

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

February 11, 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, Supervisor Gray and Supervisor Centeno

Invocation: Larry Appel, Planning and Development

Report from Closed Session

County Counsel announced the following:

The plaintiffs dismissed their writ petition in Myers v. County. This challenged the approval of the Tom's Lot Split in the Toro Canyon area.

The California Supreme Court issued its opinion in Gardner v. Sonoma County in favor of the County, holding that antiquated maps did not create legally cognizable subdivisions for purposes of the subdivision Map Act. Santa Barbara County Counsels office wrote an amicus brief in support of Sonoma County.

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

Approval of Minutes of the February 4, 2003 meeting

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

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

Abstentions: 1 - Supervisor Gray

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR MARSHALL [File Reference No. 03-00170](#)

Adopt a Resolution of Commendation for Chris Mullin upon being selected the Santa Barbara County 2003 Teacher of the Year.

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

RESOLUTION NO. 03-041

The motion carried unanimously.

A-2) SUPERVISOR SCHWARTZ [File Reference No. 03-00171](#)

Adopt a Resolution of Commendation for William S. "Bill" Chiat, Santa Barbara County's First Director of Organizational Effectiveness upon his acceptance of the County Executive Officer position in Napa County.

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

RESOLUTION NO. 03-042

The motion carried unanimously.

Administrative Items

Department requests continuance of Administrative Item No.) A-3 to February 18, 2003.

A-3) Agricultural Advisory Committee [File Reference No. 03-00062](#)

Receive and refer recommendations regarding proposed revisions to the County's Uniform Rules for Agricultural Preserves, as follows:

- a) Receive proposed revisions to the County's Uniform Rules for Agricultural Preserves developed by the agricultural industry and endorsed by the County's Agricultural Advisory Committee;
- b) Refer proposed revisions to Planning and Development for review.

A motion was made, seconded by Supervisor Schwartz, that this matter be Continued, as follows: February 18, 2003 on the Administrative Agenda. The motion carried unanimously.

A-4) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 03-00159](#)

Consider recommendations regarding a payroll contract for psychiatric nurse services, as follows:

- a) Approve and execute a payroll contract for psychiatric nurse services with Donald Curtis, R.N., for the period of February 17, 2003 through June 30, 2004, in an amount not to exceed \$136,102;
- b) Authorize the Director of Alcohol, Drug & Mental Health Services (ADMHS) to approve amendments to the proposed contract, providing that any such amendments do not exceed ten percent (10%) of the total contract value.

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

a) Approved; Chair to execute.

b) Authorized.

The motion carried unanimously.

A-5) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00166](#)

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

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

A-6) FIRE [File Reference No. 03-00163](#)

Authorize the Purchasing Manager to procure two brush trucks (Type III Engines) under the terms and conditions of a purchase conducted by the California Department of Forestry (CDF) in the amount of \$199,780.

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

A-7) PARKS [File Reference No. 03-00160](#)

Accept the Grant of Easement for Riding and Hiking Trail from Investec Signature Series, LLC on APN 059-290-045 for the Maria Ygnacia Loop Trail, and authorize the Clerk of the Board to endorse thereon the Board's acceptance, Second District.

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

A-8) PARKS [File Reference No. 03-00161](#)

Approve and execute the Jalama Beach County Park/ Ocean Beach County Park/ Point Sal Road/ Surf Station Parking Lot Supplemental Evacuation Agreement No. 2 (SPCVAN-1-93-0006) between the County of Santa Barbara and the United States Air Force extending the term for a period of five (5) years beginning December 1, 2002 through November 30, 2007, Third and Fourth Districts.

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

A-9) PLANNING AND DEVELOPMENT [File Reference No. 03-00167](#)

Set date to consider the request of Frank Costa Jr. agent for Hazel Costa for one Agricultural Preserve Replacement Contract located approximately 1 1/2 miles northeast of the intersection of Drum Canyon Road and Highway 246 (APN 099-180-019) (Case No. 02AGP-00000-00027), Lompoc area, Third District. (SET DATE FOR MARCH 25, 2003 ON ADMINISTRATIVE AGENDA)

A motion was made by Supervisor Gray, seconded by Supervisor Schwartz, that this matter be Set on the Administrative Agenda, as follows: March 25, 2003. The motion carried unanimously.

A-10) PUBLIC WORKS [File Reference No. 03-00164](#)

Consider recommendations regarding 2001 Storm Damage Repairs on Kinevan Road (County Project No. 01STRM, R016), Third District, as follows:

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

b) Authorize the Director of Public Works to advertise for construction bids for Storm Damage Repairs on Kinevan Road at three locations, Project No. 01STRM, R016.

