

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

December 09, 2003

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

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

Live Web Streaming of the Board of Supervisors Meetings, 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: Deborah Sanchez, Clerk-Recorder-Assessor's Office

Report from Closed Session

By a vote of 5-0, the Board authorized County Counsel to participate in the initiation of coordinated litigation, the nature of which will be made public if and when litigation is initiated.

Approval of Minutes of the December 2, 2003 meeting

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

Administrative Agenda

X-1) COUNTY EXECUTIVE OFFICE

[File Reference No. 03-01192](#)

Approve appropriation of \$150,000 of Courthouse Construction Fund (0071) monies to Capital Outlay Fund (0030) to encumber available monies for qualified expenditures prior to January 1, 2004.

Acted on as follows:

A motion was made by Supervisor Marshall, seconded by Supervisor Rose to approve consideration of X-1.

The motion carried unanimously.

A motion was made by Supervisor Schwartz, Seconded by Supervisor Marshall that this matter be approved.

The motion carried by the following vote:

Ayes: Supervisor's Schwartz, Rose, Marshall, Gray

Absent: Supervisor Centeno

X-2) COUNTY EXECUTIVE OFFICE [File Reference No. 03-01193](#)

Adopt a resolution authorizing the County Administrator and Treasurer-Tax Collector to substitute Capital Projects budgeted within the Courthouse Construction Fund 0071) not to exceed \$5.1 million funded from proceeds of 2001 Certificates of Participation.

Acted on as follows:

A motion was made by Supervisor Marshall, seconded by Supervisor Rose to approve consideration of X-2.

The motion carried unanimously.

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

RESOLUTION NO. 03-371

The motion carried unanimously.

A-1) SUPERVISOR SCHWARTZ [File Reference No. 03-01162](#)

Adopt a Resolution of Commendation for Joanne Wilkins, General Services Department, upon her retirement after 33 years of service to the County of Santa Barbara.

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

RESOLUTION NO. 03-372

The motion carried unanimously.

Honorary Resolutions

A-2) SUPERVISOR CENTENO [File Reference No. 03-01158](#)

Adopt a resolution proclaiming December 8 through December 14, 2003 as Flood Awareness Week in the County of Santa Barbara.

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

RESOLUTION NO. 03-373

The motion carried unanimously.

Administrative Items

A-3) AUDITOR-CONTROLLER [File Reference No. 03-01177](#)

Receive and file the Auditor's report on the Schedule of Deposits and Investments in the Santa Barbara County Treasury Pool for the quarter ended September 30, 2003.

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

A-4) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 03-01153](#)

Approve and authorize the Chair to execute the Subdivider's Agreement with Harris Grade Limited Partnership, owners of Bluffs at Mesa Oaks, Tract 14,499 (APNs: 097-250-47, 097-250-48 and 097-250-66) to construct and maintain private drainage improvements, Lompoc area, Fourth District.

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

A-5) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 03-01155](#)

Approve and authorize the Chair to execute the Subdivider's Agreement with Kenneth Gilbert Delgado and Lisa Ann Ulrich, owners of Delgado/Ulrich Lot Split, Tract 14,510 (APNs: 155-120-042 and 155-120-043) to construct and maintain private drainage improvements located at 2880 East Valley Road, First District.

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

A-6) BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT [File Reference No. 03-01165](#)

Accept a Notice of Completion for work performed by Cushman Contracting, Inc., (a local Vendor) for construction of the Total Dissolved Solids Reduction and Recycled Water Project (BRINEX #860031) and authorize the Clerk of the Board to record, Fourth and Fifth Districts.

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

A-7) BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 03-01157](#)

Concur with a grant application to the California Coastal Conservancy to provide funds to the County Water Agency and Cachuma Resource Conservation District to fund watershed planning on the south coast of Santa Barbara County, in the amount of \$202,946.

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

A-8) COUNTY EXECUTIVE OFFICE [File Reference No. 03-01154](#)

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

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

A-9) COUNTY COUNSEL [File Reference No. 03-01178](#)

Authorize execution of the Dominion Road Ranch Memorandum of Understanding ("MOU"), which stays litigation and provides a protocol to review proposals for development and creation of a mitigation bank for the California Tiger Salamander.

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

A-10) FIRE [File Reference No. 03-01161](#)

Adopt a resolution authorizing certain employees to execute applications and documents for the purpose of obtaining financial assistance under the Governor's Office of Service and Volunteerism (GO SERV) which provides funding for the Community Emergency Response Team (CERT) planning and program expenses.

