Urbanske, as follows:

- a) Adopted.
- b) Approved.
- c) Adopted.
- d) Read title, waived reading of ordinance in its entirety. Adopted Ordinance.

ORDINANCE NO. 4441

e) Approved the Development Plan 99-DP-055 with revisions, subject to the conditions in Attachment B of the Planning Commission Action Letter of October 24, 2001. Revisions include adding the following to condition #1:

i) In the first paragraph of the project description replace "This building can also be built at any time, phasing is identified for permit expiration purposes only (See Condition of Approval #49)." with the following sentence: "All square footage additions in Phase 1 and 75% of the remodeling in Phase 1 shall be completed prior to and use permit approval of Phase 2.";

ii) Immediately following the landscape section insert the following:
" The project includes modifications to zone district standards as follows:

1. Section 35-231.12.2 to allow a reduction in the amount of required landscaping in the front yard setback from 20 feet to between 10 and 15 feet along the southern frontage.

2. Section 35-231.12.3 to allow relief from the requirement for a wall along a rear boundary abutting a residential district to prevent encroachment into the floodway at the western property boundary.

3. Sections 35-231.11.1 and 35-232.12 to allow a reduction in the amount of parking from the required 1,175 spaces to 853 spaces."

Absent: Gray

The motion carried unanimously.

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

f) Directed Public Works Transportation Division staff to conduct signal warrants analyses of the Shirrel Way/Fairview Avenue intersection and the Fairview Shopping Center main entrance on Calle Real (consistent with the Roads Division annual monitoring process for Goleta intersection signalization needs), and to review the walkway leading from the Fairview Overpass to Calle Real for pedestrian routing to the signalized intersection and for ADA compliance.

Absent: Gray

The motion carried unanimously.

Adjourned to January 22, 2002

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

Announcements

THE MEETING OF JANUARY 15, 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 17, 2002, AT 5:00 P.M. ON GATV CHANNEL 20.

THE LEGISLATIVE PROGRAM COMMITTEE MEETING IS SCHEDULED TO BEGIN AT 12:00 PM ON MONDAY JANUARY 14, 2002, IN THE BOARD OF SUPERVISORS CONFERENCE ROOM, 105 E. ANAPAMU STREET, SANTA BARBARA, CA. THE COMMITTEE MEETS TO REVIEW LEGISLATIVE ISSUES AND MAKE RECOMMENDATIONS ON THEM TO THE BOARD OF SUPERVISORS. AN AGENDA PACKET IS AVAILABLE AT BOTH THE COUNTY ADMINISTRATOR'S OFFICE AND THE CLERK OF THE BOARD'S OFFICE, LOCATED AT THE COUNTY ADMINISTRATION BUILDING, 105 E. ANAPAMU STREET, SANTA BARBARA, CA.

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.

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