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

a) Approved.

b) Authorized.

The motion carried unanimously.

A-11) PUBLIC WORKS [File Reference No. 03-00165](#)

Authorize Public Works to reimburse the Santa Ynez YMCA for off-site road improvements constructed in the amount of \$144,118.38, Third District.

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

A-12) SHERIFF [File Reference No. 03-00162](#)

Authorize the Sheriff's Department to establish a Memorandum of Understanding between the Sheriff's Department and the Santa Barbara Community College District for the continuing adult education program for inmates incarcerated at the Santa Barbara County Jail facilities, effective February 11, 2003 through February 11, 2004.

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

Board of Supervisors

A-13) SUPERVISOR GRAY [File Reference No. 03-00157](#)

Approve the appointment of Bernard E. Jones to the Human Relations Commission, Fourth District.

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

A-14) SUPERVISOR GRAY [File Reference No. 03-00136](#)

Approve the appointment of Beverly R. McHugh to the Human Relations Commission, Fourth District.

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

A-15) SUPERVISOR MARSHALL [File Reference No. 03-00158](#)

Approve the appointment of Norvell Nelson to the Air Pollution Control District Advisory Council, Third District.

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

A-16) HOUSING AND COMMUNITY DEVELOPMENT[File Reference No. 03-00168](#)

Authorize the County Administrator to execute the Recoverable Grant Agreement and Regulatory Agreement with the Good Samaritan Shelter, Incorporated, in substantial conformity, for funding awarded under the United States Department of Housing and Urban Development Department's (HUD), 2001 Continuum of Care Supportive Housing Program grant competition, in the amount of \$227,850.

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

Approval of Administrative Agenda

A motion was made by Supervisor Gray, seconded by Supervisor Schwartz, to Approve the Administrative Agenda. 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: Health Care Crisis/1st Annual Santa Maria Informational Fair/World Peace - Sister Janet Corcoran addressed the Board.

RE: "Friends" of the Santa Maria Library - Hinda Beaman addressed the Board.

RE: Santa Barbara County Water Policy Issues - Jack Adams addressed the Board.

RE: Agricultural Advisory Committee Issues - Andy Caldwell addressed the Board.

RE: "Job Share Day" and "Take a Child to Work Day" - Ann Goodrich, Director of Human Resources addressed the Board.

RE: Reported on CSAC Meeting in Sacramento - Second District Supervisor Susan Rose addressed the Board.

RE: Commemorating the life of former County Public Works Director and County Administrator Charles 'Chuck' Wagner upon his recent passing - Deputy County Administrator Jim Laponis addressed the Board.

Departmental Agenda -- Public Hearings

1) PLANNING AND DEVELOPMENT

[File Reference No. 02-01051](#)

HEARING - Consider General Plan Amendment Case No. 02GPA-00000-00008, adoption of an amendment to the language of Policy WAT-O-2 (Water -Orcutt 2 Policy) of the Orcutt Community Plan, as follows:

- a) Adopt the required findings for the project including CEQA findings;
- b) Accept the memorandum prepared pursuant to Section 15162 of the Guidelines for Implementation of the California Environmental Quality as adequate environmental review for this project;
- c) Adopt a Resolution to amend the language of Policy WAT-O-2 of the Orcutt Community Plan.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

2) PUBLIC WORKS

[File Reference No. 02-01215](#)

HEARING - Consider the adoption (Second Reading) of an ordinance amending Chapter 23, Sections 23-15.2 through 23-15.6, of the Santa Barbara County Code, pertaining to speed limits on certain County Roads, based on recommendations of the Traffic Engineering Committee, First, Second, Third and Fourth Districts. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

ORDINANCE NO. 4487

Directed Public Works to send a letter to the California Highway Patrol requesting consistency in enforcing traffic laws on County roads.

The motion carried unanimously.