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

RESOLUTION NO. 03-374

The motion carried unanimously.

A-11) GENERAL SERVICES [File Reference No. 03-01149](#)

Consider recommendations regarding the Jail NW Wing HVAC Replacement, (Project No. J03015), Second District, as follows:

- a) Authorize the Chair to award and execute the Construction Agreement with the lowest qualified bidder, Smith Electric Service (a local vendor) for the project subject to the provisions of the documents and certifications as set forth in the plans and specifications, and as required by California Law in the amount of \$267,947;
- b) 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 Gray, seconded by Supervisor Marshall, that this matter be Acted on as follows:

a) Authorized; Chair to execute.

b) Authorized.

The motion carried unanimously.

A-12) GENERAL SERVICES [File Reference No. 03-01150](#)

Consider recommendations regarding the Santa Barbara County Courthouse Hall of Records Restoration (Site # F02001; Project # 8644), First District, as follows:

- a) Approve the plans and specifications for the installation of a geothermal loop field;
- b) Authorize the General Services Department to advertise the project for public bidding.

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

a) Approved.

b) Authorized.

The motion carried unanimously.

A-13) GENERAL SERVICES [File Reference No. 03-01151](#)

Consider recommendations regarding the ADMHS Childrens Services Building Project, Second District, as follows:

a) Approve the plans and specifications to build a 13,000 square foot "Childrens Services Building" at the Calle Real Campus located at 427 Camino del Remedio, in an estimated amount of \$2.1 million;

b) Authorize the General Services Department to advertise the project for public bidding.

A motion was made that this matter be Acted on as follows:

a) Approved.

b) Authorized.

The motion carried unanimously.

A-14)

GENERAL SERVICES

[File Reference No. 03-01186](#)

Consider recommendations regarding the Public Works Service Center, Santa Maria (Site # T03010; Project # 8643), Fifth District, as follows:

a) Approve the plans and specifications to build an 11,500 square foot "Service Center" at the Foster Road Campus located at 626 West Foster Rd, Santa Maria in an estimated amount of \$1.6 million;

b) Authorize the General Services Department to advertise the project for public bidding.

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

a) Approved.

b) Authorized.

The motion carried unanimously.

A-15)

GENERAL SERVICES

[File Reference No. 03-01176](#)

Approve an application for destruction of records of all original workers' compensation claim files as well as miscellaneous workers' compensation incident files which never resulted in the filing of a claim, no longer required by law to be maintained.

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

A-16)

GENERAL SERVICES

[File Reference No. 03-01181](#)

Consider recommendations regarding potential uses for the Garden Street Parcel, located at 1020 Santa Barbara Street, First District, as follows:

a) Direct staff to proceed with the design of the Garden Street Parking Structure located at 1020 Santa Barbara Street in such a manner that the easterly portion of the parcel can be subdivided at some future date and be available for one of the following options:

- i. A County office building
- ii. A housing project
- iii. A mixed use project with housing, and some mix of either retail or County office space

b) Direct that the proceeds from the sale of the parcel be added to the parking structure project budget.

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

a) and b) Directed.

The motion carried unanimously.

A-17) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[File Reference No. 03-01147](#)

Adopt a resolution, effective December 8, 2003, as follows:

ESTABLISH JOB CLASSIFICATION

Risk Program Administrator (Class 006696), Range 6514 (\$6,228-\$7,604 per month);

GENERAL SERVICES LIABILITY (#8631)

Delete: 1.0 FTE Risk Analyst Supervising (Class 006693), Range 6324 (\$5,685-\$6,940 per month);

Add: 1.0 FTE Risk Program Administrator (Class 006696), Range 6514 (\$6,228-\$7,604 per month).

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

RESOLUTION NO. 03-375

The motion carried unanimously.

A-18) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[File Reference No. 03-01184](#)

Adopt one resolution, effective December 8, 2003, as follows:

ESTABLISH JOB CLASSIFICATIONS

Management Specialist U (Class 005024), Range 5336 (\$3,473-\$4,240 per month);

Management Specialist V (Class 005025), Range 5496 (\$3,762-\$4,592 per month);

Management Specialist W (Class 005026), Range 5936 (\$4,685-\$5,719 per month);

Management Specialist X (Class 005027), Range 5336 (\$3,473-\$4,240 per month);

Management Specialist Y (Class 005028), Range 5496 (\$3,762-\$4,592 per month);

Management Specialist Z (Class 005029), Range 5686 (\$4,135-\$5,048 per month);

AUDITOR CONTROLLER (# 0410)

Add: 1.0 FTE Management Specialist U/V (Classes 005024/005025);

Add: 1.0 FTE Management Specialist W (Class 005026);

CLERK-RECORDER-ASSESSOR (# 0440)

Add: 1.0 FTE Management Specialist X/Y/Z (Classes 005027/005028/005029).

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

RESOLUTION NO. 03-376

The motion carried unanimously.

A-19) PLANNING AND DEVELOPMENT

[File Reference No. 03-01100](#)

Consider recommendations regarding the Brown and Goller Agricultural Preserve Non-Renewal (76-AP-061/03AGP-00000-00024), Fifth District, as follows:

a) Accept the request for nonrenewal of Agricultural Preserve 76-AP-061;

b) Approve and execute the Notice of Nonrenewal by the County Land Conservation Contract for the parcel located on Cottonwood Canyon (APNs 147-050-041, and -042), New Cuyama area, Fifth District.

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

a) Accepted.

b) Approved; Chair to execute.

The motion carried unanimously.

A-20) PLANNING AND DEVELOPMENT

[File Reference No. 03-01101](#)

Approve and direct the Clerk of the Board to execute and record the Stewart Agricultural Preserve Replacement Contract (03AGP-00000-00018) replacing a portion of the original Agricultural Preserve 70-AP-147, located approximately 1 ½ miles, southwest of the intersection of Highway 101 and Santa Rosa Road, known as 8660 Santa Rosa Road (APN 083-190-001), Buellton area, Third District.

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

A-21) PLANNING AND DEVELOPMENT

[File Reference No. 03-01169](#)

Receive report regarding the proposed professional services contract with Thomas E. Figg (not a local vendor) for a development opportunities and constraints analysis of the Betteravia Lakes area (APN 113-210-001 and 113-150-022), in an amount not to exceed \$47,000.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: February 10, 2004 in Santa Maria. The motion carried unanimously.

A-22) PUBLIC HEALTH

[File Reference No. 03-01179](#)

Adopt a Personnel Resolution, effective December 8, 2003, to add positions necessary to staff the Santa Maria Women's Health Center, costs to be fully offset by revenue for services delivered, as follows:

ADD:

One (1.0 FTE) Regional Clinic Manager (006637), Range 6324 (\$5,685-\$6,940 per month);

One (1.0 FTE) Staff Nurse, Supervising (007104), Range 5876 (\$4,531-\$5,280 per month);

Six (6.0 FTE) Medical Assistant (005123), Range 4566 (\$2,365-\$2,888 per month);

One (1.0 FTE) Office Assistant, Principal (001650), Range 5076 (\$3,050-\$3,724 per month);

Two (2.0 FTE) Patient Representative (005644), Range 4626 (\$2,437-\$2,975 per month);

One (1.0 FTE) Computer Systems Specialist I/II (002171/002174), Range 5876/5956, (\$3,914-\$4,779 per month/\$4,546-\$5,550 per month);

One (1.0 FTE) Patient Accounts Clerk (005642), Range 4456 (\$2,239-\$2,734 per month)

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

RESOLUTION NO. 03-377

The motion carried unanimously.

A-23) PUBLIC HEALTH

[File Reference No. 03-01180](#)

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 Gray, seconded by Supervisor Marshall, that this matter be Approved. The motion carried unanimously.

A-24) PUBLIC WORKS

[File Reference No. 03-01174](#)

Adopt a personnel resolution, effective December 8, 2003, adding one (1.0 FTE) Real Property Agent III (Class 006631) Range 5868 (\$4,528-\$5,528 per month) not included in the Fiscal Year 2003-04 adopted budget and deleting one 0.5 FTE Real Property Agent III (Class 006631) Range 5868 (\$2,264-\$2,764 per month).

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

RESOLUTION NO. 03-378

The motion carried unanimously.

A-25) PUBLIC WORKS

[File Reference No. 03-01156](#)

Adopt a resolution forming a Floodplain Management Committee to develop a Floodplain Management Plan for the County of Santa Barbara.

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

RESOLUTION NO. 03-379

The motion carried unanimously.

A-26) PUBLIC WORKS

[File Reference No. 03-01148](#)

Consider recommendations regarding construction of intersection, traffic signal and street lighting improvements at the intersection of Hollister Avenue and Turnpike Road near the City of Goleta (County Project No. 210093), Second District, as follows:

- a) Approve plans and specifications for the project;
- b) Award the construction contract in the amount of \$237,740 to the lowest responsible bidder, Lash Construction (a local vendor), subject to the provisions of documents and certification, as set forth in the plans and specifications applicable to the project and as required by law;
- c) Authorize the Chair to execute the construction contract upon return of the Contractor's executed contract documents, and the review and approval of the County Counsel, Auditor Controller and Risk Manager or their authorized representatives;
- d) Approve a contingency fund in the amount of \$23,774 for the project.