3) PLANNING AND DEVELOPMENT

[File Reference No. 02-00711](#)

HEARING - Consider the appeal of Jeff Hopson of the Planning Commission's May 8, 2002 approval of the Harp Springs Project (98-DP-017, TM 14,478, 02APL-00000-00018), located at the terminus of Harp Road, Orcutt, Fourth District, as follows:

- a) Acknowledge that the long-term yield of the State Water Project (SWP) is 75% of entitlement as currently estimated by the California Department of Water Resources. At this percentage, the 550 AFY of SWP entitlement held by the California Cities Water Company (Cal Cities) is equivalent to 413 AFY of long-term average annual supply;
- b) Interpret Development Standard WAT-O-2.2 to mean that supplemental water supplies committed by a contract between the water purveyor and a private party are not "available" for new development or approved development which has not yet received land use clearance or purchased water from the

Cal Cities Water Company;

c) Find that water stored by the Semitropic Water Storage District (Semitropic) in a volume equivalent to a 100-year supply combined with sufficient reserved pumping capacity to deliver that water to the State Water Project Aqueduct would be an adequate available long-term reliable water supply pursuant to Development Standard WAT-O-2.2;

d) Direct staff to work with the applicant on developing a draft contract consistent with OCP Policy WAT-O-2 and Development Standard WAT-O-2.2.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Gray, seconded by Supervisor Marshall, that this matter be Continued, as follows: March 11, 2003 (EST. TIME: 90 MIN.) The motion carried unanimously.

4) PLANNING AND DEVELOPMENT[File Reference No. 03-00003](#)

HEARING - Consider recommendations regarding the request of Harrell Fletcher, agent, to consider the Hossli Tentative Parcel Map and Rezone (Case No. 01TPM-00000-00018), for approval under County Code Chapter 21 to divide 39.26 acres into 2 parcels of 19.63 acres each in the 20-U and 40-U Zone Districts under Ordinance No. 661 and 01RZN-00000-00008, a rezone from Ordinance 661 to Article III, of the two agriculturally zoned parcels, Tepusquet Canyon area, Fifth District, as follows: (EST. TIME 1 HR.)

- a) Consider the adoption of an Ordinance to rezone APN 131-220-004, amending the Inland Zoning Maps (identified as Board of Supervisors Exhibit Nos. 35.204.50.5), included as Attachment A (attached);
- b) Adopt the required findings for the project specified in the Planning Commission Final Action Letter dated December 18, 2002 included as Attachment B (attached), including CEQA findings;
- c) Approve the Negative Declaration, 02-ND-31, as adequate environmental review included in the Staff Report dated October 30, 2002 and included as Attachment C (attached);
- d) Approve the Tentative Parcel Map (Case Number 01TPM-00000-00018) subject to the conditions included in the Planning Commission Final Action Letter dated December 18, 2002 included as Attachment B (attached).

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Adopted.

ORDINANCE NO. 4488

b) Adopted.

c) and d) Approved.

The motion carried unanimously.

2:00 P.M. Presentation of Resolutions and Awards**Planning Items and Public Hearings**5) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 03-00006](#)

HEARING - Officially recognize employees with 10, 15, 20, 25, 30 and 35 years of service achieved in 2002 per the resolution adopted February 4, 2003, and present service awards to North County employees in categories of 20 years of service and over and department heads and elected officials in categories of 10 years of service and over. (EST. TIME: 45 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

Presented Awards.

6) PLANNING AND DEVELOPMENT[File Reference No. 02-00856](#)

HEARING - Consider the appeal of Lisa Bodrogi, agent for Ken Plam, of the July 24, 2002 Planning Commission deemed denials of the Mission Meadows Winery Development, (Case No. 01DVP-00000-00002), for approval of a Final Development Plan under the provisions of Article III of the AG-II-40 Zone District, to develop a winery and manager's residence; and case number TPM 14,563, for approval under County Code Chapter 21 to divide 93.54 acres into two parcels of 52.75 acres and 40.79 acres in the AG-II-40 Zone District under Article III, located north of the Alisal River Golf Course (APN 139-250-010), Solvang area, Third District, as follows: (EST. TIME: 2 HRS.)

a) Direct staff to prepare an Environmental Impact Report based on the determination that a fair argument has been raised regarding the potential for significant impacts to historical and biological resources.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) Directed staff to prepare an EIR and authorized the Planning and Development Director to seek a shortened review period for the Draft EIR from the State Clearinghouse, Office of Planning and Research. The Board further determined that it will retain jurisdiction to decide the appeal upon completion of the EIR.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Centeno

Adjourn to February 18, 2003**County Administration Building****Board Hearing Room****105 East Anapamu Street , Fourth Floor****Santa Barbara****Adjourn****Announcements**

THE MEETING OF FEBRUARY 11, 2003 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, FEBRUARY 13, 2003 AT 5:00 P.M. ON GATV CHANNEL 20.

THE LEGISLATIVE PROGRAM COMMITTEE MEETING IS SCHEDULED TO BEGIN AT 12:00 PM ON TUESDAY FEBRUARY 18, 2003, 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.

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