A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Approved; Chair to Execute

a) and b) Approved.

c) Authorized; Chair to execute.

d) Approved.

The motion carried unanimously.

A-27) COUNTY EXECUTIVE OFFICE [File Reference No. 03-01154](#)

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

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

A-28) PUBLIC WORKS [File Reference No. 03-01182](#)

Require the subdivider to post a certified check in the amount of \$34,500 to guarantee the setting of the interior monumentation for Tract No. 14,487, Providence Landing Residential Project Phases I and II, pursuant to section 66496 of the State Subdivision Map Act, Third District.

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

A-29) PUBLIC WORKS [File Reference No. 03-01185](#)

Consider recommendations regarding 2003-04 Minor Bridge Deck Rehabilitation at Various Locations (Project No. 864030), Second, Third and Fourth Districts, as follows:

a) Approve and execute Contract Change Order No. 1 in the amount of \$34,868 for additional structure rehabilitation of Bridge No. 51C-185;

b) Approve an additional contingency amount of \$28,528.87 for the project.

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

a) Approved; Chair to execute.

b) Approved.

The motion carried unanimously.

A-30) SOCIAL SERVICES [File Reference No. 03-01166](#)

Approve and execute a Memorandum of Understanding between the Department of Social Services and the Fire Department regarding the refurbishing of the Emergency Shelter Care Facility for abused and neglected children.

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

Board of Supervisors

- A-31) SUPERVISOR CENTENO [File Reference No. 03-01164](#)
Approve the reappointment of Kenneth Eric Baker to the Assessment Appeals Board No. 2, Fifth District.
A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Approved. The motion carried unanimously.
- A-32) SUPERVISOR CENTENO [File Reference No. 03-01168](#)
Approve the reappointment of Nasra M. Kwentus to the Commission for Women, Fifth District.
A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Approved. The motion carried unanimously.
- A-33) SUPERVISOR CENTENO [File Reference No. 03-01173](#)
Approve the reappointment of Trent Benedetti to the Santa Barbara Finance Corporation, Inc., Fifth District.
A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Approved. The motion carried unanimously.
- A-34) SUPERVISOR GRAY [File Reference No. 03-01167](#)
Approve the appointment of Robert W. Kennedy to the Human Services Commission, Fourth District.
A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Approved. The motion carried unanimously.
- A-35) SUPERVISOR MARSHALL [File Reference No. 03-01160](#)
Approve the appointment of Kathryn Elizabeth Pace to the Advisory Board on Alcohol and Drug Problems, Third District.
A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Approved. The motion carried unanimously.
- A-36) SUPERVISOR MARSHALL [File Reference No. 03-01163](#)
Approve the reappointment of Eugene Gilbert Allen to the Santa Barbara Coastal Vector Control District, Third District.
A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Withdrawn from the agenda. The motion carried unanimously.
- A-37) SUPERVISOR MARSHALL [File Reference No. 03-01170](#)
Approve the reappointment of Jeanette Louise Sainz to the Sedgwick Ranch Agricultural Oversight Committee, Third District.
A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Approved. The motion carried unanimously.
- A-38) SUPERVISOR MARSHALL [File Reference No. 03-01171](#)
Approve the reappointment of Katherine Wyman Smith to the Advisory Board on Alcohol and Drug Problems, Third District.

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

A-39) SUPERVISOR MARSHALL[File Reference No. 03-01172](#)

Approve the reappointment of Jack Rutten to the Santa Barbara Coastal Vector Control District, Third District.

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

A-40) SUPERVISOR ROSE[File Reference No. 03-01175](#)

Approve the reappointment of Alicia V. Dondero to the Advisory Board on Alcohol and Drug Problems, Second District.

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

A-41) SUPERVISOR ROSE[File Reference No. 03-01188](#)

Approve the reappointment of Anne Gibson-Steiner to the Advisory Board on Alcohol and Drug Problems, Second District.

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

Hearing Requests

- A-42) COUNTY EXECUTIVE OFFICE [File Reference No. 03-01187](#)
- Set a hearing to consider Board of Supervisor appointments to Boards, Commissions and Committees
- A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: January 6, 2004 (EST. TIME: 10 MIN.) The motion carried unanimously.**
- A-43) PUBLIC HEALTH [File Reference No. 03-01152](#)
- Set a hearing to receive a briefing regarding the State-mandated implementation of SB 420 (the Medical Marijuana Law).
- A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: January 27, 2004 (EST. TIME: 45 MIN.) The motion carried unanimously.**
- A-44) PUBLIC HEALTH [File Reference No. 03-01159](#)
- Set a hearing to consider the Septic System Sanitary Survey and related recommendations by Questa Engineering Corporation.
- A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: January 6, 2004 (EST. TIME: 90 MIN.) The motion carried unanimously.**
- A-45) PUBLIC HEALTH [File Reference No. 03-01183](#)
- Set a hearing to receive report from Katherine Porter, MD regarding the National Health and Nutrition Examination Survey.
- A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: January 6, 2004 (EST. TIME: 10 MIN.) The motion carried unanimously.**
- A-46) PUBLIC WORKS [File Reference No. 03-01146](#)
- Set hearing to consider the Santa Ynez Valley Waste Management Plan Modification (Santa Ynez Airport Closed Landfill Clean Closure), Third District, as follows:
- a) Approve the Santa Ynez Valley Waste Management Plan Modification;
 - b) Consider the Negative Declaration for the project;
 - c) Direct the Solid Waste and Utilities Division to research and pursue funding options to clean close the Santa Ynez Airport Closed Landfill.
- COUNTY ADMINISTRATOR'S RECOMMENDATION:
- A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: January 13, 2004 in Santa Maria (EST. TIME: 60 MIN.) The motion carried unanimously.**
- A-47) SUPERVISOR GRAY [File Reference No. 03-01189](#)
- Adopt a resolution honoring Jerry D. Smith for 29 years of outstanding service to the Montecito Sanitary District.

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

RESOLUTION NO. 03-380

The motion carried unanimously.

A-48) PLANNING AND DEVELOPMENT

[File Reference No. 03-01190](#)

Set a hearing to consider a response to the California Coastal Commission regarding proposed changes to the Carpinteria Valley Greenhouse Program.

A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Set for a hearing, as follows: January 6, 2004 (EST. TIME: 60 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

A motion was made by Supervisor Gray, seconded by Supervisor Marshall, to Approve the Administrative Agenda as Amended. The motion carried unanimously.

[File Reference No. 03-00094](#)

PUBLIC COMMENT

Accepted Public Comment

People desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. **THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 92-398) (03-00,094)**

RE: Birthday Wishes to Sister Janet Corcoran - Fourth District Supervisor Joni Gray addressed the Board.

RE: Regarding "County Campaign Expenditure Ordinance" County Counsel Announced that the Expenditure Limits in the State Law that are incorporated in our Ordinance is Purely Voluntary - County Counsel Stephen Shane Stark addressed the Board.

RE: State Budget / Medicare Prescription Plan for Seniors - Sister Janet Corcoran addressed the Board.

RE: Central Coast Wine Growers Association Report - Kevin Merrill addressed the Board.

Departmental Agenda -- Public Hearings

1) AGRICULTURAL COMMISSIONER

[File Reference No. 03-01082](#)

HEARING - Consider the introduction (First Reading) of an Ordinance repealing the following sections of the Santa Barbara County Code: (EST. TIME: 20 MIN.)

(1) Article I, §§ 3-1 through 3-4.4, inclusive, of chapter 3 (Agriculture) of the County Code concerning the inspection of fruits, nuts and vegetables;

(2) §§ 24-1 through 24-5, inclusive, of chapter 24 (offenses-miscellaneous) of the County code concerning the abatement of nuisances consisting of rodents and predatory animals;

(3) §§ 24-17 through 24-27, inclusive, of chapter 24 (offenses-miscellaneous) of the County Code concerning the abatement of public nuisances caused by the unguarded storage of chemical pesticides.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Marshall, seconded by Supervisor Gray, that this matter be Read by title; waived reading of the ordinance in its entirety. Introduction approved; adoption (second reading) set, as follows: January 6, 2004. The motion carried unanimously.

2) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

[File Reference No. 03-01060](#)

HEARING - Consider recommendations regarding the El Encanto Debris Basin Project (03-ND-22), located near the intersection of Micheltorena Street and California Street in the City of Santa Barbara, First District, as follows: (EST. TIME: 15 MIN.)

a) Approve the El Encanto Debris Basin Project;

b) Approve the Mitigated Negative Declaration (03-ND-22) for the Project pursuant to the California Environmental Quality Act (CEQA) Guidelines;

c) Approve the plans and specifications for the project;

d) Authorize the Public Works Director to advertise and receive bids for the project.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) through c) Approved.

d) Authorized.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

3) TREASURER-TAX COLLECTOR[File Reference No. 03-01077](#)

HEARING - Consider recommendations regarding 1994 Refunding and 2004 Certificates of Participation, as follows: (EST. TIME: 30 MIN.)

- a) Authorize the County Treasurer-Tax Collector to execute the Contract of Purchase for the issuance of non-taxable 2004 Certificates of Participation in accordance with State and Federal law, in an amount not to exceed \$27,000,000, at a yield not to exceed 4%, and for a term not to exceed 15 years;
- b) Authorize the additional financing of the following equipment and other capital improvements, as recommended by the Debt Advisory Committee (DAC):
 - i. Solid Waste Caterpillar Tractor Scraper
 - ii. Santa Maria Public Works Service Center
 - iii. Laguna Sanitation Micro Turbine Cogeneration
 - iv. County Hall of Records Restoration
 - v. Sheriff's Inmate Security Transportation Bus
- c) Approve and authorize the Chair to execute a contract appointing Orrick, Herrington & Sutcliffe as Bond Counsel; accept a proposal for Trustee, Registrar, and Paying Agent Services from US Bank Corporate Trust Services;
- d) Direct the County Treasurer-Tax Collector, County Auditor-Controller, County Counsel and General Services to proceed with all necessary actions required to refund the 1994 Certificates of Participation and issue the 2004 Certificates of Participation;
- e) Authorize the Treasurer-Tax Collector, in consultation with the Debt Advisory Committee, to abandon the refunding and issuance if market conditions are deemed to have become financially unfavorable;
- f) Adopt a resolution: Authorizing the execution and delivery of a Lease, a Sublease, an Assignment Agreement, a Trust Agreement, a Contract of Purchase and Escrow Agreement; Approving execution of Certificates of Participation to prepay and refinance certain obligations and to finance certain equipment and other Capital Improvements; Approving an Official Statement for said Certificates of Participation; Authorizing the execution and delivery of a Continuing Disclosure Agreement; and Authorizing certain other actions in connection with the lease financing;
- g) Adopt a resolution enabling the County to receive reimbursement for expenditures incurred prior to issuance of the 2004 Certificates of Participation, contingent upon Board approval of the 2004 Certificates of Participation at the December 9, 2003 hearing.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) and b) Authorized.

c) Approved; Chair to execute.

d) Directed.

e) Authorized.

f) Adopted.

RESOLUTION NO. 03-381

g) Adopted.

RESOLUTION NO. 03-382

The motion carried unanimously.

4) COUNTY EXECUTIVE OFFICE

[File Reference No. 03-01039](#)

HEARING - Consider recommendations regarding the first quarter Fiscal Year 2003-04 Budget Update and FY 04-05 Budget Workshop # 1, as follows: (EST. TIME: 20 MIN.)

a) Approve Budget Principles for use in development of the FY 03-04 Operating Budget;

b) Receive a report from the Sheriff regarding the nature and status of city contracts.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) Approved as amended (Attachment "A" of County Administrator board letter dated December 9, 2003).

b) Received and filed status report.

The motion carried unanimously.

5) COUNTY EXECUTIVE OFFICE

[File Reference No. 03-01118](#)

HEARING - Consider recommendations regarding potential financial impacts to the County due to State of California reduction to the Vehicle License Fees (car tax) and proposed mid-year State budget reductions, as follows: (EST. TIME: 1 HR.)

a) Receive a report on potential financial impacts to the County General Fund and the Departments of Alcohol, Drug and Mental Health, Public Health, and Social Services resulting from the reduction in vehicle license fee (VLF) revenues for local governments;

b) Adopt a temporary freeze on hiring, effective December 10, 2003, to include:

i. Hiring to fill regular positions in all funds; with a blanket exemption for jail and honor farm, juvenile hall and camp, and psychiatric facility staffing;

ii. Use of temporary employees funded by the General Fund that are contracted through

temporary staffing agencies, with a blanket exemption for the Elections Division of the Clerk-Recorder-Assessor's Office;

iii. Hiring of additional extra-help employees funded by the General Fund, with a blanket exemption for the same 24-hour facilities listed in recommendation B-1;

iv. New contractors-on-payroll agreements funded by the General Fund;

v. The reclassification of all regular positions;

vi. Authorize the County Administrator to grant exemptions to hiring and reclassification freezes on a case-by-case basis;

c) Receive a report on the potential local impacts of proposed mid-year State budget reductions;

d) Provide general direction regarding criteria for further mid-year budget reductions;

e) Direct the County Administrator to return on January 6, 2004 with a further update on State budget impacts on the County.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

a) Received and filed.

b) Adopted.

c) Received and filed.

d) and e) Received and filed. Directed staff to return on Monday, January 5, 2004 at 2:PM for further direction regarding mid-year budget reductions and State budget Impacts to Santa Barbara County. The motion carried unanimously.

2:00 P.M. Presentation of Resolutions and Awards**Planning Items and Public Hearings**6) **PUBLIC WORKS**[File Reference No. 03-01091](#)

HEARING - Consider recommendations regarding Road Vacation/Abandonment Fees and Certificate of Compliance Review Fees, as follows: (EST. TIME: 10 MIN.)

a) Adopt a resolution authorizing the Public Works Director, or designee, to collect initial deposits in the amount of \$2,000 for road easement vacations, to collect initial deposits of \$5,000 for abandoning fee roads or road abandonments involving development projects, and to collect additional fees as required, based on best estimates to complete the projects and authorizing the County Surveyor, or designee, to collect initial deposits in the amount of \$1,000 per parcel for Certificates of Compliance and conditional Certificates of Compliance and to collect additional fees as required, based on best estimates to complete certificate processing;

b) Adopt a policy regarding fee owned roadways transferred to private parties.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Adopted.

RESOLUTION NO. 03-383

b) Adopted.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

7) **PLANNING AND DEVELOPMENT**[File Reference No. 03-01104](#)

HEARING - Consider recommendations regarding Development Impact Mitigation Fee Program, as follows: (EST. TIME: 45 MIN.)

a) Receive the 2002-2003 annual reports for the Countywide, Orcutt and Goleta development impact fee programs;

b) Receive report regarding the automatic annual fee adjustment of 2.48% which is based on the increase in the Engineering Construction Cost Index.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

Received and filed staff report.

8) PLANNING AND DEVELOPMENT[File Reference No. 03-01061](#)

HEARING - Consider the Rice Ranch Project located on the south side of Stubblefield and Rice Ranch Roads in the southeastern portion of the Orcutt community (APNs 101-010-013, 105-140-016, and 101-020-004), Fourth District, as follows: (EST. TIME: 2 HRS. 30 MIN.)

Acting as the Board of Supervisors:

- a) Adopt an ordinance (03ORD-00000-00011) approving 97-SP-001, the Rice Ranch Specific Plan (Attachment U to the Planning Commission staff report dated October 1, 2003);
- b) Adopt the required findings for the project specified in Attachment A found in the Planning Commission Action Letter dated November 18, 2003, including CEQA findings and any modifications made at the October 22, 2003 Planning Commission Hearing;
- c) Certify 03-EIR-05 as adequate environmental review for the project;
- d) Approve TM 14,430 subject to the conditions included as Attachment B to the Planning Commission Action letter dated November 18, 2003;
- e) Approve TM 14,636 subject to the conditions included as Attachment C to the Planning Commission Action letter dated November 18, 2003;
- f) Approve 03DVP-00000-00009 subject to the conditions included as Attachment C, D and E to the Planning Commission Action letter dated November 18, 2003;
- g) Approve 03DVP-00000-00010 subject to the conditions included as Attachment C, D and F to the Planning Commission Action letter dated November 18, 2003;
- h) Approve 03DVP-00000-00011 subject to the conditions included as Attachment C, D and G to the Planning Commission Action letter dated November 18, 2003;
- i) Approve 03DVP-00000-00012 subject to the conditions included as Attachment C, D and H to the Planning Commission Action letter dated November 18, 2003;
- j) Approve 03DVP-00000-00013 subject to the conditions included as Attachment C, D and I to the Planning Commission Action letter dated November 18, 2003;
- k) Approve 03DVP-00000-00014 subject to the conditions included as Attachment C, D and J to the Planning Commission Action letter dated November 18, 2003;
- l) Adopt an ordinance approving 03RZN-00003 to rezone 2 parcels created by TTM 14,430 from "PRD" to "PI" for public school use; and to rezone 5 parcels created by TTM 14,430 from "PRD" to "REC" for public park use (Attachment K to the Planning Commission Staff report dated September 10, 2003);
- m) Adopt the mitigation monitoring and reporting plan contained within the conditions of approval, found in the Planning Commission Action letter dated November 18, 2003;

Acting as the Board of Supervisors, Board of Directors of the Flood Control and Water Conservation District, Board of Directors of the Water Agency and Board of Directors of the Laguna County Sanitation District:

n) Adopt an ordinance (03ORD-00000-00008) approving the Development Agreement to allow the applicant to develop under County rules, regulations and ordinances in effect at the time of final action for a period of 15 years in exchange for offers to dedicate open space and dedicate and construct trails and parks to the County and dedicate the school parcels to the Orcutt Union School District and provide affordable housing, exceeding the Housing Element requirements, upon recordation of the Final Tract Map 14,636 (attachment to the County Counsel memorandum dated December 9, 2003).

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

Acted on as follows:

A motion was made by Supervisor Gray, seconded by Supervisor Rose to accept late distribution from McCadden Development.

Motion carried unanimously.

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

a) adopted.

ORDINANCE NO. 4520

b) Adopted.

c) Certified.

d) Approved; TM 14,430 subject to the conditions included as Attachment "B" (as revised by Planning and Development board letter dated November 25, 2003 and Planning and Development Memorandum dated December 9, 2003) of the Planning Commission Action Letter dated November 18, 2003.

e) Approved; TM 14,636 subject to the conditions included as Attachment "C" (as revised by Planning and Development board letter dated November 25, 2003 and Planning and Development Memorandum dated December 9, 2003) of the Planning Commission Action Letter dated November 18, 2003.

f) Approved; 03DVP-00000-00009 subject to the conditions included as attachment C, D (as revised by Planning and Development board letter dated November 25, 2003, Planning and Development Memorandum dated December 9, 2003 and at the hearing of December 9, 2003.) and E to the Planning Commission action letter dated November 18, 2003.

g) Approved; 03DVP-00000-00010 subject to the conditions included as attachment C, D (as revised by Planning and Development board letter dated November 25, 2003, Planning and Development Memorandum dated December 9, 2003 and at the hearing of December 9, 2003.) and F to the Planning Commission action letter dated November 18, 2003.

h) Approved; 03DVP-00000-00011 subject to the conditions included as attachment C, D (as revised by Planning and Development board letter dated November 25, 2003, Planning and Development Memorandum dated December 9, 2003 and at the hearing of December 9, 2003.) and G to the Planning Commission action letter dated November 18, 2003.

i) Approved; 03DVP-00000-00012 subject to the conditions included as attachment C, D (as revised by Planning and Development board letter dated November 25, 2003, Planning and Development Memorandum dated December 9, 2003 and at the hearing of December 9, 2003.) and H to the Planning Commission action letter dated November 18, 2003.

j) Approved; 03DVP-00000-00013 subject to the conditions included as attachment C, D (as revised by Planning and Development board letter dated November 25, 2003, Planning and Development Memorandum dated December 9, 2003 and at the hearing of December 9, 2003.) and I to the Planning Commission action letter dated November 18, 2003.

k) Approved; 03DVP-00000-00014 subject to the conditions included as attachment C, D (as revised by Planning and Development board letter dated November 25, 2003, Planning and Development Memorandum dated December 9, 2003 and at the hearing of December 9, 2003.) and J to the Planning Commission action letter dated November 18, 2003.

l) Adopted.

ORDINANCE NO. 4521

m) Adopted.

Motion carried unanimously.

Convened as the Board of Supervisors and the Board of Directors of the Flood Control and Water Conservation District, Board of Directors of the Water Agency and Board of Directors of the Laguna County Sanitation District .

A motion was made by Director Gray, seconded by Director Rose that this matter be acted on as follows:

n) Adopted.

ORDINANCE NO. 4522

Motion carried unanimously.

Reconvened as the Board of Supervisors:

A motion was made by Supervisor Rose, seconded by Supervisor Gray as follows: Directed staff to meet with the developer to seek community support regarding additional work force housing and rolling 30 year affordability. Further directed staff to remove all references to Key site 30 from the Development Agreement and all project documentation.

Motion carried unanimously.

Adjourn to Monday January 5, 2004

At 2:00 PM

County Administration Building

Board Hearing Room

105 East Anapamu Street , Fourth Floor

Santa Barbara

Adjourn

Announcements

The meeting of December 9, 2003, will be telecast live on Government Access TV channel 20 at 9:00 AM, and will be rebroadcast on the following Thursday, December 11, 2003, at 5:00 PM on GATV Channel 20.

The Board of Supervisors meeting of December 9, 2003 (In Santa Maria) is the last hearing of 2003. The first meeting of 2004 will be held January 5, 2004 in Santa Barbara.

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